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# Submission 11 – Smokefree Nurses Aotearoa

## Standardised Tobacco Products and Packaging Draft Regulations

### Details

Name and designation: [redacted]

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Company organisation name and address: Smokefree Nurses Aotearoa, AUT University, School of Clinical Practice  
Private Bag 92006, Auckland 1142

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Contact phone number and email address: [redacted]

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### Confidentiality

Please keep my comments confidential:  Yes  
*(reasons including identity of specific comments if applicable)*

This request can only be actioned if your reasons satisfy [Official Information Act](#) criteria.

### Declaration of any tobacco industry links or vested interests

As a party to the global tobacco control treaty, the World Health Organization Framework Convention on Tobacco Control, New Zealand has an obligation to protect the development of public health policy from the vested interests of the tobacco industry. To help meet this obligation, we ask all respondents to disclose whether they have any direct or indirect links to, or receive funding from, the tobacco industry. The Ministry will still carefully consider responses from the tobacco industry and from respondents with links to the tobacco industry, alongside all other submissions. Please provide details of any tobacco company links or vested interests below.

NO we do not have any direct or indirect links to or vested interests in the Tobacco Industry

### Additional information

I am, or I represent, an organisation that is based in:

New Zealand    Australia    Other *(please specify):*

I am, or I represent, the following category or categories: *(tick all that apply)*

- |   |  |
|---|--|
| <input type="checkbox"/> Overseas manufacturer          | <input type="checkbox"/> New Zealand-based manufacturer                    |
| <input type="checkbox"/> Importer                       | <input type="checkbox"/> Exporter  |
| <input type="checkbox"/> Retailer                       | <input type="checkbox"/> Government  |
| <input type="checkbox"/> Wholesaler or distributor      | <input checked="" type="checkbox"/> Institution (eg, university, hospital) |
| <input type="checkbox"/> Member of the public           | <input type="checkbox"/> Non-governmental organisation                     |
| <input type="checkbox"/> Other <i>(please specify):</i> |  |

## Please return this form to:

Email: [standardisedtobacco@moh.govt.nz](mailto:standardisedtobacco@moh.govt.nz)

## Consultation questions

Although the submission form includes blank spaces for answering the questions, these do not set a limit for the length of your responses and you should take as much space as you need to answer or comment. Feel free to enlarge the boxes or attach additional pages.

### Size and quantities of tobacco products

- 1 Do you agree with the proposals to limit the number of cigarettes in a pack to either 20 or 25, and the amount of loose tobacco to 30 grams or 50 grams?

Yes

No

Please outline your reasons.

On a daily basis nurses witness the direct and indirect results of tobacco use on the health and wellbeing of our patients and their whanau. Tobacco continues to be the leading cause of illness and premature death among New Zealanders. Nurses provide care for the 5000 New Zealanders who die each year from tobacco related illness, including 600 whose illnesses are caused by exposure to the second hand smoke of others. We also work with the tens of thousands of people with respiratory disease, cancer, heart disease, stroke, diabetes and numerous other painful and debilitating smoking related illnesses.

Smokefree Nurses Aotearoa support the proposal to limit the number of cigarettes and the amount of loose tobacco. The number of cigarettes per pack can be used as a point of difference and marketing variation and we support any proposal that limits the capacity of tobacco companies to market their products. The number of cigarettes per pack was restricted in the Australian plain packaging legislation. Legislation which early evidence is showing has made positive changes to actual smoking and quitting behaviours <sup>1-7</sup> Australia's tobacco plain packaging is achieving its aim of improving public health in and expected to have substantial public health outcomes into the future. <sup>1</sup> It is time New Zealander's also start benefitting from the benefits that can be achieved through tobacco plain packaging.

- 2 Do you agree with the proposals to restrict the dimensions of cigarette sticks by setting minimum and maximum length and diameter?

Yes

No

Please outline your reasons.

Smokefree Nurses support the restriction of the dimension of sticks, by length and diameter. Cigarette stick dimensions are a form of marketing and brand difference. Long slim cigarettes are popular in Australia with female smokers <sup>8</sup>, where Plain Pack legislation and pack dimensions allow for variation in stick length to be used as a point of difference. We also support the introduction of drab, dark brown coloured cigarette sticks, which research has shown to be less attractive to smokers. <sup>9-10</sup>,

- 3 Do you agree with the proposals setting minimum and maximum height, width and depth of cigarette packs, consistent with the limits on the number and size of the cigarette sticks they contain?

Yes

No

Please outline your reasons.

The public health evidence is clear that plain packaging is an effective way to reduce the appeal of cigarettes to young people <sup>7, 12-16</sup>. Australian plain packaging legislation set height, width and depth restrictions on cigarette packs as a way to limit the use of 'variance' in pack size as a marketing difference. The Australian experience has also seen a reduction in the appeal of tobacco among adolescents <sup>1, 6</sup>, and adults <sup>1, 3</sup>, increased health warning effectiveness and reduced the ability of packaging to mislead about smoking harms 12 months after implementation. <sup>1, 3</sup> There has also been an increase in quit attempts <sup>1, 2, 5</sup> and a reduction in smoking prevalence <sup>1</sup> since the introduction of Plain Packaging with larger Graphic Warnings.

- 4 Do you agree with the proposal that loose tobacco should be sold only in rectangular pouches made of soft plastic?

Yes

No

Please outline your reasons. If you do not agree, what alternatives do you suggest?

Smokefree Nurses Aotearoa support the proposal for loose tobacco to be sold in standardised pouches. Pouch size and shape can be used as a point of difference and marketing variation and we support standardisation to limit the impact of this marketing as a Public Health measure. Loose tobacco pouches were standardised in the Australian plain packaging legislation which is achieving its aim of improving public health <sup>1</sup> early evidence shows has made positive changes to actual smoking and quitting behaviours <sup>1-7</sup> Australia's tobacco plain packaging is it is time New Zealander's also start benefitting from the benefits that can be achieved through tobacco plain packaging.

- 5 Do you agree with the proposals to standardise cigar packaging, including the proposal to limit the number of cigars that may be sold in a pack?

Yes

No

Please outline your reasons. If you do not agree, what alternatives do you suggest?

Tobacco plain packaging is achieving public health benefits in Australia <sup>1-7</sup> and Smokefree Nurses Aotearoa supports the inclusion of standardised cigar packaging and limiting the number of cigars sold in a pack so that New Zealanders can begin to benefit from the restriction of tobacco product advertising and availability.

6 Should the regulations include a general provision to set a minimum size for all tobacco packages, including cigar packages?

Yes

No

Please outline your reasons below.

