
Who Gets to Speak with Brussels?

**A Report on Knowledge, Stakeholders,
and Decision-Making in the European Union**

SETH ENGELLAU



ephi 

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Foreword

Limited access to decision-makers affects the quality of EU policy

It is often said that special interests pose a threat in Brussels. Far less often do we discuss the opposite problem: what happens when policymakers isolate themselves from reality.

In recent years, an increasingly restrictive approach has emerged within the EU. In an effort to protect policymaking from undue influence, contact between decision-makers and entire sectors has in practice been cut off or severely limited. This applies in particular to areas such as tobacco, food, and alcohol. The intention is good, but as this report demonstrates, there is a risk that we, in our eagerness to protect the decision-making process, may in fact be weakening it.

This report examines what happens to the quality of political decisions when certain actors are no longer allowed to be heard.

Politics conducted without meaningful input from those who are actually affected risks becoming politics at a distance, shaped by theories, campaigns, and internal processes rather than by real knowledge. When decision-makers no longer engage with businesses, producers, and other affected stakeholders, a crucial part of the evidence base needed for balanced and well-informed decisions also disappears.

”

Europe today faces major challenges: weak growth, intense global competition, and growing distrust in institutions. We cannot at the same time risk undermining the quality of our decision-making processes.

In complex societies, knowledge is rarely centralised. When EU-level policymakers restrict their channels of communication, they therefore risk making decisions based on poorer information rather than better information.

Instead of an open and transparent dialogue, decision-making becomes more closed, systematically excluding certain perspectives. In such a system, the risk of biased decisions increases when the remaining voices gain disproportionate influence while others disappear from the conversation altogether. The report shows how a lack of dialogue has contributed to proposals that have faced strong criticism, encountered implementation problems, or in some cases been withdrawn altogether.

At its core, this is about something larger than individual industries. It concerns our understanding of the role of politics in a complex society. Should decisions be made in dialogue with those affected, or over their heads?

Europe today faces major challenges: weak growth, intense global competition, and growing distrust in institutions. We cannot at the same time risk undermining the quality of our decision-making processes. Protecting politics from undue influence is important. But protecting it from reality is even more dangerous.

For EPHI, this is a central issue. We advocate for policies grounded in knowledge, transparency, and long-term thinking, particularly in areas such as public health and lifestyle, where trade-offs between health, freedom, and economic realities are unavoidable.

A Europe that seeks to strengthen its competitiveness, its climate for innovation, and its democratic legitimacy cannot afford poorer foundations for decision-making.



A handwritten signature in black ink that reads "Marie Söderqvist".

Marie Söderqvist

CEO, EPHI

Stockholm, 2026

Abstract

This report analyses how stakeholders' access to decision-makers within the European Union (EU) affects the quality of political decision-making processes. In particular, it examines how stricter guidelines from the World Health Organization (WHO) may reduce points of contact between EU institutions and actors within the tobacco, food, and alcohol sectors. Drawing on a Hayekian perspective, the report argues that severely restricting access between decision-makers and affected stakeholders risks undermining the quality of decision-making, even when the intention is to protect the public interest and counter undue influence. Three case studies illustrate how reduced dialogue contributed to insufficient evidence bases, suboptimal policy outcomes, and implementation issues associated with regulatory frameworks. The report concludes that transparent and regulated channels of communication between EU decision-makers and stakeholders constitute a central prerequisite for better, more balanced, and more sustainable policy decisions.

Who Gets Access to the Decision-Makers?

How can we understand the consequences of who is, and who is not, granted access to decision-makers in Europe? This report analyzes how a stricter implementation of WHO guidelines toward the EU, concerning stakeholder access to politicians at the EU level (the European Parliament, the European Commission, and the Council of the European Union), may limit interaction between European decision-makers and stakeholders within sectors such as tobacco, food, and alcohol^{1,2}. WHO advocates a stricter interpretation of Article 5.3 (see footnote 1) and a more restrictive approach to contact between political and administrative decision-makers and actors from these industries. At the same time, it is not always clear what a stricter interpretation means in practice. This uncertainty of interpretation may create a precautionary logic in which officials and decision-makers limit contact even when dialogue would, in substance, be compatible with Article 5.3. For example, representatives from affected sectors may not be invited to public hearings, or contact may be avoided altogether to reduce administrative requirements and reporting burdens.

