



The transparency of the European Commission's interactions with representatives of the tobacco industry

Case OI/6/2021/KR - **Opened on** 26/11/2021 - **Decision on** 19/12/2023 - **Institution concerned** European Commission (Maladministration found) |

This inquiry concerned the European Commission's compliance with the provisions on tobacco lobbying, as set out in the Framework Convention on Tobacco Control (FCTC) of the World Health Organization, notably concerning the transparency of its interactions with the tobacco industry. The Ombudsman's previous work had demonstrated how the Commission's Directorates-General for Health and Food Safety (DG SANTE) and Taxation (DG TAXUD) comply with the obligations in this area. This inquiry sought to assess how the Commission complies with its obligations across all departments.

In the course of the inquiry, the Ombudsman shared with the Commission her preliminary findings. In particular, that the Commission's failure to take a consistent approach across all its departments to complying with its obligations concerning the transparency of interactions with tobacco industry representatives constitutes maladministration. This included the failure to keep and make available minutes of meetings with tobacco interest representatives, as well as the failure to ensure a systemic assessment, across all directorates-general, as to whether potential meetings with tobacco industry representatives are needed.



In its reply, [the Commission restated \[Link\]](#) its standard approach to lobbying transparency and referred to the additional measures taken by DG SANTE and DG TAXUD, which existed prior to the Ombudsman's inquiry. The Ombudsman therefore upheld her finding that the failure by the Commission to ensure a comprehensive approach across all its departments to transparency of meetings with representatives of the tobacco industry [constitutes maladministration \[Link\]](#).

However, the Ombudsman welcomed the Commission's commitment to assess the risk of exposure of its departments to tobacco industry lobbying, and committed to return to the matter in the future.