Smokefree Nurses Aotearoa supports the inclusion of a minimum size for all tobacco packages, including cigar packages. Cigar packaging including the number available pack can be used as a point of difference and marketing variation and we support any proposal that limits the capacity of tobacco companies to market their products. Australia's tobacco plain packaging is achieving its aim of improving public health in and expected to have substantial public health outcomes into the future.<sup>1</sup> It is time New Zealander's benefit from the health gains of tobacco plain packaging.

7 Do you have any other suggestions for regulatory requirements to standardise the shape and size of tobacco products and tobacco product packages?

Yes

No

If yes, please provide detail below.

- We support the introduction of drab, dark brown coloured cigarette sticks, as supported by research.<sup>9,10</sup>
- We support the colour of the inside of the pack, any inserts wrapping, foil being drab dark brown along with the outside of the pack, to reduce the contrast between the health warnings and the 'pristine' white and silver packaging inside the pack that might mislead or reduce the impact of health warnings.<sup>7</sup> There should be no writing at all on the inside of packs or on any insert wrapping. All other inserts apart from cigarettes and their wrapping should be prohibited

## Permitted markings on tobacco packages

8 Do the regulations need to allow for any other anti-counterfeiting marks?

Yes

No

Please provide detail and reasons below.

Smokefree Nurses can see no need to add further anti-counterfeiting marks to Plain Pack cigarettes. Research after the implementation of Plain Packaging with Larger Health Warnings in Australia found no evidence of increased use of unbranded illicit tobacco and no increase in purchase of contraband cigarettes from informal sellers by smokers.<sup>17</sup> Further research showed the availability of unbranded tobacco was rare and there was no change in the availability of illicit tobacco following Plain Packaging Implementation.<sup>18</sup>

9 If additional anti-counterfeiting marks are to be allowed, how could these be regulated to ensure they do not communicate to consumers or have any effect that might undermine the intention of standardised packaging?

Please provide detail below.

N/A
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10 Do the regulations need to permit any other marks or features on tobacco product packages to allow for automated manufacturing and packaging processes?

- Yes
- No

Please provide detail and reasons below.

We believe that the one alpha-numerical identifier is sufficient for automated manufacturing and packaging processes. As has been implemented through the Australian plain packaging legislation.
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11 Should the regulations allow for the country of manufacture to be printed on tobacco products or packages?

- Yes
- No

Please provide detail and reasons below.

The country of manufacture could become a point of difference used to by tobacco companies to distinguish 'premium product'. It is not included on packs under the Australia's successful plain packaging legislation which has led to significant short term benefit's <sup>1-6</sup> and a reduction in smoking prevalence. <sup>1</sup>
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### **Additional features to increase the effectiveness of standardised packaging**

12 Are there any additional features within the scope of the regulation-making powers in the Smoke-free Environments (Tobacco Plain Packaging) Amendment Bill that might increase the effectiveness of standardising tobacco products and packaging? If so, what is the rationale and can you provide supporting evidence?

- Yes

No

If yes, please provide detail below.

Smokefree Nurses suggest the following should be included in the regulations:

- The regulations should prevent any introduction of new variant names of tobacco products, particularly the use of colour descriptions coinciding with existing colour packaging, emotive or descriptive variant names minimise the harm to health to smoking.<sup>9, 11</sup> The restriction of new variants not already in use at the time of the legislation would make this easier to implement.

## Other comment on content of draft regulations

If you wish to make any other comments on the content or coverage of the draft regulations, please provide detail below.

1. Australian Government Department of Health (2016). *Post-Implementation Review Tobacco Plain Packaging 2016*. Australia
2. Brennan E, Durkin S, Coomber K, Zacher, M., Scollo, M. (2015). Are quitting related cognitions and behaviours predicted by proximal responses to plain packaging with larger health warnings? Findings from a national cohort study with Australian adult smokers *Tobacco Control*; 24: ii33–ii41.
3. Wakefield, M., Coomber K, Zacher, M., Durkin S, Brennan E. Scollo, M. (2015). Australian adult smokers' response to plain packaging with larger graphic health warnings 1 year after implementation: results from a national cross-sectional tracking survey. *Tobacco Control*; 24:ii17–ii25
4. Wakefield, M., Hayes, L., Durkin, S., Borland, R. (2013). Introduction effects of the Australian plain packaging policy on adult smokers: a cross-sectional study. *BMJ Open* 2013;3:e003175 d policy oi:10.1136/bmjopen-2013-003175

5. Durkin S, Brennan E, Coomber K, et al. (2015). Short-term changes in quitting-related cognitions and behaviours after the implementation of plain packaging with larger health warnings: findings from a national cohort study with Australian adult smokers *Tobacco Control*; 24:ii26–ii32.
6. Young, J. M., Stacey, I., Dobbins, T. A., Dunlop, S., Dessaix, A. L. and Currow, D. C., Association between tobacco plain packaging and Quitline calls: a population-based, interrupted time-series analysis, *Med J Aust* 2014. p. 29-32. Available from <http://www.ncbi.nlm.nih.gov/pubmed/24438415>
7. White, W., Williams, T., Wakefield, M. (2015). Has the introduction of plain packaging with larger graphic health warnings changed adolescents' perceptions of cigarette packs and brands? *Tobacco Control*; 24:ii42–ii49.
8. Borland R and Savvas, S Effects of stick design features on perceptions of characteristics of cigarettes, in *Tobacco Control* 2012. Available from <http://tobaccocontrol.bmj.com/content/early/2012/03/05/tobaccocontrol-2011-050199.abstract>
9. Ford A, Moodie C, Purves R, MacKintosh AM. Adolescent girls and young adult women's perceptions of superslims cigarette packaging: a qualitative study. *BMJ Open*. 2016 Jan 8; 6(1):e010102. Available from: <http://bmjopen.bmj.com/content/6/1/e010102.abstract>
10. Hoek J, Gendall P, Eckert C, and Louviere J. Dissuasive cigarette sticks: The next step in standardised ('plain') packaging? *Tobacco Control*, 2015. Available from: <http://www.ncbi.nlm.nih.gov/pubmed/26676026>
11. Hoek J, Gendall P, Eckert C, Kemper J, and Louviere J. Effects of brand variants on smokers' choice behaviours and risk perceptions. *Tobacco Control*, 2015. Available from: <http://tobaccocontrol.bmj.com/content/early/2015/03/25/tobaccocontrol-2014-052094.abstract>
12. Hammond D. FCTC Article 11: Tobacco packaging and labelling: a review of evidence: University of Waterloo with the support of the International Union against Tuberculosis and Lung Diseases, 2007.
13. Hoek J, Gendall P, Gifford H, Pirikahu G, McCool J, Pene G, et al.(2012). Tobacco Branding, Plain Packaging, Pictorial Warnings, and Symbolic Consumption. *Qualitative Health Research*; 22(5):630-639.
14. ASH Australia. Tobacco Facts: Plain packaging of tobacco products, 2010.
15. Hoek J, Wong C, Gendall P, Louviere J, K C. (2011). Effects of dissuasive packaging on young adult smokers. *Tobacco Control*; 20 (3):183-188.
16. McCool J, Webb L, Cameron LD, Hoek J. (2012) Graphic warnings labels on plain cigarette packs: Will they make a difference to adolescents? *Social Science & Medicine*; 74:1269-1273.
17. Scollo, M., Zacher, M., Coomber K, Wakefield, M. (2015). Use of illicit tobacco following introduction of standardised packaging of tobacco products in Australia: results from a national cross-sectional survey. *Tobacco Control*; 24:ii76–ii81
18. Scollo, M., Bayly, M., Wakefield, M. (2015). Availability of illicit tobacco in small retail outlets before and after the implementation of Australian plain packaging legislation. *Tobacco Control*; 24:ii76–ii81

