



WESTERN
AUSTRALIAN
GOVERNMENT

Gazette

6259



PERTH, WEDNESDAY, 23 DECEMBER 1992 No. 182 SPECIAL

PUBLISHED BY AUTHORITY G. L. DUFFIELD, GOVERNMENT PRINTER AT 3.45 PM

TOBACCO CONTROL ACT 1990

**TOBACCO CONTROL (PACKAGE
LABELS) REGULATIONS 1992**

TOBACCO CONTROL ACT 1990

TOBACCO CONTROL (PACKAGE LABELS) REGULATIONS 1992

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Tobacco Control (Package Labels) Regulations 1992*.

Commencement

2. These regulations shall come into operation on 1 July 1993.

Interpretation

3. (1) In these regulations, unless the contrary intention appears —

“Executive Director, Public Health” has the same definition as in the *Health Act 1911*;

“prescribed warning” means a warning in Schedule 2;

“prescribed information” means the information in Schedule 3;

“required labelling” means the labelling required by regulation 4.

(2) A reference in these regulations to the surface of a package is a reference to the external surface of the package.

(3) If a package is individually wrapped in any material and the material is not wholly transparent so as to allow the required labelling on the package to be readable, a reference in these regulations (other than regulation 7) to a package is to be taken as including a reference to the material in which the package is individually wrapped.

Labelling of packages

4. (1) A package of a class referred to in Column A of Schedule 1 shall be labelled —

(a) subject to regulation 6, with Part A of one of the prescribed warnings which shall —

(i) be positioned in the manner; and

(ii) fill the area on the package,

described in Column B of Schedule 1 and be bordered by a black line;

(b) with Part B of the same prescribed warning which shall —

(i) be positioned in the manner; and

(ii) fill the area on the package,

described in Column C of Schedule 1 and be bordered by a black line; and

Tobacco Control (Package Labels) Regulations 1992

- (c) on and after 1 July 1994, with the prescribed information which shall —
- (i) be positioned in the manner; and
 - (ii) fill the area on the package,
- described in Column D of Schedule 1 and be bordered by a black line.
- (2) A class of package not referred to in Column A of Schedule 1 shall be referred to the Executive Director, Public Health for a determination under subregulation (3).
- (3) The Executive Director, Public Health shall determine —
- (a) whether the whole or none or only specified portions of the prescribed warnings and the prescribed information shall be the required labelling for the class of package; and
 - (b) the position of the required labelling and the area to be occupied by it on packages in the class; but shall not require the required labelling to occupy more than 44% of the surface area of packages in the class.
- (4) A determination by the Executive Director, Public Health under subregulation (3) shall be in writing.
- (5) A package of a class the subject of a determination under subregulation (3) shall be labelled in accordance with the determination.

Type and appearance of required labelling

5. (1) The required labelling on a package shall be —
- (a) in Helvetica type; and
 - (b) in black type on a white background.
- (2) The size of the type in the required labelling on a package shall be consistent within each of the following:
- (a) Part A of a prescribed warning.
 - (b) Part B of a prescribed warning.
 - (c) The prescribed information.
- (3) Where in these regulations, or in a determination under regulation 4(3), a word or number in a prescribed warning or in the prescribed information is in bold type or in upper case, the word or number in the required labelling on a package shall be in bold type or in upper case, as the case requires.
- (4) The area on a package required to be occupied by required labelling shall not contain any matter other than that required by these regulations.

Tobacco Control (Package Labels) Regulations 1992

Prescribed warnings to be rotated

6. If the required labelling for a class of package includes the whole, a Part, or any portion of one of the prescribed warnings, the packer, or a person causing other persons to pack tobacco products in that class of package, shall ensure that each prescribed warning, or the required Part or portion of each prescribed warning, as the case may be, is used on labels on packages in that class with equal frequency during each period of 12 months commencing on 1 July 1993.

Penalty: \$1 000.

Required labelling not to be removable etc.

7. (1) No portion of the required labelling on a package shall be able to be removed from the package.

(2) No portion of the required labelling on a package shall be destroyed or become unreadable when the package is opened in the normal way.

Prohibited words on or in packages

8. (1) In this regulation, "prohibited words" means words that —

- (a) contradict or tend to contradict the content of any required labelling on a package;
- (b) comment on, refer to, or explain the content of, or the requirement for, any required labelling on a package; or
- (c) directly or indirectly attribute the content of Part A of a prescribed warning to any person.

