
Index

- abortion 28, 61, 66–7, 344, 484–5
- Abraham, J 164, 227
- abuse of dominant position 273–5, 276, 277–8
- access to healthcare 295–300, 307, 309–10, 311
- advanced therapy medicinal products (ATMPs) 25, 98, 159, 161, 212, 214–17, 220–21, 224–6, 240
 - hospital exemption 215, 217
- advertising
 - alcohol 372, 374, 375, 377, 386, 389–90, 395
 - food 399, 408, 409, 417–18
 - nutrition and health claims 414
 - pharmaceuticals 168
 - tobacco 27, 76, 351, 352, 354–5, 366, 475, 492
- aflatoxins 430
- ageing, population 35, 126, 144, 300
- agencies and networks 43–4, 326–7, 346
 - health technology assessment network 310
 - see also individual agencies*
- Aginam, O 465
- agriculture 24, 316, 332, 333, 336, 342, 408
 - antibiotics as feed additives 420
- AIDS/HIV 107, 118, 134, 159, 227, 316, 321, 340, 342–3, 459, 471, 474
- Akrich, M 140
- Akst, J 134
- alcohol 20, 59, 60–61, 68, 90, 356, 363, 369–97, 455
 - EU Alcohol Strategy 2006–2012 and Forum 383–6, 395–7
 - EU judicial scrutiny 370
 - international context 370–74
 - national policies and internal market 374–80
 - EU regulation of cross-border trade 381–94
 - mainstreaming public health 382–91
 - subsidiarity 391–4
 - European Action Plan 371–3
 - evidence-based action 371, 373, 379, 380, 394, 395, 396, 397
 - investment protection 449
 - minimum prices 68–9, 372, 374, 376, 378, 380
 - public health as fundamental right 106
 - trade law 438
- Alemanno, A 18, 20, 317, 352, 354, 363, 366, 369, 377, 378, 379, 380, 394, 395, 400, 410, 412, 476
- Alexy, R 67, 483
- Alliance of Liberals and Democrats in Europe (ALDE) 48, 49, 56
- Alston, P 82, 485
- Altenstetter, C 26, 44, 198, 217
- Alter, KJ 72, 320
- Alwan, A 407
- Amaral, S 124
- Ancans, J 225
- Anderson, P 369, 373, 374, 395, 396
- Andorno, R 342, 484
- Andrews, L 239
- Andriukaitis, V 400
- animals 207, 223, 316, 317, 318, 335, 336, 340, 346
 - antibiotics 398, 399, 404, 419–23, 430, 447
 - bovine spongiform encephalopathy (BSE) 24, 38, 40, 138, 233, 316, 321, 323, 328, 333, 336, 340, 342, 381, 398–9, 400
 - unsafe feed 404
- Annas, GJ 315, 484
- anonymisation 262
- Anthrax 318, 322
- Anti-Counterfeiting Trade Agreement (ACTA) 434

- antimicrobial resistance (AMR) 399, 419–23, 430, 445
 - Transatlantic Taskforce on 447
- Apple's 'Health Kit' 244
- applicable law
 - eHealth 249–50
- arbitration
 - investment protection, ongoing legal uncertainty and 448–51
- Arena, A 439
- Armstrong, KA 80
- Arnstein, SR 139–40
- Arnall, A 63, 80, 137
- Aschemann-Witzel, J 412
- Ashcroft, R 454
- Asif, J 185
- van Asselt, M 492
- austerity 111–12, 122, 132
 - Italy: foreign nurses 126–8
 - Portugal: EU law, health workforce and 123–5
 - see also* Eurozone crisis
- Australia 119, 449
- Austria 65–6, 119, 187, 309
- autonomy 237, 238, 240, 315, 365
- Avineri, S 63
- Azzopardi-Muscat, N 57, 58

- Babor, T 369, 449
- Bache, G 137, 200, 224, 226, 235, 468
- Bachrach, P 336
- Baeten, R 34, 46, 53, 113, 115, 117–18, 132, 133, 252, 295, 492
- Bagatur, S 480, 485
- Baker, BK 448
- Baldwin, R 138
- Barnard, C 27
- Bartels, L 463
- Bartl, H 176
- Bartlett, O 374, 380, 381, 385, 391, 397, 418
- Barton, AJ 255
- Bartsch, S 338
- Baumberg, B 374
- Beauchamp, TL 480
- Beck, U 142
- behavioural economics 365
- behavioural science 405–6, 413
- Beitz, CR 80

- Belgium 236, 287–8
 - ePrescriptions 252
 - health professional mobility 119, 124, 129
 - Patients' Rights Directive 49, 52
- Bell, D 142
- Bertinato, L 126, 127
- Besselink, LFM 487
- Beyers, J 40
- Bickerstaff, K 140
- Biehl, J 154, 471
- big health data 256
- Bijker, WE 143
- bilateral agreements 431
 - blood and blood components 233
 - counterfeit medicines 253
 - free trade agreements 373, 431–2, 438, 466, 469–70
 - EU-Caribbean 443
 - EU-Japan 435
 - EU-Korea 443, 472
 - EU-Singapore 438, 442
 - health professional mobility 127, 131
 - investment 449–50
- Biobanking and BioMolecular Resources Research Infrastructure (BBMRI-ERIC) 204
- biobanks 134, 146, 204, 231
 - consent 236–7
 - cord blood 238
- biodiversity schemes 148
- bioethics 480, 483–4, 493
- biological or chemical agents 323
- biomedical research law and policy 144
 - and citizen science 134–55, 495
 - electronic health records (EHRs) 261
 - funding 98, 146, 149–51, 155, 201–5, 220, 235, 491, 494
 - human materials 223, 240
 - consent 236–7
 - mHealth data 258
 - new health technologies *see separate entry*
- biomedical research law and policy and citizen science 134–55, 495
 - conceptualising 137–43
 - degrees of power 139–40, 141, 154
 - digital agenda 144–5
 - biomedical research, open science and 145–7

- harnessing and shaping citizen science
 - defining 148–9
 - enrolling citizens 153–4
 - funding 149–51
 - policy-based underpinnings 151–2
- key agendas for further work 154–5
- priorities, overarching 143–5, 149, 150, 152, 154
- promissory discourses 141, 154
- Biondi, A 374
- biopolitics 142
- biotechnologies 145, 197, 198–200, 227
 - cell therapy 198, 205
 - definition 198
 - gene therapy 198, 205, 213, 215, 494
 - marketing 211
 - medical devices 211, 215, 217–19, 220–21
 - medicinal products 159, 211–17, 220–21, 224–7
 - patents 88, 95–7, 205–10, 219–20, 235
 - research funding 201–5, 220, 235
- bioterrorism 318, 322, 325
- biovigilance 228
- Birnbaum, SL 173
- Black, J 135, 139, 349
- blood and blood components 103, 222, 227, 228–9, 230–31, 238–9, 241, 455
 - communicable diseases 316, 342–3
 - cross-border exchange 232–3
- Bogart, WA 347, 349, 350
- von Bogdandy, A 61, 82, 104, 485
- Bonadio, E 208
- Borg, J-J 306
- Borgmeier, I 411, 412
- Borup, M 153, 154
- Börzel, TA 86
- Botosaneanu, A 326
- bovine spongiform encephalopathy (BSE)/new variant Creutzfeld-Jacob Disease 24, 38, 40, 138, 233, 316, 321, 323, 328, 333, 336, 340, 342, 381, 398–9, 400
- Boyle, Danny 60
- Bozik, A 465
- Bradford, A 401
- Brandt, AM 350
- breast implants 218
- Broberg, M 463
- Brooks, E 21
- Brosset, E 199
- Brown, N 141
- Brown, W 143
- Brownson, RC 395
- Brownsword, R 138, 139, 140, 153, 454
- Buchan, J 111, 112, 118
- Bulgaria 56–7, 297
- Burgard, SA 342
- Burley, A-M 67, 71
- Burron, C 465
- Burute, N 245
- Busby, H 152
- Buse, K 457, 460
- Calo, ZR 88
- Campbell, C 395
- Campbell, J 111, 132
- Campos, A 125
- Canada 119
 - EU-Canada Comprehensive Economic and Trade Agreement (CETA) 435, 438, 440, 441–3, 449, 450–51, 467
 - trade disputes 429–30, 450
- cancer 38, 78, 159, 198, 215
- Capps, P 80
- cardiovascular diseases 198, 202, 405, 407
- Cardwell, PJ 466
- Carens, JH 339
- carers 117, 126
- Caribbean countries 437, 443, 466, 472
- Caro de Sousa, P 67
- cartels *see* competition law and policy
- Carter, P 141
- Casswell, S 396
- Castells, M 142
- Cazala, J 405
- CE mark 26, 178, 217, 218
 - mHealth 255, 260–61
- Celia, C 385
- cell therapy 198, 205
- Chaloff, J 127
- Chan, M 452
- Chanda, R 466
- Chapman, S 348
- Chaudhry, F 470

