



## Plain Packaging – International Overview

Canadian Cancer Society  
August 29, 2016

Plain packaging would prohibit brand colours, logos and graphics on tobacco packages, thus eliminating the package as mini-billboards that promote tobacco. Required health warnings would appear on packages, but the branded part of the package would have a standard colour for all brands, such as the drab brown required in Australia (see images on page 3). Package dimensions would be standardized, thus eliminating Slims and Superslims packs targeting women.

Plain packaging would (1) eliminate promotional aspects of packaging; (2) curb deceptive messages conveyed through packaging; (3) enhance the effectiveness of health warnings; (4) reduce tobacco use. Plain packaging would build on existing packaging regulation that requires health warnings, that requires toxic emission messages on package sides, and that prohibits misleading descriptors “light” and “mild”.<sup>1</sup>

### International developments

**Summary:** Plain packaging has been implemented in Australia (2012), the United Kingdom (May 20, 2016) and France (May 20, 2016), has been adopted in Hungary for implementation May 20, 2018, has been adopted in Ireland awaiting commencement date, and is under formal consideration in Norway, Slovenia, Canada, New Zealand, Uruguay, Thailand, Singapore, Belgium, Turkey, Finland, and South Africa. Expressions of support for implementation of plain packaging have also been made by the governments of Mauritius,<sup>2</sup> Kenya,<sup>3</sup> Gambia,<sup>4</sup> and Botswana.<sup>5</sup>

**Australia** – Plain packaging legislation adopted Dec. 1, 2011 and fully implemented Dec. 1, 2012.<sup>6</sup> Constitutional challenge dismissed by High Court of Australia Aug. 15, 2012.<sup>7</sup> A Philip Morris legal claim under bilateral Hong Kong-Australia investment agreement dismissed, as announced Dec. 18, 2015.<sup>8</sup>

**United Kingdom** – Plain packaging regulations approved March 16, 2015<sup>9</sup> and came into force May 20, 2016, applying to England, Wales<sup>10</sup> Northern Ireland<sup>11</sup> and Scotland.<sup>12</sup> On May 19, 2016, a tobacco industry legal challenge was dismissed.<sup>13</sup>

**France** – Plain packaging legislation adopted December 17, 2015 and came into force May 20, 2016.<sup>14</sup> This legislation was upheld on Jan. 21, 2016 as constitutional by France’s Constitutional Council.<sup>15</sup> On July 20, 2015, France hosted a 10-country ministerial meeting on plain packaging.<sup>16</sup>

**Hungary** – On August 16, 2016, Hungary adopted a Decree that to require plain packaging effective May 20, 2018.<sup>17</sup>

**Ireland** – Plain packaging legislation enacted March 10, 2015 and awaiting commencement date.<sup>18</sup>

**Norway** – Government bill introduced in Parliament June 10, 2016.<sup>19</sup>

**Slovenia** – On March 16, 2016, Slovenia provided notification for draft plain packaging legislation.<sup>20</sup>

**Canada** – New Government elected Oct. 19, 2015 committed in electoral platform to implement plain packaging.<sup>21</sup> On Nov. 13, 2015, the Prime Minister’s mandate letter to the Minister of Health included plain packaging as a “top priority”.<sup>22</sup> On May 31, 2016, Health Minister Jane Philpott launched a public consultation ending August 31, 2016.<sup>23</sup>

**New Zealand** – Government Bill introduced Dec. 17, 2013, first reading Feb. 11, 2014,<sup>24</sup> approved by Health Committee Aug. 5, 2014,<sup>25</sup> second reading June 30, 2016.<sup>26</sup> On May 31, 2016, draft regulations

were released for consultation until July 29, 2016.<sup>27</sup> On May 31, 2016, Prime Minister John Key stated that plain packaging would likely be implemented in early 2017.”<sup>28</sup>

**Uruguay** – President stated November 24, 2015 and reiterated on July 8, 2016 that plain packaging is being considered.<sup>29</sup> A Philip Morris legal claim under bilateral Switzerland-Uruguay investment agreement dismissed July 8, 2016, regarding significant packaging restrictions (though not plain packaging).<sup>30</sup>

**Thailand** – In November, 2015, a Thailand government representative stated that plain packaging was under consideration.<sup>31</sup>

**Singapore** – On Dec. 29, 2015, Singapore launched a public consultation on plain packaging ending March 29, 2016.<sup>32</sup>

