

Recent news and research

16.4 Legal cases initiated by the tobacco industry

Last updated June 2018

News reports:

Bond, Catherine. Tobacco Plain Packaging in Australia: JT International v Commonwealth and Beyond. QUT Law Review, Apr 2018. Available from: <https://lr.law.qut.edu.au/article/view/702>

Crosbie, Eric, Eckford, Robert and Bialous, Stella. Containing diffusion: the tobacco industry's multipronged trade strategy to block tobacco standardised packaging. Tobacco Control, Apr 2018. Available from: <http://tobaccocontrol.bmj.com/content/tobaccocontrol/early/2018/04/21/tobaccocontrol-2017-054227.full.pdf>

Dell, Eoin. Property and Proportionality: Evaluating Ireland's Tobacco Packaging Legislation. QUT Law Review, Apr 2018. Available from: <https://lr.law.qut.edu.au/article/view/714>

Freeman, Becky. Making the Case for Canada to Join the Tobacco Plain Packaging Revolution. QUT Law Review, Apr 2018. Available from: <https://lr.law.qut.edu.au/article/view/703>

Griffiths, Jonathan. The Tobacco Industry's Challenge to the United Kingdom's Standardised Packaging Legislation – Global Lessons for Tobacco Control Policy? QUT Law Review, Apr 2018. Available from: <https://lr.law.qut.edu.au/article/view/717>

Johnson, Hope. Investor-State Dispute Settlement and Tobacco Control: Implications for Non-Communicable Diseases Prevention and Consumption-Control Measures. QUT Law Review, Apr 2018. Available from: <https://lr.law.qut.edu.au/article/view/709>

Kelsey, Jane. Regulatory Chill: Learnings From New Zealand's Plain Packaging Tobacco Law. QUT Law Review, Apr 2018. Available from: <https://lr.law.qut.edu.au/article/view/701>

Rimmer, Matthew. The Global Tobacco Epidemic, the Plain Packaging of Tobacco Products, and the World Trade Organization. QUT Law Review, Apr 2018. Available from: <https://lr.law.qut.edu.au/article/view/695>

Roxon, The Honourable Nicola. Plain Packaging Special Issue – Editorial. QUT Law Review, Apr 2018. Available from: <http://lr.law.qut.edu.au/article/view/697>

No authors listed. B.C. government argues against giving health information to tobacco industry. NewCaf, 2016. Oct 14, 2016. Available from: http://www.newscaf.com/top-stories/bc-government-argues-against-giving-health-information-to-tobacco_601026.html

Puig, Sergio. Tobacco litigation in International Courts. Social Science Research Network (SSRN), 2016. Aug 24, 2016. Available from: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2829196

Van Acker, Joe. Tobacco cos. seek quick win in FDA labeling suit. Law360, 2015. Available from: <https://www.law360.com/articles/722235/tobacco-cos-seek-quick-win-in-fda-labeling-suit>

Dye, Jessica. U.S. tobacco companies revive challenge to FDA over labelling. Reuters, 2015. Sep 30, 2015. Available from: <http://www.reuters.com/article/2015/09/30/us-usa-tobacco-lawsuit-idUSKCN0RU2RK20150930>

Moore, Tom. Debevoise and Reed Smith face off as British American Tobacco launches €578m claim against PwC. Legal Business, 2015. Oct 2, 2015. Available from: <http://www.legalbusiness.co.uk/index.php/lb-blog-view/4779-debevoise-and-reed-smith-face-off-as-bat-launches-578m-claim-against-pwc>

No authors listed. Tobacco companies revive suit against FDA. Dow Jones Business News, 2015. Sept 30, 2015. Available from: <http://www.nasdaq.com/article/tobacco-companies-revive-suit-against-fda-20150930-01101>

Szakacs, Gergely. Three tobacco firms threaten legal action over Hungary sales reforms. Reuters, 2015. June 18, 2015. Available from: <http://www.reuters.com/article/2015/06/18/hungary-tobacco-idUSL5N0Z43GD20150618>

Neville, Simon. British American Tobacco drops and sues PwC over pollution scandal. The Independent, 2015. Mar 3, 2015. Available from: <http://www.independent.co.uk/news/business/news/british-american-tobacco-drops-and-sues-pwc-over-pollution-scandal-10081476.html>

Mickle, Tripp. Tobacco companies drop suit against FDA over labelling. The Wall Street Journal, 2015. June 2, 2015. Available from: <http://www.wsj.com/articles/tobacco-companies-drop-suit-against-fda-over-labeling-1433264233>

Garcia-Navarro, Lourdes. Once Philip Morris workers, now they clamp down on Uruguay's smokers. NPR, 2015. May 8, 2015. Available from: <http://www.npr.org/sections/parallels/2015/05/08/404557478/once-philip-morris-workers-now-they-clamp-down-on-uruguays-smokers>

Dye, Jessica. Phillip Morris among tobacco companies suing FDA over label approvals. Medical Daily, 2015. Apr 14, 2015. Available from: <http://www.medicaldaily.com/phillip-morris-among-tobacco-companies-suing-fda-over-label-approvals-329254>

Maina, Carole. Kenya: BAT challenges new cigarette regulations on packaging from Ministry of Health. All Africa, 2015. Apr 16, 2015. Available from: <http://allafrica.com/stories/201504160232.html>

Duffy, Sheila. Beware trade treaty hitting public health. The Scotsman, 2014. Dec 10, 2014. Available from: <http://www.scotsman.com/news/beware-trade-treaty-hitting-public-health-1-3631246>

Miles, Tom. Top WTO judge says trade dispute system is clogged up. Reuters, 2017. Jun 9, 2017. Available from: <http://www.reuters.com/article/us-wto-disputes-idUSKBN18Z2K1>

Research:

Crosbie, Eric, Eckford, Robert and Bialous, Stella. Containing diffusion: the tobacco industry's multipronged trade strategy to block tobacco standardised packaging. *Tobacco Control*, Apr 2018. Available from:

<http://tobaccocontrol.bmj.com/content/tobaccocontrol/early/2018/04/21/tobaccocontrol-2017-054227.full.pdf>

Crosbie, E, Thomson, G. Regulatory chills: tobacco industry legal threats and the politics of tobacco standardised packaging in New Zealand. *N Z Med J*. 2018 Apr 13;131(1473):25-41. Available from:

<https://www.ncbi.nlm.nih.gov/pubmed/29649194>

Crosbie, E, Sosa, P, Glantz, SA. Defending strong tobacco packaging and labelling regulations in Uruguay: transnational tobacco control network versus Philip Morris International. *Tob Control*, 2017. Available from: <http://www.ncbi.nlm.nih.gov/pubmed/28336521>

Steele, SL, Gilmore, AB, McKee, M, Stuckler, D. The role of public law-based litigation in tobacco companies' strategies in high-income, FCTC ratifying countries, 2004-14. *J Public Health (Oxf)*. 2016 Sep;38(3):516-521. Available from: <http://www.ncbi.nlm.nih.gov/pubmed/26036703>

Yaqub, F. Pakistan Government faces legal challenge over images on tobacco packaging. *Lancet Respir Med*, Sep 2015. Available from: <http://www.ncbi.nlm.nih.gov/pubmed/26380882>