- chemical or biological agents 323
- Cheng, F 430
- children
 - alcohol 372, 389–91
 - compulsory vaccination 335–6
 - consent 236
 - food 399, 408, 417–18
 - medication 25, 161
 - obesity 407, 408
 - product placement 390–91
- Chile 466
- China 334, 441
- Christiansen, EC 471
- chronic conditions 35
- Cisneros, J 60
- Cisneros Örnberg, J 386
- citizen science *see* biomedical research
 - law and policy and citizen science
- citizens' initiative: 'One of Us' 204, 220
- Clemens, J 459
- Clemens, T 243
- climate change 325
- clinical research/trials 99, 137, 138, 148, 158, 188, 240–41, 458
 - database 226
 - ethical rules 476
 - human dignity 493–4
 - infrastructures 204–5
 - marketing authorisation 162, 166, 216, 226–7
 - multi-centre 145
 - post-marketing duties 169
 - trade law 448
- cloning 89, 202–3, 207, 461, 493–4
- co-infections 334
- codes of conduct 390, 417–18
- Coggon, J 454
- Cogliani, C 420
- Cohen, IG 60, 453, 471, 472
- Cole, M 274
- Collins, D 465
- colourants in foodstuffs 24
- Commission 39–40, 42–3, 311
 - agencies and networks 44
 - alcohol 381, 383–4, 386, 389, 390, 392, 394, 395, 396–7
 - citizen science 149
 - communicable diseases 322, 323, 326, 327–8, 334
 - competition law and policy 270–72, 273, 275–6, 277, 280, 281–8, 289
 - Country Reports 293
 - diet, physical activity and health 408, 418
 - digital agenda 145
 - eHealth 243, 247, 252
 - Europe 2020 strategy 144, 146
 - Eurozone crisis 123, 292, 293, 299, 300, 303, 304, 305, 306–7, 491
 - food law 403, 408–9, 410, 411, 413, 415–16, 417
 - antimicrobial resistance 421
 - fundamental rights 106–7
 - global health law and policy 456, 468
 - health professions 116, 303, 304
 - human materials 222, 230, 233, 234
 - infringement procedures 58
 - new health technologies 197, 216–17, 218, 219, 220
 - Patients' Rights Directive 45, 46–7, 50–51, 52–5, 57–8
 - pharmaceuticals 159, 163–4, 165, 166, 184–5, 305, 306–7, 494
 - competition law 275–6, 282–3, 289
 - research 491
 - tobacco 356, 359, 360
 - trade law 433, 434–5, 436, 437, 440, 442, 443, 444, 445, 450, 451, 452
- common agricultural policy (CAP) 332, 408
- common commercial policy (CCP) 432, 434
- communicable diseases 315–46
 - definition 317
 - food law and traceability 336–7
 - freedom of movement 337–40
 - Health Security Committee 322, 326, 334
 - historic development 318–25
 - integration 316, 318, 320, 322, 345
 - liability for harm 332, 340–41
 - precautionary measures 316, 330, 331–3, 340, 345
 - state-of-the-art: control
 - health threats: all-hazards approach 325–6
 - measures 331–44
 - players and principles 326–31

- surveillance system 261, 317, 321–2, 326, 346
- vaccination 316, 317, 333–6
- competition law and policy 19, 267–90, 494, 495
- cartels and dominance 270
 - NCA, role of 278–80
 - no special status for healthcare 270–77
 - services of general economic interest (SGEI) 277–8
- efficiency concept 268–9
- merger control 280–83, 288
- State aid 283
 - case law 286–8
 - SGEI and financing healthcare 283–6
- undertakings 269
- Conant, L 60, 71
- confidentiality 167, 171
- eHealth 245, 256, 257, 262
- consent 482, 493
 - clinical trials 99
 - dynamic 237
 - eHealth 245, 257–9
 - human materials 236–7, 238, 241
- consequentialism 80
- 'constitutional asymmetry' 9, 20, 490
 - European Medicines Agency (EMA) 44
 - see also* values in EU health law and policy
- consumer choice 169, 362
- consumer law 115
 - contracts 249–50
- consumer protection 174, 182, 332, 417
- consumer safety 316, 336
- consumer welfare 267, 269, 270, 272–3, 283
- Consumers, Health, Agriculture, and Food Executive Agency (CHAFAEA) 43
- contagious diseases *see* communicable diseases
- contract disputes
 - eHealth: applicable law 249–50
- Conway, G 67
- COREPER (Committee of Permanent Representatives) 40
- Cornelissen, R 309
- Correa, C 465
- Correia, T 112
- corruption 129
- Council of Europe 85, 88, 172, 236, 238, 240, 241, 461, 482
- Council of the European Union 39, 40–43, 480, 485–6
 - alcohol 381–2, 383, 394
 - antibiotics and food-producing animals 421–2
 - communicable diseases 322, 344
 - Country-Specific Recommendations (CSR) 293, 296, 300
 - development policy 459–60
 - medical devices 219
 - nutrition and physical activity 408
 - Patients' Rights Directive 45, 47, 49–52, 53–5
 - qualified majority vote 52, 352, 354, 434, 435
 - tobacco 354–5, 360, 366
 - trade policy 434, 435
 - unanimity 434
 - values and principles 308–9
- counterfeit
 - Anti-Counterfeiting Trade Agreement (ACTA) 434
 - medicines 252–3, 254
- country-specific recommendations (CSRs) 34
- Court of Justice of European Union (CJEU) 39, 60–62, 80–81, 199, 354, 434, 479, 480, 486, 490, 495
 - agenda setting 320
 - alcohol 370, 374–80, 387–8, 391, 392, 393–4, 481
 - annulment action 95–6, 354–5
 - biotechnologies, research in 208–10, 220
 - communicable diseases 328–33, 340, 341, 345
 - competition law 267, 268, 269, 270, 271, 272–5, 276, 277–8, 279
 - merger control 281
 - State aid and SGEI 284, 286
 - dental treatment 58, 75
 - distinction between public health and healthcare 21
 - ECTHR and 77–80, 81, 85–6

- expulsion of person with serious illness 340
- food 402, 424, 425, 430
- fundamental rights 79–80, 87, 91, 105–6, 108, 341–4, 387, 483
 - access to healthcare: challenges to national legislation 100–102
 - dignity 88, 96–7
 - free movement, limitations on 102–6
 - general principles of EU law 84–5, 94
 - non-discrimination 97–8, 342–3
 - personal data 99
 - review and interpretation 95–9
- human materials 235, 239
- Internet sales 253–4
- Member States and 71–7, 354
 - principal and trustee 72, 76–7, 81
- national courts and 61, 62–70, 80
 - frequency of requests for preliminary rulings 65–7
 - judicial review traditions 63–5
 - proportionality 67–9
- patient mobility case law 29, 30–31, 45–6, 49, 50–51, 52–3, 55, 58–9, 91, 246
 - Member States and CJEU 73–6
- pharmaceuticals
 - advertising 168
 - Internet sales 253
- precautionary measures 332–3, 345
- preliminary reference 61, 62–70, 80, 95, 96–7, 359–60
- product liability 174, 176–80, 182, 191, 193, 194, 195–6, 260
 - development risks 181, 191–2
- removal of person with serious illness 340
- risk assessment and management 328–31
- tobacco 354–5, 357, 359–60, 366–7
- trade law 433
- vaccination 335
- courts 60–62
 - Court of Justice of European Union (CJEU) *see separate entry*
- Craig, P 356
- Cremona, M 463
- Creuzfeld-Jacob Disease, new variant/bovine spongiform encephalopathy (BSE) 24, 38, 40, 138, 233, 316, 321, 323, 328, 333, 336, 340, 342, 381, 398–9, 400
- Croatia 232, 297–8
- Cuocolo, L 411
- Curtin, D 492
- customary international law 85
- Cuvillier, A 157, 167
- cybercrime 257
- Cyprus 232, 420
- Czech Republic 50–51, 57, 119, 125
- Daniels, N 454
- data protection 85, 98–9, 202, 461, 476, 483
 - ePublic health technologies 262
 - mHealth 256–9
- Dauses, MA 84
- Davey, M 467
- Davies, G 31, 62, 68, 69, 72
- Davies, H 117
- Dawes, A 31
- Dayen, D 468
- De Búrca, G 67
- De Ville, F 447, 468
- De Witte, B 357
- decision-making, fractured 6–7
- defective products *see* product liability
- democracy 152, 463, 485, 495
 - see also* biomedical research law and policy and citizen science
- Denmark 12, 125, 420
 - Patients' Rights Directive 49, 57, 58
- dentists/dental treatment 58, 75
 - qualifications 117, 118
- developing countries 348, 455, 471, 475–6
 - technical assistance 465, 472
- development policy and human rights 472–3
- development policy and trade 459–60, 462–70
- Devon, R 138
- diabetes 159, 202, 405, 407
- Dickens, B 238
- diet-related diseases *see* nutrition/diet-related diseases
- diets 20

