



***Tobacco Plain Packaging Act 2011***  
**Use of Other Languages for Brands and Variants**  
October 2018

The Department of Health (the Department) has received enquiries relating to the use of other languages in, or as tobacco *brand* or *variant* names on packages under the *Tobacco Plain Packaging Act 2011* (the Act) and *Tobacco Plain Packaging Regulations 2011* (the Regulations).

The Act does not require brand or variant names (names) to be in English. It is, however, a requirement of the Regulations that all names appear in the font known as Lucida Sans, which is a Latin based typeset. Although non-English words may be used as a name, the requirement for the Lucida Sans font prevents the use of some symbols or character sets that are not available in Lucida Sans.

If the brand or variant is not in Lucida Sans font, the Department considers that the name would be otherwise categorised as a ‘mark’ under the definition of subsection 4(1) of the Act. The use of the name that is not in Lucida Sans would therefore be considered to be in contravention of the Act and Regulations.

Other requirements include that the brand and variant names must be no larger than the specified font sizes in Division 2.4 of the Regulations, being 14 point for a brand name, and 10 point for a variant name.

The Department also requires names to comply with subsection 21(2) of the Act on brand, business, company and variant names on a cigarette pack or cigarette carton. Importantly, such names must not appear more than once on the front, top and bottom outer surfaces of a cigarette pack or carton. This means that it is not permitted to have both an English name and other language and characters identifying the brand or variant names together on the same outer surfaces of a cigarette pack or carton.

For further information, please email [ppinfo@health.gov.au](mailto:ppinfo@health.gov.au) or call 1800 062 971.

**Disclaimer: This information is provided for general informational purposes only; it does not constitute legal advice. Please seek independent legal advice before relying on the information provided. The Department of Health does not certify compliance with the *Tobacco Plain Packaging Act 2011*.**