European Food Safety Authority

EXECUTIVE DIRECTOR

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Claire Robinson
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Re: Report on European regulation of pesticides and food safety

Dear Ms. Robinson,

With this letter, I wish to acknowledge receipt of your correspondence of April 7 in relation to the report *Europe's pesticide and food safety regulators – Who do they work for?* While this correspondence does not aim to respond in detail to the report, I would like to address a number of factual errors in the document which indicate a fundamental misunderstanding of the legislative framework, operating principles and governance of EFSA.

To begin with, EFSA is not a regulatory body which you suggest throughout the document. As laid down in its Founding Regulation, EFSA's core remit is to provide independent scientific risk assessments to inform the decision making of Europe's risk managers. The majority of the Authority's scientific advice is generated, not by its own staff, but by panels of independent experts drawn from national food safety agencies, scientific organisations and academic institutions across Europe. These experts, acting on a voluntary basis, give freely of their time for the public good, a model that is widely used in other EU agencies. As they are selected primarily on the basis of their scientific excellence, it is inevitable that they will be in demand elsewhere and will be active in other scientific committees and forums. The experience gained in these scientific networks and activities benefits the work of EFSA and ultimately the European consumer.

Public-private partnerships are an established feature of scientific and academic research. National and European research policies encourage, and often oblige, researchers in the public sector to work with the private sector in order to fund their research. Therefore, it is an inescapable fact that many scientific experts working in the public sector are involved to varying degrees in projects funded by, or involving, industry.

Responsibility for declaring interests to EFSA lies with the individual experts and the Authority acts as "gatekeeper" to ensure that any expert with a conflict of interest is not engaged in the work of the Authority. Guided by its *Policy on Declaration of Interests*[1] (2007), EFSA has put in place a robust and comprehensive system to register interests, identify any potential conflicts and take appropriate actions where needed. The implementation and functioning of that system has been evaluated by a number of independent bodies and shown to be effective and robust.

In that regard, the omission – despite the many citations in your report – of any reference to EFSA's *Policy on Declaration of Interests* and its implementing rules[2,3] is misleading and distorts the representation of the Authority's commitment to independence and the systems it has put in place to protect it. In the implementation of the policy, EFSA screens more than 5000 declarations of interest and about 35,000 specific agenda items in a single year. In 2010, due to conflicts identified by EFSA, 24 experts were not allowed to participate in the Authority's activities; a further 280 were excluded from drafting scientific outputs and 53 were excluded from specific agenda items under discussion.

The recent resignation of an expert from the Panel on Plant Protection Products and their Residues (PPR), which you make several references to in the report, in fact demonstrates how we are effectively implementing the *Policy on Declaration of Interests*. Once EFSA became aware of the failure to declare an interest, we acted swiftly and transparently. The scientific outputs in which the expert participated were carefully audited and discussed at length by EFSA's Audit Committee which reports directly to the Management Board. Over 400 hours of staff time were devoted to this audit alone and we are confident of the outcome.

EFSA's scientific advice does not reflect the views of a single expert or school of thought, rather it is the culmination of a collegial decision-making process. In the interests of transparency, the workflows and progress of the risk assessments can be freely accessed via the EFSA website and care is taken to record any minority opinions. EFSA's scientific advice considers the totality of scientific evidence, regardless of source. In contrast to merely accepting data or methodologies as you suggest, the Authority defines the data requirements with which applicant dossiers must comply and its Scientific Committee and Panels provide direction on risk assessment approaches.

As laid down in its Founding Regulation, EFSA's Management Board represents a wide range of expertise related to the food chain. It specifically includes four members from organisations "representing consumers and other interests in the food chain". Therefore, it is by design that members of the Management Board have links with a particular food sector; they are selected for that very experience and expertise. The Board however has no power to review EFSA's scientific outputs nor to influence their adoption procedure, this being the sole responsibility of EFSA's Scientific Committee and Panels.

[1]EFSA Policy on Declaration of Interests, see http://www.efsa.europa.eu/en/keydocs/docs/doipolicy.pdf.
[2]Implementing Act to the Policy on Declaration Of Interests: Guidance Document on Declarations of Interest, see http://www.efsa.europa.eu/en/keydocs/docs/doiguidance.pdf.
[3]Implementing Act to the Policy on Declaration of Interests: Procedure for Identifying and Handling Potential Conflicts of Interest, see http://www.efsa.europa.eu/en/keydocs/docs/doiconflicts.pdf.

EFSA plays no role in the appointment of Board members; they are appointed by the Council of EU Ministers in consultation with the European Parliament and based on a short-list drawn up by the European Commission after an open call for interest.

In generating its scientific advice, EFSA considers the entire spectrum of available scientific evidence. The Authority actively and regularly consults stakeholders, partners and other interested parties on its work through workshops, technical meetings, public consultations and the Stakeholder Consultative Platform in which NGOs are members. The recent (March 31) consultative workshop on the selection of GM plant comparators, which we webcast live, is but one example of our commitment to dialogue.

I trust you will find my correspondence on this important issue informative.

Yours sincerely,

Catherine Geslain-Lanéelle

Cc:

John Dalli, European Commissioner for Health and Consumers Policy
Jo Leinen, Chairman of the EP Committee on Environment, Public Health and Food Safety
Paola Testori Coggi, Director General EC Directorate General for Health and Consumers