- digital agenda 144–5
 biomedical research, open science
 and 145–7
- dignity 13, 79–80, 96–7, 238, 480, 482
 constitutional setting of EU 493–4,
 495
 fundamental rights 88–9, 486,
 487–8
- Dinan, D 23
- dioxins 404
- direct effect 84
- discrimination 202, 302, 306, 316, 444
 CFREU 91–4, 97–8, 100, 342–3
 communicable diseases 338
 indirect 50
 reverse 51
 sex 85, 98
- doctors 280
 mobility *see* health professional
 mobility
 qualifications 117, 118
 working time 28, 116, 117
- Doha Declaration (2001) 464–5
- domicile 249, 250
- Dorbeck-Jung, B 198
- Doubleday, R 142, 153
- Douglas-Scott, S 493
- Drescher, LS 411
- Dugard, J 471
- Duguet, AM 248
- Dunne, P 343
- Dupré, C 88
- Dussault, G 111, 112, 122, 123, 133,
 304
- Dute, J 323
- Duxbury, N 239
- e-cigarettes 355, 359
- e-health *see* eHealth
- Eberlein, B 44
- Ebola 262, 316, 322, 323, 328, 337,
 338, 341, 458
- Eckes, C 86
- Economic Free Trade Area 118
- Edinger, WWH 405, 406, 412, 424
- education 115, 118, 119, 125, 126,
 129–30, 418
 alcohol 395
 Internet 248
 mobile health apps 255
 obesity 407
 tobacco 362, 366
- Eeckhout, P 86, 456, 485
- eHealth 33, 149, 242–63, 300, 438
 Action Plan 2012–2020 245
 definitions 243
 electronic health records (EHRs)
 244, 261
 cross-border access to 246–50
 ePrescriptions and ePharmacies 244,
 245, 250–54
 ePublic health technologies 261–2
 liability issues 249–50
 mobile health apps 244–5, 245–6,
 254–61
- Eide, A 474
- Eleftheriadis, P 454, 460
- Elsmore, MJ 27
- embryos, human 96–7, 202–4, 207,
 208–10, 220, 235
- emergency management 325–6
- emerging economies 348
see also developing countries
- Emerson, M 435
- environment 332
 environmental events 323, 325
- ePharmacies 245, 252–4
- ePrescriptions 244, 250–52, 254
- Epstein, S 134, 142
- equality/inequality 13, 107, 473, 474–5,
 480, 482
 constitutional setting of EU 491,
 492, 494
- eHealth 248
 fundamental rights 91–4, 341, 486,
 487–9
 health professional mobility 112,
 132, 133
- equity 308, 309, 480
- Erin, C 239, 240
- Estonia 297
 health professional mobility 119–22
- ethics 443, 454, 468, 474, 480, 482,
 483–4, 492–3
 biomedical research 135, 136, 138,
 139, 141, 152, 153, 155
 human materials 226, 235, 236–7,
 240–41
 new health technologies 201–2,
 210, 220, 344

- human materials 226, 234–41
- precautionary principle 332, 340
- recruitment of health personnel 122–3
- see also* morality
- eugenics 482, 493
- Europe 2020 33, 144, 146
- European Advanced Translational Research Infrastructure in Medicine (EATRIS) 205
- European Agency for Health and Safety at Work 31, 43
- European Central Bank (ECB) 123, 292
- European Centre for Disease Prevention and Control (ECDC) 31, 43, 322–3, 326–7, 334, 336, 345–6, 458
- European Clinical Research Infrastructures Network (ECRIN-ERIC) 204–5
- European Council
 - alcohol 381
- European Court of Human Rights (ECtHR) 61–2, 67
 - CJEU and 77–80, 81, 85–6
 - communicable diseases 339–40
 - informed consent 493
- European Environment Agency (EEA) 31, 43, 321
- European Financial Stabilisation Mechanism 293
- European Financial Stability Facility 292–3
- European Food Safety Authority (EFSA) 24, 43, 400, 415, 416
- European Group on Ethics in Science and New Technologies (EGE) 136, 152, 153, 332, 340
- European Medicines Agency (EMA) 31, 43, 44, 169, 305
 - Committee for Advanced Therapies (CAT) 216, 225
 - marketing authorisation 159, 163–4, 165–7, 226
 - new health technologies 212, 214, 216, 225
 - transparency 171
 - vaccines 334
- European Monitoring Centre for Drugs and Drug Addiction 31, 43
- European Parliament 29, 39, 40, 41–3
 - alcohol 382
 - antibiotics and food-producing animals 421–2
 - communicable diseases 322
 - human materials 239
 - medical devices 219
 - mHealth data 258
 - nutrition and health claims 416
 - Patients' Rights Directive 45, 46, 47–9, 52, 53–5
 - rapporteurs 42, 43, 48, 49, 52
 - shadowrapporteurs 42, 43, 48, 49, 52
 - tobacco 354–5, 360, 366
 - trade policy 434–5, 451, 452
- European People's Party (EPP) 48, 49, 56
- European Semester 22, 33–4, 293, 294, 295, 296, 492
- European Stability Mechanism (ESM) 292–3, 491–2
- Eurocepticism 12, 65
- Eurozone crisis 268, 291–312
 - access to healthcare 295–300, 307, 309–10, 311
 - direction of travel 308–11, 312
 - economic governance instruments 118, 292–4, 300, 491–2
 - free movement of healthcare professionals 291, 299, 300–305, 308, 311
 - Memorandums of Understanding (MoUs) 292–3, 295, 298, 300, 305, 491–2
 - regulation of medicines 291, 299, 305–8, 311
 - see also* health professional mobility
- euthanasia 61
- Evans, R 140
- evergreening of patents 470
- Everson, M 31
- expulsion
 - inhuman and degrading treatment 339–40
- den Exter, A 460
- external dimension 22, 30, 34, 118
 - global health law and policy, EU's emergent 453–76

- human rights 454, 460–61, 463, 470–5
- institutional architectures 456–62
- trade/development 459–60, 462–70
- trade and health *see separate entry*
- Eysenbach, G 244
- Fägersten, B 463
- Faid, M 353
- Fairchild, AL 315
- Fairgrieve, D 182, 187
- Falkner, G 73
- Farrell, AM 227, 228, 329
- Favale, M 214
- Fearnley, L 325
- Feldman, EA 348, 350, 351
- Feldschreiber, P 158, 166
- Fenton, E 484
- Fidler, DP 323
- Fiedziuk, N 269
- financial crisis 33, 35, 122, 144
 - see also* Eurozone crisis
- Finland 58, 119, 172, 420
- Fiorini, DJ 138
- fish stocks 342
- Flear, ML 67, 135, 136, 145, 146, 150, 151, 197, 212, 214, 220, 317, 321, 328, 342, 476
- Flood, CM 453
- flu 34, 316, 322, 323, 327, 334, 340
- Fontanelli, F 100
- Food and Agricultural Organisation (FAO) 34, 458
- food law 24–5, 59, 316, 398–425, 455, 475
 - antimicrobial resistance (AMR) 399, 419–23, 430, 445
 - Transatlantic Taskforce on 447
 - Codex Alimentarius* 430
 - Commission 458–9
- food, safety and health 400–406
 - hazard 405–6
 - injurious to health 404–6
 - unsafe feed 404
 - unsafe food 401–4
- nutrition and public health 406–9
 - advertising and marketing:
 - children 417–18
 - nutrition and health claims 99, 105–6, 386–9, 399, 408, 414–17
 - nutrition labelling 409–13
 - portion sizes 413, 417
 - and traceability 336–7
 - TTIP 431
 - who should regulate 423–5
- Forman, L 471
- Forst, R 485
- Fortun, M 141
- Fortunato, E 126, 128
- Foucault, M 137, 142, 143
- Fox, DM 339
- France 29, 71, 218, 298, 340, 343
 - health professional mobility 119, 124, 129
 - HIV-infected blood 227
 - Patients' Rights Directive 49, 58
 - pharmaceuticals 187–8
- Francioni, F 220
- Francis, J 41
- fraud 247–8, 252, 261
 - food 404
- free movement of capital 23
- free movement of goods 23, 39, 46, 316
 - alcohol 370, 374–80, 391, 393–4
 - blood products 239
 - food 400, 411, 423–4
 - national courts and CJEU 68–9
 - protection of human life and health 68–9
 - tobacco 27, 352
- free movement of persons 302–3, 316
 - communicable diseases 337–40
 - workers 23, 28, 36–7, 45
 - health professional mobility *see separate entry*
- free movement of services 23, 28–9, 39, 46, 302–3
 - abortion 66
 - IVF: export of sperm 69
 - Patients' Rights Directive 29, 32–3, 74
- free trade agreements 373, 431–2, 438, 466, 469–70
 - deep and comprehensive 466
 - EU-Caribbean 443
 - EU-Japan 435
 - EU-Korea 443, 472
 - EU-Singapore 438, 442

