

ITALY

2021

TOBACCO
INDUSTRY
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Introduction

Starting from the legislation, as of September 2008, Italy is officially part of the WHO Framework Convention on Tobacco Control¹, but the process that led to such joining was tortuous: the legislative policies put in place to control tobacco in Italy date back to the early 1960s, when *ad hoc* laws were first implemented to prohibit advertisements for any smoking product². In the mid-1970s came the first law³ to ban smoking in certain public places, such as schools, hospitals, cinemas, museums, libraries and public transportation; since then, several years have been passed before such bans were expanded to include public offices, an expansion that took place in the mid-1990s⁴. It would not be until 2003⁵ that smoking would be banned from all workplaces and indoor public places, including restaurants, bars, and nightclubs (but the law came into effect only two years later, in 2005, with Italy being the first large country to have introduced a comprehensive smoking ban legislation). Even after the so-called Sirchia Law, however, it remains possible to designate specific smoking rooms in such indoor places, as long as these smoking rooms meet very stringent technical standards, particularly of ventilation⁶. In spite of these enlightened choices, however, other measures universally considered useful in the fight against tobacco – such as increasing the cost of cigarette packs – remain relatively poorly implemented. In addition, no further relevant tobacco control measure has been further implemented for adults during the next 10 years. In 2016 a new tobacco law, transposing the Tobacco Products Directive (TPD; Directive 2014/40/EU), was introduced to further decrease the social acceptability of tobacco smoking and to reduce second-hand smoke (SHS) exposure among children and other vulnerable population groups. One of the main norms of the law was the extension of smoking bans to private cars in the presence of children or pregnant women⁷. This legislation has largely contributed to reducing smoking in private vehicles, even in the presence of minors, although compliance to this law should be improved. Only recently some tobacco control measures have been adopted in a few municipalities, including Milan and Florence, which banned smoking in selected outdoor settings in order to protect the health of the youngest and of non-smokers, and to decrease air pollution. These settings include beaches, stadia, parks, and public transport stops.

Italy has always been a leader in the production of tobacco plant. Today, with more than 40,000 tons of tobacco per year (almost 1% of global production), Italy is the European Union's first producer of raw tobacco⁸ and ranks 19th globally. Until the late 1990s, the production and commercialization of tobacco products were administered by the

¹ Italy. WHO FCTC Implementation Database. 2008. Retrieved from <https://untobaccocontrol.org/impldb/italy/>.

² LEGGE 10 aprile 1962, n. 165 . Normattiva. Retrieved on 6 October 2022 from <https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:legge:1962-04-10;165>.

³ LEGGE 11 novembre 1975, n. 584 . Normattiva. Retrieved on 6 October 2022 from <https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:legge:1975-11-11;584|vig=>.

⁴ DECRETO LEGISLATIVO 19 settembre 1994, n. 626 . Gazzetta Ufficiale. Retrieved on 6 October 2022 from <https://www.gazzettaufficiale.it/eli/id/1994/11/12/094G0610/sg>.

⁵ LEGGE 16 gennaio 2003, n. 3. Normattiva. Retrieved on 6 October 2022 from <https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:legge:2003-01-16;3>.

⁶ LEGGE 16 gennaio 2003, n. 3. Normattiva. Retrieved on 6 October 2022 from <https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:legge:2003-01-16;3>.

⁷ Lugo, Alessandra et al. "Smoking in Italy in 2015-2016: prevalence, trends, roll-your-own cigarettes, and attitudes towards incoming regulations". 2017. *Tumori* 103:353-9.

⁸ Tobacco. Ministero delle politiche agricole alimentari e forestali. Retrieved on 6 October 2022 from <https://www.politicheagricole.it/flex/cm/pages/ServeBLOB.php/L/IT/IDPagina/11423>.

Amministrazione Autonoma dei Monopoli di Stato, an agency of the Ministry of Economy and Finance. After then, the production and commercialization of tobacco were delegated to the newborn⁹ Ente Tabacchi Italiani (ETI), that was privatized¹⁰ in the early 2000 and sold to the British American Tobacco (BAT) in 2003 for 2.3 billion euros¹¹. With this acquisition BAT Italia was constituted. Over the last two decades, BAT Italia has benefited from good relationships with the Italian Ministry of Economy and Finance and the Italian Ministry of Economic Development. These connections are today not exclusive of BAT, but have been extended to other big tobacco companies, including Philip Morris International (PMI) and Japan Tobacco International (JTI).

In addition to Italy's inherent difficulty in raising cigarette pack prices (among the lowest in Europe)¹², novel (tobacco) products, including electronic cigarettes and heated tobacco products (HTP), have been introduced in local markets. In this sense, Italy has always been considered fertile by Big Tobacco: it is not a coincidence that between 2014 and 2015 Italy was the chosen country for the European launch of HTPs¹³. The skyrocketing sales of these products in Italy¹⁴ has a non-negligible economic implication, since HTPs and e-cigs are taxed at 35% versus 59% for traditional cigarettes¹⁵. It seems that the availability of these novel products in Italy contributed to a reversal in the decreasing trend in smoking prevalence that started more than six decades ago, and accelerated with the Sirchia Law¹⁶.