The report's main argument is that severely limiting interaction between decision-makers and stakeholders risks reducing the quality of decision-making processes within the sectors concerned. The purpose is not to advocate for a particular policy, regulatory framework, or specific policy outcomes within the sectors concerned, but rather to highlight how limited stakeholder access may affect the relationship between decision-making, knowledge, and information. It should also be emphasised that the sectors in question – tobacco, food, and alcohol – are legal industries. The analysis does not concern criminal activities but industries that operate within the rule of law and affect large parts of Europe's economy and population.

Before analysing the potential problems associated with limited access between politicians, bureaucrats, and stakeholders, it is appropriate to first present the strongest and most charitable arguments in support of the WHO guidelines.

¹ European Ombudsman (2015). "European Ombudsman's implementation of Article 5(3) of the WHO Framework Convention on Tobacco Control and the Guidelines adopted by the Parties to the Convention for the implementation of Article 5.3." Article 5.3 of the WHO FCTC states that "in setting and implementing their public health policies with respect to tobacco control, Parties shall act to protect these policies from commercial and other vested interests of the tobacco industry in accordance with national law."

² World Health Organization (2024). Regional Office for Europe. Commercial determinants of noncommunicable diseases in the WHO European Region. Copenhagen: WHO Regional Office for Europe.

These recommendations can be understood as an attempt to reduce undue or corrupt influence from commercial interests over political decision-makers – influence that may ultimately lead to decisions that do not serve society’s broader interests. Alternatively, the guidelines may be interpreted as an ambition to improve the trade-offs politicians inevitably must make, for example between public health, consumer freedom, and the ability to make informed decisions.

The guidelines aim at a desirable outcome: that politicians make balanced decisions in the public interest rather than in the interest of narrow special interests. At the same time, however, the decision-making process itself risks becoming distorted, which may have consequences for both the quality and legitimacy of the resulting decisions. A good policy outcome is not necessarily the result of a well-designed decision-making process. Advocates of limiting – or even eliminating – contact between EU decision-makers and stakeholders in sectors such as tobacco, alcohol, and food may therefore conflate the objective – promoting public health, well-being, and prosperity – with the process by which such decisions are reached.

Knowledge, Information and Decision-Making

“The most important decision is who makes the decision.”

– THOMAS SOWELL

We live in a world where information, knowledge, and experience are dispersed among different individuals, institutions, and sources such as books, the internet, and personal experience. Given this, how, under what conditions, and by whom should decisions be made? These principled questions were discussed by Friedrich Hayek in his classic 1945 essay “The use of knowledge in society”³. Hayek argued against central planning of economies and societies at a time when socialism and communism were advancing across much of the world. According to Hayek, the fundamental problem with centralised decision-making and planning did not necessarily lie in the intentions or objectives of decision-makers – although these too could be problematic – but rather in the nature of knowledge itself. The knowledge, information, and experience required to make balanced decisions are generally

³ F. A. Hayek (1945). The Use of Knowledge in Society. The American Economic Review, 35(4), s.519–530.

dispersed among a large number of actors and therefore cannot easily be gathered or centralised within one or a small number of decision-makers.

It is relatively easy to concentrate decision-making power, but considerably more difficult – if not impossible – to concentrate the knowledge relevant to the decision. When knowledge is dispersed and the world is changing and often unpredictable, the question of who makes decisions and who is granted access to decision-makers becomes crucial in determining whether policy outcomes are good or bad. From this Hayekian perspective, the design of the decision-making process becomes central to policy outcomes, a view that is especially relevant regarding stakeholders' access to EU decision-makers.

What Is a Stakeholder?