- freedom of establishment 23, 33, 302–3
 public health as fundamental right
 102–3, 105, 106
- Freeman, B 363
- Freeman, M 453, 484
- Friant-Perrot, M 388
- Frischhut, M 317, 333, 342, 343, 344,
 480, 482, 493
- fundamental rights 20, 82–108, 362,
 484
- Charter 20, 29, 34, 37, 77, 82–3, 87,
 92–3, 202, 341–4, 460–61
- Art 1: human dignity 88–9
- Art 3: physical and mental
 integrity 89–90, 236, 238, 341,
 461, 493
- Art 17: right to property 341, 342
- Art 20: equality before the law
 91–4, 341
- Art 21: non-discrimination 91–4,
 97–8, 100, 343
- Art 35: healthcare 37, 78–80,
 90–91, 98, 100–106, 108, 341,
 342, 343, 387, 460
- ECtHR and CJEU 77, 85–6
- health values and 483–5
- health values in 485–90
- interaction between health law and
 policy and 94
- access to healthcare: challenges to
 national legislation 100–102
- policy developments 106–8
- public health as fundamental right
 102–6
- review and interpret EU
 legislation 95–9
- overview 83, 87
- Art 6 TEU 83–4
- ECtHR 85–7
- general principles of EU law 83,
 84–5, 87, 94
- health topics potentially affected
 92–3
- Fundamental Rights Agency (FRA)
 107–8
- Galan, A 129
- Galligan, D 139
- Garde, A 354, 357, 379, 390, 402, 405,
 408, 424
- Garrett, G 71
- GATS (General Agreement on Trade
 in Services) 433, 439–40, 442, 443,
 444
- GATT (General Agreement on Tariffs
 and Trade) 429
- Geber, F 381
- gene therapy 198, 205, 213, 215, 494
- general principles of EU law 83, 84–5,
 87, 94, 354, 486
- proportionality *see separate entry*
- genetic research 148
- genetic testing 89, 461
- genetically modified organisms
 (GMOs) 138
- genotoxic carcinogens 404
- George, C 254
- Georgia 466
- Germany 71, 76, 298
- Constitutional Court 64–5
- haemophiliacs 227
- health professional mobility 119,
 124, 129, 130–31, 303
- human dignity 88
- Patients' Rights Directive 49, 51
- pharmaceuticals 187
- strict liability 172, 174
- tobacco 354–5
- TTIP 446
- Gibbon, S 142
- Giesen, D 227
- Giesen, I 173
- Gilabert, P 485
- Gilmore, A 397, 475
- Glinos, IA 111, 112, 118, 119, 122, 123,
 129, 130, 303, 304
- Global Alliance for Vaccines and
 Immunisation 118, 459
- Global Fund to Fight HIV/AIDS,
 Tuberculosis and Malaria 118,
 338, 459
- global health law and policy, EU's
 emergent 453–76
- human rights 454, 460–61, 463,
 470–75
- institutional architectures 456–62
- trade/development 459–60, 462–70
- Global Health Security Initiative 339
- globalisation 34, 490
- Goffman, E 349

- Gold, R 238
 Goldberg, RS 183, 184, 187, 190, 200
 Golub, J 65
 González Vaqué, L 410
 Gormley, L 26
 Gostin, J 262
 Gostin, LO 315, 453, 454, 457, 462
 governance and legislative politics
 36–59
 conclusion 55–9
 Patients' Rights Directive 39, 40, 45
 agenda-setting 45–7
 inter-institutional negotiations
 52–5
 political negotiations 47–52
 political institutions 39–44
 Gragl, P 86
 Grant, W 323
 Greece 51, 232, 297–8
 health professional mobility 122, 303
 Greer, SL 18, 20, 21, 22, 33, 34, 35, 39,
 40, 59, 111, 112, 113, 116, 132,
 318, 320, 344, 345, 365, 381, 435,
 458, 464, 476
 Grevi, G 463
 Grimm, D 490, 492
 van de Gronden, JW 269, 277, 279,
 280, 281, 282, 283, 285, 310, 464
 Guigner, S 339
 Gusfield, JR 368
 Gusma'o, R 144
- H1N1 325, 334–5, 458
 H5N1 334
 habitual residence 249, 250
 haemophiliacs 227
 Haffey, F 259
 Hager, C 113, 114
 Hammond, D 348
 Hancher, L 19, 33, 47, 53, 270, 302
 Hancox, E 100
 Hardcastle, R 238
 Harmon, SHE 208
 harmonisation 30, 37, 167, 254, 309,
 468, 469
 agencies and networks 44
 alcohol 381, 384, 386–91, 392, 393
 communicable diseases 316
 food law 411, 417, 424, 425, 459
 human materials 226, 241
 medical devices 26
 minimum 26
 pharmaceuticals 25, 458
 product liability 174
 tobacco 27, 356, 357, 358, 360, 366,
 367, 381
 excise duties 351
 Harrington, J 454, 460
 Harrison, JP 243
 Harrison-Dunn, A-R 416
 Van Harten, G 450, 451
 Hartlapp, M 39
 Harvey, A 152
 Hatzopoulos, VG 30, 53, 76
 health professional mobility 111–33,
 438, 447
 asymmetric flows 115–16, 118,
 119–22, 124–5, 126–31, 132
 bilateral agreements 127, 131
 case studies
 Italy, foreign nurses in 125–8
 Portugal 123–5
 Romanian doctors 128–31
 circular migration 131
 doctors 114, 116, 117, 118, 119,
 123–5, 126, 132, 303
 Romanian 128–31
 Eurozone crisis 291, 299, 300–305,
 308, 311
 facts and figures 118–23
 needs-based distribution 133
 nurses 1, 114, 116, 117, 118, 119,
 123–4, 132, 303
 Italy 125–8, 303
 recruitment practices 122–3, 131
 regulation and policy 115–18
 regulatory gap 113
 short-term movements 122
 trade 436–7
 health, right to 453, 460, 472, 473–4
 CFREU: Art 35 37, 78–80, 90–91,
 98, 100–106, 108, 341, 342, 343,
 387, 460
 collective 474
 health and safety at work 28, 37
 European Agency for 31, 43
 healthcare distinguished from public
 health 21–2
 Heath, D 154
 Hedgecoe, A 141

- Hein, W 465, 471
 Hendriks, A 460
 Hennette-Vauchez, S 200
 herbal medicines, traditional 161
 Hernández, G 385
 Hervey, TK 17, 18, 19, 20, 22, 24, 32, 34, 35, 38, 39, 55, 58, 59, 60, 67, 69, 76, 78–9, 82, 94, 95, 99, 104, 105, 112, 113, 114, 115, 116, 117, 118, 132, 136, 146, 158, 164, 169, 200, 208, 214, 217, 234, 239, 269, 289, 296, 310, 321, 322, 328, 329, 333, 335, 342, 343, 353, 355, 357, 365, 381, 398, 424, 453, 459, 460, 462, 463, 464, 465, 466, 468, 472, 474, 475, 480, 482, 487, 489, 490, 492, 494
 Heymann, D 338
 Hilgartner, S 143
 history and scope of EU health law and policy 23, 35
 1957–1992 23
 food law 24–5
 free movement of services 28–9
 health and safety at work 28
 medical devices 26–7
 medical qualifications 28
 pharmaceuticals 25–6
 social security coordination 23–4
 tobacco 27
 1992–2007
 agencies 31
 integration context 29
 open method of coordination and health 31–2
 patient mobility case law 30–31
 public health 29–30
 2007 to present 32
 European Semester 33–4
 freedom of establishment 33
 freedom of services: Patients' Rights Directive 32–3
 global context 34
 third health programme and Europe 2020 33
 HIV/AIDS 107, 118, 134, 159, 227, 316, 321, 340, 342–3, 459, 471, 474
 Hobolth, M 44
 Hodges, C 181, 218
 Hoffman, S 261
 Hogg, PW 74
 homeopathic remedies 161
 Horizon 2020 146, 150, 201–3, 204
 horsemeat scandal 404
 Howells, G 178, 181, 189, 191, 351, 354, 356, 366
 human cloning 89, 202–3, 207, 461, 493–4
 human dignity 13, 79–80, 96–7, 238, 480, 482
 constitutional setting of EU 493–4, 495
 fundamental rights 88–9, 486, 487–8
 human Embryonic Stem Cells (hESCs) 202–4, 208–10, 220
 human materials 199, 222–41, 316, 455
 commodification 238–9, 241, 471–2, 495
 cross-border exchange of 232–4
 ethical aspects of 234–40
 legal classification of 224–7
 quality and safety of 227–31
 rapid alert systems 230–31
 traceability 229, 230, 233
 tissues and cells 231
 human rights 20, 62, 64, 91–4, 132, 325, 481, 482, 483–5, 487
 communicable diseases 316, 339–40, 341–4, 346
 ECtHR 61–2, 67, 339–40, 493
 CJEU and 77–80, 81, 85–6
 eHealth 242, 245
 general principles of EU law 84–5, 87
 global health law and policy 454, 460–61, 463, 470–75
 Hungary 51, 297
 health professional mobility 119–22, 125
 Iceland 420
 identity and health law 60–61, 63
 Iglesias, R 348
 immunisation 118, 316, 317, 333–6, 459
 India 466
 individualism 63–5
 inequality *see* equality
 infectious diseases 145, 317
 communicable diseases *see separate entry*