The lack of new, relevant, national smoke-free legislations, together with the role of Big Tobacco in Italy, is also reflected in the poor score of the Tobacco Control Scale, which monitors the implementation of anti-smoking policies at national level throughout Europe. In the latest 2019 report, Italy is about in the middle of the ranking (it lost two positions when compared to the previous 2016 report), obtaining 0 points (worst score) in spending on public information campaigns and in the implementation of measures to restrict tobacco industry interference¹⁷.

The Tobacco Industry Index is an initiative of SEATCA¹⁸ and its partners to assess how countries are implementing Article 5.3 guidelines by reviewing the ability of the tobacco industry to interfere with public health policy making. The tobacco industry's behaviour and actions in many of the countries in the ASEAN region are of a similar nature but the extent

⁹ DECRETO LEGISLATIVO 9 luglio 1998, n. 283. Normattiva. Retrieved on 6 October 2022 from <https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:decreto.legislativo:1998-07-09;283>.

¹⁰ Circolare Numero 131 del 14-9-2004. Istituto Nazionale della Previdenza Sociale. Retrieved on 6 October 2022 from <https://www.inps.it/circolari/Circolare%20numero%20131%20del%2014-9-2004.htm>.

¹¹ Caso n COMP/M.3248 - BAT/ETI. 2003. European Commission. Retrieved from https://ec.europa.eu/competition/mergers/cases/decisions/m3248_20031023_330_it.pdf.

¹² WHO report on the global tobacco epidemic 2021: addressing new and emerging products. Geneva: World Health Organization; 2021. Licence: CC BY-NC-SA 3.0 IGO.

¹³ Gallus, Silvano et al. Use and Awareness of Heated Tobacco Products in Europe. 2022. Journal of epidemiology vol. 32,3: 139-144. doi:10.2188/jea.JE20200248.

¹⁴ Gallus, Silvano et al. The Role of Novel (Tobacco) Products on Tobacco Control in Italy. 2021. International journal of environmental research and public health vol. 18,4 1895. doi:10.3390/ijerph18041895.

¹⁵ Output prices. ADM Agenzia delle Dogane e dei Monopoli. Retrieved on 6 October 2022 from https://www.adm.gov.it/portale/monopoli/tabacchi/prezzi/composizione_prezzo.

¹⁶ Gallus, Silvano et al. The Role of Novel (Tobacco) Products on Tobacco Control in Italy. 2021. International journal of environmental research and public health vol. 18,4 1895. doi:10.3390/ijerph18041895.

¹⁷ Joossens L, Feliu A, Fernandez E. The Tobacco Control Scale 2019 in Europe. Brussels: Association of European Cancer Leagues, Catalan Institute of Oncology. 2020. Retrieved from <https://www.cancer.eu/wp-content/uploads/2019-Tobacco-Control-Scale-Report-digital.pdf>

¹⁸ Southeast Asia Tobacco Control Alliance (SEATCA), a multi-sectoral alliance established to support ASEAN countries in developing and putting in place effective tobacco control policies. <https://seatca.org/>

in which the tobacco industry succeeds depends on the government's capacity to resist its tactics. The government's action to protect its policies from tobacco industry interference in accordance with WHO FCTC Article 5.3 and its Guidelines¹⁹ would determine its capacity to deal with such interference. It developed a questionnaire based on Article 5.3 guidelines. This assessment through the Index could provide an indication of the government's capacity to resist tobacco industry interference.

SEATCA's questionnaire was used to review industry interference in Italy and the results are documented in this report on how the governments have been complying with Article 5.3 of the FCTC. A scoring system is applied to make the assessment. The score ranges from 0 - 5, where 5 indicates the highest level of industry interference, and 1 is low or no interference. Hence lower the score, better for the country. Where appropriate, advocates may use this report as a tool to monitor progress in implementing Article 5.3. In this report, Italy has a total score of 79 points which is a high score indicating high level of interference.

Comparisons of results with other countries in the region could encourage and provide impetus for the government to better protect tobacco control policies.

¹⁹ Guidelines for implementation. 2013. WHO Framework Convention on Tobacco Control FCTC. Retrieved from http://apps.who.int/iris/bitstream/10665/80510/1/9789241505185_eng.pdf?ua=1

Summary Findings

1. INDUSTRY PARTICIPATION IN POLICY DEVELOPMENT

There is no law in Italy that controls the influence of tobacco industry in setting or implementing public health policies in relation to tobacco control. The government allows the tobacco industry lobbyist to represent the company point of view on issues relating to the tobacco sector and in particular to increase knowledge relating to new generation products, without setting public health policies.

The Italian delegation to the FCTC Conference of the Parties meetings excludes industry representatives, although they were included in the past (2012, 2014).

2. INDUSTRY CSR ACTIVITIES

There were a few “socially responsible” tobacco industries activities conducted in Italy, especially during the Covid-19 crisis.

Philip Morris Italy produced in collaboration with the Arpae Emilia-Romagna antiseptic preparation for the hands to be donated to the Health Authorities of Emilia-Romagna Region.

“Liotru d’autore by glo” is a cultural project with the patronage of Catania municipality realized in collaboration with BAT Italy which donated an art work (November 2019).