A stakeholder can be defined as a person or group that is involved in or affected by a decision or an action⁴. In addition to having their own interests, stakeholders often possess specific knowledge, perspectives, and experience relevant to the policy area in question. A stakeholder's legitimacy therefore does not necessarily rest on economic resources, membership size, or organisational structure, but rather on their ability to articulate a perspective and interest that is lawful, informed, and socially relevant.

From a Hayekian perspective, a stakeholder may be understood as an actor possessing specific and dispersed knowledge. Certain aspects of an issue are known only to actors with direct insight into a particular industry or activity, meaning that systematically excluding such perspectives from decision-making risks undermining balanced policymaking. Because different stakeholders often highlight distinct – and sometimes conflicting – aspects and interests, decision-making generally requires trade-offs between multiple perspectives, interests, and objectives. In every individual case, it is legitimate to ask whether a stakeholder, or a group of stakeholders, should succeed in influencing policy according to their preferences. This, however, is fundamentally different from the principle that stakeholders should, at a minimum, have the opportunity to access decision-makers and make their perspectives heard.

⁴ Merriam-Webster (2025). Stakeholder.

Decisions – But on What Grounds?

EU decision-makers – both elected politicians and civil servants – generally do not possess deep expertise in the highly complex policy areas for which they are responsible. This means that expert consultations and stakeholder engagement become important parts of their work. When access to stakeholders is restricted, the burden on decision-makers to independently understand and internalise sector-specific knowledge and competing perspectives increases significantly, which is difficult to achieve in practice. Decisions still need to be made, but now with limited or no direct input from actors possessing relevant and unique information, experience, and practical knowledge within the area concerned. One possible consequence is that the evidence base for decisions risks becoming fragmented and increasingly dependent on indirect, selective, or arbitrary information sources.

A noteworthy example of this, albeit a non-European one, occurred when U.S. Supreme Court Justice Antonin Scalia referred to the popular early-2000s television series *24*, starring Kiefer Sutherland, in a discussion about whether torture could be a necessary tool for gathering information⁵. Decision-making in the absence of robust, reality-based knowledge, information, and experience risks being shaped by popular culture, personal impressions, or media narratives rather than by expert knowledge or the perspectives of affected actors and stakeholders.

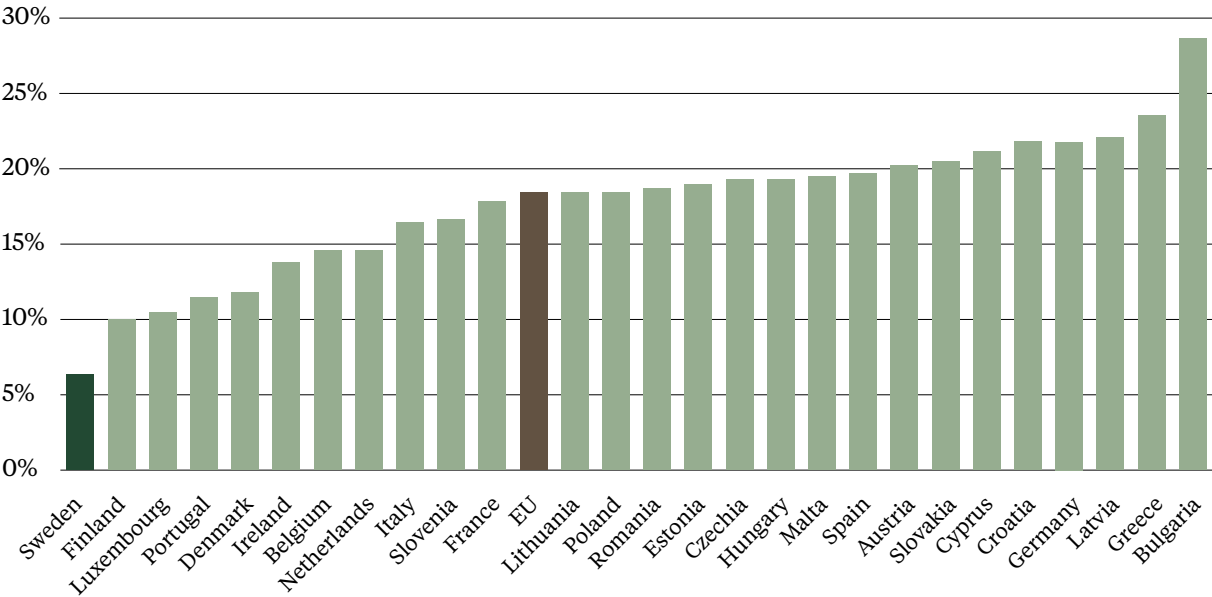
Another consequence of limited access to decision-makers is that activists within the bureaucracy or among politicians' closest advisers may gain disproportionate influence over how problems are framed and how agendas are shaped. Rather than engaging in open knowledge acquisition and balancing competing perspectives, decision-makers risk early exposure to selective information and value judgments that lead to a predetermined outcome. Limiting access between EU decision-makers and stakeholders does not eliminate the ability to make decisions; it merely risks making its informational foundation more arbitrary and less robust. This may in turn undermine both the quality and the perceived legitimacy of political decision-making, especially in an era characterised by widespread scepticism toward EU-level governance.