**Belgium** – Public Health Minister announced April 9, 2016 that Belgium to have plain packaging by 2019.<sup>33</sup>

**Finland** – Government national action plan (June 2014) includes plain packaging as planned measure.<sup>34</sup>

**Turkey** – Plain packaging included in government national action plan for 2015-2018.<sup>35</sup> In August, 2016, the Health Minister stated that plain packaging is under consideration.<sup>36</sup>

**South Africa** – Health Minister stated July 24, 2014 that he wants to implement plain packaging,<sup>37</sup> and stated March 18, 2015<sup>38</sup> and May 31, 2016<sup>39</sup> that legislation will be introduced in Parliament. A bill is expected to be introduced in 2017.<sup>40</sup>

**European Union** – new *Tobacco Products Directive* adopted April 3, 2014 explicitly states that 28 EU countries have the option of implementing plain packaging,<sup>41</sup> a provision upheld on May 4, 2016 by the European Court of Justice as valid when dismissing a tobacco industry legal challenge.<sup>42</sup>

### **WHO Framework Convention on Tobacco Control (FCTC)**

Guidelines under the FCTC, the international tobacco control treaty, recommend that governments consider implementing plain packaging.<sup>43</sup> The FCTC has been widely ratified by countries, with 180 Parties to the FCTC.<sup>44</sup>

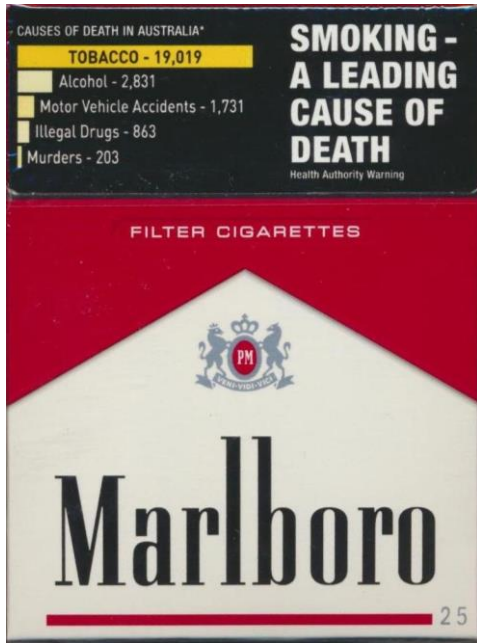
### **Evidence supports plain packaging**

- There is compelling evidence, including extensive studies, supporting implementation of plain packaging. An updated March 2014 evidentiary overview, reviewing 75 empirical studies, was prepared by University of Waterloo Professor David Hammond for the Irish Government.<sup>45</sup> In the United Kingdom, the Chantler Review (2014)<sup>46</sup> and the Stirling Review (2011)<sup>47</sup> provide extensive evidence. A special issue of the journal *Tobacco Control* was published in April 2015 with a series of studies on the Australian experience, providing yet further evidence.<sup>48</sup> A Post-Implementation Review by the Australian Health Department, released February 2016, concluded that “plain packaging is achieving its aim of improving public health in Australia and is expected to have substantial public health outcomes into the future.”<sup>49</sup> Cancer Council Victoria [in Australia] maintains a website “Plain packaging. The facts”, which includes fact sheets on the Australian experience.<sup>50</sup>
- If plain packaging would not work to reduce smoking, then why is the industry so strongly opposed?
- The theme for the World Health Organization’s World No Tobacco Day on May 31, 2016 was “Get Ready for Plain Packaging” with WHO releasing materials on plain packaging.<sup>51</sup> On May 31, 2016, UN Secretary-General Ban Ki-moon issued a statement endorsing plain packaging.<sup>52</sup>