3. BENEFITS TO THE INDUSTRY

There is a strong opposition of ministries and parliamentarians to increase taxation to tobacco products, recently to heated tobacco products (HTP). The excise taxes of HTP in Italy are one fourth that of conventional cigarettes and this benefit has been recognized to HTPs because of their alleged consideration of products with a lower health risk as claimed by the industry. However, in addition to the current evidence from the scientific literature, the Italian Ministry of Health in early 2019 refused to recognize the claim of reduced toxicity and reduced risk of HTP compared to conventional tobacco, under the same conditions of use. This notwithstanding, the proposed amendment to the decree 18/2020 to substantially increase the taxation of these products did not pass and current legislation foresees a negligible increase in taxation of 5% each year. In general, HTPs, although they are tobacco products, enjoy regulatory benefits (besides fiscal benefits). Additionally, there was a delay in the publication of the report of the National Health Institute on HTP by PMI Italy.

The Italian Ministry of Environment decree of 15/02/2017 provides that tobacco industry can independently promote information campaigns or other initiatives aimed at making consumers aware of the harmful consequences for the environment deriving from the cigarette butts litter.

There are also other incentives such as a big quantity of tobacco products allowed to be brought into Italy from a country both outside and inside the European Union: international travelers are allowed to bring into Italy tobacco products (800 cigarettes; 400 cigarillos; 200 cigars; kilogram of pipe or cigarette tobacco) within the EU/Italy duty free.

4. UNNECESSARY INTERACTION

In the recent past (2016), then Prime Minister, Matteo Renzi, participated as the guest of honor to the inauguration of Philip Morris’ plant in Bologna, after putting the first stone of

the plant in 2014. Recently, there is no evidence that top-level Italian officials attending tobacco industry social function, but in some circumstances local political figures took part in social events in which the industry was involved, especially in Emilia Romagna where the PMI plant is based.

It is public knowledge about the “fruitful” collaboration between different tobacco companies and the Finance Police in the fight against smuggling or illicit trades, with several donations (Apple iPads from PMI, an app and cars from BAT, training programs from JTI). The Italian Ministry of Environment enables tobacco industry to autonomously promote information campaigns or other initiatives aimed at making consumers aware of the harmful consequences for the environment deriving from the cigarettes butts abandonment. PMI Italy was committed in the enhancement and sustainability of Italian tobacco growing through an agreement with the Ministry of Agricultural, Food, Forestry and Tourism Policies.

5. TRANSPARENCY

The ministries and their agencies do not publicly disclose any meeting or interaction with the tobacco industry, not even where such interactions are strictly necessary for regulation. The MoH only, officially discloses meetings with the tobacco industry. The ministry of the economic development requires rules for the disclosure or registration of tobacco industry entities. No other ministries considered such rules.

6. CONFLICT OF INTEREST

The government does not prohibit contributions from the tobacco industry or any entity working to further its interests to political parties, candidates, or campaigns or to require full disclosure of such contributions. Consequently, tobacco industries made several donations to foundations of the main Italian political parties.

In two cases, retired government consultants or officials formed part of the tobacco industry, but no current government officials and relatives hold positions in the tobacco business including consultancy positions.

7. PREVENTIVE MEASURES

Very few preventive measures were implemented by the Italian government.

The only measure implemented by the government was a letter sent by Ministry of Health to main scientific medical societies alerting them not to receive funds from the tobacco industry.

The government requires the tobacco industry to provide annually information on tobacco production, manufacture, and revenues for each tobacco product through the EU-CEG (Common Entry Gate), but other data are not requested.

According to public information the Italian government does not have procedures in place for disclosing the records of interactions with the tobacco industry.

The Italian government has no programs to raise awareness within its departments on policies relating to FCTC Article 5.3 Guidelines that, although it is in Italy a law, it is largely unknown by governmental staff outside the Ministry of Health.

Finally, the Italian government has not put in place policies to disallow the acceptance of all forms of contributions from the tobacco industry.

Recommendations

The current approach of the Italian government, besides some ad hoc actions of the Ministry of Health, does not align with the WHO FCTC treaty and does not respect the spirit of the Article 5.3. Several actions are urgently needed by the Italian government in order to comply with Article 5.3 of the FCTC:

- Regularly implement programs to raise awareness on Article 5.3 of the FCTC and its guidelines within the departments and staff of the Italian Government, in order to inform about tobacco industry interference.
- Denormalize and regulate unnecessary interactions with the tobacco industry, including 'socially responsible' activities. In particular, Italian Ministries should not permit the tobacco industry to autonomously promote information campaigns or other initiatives. The Ministry of Environment should abandon the support for the campaigns on cigarette butts implemented by the tobacco industry.
- Increase the transparency in the interactions with the tobacco industry, by recording and disclosing all the meetings and other interactions between tobacco industry representatives and government officers.
- Increase transparency of contributions made to political parties in general and ban tobacco industry donations, as well as sponsorships or other contributions, to political parties and their candidates.
- Define specific rules for the operations of the tobacco industry, require the tobacco industry to periodically submit information on the financial report on lobbying, philanthropy activities and their funding made to their foundations and scientific societies.
- Rely on independent conflict of interest-free research when making laws, supporting research which is directly and indirectly independent from the tobacco industry.