(2) A package shall not be labelled with or bear any prohibited words.

(3) A package shall not be sold containing anything on which are any prohibited words.

Penalty: \$1 000.

Review of regulations

9. The Executive Director, Public Health shall review these regulations and report accordingly to the Minister within 5 years after the day on which they come into operation.

Repeal and transitional

10. (1) The *Tobacco (Warning Labels) Regulations 1987* are repealed.

(2) It is a defence to a charge under the *Tobacco (Warning Labels) Regulations 1987* alleged to have been committed on or after 1 June 1993 and before 1 July 1993 to prove that the labelling on a package would comply with these regulations if they were then in operation.

(3) These regulations do not apply to a package sold on or after 1 July 1993 and before 1 August 1993 if the labelling on the package would have complied with the *Tobacco (Warning Labels) Regulations 1987* if they were in operation.

Tobacco Control (Package Labels) Regulations 1992

SCHEDULE 1

LABELLING REQUIREMENTS FOR PACKAGES

[reg. 4]

Column A	Column B	Column C	Column D
CLASS OF PACKAGE	POSITION OF PART A OF PRESCRIBED WARNING AND AREA TO BE OCCUPIED BY IT	POSITION OF PART B OF PRESCRIBED WARNING AND AREA TO BE OCCUPIED BY IT	POSITION OF PRESCRIBED INFORMATION AND AREA TO BE OCCUPIED BY IT
1. Box or packet with flip-top, or soft packet, or square or rectangular tin, containing cigarettes.	Position: On the front of the box, packet or tin, at the top and across the full width of the box, packet or tin. Area: 25% of the whole front of the box, packet or tin.	Position: On the back of the box, packet or tin. Area: The whole of the back of the box, packet or tin.	Position: On one of the long sides of the box, packet or tin. Area: The whole of the long side of the box, packet or tin excluding the part that forms part of the lid (if any).
2. Pouch or wallet containing loose tobacco.	Position: On the front of the pouch or wallet at the top and across the full width of the pouch or wallet. Area: 25% of the whole of the front of the pouch or wallet.	Position: On the back of the pouch or wallet. Area: 80% of the back of the pouch or wallet.	Nil.
3. Box or tin containing loose tobacco or loose cigars.	Position: On the lid of the box or tin. Area: 25% of the whole of the lid of the box or tin.	Position: On the back of the box or tin. Area: 80% of the whole of the back of the box or tin.	Nil.
4. Package containing plug tobacco or a single cigar.	Position: On the package. Area: 25% of the surface area of the package.	Nil.	Nil.

Tobacco Control (Package Labels) Regulations 1992

SCHEDULE 2

[regs. 4, 6]

PRESCRIBED WARNINGS

Part A

Part B

1.

**SMOKING CAUSES
LUNG CANCER**

**HEALTH AUTHORITIES WARN
SMOKING CAN KILL YOU**

LUNG CANCER. Tobacco smoke contains many cancer-causing chemicals. When the smoke is breathed in, these chemicals can damage the lungs, and can cause cancer. Lung cancer is the most common cancer caused by smoking. Lung cancer usually grows and spreads before it is noticed. In most cases, it kills rapidly.

Smoking has immediate bad effects on the lungs and heart, and after some years may cause serious illnesses such as heart disease, stroke, and emphysema, as well as lung cancer. If you smoke through your life, the chance your smoking will kill you early is higher than one in four. The younger you start, the more you smoke and the longer you smoke, the greater the danger.

Other people who breathe your smoke can also be harmed. Your smoking can increase their risk of chest illnesses, cancer, and heart disease.

Smoking in pregnancy can harm the unborn child.

Smoking is addictive because of the drug nicotine.

Strong cravings for nicotine can make it difficult to quit.

Quitting at any age will help your health and reduce risk of serious illness.

For more information or help to quit:
Call the Quit Line on 008 054321.

2.

**SMOKING CAUSES
HEART DISEASE**

**MEDICAL EXPERTS WARN
SMOKING CAN KILL YOU**

HEART DISEASE. Tobacco smoking is a major cause of heart disease. It is a cause of blockages in the body's arteries, which can lead to chest pain and heart attack. Heart attack is the commonest cause of death in Australia. Smokers have double the chance of a heart attack compared to people who don't smoke.

