

Directive 2014/40/EU of the European Parliament and of the Council of 3 April 2014 on the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco and related products and repealing Directive 2001/37/EC (Text with EEA relevance)

## TITLE II

### TOBACCO PRODUCTS

#### CHAPTER II

#### *Labelling and packaging*

##### *Article 10*

#### **Combined health warnings for tobacco products for smoking**

1 Each unit packet and any outside packaging of tobacco products for smoking shall carry combined health warnings. The combined health warnings shall:

- a contain one of the text warnings listed in Annex I and a corresponding colour photograph specified in the picture library in Annex II;
- b include smoking cessation information such as telephone numbers, e-mail addresses or Internet sites intending to inform consumers about the programmes that are available to support persons who want to stop smoking;
- c cover 65 % of both the external front and back surface of the unit packet and any outside packaging. Cylindrical packets shall display two combined health warnings, equidistant from each other, each covering 65 % of their respective half of the curved surface;
- d show the same text warning and corresponding colour photograph on both sides of the unit packets and any outside packaging;
- e appear at the top edge of a unit packet and any outside packaging, and be positioned in the same direction as any other information appearing on that surface of the packaging. Transitional exemptions from that obligation on the position of the combined health warning may apply in Member States where tax stamps or national identification marks used for fiscal purposes remain mandatory, as follows:
  - (i) in those cases, where the tax stamp or national identification mark used for fiscal purposes is affixed at the top edge of a unit packet made of carton material, the combined health warning that is to appear on the back surface may be positioned directly below the tax stamp or national identification mark;
  - (ii) where a unit packet is made of soft material, Member States may allow for a rectangular area to be reserved for the tax stamp or national identification mark used for fiscal purposes of a height not exceeding 13 mm between the top edge of the packet and the top end of the combined health warnings.

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The exemptions referred to in points (i) and (ii) shall apply for a period of three years from 20 May 2016. Brand names or logos shall not be positioned above the health warnings;

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g in the case of unit packets of cigarettes, respect the following dimensions:

(i) height: not less than 44 mm;

(ii) width: not less than 52 mm.

2 The combined health warnings are grouped into three sets as set out in Annex II and each set shall be used in a given year and rotated on an annual basis. Member States shall ensure that each combined health warning available for use in a given year is displayed to the extent possible in equal numbers on each brand of tobacco products.

3 The Commission shall be empowered to adopt delegated acts in accordance with Article 27 to:

a adapt the text warnings listed in Annex I taking into account scientific and market developments;

b establish and adapt the picture library referred to in point (a) of paragraph 1 of this Article taking into account scientific and market developments.

4 The Commission shall by means of implementing acts define the technical specifications for the layout, design and shape of the combined health warnings, taking into account the different packet shapes.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 25(2).

#### **Editorial Information**

**X1** Substituted by [Corrigendum to Directive 2014/40/EU of the European Parliament and of the Council of 3 April 2014 on the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco and related products and repealing Directive 2001/37/EC \(Official Journal of the European Union L 127 of 29 April 2014\)](#).