

Executive guidelines of clause A, Article 2 of the Comprehensive Act on control national combat against tobacco

(Definitions, inclusions and characteristics of tobaccos advertisements)

National Headquarters of Tobacco control Approval September 2014

According to clause A, Article 2 of the Comprehensive Act on control and national combat against tobacco, Islamic consultative assembly approval in September 2006, the Executive guidelines on definitions, inclusions and characteristics of tobacco advertisements is determined as bellow:

Article 1. Definitions: applied terms in the guidelines are defined based on described concepts as follows:

Article 1.1. Tobacco products: any kind of substance or product which its raw material is made of tobacco or its derivations (except permitted drugs which has been considered for tobacco cessation, based on recognition of the Ministry of Health, Treatment and Medical Education)

1.2. Means and instrument of tobacco consumption: any means/instrument applied to consume tobacco products or similar means such as: wooden instrument used for cigarette smoking, Waterpipe, pipe, cigarette paper, filter as well as tools for rolling cigar and tobacco, electronic cigarette and e- Shisha, etc.

1.3. Advertising goods: any kind of non-tobacco products such as hat, key chain, bag, ball, stationery, lighter, food packaging, wearing stuffs, compact disc, etc which are applied to advertise, encourage or promote tobacco products.

1.4. Advertisement and promotion: any measure, applied – directly or indirectly- to introduce tobacco products or to make illusion, attraction, motivation and abetment of people in different ways in order to buy and consume tobaccos products. Some of those ways include: visual, listening, written and electronic media; any kind of mass media, such as: radio, television, satellite channels, press, cinema, internet, intranet, acoustic and visual media channels, website, exhibitions, slides, data banks, compact discs, telephone, short message telecommunication systems, frame brands on top of each guilds' units; publications such as: guiding handbooks, advertisement papers, packaging and labelling of business cards, advertisement letters, pamphlets, tract, billboards, banners, posters, advertisement frames, etc., as well as publicizing,

visualizing or showing tobacco products and its relevant means and instrument in tobacco supply centres and public places such as religious holy places, mosques, hospitals, clinics, theatres, cinemas, public spaces of guesthouses and inns, restaurants, teashops, factories, museums, transportation terminals/stations, malls, cultural, entertainment, sport places/stadiums, libraries, schools, universities and educational research centres, public transportation, government and public institutions, Islamic Revolution institutions banks, municipalities, public squares, special events and any other collective/ gathering center or places.

1.5. Vending machine: all automatic machines including: mechanical and electronic ones used for selling tobacco products.

1.6. Discounted products: tobacco or non-tobacco products offered with a lower price or free of charge, as an encouraging gift besides tobacco purchase

1.7. Discounted services: all sorts of services offered with a lower price or free of charge besides tobacco purchase.

1.8. Misleading and motivating expressions: some expressions such as light, mild, low- tar, low –smoke, smokeless, or expressions about ingredients and amount of tobacco products and its means or any sentences like: “made with high quality tobacco, the best filter” and etc., which may change the public attitude about these products that are less harmful.

Note: to change the name of present tobacco products, to produce new tobacco products using attractive names related to national, religious, athletic, artistic values or to register new brands for tobacco products besides present tobacco products in the market is considered as advertisement and promotion.

1.9. Permitted agent for distribution or sale tobacco products: real or legal entity who is permitted to sell and purchase tobacco products through legal permission

1.10. Wholesaler: a licensed agent who buys tobacco products from first agent/supplier and sells them to retail permitted units

1.11. Retailer: a licensed agent who buys tobacco products from wholesalers and sells them to ultimate consumers

Article2: any kind of direct or indirect advertisement, promotion, sponsorship or even motivation of people to use tobacco is forbidden

Article 3: Instances of promotion, sponsorship are as bellow:

3.1. Any kind of direct or indirect advertisement, promotion, introduction and exhibition of tobacco products as well as its means by real or legal entities through all possible ways such as media, sale centres and etc.

- 3.2. All measures to connect cultural, social or sport events and occasions with tobacco industries, tobacco products and its means in direct or indirect methods.
33. Production, distribution and sale of advertising goods and non tobacco products such as toys, candies, stationery, foods or any thing else of this kind in shape or packaging similar to cigarette or other tobacco products and their means.
- 3.4. Using tobacco flavour in foods production or other goods and vice versa.
- 3.5. Any kind of direct or indirect sponsorship of tobacco producers, importers, exporters and suppliers to public places (such as clubs, entertainment places and etc), individuals or groups (such as athletes, artists, politicians, election candidates, political parties and etc), executive organizations, public institutions, charities, etc.
- 3.6. Any sort of direct or indirect sponsorship of tobacco producers, importers, to tobacco whole and retail sellers in order to facilitate or encourage sale of tobacco products and its means.
- 3.7. Any kind of advertising activity to combat against tobacco products through non sovereign channels, including: Ministry of Health, Treatment and Medical Education, relevant organizations and active tobacco control NGOs offered by producers, exporters and suppliers of tobacco products and its means.
- 3.8. Receiving any help, sponsorship by sale agents rendered and permitted distribution of tobacco products and its means from tobacco industries.
- 3.9. Any cooperation or sponsorship of tobacco industries to conduct meetings related to implementation of the WHO Framework Convention on Tobacco Control, Protocol on Eliminating Illicit tobacco Trade or other relevant laws and regulations as well as invitation of government staffs and authorities to these meetings.
- 3.10. Exhibition of scenes in which tobacco is taken such as all internal or foreign movies, theatres, games in national media, cinema and other visual shows
- 3.11. Exhibition of tobacco smoking in all theatrical productions such as movies, theatres, computer games, Show home movies, etc.
- 3.12. Sale of tobacco products through automatic vending machines, providing coupons or electronic card to purchase of tobacco products , pay gifts or provide discounted services per tobacco purchase or any other sale in this regard by licensed tobacco wholesale or retail agents.
- 3.13. Application of any deceptive expression on packaging of tobacco products
- 3.14. Distribution free samples of tobacco products to estimate diversity of tastes or to facilitate marketing

3.15. Insertion of any brand of tobacco companies on advertising goods, and non tobacco products

Article 4: including all public places mentioned in clause No. 1.4 of this guidelines, free trade zones, and boundary markets are subject to tobacco products advertisement prohibition laws and regulations.

Article 5: this guidelines with 5 articles, 26 clauses and 1 note was approved in ninth meeting of National Headquarters of Tobacco control in 18 September 2014