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# Submission 12 – Victoria University of Wellington

## Standardised Tobacco Products and Packaging Draft Regulations

### Details

Name and designation: Improving health and wellbeing in our communities steering group.

Company organisation  
name and address: Victoria University of Wellington

Contact phone number and  
email address: [redacted]

### Confidentiality

Please keep my comments confidential:  Yes  
*(reasons including identity of specific comments if applicable)*

This request can only be actioned if your reasons satisfy [Official Information Act](#) criteria.

### Declaration of any tobacco industry links or vested interests

As a party to the global tobacco control treaty, the World Health Organization Framework Convention on Tobacco Control, New Zealand has an obligation to protect the development of public health policy from the vested interests of the tobacco industry. To help meet this obligation, we ask all respondents to disclose whether they have any direct or indirect links to, or receive funding from, the tobacco industry. The Ministry will still carefully consider responses from the tobacco industry and from respondents with links to the tobacco industry, alongside all other submissions. Please provide details of any tobacco company links or vested interests below.

No vested interest in tobacco industry

### Additional information

I am, or I represent, an organisation that is based in:

X New Zealand  Australia  Other *(please specify)*:

I am, or I represent, the following category or categories: *(tick all that apply)*

- |  |   |
|--|---|
| <input type="checkbox"/> Overseas manufacturer           | <input type="checkbox"/> New Zealand-based manufacturer |
| <input type="checkbox"/> Importer                        | <input type="checkbox"/> Exporter                       |
| <input type="checkbox"/> Retailer                        | <input type="checkbox"/> Government                     |
| <input type="checkbox"/> Wholesaler or distributor       | X Institution (eg, university, hospital)                |
| <input type="checkbox"/> Member of the public            | <input type="checkbox"/> Non-governmental organisation  |
| <input type="checkbox"/> Other <i>(please specify)</i> : |   |



## Please return this form to:

Email: [standardisedtobacco@moh.govt.nz](mailto:standardisedtobacco@moh.govt.nz)

## Consultation questions

Although the submission form includes blank spaces for answering the questions, these do not set a limit for the length of your responses and you should take as much space as you need to answer or comment. Feel free to enlarge the boxes or attach additional pages.

### Size and quantities of tobacco products

- 1 Do you agree with the proposals to limit the number of cigarettes in a pack to either 20 or 25, and the amount of loose tobacco to 30 grams or 50 grams?

Yes

No

Please outline your reasons.

This will reduce the ability to target youth through packs containing low number of cigarettes or limited loose tobacco which could be sold at a low price.

- 2 Do you agree with the proposals to restrict the dimensions of cigarette sticks by setting minimum and maximum length and diameter?

Yes

No

Please outline your reasons.

We believe that the more consistent all aspects of presentation are the less ability manufacturers will have to differentiate their product.

- 3 Do you agree with the proposals setting minimum and maximum height, width and depth of cigarette packs, consistent with the limits on the number and size of the cigarette sticks they contain?

Yes

No

Please outline your reasons.

We believe that the more consistent all aspects of packaging are the less ability manufacturers will have to differentiate their product.

- 4 Do you agree with the proposal that loose tobacco should be sold only in rectangular pouches made of soft plastic?

Yes

No

Please outline your reasons. If you do not agree, what alternatives do you suggest?

- 5 Do you agree with the proposals to standardise cigar packaging, including the proposal to limit the number of cigars that may be sold in a pack?

Yes

No

Please outline your reasons. If you do not agree, what alternatives do you suggest?

We believe that the more consistent all aspects of packaging are the less ability manufacturers will have to differentiate their product.

6 Should the regulations include a general provision to set a minimum size for all tobacco packages, including cigar packages?

Yes

No

Please outline your reasons below.

This will help prevent the sale of single cigarette or cigars at a low price which will be attractive to young people.

7 Do you have any other suggestions for regulatory requirements to standardise the shape and size of tobacco products and tobacco product packages?

Yes

No

If yes, please provide detail below.

### **Permitted markings on tobacco packages**

8 Do the regulations need to allow for any other anti-counterfeiting marks?

Yes

No

Please provide detail and reasons below.

- 9 If additional anti-counterfeiting marks are to be allowed, how could these be regulated to ensure they do not communicate to consumers or have any effect that might undermine the intention of standardised packaging?

Please provide detail below.

- 10 Do the regulations need to permit any other marks or features on tobacco product packages to allow for automated manufacturing and packaging processes?

Yes

No

Please provide detail and reasons below.

- 11 Should the regulations allow for the country of manufacture to be printed on tobacco products or packages?

Yes

No

Please provide detail and reasons below.

Country of manufacture could become a point of difference in relation to purchasing.

## **Additional features to increase the effectiveness of standardised packaging**

- 12 Are there any additional features within the scope of the regulation-making powers in the Smoke-free Environments (Tobacco Plain Packaging) Amendment Bill that might increase the effectiveness of standardising tobacco products and packaging? If so, what is the rationale and can you provide supporting evidence?

Yes

No

If yes, please provide detail below.

## **Other comment on content of draft regulations**

If you wish to make any other comments on the content or coverage of the draft regulations, please provide detail below.

