



Brussels, 6 August 2012

Subject: Undeclared ILSI activities of EFSA panel members

Dear Mrs Geslain-Lanéelle,

Since the appearance of our report *Conflicts on the Menu*¹, EFSA has published and implemented its new independence rules². These rules forbid EFSA panel members from having current activities with the International Life Sciences Institute (ILSI). Also, EFSA has announced that it will start regular checking of the Declarations of Interests (Dols) filled out by the panel members, for correctness and completeness. Both are developments we very much welcome.

However, in our report we mention as an example of non-declared activities with ILSI, the case of Roland Franz's membership of the scientific committee of ILSI's 5th Symposium on Food Packaging, scheduled for November 2012 in Berlin. Corporate Europe Observatory (CEO) mentioned this case again in its briefing on ILSI published in May this year³. Thus far, Mr Franz has not updated his Dols, and he is still part of the scientific committee of the ILSI symposium⁴. The organising committee of the ILSI symposium consists of people from Mars, Nestle, Coca-Cola and Dow, and remarkably also a representative of DG SANCO.

Mr Franz is a member of the EFSA Food Packaging Panel (CEF), evaluating controversial substances used in packaging, such as Bisphenol A. We assume that the new rules on conflicts of interest also apply to the EFSA panel on food additives and nutrient sources in food (ANS) and CEF panels, whose memberships were renewed last September. Not only is the current ILSI activity of Franz in contradiction of those rules, but he clearly should have mentioned it in his Dols, also according to the old rules. This fact has been brought to your attention in the two CEO/Earth Open Source (EOS) publications mentioned above. It does not seem however that EFSA has taken steps to make Mr Franz update his Dols, nor does it appear he has been asked to give up his membership of the CEF panel, or his role in the ILSI symposium.

A June 2011 report by CEO found that six members of the ANS panel responsible for reviewing the safety of food additives had connections with ILSI, including the then vice-chair Ivonne Rietjens⁵. Four of those – John Christian Larsen (chair), Gerrit Speijers, Iona Pratt, and Jürgen König – failed to declare active collaborations with ILSI. Already under EFSA's previous rules, failure to disclose such activities were considered as a "prima facie breach of trust towards EFSA" that could have led to these experts' dismissal – but did not. The Dols of these four experts were updated a few days after the publication of the report, confirming CEO's position that these collaborations with ILSI should have been declared⁶.

In early July 2011, the ANS panel membership was renewed. CEO and Réseau Environnement Santé (RES) reported that two of the five newly appointed experts, Riccardo Crebelli and Ursula Gundert-Remy, again failed to disclose consulting activities for ILSI, in violation of EFSA rules. Again EFSA failed to act, claiming that these activities were not required to be declared since they "fall outside of the ANS panel's remit". But EFSA's own rules clearly define such consulting activities as a conflict of interest. EFSA says if a person

gives “advice or services in a particular field falling within EFSA’s remit”⁷, then that can constitute a conflict of interest. The definition is not restricted to one panel’s remit, in this case, the ANS Panel’s field of activities. And this is true whether the activities are paid or unpaid.

In earlier letters to Members of European Parliament, we have argued that:

- EFSA should avoid appointing new panel members with conflicts of interest such as active links to ILSI;
- EFSA should make it clear to all panel experts that all ILSI activities must be declared, and check their declarations of interest accordingly.

We urge you to take action to address the non-declared ILSI activities of CEF panel member Roland Franz, and to prevent any such cases from arising in the future.

Kind regards,

Nina Holland
Corporate Europe Observatory

Claire Robinson
Earth Open Source

¹ Conflicts on the menu, Corporate Europe Observatory and Earth Open Source, 14 February 2012. <http://www.corporateeurope.org/publications/conflicts-menu>

² “EFSA publishes Implementing Rules for Independence Policy”, press release, EFSA, 5 March 2012. <http://www.efsa.europa.eu/en/press/news/120305.htm>

³ The International Life Sciences Institute (ILSI), a corporate lobby group, Corporate Europe Observatory, 3 May 2012. <http://www.corporateeurope.org/sites/default/files/ILSI-article-final.pdf>

⁴ ILSI Europe website, accessed 5 August 2012.

<http://www.ilsa.org/Europe/Pages/PMsympo12scientificcommittee.aspx>

⁵ Exposed: conflicts of interest among EFSA’s experts on food additives, Corporate Europe Observatory, 15 June 2011. http://www.corporateeurope.org/sites/default/files/publications/EFSA_ANS_panel.pdf

⁶ “Food safety panel members “update” declarations of interest – admitting industry ties”, press release, Corporate Europe Observatory, 4 July 2011. <http://www.corporateeurope.org/pressreleases/food-safety-panel-members-update-declarations-interest-%E2%80%93-admitting-industry-ties>

⁷ Guidance document on declarations of interest, EFSA, Catherine Geslain-Lanéelle, 8 September 2009.
<http://www.efsa.europa.eu/en/keydocs/docs/doiguidance.pdf>