⁵ Andrew Sullivan (2007). *Scalia and Torture*. *The Atlantic*. June 19.

Figure 1: Daily Smokers in the EU (2019)

Share of daily smokers in the population (aged 15 and over)

Source: Eurostat



Three Case Studies

Three sectors that have been particularly affected by these WHO guidelines, and therefore serve as compelling case studies regarding the consequences of restricted interaction between decision-makers and stakeholders, are tobacco, food, and alcohol.

Tobacco

Despite decades of public health campaigns, excise taxes, and extensive regulation, tobacco use in Europe remains high. In 2022, 26.5 per cent of the EU’s adult population used tobacco, which is higher than the global average of 20.9 per cent⁶. The tobacco sector constitutes a significant part of the EU economy in terms of tax revenues, trade, and employment. According to the European Commission, excise tax revenues from tobacco amounted to approximately €82.3 billion in 2017⁷, and the sector accounted for more than 1.5 million jobs⁸.

⁶ World Health Organization (2025). 20 years of tobacco control in the EU: are we moving towards a tobacco-free future?

⁷ European Commission (2020a). “Overall, the total excise duty revenue from tobacco in 2016 was €82.3 billion.”

⁸ Tobacco Europe (2021). “ultimately supported over 1.5 million jobs” in the EU-27.

Contact between EU institutions and tobacco-related stakeholders have, however, become increasingly limited, even prior to the WHO's most recent guidelines. This development accelerated following the so-called "Dalligate" scandal in 2012–2013⁹, when an individual connected to then-EU Health Commissioner John Dalli allegedly requested €60 million from Swedish Match in exchange for working to overturn the EU ban on snus. Swedish Match reported the matter to the European Commission, after which Dalli resigned in the course of the subsequent investigation. A central element of the scandal was that Dalli had not formally reported the individual involved or the alleged arrangement to the Commission¹⁰. In the aftermath of the scandal, the Directorate-General for Health adopted a stricter interpretation of Article 5.3 of the WHO Framework Convention on Tobacco Control, whose purpose is to limit the influence of the tobacco industry's commercial interests over public health policy. This has reduced contact between Commission officials and politicians on the one hand, and producers of tobacco and nicotine products on the other¹¹. It should be noted that tobacco products are not a homogenous category. Different product designs, including snus, which is particularly relevant in the Swedish context, are associated with different public health outcomes¹². This distinction between different tobacco products – which are harmful to health yet remain legal – and their varying impact on public health risks being lost if access between tobacco-related stakeholders and EU-level decision-makers is further restricted.

Food

The food industry is the EU's largest economic sector in terms of turnover, generating €1.2 trillion and employing 4.7 million people¹³. Regulations and policy decisions concerning the food sector therefore affect not only public health and consumer protection, but also a substantial share of the European economy. At the same time, the importance of secure and reliable food production has become increasingly evident since Russia's full-scale invasion of Ukraine in 2022, giving the food sector a particularly important security and preparedness dimension for European policy-makers.