We would be supportive of all measures to ensure that the packaging and presentation of tobacco products is standardised in all ways possible. The conclusions of Sir Cyril Chantler, after his independent review of the empirical evidence on standardised packaging, summarises our position:

Having reviewed the evidence it is in my view highly likely that standardised packaging would serve to reduce the rate of children taking up smoking and implausible that it would increase the consumption of tobacco. I am persuaded that branded packaging plays an important role in encouraging young people to smoke and in consolidating the habit irrespective of the intentions of the industry. Although I have not seen evidence that allows me to quantify the size of the likely impact of standardised packaging, I am satisfied that the body of evidence shows that standardised packaging, in conjunction with the current tobacco regime, is very likely to lead to a modest but important reduction over time on the uptake and prevalence of smoking and thus have a positive impact on public health (p. 6).

Sir Cyril Chantler

31 March 2014

The importance of standardised packaging was also highlighted in the 2014 World Cancer report published by the International Agency for Research on Cancer who described it as “a weapons grade public health policy now causing major concern in the international industry [tobacco]’ (p. 275).

We are aware that the very effectiveness of removing this form of advertising will generate a vigorous response by the industry who will attempt to negate the impact in whatever way possible. For this reason we would support all and every measure that removes the possibility of companies differentiating their products in the marketplace.

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# Submission 13 – Otara Gambling Alcohol & Tobacco Control Action Group

## Standardised Tobacco Products and Packaging Draft Regulations

### Details

Name and designation: [redacted]

Company organisation  
name and address: OGAAG: Otara Gambling Alcohol & Tobacco Control Action Group

Contact phone number and  
email address: [redacted]

### Confidentiality

Please keep my comments confidential:  Yes  
*(reasons including identity of specific comments if applicable)*

This request can only be actioned if your reasons satisfy [Official Information Act](#) criteria.

OGAAG gives permission for our details to be released under the official information Act 1982

### Declaration of any tobacco industry links or vested interests

As a party to the global tobacco control treaty, the World Health Organization Framework Convention on Tobacco Control, New Zealand has an obligation to protect the development of public health policy from the vested interests of the tobacco industry. To help meet this obligation, we ask all respondents to disclose whether they have any direct or indirect links to, or receive funding from, the tobacco industry. The Ministry will still carefully consider responses from the tobacco industry and from respondents with links to the tobacco industry, alongside all other submissions. Please provide details of any tobacco company links or vested interests below.

Otara Gambling Alcohol & Tobacco Control Action Group do not have any direct or indirect links to the tobacco industry

### Additional information

I am, or I represent, an organisation that is based in:

New Zealand  Australia  Other *(please specify):*

I am, or I represent, the following category or categories: *(tick all that apply)*

- |  |   |
|--|---|
| <input type="checkbox"/> Overseas manufacturer     | <input type="checkbox"/> New Zealand-based manufacturer         |
| <input type="checkbox"/> Importer                  | <input type="checkbox"/> Exporter                               |
| <input type="checkbox"/> Retailer                  | <input type="checkbox"/> Government                             |
| <input type="checkbox"/> Wholesaler or distributor | <input type="checkbox"/> Institution (eg, university, hospital) |

- Member of the public  
 Other (please specify):

Non-governmental organisation

## Please return this form to:

Email: [standardisedtobacco@moh.govt.nz](mailto:standardisedtobacco@moh.govt.nz)

## Consultation questions

Although the submission form includes blank spaces for answering the questions, these do not set a limit for the length of your responses and you should take as much space as you need to answer or comment. Feel free to enlarge the boxes or attach additional pages.

### Size and quantities of tobacco products

- 1 Do you agree with the proposals to limit the number of cigarettes in a pack to either 20 or 25, and the amount of loose tobacco to 30 grams or 50 grams?

- Yes  
 No

Please outline your reasons.

A standard amount of tobacco will limit attempts for tobacco products to differentiate themselves, or appear to offer 'added value'. There are examples of tobacco packs that non-standard amounts 25+1 (26 total cigarettes) purely for marketing reasons.

- 2 Do you agree with the proposals to restrict the dimensions of cigarette sticks by setting minimum and maximum length and diameter?

- Yes  
 No

Please outline your reasons.

Sticks need to have uniformity of length and diameter. There is evidence of use of thinner dimension cigarettes to convey a message, particularly to female smokers. Those cigarette sticks are known as 'slims'. There are examples of tobacco packs that have longer than usual lengths, purely for marketing or differentiation reasons.



- 3 Do you agree with the proposals setting minimum and maximum height, width and depth of cigarette packs, consistent with the limits on the number and size of the cigarette sticks they contain?

Yes  
 No

Please outline your reasons.

Like the sticks themselves, any variation between height, width and depth of packets, would be used to differentiate tobacco brands, in the absence of brand colours and logos.  
We recommend **exact** height, width and depth of packs be specified in government regulations, so that no decision – making powers are left to the tobacco industry from which some brand variance might be sustained.

- 4 Do you agree with the proposal that loose tobacco should be sold only in rectangular pouches made of soft plastic?

Yes  
 No

Please outline your reasons. If you do not agree, what alternatives do you suggest?

Like the above suggestions, only a singular shape, in this case ‘rectangular’ would be suitable, as other shapes/dimensions would be used to differentiate and market tobacco products e.g. triangular ‘fashion pouch, or pouches made from appealing materials.

- 5 Do you agree with the proposals to standardise cigar packaging, including the proposal to limit the number of cigars that may be sold in a pack?

Yes  
 No

Please outline your reasons. If you do not agree, what alternatives do you suggest?

The standardised pack policy must apply equally to all tobacco products. Cigar smoking can be as damaging as cigarette smoking.

6 Should the regulations include a general provision to set a minimum size for all tobacco packages, including cigar packages?

Yes

No

Please outline your reasons below.

We support the provision to set a minimum size for all tobacco packages, including cigars. We recommend taking this opportunity to ensure the maximum exposure and benefit is gained from graphic images, warnings and Quitline information

7 Do you have any other suggestions for regulatory requirements to standardise the shape and size of tobacco products and tobacco product packages?

Yes

No

If yes, please provide detail below.

- If within the scope, consideration of ‘dissuasive sticks’ – sticks that are set out with specific unappealing colour characteristics could be introduced. Dissuasive sticks could enhance the effect of standardised packaging
- the regulations should prevent any introduction of new variant names of tobacco products not already in use at date of legislation
- the regulations should set out a regular (two year) programme to continually review and refresh pack warnings, so that research can support design of currently resonant themes for the diversity of existing customers
- the regulations should require all factory made cigarettes and all rolling papers to match Pantone448C
- we support Canada's adoption of inserts to promote quitting within the package, and recommend New Zealand also adopts this further innovation for targeted health promotion
- we also support Canada's prohibition of distinctive filter colours or designs (eg. grooves, holes or recesses) where a filter is present, and recommend New Zealand's adoption of this further restriction in product design
- the Ministry of Health should set a place a regime of evaluation these regulations impact on consumer behaviour, so that like Australia we produce supporting evidence to other nations that are preparing for the plain packaging

## Permitted markings on tobacco packages

8 Do the regulations need to allow for any other anti-counterfeiting marks?

Yes

No

Please provide detail and reasons below.

