

Mexico



Summary of Findings

I. INDUSTRY PARTICIPATION IN POLICY DEVELOPMENT

President Andrés Manuel López Obrador and Undersecretary of Prevention and Health Promotion Dr. Hugo López-Gatell have driven the current advances in tobacco control in Mexico. Specifically supporting the reform and regulations of the General Law for Tobacco Control (LGCT) in smoke-free and emission-free spaces, as well as a total ban on tobacco advertising, promotion and sponsorship. In addition to joining efforts to strengthen the prohibition of new tobacco and nicotine products. The adoption of the reform of the LGCT was not wholly smooth, resulting in several delays. At a press conference, Dr. López-Gatell mentioned that it was Senator Juan Manuel Fócil who presented a reservation against the reform. The Undersecretary further stated that while this process was taking place tobacco industry (TI) lobbyists were recorded hanging around the Chamber.

In July 2021, Deputy Sergio Barrera Sepúlveda posted on his X (formerly Twitter) account several images at the Philip Morris facilities with the caption “rest assured that I will be your ally in the Congress of the Union”, a promise that would be fulfilled on 17 November 2021 when his tax reform initiative that allows the commercialization of electronic cigarettes is published. In a media interview, the Deputy said “we have to legislate for practically all people, we are not in favor of one or the other [...] We will create an open parliament where we will invite different parties to know about the whole market, all the opinions and on that we will create this regulatory framework.”

2. INDUSTRY CSR ACTIVITIES

In 2021, Philip Morris Mexico boasted of having obtained the Carbon Neutral Declaration certificate at its plant in Zapopan, Jalisco. Since 2019 it had partnered with the local company Ecofilter with the aim of “reducing” its waste through a biotechnological treatment of cellulose acetate, and in 2021 they jointly inaugurated the first factory worldwide that processes cigarette butts (and IQOS Heets) in an industrialized and “biodegradable” way. This mill processes 300 tons of pulp per year.

3. BENEFITS TO THE INDUSTRY

There were no records of requests to postpone or delay the implementation of tobacco control regulations during the report period.

On 17 February 2022, the *Decree amending, adding and repealing various provisions of the General Law for Tobacco Control*, which includes new provisions for compliance with Articles 8 and 13 of the WHO FCTC, was published in the Official Gazette of the Federation. This reform entered into force the day after its publication, although for the establishment of smoke-free and emission-free environments it gave a period of no more than 60 days.

4. UNNECESSARY INTERACTION

No interactions of high-level government officials meeting with the TI were recorded.

In its 2021 Sustainability Report, presented in January 2023, Philip Morris Mexico reported having worked with the main illicit trade control agencies such as the Tax Administration Service, the National Customs Agency of Mexico, the Attorney General's Office and the Mexican Institute of Industrial Property.



5. TRANSPARENCY

There is no obligation under current legislation for the government to disclose interactions with the TI or its allies. However, the Ministry of Health remains very attentive to compliance with the guidelines of WHO FCTC Article 5.3. The Ministry of Economy similarly maintains greater vigilance to avoid unnecessary interactions with the TI.

6. CONFLICT OF INTEREST

The General Law on Electoral Institutions and Procedures does not prohibit contributions from the TI.

Shirley Almaguer, the Manager of Institutional Relations at British American Tobacco Mexico, is the daughter of Deputy Yeidckol Polevnsky Gurwitz. Both of them, along with other legislators such as Éctor Jaime Ramírez Barba and Sergio Barrera Sepúlveda, promoted the First Latin American Forum “Nicotine and Risk Reduction: Science, Regulation and Activism”, held on 6 March 2023. Deputy Emmanuel Reyes Carmona, president of the Health Commission in the Chamber of Deputies, participated in this forum, and publicly expressed appreciation to the organization of Polevnsky and Almaguer to open the debate towards the regulation of new tobacco products.

7. PREVENTIVE MEASURES

The Ministry of Health drafted a code of conduct for public servants that establishes criteria for avoiding interactions with the TI. However this code has not been approved for the Secretariat itself, and has not seen implementation by other institutions of the Federal Executive.

Although there are no statutory reporting requirements, indicators on cigar production, imports, exports, taxes, can be generated based on information from the National Institute of Statistics and Geographic Information and the Ministry of Finance. Information about marketing expenses or profits, lobbying and philanthropy are unknown and not recorded.

The Code of Ethics for Public Servants of the Federal Government avoids conflicts of interest throughout the government of the republic and to avoid any contribution or donation from individuals.