2021 Tobacco Industry Interference Index Results and Findings

	0	1	2	3	4	5
INDICATOR I: Level of Industry Participation in Policy-Development						
1. The government ²⁰ accepts, supports or endorses any offer for assistance by or in collaboration with the tobacco industry ²¹ in setting or implementing public health policies in relation to tobacco control ²² (Rec 3.1)					4	
There is no law or policy decision in place or currently being considered that controls the influence of tobacco industry in setting or implementing public health policies in relation to tobacco control. The tobacco industry is able to influence policy.						
2. The government accepts, supports or endorses <u>policies or legislation drafted</u> by or in collaboration with the tobacco industry. (Rec 3.4)					4	
In November 2020, British American Tobacco (BAT) sued as a civil party in the “Cassandra” trial. The investigation highlighted the "stable subservience of the public function". In fact, the managers of the governmental agency Excise, Customs and Monopoly Agencies ²³ revealed news and documents to employees of Philip Morris International (PMI) Italy to the detriment of other competing producers ²⁴ .						
3. The government allows/invites the tobacco industry to sit in government interagency/ multi-sectoral committee/ advisory group body that sets public health policy. (Rec 4.8)			2			
While the tobacco industry does not sit in an official committee, the government allows the tobacco industry lobbyist to represent the company point of view on issues relating to the tobacco sector and in particular to increase knowledge relating to new generation products through the preparation of information material to support issues of interest such as analyses, insights and sector economic data, without setting public health policies. ²⁵						
4. The government nominates or allows representatives from the tobacco industry (including State-owned) in the delegation to the COP or other subsidiary bodies or accepts their sponsorship for delegates. (i.e. COP 4 & 5, INB 4 5, WG) ²⁶ (Rec 4.9 & 8.3)				3		
In COP8 no representatives from the tobacco industry were present in the delegation. Dr. Sacchetto, who was engaged with tobacco industry since at least 2014, participated in the Seoul Conference of Parties (COP5) as a member of the Italian delegation since he						

²⁰ The term “government” refers to any public official whether or not acting within the scope of authority as long as cloaked with such authority or holding out to another as having such authority

²¹ The term “tobacco industry” includes those representing its interests or working to further its interests, including the State-owned tobacco industry.

²² “Offer of assistance” may include draft legislation, technical input, recommendations, oversees study tour

²³ ADM, homepage. Retrieved from <https://www.adm.gov.it/portale/en/web/guest>

²⁴ Processo “Cassandra”, BAT si costituisce parte civile. 9 November 2020. ildenaro.it. Retrieved from <https://bit.ly/3ye794v>; Processo “Cassandra”, Philip Morris: ‘Massima fiducia nella Giustizia’. 9 November 2020. liberoquotidiano.it. Retrieved from <https://bit.ly/3xRQjEi>

²⁵ Registro dei rappresentanti di interessi. Scheda persona giuridica Philip Morris Italia S.r.l. Camera dei deputati. Retrieved on 6 October 2022 from <https://bit.ly/3jISr7e>

²⁶ Please annex a list since 2009 so that the respondent can quantify the frequency, <http://www.who.int/fctc/cop/en/>

	0	1	2	3	4	5
was an official with the Ministry of Agricultural Policies. He was also included in the delegation of the Moscow conference (COP6), when he was no longer an executive of the Ministry, an expert in clear conflict of interest. ²⁷						
INDICATOR 2: Industry CSR activities						
5. A. The government agencies or its officials endorses, supports, forms partnerships with or participates in so-called CSR activities organized by the tobacco industry. (Rec 6.2)					4	
B. The government (its agencies and officials) receives contributions ²⁸ (monetary or otherwise) from the tobacco industry (including so-called CSR contributions). (Rec 6.4)						
A. Philip Morris Italy produced in collaboration with the Arpae Emilia-Romagna antiseptic preparation for the hands to be donated to the Health Authorities of Emilia-Romagna Region. ²⁹ “Liotru d'autore by glo” is a cultural project with the patronage of Catania municipality realized in collaboration with BAT Italy which donated an art work (November 2019). ³⁰						
B. None.						
INDICATOR 3: Benefits to the Tobacco Industry						
6. The government accommodates requests from the tobacco industry for a longer time frame for implementation or postponement of tobacco control law. (e.g. 180 days is common for PHW, Tax increase can be implemented within 1 month) (Rec 7.1)						5
In May 2020, there was a delay in the publication of the report of the National Health Institute on heated tobacco products by PMI Italy. ³¹ The report was then revealed to the public in the TV program “Report”. In that occasion PMI Italy cautioned the journalists not to broadcast such news. ³²						
There is a strong opposition of ministries and parliamentarians to increase taxation to tobacco products, ³³ recently to heated tobacco products. ³⁴						

²⁷ See the list of delegates at COP at: Anche in Italia, Philip Morris ha tramato per sovvertire la convenzione quadro per il controllo del Tabacco? 27 February 2020. tobaccoendgame.it. Retrieved from <https://bit.ly/35W9sgf>

²⁸ political, social financial, educations, community, technical expertise or training to counter smuggling or any other forms of contributions

²⁹ Philip Morris avvierà in collaborazione con Arpae Emilia Romagna la produzione di preparato antisettico per le mani destinato alle Aziende Sanitarie della Regione Emilia-Romagna. 5 April 2020. Philip Morris International. Retrieved from <https://bit.ly/3dncxKl>

³⁰ Giulio Bucchi. "Liotru d'autore by glo": 4 opere d'arte contemporanea per la città di Catania. 22 November 2019. liberoquotidiano.it. Retrieved from <https://bit.ly/3y1Od8G>