- Counterfeit cigarettes is not a substantive issue in the New Zealand tobacco market.

9 If additional anti-counterfeiting marks are to be allowed, how could these be regulated to ensure they do not communicate to consumers or have any effect that might undermine the intention of standardised packaging?

Please provide detail below.

- We have no recommendations regarding anti-counterfeiting marks, but support regulation to ensure that any marks do not provide any form of marketing advantage.

10 Do the regulations need to permit any other marks or features on tobacco product packages to allow for automated manufacturing and packaging processes?

Yes

No

Please provide detail and reasons below.

Regulation should permit a batch number, as barcode and brand would not be useful, for example in a product recall. However any permitted number should be placed only on the outside Clingfilm, not the packet itself. Best before dates, in themselves are largely redundant for these products.

11 Should the regulations allow for the country of manufacture to be printed on tobacco products or packages?

Yes

No

Please provide detail and reasons below.

- No, country of origin is a factor (possibly the only one in a standardised packs environment) than could lead to product differentiation

## **Additional features to increase the effectiveness of standardised packaging**

12 Are there any additional features within the scope of the regulation-making powers in the Smoke-free Environments (Tobacco Plain Packaging) Amendment Bill that might increase the effectiveness of standardising tobacco products and packaging? If so, what is the rationale and can you provide supporting evidence?

Yes

No

If yes, please provide detail below.

If within the scope, consideration of ‘dissuasive sticks’ – sticks that are set out with specific unappealing colour characteristics could be introduced. Dissuasive sticks could enhance the effect of standardised packaging.

Source: Dissuasive cigarette sticks: the next step in standardised (‘plain’) packaging?  
J Hoek, P Gendall, C Eckert, J Louviere – Tobacco control, 2015 –  
tobaccocontrol.bmj.com

We recommend that Quitline and cessation information be made more prominent on the packs to encourage more smokers to make quit attempts through easier to read and highly visible placement of the cessation information.

**Other comment on content of draft regulations**

If you wish to make any other comments on the content or coverage of the draft regulations, please provide detail below.

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# Submission 14 – Community & Public Health Timaru

## Standardised Tobacco Products and Packaging Draft Regulations

### Details

Name and designation:

Company organisation name and address:

South Canterbury District Health Board  
Community and Public Health, PO Box 510, Timaru

Contact phone number and email address:

[redacted]

### Confidentiality

Please keep my comments confidential:

Yes

*(reasons including identity of specific comments if applicable)*

This request can only be actioned if your reasons satisfy [Official Information Act](#) criteria.

### Declaration of any tobacco industry links or vested interests

As a party to the global tobacco control treaty, the World Health Organization Framework Convention on Tobacco Control, New Zealand has an obligation to protect the development of public health policy from the vested interests of the tobacco industry. To help meet this obligation, we ask all respondents to disclose whether they have any direct or indirect links to, or receive funding from, the tobacco industry. The Ministry will still carefully consider responses from the tobacco industry and from respondents with links to the tobacco industry, alongside all other submissions. Please provide details of any tobacco company links or vested interests below.

Nothing to declare.

### Additional information

I am, or I represent, an organisation that is based in:

New Zealand    Australia    Other *(please specify)*:

I am, or I represent, the following category or categories: *(tick all that apply)*

- |   |   |
|---|---|
| <input type="checkbox"/> Overseas manufacturer  | <input type="checkbox"/> New Zealand-based manufacturer         |
| <input type="checkbox"/> Importer   | <input type="checkbox"/> Exporter                               |
| <input type="checkbox"/> Retailer   | <input type="checkbox"/> Government                             |
| <input type="checkbox"/> Wholesaler or distributor  | <input type="checkbox"/> Institution (eg, university, hospital) |
| <input type="checkbox"/> Member of the public   | <input type="checkbox"/> Non-governmental organisation          |
| <input checked="" type="checkbox"/> Other <i>(please specify)</i> : District Health Board |   |

## Please return this form to:

Email: [standardisedtobacco@moh.govt.nz](mailto:standardisedtobacco@moh.govt.nz)

## Consultation questions

Although the submission form includes blank spaces for answering the questions, these do not set a limit for the length of your responses and you should take as much space as you need to answer or comment. Feel free to enlarge the boxes or attach additional pages.

### Size and quantities of tobacco products

- 1 Do you agree with the proposals to limit the number of cigarettes in a pack to either 20 or 25, and the amount of loose tobacco to 30 grams or 50 grams?

Yes

No

Please outline your reasons.

Removing the availability of larger packs may encourage reduction in consumption.

- 2 Do you agree with the proposals to restrict the dimensions of cigarette sticks by setting minimum and maximum length and diameter?

Yes

No

Please outline your reasons.

This will ensure that the shape of cigarette sticks cannot be adjusted in an attempt to make them more attractive or use them as a marketing tool.

- 3 Do you agree with the proposals setting minimum and maximum height, width and depth of cigarette packs, consistent with the limits on the number and size of the cigarette sticks they contain?

Yes

No

Please outline your reasons.

It is important that all cigarette packs are the same in order to achieve the purpose of standardised packaging.

- 4 Do you agree with the proposal that loose tobacco should be sold only in rectangular pouches made of soft plastic?

Yes

No

Please outline your reasons. If you do not agree, what alternatives do you suggest?

This will ensure that all loose tobacco packs are standardised and that their packaging cannot be used as a marketing tool.

- 5 Do you agree with the proposals to standardise cigar packaging, including the proposal to limit the number of cigars that may be sold in a pack?

Yes

No

Please outline your reasons. If you do not agree, what alternatives do you suggest?

This will ensure that all cigar packs are standardised and that their packaging cannot be used as a marketing tool. Limiting the number of cigars that may be sold in a pack may encourage a reduction in consumption.



- 6 Should the regulations include a general provision to set a minimum size for all tobacco packages, including cigar packages?

Yes

No

Please outline your reasons below.

Minimum packaging size will ensure the health warnings, images and Quitline information are clearly visible.

- 7 Do you have any other suggestions for regulatory requirements to standardise the shape and size of tobacco products and tobacco product packages?

Yes

No

If yes, please provide detail below.

SCDHB notes that some tobacco products are not specifically mentioned in the proposed regulations. The omission of cigarillos, bidis and shisha leaves a large gap that would undermine standardised packaging.

