NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

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| **1.** | **Notifying Member:** New Zealand **If applicable, name of local government involved (Article 3.2 and 7.2):**  |
| **2.** | **Agency responsible:** Ministry of Health PO Box 5013Wellington 6140NEW ZEALANDEmail: tobacco@health.govt.nz **Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:** Standards New ZealandPhone: +64 4 498 5990Email: wto@standards.co.nzWebsite: [www.standards.govt.nz](http://www.standards.govt.nz)  |
| **3.** | **Notified under Article 2.9.2 [****X],** **2.10.1 [****],** **5.6.2 [****X],** **5.7.1 [****],** **other****:**  |
| **4.** | **Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):** 24.01 Unmanufactured tobacco; tobacco refuse: 2401.10 – Tobacco, not stemmed/stripped: 24.02 Cigars, cheroots, cigarillos, and cigarettes, of tobacco or of tobacco substitutes: 24.03 Other manufactured tobacco and manufactured tobacco substitutes; "homogenised" or "reconstituted" tobacco; tobacco extracts and essences: Smoked tobacco products that are combustible and intended to be smoked and inhaled. This includes cigarettes, loose tobacco, pipe tobacco, roll your own tobacco, cigarillos, small cigars, cigars, and any other smoked niche tobacco product.; Unmanufactured tobacco; tobacco refuse (HS 2401); Tobacco, unstemmed or unstripped (HS 240110); Cigars, cheroots, cigarillos and cigarettes of tobacco or of tobacco substitutes (HS 2402); Manufactured tobacco and manufactured tobacco substitutes and "homogenised" or "reconstituted" tobacco, tobacco extracts and tobacco essences (excl. cigars, incl. cheroots, cigarillos and cigarettes) (HS 2403) |
| **5.** | **Title, number of pages and language(s) of the notified document:** Proposed changes can be found in the following links: * Smokefree Aotearoa 2025 Action Plan - Smokefree Aotearoa 2025 Action Plan - Auahi Kore Aotearoa Mahere Rautaki 2025 | Ministry of Health NZ; and
* Cabinet paper- Smokefree Aotearoa 2025 Action Plan approval, pages 5-6 -<https://www.health.govt.nz/system/files/documents/information-release/cabinet_paper_smokefree_action_plan_2025.pdf>
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| **6.** | **Description of content:** The Smokefree Aotearoa 2025 Action Plan proposes that the Smokefree Environments and Regulated Products Act 1990 (the Act), be amended to introduce new requirements for smoked tobacco products. The amendments may include:* regulatory powers to restrict the design of smoked tobacco products to reduce their appeal and addictiveness, including restricting the levels of nicotine to very low levels.
* legislation whereby only smoked tobacco products that meet requirements for constituents shall be able to be manufactured, imported, or offered for sale or supply in New Zealand.
* legislation setting out a pre-market application process requiring manufacturers or importers to seek approval for smoked tobacco products, prior to sale or import. Testing via an approved laboratory may be required, both prior to sale or import, and subsequently on a regular basis.
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| **7.** | **Objective and rationale, including the nature of urgent problems where applicable:** Protection of human health or safety |
| **8.** | **Relevant documents:** * Smokefree Aotearoa 2025 Action Plan - [Smokefree Aotearoa 2025 Action Plan - Auahi Kore Aotearoa Mahere Rautaki 2025 | Ministry of Health NZ](https://www.health.govt.nz/publication/smokefree-aotearoa-2025-action-plan-auahi-kore-aotearoa-mahere-rautaki-2025)
* Cabinet paper- Smokefree Aotearoa 2025 Action Plan approval, pages 5-6 -<https://www.health.govt.nz/system/files/documents/information-release/cabinet_paper_smokefree_action_plan_2025.pdf>
* Smokefree Environments and Regulated Products Act 1990 - <https://legislation.govt.nz/act/public/1990/0108/latest/DLM223191.html?search=ts_act%40bill%40regulation%40deemedreg_smokefree_resel_25_a&p=1>
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| **9.** | **Proposed date of adoption:** Legislation will be passed by end 2022**Proposed date of entry into force:** Adoption of measures prior to 2025 |
| **10.** | **Final date for comments:** 60 days from notification |
| **11.** | **Texts available from: National enquiry point [** **]** **or address, telephone and fax numbers and email and website addresses, if available, of other body:** Ministry of HealthPO Box 5013Wellington 6140New Zealandtobacco@health.govt.nz |