

No smoke without fire? Tobacco lobby mystery shakes Brussels

October 22 2012, by Claire Rosemberg

A shady Maltese lobbyist, Sweden's substitute for snuff, robberies against anti-smoking groups: the resignation of the EU's top health official in a tobacco-linked "whodunnit" is shaking up Brussels.

The EU's executive pledged Monday that a fraud probe involving the outgoing health and consumer commissioner, John Dalli—who handed in his resignation last week—would not slow, or kill, key tobacco legislation drafted by his services in the interests of public health.

"The review of the Tobacco Products Directive is on the commission's agenda for this year," said European Commission spokesman Olivier Bailly. "As soon as we have a new commissioner he will be able to proceed."

Anti-tobacco groups see Dalli's almost unprecedented resignation from the commission as the latest hitch in months of efforts to review the European Union's decade-old legislation on tobacco.

"The long wait for Commission proposals on tobacco products is becoming a never-ending story," said Matthias Groote of the Smoke Free Partnership (SFP).

"This important legislation has been delayed time and time again."

The SFP is one of two anti-smoking groups whose Brussels offices were broken into by intruders last week. It said police were investigating the

incident.

"There was relevant and sensitive information stolen concerning the tobacco directive and industry," said Javier Delgado Riviera of the European Public Health Alliance (EPHA), the other target.

February proposals by ex-commissioner Dalli aimed to make cigarette packaging less attractive while tightening regulations on flavourings in cigarettes—said to appeal to teenage girls—as well as on smoke-free products, such as snuff and electronic cigarettes.

Dalli, who is from Malta, quit Tuesday after the EU fraud office OLAF said a Maltese entrepreneur used his contacts with the commissioner to seek a bribe from a Swedish firm in return for changes to the tobacco legislation, "in particular on the EU export ban on snus".

Snus, or Swedish snuff, is a moist powder tobacco originating from dry snuff. Though its sale is illegal across the EU, it is manufactured and used in Sweden, which has an exemption, and Norway, which is not an EU member.

The European Union executive has temporarily replaced Dalli, and on Monday the president of the 27-person commission, Jose Manuel Barroso, cleared Malta's proposal to replace him with Foreign Minister Tonio Borg, the first step in a possible nomination.

Meanwhile, Dalli claimed to have been framed by the tobacco industry and sacrificed by Barroso without being offered the benefit of the doubt.

"I did not offer my resignation but you demanded for it," he wrote in a letter released by the New Europe website.

"I did not get 24 hours to contact a lawyer or family but only 30

minutes," he said. "My right to presumption of innocence was breached."

The commission spokesman insisted however that Dalli was "presumed innocent until proved guilty" and said: "If there is a legal follow-up, that is up to the Maltese."

Swedish Match, the company that tipped off Brussels over allegations of corruption, said Friday it was offered the opportunity to pay 60 million euros (\$78 million) to thwart the new EU tobacco legislation.

"I can say that those are the amounts we are talking about, and I'd also like to stress that for us the amount of money does not matter," company spokesman Patrik Hildingsson told AFP last week.

He said the payment to a Maltese businessman with links to Dalli would have been made in two installments, with 10 million euros due before new legislation was enacted and the remaining 50 million euros to be paid when the new rules were in place.

Corruption watchdog Corporate Europe Observatory said the case should serve as a wake-up call to the commission to tighten up rules on lobbying.

"The European Commission is the focus of intense lobbying, and many business lobbyists benefit from easy access and close contact," it said. "This opens the door to the potential for corruption."

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