**The SCDHB recommends** that regulations consistent with those proposed for cigarettes, loose tobacco and cigars be specified for the packaging of cigarillos, bidis and shisha. This will ensure that all tobacco products available for sale in New Zealand have standardised packaging.

## Permitted markings on tobacco packages

- 8 Do the regulations need to allow for any other anti-counterfeiting marks?

Yes

No

Please provide detail and reasons below.

- 9 If additional anti-counterfeiting marks are to be allowed, how could these be regulated to ensure they do not communicate to consumers or have any effect that might undermine the intention of standardised packaging?

Please provide detail below.

Anti-counterfeiting marks should be regulated to ensure they are a similar unattractive colour to that proposed for the packaging. They should not feature the brand name or variant name of the product. It is important to ensure that the anti-counterfeiting marks cannot be made attractive in any way or used as a marketing tool to set them apart from other products.

- 10 Do the regulations need to permit any other marks or features on tobacco product packages to allow for automated manufacturing and packaging processes?

Yes

No

Please provide detail and reasons below.

- 11 Should the regulations allow for the country of manufacture to be printed on tobacco products or packages?

Yes

No

Please provide detail and reasons below.

## Additional features to increase the effectiveness of standardised packaging

- 12 Are there any additional features within the scope of the regulation-making powers in the Smoke-free Environments (Tobacco Plain Packaging) Amendment Bill that might increase the effectiveness of standardising tobacco products and packaging? If so, what is the rationale and can you provide supporting evidence?

Yes

No

If yes, please provide detail below.

Regulation of cigarette sticks should go beyond restrictions on their dimensions so that they can be used as another tool to dissuade smoking. Research has shown that cigarette sticks with printed health warnings or unattractive colours could enhance the effects of plain packaging and further reduce the appeal of smoking to young people<sup>1</sup>.

**The SCDHB recommends** that Part 2 Section 20 of the proposed regulations be amended to include requirements for dissuasive messaging and colours.

Since the introduction of standardised packs in Australia, tobacco companies have introduced evocative variant names with aspirational connotations that aim to undermine plain packaging's dissuasive intent. Research has shown that some descriptors significantly enhance the appeal of tobacco products<sup>2</sup>.

**The SCDHB recommends** that Part 2 Section 27 of the proposed regulations be amended to either limit the number of permitted variant descriptors or ban them altogether.

## Other comment on content of draft regulations

If you wish to make any other comments on the content or coverage of the draft regulations, please provide detail below.

The SCDHB notes that the Quitline information shown on the indicative images of standardised packs is small and inconspicuous. Research suggests that tobacco plain packaging would be enhanced by clearer and more visually striking Quitline information. Improving Quitline information on standardised packs could increase quit rates by prompting quit attempts, prompting the use of cessation support and be affirming for people who have decided to quit<sup>3</sup>.

**The SCDHB recommends** that Quitline information be enhanced on standardised packs.

<sup>1</sup> Hoek, J., Gendall, P., Eckert, C. & Louviere, J. (2015). Dissuasive cigarette sticks: the next step in standardised ('plain') packaging? *Tobacco Control*. doi:10.1136/tobaccocontrol-2015-052533

<sup>2</sup> Hoek, J., Gendall, P., Eckert, C., Kemper, J., & Louviere, J. (2015). Effects of brand variants on smokers' choice behaviours and risk perceptions. *Tobacco Control*. doi:10.1136/tobaccocontrol-2014-052094

<sup>3</sup> Hoek, J., Gendall, P., Eckert, C., Rolls, K., & Louviere, J. (2014). A comparison of on-pack Quitline information formats. *Tobacco Control*. doi:10.1136/tobaccocontrol-2014-051820

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# Submission 15 – Foodstuffs New Zealand Limited



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Foodstuffs (N.Z.) Limited  
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29 July 2016

Tobacco Policy Team  
Ministry of Health  
[standardisedtobacco@moh.govt.nz](mailto:standardisedtobacco@moh.govt.nz)

## **Submission on Standardised Tobacco Products and Packaging Draft Regulations**

This submission is filed on behalf of the Foodstuffs group of companies including Foodstuffs North Island Ltd, Foodstuffs South Island Ltd, Foodstuffs (NZ) Ltd, and their various subsidiaries.

The Foodstuffs companies operate in the grocery wholesale and retail sectors. Co-operative members trade in tobacco products at retail under the following brands: New World, PAK'nSAVE, Four Square, and On the Spot. Our wholesale brands operate under the trading names Gilmours and Trents.

Foodstuffs does not hold a position on the merits of standardised packaging. Our submissions on the consultation paper and draft regulations deal with the practical issues we foresee in implementing the policy. Accordingly, we limit our comments to those aspects of the proposals which have a practical impact for the business. We note that practicality is one of the four key principles to be given consideration in developing the proposals.

### Size and quantities of tobacco products

The draft regulations limit the number of cigarettes in a pack to either 20 or 25. Foodstuffs supports this proposal. It is envisaged that this proposal will lead to a rationalisation of product variants on the market and we agree it will have such an effect. From a retailing perspective, a reduction in the number of tobacco variants will simplify inventory management.

Similarly, we support standardising the size of loose tobacco products to either 30 or 50 grams.

### Permitted marking on tobacco products packages

We support provisions to allow identification marks to assist with the tracking and tracing of legal tax-paid products and the detection of counterfeit products. While counterfeit product is not yet a significant issue in this country we anticipate this may change as scheduled excise tax increases make tobacco products more valuable and less affordable. Measures to deter counterfeit activity are necessary to ensure fair trade, protect excise tax revenues, and to discourage criminal activity.

Foodstuffs supports a provision to allow, but not mandate, country of origin labelling. Consumers are becoming increasingly concerned about the origin of products. Brandowners should have the freedom to

adopt country of origin labelling if they see advantage in it. We appreciate country of origin labelling on tobacco products will not be possible unless the regulations specifically cater for it.

The draft regulations permit barcoding on both the consumer retail pack and trade unit (carton). New Zealand's grocery trade mandates the use of barcodes so that products can be uniquely identified. Barcodes play a pivotal role in global supply chains, enabling retailers, their suppliers, and manufacturers to identify and track products as they move through the chain of custody. At the customer interface, barcodes enable us to track the sales of individual products. To ensure barcodes perform their intended function the New Zealand trade specifies compliance with GS1 standards – the international benchmark.

It is unclear whether the proposed colour get-up for barcodes on standardised packaging (a barcode coloured Pantone 448C on a Pantone Cool Gray background) will meet GS1 standards for legibility. We have referred the query to GS1 for their professional advice.

#### Indicative layout for printing a standardise cigarette pack

There are four practical issues with the proposed layout.

