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For media enquiries:

[Katharine Barker](#)
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Major corporations reshape EU policymaking system in attempt to put profits before public health and the environment

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One of the world's largest tobacco companies has been instrumental in pushing through fundamental changes to EU policymaking, researchers from the University of Bath have found.

The changes are designed to give large businesses more power in how laws are drafted. If used as intended they could seriously impair measures to improve public health and protect the environment.

The research team, led by Dr Anna Gilmore, included Dr Katherine Smith (first author) and Dr Gary Fooks of the University of Bath's School for Health, and Dr Jeff Collin and colleagues at the University of Edinburgh. Their findings are revealed in an article published this week in *PLoS Medicine* and in a related paper in the current issue of *Tobacco Control*.

The chemical industry has already been able to employ the new policymaking rules to water down the first serious attempt by the EU to ensure that all chemicals used in the home and at work are tested for toxicity and appropriately controlled.

Tobacco companies are currently using the new rules to challenge an article of a global treaty, the Framework Convention on Tobacco Control, which attempts to protect public health policy from industry interference.

The researchers looked at previously secret documents, which tobacco companies were forced to release through litigation in the USA. These documents demonstrate that, over the past fifteen years, British American Tobacco (BAT), the world's second largest tobacco transnational, recruited and worked with a number of other large corporations, including chemical, oil and food companies with the clear intention of refashioning the EU regulatory



system in a way that would privilege their interests.

BAT helped enlist the companies involved, many of whose products are damaging to health and the environment, on the basis that the proposed changes could be used to influence legislation. BAT specifically believed the reforms it pushed for would prevent the implementation of key tobacco control policies.

A series of regulatory reforms, known as 'Better Regulation' subsequently emerged. In what it described as an 'important victory', BAT and its allies worked covertly to help ensure that early consultation with interested parties and an economic form of impact assessment, which BAT had been advised would increase business influence over policy, were both made obligatory components of Better Regulation by securing changes to the EU Treaty.

Although it is now widely recognised that Better Regulation is business-friendly and that the impact assessments produced by the Commission tend to undervalue health, Dr Gilmore and her team show for the first time the pivotal role that business interests played in shaping this agenda. The extent of business influence revealed in the research is consistent with a recent Eurobarometer survey highlighting that EU citizens identify the close links between business and politics as the most common cause of corruption in Europe.

Dr Katherine Smith said: "Whilst the principles of Better Regulation are intended to ensure EU policy works in the public interest, the agenda has been cleverly adapted by corporate interests to the extent that this may no longer be the case. Rather than actually reducing administrative burdens, many of the changes merely shifted these burdens from businesses onto civil servants, slowing down the process of producing EU regulations at taxpayers' expense."

Dr Anna Gilmore added: "Our research reveals how large corporations have secured fundamental changes to the EU policymaking system in order to prevent legislation that might damage their profits. They have done so by influencing the very framework through which all major policy options now have to be assessed. This raises serious concerns that the EU's ongoing ability to produce policies that adequately protect health and the environment could be compromised.

"While the Commission's interest in Better Regulation was well intended, our research suggests it now needs to revisit its policymaking framework, including its approach to impact

assessment, to ensure it acts in the public and not just corporate interest.”

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