

Changes to tobacco packaging explained

On 20th May 2016 laws requiring changes to tobacco packaging will come into effect. This briefing answers some of the most commonly asked questions about these changes.



ASH Image: packaging compliant with Tobacco Products Directive and Standardised Packaging regulations. *High-res image of the pack can be downloaded [here](#)*

What is happening to tobacco packaging?

The laws surrounding tobacco packaging are changing, after MPs voted overwhelmingly in favour of introducing standardised packaging regulations.¹ Under the new regulations tobacco and cigarettes will only be sold in standardised packaging. This means that cigarettes will be sold in drab green packages which have had the attractive brand features and colours removed. Standardisation includes:

- The material, size, shape and opening mechanism of packaging;
- The colour of packaging and cigarettes;
- The font, colour, size, case and alignment of text.

For more details, see [The Standardised Packaging of Tobacco Products Regulations 2015](#).

At the same time the [revised Tobacco Products Directive](#) will be introduced. With regards to tobacco packaging this will:

- Require combined picture and text health warnings to cover 65% of the front and back of packages.
- Require health warnings to appear at the top of the packet (as per the illustration above).
- Prohibit misleading words like “lite”, “natural” and “organic” from packaging.
- Introduce minimum pack sizes of 20 cigarettes and 30 grams for Hand Rolling Tobacco.

When will these changes come into effect?

The new regulations will come into effect on **20th May 2016**. However, there is a one year transitional period to allow for the sell-through of old stock and from May 2017 all tobacco products on sale in the UK must comply with both sets of regulations.

Why do packs need to change?

Smoking is an addiction of childhood: two thirds of smokers start before they are 18 and the vast majority while still teenagers.² Every day hundreds of children in the UK start smoking.³

There is good evidence that standard packs are less attractive, particularly to young people.⁴ A systematic review of peer reviewed research from around the world shows that standard packs are less appealing, make health warnings more effective and reduce the ability of the packaging to mislead consumers about the harms of smoking.⁵

This is reinforced by evidence from Australia. Since December 2012 all tobacco packs in Australia have been standardised and in February 2016 the Australian Government released [a comprehensive report](#) confirming that plain packaging was responsible for one quarter of the decline in smoking in Australia in the previous three years.⁶

Myth Buster: Facts V Fiction

The tobacco industry has repeated a number of arguments against changes to tobacco packaging.

MYTH 1: Tobacco smuggling will increase because standard packs are easily counterfeited

FACT: Existing packs are no obstacle to counterfeiting. However, the tobacco industry has repeatedly argued that plain or standardised packaging would be much easier to counterfeit than branded cigarettes. There is no evidence to support this. The Australian Government's Post-Implementation Review of Tobacco Plain Packaging reported that studies have found *"no change in smokers' reported use of unbranded illicit tobacco, no evidence of increases in use of contraband cigarettes... and no increase in purchases of tobacco from informal sellers"*.⁷

Tobacco packs are already easily counterfeited which is why the industry puts covert markings on all tobacco packs to distinguish between authentic and counterfeit packs. Standard packs will have all the health warnings and other markings required on current packs, including covert marking – so they will be no easier to counterfeit.⁸ In addition the revised Tobacco Products Directive will introduce EU-wide tracking and tracing to combat illicit trade.

MYTH 2: We don't need standardised packaging; packs are already hidden from sight in shops

FACT: Since April 2015 it has been illegal to display tobacco products at the point of sale in all shops. However, once outside glitzy packaging continues to work as the industry's 'silent salesman' advertising brands and promoting smoking to children. Tobacco packs have been described as 'badge products' that become 'mobile advertising for the brand'.⁹

MYTH 3: Standard packs will cause confusion and extra costs for small businesses

FACT: It's no more difficult selling standard packs than heavily branded packs. Research conducted at one hundred locations before and after implementation of standardised packaging in Australia found that selection times decreased once the law was in place.¹⁰ Retail sales will decline gradually but not overnight as the main impact will be on reducing uptake amongst young people not on current smokers. This means that shops will have time to adapt.

MYTH 4: It may be tobacco today but other consumer products will follow

FACT: Tobacco is not like any other product, it is the only legal consumer product on the market which is lethal when used as intended. That is why the UK and over 170 other governments have signed up to the WHO Framework Convention on Tobacco Control which places legal obligations on governments to strictly regulate tobacco products. Standard packs for tobacco will not therefore set a precedent for other consumer products.¹¹

Legal challenges to the new regulations

The tobacco industry challenged both the Tobacco Products Directive through the European Court of Justice (ECJ) and standardised packaging regulations through the UK courts. On 4th May 2016 the ECJ ruled that the TPD is lawful and that the tobacco industry's challenge which sought to overturn the Directive was without foundation. A ruling on the standardised packaging regulations is expected in the week commencing 16th May 2016.

¹ Hansard. [11 Mar 2015: Column 379](#)

² [Smoking and drinking among adults, 2010](#). General Lifestyle Survey 2010. ONS, 2012

³ Hopkinson N. et al. [Child uptake of smoking by area across the UK](#). Thorax, 2013

⁴ Moodie C et al. [Plain Tobacco Packaging: A Systematic Review](#)

⁵ Moodie C et al. [Plain Tobacco Packaging: A Systematic Review](#)

⁶ [Post-Implementation Review Tobacco Plain Packaging 2016](#). Department of Health, Australian Government, 2016

⁷ [Post-Implementation Review Tobacco Plain Packaging 2016](#). Department of Health, Australian Government, 2016

⁸ [Smuggling the tobacco industry and plain packs](#). A report by Luk Joossens for Cancer Research UK

⁹ Freeman B, Chapman S, Rimmer R. [The case for the plain packaging of tobacco products](#). Addiction 2008;103(4):580–590

¹⁰ Carter O, Welch M, Mills B, et al. Plain packaging for cigarettes improves retail transaction times. BMJ 2013; 346: f1063

¹¹ [WHO Framework Convention on Tobacco Control](#)