



Brussels, December 18th 2013

To : Mr Bernhard Url
Acting Executive Director
European Food Safety Authority (EFSA)

CC : Mr Maroš Šefčovič
European Commission Vice-President
in charge of Inter-Institutional
Relations and Administration;

Mr Petri Sarvamaa
Member of the European Parliament

Mr Dirk Detken
head of EFSA's legal and policy affairs unit

Mr Alberto Spagnoli
Head of EFSA's Executive Office

Dear Mr Url,

We are sending you today an article written by Corporate Europe Observatory and Beelife on the Italy-based OPERA Research Center. This organisation is indirectly included in EFSA's Article 36 list of food safety organisations (FSOs) as it belongs to the Italian private university Università Cattolica del Sacro Cuore, itself part of this list. EFSA confirmed some months ago to a journalist that it considered OPERA to belong to that list.¹ However, we show in this article that this organisation, whose director is a member of EFSA's PPR panel, is partly financed and supported by agrochemicals producers and acts as a lobby group in these companies' interest in Brussels.

You might remember that our recent report “Unhappy Meal: The European Food Safety Authority's independence problem” mentioned that this list of FSOs was one of the ongoing weaknesses in EFSA's independence policy, on top of EFSA's excessively narrow interests assessment policy which lets numerous scientists working for EFSA have financial ties to most major names in the agrofood

1 Cronin D. *Ban on bee-killers doesn't end EU's bias towards pesticides*. Neweurope. 9 June 2013.
<http://www.neweurope.eu/article/ban- bee-killers-doesn-t-end-eu-s-bias-towards-pesticides>

business.

EFSA currently considers that its scientific panel members' links to these FSOs do not endanger these scientists' independence because FSOs “carry out tasks within EFSA’s mission, [pursue] public interest objectives and [their] governance ensures the performance of its tasks with independence and integrity”. While this list does contain such organisations, it also includes privatised parts of universities that work for commercial clients in the agrofood sector.

The OPERA Research Center is one such case. Not only has it close ties to several agrochemical companies (see briefing attached) but it even has a Brussels representation office with five staff, registered with the EU lobbying transparency register. We show that OPERA has in particular been active to influence the debate in Brussels on issues such as the Common Agriculture Policy as well as the impact of pesticides on bees, one of the most controversial issues in the sector these days.

The director of this institute, Mr. Ettore Capri, is a member of EFSA's panel on Plant Protection Products and their Residues (PPR) and has been involved in drafting EFSA opinions on pesticides and bees. Since the OPERA Research Center is not an organisation that can be assumed to only pursue public interest objectives, we consider that this case is a conflict of interests for an EFSA panel member – we already highlighted this case in our recent report and are still waiting for a substantiated answer from EFSA about this and the others detailed in this report, such as the numerous panel chairs and vice-chairs whose appointment was made in breach of existing EFSA independence rules.²

As a consequence, we believe it is urgent that the Article 36 list is revised and that robust rules are designed to guarantee the independence of the institutions it includes. We also demand that this particular situation is adequately dealt with by removing the person concerned from the PPR panel. We would like to kindly remind you that we are still waiting for a substantiated response from EFSA about our recommendations for EFSA's independence policy as formulated in the report "Unhappy Meal". We are eager to know what steps EFSA is planning to take.

Yours sincerely,

Martin Pigeon
Researcher and Campaigner
Corporate Europe Observatory

2 EFSA's Management Board replied to our report in broad, unspecific terms, saying it was “confident” that EFSA's independence policy was “robust” and effectively implemented, but our report showed precisely that EFSA's independence policy was neither robust nor effectively implemented.