

Australian Capital Territory

Tobacco (Prohibited Smoking Products) Declaration 2009 (No 1)*

Notifiable Instrument NI2009—53

made under the

Tobacco Act 1927, s 21 (Prohibited smoking products)

1. Name of instrument

This instrument is the *Tobacco (Prohibited Smoking Products) Declaration 2009 (No 1)*.

2. Commencement

This instrument commences on 28 February 2009.

3. Declaration

Having been satisfied that the specified smoking products, or the smoke of the product has a distinctive fruity, sweet or confectionary-like character and that the nature of the products and the way they are advertised may be attractive to children, I make the following declaration:

I declare the following smoking products to be prohibited smoking products for the purposes of section 21, prohibited smoking products:

(a) the following cigarettes manufactured by DJ Tobacco Co., Ltd.:

- (i) DJ Mix Lemon Fresh;
- (ii) DJ Mix Iced Green Apple;
- (iii) DJ Mix Strawberry;
- (iv) Peel Menthol Orange;

*Name amended under Legislation Act, s 60

- (v) Peel Sunny Peach;
- (vi) Peel Sweet Melon;
- (vii) Peel Super Lights Strawberry;
- (viii) Peel Super Lights Lemon Fresh;
- (ix) Peel Super Lights Iced Green Apple;
- (x) any other cigarettes manufactured by DJ Tobacco Co., Ltd. that are substantially the same in character or nature as the above cigarettes (whether sold by retail or advertised under the specified names or otherwise);

(b) the following cigarettes manufactured by Heupink and Bloemen Tabak B.V.:

- (i) Black Devil;
- (ii) Pink Elephant;
- (iii) any other cigarettes manufactured by Heupink and Bloemen Tabak B.V. that are substantially the same in character or nature as the above cigarettes (whether sold by retail or advertised under the specified names or otherwise).

For the purposes of this determination, **manufactured** includes manufactured by another person under a licence agreement with the person specified in subclauses (a) or (b) as the manufacturer of the smoking products.

Katy Gallagher MLA
Minister for Health

4 February 2009