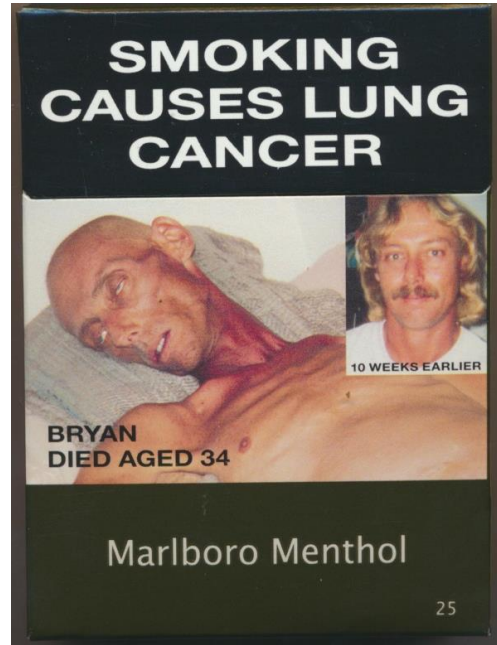
### **Canadian background**

- Plain packaging could be required by regulation under the federal *Tobacco Act*.<sup>53</sup>
- Plain packaging was recommended in 1994 by the House of Commons Standing Committee on Health.<sup>54</sup>

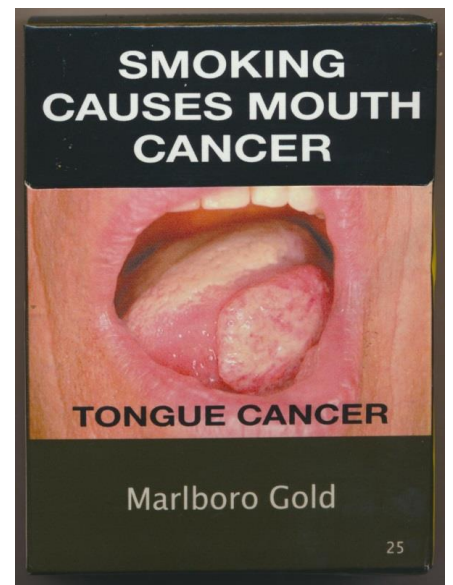
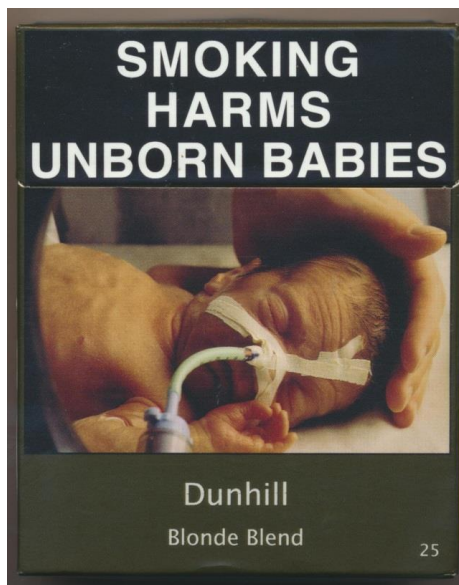
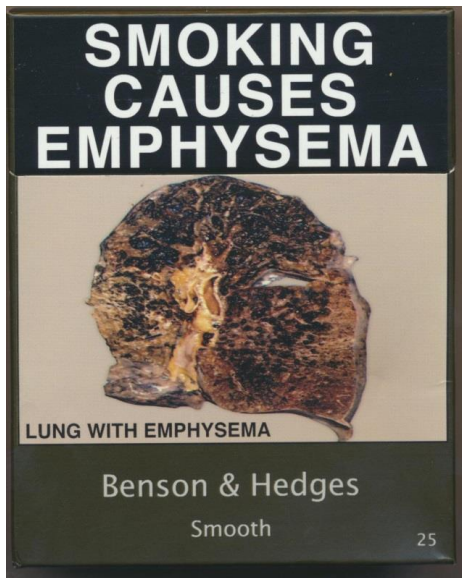
Examples of Plain Packaging from Australia



Before



After



Packages of Benson & Hedges, Dunhill and Marlboro cigarettes in plain packages from Australia

## Endnotes

<sup>1</sup> For an international overview of package health warnings, see: Canadian Cancer Society, *Cigarette Package Health Warnings: International Status Report*, Fourth Edition, September 2014.

English:

<http://www.cancer.ca/~media/cancer.ca/CW/for%20media/Media%20releases/2014/Tobacco%20Warnings%20Oct%202014/CCS-international-package-warnings-report-2014-ENG.pdf>

French:

<http://www.cancer.ca/~media/cancer.ca/CW/for%20media/Media%20releases/2014/Tobacco%20Warnings%20Oct%202014/SCC-rapport-international-mises-en-garde-2014-FR.pdf>

Arabic, Chinese, Portuguese, Russian, Spanish:

[http://global.tobaccofreekids.org/en/solutions/international\\_issues/warning\\_labels/](http://global.tobaccofreekids.org/en/solutions/international_issues/warning_labels/)

Canadian regulations concerning packaging and labelling are as follows:

*Tobacco Products Labelling Regulations (Cigarettes and Little Cigars)*, SOR/2011-177.

