

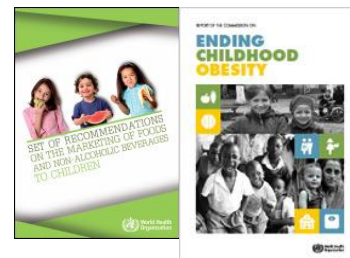
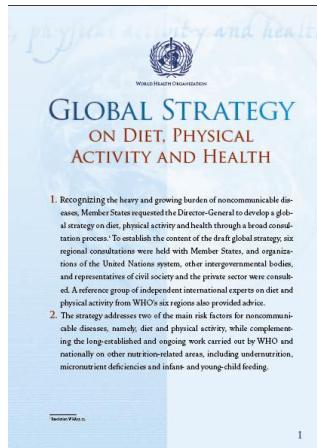
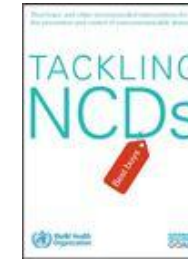
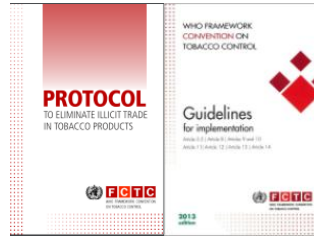
# Similar Regulatory Interventions for Tobacco, Alcohol, and Diet: Challenges and Opportunities

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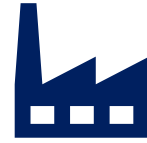


Why use law?



Industrial epidemics

Would you pay a voluntary tax?



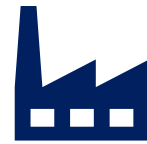
Harm to third parties

Would you inform consumers about the risk of cancer associated with your product if competitor companies did not?

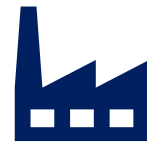
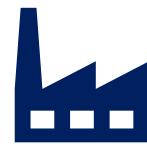


Conflicts between public and private interests (public health versus profit incentive)

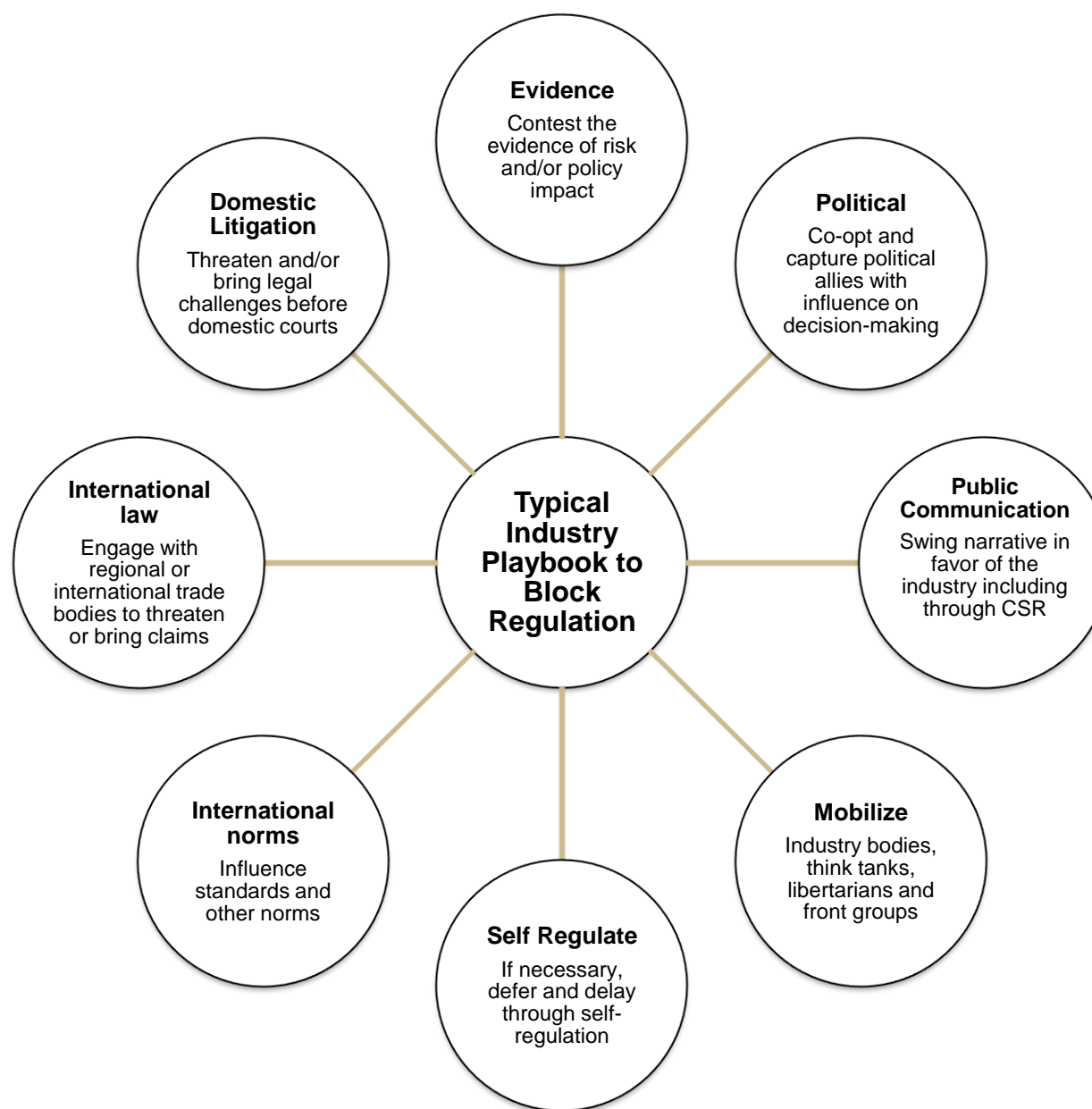
Would you limit your own advertising or promotion in a competitive market?