Smoking has immediate bad effects on the lungs and heart, and after some years may cause serious illnesses such as lung cancer, stroke, and emphysema, as well as heart disease. If you smoke through your life, the chance your smoking will kill you early is higher than one in four. The younger you start, the more you smoke and the longer you smoke, the greater the danger.

Other people who breathe your smoke can also be harmed. Your smoking can increase their risk of chest illnesses, cancer, and heart disease.

Smoking in pregnancy can harm the unborn child.

Smoking is addictive because of the drug nicotine.

Strong cravings for nicotine can make it difficult to quit.

Quitting at any age will help your health and reduce risk of serious illness.

For more information or help to quit:
Call the Quit Line on 008 054321.

Tobacco Control (Package Labels) Regulations 1992

3.

**SMOKING CAUSES
EMPHYSEMA****HEALTH AUTHORITIES WARN
SMOKING CAUSES DISEASE**

EMPHYSEMA. When tobacco smoke is breathed into the lungs, the small airways and air sacs become damaged. This is emphysema. It is harder for your body to get the oxygen it needs, and you feel breathless. Emphysema can kill you. Almost all smokers who have smoked for a long time have some degree of emphysema.

Smoking has immediate bad effects on the lungs and heart, and after some years may cause serious illnesses such as lung cancer, heart disease, and stroke, as well as emphysema. If you smoke through your life, the chance your smoking will kill you early is higher than one in four. The younger you start, the more you smoke and the longer you smoke, the greater the danger.

Other people who breathe your smoke can also be harmed. Your smoking can increase their risk of chest illnesses, cancer, and heart disease.

Smoking in pregnancy can harm the unborn child.

Smoking is addictive because of the drug nicotine.

Strong cravings for nicotine can make it difficult to quit.

Quitting at any age will help your health and reduce risk of serious illness.

For more information or help to quit:
Call the Quit Line on 008 054321.

4.

**SMOKING IS A MAJOR
CAUSE OF STROKE****MEDICAL EXPERTS WARN
SMOKING IS DANGEROUS**

STROKE. Tobacco smoking is a cause of blockages in the blood-carrying arteries and weakens their walls. A stroke happens when blood to the brain is blocked and part of the brain dies. Some people die of stroke, and many others lose the use of part of their body.

Smoking has immediate bad effects on the lungs and heart, and after some years may cause serious illnesses such as lung cancer, heart disease, and emphysema, as well as stroke. If you smoke through your life, the chance your smoking will kill you early is higher than one in four. The younger you start, the more you smoke and the longer you smoke, the greater the danger.

Other people who breathe your smoke can also be harmed. Your smoking can increase their risk of chest illnesses, cancer, and heart disease.

Smoking in pregnancy can harm the unborn child.

Smoking is addictive because of the drug nicotine.

Strong cravings for nicotine can make it difficult to quit.

Quitting at any age will help your health and reduce risk of serious illness.

For more information or help to quit:
Call the Quit Line on 008 054321.

Tobacco Control (Package Labels) Regulations 1992

5.

**SMOKING CAUSES
PERIPHERAL VASCULAR
DISEASE****MEDICAL EXPERTS WARN
SMOKING CAUSES DISEASE**

PERIPHERAL VASCULAR DISEASE. Tobacco smoking causes narrowing of the blood-carrying arteries. When blood cannot flow properly in the legs it is called peripheral vascular disease. In severe cases, a blockage can develop in the legs. This is very painful and serious and a leg may have to be cut off. This occurs mostly in smokers.

Smoking has immediate bad effects on the lungs and heart, and after some years may cause serious illnesses such as lung cancer, heart disease, stroke, and emphysema. If you smoke through your life, the chance your smoking will kill you early is higher than one in four. The younger you start, the more you smoke and the longer you smoke, the greater the danger.

Other people who breathe your smoke can also be harmed. Your smoking can increase their risk of chest illnesses, cancer, and heart disease.

Smoking in pregnancy can harm the unborn child.

Smoking is addictive because of the drug nicotine.

Strong cravings for nicotine can make it difficult to quit.

Quitting at any age will help your health and reduce risk of serious illness.

