Question for oral answer O-000055/2023
to the Commission
Rule 136
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Subject: The case of Dentsu Tracking and the Commission's lack of transparency with regard to the tobacco industry

In the framework of the Tobacco Products Directive, the Commission established a European system of tobacco traceability to fight against illicit trade in tobacco products.

In 2018, Dentsu Tracking, a provider of 'trace and track solutions', was appointed by Directorate B2 of the Commission's Directorate-General for Health and Food Safety (DG SANTE) to provide the secondary repository to the Commission following a rather opaque selection process in which no public tender was required[1]. In 2020, this same company hired a member of DG SANTE who had worked on tobacco traceability as the director of its regulatory affairs and compliance division[2].

The company, whose links with the tobacco industry are well documented, has dubious connections to Blue Infinity and Codentify[3], a track and trace system initially developed by Philip Morris International. This raises questions as to Dentsu Tracking's independence from the tobacco industry, as defined in the WHO Framework Convention on Tobacco Control (FCTC)[4], which was ratified by the EU and protects public health policies from commercial interference[5].

The lack of transparency of the Commission's interactions with tobacco interest representatives has already been described as 'maladministration' by the European Ombudsman in her preliminary findings of 14 April 2023[6].

In mid-September, a spokesperson for the Ombudsman stated[7] that 'we continue to find it hard to understand why the Commission is not ready to embrace transparency in this area'.

In light of the above:

1. Did the Commission upgrade its requirements to ensure that the data storage providers selected are not partners of the tobacco industry and have no links with it, as required by the FCTC?

2. What criteria did the Commission use to determine whether Dentsu Tracking was sufficiently independent from the tobacco industry?

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[1] https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32018R0574.
[2] https://www.eureporter.co/health/tobacco-2/2023/04/19/political-and-civil-society-leaders-joining-forces-to-counter-big-tobacco-lobbying-2/.
[3] https://tobaccocontrol.bmj.com/content/tobaccocontrol/29/e1/e56.full.pdf.
[4] https://fctc.who.int/protocol/overview.
[5] https://treaties.un.org/pages/ViewDetails.aspx?src=IND&mtdsg_no=IX-4-a&chapter=9&clang=_en.
[6] https://www.ombudsman.europa.eu/en/doc/preliminary-finding/en/168640.
[7] https://www.politico.eu/newsletter/politico-eu-influence/dalligate-reignites-tobacco-access-debate-2/.

3. How is the Commission responding to and following up on concerns voiced by stakeholders and the media regarding cases of revolving doors at DG SANTE?

4. What mechanisms will be implemented to deal with potential conflicts of interest when appointing new DG SANTE Directorate B2 staff and when they are hired by the private sector?

Submitted: 29.11.2023

Lapses: 1.3.2024