

FACT SHEET 4:

What's happening around the world with plain packaging?



India

23 July 2012

On the same day New Zealand announced its consultation on plain packaging, India's Health Minister announced plans to consider plain packaging.

United Kingdom

April 2012

The UK Government has just concluded a public consultation on plain packaging. . The Department of Health has also commissioned an independent review of the research evidence.

France

2012

The French Government is determined to halve smoking prevalence by 2025. A Ministry of Health commissioned report was delivered to the French Parliament in March 2012 which included recommendations for price rises and plain packaging of all tobacco products.

European Commission

2010

The European Commission launched a public consultation to revise its Tobacco Directive 2001/37/EC. The consultation included a proposal to require plain packaging as an obligation for Europe nations that have signed the Framework Convention on Tobacco Control.

It is expected that the Commission will make recommendations based on responses from the consultation by late 2012.

Australia

April 2010

The Australia Federal Government has passed legislation that requires tobacco to be sold in plain packaging. Australia will be the first country to require plain packaging for tobacco products by 1 December 2012. The proposal includes:

- *All tobacco products will be sold in standardised shape, size, material, olive-brown colour without any additional design features.*

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July – August 2011

The Tobacco Plain Packaging Bill was introduced to the Lower House of Australia Parliament in July 2011 and was passed by the Lower House in August 2011.

December 2011

The Bill was passed in the Senate on 9 November 2011. The Tobacco industry has filed two lawsuits against the Federal Government's decision on plain packaging - Philip Morris Asia (based in Hong Kong) through the bilateral treaty between Hong Kong and Australia; British American Tobacco Australia joined with Philip Morris, Japan Tobacco International and Imperial Tobacco through appealing to Australian Constitutional laws on acquiring property (trademarks and brands).

February 2012

The Federal Government made a submission to the High Court in defending against the tobacco industry legal challenge. Attorney-General, Hon Nicola Roxon, rejected the claim that the Government had no intention to 'acquire' the brands of tobacco companies but only restrict their use. The Australian Government Solicitor also rejected claims by Philip Morris.

January – April 2012

High Court hearings opened between January and April 2012 in relation to the constitutional challenge by tobacco companies against Australia's plain packaging legislation. The High Court received feedback from both the Government as well as tobacco companies. The court is now considering its verdict which is expected to take several months.

April – May 2012

Australia received two consultation requests from the members of World Trade Organization (WTO) in relation to plain packaging measures from Ukraine and Honduras. Consultations are the first step in the formal WTO dispute settlement process.

The Australian Health Secretary revealed that the tobacco industry was providing legal advice to the two countries in their challenges to plain packaging at the WTO.