A lawyer with the Hygeia touch

Health professionals were initially disappointed when the top public health job in Europe went to a lawyer. But **David Byrne**'s commitment has won them over. **Rory Watson** reports

When David Byrne was appointed the European Union's first public health commissioner in 1999, the policy area was considered a Cinderella among the EU's activities. An influential backroom politician who had been Ireland's attorney general, he had no direct experience of health issues.

Nor did health professionals hide their disappointment that the post had not gone to someone with a medical background. But Byrne and the professionals soon developed genuine mutual respect—and as complex health issues arose, both agreed there were advantages in having a lawyer in the post.

"I feel he has done very well in the circumstances," concluded one health official. "He is a lawyer with an eye for detail and is very tenacious. He has been the right guy in the right place at the right time."

For his part Byrne has nothing but praise for the quality and commitment of the health professionals he has come across during his time in Brussels and for the non-confrontational way they operate.

Over the past five years public health issues have climbed quickly up the EU agenda, although they remain essentially a matter for national governments, not Brussels. That increased prominence is partly due to the decision to appoint for the first time a specific public health commissioner—and to events.

The outbreaks of severe acute respiratory syndrome and avian flu gave added impetus to Byrne's plans to create a European centre for disease prevention and control that could anticipate and react quickly to epidemics. The 11 September 2001 bomb attacks in the United States have forced the European Union to confront the threat of bioterrorism, while a series of judgments from the European Court of Justice has brought patients' mobility across borders

to seek health care on to the agenda.

One of Byrne's first public health priorities was to take on the tobacco lobby and persuade the public of the dangers of smoking: "I wanted to put in place legislation that would

clear focus on how to go forward now that we had a clear judgment from the court of justice," he explains.

Legislation on the EU's statute books has now introduced tough rules on the manufacture, presentation, and sale of cigarettes and cigars; lowered the maximum levels for tar, nicotine, and carbon monoxide; and introduced clear health warnings on packets.

Byrne is acutely aware that smoking itself cannot be legislated against, but he wants to ensure that members of the public have the maximum amount of information to enable them to decide whether they want to smoke. "You would hope that

moves—ultimately rejected by the European parliament—to allow drug companies to provide information directly to the public in three pilot areas: AIDS, asthma, and diabetes. Despite the setback he is still determined to explore the possibility.

It has been a busy five years, what with the approval of extensive legislation on the quality and safety of human blood and human tissues and cells; the introduction of various measures against smoking, alcohol, and cancer; and the creation of both the European disease prevention centre, which will start operating in Sweden next year, and the European Food Safety Agency, which has already

In the five years since he has been EU public health commissioner, David Byrne has tightened the law on tobacco and alcohol and set up agencies for disease control and food safety

reduce the power of the tobacco advertising industry, because I identified there was where a real problem lay. The industry was able to generate this cool image which encouraged young people to take up smoking. It was my intention to blunt that instrument as far as I could."

A previous attempt to use European legislation to achieve this had failed after the European Court of Justice ruled that it went outside the scope of the EU's treaties. Rather than being deterred, Byrne, who used to smoke until one of his sons persuaded him to stop, saw his opportunity.

"Again, this is where the lawyer came in, I think. When we lost the case I was quite happy with the result, as it gave me a

they would then make decisions that are most consistent with good health and good lifestyle. You can only do so much to change people's attitudes and behaviour," he says.

That approach is now being applied to efforts to tackle obesity, by bringing forward legislation on health and nutrition claims, mandatory nutrition labelling, and fortification of food.

Providing information on individuals' rights and on ways to exercise them has been an important part of Byrne's work. "I know patients are hungry for information relating to their health, particularly patients who are suffering from chronic illnesses," he says.

It was this concern that prompted him to support

started work in Parma, Italy.

Byrne is genuinely open minded about whether he would like another five years as a European commissioner when his current term ends in October. People close to him believe that the pull of Dublin, where his family still lives, will be too strong. But he intends to put the experience he has gained over the past five years to good use. He is clearly proud of being made an honorary fellow of the Royal Colleges of Physicians in London and in Ireland.

"Whatever I do, I would like to stay in contact with the health world in some manner or form, and if I can manage that I could see myself doing it right into later life," he says. □

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