<http://www.canlii.org/en/ca/laws/regu/sor-2011-177/latest/sor-2011-177.html>

*Tobacco Products Information Regulations*, SOR/2000-272.

<http://www.canlii.org/en/ca/laws/regu/sor-2000-272/latest/sor-2000-272.html>

*Promotion of Tobacco Products and Accessories Regulations (Prohibited Terms)*, SOR/2011-178.

<http://www.canlii.org/en/ca/laws/regu/sor-2011-178/latest/sor-2011-178.html>

<sup>2</sup> Mauritius Government Information Service, Prime Minister's Office, "WNTD: Government's commitment to introduce plain packaging, stressed by Health Minister" June 6, 2016 (news release).

<http://www.govmu.org/English/News/Pages/WNTD-Government%E2%80%99s-commitment-to-introduce-plain-packaging,-stressed-by-Health-Minister.aspx>

<sup>3</sup> The Health Cabinet Secretary stated that a formal plan and timeline for implementation of plain packaging will be developed: Pauline Kairu, "New headache for tobacco companies as Health ministry seeks to enforce plain packaging for cigarettes" Daily Nation, May 31, 2016.

<http://www.nation.co.ke/news/-/1056/3227228/-/pitjd4z/-/index.html>

<sup>4</sup> Arfang MS Camara, "Gambia to Embrace Plain Packaging of Tobacco Products" Daily Observer, August 4, 2016

<https://observer.gm/gambia-to-embrace-plain-packaging-of-tobacco-products/>

<sup>5</sup> Botswana Ministry of Health, "World no tobacco day" (news item on website) 2016.

[http://www.moh.gov.bw/news\\_events/world\\_no\\_tobacco.html](http://www.moh.gov.bw/news_events/world_no_tobacco.html)

Baboki Kayawe, "Plain, standardised tobacco packaging in the offing" Mmegionline, June 1, 2016.

<http://www.mmegi.bw/index.php?aid=60416&dir=2016/june/01>

<sup>6</sup> *Tobacco Plain Packaging Act 2011*, No. 148, 2011. <http://www.comlaw.gov.au/Details/C2011A00148>  
*Trade Marks Amendment (Tobacco Plain Packaging) Act 2011*, No. 149, 2011.

<http://www.comlaw.gov.au/Details/C2011A00149>

*Tobacco Plain Packaging Regulations 2011*, Select Legislative Instrument 2011 No. 263 as amended.

<http://www.tobaccocontrolaws.org/files/live/Australia/Australia%20-%20PP%20Regs%20-%20national.pdf>

<sup>7</sup> *JT International SA v Commonwealth of Australia* [2012] HCA 43, High Court of Australia, Order August 15, 2012, Reasons October 5, 2012.

<http://www.austlii.edu.au/au/cases/cth/HCA/2012/43.html>

<sup>8</sup> The text of the decision was not immediately published. See Cancer Council Victoria, "Australia successfully defends plain packaging against Philip Morris legal challenge" Dec. 18, 2015 (news release).

<http://www.cancervic.org.au/about/media-releases/2015-media-releases/december-2015/australia-successfully-defends-plain-packaging.html>

<sup>9</sup> Enabling legislation approved by Parliament March 13, 2014: *Children and Families Act 2014*, 2014 no. 6, section 94. [http://www.legislation.gov.uk/ukpga/2014/6/pdfs/ukpga\\_20140006\\_en.pdf](http://www.legislation.gov.uk/ukpga/2014/6/pdfs/ukpga_20140006_en.pdf)

*The Standardised Packaging of Tobacco Products Regulations 2015*, laid before Parliament Feb. 23, 2015, approved by House of Commons March 11, 2015, and approved by House of Lords March 16, 2015. [http://www.legislation.gov.uk/ukdsi/2015/9780111129876/pdfs/ukdsi\\_9780111129876\\_en.pdf](http://www.legislation.gov.uk/ukdsi/2015/9780111129876/pdfs/ukdsi_9780111129876_en.pdf)

<sup>10</sup> Welsh Government, “Health Minister gives go-ahead for standardised packaging for cigarettes to be introduced in Wales” (news release) January 29, 2015.