Effectiveness of mandatory versus voluntary



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But how do we know 'best' or even good practices when we see laws, such as those with a regulatory function on tobacco, healthy diets or alcohol?



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There are limits on generalizability, but to achieve a high level of health protection ask:

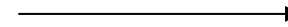
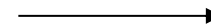
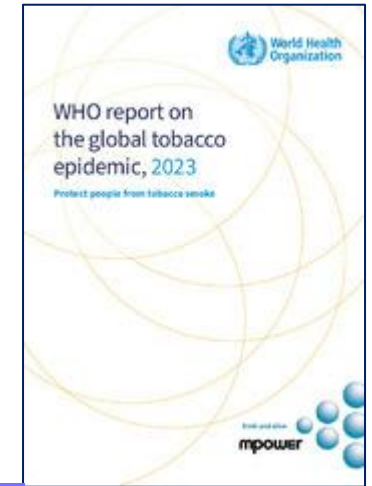
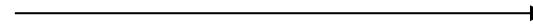
What is the level of achievement against generalizable established criteria?

In the absence of generalizable established criteria, on what evidence is the intervention based?

Are all recommended interventions in place?

Are all the key elements of recommended interventions in place?

Is there an appropriate institutional design, with sufficient monitoring and enforcement powers in place?

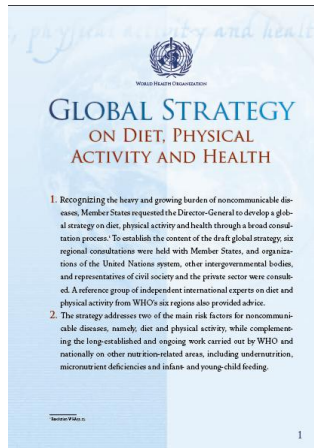




Typically, a national tobacco control law

Oversight by regulatory agency (e.g. ANVISA) in some countries

And what does domestic implementation ordinarily involve?



A patchwork with dietary recommendations, nutrient profiling, national food laws, national standards, consumer protection and other laws

Typically, a national law with a patchwork of national standards and sub-national (local) laws



And how do you strengthen your legal position in case of industry opposition?



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**Consider legal issues** throughout the policy process, beginning with legal entry points / mapping

Define robust **regulatory objectives** that include proximal and distal indicators of impact

Implement measures as part of a **comprehensive package** of coherent measures, to maximize the impact

Adopt a **whole-of government** approach, to ensure alignment with other agencies and enforcement authorities

**Ensure flexibility** in the law to permit amendment if necessary, by enabling executive branch action

Gather the best available **evidence** of risk and policy effects

Respect **due process** rights and procedural requirements in the policy development process

Create a **document** development, retention and management policy

**Provide sufficient notice**, and practical solutions, to allow compliance

**Apply laws consistently** using evidence- and risk-based approaches to justify regulatory distinctions between products



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