



Cabinet Social Policy Committee

SOC Min (12) 5/4

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Minute of Decision

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Plain Packaging of Tobacco Products

Portfolio: Associate Health (Hon Tariana Turia)

On 4 April 2012, the Cabinet Social Policy Committee (SOC):

1 **noted** that in September 2011, Cabinet:

- 1.1 agreed that the government actively consider the introduction of plain packaging in 2012 as a further step in New Zealand's tobacco control programme, acknowledging the desirability of continued regulatory alignment with Australia;
- 1.2 noted that further work to assess the regulatory impacts and implications under trade and investment agreements is required before decisions can be taken on changing New Zealand's tobacco product labelling regime, including continued monitoring and assessment of the Australian experience in introducing its scheme and any developments in the legal challenges by the tobacco industry, and resolving any Trans-Tasman Mutual Recognition Arrangement issues;
- 1.3 directed the Ministry of Health to lead the work set out in paragraph 1.2 above, in consultation with relevant departments, and to report to SOC by 31 March 2012 with further advice and options, including an option proposing the introduction of plain packaging in New Zealand;

[CAB Min (11) 34/6A]

2 **noted** that there is clear evidence that plain packaging would:

- 2.1 be an effective measure to reduce the appeal of tobacco products and strengthen the impact of mandated pictorial health warnings;
- 2.2 build on and support other measures to reduce the death toll and costly disease burden from smoking;
- 2.3 help meet New Zealand's international commitments under the Framework Convention on Tobacco Control;
- 2.4 be a significant step towards the 2025 goal of a smoke-free New Zealand;

- 3 **noted** that the Regulatory Impact Statement (RIS) attached to the paper under SOC (12) 20 identifies the introduction of a plain packaging regime for tobacco products in alignment with Australia as the preferred option of the practical options available;
- 4 **noted** that the Ministry of Foreign Affairs and Trade considers that:
- 4.1 [withheld s9(h)]
- 4.2 [withheld s9(h)]
- 5 **noted** that Ukraine has sought WTO dispute consultations with Australia over its introduction of plain packaging, and that the Minister of Trade has given approval for New Zealand to join the consultations as a third party, in support of Australia's position that it has introduced plain packaging in a manner consistent with its WTO obligations;
- 6 **noted** that a consultation document is being developed based on the attached RIS;
- 7 **agreed in principle** to introduce a plain packaging regime in alignment with Australia, subject to the outcome of the public consultation process to be undertaken before final decisions are made;
- 8 **noted** that public consultation on plain packaging proposals is expected to be conducted from July to August 2012;
- 9 **agreed** to review the health warnings and images required under current tobacco labelling regulations (as an integral part of developing a plain packaging regime);
- 10 **invited** the Associate Minister of Health (Hon Tariana Turia) to report to SOC:
- 10.1 by 30 June 2012 seeking approval for the release of the consultation document, and with an update on the issues faced by Australia in relation to its plain packaging regime and research undertaken in the United Kingdom on plain packaging;
- 10.2 by 30 November 2012, following consultation, with recommendations for final policy decisions on plain packaging.