<http://wales.gov.uk/newsroom/healthandsocialcare/2015/packaging/?lang=en>

<sup>11</sup> Northern Ireland Department of Health, Social Services and Public Safety, “Standardised Packaging for Tobacco Products to be Introduced in Northern Ireland” (press release) February 2, 2015.

<http://www.northernireland.gov.uk/index/media-centre/news-departments/news-dhssps/news-dhssps-020215-standardised-packaging-for.htm>

<sup>12</sup> Scottish Government, “Plain tobacco packaging” (news release) January 22, 2015.

<http://news.scotland.gov.uk/News/Plain-tobacco-packaging-14da.aspx>

<sup>13</sup> *British American Tobacco & others v Department of Health*, [2016] EWHC 1169 (Admin), England and Wales High Court of Justice, Queen’s Bench Division, Administrative Court, May 19, 2016.

Summary: <https://www.judiciary.gov.uk/wp-content/uploads/2016/05/bat-v-doh-summary.pdf>

Full judgment: <https://www.judiciary.gov.uk/wp-content/uploads/2016/05/bat-v-doh-judgment.pdf>

<sup>14</sup> Bill relating to health, no. 2302, deposited October 15, 2014; amendment AS1408 on plain packaging approved by National Assembly Social Affairs Committee, March 18, 2015, final approval by Parliament December 17, 2015. For the bill, see (the health bill contains measures beyond tobacco control):

<http://www.assemblee-nationale.fr/14/ta/ta0650.asp>

*Décret no 2016-334 du 21 mars 2016 relatif au paquet neutre des cigarettes et de certains produits du tabac*, NOR : AFSP1603141D [Decree no 2016-334 of 21 March 2016 relating to plain packaging of cigarettes and of certain tobacco products]

<https://www.legifrance.gouv.fr/jopdf.do?id=JORFTEXT000032276104>

*Arrêté du 21 mars 2016 relatif aux conditions de neutralité et d’uniformisation des conditionnements et du papier des cigarettes et du tabac à rouler*, NOR : AFSP1607269A [Decision of 21 March 2015 relating to conditions of plain and standardized packaging and cigarette paper and rolling tobacco]

[https://www.legifrance.gouv.fr/jo\\_pdf.do?id=JORFTEXT000032276123](https://www.legifrance.gouv.fr/jo_pdf.do?id=JORFTEXT000032276123)

The French Government had announced Sept. 25, 2014 that it would implement plain packaging. Government of France, “Programme national de réduction du tabagisme” Dossier de presse, Sept. 25, 2014 (French).

[http://www.sante.gouv.fr/IMG/pdf/250914\\_-\\_Dossier\\_de\\_Presse\\_-\\_PNRT\\_2\\_.pdf](http://www.sante.gouv.fr/IMG/pdf/250914_-_Dossier_de_Presse_-_PNRT_2_.pdf)

Speech by French Health Minister Marisol Touraine, September 25, 2014 (French):

[http://www.sante.gouv.fr/IMG/pdf/250914\\_-\\_Discours\\_Marisol\\_Touraine\\_-\\_PNRT.pdf](http://www.sante.gouv.fr/IMG/pdf/250914_-_Discours_Marisol_Touraine_-_PNRT.pdf)

<sup>15</sup> Constitutional Council [France], Loi de modernisation de notre système de santé [Law to modernize our health system], Decision n° 2015-727 DC of 21 January 2016.

<http://www.conseil-constitutionnel.fr/conseil-constitutionnel/francais/les-decisions/acces-par-date/decisions-depuis-1959/2016/2015-727-dc/decision-n-2015-727-dc-du-21-janvier-2016.146887.html>

<sup>16</sup> First ministerial meeting on plain tobacco packaging, Paris, July 20th, 2015, Press statement.

[http://www.social-sante.gouv.fr/IMG/pdf/150720\\_-\\_PS\\_-\\_Plain\\_Packaging\\_Meeting.pdf](http://www.social-sante.gouv.fr/IMG/pdf/150720_-_PS_-_Plain_Packaging_Meeting.pdf)

“Plain packaging of tobacco products: a worldwide movement to address a global challenge” Press kit, First ministerial meeting on plain tobacco packaging, Paris, July 20th, 2015, p.7.