⁹ Teresa K uchler (2015). Snusskandalen "Dalligate" forts tter. Svenska Dagbladet. May 12.

¹⁰ Tobacco Tactics (2020). TPD: Dalligate.

¹¹ Benjamin Hawkins & Chris Holden (2018). European Union implementation of Article 5.3 of the WHO FCTC, Globalization and Health.

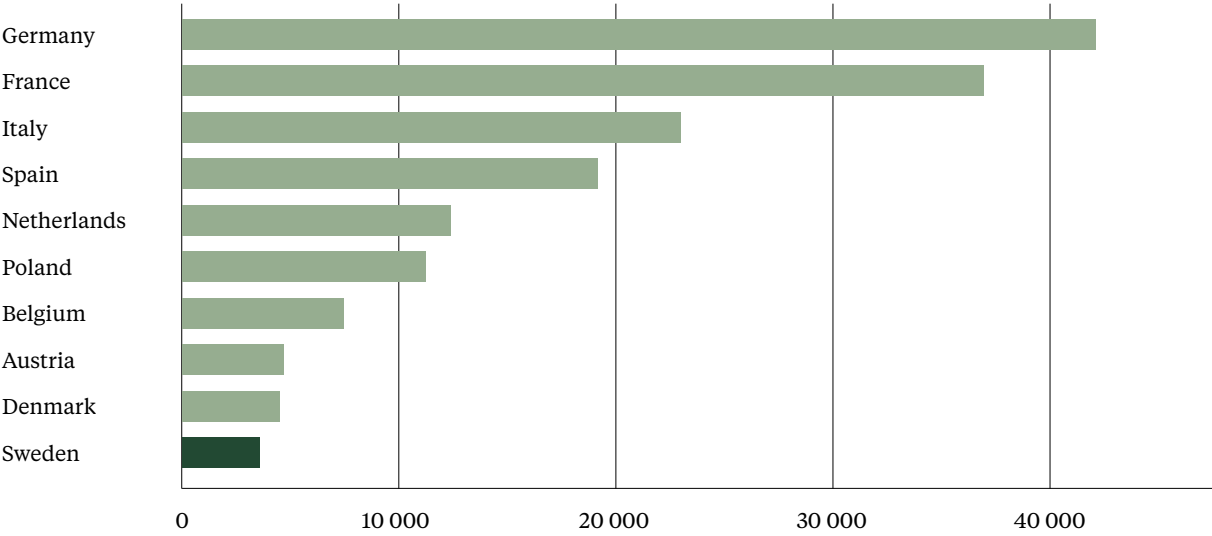
¹² Karolinska Institutet (2021). H lsoeffekter av nya nikotin- och tobaksprodukter.

¹³ FoodDrinkEurope (2024). Data and Trends of the European Food and Drink Industry.

Figure 2: Food Industry in the EU

Top 10 Member States by Value Added (millions of euro, 2020)

Source: Eurostat



The food industry is highly heterogeneous, encompassing farmers, retailers, consumer organisations, nutrition experts, and public health specialists, to name only a few examples. Decision-making regarding food policy therefore requires carefully balanced trade-offs between different objectives, such as public health, consumer information, innovation, and food traditions.

An example of the consequences of reduced access between EU-level decision-makers and food-sector stakeholders is the development of Nutri-Score within the framework of the EU’s Farm to Fork Strategy¹⁴. Nutri-Score was intended to function as a harmonised front-of-pack nutrition labelling system within the European single market, with the aim of helping consumers make healthier food choices. Although the objective itself is understandable from a public health perspective, the decision-making process behind the design of Nutri-Score has attracted extensive criticism. Several member states, agricultural producers, food companies, and nutrition experts argued that consultations had been insufficient and that relevant perspectives had not been adequately included¹⁵.

The objections concerned, among other things, the methodological assumptions underlying the classification of foods, the risk of distortions across product categories, and the extent to which national dietary patterns and food traditions had been consi-

¹⁴ European Commission (2020b). Report on Front-of-Pack Nutrition Labelling.