- mobile health apps 255
- influenza 34, 316, 322, 323, 327, 334, 340
- information
 - alcohol 374, 385, 386–9, 395
 - asymmetries 364
 - communicable diseases 261–2, 317, 320, 323
 - eHealth 245, 246–50, 256–7, 261–2
 - food 409–13
 - nutrition and health claims 414–17
 - health technology assessment
 - network 310
 - human materials
 - consent 236, 237
 - organ transplantation 229, 230, 233, 237
 - rapid alert systems 230–31
 - medicines 170, 186
 - confidentiality 171
 - labelling and packaging 167–9
 - TiSA 445
 - tobacco 347, 351, 362–3, 364–5, 367
- Inglese, M 104
- inhuman and degrading treatment 339–40
- innovation union 144
- Innovative Medicines Initiative (IMI) 205, 210
- insurance 98, 272, 443, 445
- intellectual property 431, 433, 438, 450
 - patents *see separate entry*
 - TRIPS Agreement 433, 464–5, 470, 472, 475
 - TTIP 445–6, 447–8
- ‘interface’ between EU law and health law 18–19
- intergovernmentalism 71, 311
- internal market/single market 19, 20, 21, 22, 40, 468, 479, 481–2, 489–90
 - alcohol 374–80, 381, 382, 383, 386–91, 392, 393–4, 395
 - communicable diseases 341–2, 346
 - competition law 267, 268, 270, 272, 273, 280, 288
 - ‘constitutional asymmetry’ 9, 20, 44, 490
 - Digital Single Market (DSM) 144–5, 242–3
 - eHealth 242
 - food law 417, 422, 425
 - human materials 234, 239
 - human rights 77–8, 79–80, 81, 474–5
 - medical devices 26
 - mobile health apps 255
 - medical qualifications 28
 - new health technologies 199, 211
 - open science 147
 - Patients’ Rights Directive 32, 47, 48, 56, 246
 - pharmaceuticals 163–7
 - public health as fundamental right 102–6
 - research 147, 150, 151
 - tobacco 18, 76, 352, 354–6, 357–8, 359, 360, 366–7, 481
 - trade law 435–7, 438, 447
 - see also* free movement of capital; free movement of goods; free movement of persons; free movement of services; freedom of establishment
- International Conference on Harmonisation of Technical Requirements for Registration of Pharmaceuticals for Human Use (ICH) 12, 158, 226, 455, 458
- international law 82, 84–5, 88, 91, 329, 432, 454, 467, 473
- International Monetary Fund (IMF) 123, 292, 295, 455, 473
- Internet 418
 - eHealth *see separate entry*
 - risk/benefit of pharmaceutical products 169
- interpretations of EU health law and policy 17–18, 35, 235
 - ‘constitutional asymmetry’ 9, 20, 44, 490
 - health as ‘implicit’ or ‘explicit’ characteristic 19
 - ‘interface’ between EU law and health law 18–19
 - other 20
- investment court system 443, 450
- investment protection 433, 435, 438, 439, 442, 443, 444, 445, 446, 452
 - arbitration, ongoing legal uncertainty and 448–51

- Ireland 286, 295, 297–8, 308, 360
 health professional mobility 119, 122, 303
 Patients' Rights Directive 51
 Supreme Court and CJEU 66–7
 irregular migrants 107
 Irwin, A 135, 141, 142
 Italy 297, 298, 420
 health professional mobility 122, 125–8, 303
- Jackson, E 158, 164, 169, 170, 171, 454, 464, 472
 Jacobsen, N 88
 Jahns, R-G 255
 Janson, J 395
 Japan 212, 435
 Jarman, H 431, 435, 443, 449, 464
 Jasanoff, S 138, 139, 143, 333, 492
 Jensen, JD 418
 Jensen, MD 43
 Jernigan, DH 373
 Jha, P 348
 joint decision trap 73–4
 Jones, A 270
 Jones, J 88
 Jordans, F 349
 Jowell, J 150
 Jowett, M 298, 300
 Judge, D 43
 judicial process 85
 judicial review
 'dialogue' 74
 national traditions 63–5
 Judt, T 23
 Juncker, JC 436
- Kaiser, W 23
 Karanikolos, M 342
 Kattelus, M 58
 Kaye, J 237
 Kende, MS 471
 Kerr, A 142
 Kickbusch, I 458
 Kierkegaard, P 242
 Kim, S 349
 Kingdon, JW 318
 Kinney, ED 482
 Kirby, KN 365
 Kirwan, L 413
- Kloka, M 51
 Knightley, P 157, 172
 Knorr Cetina, K 139, 142
 Knowles, LP 235, 484
 Koenigstorfer, J 411
 Kohler-Koch, B 31
 Koivusalo, M 383, 431, 438
 Kok, W 144
 Kolčić, I 112
 Kommers, D 61
 Korea 443, 472
 Kosta, V 86
 Kostera, T 52
 Kovziridze, T 469
 Krajewski, M 439, 457, 464
 Kramer, EB 471
 Kranenborg, H 99, 461
 Kroezen, M 112, 129
 Krugman, P 60
 Kuhlmann, E 112, 113
 Kukafka, R 261
 Kulyk, O 261
 Kumarasamy, K 445
 Kumm, M 366
- labelling
 alcohol 372, 374, 394
 human materials 229
 nutrition 399, 408, 409–13
 and health claims 414
 pharmaceuticals: packaging and
 162, 163, 164, 166, 167–9, 186, 188
 tobacco 27, 351, 358–9, 360, 362–5, 366
 traffic light 411–12
- Lafortune, G 130
 Lakoff, A 325
 Lamb, D 239
 Lamping, W 17, 35
 Lang, JT 267
 Latin America 119
 Latour, B 139
 Latvia 57, 297–8
 Lear, J 269
 Lee, M 198
 Leenen, HJ 482
 van Leeuwen, B 185
 legal personality, international 456
 Legemaate, J 482

- legislative politics 44
 conclusion: how legislative output
 conditions outcomes 55–9
 Patients' Rights Directive 39, 40, 45
 agenda-setting 45–7
 inter-institutional negotiations
 52–5
 political negotiations 47–52
- Lemke, T 142
- Lenaerts, K 100
- Lenze, S 187
- Leone, C 112, 124
- Lessig, L 140
- Levy, S 420
- Lewis, TL 259
- Lexchin, J 443
- LGBT (lesbian, gay, bisexual and
 transgender) individuals 107
- Liao, SM 485
- liberalism, modified or embedded
 462–3, 465, 466, 469, 470, 475
- libertarian paternalism 367
- licensing of health professionals 248–9
- Lidskog, R 141
- Lithuania 51, 298
- Little, JW 179
- Lock, T 86
- London, L 454
- Loring, B 409
- Lovells 183
- Lupton, D 143
- Luxembourg 58
- Lyon-Caen, G 393
- m-health 149, 244–6, 254–61
- McCambridge, J 373
- McCann, MT 417
- McGrady, B 353, 362, 374
- McGuinness, S 471
- McGuire, AL 242
- McHale, JV 236, 482, 487, 493
- McKee, M 326, 337, 476
- MacKenzie, D 139
- Macmaoláin, C 400, 413, 421, 424
- McNaghton, P 136
- Maggetti, M 44
- Mahalatchimy, A 214, 221, 226, 235
- Maier, CB 113, 114, 118, 119, 122
- mainstreaming of health 19, 30,
 382–91, 462
- Mak, C 483
- Mäkinen, M 251
- malaria 118, 459
- Maletic, I 393
- Malgieri, A 114, 116, 133
- Malta 57
- Mandel, GN 138
- Mann, JM 454
- Marco Colino, S 270
- Margelis, G 244
- margin of discretion 377, 378, 388
- Markel, H 334
- marketing
 of alcohol 372, 386–8, 389–91, 394
 of food 399, 408, 417–18
 of tobacco 362, 367
- Marmot, M 395
- Martens, M 44
- Martin, R 327, 329
- Martin-Casals, M 174
- Martinsen, DS 38, 45, 46, 47, 48, 50,
 52, 57, 59, 72, 74, 479
- Matthews, D 465, 472
- Matthews, P 238
- Mattli, W 71
- Mattoo, A 437
- Med 2.0 142
- medical devices 26–7, 38, 44, 59, 177–8,
 185, 188, 191, 194, 195, 455
 definition 255
 human materials 227
 Internet sales 253
 mobile health apps 245–6, 255–6,
 259
 new health technologies 211, 215,
 217–19, 220–21
 trade law 438
- medicinal products 25–6, 59, 145, 227,
 231, 240, 455
 advanced therapy *see separate entry*
 arbitration 450
 competition law 272, 273–6, 279,
 289
 merger control 281, 282–3
 definition of 157–8, 211
 developing countries 475
 EU regulation 157–71, 291, 299,
 305–8, 311, 494
 impact on civil liability *see below*
 interactions

