



OBSERVATÓRIO SOBRE AS ESTRATÉGIAS DA INDÚSTRIA DO TABACO

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Editorial

TWO YEARS OF THE OBSERVATORY ON STRATEGIES OF THE TOBACCO INDUSTRY IN BRAZIL

In March of 2018, the Observatory on Strategies of the Tobacco Industry of Cetab/ENSP/Fiocruz completed 2 years. With support from civil society and governmental organizations, we have gathered, in this period, more than 800 documents demonstrating that there are no limits to the action of this industry that tries to manipulate political processes and public opinion, intimidates governments with threat of litigation, creates fake groups and tries to engage in corporate social responsibility actions.

The lobby has been one of its main tools. There are those who argue that lobbyists are transparent about who pays them. But, there is a tenuous boundary between hiring independent specialists to talk and press public agents to act without revealing their true interests. Look for example, what the article “Turning Free speech into corporate speech” says about Philip Morris efforts to influence American and European journalists in the 1990, about the Environmental Protection Agency (EPA/US) report, which demonstrated the risks of secondhand smoke.

In Brazil, we have too many documented examples that show the same strategy. We can cite some publications about the the Industries National Confederation process in the Brazilian Supreme Court (STF), questioning the validity



of the law that created Anvisa (Brazilian Law 9782/99) and its legitimacy to regulate tobacco products, as well as the restriction of the addition of compounds (RDC 14/2012), whose objective is to increase the attractiveness and power to cause dependence of the fumigant products. The conclusion of the process took almost six years and, fortunately, public health was victorious.

So it has been these 2 years: searching for documents in reliable sources, indexing and publishing them so that journalists, researchers, health professionals and activists in the area of tobacco control can appropriate evidence of how the industry of tobacco acts in order to compromise public policies, which has been so successful in Brazil.

Silvana Rubano Turci

PAINEL ABOUT ELECTRONIC SMOKING DEVICES

On 11 April 2018, Anvisa brought together tobacco control entities, representatives of civil society, the academic community and associations interested in Electronic Devices for Smoking, to discuss the regulation of the use of e-cigarettes, the health risks and lack of studies that prove on efficacy and safety of these products in the country.

In Brazil, the commercialization of these products, also known as e-cigarette or “vapor pen”, has been banned since 2009, through resolution RDC 46/2009, which also prohibits importation and advertising of Electronic Devices for Smoking, which claim replacement of cigarette, cigar, pipe and similar or implementations alternative to the treatment of smoking.

The which had the participation of representatives of the Pan American Health Organization (Paho), Brazilian National Institute of Cancer (Inca), Brazilian Medical Association (AMB), Secretariat of the Framework Convention on Tobacco Control of the World Health Organization (WHO) and the Cetab/ENSP/Fiocruz who debated with representatives of the tobacco industry on the health risks that these products represent.

“The industry has appropriated the term “damage reduction” since the 1950. And this happens as the health concern emerges. It was like this with the filters, with the light cigarettes and more recently with the Electronic Devices for Smoking. What is known is that the filters and cigarettes did not meet the objective of reducing damage-as was proven later. What is known is that the filters and light cigarettes did not meet the objective of reducing damage-as was proven later. They were more harmful to health, they served the purpose of deceiving the public. It is within this historical premise that we base ourselves”,

warned the head of the Secretariat of the Framework Convention on Tobacco Control, Vera da Costa e Silva.

The opening discussion was attended by Senator Ana Amélia, who according documents of the Observatory on Strategies of the Tobacco Industry of ENSP/Fiocruz (provision electoral accounts of 2014), she received financial support from tobacco industries.

In his speech, she highlighted the fact of being in Anvisa for the first time during his tenure and praised the relevance of the technical debate on the regulation of the Electronic Devices for Smoking, although it reiterates that there is no consensus in the world about it.

“As Senator of the Rio Grande do Sul, principal producer state, this subject is very sensitive. We’re not trying to deliberate, but discussing the matter. I cannot decide anything in the political field because this has to be a technical discussion, which is in line with public health, the economy and, above all, the social ingredients. There is no consensus in the world on the subject. Some countries forbid, others regulate and the World Trade Organization declares that the country’s internal regulations should prevail over international agreements in the field of trade. Today, 40% of the conventional cigarette marketed in Brazil is smuggled”,

said the senator.

Discussion

Having the “precautionary principle” as the main point of the agenda, the debate revolved around the lack of research that ensures safely the effectiveness in the use of Electronic Devices for Smoking. The health sectors have shown caution to change the regulation in the country. During the panel, too many specialists said that more studies are needed to prove their effectiveness and safety.

Another divergence approached in the panel by the scientific society, was about proving that the Electronic Devices for Smoking maintain the purpose of helping

those who want to stop smoking and not become a door to encourage young people and teenagers to become dependent on nicotine.

This point, in the opinion of the Coordinator of Observatory on Strategies of the Tobacco Industry of Cetab/ENSP, Silvana Turci, is one of the most troubling.

“As much as the industry claims that Electronic Devices for Smoking are a risk reduction tool for smokers, with fewer toxic agents, it is a different device, electronic, colourful device with various additives that mask the taste and odor of smoke. Even if it swallows some benefit for a small group of people who would not stop smoking, it is a gateway to a public formed by youth and children.”

Another novelty is the heated not burned tobacco cigarette. In this new product there is no combustion but little is known about the harms it can cause to the health of consumers.

Contraindication

In 2016, was published a research about the lack of evidence scientific and the security in the use of these products. The study was conducted in partnership between the Ministry of Health – Brazilian National Institute of Cancer (Inca), the Pan American Health Organization (Paho) and Anvisa.