³¹ Giulio Valesini. La cortina di fumo. 25 May 2020. Report. Retrieved from <https://bit.ly/3x1JeVJ>; Eli Moskowit. Italy Releases Confidential Study on Philip Morris' IQOS. 1 June 2020. OCCRP, Organized Crime And Corruption Reporting Project. Retrieved from <https://bit.ly/35UasSd>; BLOWING UNSMOKE. 25 May 2020. OCCRP. Retrieved from <https://bit.ly/2SCgGTK>

³² Giulio Valesini. La cortina di fumo. 25 May 2020. Report. Retrieved from <https://bit.ly/3x1JeVJ>

³³ Gallus, S., Cattaruzza, M. S., Gorini, G., Faggiano, F., & Italian Tobacco Endgame Group. Vatican beats Italy 1-0 in the tobacco endgame. 2019. Tobacco control, 28(2), 239–240. <https://doi.org/10.1136/tobaccocontrol-2018-054341>

³⁴ In Parlamento c'è chi si oppone alle lobby del tabacco e lotta per la giustizia fiscale. 11 November 2020. tobaccoendgame.it. Retrieved from <https://bit.ly/3qtuRqG>; E' ARRIVATO IL «PACCO» DI CAPODANNO! 10 January 2021.

	0	1	2	3	4	5
Senior Rome customs official Concetta Anna Di Pietro was accused of leaking confidential information and delaying announcements on changes in tax rates to give PMI Italy an edge in making pricing decisions. ³⁵						
7. The government gives privileges, incentives, exemptions or benefits to the tobacco industry (Rec 7.3)						5
<p>The Italian Ministry of Environment decree of 15/02/2017 provides that tobacco industry can autonomously promote information campaigns or other initiatives aimed at making consumers aware of the harmful consequences for the environment deriving from the cigarettes butts litter.³⁶</p> <p>The currently active advertising campaigns are:</p> <ul style="list-style-type: none"> - “cambiagesto” promoted and financed by PMI Italy, which is under the patronage of Lazio Region, municipalities of Roma, Livorno, Genova, Padova, Bari and Gavi.³⁷ - “Piccoli gesti, grandi crimini” promoted by Marevivo in collaboration with BAT Italy and sponsored by the Ministry of the Environment and the Municipality of Sorrento.³⁸ - #iolabuttoli promoted and financed by Japan Tobacco International (JTI) Italy.³⁹ <p>The excise taxes of Heated Tobacco Products (HTP) in Italy are one fourth that of conventional cigarettes. This benefit has been recognized to HTPs because of their alleged consideration of products with a lower health risk. However, besides the current evidence from the scientific literature, also the Italian Ministry of Health in early 2019 rejected to recognize the reduced toxicity and reduced risk of HTP compared to conventional tobacco, under the same conditions of use. This notwithstanding, the proposed amendment to the decree 18/2020 to substantially increase the taxation of these products did not pass. Current legislation foresees a negligible increase in taxation of 5% each year.</p> <p>In general, HTPs, although they are tobacco products, enjoy regulatory benefits (besides fiscal benefits).⁴⁰</p> <p>International travelers are allowed to bring into Italy tobacco products (800 cigarettes; 400 cigarillos; 200 cigars; kilogram of pipe or cigarette tobacco) within the EU/ Italy duty free.⁴¹</p>						

tobaccoendgame.it. Retrieved from <https://bit.ly/3joVlle>; Tommaso Nannicini. L’inchino a Philip Morris è la morte della politica. 22 December 2020. ilriformista.it. Retrieved from <https://bit.ly/2U8HcUU>

³⁵ Cerantola A. Tobaccopoli: The Secret Battle to Control Italy’s Cigarette Market. OCCRP 11 March 2020. Retrieved from: <https://www.occrp.org/en/loosetobacco/without-a-trace/tobaccopoli-the-secret-battle-to-control-italys-cigarette-market>;

Bisbiglia V, Caia S. Philip Morris, indagati l’ex ad in Italia e altri 2 manager della multinazionale del tabacco per concorso in corruzione di funzionari pubblici. 22 May 2020. ilfattoquotidiano.it. Retrieved from <https://bit.ly/3qtW64r>

³⁶ DECRETO 15 FEBBRAIO 2017. Gazzetta Ufficiale. Retrieved on 6 October 2022 from <https://bit.ly/3h1bu57>

³⁷ Homepage. cambiagesto.it. Retrieved on 6 October 2022 from <https://www.cambiagesto.it/>; Roma, Retake compie 10 anni e lancia la campagna contro i mozziconi di sigarette: #cambiagesto. 19 September 2020. Corriere della Sera – edizione Roma. Retrieved from <https://bit.ly/3jjGhvB>; Alessio Ribaudò. A Palermo una campagna contro chi butta i mozziconi di sigaretta in spiaggia. 1 August 2019. Corriere della Sera. Retrieved from <https://bit.ly/3qznaiO>

³⁸ Homepage. marevivo.it. Retrieved on 6 October 2022 from <https://marevivo.it/attivita/inquinamento/piccoli-gesti-grandi-crimini/>