- labelling, packaging and advertising 162, 163, 164, 166, 167–9
- marketing authorisation *see below*
- post-marketing duties 169–70
- transparency 170–171, 192
- vaccines 334
- European Medicines Agency *see separate entry*
- generic 274, 275–6, 282, 300, 305, 307, 442–3, 447–8, 470
- ICH 12, 158, 226, 455, 458
- Innovative Medicines Initiative (IMI) 205
- interactions between regulation and civil liability 182–96
 - causation and recoverable damage 194–5
 - defectiveness enquiry 182–91
 - development risks defence 191–2
 - ‘put into circulation’ 193–4
 - reciprocity 195
- Internet 169, 245, 252–3, 254
- marketing authorisation 25, 158–67, 220–21, 458
 - centralised procedure 159–61, 165–7, 169, 212–17
 - human materials and medicinal products 224–7
 - impact on civil liability 182–96
 - individual Member State application 159, 161–3
 - mutual recognition and decentralised procedure 159, 163–5
 - post-authorisation safety studies 163, 166
 - time limits 162, 163, 164, 165, 166, 214
- marketing and post-market control 156–96
 - EU regulation 157–71, 212–17, 220–21
 - interactions 182–95
 - product liability 172–82
- pharmacovigilance 162, 163, 169–70, 195, 216, 230
- pricing and TTIP 445, 446, 447–8
- product liability 172–4, 249
 - defect 173, 176–80
 - development risks 180–82
 - interactions with regulation 182–96
 - scope and structure 175–6
- trade law 438, 445, 450
 - generic medicines 442–3, 447–8
 - TTIP 445, 446, 447–8
- TRIPS Agreement 464–5, 470, 472, 475
- unauthorised drugs
 - terminal illness 78
- Meisterernst, A 417
- Mellina, C 127
- Member States 30, 37, 44, 305–6, 307, 366
 - alcohol 369–70, 391–4, 396, 397
 - control policies and EU internal market 374–80
 - international public health context 370–74
 - antimicrobial resistance 420–21, 447
 - CJEU and 71–7, 81, 354
 - food 399–400, 411, 423–5
 - international treaties 456
 - National Competition Authorities (NCAs) 271–2, 273, 278–80, 289–90
 - merger control 280–82, 283
 - State aid 31, 283–8
 - tobacco 352
 - trade and health 429, 431, 432–3, 438, 442, 445, 451, 452
 - national parliaments 435
 - values 482–3, 494–5
 - EU constitutional setting 490–94, 495
 - and fundamental rights 484–7
 - see also* Eurozone crisis; national courts
- Menéndez, AJ 87, 484
- mental disorders 407
- mental health care 107
- mentally incapable adults
 - clinical trials 99
- Mercurio, B 465
- merger control 280–83, 288
- methyl mercury 404
- van der Meulen, B 24, 400, 402, 404
- mHealth apps 149, 244–6, 254–61
- Michalowski, S 90, 335, 461

- Micklitz, HW 329
microbiology 317, 326
midwives 117, 118
Mildred, M 182, 185, 187, 189, 190
Miller, CJ 183
Miller, D 373
Milward, AS 23
Mladovsky, P 298
Mnookin, RH 61
mobile health apps 149, 244–6, 254–61
 liabilities 259–61
Moir, H 470
Moldova 466
Montgomery, J 454, 460
Moodie, R 373, 396
Mooij, B 268
morality 207, 208, 210, 340
 see also ethics
Moravcsik, A 71
Morrison, M 203
Mossialos, E 17, 18, 21, 45, 113, 132,
 269, 303, 326, 476, 482
Mounier-Jack, S 327
Muir, E 484
Mukherjee, JS 473
multinational alcohol corporations
 373–4
Murphy, T 62, 453
mutual recognition 469
 medical devices 26
 medical qualifications 28
 pharmaceuticals 159, 160, 163–5
 prescriptions 246, 250
mutual societies 444, 450
Nanopoulos, E 86
national courts
 CJEU and 61, 62–70, 80
 frequency of requests for
 preliminary rulings 65–7
 general principles of EU law 84
 judicial review traditions 63–5
 product liability 260
 proportionality 67–9
national parliaments 435
NATO (North Atlantic Treaty
 Organization) 322, 326
Naurin, D 40
Navarro-Michel, M 200
Nazzini, R 267
necessity 253, 262
 alcohol control measures and
 internal market 376–8
Neergaard, U 277
neoclassical economics 365
neofunctionalism 71, 320, 345
neoliberalism 67, 142–3
Netherlands 29, 298, 309, 408
 antibiotics 420
 competition law 279–80, 286–7
 ePrescriptions 252
 health professional mobility 119
 Patients' Rights Directive 49, 57
networks and agencies 43–4, 326–7,
 346
 health technology assessment
 network 310
 see also individual agencies
neurodegenerative disorder 159, 198
Neven, L 140
new health technologies 197–221, 223,
 344
 arbitration 450
 EU law and marketing of 211
 advanced therapy medicinal
 products 214–17, 220–21,
 224–6
 medical devices 217–19, 220–21
 medicinal products 211–17,
 220–21, 224–7
 orphan medicinal products
 212–14, 221
 EU law and research on 200
 funding 201–5, 220, 235
 patent protection 205–10, 219–20,
 235
New Zealand 119
Newdick, C 64, 181, 182, 183, 186, 190,
 191
Niemann, A 71, 320
Nolan, A 298
non-communicable diseases (NCDs)
 369, 370–71, 394, 397, 409
 *see also individual diseases; nutrition/
 diet-related diseases*
non-profit organisations 444
Nordic countries 251
norms and law 349–50, 368
Norway 119, 360, 420
Nowak, T 39

- Nowotny, H 139
 nuclear threats 323
 nudging 347–8, 350, 364, 367–8, 412
 Nuremberg Trials 484
 nurses
 mobility *see* health professional
 mobility
 qualifications 117, 118, 127
 working time 116, 117
 nutrition and public health *see under*
 food law
 nutrition/diet-related diseases 398, 399,
 405, 406, 408, 412–13, 422, 423,
 424, 425
 labelling of food 412
 nutrition and health claims 415
 Nwaka, S 459
 Nys, H 51
- Obermaier, AJ 66
 obesity 363, 398, 399, 405, 406–8, 409,
 412–13, 422, 423, 424, 425
 nutrition and health claims 415, 417
 nutrition labelling 412
 O’Connell, P 471
 Odudu, O 267
 van Oers, J 395
 offshoring 245
 Ognyanova, D 118, 129
 Olsena, S 57
 O’Neill, O 480, 484
 Ong, A 154
 Ono, T 112, 113, 116
 open method of coordination (OMC)
 31–2, 80
 open science 148, 149, 151
 digital agenda, biomedical research
 and 145–7
 ordinary legislative procedure 40, 42–3,
 421, 432
 organ trafficking 238, 240, 241
 organ transplantation 227–30, 231,
 237–8, 241, 455
 buy and sell organs 239–40, 241,
 471–2
 consent 236
 cross-border exchange 232, 233–4,
 237
 living donors 229, 231, 237, 240,
 471–2
- O’Rourke, R 24
 orphan medicinal products (OMPs) 25,
 159, 161, 205, 212–14, 221
 Oudshoorn, N 140
 outsourcing 245
 Owen, DG 173, 179, 183, 189
- Paina, L 112, 131
 Pakistan 443
 Palm, W 46
 Panofsky, A 154
 Paolucci, F 298
 Parkinson’s disease 202, 208, 215
 paroxetine 279
 Parsons, C 36
 participation
 biomedical research law and policy
 and citizen science *see separate*
 entry
 partnership model (state, private and
 ‘third sector’ institutions) 118
 Patel, KK 267
 patents 25, 88, 95–7, 205–10, 219–20,
 235, 344, 470
 competition law and policy 274,
 275–6
 paternalism 412
 libertarian 367
 patient mobility 3, 438, 443–4, 445
 case law 29, 30–31, 45–6, 49, 50–
 51, 52–3, 55, 58–9, 91, 246,
 344
 Member States and CJEU 73–6
 eHealth 245, 246
 patients’ rights 3, 29, 32–3, 38, 39, 40,
 45, 241, 299, 310, 474, 486
 agenda-setting 45–7
 dialogue between Member States
 and CJEU 74–6
 dignity 493
 eHealth 245, 246, 249, 254
 fundamental rights 98
 how legislative output conditions
 outcomes 55–9
 political negotiations
 Council 49–52
 European Parliament 47–9
 inter-institutional 52–5
 trade 436–7
 PatientsLikeMe 134