¹⁵ EU Reporter (2024). EU nutrition label debacle reflects need for new agri-food direction in Brussels.

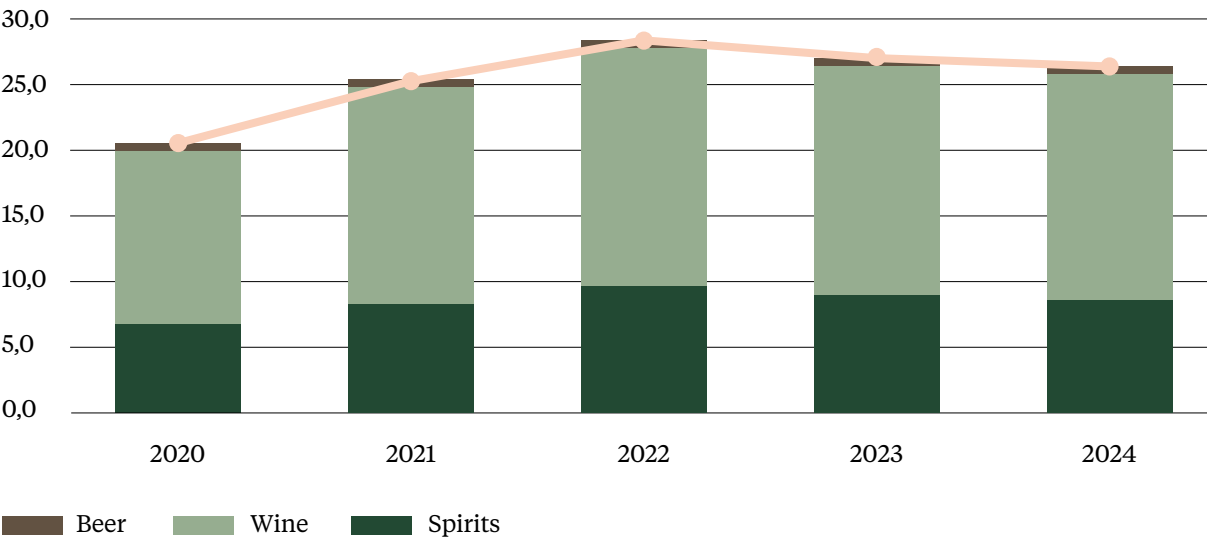
dered. One example was that products based on olive oil, common in Southern European diets, received low Nutri-Score ratings, despite the Mediterranean diet frequently being highlighted as a public health ideal¹⁶. Limited access for relevant and affected stakeholders during the Nutri-Score process resulted in a flawed decision-making process. This became particularly evident when the European Commission later paused the implementation of Nutri-Score, which in turn triggered criticism from public health-oriented stakeholders, who argued that there had been insufficient understanding of – and limited access to – the decision-making process behind the pause itself¹⁷.

Alcohol

In many European countries, alcohol constitutes an integral part of citizens’ daily lives, making the sector a particularly interesting case study. Alcohol represents a major part of the EU economy, both as an export sector and as an employer. In 2024, the EU exported alcoholic beverages worth approximately €29.8 billion¹⁸. The wine sector

¹⁶ forskning.se (2024). Medelhavsdiet stärker hälsan på sikt.
¹⁷ Foodwatch (2025). Why Did Nutri-Score Vanish from the Agenda?
¹⁸ Eurostat (2025). EU exported €29.8 billion worth of alcoholic beverages.

Figure 3: EU exports of alcoholic beverages
 Export value (billion euros, current prices), product mix (bars) and total export (line)
 Source: Eurostat