The first relates to the placement of the brand and variant information. This information is to be contained in a section covering not more than 25% of the front surface of a tobacco product, which must appear below the mandated health warning which will cover the balance of the front surface (75%). Some of our stores have tobacco cabinetry which uses a spring-loaded system to hold product, where the lip of the unit covers the bottom portion of the pack. In such cases the lip will cover the brand name making it impossible to distinguish between products. This problem could be easily resolved by flipping the two sections so that the brand name appears at the top. The Ministry may be concerned about the increased prominence given to the brand name, however, in the context of a standardised livery for tobacco packs (eliminating the distinguishing brand livery), and a general display ban (which means visibility to the customer is only ever fleeting), such concerns are unwarranted.

The second issue relates to the proposal to restrict the width of brand information to a maximum 35mm. In practice longer brand names will need to be made smaller than the permitted font size to fit within the restriction. We anticipate that this will make the brand names more difficult to read and the products more difficult to find within the tobacco cabinet. Difficulties locating product will slow down transaction times, reduce checkout efficiency, and frustrate customers, both those purchasing tobacco products and others queuing behind them. We recommend deleting the proposed width restriction, or increasing it to accommodate all existing brand variants within the proposed maximum font size. The tobacco companies will be able to provide examples of longer brand names to demonstrate the concern.

These matters bring us to the third issue, which is the need for regulations to permit retailers to use navigation tools to quickly locate products within the tobacco cabinet. We are keen to have a discussion with officials about the types of navigation tools that might be acceptable. We are confident that there will be ways to satisfy the dual objectives of minimising customers' exposure to tobacco while enabling retailers to provide prompt and efficient customer service.

The last issue relates to Regulation 11 in the Smoke-free Regulations 2007. This requires half of the fourteen approved graphic health warnings to be changed out on an annual basis, and for non-compliant product in the market to be recalled (for repackaging). The product recall is an expensive process and in our view unnecessary. The rotation policy could be achieved at much lower cost by simply requiring manufacturers/importers to evenly spread the 14 health warnings across their annual production/imports, and allowing product to simply sell-through in the normal course of trade. Such an approach would eliminate the need for product to be pulled back and repackaged.

#### Transition Timeframes

Standardised packaging involves significant changes to packaging design and manufacturers will require a substantial lead-time to implement these changes – at least 12 months. As manufacturers cannot effectively develop implementation plans until the detail of the changes are settled, the transition period should begin from the date the final regulations are published.

Managing the transition at retail (run-down of old stock, build-up of new) will be logistically challenging. On this basis it would be helpful if the transition avoids the Christmas/New Year period, when the retail trade is at its peak and retailers are also having to grapple with the pricing changes triggered by the annual excise tax increase on 1 January. Assuming the Bill's passage in the second half of 2016, we recommend an implementation date on or after 1<sup>st</sup> February 2018. This would fall within the maximum 18-month timeframe contemplated in the Bill.

We thank the Ministry for the opportunity to have input on the policy and would welcome further dialogue before decisions are finalised.

Kind regards  
[redacted]

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# Submission 16 – Te Ohu Mana Rangatahi

## Details

Name and designation: [redacted]

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Company organisation name and address: Te Ohu Mana Rangatahi

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Contact phone number and email address: [redacted]

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## Confidentiality

Please keep my comments confidential:  Yes  
*(reasons including identity of specific comments if applicable)*

This request can only be actioned if your reasons satisfy [Official Information Act](#) criteria.

## Declaration of any tobacco industry links or vested interests

As a party to the global tobacco control treaty, the World Health Organization Framework Convention on Tobacco Control, New Zealand has an obligation to protect the development of public health policy from the vested interests of the tobacco industry. To help meet this obligation, we ask all respondents to disclose whether they have any direct or indirect links to, or receive funding from, the tobacco industry. The Ministry will still carefully consider responses from the tobacco industry and from respondents with links to the tobacco industry, alongside all other submissions. Please provide details of any tobacco company links or vested interests below.

I can confirm that our staff and our organisation have had no links and currently do not have any links to the tobacco industry

## Additional information

I am, or I represent, an organisation that is based in:

New Zealand  Australia  Other *(please specify)*:

I am, or I represent, the following category or categories: *(tick all that apply)*

- |  |   |
|--|---|
| <input type="checkbox"/> Overseas manufacturer     | <input type="checkbox"/> New Zealand-based manufacturer           |
| <input type="checkbox"/> Importer                  | <input type="checkbox"/> Exporter                                 |
| <input type="checkbox"/> Retailer                  | <input type="checkbox"/> Government                               |
| <input type="checkbox"/> Wholesaler or distributor | <input type="checkbox"/> Institution (eg, university, hospital)   |
| <input type="checkbox"/> Member of the public      | <input checked="" type="checkbox"/> Non-governmental organisation |

Other (*please specify*):

1. Te Ohu Mana Rangatahi would like to thank The Ministry of Health for the opportunity to provide feedback for the draft regulations proposed in the Smoke-free Environments (Tobacco Plain Packaging) Amendment Bill. We commend the decision to allow community to contribute to such decisions which affect our communities and their members.
2. Te Ohu man Rangatahi represents the views of rangatahi Maori residing within the Auckland boundaries. We are made up of mana whenua and mataawaka rangatahi who reside in the Auckland precinct.
3. Our kaupapa is founded on repatriation of rangatahi to the mana motuhake of their own whanau, hapū and iwi.
4. We represent the rangatahi voice on issues of Te reo, Hauora, Whenua, tikanga and matauranga.



# Consultation questions

Although the submission form includes blank spaces for answering the questions, these do not set a limit for the length of your responses and you should take as much space as you need to answer or comment. Feel free to enlarge the boxes or attach additional pages.

## Size and quantities of tobacco products

- 1 Do you agree with the proposals to limit the number of cigarettes in a pack to either 20 or 25, and the amount of loose tobacco to 30 grams or 50 grams?

Yes

No

Please outline your reasons.

A standard amount of tobacco will limit the ability for cigarette manufacturers to conjure a point of difference. One individual may prefer one brand because it has 25 cigarettes has a low price barrier, while another may seem value for money. It is our opinion that 20 cigarettes should be the limit for all packets.

It is our belief that the amount in loose tobacco should be standardised to 50g. Our rational behind this decision is that a packet at 50g would present a greater barrier to purchase for rangatahi, as these would be higher priced than 30gm.

- 2 Do you agree with the proposals to restrict the dimensions of cigarette sticks by setting minimum and maximum length and diameter?

Yes

No

Please outline your reasons.

We recommend that the new regulations regulate the length and diameter of the cigarette sticks, by having a single standardised dimension for the cigarette sticks.