For more information or help to quit:
Call the Quit Line on 008 054321.

6.

**SMOKING REDUCES
YOUR FITNESS****HEALTH AUTHORITIES WARN
SMOKING HARMS YOUR BODY**

FITNESS. Tobacco smoking raises heart rate and blood pressure, and lowers the amount of oxygen in the blood. Chemicals in the smoke irritate the airways of lungs and make them more narrow. These immediate effects make it more difficult for your body to work at its best level.

Smoking has immediate bad effects on the lungs and heart, and after some years may cause serious illnesses such as lung cancer, heart disease, stroke, and emphysema. If you smoke through your life, the chance your smoking will kill you early is higher than one in four. The younger you start, the more you smoke and the longer you smoke, the greater the danger.

Other people who breathe your smoke can also be harmed. Your smoking can increase their risk of chest illnesses, cancer, and heart disease.

Smoking in pregnancy can harm the unborn child.

Smoking is addictive because of the drug nicotine. Strong cravings for nicotine can make it difficult to quit.

Quitting at any age will help your health and reduce risk of serious illness.

For more information or help to quit:
Call the Quit Line on 008 054321.

Tobacco Control (Package Labels) Regulations 1992

7.

SMOKING KILLS**HEALTH AUTHORITIES WARN
AGAINST SMOKING**

DEATH. Tobacco smoking causes more illness and early death than the use of any drug in Australia. It kills almost three times as many people as are killed by alcohol and all other drugs, combined. Six times more people die from the effects of smoking each year than from car accidents.

Smoking has immediate bad effects on the lungs and heart, and after some years may cause serious illnesses such as lung cancer, heart disease, stroke, and emphysema. If you smoke through your life, the chance your smoking will kill you early is higher than one in four. The younger you start, the more you smoke and the longer you smoke, the greater the danger.

Other people who breathe your smoke can also be harmed. Your smoking can increase their risk of chest illnesses, cancer, and heart disease.

Smoking in pregnancy can harm the unborn child.

Smoking is addictive because of the drug nicotine.

Strong cravings for nicotine can make it difficult to quit.

Quitting at any age will help your health and reduce risk of serious illness.

For more information or help to quit:
Call the Quit Line on 008 054321.

8.

**MOST SMOKERS
DEVELOP PERMANENT
LUNG DAMAGE****MEDICAL EXPERTS WARN
SMOKING HARMS YOUR BODY**

LUNG DAMAGE. Tobacco smoke contains many chemicals which irritate and finally destroy the air sacs and airways in the lungs. Smokers are more likely to cough and feel short of breath. Most smokers who have smoked for a long time have permanent lung damage.

Smoking has immediate bad effects on the lungs and heart, and after some years may cause serious illnesses such as lung cancer, heart disease, stroke, and emphysema. If you smoke through your life, the chance your smoking will kill you early is higher than one in four. The younger you start, the more you smoke and the longer you smoke, the greater the danger.

Other people who breathe your smoke can also be harmed. Your smoking can increase their risk of chest illnesses, cancer, and heart disease.

Smoking in pregnancy can harm the unborn child.

Smoking is addictive because of the drug nicotine.

Strong cravings for nicotine can make it difficult to quit.

Quitting at any age will help your health and reduce risk of serious illness.

For more information or help to quit:
Call the Quit Line on 008 054321.

Tobacco Control (Package Labels) Regulations 1992

9.

**YOUR SMOKING
CAN HARM OTHERS**

**HEALTH AUTHORITIES WARN
TOBACCO SMOKE IS DANGEROUS
HARM TO OTHERS.** Other people who breathe your tobacco smoke can be harmed. Your smoking can increase their risk of lung cancer and heart disease. Children who breathe your smoke are more likely to be taken to hospital with asthma, and chest illnesses. **Smoking** has immediate bad effects on the lungs and heart, and after some years may cause serious illnesses such as lung cancer, heart disease, stroke, and emphysema. If you smoke through your life, the chance your smoking will kill you early is higher than one in four. The younger you start, the more you smoke and the longer you smoke, the greater the danger. **Smoking in pregnancy** can harm the unborn child. **Smoking is addictive** because of the drug nicotine. Strong cravings for nicotine can make it difficult to quit. **Quitting at any age** will help your health and reduce risk of serious illness. **For more information or help to quit:**
Call the Quit Line on 008 054321.

