

Brussels, 3 May 2012

Re: Vote on discharge EFSA's 2010 budget, 10 May

Dear Member of the European Parliament,

In view of the vote on 10 May in plenary session on the discharge regarding the implementation of the EFSA 2010 budget, we are sending you a briefing focusing on the problematic links between EFSA panel members and the International Life Sciences Institute (ILSI), an industry lobby group.

While ILSI denies that it is a lobby group its proposals follow a trend of making risk assessment procedures less rigorous and cheaper for industry – at the expense of public health and the environment.

The report on the EFSA 2010 budget discharge by Ms Macovei MEP, approved by the budget committee, demands from EFSA that they “*consider as a conflict of interest the current or recent past participation of its Management Board, panel and working group members or staff in ILSI activities such as task forces, scientific committees or chairs for conferences*”. We fully support this qualification of ILSI as a source of conflicts of interest.

While EFSA now has an improved set of conflict of interest rules, the way these rules are implemented will demand close scrutiny. For this to happen it would be wise for the Parliament to postpone EFSA's 2010 budget discharge, as suggested by the current report. This would allow an assessment of the renewal of the membership of eight EFSA expert panels (the experts' names will be announced on 8 May) and for the publication of the report by the European Court of Auditors on conflicts of interests in EU agencies including EFSA, which is expected before the summer.

Key points of the briefing:

- ◆ ILSI Europe, a regional subsidiary of the US-based institute set up in Brussels in 1986, used to describe itself as “*a key partner for European industry*” whose aim is to “*build science in regulatory areas*”. Indeed, ILSI's activities often act as a vehicle to promote business-friendly ‘scientific’ concepts and methodologies to be introduced into new food and health policies.
- ◆ ILSI Europe is primarily funded by its member corporations. Its areas of work have to be approved by its corporate members, and are usually closely related to the EU policy agenda. ILSI has a history of lobbying the US government and the WHO, including thwarting tobacco control policies and setting standards for food and water.

- ◆ From EFSA's inception in 2002 to date, there have been strong links between the food safety agency and ILSI. Many EFSA panel experts, members of the scientific committee and the management board are actively involved in ILSI's work. EFSA has granted ILSI credibility as a "scientific" organisation by organising joint events, paying experts to attend ILSI events and by being officially represented in ILSI working groups. The EFSA management Board in 2010 acknowledged that involvement with ILSI could lead to conflicts of interest, when its chair Diana Bánáti had to step down from her role at the ILSI board of directors following public exposure, but later Milan Kováč's membership of ILSI's board of directors went unchallenged.
- ◆ At the EU level, ILSI's proposals on risk assessment have followed a trend of making safety testing procedures less rigorous and cheaper for industry – at the expense of public health and the environment. They take part in public consultations and make policy recommendations. ILSI has been accused of influencing EFSA's recommendations for the risk assessment of pesticides, including watering down the so-called 'data requirements' (tests industry has to do in support of its applications for approval), weakening EFSA's guidelines for the risk assessment of GM crops, and promoting the 'threshold of toxicological concern', TTC, an industry-friendly toxicology assessment method that replaces toxicological testing with a series of assumptions.
- ◆ However, new rules introduced by EFSA will qualify ILSI activities as 'ad hoc consultancy', whether paid or unpaid. This would mean that ILSI activities, whether they are current or past, will no longer be allowed for panel chairs and vice-chairs. For ordinary members, only on-going ad hoc consultancy activities are not allowed. This could be an important step in banning ILSI influence from EFSA's work.
- ◆ ILSI strongly denies being a lobby group, but since their activities are aimed at influencing EU decision making with an industry-driven agenda, ILSI should sign up to the EU lobbying transparency register and stop misleading the public and EU decision-makers. EU institutions and agencies should refrain from having links with ILSI.

For any further questions, please do not hesitate to contact us.

Yours sincerely,

Nina Holland - Corporate Europe Observatory
 Tel: +32 2 8930930
 Mobile: +31 (0) 6 302 85 042

Hans Muilerman - Pesticide Action Network

Claire Robinson - Earth Open Source

Christoph Then - Testbiotech

Lisette van Vliet – Health and Environment Alliance (HEAL)