³⁹ Homepage. iolabuttoli.green. Retrieved on 6 October 2022 from <https://iolabuttoli.green/>; STP Certification s.r.l., JTI Italia s.r.l. Quanto sono sostenibili le nostre città. STP Certification s.r.l. 2021

⁴⁰ Proprio questo è il momento di dire basta ai privilegi fiscali per le sigarette a tabacco riscaldato! 28 March 2020. tobaccoendgame.it. Retrieved from <https://bit.ly/3A4y4Bi>; Gallus S, Lugo A. The curious case of Heated Tobacco Products. 3 November 2020. uicc.org. Retrieved from <https://bit.ly/3vVHIze>

⁴¹ Italy Customs, Currency & Airport Tax regulations details. TravelCentre IATA. Retrieved on 6 October 2022 from <https://bit.ly/3dIDMVK>

	0	1	2	3	4	5
INDICATOR 4: Forms of Unnecessary Interaction						
8. Top level government officials (such as President/ Prime Minister or Minister ⁴²) meet with/ foster relations with the tobacco companies such as attending social functions and other events sponsored or organized by the tobacco companies or those furthering its interests. (Rec 2.1)					4	
<p>In December 2020, PMI Italy participated in the digital event: ‘Competenze e innovazione: le chiavi per la ripartenza dell’Italia’, organized by Formiche, presenting the Philip Morris Institute for Manufacturing Competences (IMC), the new Philip Morris center for advanced training of skills related to Industry 4.0: the Councilor for Economic Development and Education of the Emilia-Romagna Region attended the event.⁴³</p> <p>In the recent past, the former Prime Minister Matteo Renzi participated as the guest of honor to the inauguration of the plant of Philip Morris in Bologna (2016).⁴⁴ It was not the first time, since he put the first stone of the plant (2014).⁴⁵</p> <p>In February 2019, PMI Italy met some officials of the Tuscany Region health department asking health professionals to recommend using IQOS in patients who cannot quit smoking.⁴⁶</p>						
9. The government accepts assistance/ offers of assistance from the tobacco industry on enforcement such as conducting raids on tobacco smuggling or enforcing smoke free policies or no sales to minors. (including monetary contribution for these activities) (Rec 4.3)					4	
<p>On 28/03/2019 PMI Italy and the Ministry of Agricultural, Food, Forestry and Tourism Policies signed the programmatic agreement for the enhancement and sustainability of Italian tobacco growing. The agreement provides for investments of up to 500 million euros in total over 5 years by PMI Italy in the Italian tobacco supply chain. The agreement also provides for a joint effort to promote actions to combat illegality: not only as regards the fight against smuggling of raw tobacco and finished products, but also the fight against illegal work, with an active involvement also by the Ministry labor and social policies, professional organizations in the sector, trade union organizations and the main tobacco regions.⁴⁷</p>						

⁴² Includes immediate members of the families of the high-level officials

⁴³ Nasce a Bologna il Philip Morris Institute for Manufacturing Competences. 12 October 2020. Philip Morris International. Retrieved from <https://bit.ly/3x12FOo>

⁴⁴ Gallus, S., Cattaruzza, M. S., Gorini, G., Faggiano, F., & Italian Tobacco Endgame Group. Vatican beats Italy 1-0 in the tobacco endgame. 2019. Tobacco control, 28(2), 239–240. <https://doi.org/10.1136/tobaccocontrol-2018-054341>; Una tassa sulle sigarette. Anzi no. E Renzi inaugura lo stabilimento della Philip Morris. 23 September 2016. repubblica.it. Retrieved from <https://bit.ly/3A4AbFe>

⁴⁵ Bignami S, Capelli E, Bettazzi M. Renzi accende la Philip Morris: taglio del nastro nel bolognese, contestazioni a Medolla. 10 October 2014. repubblica.it. Retrieved from <https://bit.ly/3A9aqDF>

⁴⁶ Giulio Valesini. La cortina di fumo. 25 May 2020. Report. Retrieved from <https://bit.ly/3x1JeVJ>; Italy Releases Confidential Study on Philip Morris’ IQOS. 1 June 2020. OCCRP, Organized Crime And Corruption Reporting Project. Retrieved from <https://bit.ly/35UasSd>; BLOWING UNSMOKE. 25 May 2020. OCCRP. Retrieved from <https://bit.ly/2SCgGTK>; Report, Iqos e il tabacco riscaldato. 25 May 2020. nextquotidiano.it. Retrieved from <https://bit.ly/3hcfX3Q>

⁴⁷ Philip Morris Italia e il Ministero Delle Politiche Agricole Alimentari, Forestali e del Turismo, firmano il verbale d’intesa programmatica per la valorizzazione e sostenibilità della tabacchicoltura Italiana. 28 March 2019. Philip Morris International. Retrieved from <https://bit.ly/2Uc11us>