- Pavolini, E 117, 118, 126, 127, 132
 Peeters, M 303
 Pehlan, J 351
 Pelkmans, SJ 26
 Pennings, F 24
 pensions 32
 Pereira, C 124
 Permanand, G 31, 44, 306
 Pfizer 282–3
 pharmaceuticals *see* medicinal products
 pharmacists/pharmacies 33, 102–3, 105, 106, 273, 302, 307
 ePharmacies and ePrescriptions 244, 245, 250–54
 qualifications 117, 118
 pharmacovigilance 162, 163, 169–70, 195, 216, 230
 Phelan, DR 28
 Pickering, A 139
 Pieters, D 297
 Pisani-Ferry, J 295
 Plomer, A 87, 220
 Pogge, TW 454
 Poland 87, 235, 449
 health professional mobility 119–22
 Patients' Rights Directive 51, 52, 57
 Pollack, MA 72, 392
 Porter, D 137
 Portugal 51, 295, 297–8, 360
 health professional mobility 122, 123–5, 303
 poverty reduction 460
 Power, M 139
 Prainsack, B 134, 142, 152
 precautionary principle 316, 330, 331–3, 340, 345, 405, 475
 trade and health 429–30, 465–6
 Prechal, S 77
 prescriptions *see* pharmacists/pharmacies
 Price, D 238
 Priest, GL 179
 Princen, S 353
 principal-agent model 71–2
 privacy 85, 99, 202, 245, 445, 476
 communicable diseases 315, 316
 mobile health apps 255, 256
 privatisation 1, 298, 311, 449, 490
 procurement 284, 300, 431, 438, 445, 446
 vaccines 334–5
 product liability 172–4, 249
 defect 173, 176–80, 260
 development risks 180–82
 interactions with regulation of medicinal products 182–96
 mHealth 259–60
 scope and structure 175–6
 product placement 389, 390–91
 professional organisations 130
 proportionality 103–4, 105, 150, 202, 354, 370, 424
 alcohol control measures and internal market 375–6, 377, 378, 394
 communicable diseases 316
 competition law 277, 278
 eHealth 253, 262
 national courts and CJEU 67–9
 Prosser, WL 173
 public health 23, 146, 150, 154
 alcohol *see separate entry*
 communicable diseases *see separate entry*
 competence 7, 12, 19, 20, 21, 29–30, 37
 alcohol 381
 antibiotics in food-producing animals 422
 communicable diseases 321
 food law 399–400, 409, 412, 422, 423–5
 global context 34
 health values 479, 481–2, 486, 489–90
 human materials 223, 227
 new health technologies 199
 tobacco 352, 354–8, 366, 481–2
 trade policy 432–7, 451
 distinguished from healthcare 21–2
 ePublic health technologies 261–2
 food law *see separate entry*
 human materials 223, 227, 237, 240
 investment protection 448–9
 tobacco *see separate entry*
 public health emergency of international concern (PHEIC) 338

- public-private partnerships 444, 446–7
 Pugh, C 182, 192
 Puska, P 383
- qualifications, professional 28, 115,
 117, 118, 125, 127, 128, 130, 133,
 303
 eHealth 248
 qualified majority vote 52, 352, 354,
 434, 435
 quarantine 316, 318, 337
 Quinn, P 257
- Rabinow, P 142
 ‘race to the bottom’ 164
 ‘race to the top’ 468, 476
 Radcliffe-Richards, J 239
 rapid alert systems
 cross-border health threats 262,
 321–2
 food law 323, 336
 human materials 230–31
 Rapp, R 154
 rare diseases/conditions 33, 48, 53, 205,
 215
 orphan medicinal products (OMPs)
 25, 159, 161, 205, 212–14, 221
 rational decision-maker 365
 Raychandhuri, K 261
 Rebonato, R 412
 referenda
 France 29
 Netherlands 29
 United Kingdom 1, 11–13
 registration of health professionals
 248–9
 registries, shared EU organ 238
 registry of human pluripotent stem
 cells lines 203
 Regnstrom, J 306
 regulation studies 136, 140, 142
 Reis, MF 125
 Renstrom, M 396
 research *see* biomedical research law
 and policy
 Reynolds, L 464
 Ribeiro, J 112, 124
 Ribeyre, Paul 36
 Rieder, C 79
 rights-based approach 20, 29
see also fundamental rights; human
 rights
 risk assessment 166, 170, 180, 189, 192
 communicable diseases 327, 328–31,
 332, 336
 data protection 258–9
 food injurious to health 405
 risk management 170
 communicable diseases 326, 327–8,
 330–31, 333, 334, 336
 pharmaceuticals 170
 Rittberger, B 322
 Ritter, A 396
 Robertson, A 409
 Rocco, G 127, 128
 Rodier, G 337, 341
 Roemer, R 458
 Romania 232, 297, 309
 health professional mobility 119–22,
 125, 127, 128–31
 Patients’ Rights Directive 51, 52
 Room, R 369, 395
 Rose, N 137, 141, 154
 Roux, T 471
 Ruger, JP 454, 457
 Ruggie, G 462
 de Ruijter, A 19, 20, 21, 22, 29, 37, 40,
 80, 94, 325, 333–4, 479, 483, 490,
 491
 Russia 119, 326
 Rusu, CS 280
 Rynning, E 242
- Saar, P 112
 Sabel, CF 345
 de Sadeleer, N 352
 Salomon, ME 342
 Samanta, N 466
 San Miguel, L 252
 Sandel, MJ 77–8, 454
 SARS (severe acute respiratory
 syndrome) 34, 322, 323, 458
 Sauter, W 31, 32, 267, 269, 289
 Sayers, D 98
 Sbragia, A 432
 Scharpf, F 20, 104, 137, 490
 Scheingold, SA 320
 school closures 334
 Schütze, R 392
 Schwebag, M 58

- science 7–9, 328–9, 330, 344, 492, 494, 495
 antibiotics 419
 citizen *see* biomedical research law and policy and citizen science
 food: nutrition and health claims 414, 416
 Science 2.0 142
 scientific ‘fact’ 333
 and technology studies (STS) 136, 139–42
 see also biomedical research law and policy
 scope of EU health law and policy 23, 35
 1957–1992 23
 food law 24–5
 free movement of services 28–9
 health and safety at work 28
 medical devices 26–7
 medical qualifications 28
 pharmaceuticals 25–6
 social security coordination 23–4
 tobacco 27
 1992–2007
 agencies 31
 integration context 29
 open method of coordination and health 31–2
 patient mobility case law 30–31
 public health 29–30
 2007 to present 32
 European Semester 33–4
 freedom of establishment 33
 freedom of services: Patients’ Rights Directive 32–3
 global context 34
 third health programme and Europe 2020 33
 Scott, C 137
 Scott, J 465
 self-employment 302
 self-regulation 362, 384, 390, 396–7, 417–18
 Selgelid, MJ 315
 services of general economic interest (SGEI) 277–8, 283–6, 288–9
 Shibuya, K 458
 Sinclair, D 269
 Singapore 438, 442
 Singh, SN 245
 single market *see* internal market/single market
 Slovakia 449
 health professional mobility 119–22, 125
 Patients’ Rights Directive 51, 52
 Slovenia 51, 420
 health professional mobility 119–22
 small and medium enterprises (SMEs) 205, 216
 Smith, L 395
 Smith, S 297
 social inclusion 32
 social open method of coordination 32
 social security coordination 23–4, 36, 37, 45, 102, 309
 socialisation 65
 Socialists and Democrats (S&D) 48, 49
 soft law 220, 241, 307, 310, 345–6, 454
 solidarity 35, 79, 269, 278, 296, 308, 309, 475, 480, 482
 constitutional setting of EU 491, 492, 494, 495
 fundamental rights 486, 487–9
 health professional mobility 131, 132, 133
 human materials 239
 Somek, A 61, 67, 73
 sovereignty 35, 473
 Spain 297, 420
 health professional mobility 119, 122, 125
 Patients’ Rights Directive 51–2, 57
 Sperling, D 471, 472
 sponsorship
 alcohol 372, 389
 tobacco 354–5
 Stability and Growth Pact (SGP) 33, 292, 293, 492
 Stamati, F 296, 298, 300
 Stapleton, J 179, 180, 181, 260
 State aid 31, 283–8
 State-owned enterprises 438, 446–7
 Steffen, M 21, 38
 Steinberger, E 433
 Steiner, HJ 474
 Stokes, E 198, 200