[http://www.social-sante.gouv.fr/IMG/pdf/150720\\_-\\_PK\\_-\\_Plain\\_Packaging\\_Meeting.pdf](http://www.social-sante.gouv.fr/IMG/pdf/150720_-_PK_-_Plain_Packaging_Meeting.pdf)

<sup>17</sup>The implementation date is May 20, 2018 and the manufacturer level, and May 20, 2019 at the retail level. Decree 239/2016 of 16 August 2016, *Amendment to Government Decree 39/2013 of 14 February 2013 on the manufacture, placement on the market and control of tobacco products, combined warnings and the detailed rules for the application of the health-protection fine*. See Hungarian Gazette, August 16, 2016, starting at p.11993 (Hungarian):

<http://www.magyarokzlony.hu/dokumentumok/2da534225ced907f63e73ebef84fa62923926ad7/megtekintes>

On September 21, 2015, Hungary had notified a draft Decree to the European Commission: *Amendment to Government Decree 39/2013 of 14 February 2013 on the manufacture, placement on the market and control of tobacco products, combined warnings and the detailed rules for the application of the health-protection fine* (the 'Implementation Decree')" (Draft). (Available in English and other languages.) The draft Decree also includes implementation of many of the provisions in the new EU Directive.

<http://ec.europa.eu/growth/tools-databases/tris/en/index.cfm/search/?trisaction=search.detail&year=2015&num=529&mLang=EN>

<sup>18</sup> *Public Health (Standardised Packaging of Tobacco) Bill* 2014, Bill Number 54 of 2014, introduced in the Seanad (Senate) June 11, 2014, approved by Senate June 25, 2014, approved with amendments by Dail (lower house) Feb. 26, 2015, bill as amended approved by Seanad March 3, 2015. The bill was signed by the President March 10, 2010. Some Ministerial regulations/orders are still needed, such as to specify the base colour of packages.

<http://www.oireachtas.ie/viewdoc.asp?DocID=26331&&CatID=59>

On Nov. 20, 2015, Ireland gave notification to the European Commission of draft *Public Health (Standardised Packaging of Tobacco) Regulations* 2016.

<http://ec.europa.eu/growth/tools-databases/tris/en/search/?trisaction=search.detail&year=2015&num=650>

<sup>19</sup> Bill 142L, *Amendments to the Tobacco Control Act (implementation of Directive 2014/40 /EU and standardised tobacco packaging*, introduced in Norwegian Parliament June 10, 2016.

<https://www.regjeringen.no/contentassets/67c3412a150845349d390b075a3ec4b1/no/pdfs/prp201520160142000dddpdfs.pdf>

Government plain packaging consultation began March 17, 2015, and ended June 9, 2015, see Norwegian Ministry of Health and Care Services, "Norway consults on standardised tobacco packaging and FCTC Article 5.3" (press release) March 17, 2015.

<https://www.regjeringen.no/en/aktuelt/norway-consults-on-standardised-tobacco-packaging-and-fctc-article-5.3/id2401001/>

Consultation documents (Norwegian):

<https://www.regjeringen.no/nb/dokumenter/horing-av-forslag-til-innforing-av-standardiserte-tobakkspakninger-og-gjennomforing-av-tobakkskonvensjonen-artikkel-5.3-i-norge/id2401022/>

On May 5, 2015, Norway provided notification for draft amendments for plain packaging: Draft amendments to Act No. 14 of 9 March 1973 relating to Prevention of the Harmful Effects of Tobacco (Standardised packaging) and draft amendment to Regulations no 141 of 6 February 2003 on the contents and labelling of Tobacco products. Notification provided to European Commission May 5, 2015. Norway is not a member of the EU, but is a member of the European Free Trade Association.

<http://ec.europa.eu/growth/tools-databases/tris/en/search/?trisaction=search.detail&year=2015&num=9009>

See also: Norwegian Ministry of Health and Care Services, "Towards a Tobacco-Free Generation" May 31, 2016 (news release). Link includes 93 minute webcast from May 31, 2016.

<https://www.regjeringen.no/en/aktuelt/towards-a-tobacco-free-generation/id2502147/>

<sup>20</sup> Draft Act restricting the use of tobacco and related products. Notification provided to the European Commission on May 26, 2016. Slovenia is a member of the European Union.

