

CLIENT ALERT

INTELLECTUAL PROPERTY | TURKEY |

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TURKEY AMENDS LAW TO INTRODUCE PLAIN PACKAGING FOR TOBACCO PRODUCTS

Plain packaging, already implemented in several countries such as Australia, the United Kingdom, France and Norway, was adopted by Turkish Parliament on 5 December 2018. Law no. 4207 on "Prevention of Hazards of Tobacco Products" has been amended by new Law "Amending Some Laws and Decree-Laws related to Health". Plain packaging regulations mainly provide for standardised packaging for tobacco products and the removal of trademarks and logos. The regulation aims to reduce the appeal of tobacco products by removing the effectiveness of brand advertising on consumers.

The new amendments set out the following changes:

- Tobacco products produced in Turkey or imported shall be provided to the market with a standardised and neutral packaging, and the standard design shall cover the trademark, font, type size, trademark location on the packaging, the colour of the packaging, and all other texts, phrases and shapes.
- Images depicting the harm inflicted by tobacco products shall be placed on no less than eighty-five percent of the products package (previously sixty-five percent).
- The trademark/brand name of a product shall be written on one side of the packaging without exceeding five percent of such side. Trademark logos, symbols or other signs shall not be displayed on the packaging.

Implementing regulations regarding neutral and standardised packaging shall be formulated by the Ministry of Agriculture and Forestry, within one month, after the Ministry of Health provides an opinion on the subject. Moreover, tobacco products produced in Turkey or imported before the amendment was published shall be required to become compatible with the new regulations within the next seven months.

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In compliance with Turkish bar regulations, opinions relating to Turkish law matters that are included in this client alert have been issued by Özdirekcan Dündar Şenocak Avukatlık Ortaklığı, a Turkish law firm acting as correspondent firm of Gide Loyrette Nouel in Turkey.

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