One of the goals of standardised branding is that tobacco manufacturers can not differentiate themselves from one another for market attractiveness.

Therefore cigarettes need to be uniform in length and diameter. It has long be known that many groups especially female gravitate to longer and slim cigarettes which are often associated with being slim, sophisticated stylish and elegant.

We would particularly recommend shorter and thicker sticks be the regulated uniform diameter. This will remove possibility of misinterpretation of the regulations, and will provide conformity across all tobacco products.

- 3 Do you agree with the proposals setting minimum and maximum height, width and depth of cigarette packs, consistent with the limits on the number and size of the cigarette sticks they contain?

Yes

No

Please outline your reasons.

As mentioned in previous suggestions, a major goal is to limit the cigarette manufacturer's ability to demonstrate their point of difference. Changes in the dimensions of the packets would allow for this to happen. This would be especially appropriate should the dimensions of the cigarettes themselves be standardised.

Imperial Tobacco Canada, a wholly owned subsidiary of BAT and the largest manufacturer in Canada, recently added a new twist to retail displays by re-packaging its leading du Maurier brand in octagon-shaped packages, with angled edges on the front and back of the package face.

This regulation is primarily important to ensure that sizing is not used as a marketing tool for tobacco companies.

It must be remembered, in particular for youth, the selection of tobacco products are not due to sensory factors such as taste or smell, rather they are influenced by psychological factors, the branding and its imagery

- 4 Do you agree with the proposal that loose tobacco should be sold only in rectangular pouches made of soft plastic?

Yes

No

Please outline your reasons. If you do not agree, what alternatives do you suggest?

Similar to the answers above, without the standardisation of packets in loose tobacco, the tobacco suppliers could invent new and innovative ways to package their tobacco leading to not just a point of difference, but also the ability to make their product more attractive.

- 5 Do you agree with the proposals to standardise cigar packaging, including the proposal to limit the number of cigars that may be sold in a pack?

Yes

No

Please outline your reasons. If you do not agree, what alternatives do you suggest?

Whilst cigar smoking has a much lower uptake in youth, it is still important that cigar packaging standardised, as cigars are just as harmful as cigarettes.

We recommend that the standardisation of packaging apply to all products.

- 6 Should the regulations include a general provision to set a minimum size for all tobacco packages, including cigar packages?

Yes  
 No

Please outline your reasons below.

We recommend that a standard size be the regulated sizing of all tobacco packages. There should be only one standard size for each type of product.

- 7 Do you have any other suggestions for regulatory requirements to standardise the shape and size of tobacco products and tobacco product packages?

Yes  
 No

If yes, please provide detail below.

Dissuasive sticks are a concept that has had some momentum. Studies show that a drab dark brown colour pantone 448C has been described as the most dissuasive colour. This is based on market research. This effect may be more pronounced with standardised cigarettes dimensions and standardised packets. As mentioned previously, a person selects a brand because it integrates with a person identity; it's a statement about who they are. A dissuasive thicker shorter, unpleasing to the eye cigarettes may help change that view.

## Permitted markings on tobacco packages

- 8 Do the regulations need to allow for any other anti-counterfeiting marks?

Yes  
 No

Please provide detail and reasons below.

There has and always will be a criminal element based around a vast array of services and products. From stereos, TV's, alcohol, drugs, driving etc. However, the potential to promote criminal activity should not supersede the actions of governments to protect its citizens. Possible consequences should be duly noted and resources should be redeployed in preparation for such a threat, however, the reality is that counterfeiting is not a substantive issues in New Zealand.

Therefore we recommend that the regulations do not provide room to account for anti-counterfeiting marks to be used in or on tobacco products.

- 9 If additional anti-counterfeiting marks are to be allowed, how could these be regulated to ensure they do not communicate to consumers or have any effect that might undermine the intention of standardised packaging?

Please provide detail below.

- 10 Do the regulations need to permit any other marks or features on tobacco product packages to allow for automated manufacturing and packaging processes?

- Yes  
 No

Please provide detail and reasons below.

Again, this is not a substantive issue, however, there are a number of ways that codes such as numbers, bar codes, QR Styled codes that could be used ensure packets of cigarettes can be tracked from manufacturer to retailer. Also these marking need not add to the attraction of said products.

Whilst there may need to be consideration of this for automated manufacturing and packaging, we recommend that these markings also be regulated.

- 11 Should the regulations allow for the country of manufacture to be printed on tobacco products or packages?

- Yes  
 No

Please provide detail and reasons below.

A country of origin could be used to generate a point of difference. For example and pack of cigarettes manufactured in New Zealand could be more attractive than say a packet of smokes bought from China.

We do not believe that country of production is of importance for tobacco manufacturers (like the brand name), and therefore do not believe that the regulations should consider this.

## **Additional features to increase the effectiveness of standardised packaging**

- 12 Are there any additional features within the scope of the regulation-making powers in the Smoke-free Environments (Tobacco Plain Packaging) Amendment Bill that might increase the effectiveness of standardising tobacco products and packaging? If so, what is the rationale and can you provide supporting evidence?

Yes

No

If yes, please provide detail below.

### **Other issues worth discussing**

In the text that is used for the standardised packaging we advocate using a font that is not associated with being stylish or elegant. Some of the examples of a cigarettes packets are still alluring and make for an enjoyable customer experience. We would advocate a thick font with rounded edges such as Arial Bold or Coopers.

The size and position of the health warning.

The use of Pictures and Symbols in Health Communications

“Graphic’ picture and the use of fear arousing information

Prominent health warnings that cover a significant proportion of the package also have the potential to undermine a brand’s appeal and the impact of package displays at retail outlets

We would like some warnings that refer to the damage that smokes do on our environment.

## **Other comment on content of draft regulations**

If you wish to make any other comments on the content or coverage of the draft regulations, please provide detail below.

We recommend that the manufacturers be required to maintain their original packaging from when the regulations come into practice

**We further recommend the following :**

**That the inside of the carton packaging also be coloured in the same “drab dark brown” as the outer packaging.**

**That the “foil lining” be a less appealing colour than the current “silver foil. We recommend the lining be coloured “drab dark brown” as well. Furthermore, this lining should be fixed to the inside of the pack and not easily detachable, as this would mitigate consumers being able to “discard” the unappealing outer package.**

**Restrict brand names to one variant only to avoid evocative brand name. We also recommend that the brand name be restricted in colour- i.e. one colour only, so that the brand colour cannot be used as a point of difference.**

**Regulate that all cigarette sticks be white with corkstick tops, with no variation.**

**We would like to speak to this submission if the opportunity arises.**

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# References

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