

Trademark Use is Strictly Standardized for Tobacco Products

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Turkish Parliament has passed a law (“Law no. 7151”) on 15th November 2018 which mandates plain or standardized packaging for tobacco products. The law has gone into force as of 5th December 2018.

Law no. 7151 has made changes in several laws and decrees which are related to health. One of the law which was subject to the changes is the Law no. 4207 “Law Related to Prevention and Control of the Harms of Tobacco Products”. The changes in this law include substantial limitation on the appearance of tobacco product packaging and on the use of trademarks in relation to tobacco products. The changes also include further limitation on the sales and advertisement of those goods.

The law prohibits use of figurative, logotype and color marks on tobacco packaging. Only word marks may be used on the packaging with subject to strict standardization. Word marks may only be used on one surface of the packaging and may not cover more than 5 percent of that surface. The font, typeface of the word mark and its location on the packaging along with other mandated information and health warnings, and color(s) to be used on the packaging will be dictated and standardized with implementing regulation.

It was mandatory before that 65 percent of each two largest surface of tobacco products is to be covered pre-determined written and/or figurative health warnings. The new changes have increased that percentage to 85.

In addition to the foregoing, the changes have also included further restrictions on the sale and advertisement of tobacco products. It was prohibited before the use and advertisement of tobacco products on TVs. The new law has also prohibited the use and display of tobacco products, with commercial or advertisement purposes, on internet and social media.

Tobacco products, which are manufactured or imported before 5th December 2018, are allowed to be marketed for 7 months without complying the restrictions on the packaging.

It is possible to market tobacco products which are manufactured or imported before 5th December 2018 and which do not comply with the new restrictions within 7 months from that date.

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