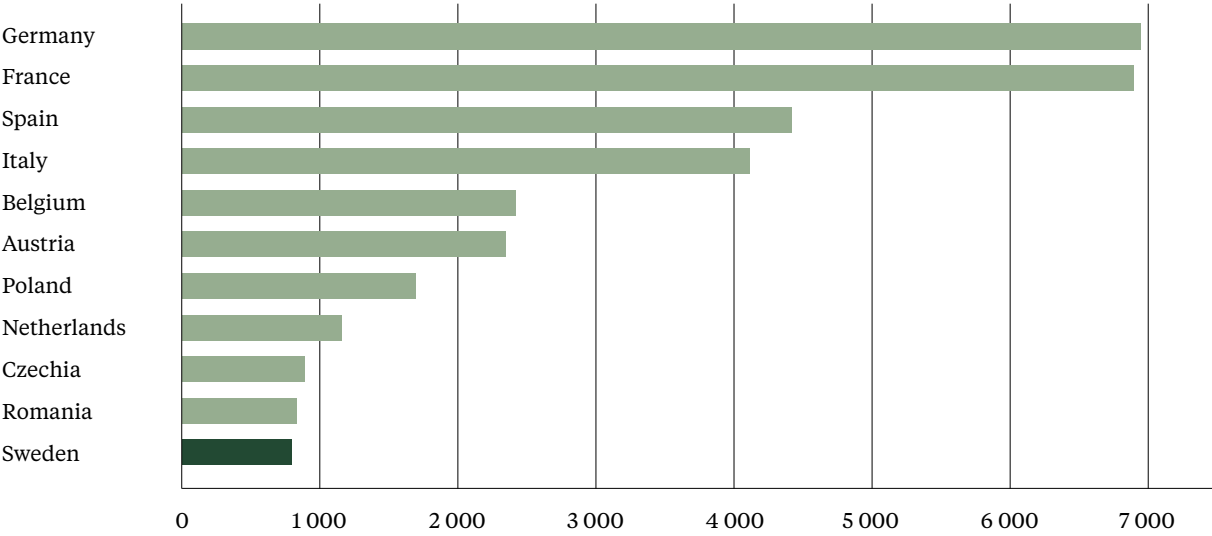


Original data converted to billion euros. Other beverages (e.g. cider etc.) are negligible and excluded for clarity.

Figure 4: Beverage Industry in the EU

Top 10 Member States plus Sweden, Value Added (millions of euro, 2020)

Source: Eurostat



contributed approximately €130 billion to EU GDP in 2022, corresponding to around 0.8 per cent of the total European economy, and generated approximately 2.9 million jobs within the EU¹⁹. The beer sector accounted for more than 2 million jobs across the Union and generated more than €40 billion in public tax revenues²⁰. Spirits and liqueurs constituted the second-largest category in terms of alcohol export revenues and accounted for 29.7 per cent of the total (€8.9 billion)²¹. Decisions concerning alcohol therefore have major economic, labour market, and social consequences.

An example of the consequences of restricted interaction between decision-makers and stakeholders concerning alcohol is Ireland’s introduction of mandatory health warnings on alcohol packaging²². The proposal was introduced within the framework of the EU’s technical regulatory system and aimed to strengthen consumer information and public health²³. Ireland’s decision to introduce health warnings on alcohol products, similar to those found on cigarette packaging, and the process

¹⁹ EU Wine Market Observatory (2024). Prospects of the EU wine sector.

²⁰ Brewers of Europe (2024). Beer Serves Europe – Let’s treat it right.

²¹ See reference 18.

²² Ireland Department of Health (2023). Ministers for Health bring into law the world’s first comprehensive health labelling of alcohol products.

²³ European Commission (2015). Directive (EU) 2015/1535 laying down a procedure for the provision of information in the field of technical regulations.

leading up to it generated strong reactions from stakeholders within the alcohol sector as well as from other EU member states²⁴. Criticism focused partly on limited access to decision-makers, but also on whether the information displayed on packaging should aim primarily to inform consumers about the health consequences of alcohol consumption or to discourage consumption through graphic imagery. The implementation of the health warnings has recently been paused and now appears likely to be abandoned altogether, further intensifying the discussion regarding how decision-making processes concerning alcohol warnings should be structured. The introduction of health warnings on alcohol is increasingly being discussed in several countries and may also become relevant at the EU level in the future. The Irish experience – where limited access for affected alcohol-sector stakeholders contributed to the later withdrawal of the proposal – may therefore serve as an important lesson for future EU decisions concerning the alcohol sector.