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<p>It is public knowledge of the “fruitful” collaboration between different tobacco companies and the Finance Police (Guardia di Finanza, an agency of the Ministry of Economy and Finance) in the fight against smuggling or illicit trades.</p> <p>In the past PMI Italy donated Apple ipads to Finance Police for a collaboration against illicit trade and the two entities collaborated in other projects.⁴⁸</p> <p>BAT donated to the Finance Police of the municipality of Naples an app developed by Intellegit, called Combat, thanks to which financiers can identify, find, collect and share any useful information relating to smuggled cigarette packs. An agreement launched in 2015 and which by 2021 provides for the total donation of 35 cars, with the aim of actively contributing to enhancing prevention and contrast activities.⁴⁹</p> <p>JTI Italy declares to be side by side with Italian institutions and law enforcement agencies in the fight against the illicit cigarette trade.⁵⁰ JTI collaborates with Finance Police, providing training programs organized by INDICAM at the provincial and regional commands of the Finance Police throughout Italy.⁵¹</p>						
<p>10. The government accepts, supports, endorses, or enters into partnerships or agreements with the tobacco industry. (Rec 3.1)</p> <p>NOTE: This must <u>not</u> involve CSR, enforcement activity, or tobacco control policy development since these are already covered in the previous questions.</p>						5
<p>PMI Italy and the Ministry of Agriculture extend the memorandum of understanding for Italian tobacco growing. PMI Italy, with the Ministry of Agricultural, Food and Forestry Policies renewed the commitments towards the Italian tobacco agricultural chain. Philip Morris's is characterized as the highest investment in the Italian tobacco supply chain by a private company. For 2021, the company has confirmed investments of up to 100 million euros, in line with the Memorandum of Understanding signed in 2019.⁵²</p> <p>PMI Italy donated 1 million of euros to the Italian Civil Protection and activates its supply chain in Italy to help face the COVID emergency.⁵³</p> <p>The Italian Ministry of Environment decree of 15/02/2017 provides that tobacco industry can autonomously promote information campaigns or other initiatives aimed at making consumers aware of the harmful consequences for the environment deriving from the cigarettes butts abandonment.³⁶</p> <p>The currently active advertising campaigns are:</p> <ul style="list-style-type: none"> - “cambiagesto” promoted and financed by PMI Italy, which is under the patronage of Lazio Region, municipalities of Roma, Livorno, Genova, Padova, Bari and Gavi.³⁷ - “Piccoli gesti, grandi crimini” promoted by Marevivo in collaboration with BAT Italy and sponsored by the Ministry of the Environment and the Municipality of Sorrento.³⁸ - #iolabuttoli promoted and financed by JTI Italy.³⁹ 						

⁴⁸ Tabacco: intesa Gdf e Philip Morris Italia per lotta contraffazione. 23 July 2014. Adnkronos. Retrieved from: https://www.adnkronos.com/gdf-e-philip-morris-italia-insieme-per-lotta-a-contraffazione-tabacchi_1APeJ6ECfy4psjfA4ctQpY

⁴⁹ Scopece M. Lotta al contrabbando di sigarette. Lo studio di Bat e Intellegit. 6 December 2019. formiche.net. Retrived from <https://bit.ly/3y1bzvf>

⁵⁰ Uniti contro il commercio illecito. Japan Tobacco International. Retrieved on 6 October 2022 from <https://bit.ly/35VKA8e>

⁵¹ Uniti contro il commercio illecito. Japan Tobacco International. Retrieved on 6 October 2022 from <https://bit.ly/35VKA8e>

⁵² Philip Morris Italia e il ministero delle Politiche Agricole prorogano il verbale d'intesa per la tabacchicoltura italiana. 26 November 2020. iltempo.it Retrieved from <https://bit.ly/3dlIKTI>

⁵³ PHILIP MORRIS DONA 1 MILIONE E ATTIVA LA PROPRIA FILIERA IN ITALIA PER AIUTARE A FRONTEGGIARE L'EMERGENZA. 30 March 2020. Philip Morris International. Retrieved from: <https://bit.ly/3y5Q78x>

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INDICATOR 5: Transparency						
I 1. The government does not publicly disclose meetings/ interactions with the tobacco industry in cases where such interactions are strictly necessary for regulation. (Rec 2.2)					4	
The ministries (in particular agricultural, economy and finance, and economic development) and their agencies do not publicly disclose any meeting or interaction with the tobacco industry, not even where such interactions are strictly necessary for regulation. The MoH only, officially discloses meetings with the tobacco industry. In our knowledge, there is no repository of the meetings and no law in regard to right to information.						
I 2. The government requires rules for the disclosure or registration of tobacco industry entities, affiliated organizations, and individuals acting on their behalf including lobbyists (Rec 5.3)					4	
The ministry of the economic development did it. ⁵⁴ To our knowledge, no other ministries considered rules for the disclosure or registration of tobacco industry entities.						
INDICATOR 6: Conflict of Interest						
I 3. The government does not prohibit contributions from the tobacco industry or any entity working to further its interests to political parties, candidates, or campaigns or to require full disclosure of such contributions. (Rec 4.11)						5
There are no guidelines from the Italian government on the implementation of Article 5.3 of the FCTC. The government does not prohibit contributions from the tobacco industry or any entity working to further its interests to political parties, candidates, or campaigns or to require full disclosure of such contributions. Consequently, for instance, Casaleggio Associati, the company linked to the main Italian party (M5S), receives every year funding for consultancy from Philip Morris by approximately 500,000€. ⁵⁵ There are other examples of donations to foundations of the main Italian parties by the tobacco industry. ⁵⁶						
I 4. Retired senior government officials form part of the tobacco industry (former Prime Minister, Minister, Attorney General) (Rec 4.4)					4	
We examined the Italian board of director of PMI, BAT and JTI and that of Manifatture sigaro Toscano (Toscano cigar manufacturer): Gianluca Ansalone, head of institutional relations and communication at BAT, has had consultancy positions in state institutions: Parliament, Copasir, Presidency of the Republic. Carlo Sacchetto, former head of the Technical Secretariat of the Minister of Agriculture and Forestry Policies M. Catania (Monti Government 2009-2012) is now Secretary of the Italian Tobacco Organization and Secretary General of European Leaf Tobacco Interbranch (ELTI), both organizations of tobacco growers very active in consolidating the so-called tobacco supply chain. ELTI is registered in the Transparency Register of the European Union, as a lobbyist.						