- strategy
 - 2000 Lisbon 143–4
 - EU Alcohol Strategy 2006–2012
 - 383–6, 395–7
 - Europe 2020 30, 144, 146
 - health 106–7
- structural funds 491
- Stuckler, D 325
- Studlar, D 365, 476
- Stuyck, J 375
- subcontracting 245
- subsidiarity 30, 32, 35, 150, 354, 489
 - alcohol 370, 382, 391–4
 - Patients' Rights Directive 47
- subsidies and investment protection 449
- Sunstein, CR 471
- supremacy of EU law 84
- surveillance
 - health 261–2, 317, 321–2, 326, 346
- sustainable development 332
- Sweden 119, 172, 298, 420
 - Patients' Rights Directive 49, 51
- Sweet, AS 320
- Switzerland
 - health professional mobility 118, 119, 124
- Syrett, K 212
- Szajkowska, A 405
- Szyszczak, E 31, 285, 286

- Tallberg, J 40
- Taschner, HC 172, 182
- taxation 367
 - alcohol 372, 378, 380
 - fat tax 20
- Taylor, A 135, 458
- Taylor, JS 239
- Taylor, L 458
- telemedicine 248–50, 262–3
- teleshopping 389, 390
- Terry, NP 242
- Thaler, RH 412
- thalidomide 157, 172, 173
- third-country nationals (TCNs) 338
 - removal of person with serious illness 340
- Thomson, S 307
- Thorndike, AN 411
- Thym, D 100

- von Tigerstrom, B 457
- tissue and cells *see* human materials
- Titmuss, R. 238–9
- tobacco 18, 20, 27, 38, 59, 76, 90, 347–68, 380, 455
 - advertising 27, 76, 351, 352, 354–5, 366, 475, 492
- bilateral treaties
 - investment disputes 449
- class 350–51
- EU regulation of 354–8, 366, 475–6
- EU Tobacco Products Directive 353, 355–6, 358–61
 - tar, nicotine and carbon monoxide yields (TNCO) 359, 364–5
- genesis and development
 - of EU control 351–3
 - of global control 348–51
- low-tar cigarettes 364–5
- new frontiers of regulation 361–5
- nudging 347–8, 350, 364, 367–8
- packaging 347, 353, 359–61, 362–4, 366–7, 475
- plausible rival hypothesis 350
- trade law 438
 - WHO 353, 361, 458
- Toebes, CA 454, 460, 482
- Torren-Edo, J 423
- tort
 - eHealth: applicable law 250
- tourism, health 437, 443–4, 445
- Tourney, C 152
- trade and development 459–60, 462–70
- trade and health 429–52
 - current trade negotiations 441
 - CETA 435, 438, 440, 441–3, 449, 450–51, 467
 - TiSA 434–5, 438, 441, 443–5, 467
 - TTIP 1, 345, 431, 434, 436, 438, 441, 443–4, 445–8, 449, 450, 452, 457, 468, 469
 - jurisdiction and competence 432–7
 - new-generation trade agreements and trade law
 - role of exclusions 439–41
 - policy space for health 437–9
 - trade secrets 446, 448
 - Trade in Services Agreement (TiSA) 434–5, 438, 441, 443–5, 467

- trade unions 130, 278
 traditional herbal medicines 161
 traffic regulations 103
 training 115, 117, 125, 129–30, 304
 communicable diseases 326
 human materials 229
 working time and doctors in 28
 trans individuals 107
 Trans-Pacific Partnership (TPP) 448, 450, 452, 467, 470
 Transatlantic Trade and Investment Partnership (TTIP) 1, 345, 431, 434, 436, 438, 441, 443–4, 445–8, 449, 450, 452, 457, 468, 469
 transitional countries 476
 transparency 151, 262, 284, 285, 289, 329, 330, 331
 pharmaceuticals 170–71, 192, 448
 price 25–6
 professional development 129
 trade law 436, 446, 448
 TiSA 445
 trialogues 42, 49, 52
 TRIPS (Trade-Related Aspects of Intellectual Property Rights) Agreement 433, 464–5, 470, 472, 475
 Tsouloufas, G 273
 tuberculosis 34, 118, 459
 Tulibacka, M 260
 Turkey 443
 Turner, BS 143
 Tushnet, M 471
 Tutton, R 238

 ‘Uberisation’ of healthcare 263
 Ukraine 466
 Ulstein, A 373
 unauthorised drugs
 terminal illness 78
 Ungureanu, M 129
 United Kingdom 298
 antibiotics 420
 CFREU 87
 competition law 278–9
 data protection 99
 ePrescriptions 252
 health professional mobility 119, 124, 125

 Human Fertilisation and Embryology Authority (HFEA) 69
 human materials 229
 human rights 64
 judicial review 64
 national courts and CJEU 64, 69
 National Health Service (NHS) 279, 297
 nurses 116, 117
 working time 116, 117
 new health technologies 204
 nutrition labelling 411
 organ transplantation
 consent 236
 Patients’ Rights Directive 49, 51
 plasma 233
 referendum (2016) 1, 11–13
 thalidomide 172
 tobacco 359–61
 TPP 448, 450, 452, 467, 470
 TTIP 1, 345, 431, 434, 436, 438, 441, 443–4, 445–8, 449, 450, 452, 457, 468, 469
 UK Biobank 134
 United Nations 446, 460
 non-communicable diseases 370
 Sustainable Development Goals 459
 United States 119, 173, 178–9, 183, 189–90, 345, 401
 Anthrax 318, 322
 antibiotics 419
 free trade agreements 431–2
 health security 325
 health tourism 437, 444
 orphan medicines 212
 TiSA 443
 trade and health 465
 trade law 429–30, 437, 444, 448
 universality 308–9, 480, 482, 483
 constitutional setting of EU 491, 492, 494
 fundamental rights 486, 487–9
 Uruguay 449

 vaccines and immunisation 118, 316, 317, 333–6, 459
 compulsory vaccination 335–6
 values in EU health law and policy 9–11, 12–13, 479–83

- fundamental rights
 - health values and 483–5
 - health values in 485–90
- future research 494–5
- health law in EU constitutional setting 490–94
- Varju, M 208
- Varkevisser, M 281
- Vasev, N 56, 57
- Vayena, E 138, 141
- Vedder, H 276
- Viagra 253
- Vicarelli, G 126, 128
- Vogel, D 401, 429, 465
- Vogler, S 306, 308
- Vollaard, H 36, 38, 57
- Van Vooren, B 456
- Vos, E 21, 24, 28, 322, 417, 466

- Wagenaar, A 395
- Waldby, C 238
- Walker, G 140
- Wansink, B 417
- Warntjen, A 40
- Warren-Jones, A 198
- Watson, J 491
- Weatherill, S 76
- Web 2.0-enabled Science 2.0 and Med 2.0 platforms 142
- Weiler, JHH 63, 65, 67
- Westin, J 274
- Whish, R 270
- Whittaker, S 175, 181, 186, 188
- Wiggers, MPM 279
- Wilkinson, S 239
- Wilsdon, J 135
- Wismar, M 112, 113, 126, 129
- Wolf, JA 259
- women
 - carers 117
 - nurses 117
- Woolgar, S 140

- working time 28, 37, 39, 59, 116, 117, 132
- World Bank 338–9, 455, 459, 473
- World Health Assembly 197, 369
- World Health Organisation (WHO) 12, 34, 197, 240, 243, 446, 452, 457–8, 459, 475
 - alcohol 370–71, 374, 379, 380
 - antimicrobial resistance 419
 - communicable diseases 320, 326, 335, 338–9
 - definition of health 404
 - ePharmacies 252
 - non-communicable diseases 371, 409
 - obesity 406–7
 - recruitment of health personnel 122–3, 131
 - tobacco 353, 361, 458
- World Trade Organisation (WTO) 329, 429, 433, 444, 446, 455, 457, 475
 - development and trade 462, 463–7, 469, 470
 - dispute settlement 429–31, 475
 - liberalism, modified or embedded 462, 465, 469, 470
- Wyatt, D 366
- Wynne, BE 142
- Wyss, L 187

- Yeung, K 140
- Young, AR 466
- Young, KG 64
- Young, R 112

- Zahariadis, N 318
- Zamparutti, T 397
- Zeitlin, J 32
- Ziegler, DW 449
- Zika virus 316, 338, 344
- Zimmer, D 267
- Zuniga, JM 471