A Hayekian Conclusion

The three case studies from the tobacco, food, and alcohol sectors point to the same conclusion: when decisions are made without allowing relevant and affected actors to contribute their sector-specific knowledge, experience, and information to decision-makers, there is an increased risk of deficient – and in some cases outright failed – policy outcomes. Given the importance of these sectors to Europe’s economy and to the everyday lives of Europeans, limited interaction between EU decision-makers and stakeholders appears risky. In other contexts, a similar dynamic would likely be considered remarkable. If municipal decision-makers systematically avoided dialogue with the largest employers in their municipality – businesses contributing to the tax base and providing essential goods and services – this would likely attract criticism. A similar logic applies at the EU level in relation to sectors such as tobacco, food, and alcohol.

From a Hayekian perspective, this problem can be understood as a conflation between the objective of a decision and the process through which the decision is made. Restricting access for companies, interest organisations, and other actors to achieve balanced decisions in the public interest is not the same thing as ensuring a decision-making process that actually leads to such outcomes. A functioning decision-making process requires that different actors be given the opportunity to make their voices heard and have their perspectives understood, so that relevant trade-offs

²⁴ Vinetur (2025). Ireland delays alcohol health warnings to 2028, shifts to EU-wide labeling approach.

between competing interests, principles, and objectives can be made. In policy areas characterised by complex and detailed regulations, the need for dialogue tends to increase rather than decrease. If communication between stakeholders, bureaucrats, and decision-makers concerning tobacco, food, and alcohol is restricted, the consequences of new regulations risk being misunderstood, which in turn may lead to deficient or unintended implementation. This is especially relevant in the current European political context, where the need for increased European competitiveness has been highlighted as a central priority – not least in the widely discussed Draghi Report²⁵. In such a context, it is far from obvious that further restricting opportunities for dialogue and interaction with actors from three major European industries would be advisable.

If EU politicians' and civil servants' access to stakeholders becomes even more restricted as a result of stricter WHO guidelines, there is therefore a risk of the worst possible outcome: EU-level decision-making processes characterised by insufficient information, limited opportunities for knowledge acquisition, and weaker mechanisms for processing whatever information nevertheless reaches decision-makers. In such a system, not only does the quality of decision-making processes risk deteriorating, but so do the decisions themselves. At the same time, the feedback loop between European decision-makers and the societies and economies affected by their decisions risks being weakened, thereby limiting opportunities for policy adaptation, correction, and gradual improvement over time.

Political decision-making in complex societies is characterised by constant tension between different principles, values, and objectives. It is rarely desirable – or even possible – to allow a single stakeholder to dominate the design of a decision at the expense of others. Sustainable solutions are generally found through trade-offs that balance competing objectives, for example between public health, freedom of choice, and the ability to make informed decisions regarding tobacco, alcohol, and food. Decisions that do not fully satisfy any single actor may therefore be the most robust and desirable, because they require the balancing of competing and leaves room for future adjustments as new knowledge, technological development, and changes in values emerge.

The principled Hayekian conclusion is therefore that access between EU decision-makers and stakeholders from sectors such as tobacco, food, and alcohol constitutes a crucial component in ensuring that the decision-making process can lead to better policy outcomes. Maintaining transparent and regulated channels of communication

²⁵ European Commission (2025b). The Draghi report on EU competitiveness.

between decision-makers and stakeholders is therefore not a threat to balanced and socially beneficial decisions within the EU, but rather a fundamental prerequisite for effective decision-making in a complex and changing world.

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Diagrams and Figures

The following Eurostat data have been used in this report:

- *Daily smokers of cigarettes by sex, age and educational attainment level* (hlth_ehis_sk3e).
- *Annual detailed enterprise statistics for industry (NACE Rev. 2, B–E)* (sbs_na_ind_r2);
- *EU trade since 1988 by HS2-4-6 and CN8 (Comext)* (ds-045409);

AI Statement

The author of this report used AI tools to assist in the research and writing process. The English version of this report was translated from Swedish with the assistance of AI.



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