



# Tobacco plain packaging – shisha and molasses tobacco

Shisha/waterpipe tobacco includes molasses-, fruit- and herbal-based tobacco products. Although these are usually referred to as shisha they may also be described by other names including hookah, narghile, maasal, mu'assel, tumbak, tunback and ajami.

## Frequently asked questions

### Does plain packaging apply to shisha and molasses tobacco products?

Yes. If the shisha, fruit-, herbal- or molasses- based product contains any tobacco, all layers of the packaging for retail sale or supply must comply with the [Tobacco Plain Packaging Act 2011](#) and the [Tobacco Plain Packaging Regulations 2011](#).

Fruit or herbal-based products that do not contain tobacco are not required to be in plain packaging.

### Do shisha and molasses tobacco products need to be supplied in packaging with a health warning?

Yes. The [Competition and Consumer \(Tobacco\) Information Standard 2011](#) (the Standard) requires that all tobacco products supplied by way of retail sale must be in retail packaging when supplied to the purchaser, so that the health warnings are displayed to the consumer at the time they take possession. You cannot supply tobacco products to the consumer pre-packed in a smoking device.

The retail packaging must comply with the Standard, the *Tobacco Plain Packaging Act 2011* (the Act) and the Tobacco Plain Packaging Regulations 2011 (the Regulations). It should be noted that the packaging requirements of the Act and the Regulations apply to any supply in Australia — not only a retail sale.

Further information on [tobacco and the required health warnings](#) is available on the Product Safety website.

### Am I responsible for repackaging my shisha and molasses tobacco products if they are in non-compliant packaging?

If you have shisha or molasses products that contain any tobacco, the products must be in packaging that is compliant with the Act before being purchased, sold, offered for sale, or otherwise supplied. Other Commonwealth, state or territory legislation may also apply, and may prevent the repackaging of tobacco products at various levels of the supply chain, and you must ensure your compliance with all applicable legislation.

### How do I get compliant packaging for shisha and molasses tobacco products?

If you are a retailer or distributor, you should contact your importer or manufacturer to discuss the correct plain packaging of shisha and molasses tobacco products. If you are an importer or manufacturer of products intended for sale in Australia, you need to make arrangements for compliant packaging in accordance with the Act. You may be committing an offence under the Act if

you purchase, supply, or offer to supply non-compliant tobacco products at any stage of the supply chain, unless specific exceptions apply.

### **What health warnings have to be on shisha and molasses tobacco products?**

The Competition and Consumer (Tobacco) Information Standard 2011 (the Standard) should be used to determine the mandatory health warnings required on the retail packaging of shisha or molasses tobacco products.

The health warnings required on the retail packaging of these products are set out in Part 3 and Part 4 of the Standard. The requirements on how these health warnings are to be displayed are set out in Part 2 and Part 9 of the Standard. Shisha or molasses tobacco products are classified in the same way as loose or roll your own tobacco products, and therefore have the same packaging requirements. The health warnings must be printed on the retail packaging or printed on an adhesive label that is firmly affixed to the retail packaging in a manner that complies with Section 9.8 of the Standard.

The health warnings for shisha and molasses tobacco products are required to rotate in two sets of seven warnings every 12 months in accordance with Part 9 of the Standard.

A DVD and cropping guide containing the individual graphics to enable the production of graphic health warnings as per the requirements of the Standard can be obtained by sending an email to [ppcomplaints@health.gov.au](mailto:ppcomplaints@health.gov.au).

### **Am I able to put a non-compliant shisha or molasses tobacco package into a compliant cigar bag?**

No. Cigar bags cannot be used for products other than cigars because the health warnings required for these bags are specific to cigars. See above for [information on what health warnings are required](#).

### **Shisha and molasses tobacco products that are packaged in foil**

#### **Does the foil in which shisha or molasses tobacco is commonly packaged need to comply with the plain packaging requirements?**

Yes. As a shisha or molasses foil container falls within the definition of retail packaging in the Act, a health warning that complies with the requirements of the Competition and Consumer (Tobacco) Information Standard 2011 must be on the foil package to ensure that consumers are provided with the required health warning information.

Under the *Tobacco Plain Packaging Act 2011* and the Tobacco Plain Packaging Regulations 2011, some of the key requirements relating to foil packaging are:

- All outer surfaces of primary packaging must be in a drab dark brown colour known as Pantone 448C in a matt finish ('primary packaging' is defined as a container for retail sale in which a tobacco product is directly placed).
- The outer and inner surfaces of the shisha or molasses foil package cannot have any embellishments such as irregular textures or ridges.
- Each inner surface of primary packaging must be white or the colour of the packaging material in its natural state.
- The sealed foil package must comply with minimum size requirements. This means the largest dimension must be at least 85mm and the second largest dimensions must be at least 55mm.

The full requirements, including the appearance of names and markings on packaging, are contained in the Act and the Regulations.

## **Can I put a compliant shisha or molasses tobacco foil package into another compliant container such as a box or a bag?**

Yes. You can put a compliant shisha or molasses tobacco foil package into another compliant container, however:

- Other Commonwealth, state or territory legislation may also apply, and may prevent the repackaging of tobacco products at various levels of the supply chain. You must ensure your compliance with all applicable legislation. Depending on your state or territory, this may mean that the repackaging must be conducted by the importer or manufacturer prior to the first supply within Australia.
- Under the *Tobacco Plain Packaging Act 2011* and the Tobacco Plain Packaging Regulations 2011 the other container must comply with the colour and finish requirements. The outer surfaces must be in the colour Pantone 448C and only permitted brand and other markings are allowed. The inner surfaces must be either white or the colour of the packaging material in its natural state.
- A health warning that complies with the requirements of the Competition and Consumer (Tobacco) Information Standard 2011 must be on both the shisha or molasses foil package and on any container in which the foil package is placed. See above for [information on what health warnings are required](#).

## **Further information**

### **Where can I find further information on the plain packaging requirements for shisha and molasses tobacco products?**

For further information on the packaging requirements refer to sections 18 to 26 of the [Tobacco Plain Packaging Act 2011](#) and to the [Tobacco Plain Packaging Regulations 2011](#).

Read more about [tobacco plain packaging](#).

### **Where can I find further information on the graphic health warning requirements for shisha and molasses tobacco products?**

For further information on health warnings refer to the [Competition and Consumer \(Tobacco\) Information Standard 2011](#). You can also find further information on health warnings on the [Product Safety Australia website](#).

## **Information for Tobacco Suppliers**

As a supplier of tobacco products, it is your responsibility to gain and maintain an understanding of what is required of you under the relevant legislation. Further information is available from:

- [Plain packaging of tobacco products](#)
- [Product Safety Australia](#)
- The [Tobacco Plain Packaging Act 2011](#) and the [Tobacco Plain Packaging Regulations 2011](#)
- The [Competition and Consumer \(Tobacco\) Information Standard 2011](#)
- For enquiries specific to graphics and health warnings — contact the ACCC Info Centre — 1300 302 502
- For enquiries specific to tobacco plain packaging (other than graphics and health warnings) — contact the Tobacco Plain Packaging complaints line — 1800 062 971 or email [ppcomplaints@health.gov.au](mailto:ppcomplaints@health.gov.au).
- To obtain a DVD and/or cropping guide containing the individual graphics to enable the production of graphic health warnings — email your request to [ppinfo@health.gov.au](mailto:ppinfo@health.gov.au)