<http://ec.europa.eu/growth/tools-databases/tris/en/search/?trisaction=search.detail&year=2016&num=135>

<sup>21</sup> In the Oct. 19, 2015 election, the Liberal party (which won a majority) included plain packaging in its electoral platform (p.21): <https://www.liberal.ca/files/2015/10/New-plan-for-a-strong-middle-class.pdf>

<sup>22</sup> Prime Minister Justin Trudeau, letter to Dr. Jane Philpott, Minister of Health, November 13, 2015 (Minister of Health Mandate Letter). <http://pm.gc.ca/eng/minister-health-mandate-letter>

<sup>23</sup> Health Canada, "Minister Philpott Launches Public Consultations on Tobacco Plain Packaging" May 31, 2016 (news release). English: <http://news.gc.ca/web/article-en.do?nid=1077359&tp=1>

French: <http://nouvelles.gc.ca/web/article-fr.do?nid=1077359&tp=1>

Health Canada, "Consultation on "Plain and Standardized Packaging" for Tobacco Products. Potential measures for regulating the appearance, shape and size of tobacco packages and of tobacco products. Document for consultation." May 2016. (released May 31, 2016)

English: [http://healthy Canad ians.gc.ca/health-system-systeme-sante/consultations/tobacco-packages-emballages-produits-tabac/document-eng.php](http://healthy Canadians.gc.ca/health-system-systeme-sante/consultations/tobacco-packages-emballages-produits-tabac/document-eng.php)

French: <http://canadiensensante.gc.ca/health-system-systeme-sante/consultations/tobacco-packages-emballages-produits-tabac/document-fra.php>

<sup>24</sup> *Smoke-free Environments (Tobacco Plain Packaging) Amendment Bill*, Bill 186-1, first reading Feb. 11, 2014.

[http://www.parliament.nz/en-nz/pb/legislation/bills/00DBHOH\\_BILL12969\\_1/smoke-free-environments-tobacco-plain-packaging-amendment](http://www.parliament.nz/en-nz/pb/legislation/bills/00DBHOH_BILL12969_1/smoke-free-environments-tobacco-plain-packaging-amendment)

<sup>25</sup> New Zealand Parliament Health Committee, Report, August 5, 2014.

[http://www.parliament.nz/resource/en-nz/50DBSCH\\_SCR57000\\_1/3b7b2a74d0e52515fe202f3cdfaac3c15fd156d4](http://www.parliament.nz/resource/en-nz/50DBSCH_SCR57000_1/3b7b2a74d0e52515fe202f3cdfaac3c15fd156d4)

<sup>26</sup> The New Zealand bill continues and is renumbered as Bill 186-2 following Sept. 20, 2014 national election. <http://www.legislation.govt.nz/bill/government/2013/0186/latest/DLM5821008.html?src=qs>

Also: [https://www.parliament.nz/en/pb/bills-and-laws/bills-proposed-laws/document/00DBHOH\\_BILL12969\\_1/smoke-free-environments-tobacco-plain-packaging-amendment](https://www.parliament.nz/en/pb/bills-and-laws/bills-proposed-laws/document/00DBHOH_BILL12969_1/smoke-free-environments-tobacco-plain-packaging-amendment)

<sup>27</sup> New Zealand Ministry of Health, “Standardised Tobacco Products and Packaging Draft Regulations. Consultation document” May 31, 2016.

<https://www.health.govt.nz/publication/standardised-tobacco-products-and-packaging-draft-regulations>

<sup>28</sup> “Plain tobacco packaging likely early next year” *Otago Daily Times*, May 31, 2016.

<http://www.odt.co.nz/news/politics/385188/plain-tobacco-packing-likely-early-next-year>

<sup>29</sup> Vázquez anunció más medidas para luchar contra el tabaquismo [Vazquez announces more measures to combat smoking], *El Diario*, November 24, 2015.

<http://eldiario.com.uy/2015/11/24/vazquez-anuncio-mas-medidas-para-luchar-contra-el-tabaquismo/>

“Próxima etapa de la campaña antitabaco: las cajillas planas” [Next stage in the anti-tobacco campaign: Plain packs], *El País*, July 10, 2016.

