

Brazil

Overall score:

48

Summary of Findings

1. Industry participation in policy development

Usually, the government does not accept or endorse any policies or legislation drafted by or in collaboration with the tobacco industry. However, in 2019, there were significant incidences of interference by representatives of the tobacco industry in federal agencies. A visit to the Ministry of Justice's office days before a working group to discuss prices and taxes was reported. Fortunately, the working group's result was favorable to tobacco control and public health interests were preserved due to the work of researchers and stakeholders from the National Cancer Institute of Brazil.

Since 2014, relations between the association of tobacco-producing municipalities and Interstate Tobacco Industries Union (Sinditabaco) have been active. This has certainly created difficulties for the advancement of programs to safeguard local economies and farmers.

The Ministry of Agriculture establishes sectorial chambers in order to contribute to discussions on the necessary advances in the various productive sectors, including tobacco—even though the objectives of this chamber may be contrary to the National Tobacco Control Policy. Representative members of the federal, state and municipal levels, farmers, workers and industry are members.

Finally, the tobacco industry is not part of the Brazilian delegation at regular and working group meetings within the framework of the Conference of the Parties to the WHO Framework Convention on Tobacco Control (FCTC).

2. Industry CSR activities

A series of tobacco industry-sponsored CSR activities were conducted in the tobacco production region. These CSR projects were aimed at children and young people and their dissemination was supported by a representative from the Ministry of Agriculture.

This strategy is an inherent contradiction, as the tobacco industry's core functions are in conflict with the goals of public health policies. It also normalizes their economic and social activities in the region where they are based.

3. Benefits to the industry

The tobacco industry lobbied for tobacco producers to have access to bank loans with special interest for tobacco production. However, this benefit has been suspended since 2002. In 2019, during an event attended by the tobacco industry, the Secretary of Family Agriculture mentioned his intention to redeem the benefit. Fortunately, the measure has not been implemented at the national level. However, there is evidence that a state bank offers a special credit line for tobacco producers.

In addition, international travelers are allowed to bring 400 cigarettes, 25 cigars, or 250 grams tobacco into the country.

4. Unnecessary interaction

In 2019, representatives of the federal executive branch attended events sponsored by the tobacco industry, including the Vice President, Minister of the Civil House and Agriculture. Aside from this, at local events sponsored by the tobacco industry in tobacco-producing regions, the mayors are usually present. There is evidence of regional cultural events that are sponsored by both local government and the tobacco industry. Relations at the local and regional level between the tobacco industry and representatives of the executive and

legislative branches constitute a potential risk of action or interference in policymaking.

There is substantial evidence that a rural government entity has established financial and/or technical cooperation with tobacco companies to carry out research, develop social programs and programs that oppose the federal government's official proposal to diversify income and production on properties that grow tobacco. Apart from this, it was also verified that Philip Morris made donations for federal policy in order to collaborate on actions combatting illicit trade of tobacco products on the border of Mato Grosso do Sul State.

Tobacco-producing state governments have joined the program of Sinditabaco and Souza Cruz, a British American Tobacco subsidiary, which supposedly offers opportunities for economically viable activities to rural producers, as opposed to the national diversification program offered by the federal government.

5. Transparency

Some agencies have rules for transparency and disclosure of tobacco meetings, such as ANVISA (Brazilian Health Regulatory Agency). The details of the meetings are not always accessible, but there is a federal law that allows citizens to inquire for more information. Lobbying in Brazil has not been regulated yet and tobacco industry representatives may take advantage of this situation and easily make contact with the government and parliament.

6. Conflict of interest

Private funding of political campaigns by companies has been prohibited in Brazil since 2015. Although it is not an imposed restriction specific to the tobacco industry, it still provides monitoring of activities and strategies of these companies.

7. Preventive measures

In the country, even if the agenda of representatives of the executive branch are public, the content and claims made during these meetings are not disclosed. In addition, members of the Brazilian legislature do not publicize their meetings. On social networks, however, it is possible to record the interaction between the parliament and tobacco production chain advocates.

The government has a code of ethics applicable to all servants, but there is no explicit mention of protecting public policies against the interests of the tobacco industry. However, the code of ethics and rules of procedure of the National Commission for Implementation of the Framework Convention (Conicq) is applicable to its members. Even though

its activities are formally suspended, Conicq has maintained its meetings in compliance with the legal requirements in this regard.

Unfortunately, important information from the tobacco industry is not required, such as marketing expenditures, lobbying or indirect relations.

Recommendations

1. Strengthen the National Diversification Program in Tobacco Grown Areas, based on sustainable development, food security, productive diversification and social participation as a way to protect tobacco-growing families from reducing global tobacco demand and to reduce tobacco industry interference at local, regional and national levels.
2. Tobacco industry-related CSR activities must be banned.
3. Full transparency and mechanisms to avoid conflicts of interest and undue interference in public health policies should be guaranteed by the government and by parliamentarians in the interactions with the tobacco industry.
4. Adoption of a code of conduct for all government officials in dealing with the tobacco industry must be expedited. The government must develop a more sustained plan to create awareness and compliance with WHO FCTC Article 5.3 for the whole government.
5. More information about the tobacco industry's businesses, marketing expenditures, lobbying, philanthropy and political contributions must be required.