

Civil society celebrates win in long-running Brazilian tobacco control case

Language English



After a five-year wait, Brazilian civil society is cheering a Supreme Court decision that a regulatory agency has the power to ban additives, including flavours, in cigarettes.

In 2012, Brazil was the world's first country to ban these substances, which include menthol and sweeteners, that are known to make cigarettes more attractive to potential users. The move followed more than two years of public debate and discussion, which included the tobacco industry, led by the Brazilian Health Regulatory Agency (ANVISA).

But the regulation didn't enter into force because the Supreme Court granted an injunction to the National Confederation of Industry, which challenged the measure as unconstitutional. The Supreme Court made its final ruling on 1 Feb. 2018.

In her decision, Justice Rosa Weber cited the need to protect the vulnerable, including children and adolescents, and ANVISA's mandate to protect the population from health risks. She also noted that Brazil is a party to the WHO Framework Convention on Tobacco Control (FCTC).

"It is a very important decision for public health because it recognises the role of ANVISA as responsible for the regulation of tobacco products, and ensures that drugs such as cigarettes are not disguised through aromas and flavours that attract children and young people," said Mônica Andreis, executive director of [ACT Health Promotion](#) [1].

In 2015, 256,126 Brazilians died of diseases related to tobacco, accounting for 12.6% of all deaths of people above 35, according to the National Cancer Institute. The economic cost to the country was roughly about US\$17.5 billion.

Tobacco use is a major risk factor for NCDs, which tripled in Brazil between 1930 and 2006.

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