A Report from the Secretariat of the Framework Convention on Tobacco Control of the World Health Organization also invites all 181 countries participating in the Convention to regulate Electronic Devices for Smoking.

FIOCRUZ RECEIVES LEADER OF BLOOMBERG PHILANTHROPIES

Epidemiologist Kelly Henning, a representative of Bloomberg Philanthropies, visited Brazil to fulfil a schedule of visits that includes countries like Vietnam, China, Indonesia, Pakistan, Bangladesh, and India, aiming to observe the successes and challenges in coping with chronic noncommunicable diseases.

The visit started in Inca, came to Fundação Oswaldo Cruz, attended by the president of Fiocruz, Nísia Trindade Lima, and representatives of Johns Hopkins University, Vital Strategie, the Union and representatives of national institutions like Inca, ACTBr and Fiocruz as Tania Fonseca, the coordination of Health Surveillance and Reference Laboratories, Sergio Rebelo, the Vice-Presidency of Environment, Attention and Promotion of the Health of Fiocruz, Valeska Figueiredo, the coordinator of the Center of Studies on Tobacco and Health of ENSP/Fiocruz, and Silvana Turci, coordinator of the Observatory on Tobacco Industry Strategies.

In the evaluation of Henning, Brazil has made great progress in the implementation of MPOWER, a set of interventions adopted by the member countries of the FCTC/WHO, that aim to protect the health of their populations and fight against the tobacco epidemic.

The measures consist of the monitoring of tobacco use; protection of the population



against smoke; supply of tobacco cessation aid; warning about the dangers of tobacco; compliance with prohibitions on advertising, promotion and sponsorship; and increased taxes on tobacco products.

“Brazil became the first country in the world to ban misleading terms, like a mild and soft, to describe tobacco products, and increased taxes on tobacco products to an average of 79% of the price. The leadership in the control of smoking imposes the challenge of developing solid bases to ensure that this progress is not hampered, particularly by the huge effort of the tobacco industry to stop it” the representative of Bloomberg Philanthropies admitted in report on the trip. She added: “Inca, Fiocruz and ACT are doing a very important job to ensure that policies are in place to protect people in Brazil from the damages caused by tobacco use and exposure.”

ETHICS, MORAL AND ACCESS TO INFORMATION: AN ESSENTIAL TRIAD FOR THE MAINTENANCE AND MONITORING OF PROFESSIONALS WHO ACT IN INSTITUTIONS THAT PROMOTE THE POLICY OF TOBACCO CONTROL

Article 5.3 of the Framework Convention on Tobacco Control (FCTC) makes the following premise: “In establishing and implementing their public health policies related to tobacco control, the parties shall act to protect such policies against the interests of the tobacco industry in accordance with national legislation”. From the multiple interferences made by the tobacco industry, we need to focus on the work tobacco control professionals, in order to protect moral failures and the loss of their ethical guidelines. One of the strategies used by the tobacco industry is to sponsor events, research, capture professionals who once acted in tobacco

control policies and other tactics aimed at subtracting the achievements and weakening the normative effects of FCTC. Therefore, it is a brief explanation of the ethical and moral term and its effects on the guidelines followed by the respective professionals.

Figueiredo in the article “*Ética: origens e distinção da moral*”, evokes the duplicity of the term ethos, which can mean protection while referring to the “way of being” or “character”. In this case, La Taille, in the article “Moral and ethical: a psychological reading”, emphasizes that the first bias refers to public order duties, for example, “ethics of politics”, “business ethics”, while the second bias applies to the subjects and their behavior, your attitudes.

Far from entering into discussions about the origin and philosophical perspective of the terms, we should at least understand the difference between ethics and morals to then talk about how ethical guidelines can be applied, because in the case of employees who act in the tobacco control policy, there is a perspective in which their attitudes, therefore, their moral



World Health Organization

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precepts, must come to meet the ethics of the field of public health, which makes it impossible for any decision making that dialogue with the interests of the tobacco industry.

Ordinance No. 713, of April 17, 2012, presents an ethical guideline, specifically for professionals who work in the National Commission for the Implementation of the Framework Convention on Tobacco Control (FCTC). This document presents four principles – transparency, primacy of the interests of public health policy, information sharing and advertising – which justify the importance of access to information while stressing the need for Health professionals to follow not only the international treaty, but also the model adopted by Brazil so that they can act aligned with the necessary moral duties for the field of tobacco control. In addition, in order to help in updating the ethical guidelines and moral attitudes that each professional must understand and follow, the importance of Brazilian Law No. 12. 527,

of November 18, 2011, the so-called law on access to information is undeniable, because it can be applied both for informational search purposes and for monitoring the performance of professionals, which serves to access diverse or even personal sources, provided that the security of the person, society or State is observed, and the right to justify the denial of access or the partial disclosure of information.

So if there is a complex way to talk about the ethical implications, the moral actions that it describes as duty or conflicts of interest, besides the possibility of monitoring and, if necessary, application of the law of access to information, because despite having solid documents for the guidelines of health professionals, it is good to always look at the concern that both the ethical perspective and the moral precepts are dynamic and transmute according to the needs, or singularities, evoked by the Person in the context of his acting. The ethical and moral plan goes together and must go through a constant review.

Brazil has ratified the Protocol to Eliminate Illicit Trade in Tobacco Products. Through the action, the country is committed to adopt measures aimed at eliminating all forms of illicit trade in tobacco products, such as cigarette smuggling. It should conduct policies to control the supply chain of this network, including production, distribution and marketing.

At the request Deputy Alceu Moreira (MDB party), a public hearing was held on 22/05/18 at the National Congress, on the position that Brazil, through SE-Conicq will lead to COP8. Representatives of Conicq were present, who defended the continuity of public programs aimed at the family farmers for the production of agroecological and healthy foods.

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