

Brazil

Overall score:

34

I. Industry participation in policy development:

The government does not accept or endorse any policies or legislation drafted by or in collaboration with the tobacco industry. The government does not invite the tobacco industry to sit in the government interagency group body that sets public health policy. The National Commission for Implementation of the Framework Convention on Tobacco Control (CONICQ), responsible for tobacco control, has ethical guidelines.

However, there are still opportunities where the tobacco industry's interests are raised by its representatives or allies, such as farmers associations, front groups or politicians connected with tobacco chain.

The tobacco industry's allies in the National Congress presented a draft for an amendment related to the ratification of the Protocol on Illicit Trade on Tobacco Products (ITP), but it was not accepted. In 2018, the ITP was ratified and the interpretative statement was in accordance to WHO FCTC.

The tobacco industry has not been included in the government delegations to the sessions of the WHO FCTC COP or any of its related meetings.

II. Tobacco industry-related CSR activities: There was no evidence of government agencies or officials endorsing tobacco industry-related CSR activities.

III. Benefits given to the tobacco industry: In 2017, there was evidence of support given to a tobacco factory in the Minas Gerais State through a reduction of local taxes.

International travellers are allowed to bring 200 cigarettes, or no more than 500 grams of smoking tobacco into Brazil.

IV. Unnecessary interaction with the tobacco industry: In 2016, the Minister of Agriculture

visited tobacco companies and tobacco farmers, committing to protect the tobacco industry's interests during his term. There was no evidence of further visits in 2017 or 2018.

However, there was evidence of the tobacco industry providing assistance, in the form of research or sponsorship of activities, to anti-tobacco smuggling efforts, and coursed this through organizations associated with the industry. Souza Cruz, a Brazilian tobacco company and local subsidiary of BAT, is a strategic partner of organizations focused on illicit market issues.

V. Procedure for transparency measures: Some agencies have rules for transparency and disclosure of tobacco meetings, such as ANVISA (The Brazilian Health Regulatory Agency). Though government bodies would have an agenda which is publicly available, details of the meetings are not always accessible.

VI. Avoiding conflicts of interest: Private funding of political campaigns by companies has been prohibited in Brazil since 2015.

There has been no recent record of retired senior government officials joining the tobacco industry.

VII. Preventive measures: The government has a Code of Conduct, however the Code applies only to CONICQ and not to the whole government.


The government requires partial information on production, manufacture and revenue, (available on Federal Revenue and ANVISA websites), however, information about marketing expenditures, lobbying or indirect relations are not available.

The government reported to the COP they have produced an information sheet which was used in advocacy actions on political visits to the ministries' offices of the Commission and other

bodies, as well as political technical visits to parliamentarians. The government has raised awareness through CONICQ, but it is still necessary to develop a more sustained plan to extend the awareness and compliance with Article 5.3 for the whole government.



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Recommendations

1. Tobacco industry-related CSR activities must be banned.
2. There must be a registry to provide a record of representatives of the tobacco industry.
3. 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 Article 5.3 for the whole government.
4. More information about the tobacco industry's businesses must be required from them and should include information on marketing expenditure, lobbying, philanthropy and political contributions.