⁵⁴ Registro Trasparenza. Ministero dello Sviluppo Economico. Retrieved on 6 October 2022 from <http://registrotrasparenza.mise.gov.it/>

⁵⁵ Pucciarelli M. Caso Philip Morris, Di Battista si schiera con Casaleggio: "Sei una persona per bene. repubblica.it. Retrieved from <https://bit.ly/2SxjIOV>; M5S, polemica sui 2 milioni di euro che Casaleggio ha ricevuto da Philip Morris. Ma lui si difende: "Pronto a querelare chi mi diffama". 26 November 2020. repubblica.it. Retrieved from <https://bit.ly/3dm3Tf6>

⁵⁶ Dal M5S alla Lega e Italia Viva: la grande coalizione di Philip Morris. 23 January 2021. [glistatigenerali.com](https://bit.ly/2UFP9RL). Retrieved from <https://bit.ly/2UFP9RL>

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When Dr. Sacchetto was in force at the Ministry of Agricultural Policies he participated in the Seoul Conference of Parties as a member of the Italian delegation. He was also included in the delegation of the Moscow conference, when he was no longer an executive of the Ministry, an expert in clear conflict of interest, given that in 2014 he was already engaged at the top of the associations of producers and processors, as attested by his resume. ⁵⁷						
15. <u>Current government officials</u> and relatives hold positions in the tobacco business including consultancy positions. (Rec 4.5, 4.8, 4.10)		1				
To our knowledge, no current government officials and relatives hold positions in the tobacco business including consultancy positions.						
INDICATOR 7: Preventive Measures						
16. The government has put in place a procedure for disclosing the records of the interaction (such as agenda, attendees, minutes and outcome) with the tobacco industry and its representatives. (Rec 5.1)						5
According to public information the government has no procedure in place for disclosing the records of interactions with the tobacco industry.						
17. The government has formulated, adopted or implemented a code of conduct for public officials, prescribing the standards with which they should comply in their dealings with the tobacco industry. (Rec 4.2)						4
The MoH sent a letter to main scientific medical societies alerting not to receive funds from the tobacco industry. This is the only measure implemented by the Italian government. ⁵⁸						
18. The government requires the tobacco industry to periodically submit information on tobacco production, manufacture, market share, marketing expenditures, revenues and any other activity, including lobbying, philanthropy, political contributions and all other activities. (5.2)		2				
According to the European Directive 40/2014 and to its transposition into Italy, ⁵⁹ the tobacco industry has to provide annually information on tobacco production, manufacture, and revenues for each tobacco product through the EU-CEG (Common Entry Gate). No other data are requested.						
19. The government has a program / system/ plan to consistently ⁶⁰ raise awareness within its departments on policies relating to FCTC Article 5.3 Guidelines. (Rec 1.1, 1.2)						5

⁵⁷ Anche in Italia, Philip Morris ha tramato per sovvertire la convenzione quadro per il controllo del Tabacco? 27 February 2020. tobaccoendgame.it. Retrieved from <https://bit.ly/35W9sgf>

⁵⁸ Ministero della Salute alle società medico-scientifiche: Garantire l'indipendenza del dibattito scientifico dall'ingerenza delle compagnie del tabacco. 10 December 2020. tobaccoendgame.it. Retrieved from <https://bit.ly/3h322yi>

⁵⁹ Directive 2014/40/EU of the European Parliament and of the Council of 3 April 2014 on the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco and related products and repealing Directive 2001/37/EC Text with EEA relevance. EUR-Lex. Retrieved on 6 October from <https://bit.ly/3jrGeQt>; DECRETO LEGISLATIVO 12 gennaio 2016, n. 6. Gazzetta Ufficiale. Retrieved on 6 October 2022 from <https://bit.ly/2TdwM6u>

⁶⁰ For purposes of this question, "consistently" means: a. Each time the FCTC is discussed, 5.3 is explained. AND b. Whenever the opportunity arises such when the tobacco industry intervention is discovered or reported.

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None. Although FCTC is in Italy a law, ⁶¹ it is largely unknown by governmental staff outside the Ministry of Health.						
20. The government has put in place a policy to disallow the acceptance of all forms of contributions/ gifts from the tobacco industry (monetary or otherwise) including offers of assistance, policy drafts, or study visit invitations given or offered to the government, its agencies, officials and their relatives. (3.4)						5
None.						
TOTAL						79

⁶¹ Convenzione quadro OMS per la lotta al tabagismo. 22 October 2010. Ministero della Salute. Retrieved from: https://www.salute.gov.it/portale/temi/p2_6_4.jsp?lingua=italiano&area=rapporti&menu=mondiale&id=3664&p=1852