10.

SMOKING IS ADDICTIVE

**HEALTH AUTHORITIES WARN
SMOKING IS DANGEROUS
ADDICTION.** Tobacco smoking is addictive. Nicotine, a drug in tobacco, makes smokers feel like they need to smoke. The more you smoke, the more your body will depend on getting nicotine, and you can find yourself hooked. Strong cravings for nicotine can make it difficult to give up. **Smoking** has immediate bad effects on the lungs and heart, and after some years may cause serious illnesses such as lung cancer, heart disease, stroke, and emphysema. If you smoke through your life, the chance your smoking will kill you early is higher than one in four. The younger you start, the more you smoke and the longer you smoke, the greater the danger. **Other people who breathe your smoke** can also be harmed. Your smoking can increase their risk of chest illnesses, cancer, and heart disease. **Smoking in pregnancy** can harm the unborn child. **Quitting at any age** will help your health and reduce risk of serious illness. **For more information or help to quit:**
Call the Quit Line on 008 054321.

Tobacco Control (Package Labels) Regulations 1992

11.

**STOPPING SMOKING
REDUCES YOUR RISK OF
SERIOUS DISEASE****MEDICAL EXPERTS WARN
AGAINST SMOKING**

QUITTING. Quitting tobacco smoking at any age will help your health and reduces risk of serious illness. Quitting allows your body to recover from some of the damage smoking causes. Even if you have been smoking for a long time, or have the signs of smoking-caused illness, it is still worth quitting.

Smoking has immediate bad effects on the lungs and heart, and after some years may cause serious illnesses such as lung cancer, heart disease, stroke, and emphysema. If you smoke through your life, the chance your smoking will kill you early is higher than one in four. The younger you start, the more you smoke and the longer you smoke, the greater the danger.

Other people who breathe your smoke can also be harmed. Your smoking can increase their risk of chest illnesses, cancer, and heart disease.

Smoking in pregnancy can harm the unborn child.

Smoking is addictive because of the drug nicotine. Strong cravings for nicotine can make it difficult to quit.

For more information or help to quit:
Call the Quit Line on 008 054321.

12.

**SMOKING IN PREGNANCY CAN
HARM THE UNBORN CHILD****MEDICAL EXPERTS WARN
SMOKING IS DANGEROUS**

UNBORN BABIES. Tobacco smoking in pregnancy can harm the unborn child. Poisons in tobacco smoke reach the baby through the blood-stream. If you smoke when you are pregnant you double the chances of having a baby of low birth-weight. This risks the baby's health.

Smoking has immediate bad effects on the lungs and heart, and after some years may cause serious illnesses such as lung cancer, heart disease, stroke, and emphysema. If you smoke through your life, the chance your smoking will kill you early is higher than one in four. The younger you start, the more you smoke and the longer you smoke, the greater the danger.

Other people who breathe your smoke can also be harmed. Your smoking can increase their risk of chest illnesses, cancer, and heart disease.

Smoking is addictive because of the drug nicotine. Strong cravings for nicotine can make it difficult to quit.

Quitting at any age will help your health and reduce risk of serious illness.

For more information or help to quit:
Call the Quit Line on 008 054321.

*Tobacco Control (Package Labels) Regulations 1992***SCHEDULE 3**

[reg. 4]

PRESCRIBED INFORMATION

1. For packages containing cigarettes, the following, with such insertions as are necessary due to the contents of the package, shall be the prescribed information:
“
 The smoke from each cigarette contains:
 ... milligrams of tar (condensed tobacco smoke containing many chemicals, including some that cause cancer);
 ... milligrams of nicotine (a poison and addictive drug);
 ... milligrams of carbon monoxide (a deadly gas which reduces the ability of blood to carry oxygen).
”
2. The amount of tar and nicotine in the smoke of a cigarette shall, for the purposes of this Schedule, be determined in accordance with the International Organization for Standardisation standard 3308:1991.
3. The amount of carbon monoxide in the smoke of a cigarette shall, for the purposes of this Schedule, be determined in accordance with the International Organization for Standardisation standard 8454:1987.

By His Excellency's Command,

D. G. BLIGHT,
Clerk of the Council.



1 9 9 2 0 0 1 8 2 G G

TOBACCO LABELS