<http://www.elpais.com.uy/informacion/proxima-etapa-campana-antitabaco-cajillas.html>

<sup>30</sup> *Philip Morris Brands Sàrl, Philip Morris Products S.A. and Abal Hermanos S.A. v. Oriental Republic of Uruguay*, International Centre for Settlement of Investment Disputes, ICSID Case No. ARB/10/7, July 8, 2016. The Philip Morris claim was brought under a bilateral Switzerland-Uruguay trade and investment treaty. ICSID is an arbitration body affiliated with the World Bank.

[http://www.tobaccofreekids.org/content/press\\_office/2016/2016\\_07\\_08\\_uruguay.pdf](http://www.tobaccofreekids.org/content/press_office/2016/2016_07_08_uruguay.pdf)

<sup>31</sup> World Trade Organization, Trade Policy Review Body, “Trade Policy Review, Thailand, Minutes of the Meeting, Revision”, November 24 and 26, 2015, document WT/TPR/M/326/Add.1/Rev.1, dated April 8, 2016.

[https://docs.wto.org/dol2fe/Pages/FE\\_Search/DDFDdocuments/228032/q/WT/TPR/M326A1R1.pdf](https://docs.wto.org/dol2fe/Pages/FE_Search/DDFDdocuments/228032/q/WT/TPR/M326A1R1.pdf)

World Trade Organization, Trade Policy Review Body, “Trade Policy Review, Report by the Secretariat, Thailand” Document WT/TPR/S/326, October 10, 2015.

[https://docs.wto.org/dol2fe/Pages/FE\\_Search/FE\\_S\\_S006.aspx?Query=\(@Symbol=%20wt/tpr/s/\\*\)%20and%20\(\(%20@Title=%20thailand%20\)%20or%20\(@CountryConcerned=%20thailand\)\)&Language=ENGLISH&Context=FomerScriptedSearch&languageUIChanged=true](https://docs.wto.org/dol2fe/Pages/FE_Search/FE_S_S006.aspx?Query=(@Symbol=%20wt/tpr/s/*)%20and%20((%20@Title=%20thailand%20)%20or%20(@CountryConcerned=%20thailand))&Language=ENGLISH&Context=FomerScriptedSearch&languageUIChanged=true)

Achara Deboonme, “Thailand faces tough fight on plain packaging”, *The Nation*, August 16, 2016.

<http://www.nationmultimedia.com/opinion/Thailand-faces-tough-fight-on-plain-packaging-30293004.html>

<sup>32</sup> The Dec. 29, 2015 Singapore Health Promotion Board announcement of the consultation can be seen here:

[http://www.hpb.gov.sg/HOPPortal/content/conn/HOPUCM/path/Contribution%20Folders/uploadedFiles/HPB\\_Online/News\\_and\\_Events/News/2015/PublicConsult.pdf](http://www.hpb.gov.sg/HOPPortal/content/conn/HOPUCM/path/Contribution%20Folders/uploadedFiles/HPB_Online/News_and_Events/News/2015/PublicConsult.pdf)

The Singapore Government had previously announced that it would initiate a consultation by the end of 2015; see Parliamentary Secretary to the Minister of Health, statement in Singapore Parliament, March 12, 2015: <http://sprs.parl.gov.sg/search/report.jsp?currentPubID=00007492-WA>

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<sup>34</sup> Finland Ministry of Social Affairs and Health, “Roadmap to a Tobacco-Free Finland: Action Plan on Tobacco Control” 2014 (published June 27, 2014).

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<sup>39</sup> “No branding, logos or colours - SA gets tough on cigarettes” City Press, May 31, 2016.

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<sup>40</sup> Rahima Essop, “Health dept pushes for plain packaged tobacco products” Eyewitness News May 31, 2016. <http://ewn.co.za/2016/05/31/Health-department-pushes-for-plain-packaging-of-tobacco-products>

<sup>41</sup> *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*, Article 24(2).

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<sup>42</sup> *Philip Morris Brands and Others*, European Court of Justice, May 4, 2016, Case C-547-14.

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On December 23, 2015, the Advocate General of the European Court of Justice had released an opinion concluding that the EU Directive was valid, including the option to implement plain packaging. This opinion, was preliminary to the May 4, 2016 judgment of the European Court of Justice.

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<sup>44</sup> For a list of Parties, see: [http://www.who.int/fctc/signatories\\_parties/en/](http://www.who.int/fctc/signatories_parties/en/)



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