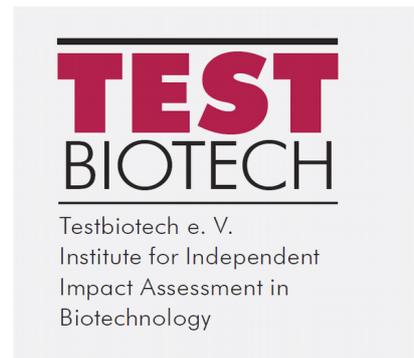


Annex to the open letter on conflicts of interest sent by Testbiotech to the EFSA Management Board in June 2016



In a letter to EFSA in March 2016,¹ Testbiotech pointed out several cases of conflicts of interest at EFSA. The cases concern:

- Barbara Gallani, who moved from the UK food industry lobby group, the Food and Drink Federation, to EFSA as communications director without any cooling-off period.
- Four EFSA experts involved in the risk assessment of genetically engineered organisms, whilst at the same time playing an active role in organisations with close affiliations to the biotech industry. The organisations are the International Life Sciences Institute (ILSI), the International Society for Biosafety Research (ISBR) and the International Organization for Biological Control West Palearctic Regional Section (IOBC/WPRS).
- Alfonso Lampen, who has been actively involved in the industry-funded International Life Sciences Institute (ILSI) without mentioning this in his declaration of interest at EFSA.

At the end of May, EFSA's executive Director Bernhard Url replied to Testbiotech. This reply is clearly inadequate and could put the credibility of EFSA at risk.

(1) The case of Ms Gallani

In the case of Ms Gallani, EFSA stated that she went through “*a highly competitive selection procedure*” and would not have “*any control on the content of scientific outputs*”. However, this does not dispel our concerns: Testbiotech never claimed that Ms Gallani was expected to influence the scientific output of EFSA. However, *risk communication* is a key task of EFSA, it is decisive for public perception and political decision making. Therefore, the authority has to avoid any influence of vested interests on its public communications. In this context, a “*highly competitive selection procedure*” cannot be sufficient avoidance of conflicts of interest.

EFSA is clearly aware of the problem since as stated in the letter, special measures were taken “*preventing her from becoming directly involved on dossiers of her previous employer*”. But this statement does not seem to address the heart of the problem: There is simply no issue at EFSA that is not relevant to the food industry. Thus, the only adequate so-called “*temporary measures*” would have been a general cooling-off period before Ms Gallani became actively involved in the EFSA communications department. Further, it is clear when looking at her history, that Ms Gallani should not have been appointed as director.

1 <http://www.testbiotech.org/en/node/1587>

(2) ISBR and GMO experts at EFSA

In the case of the four experts involved in the risk assessment of genetically engineered organisms, EFSA stated that the involvement in activities of ILSI would, for example, be considered as within the “*normal range of activities performed by a scientist*”. Testbiotech agrees that occasionally participation in workshops might not establish a conflict of interest. However, as evidenced in these cases, there are patterns of repeated and / or consistent involvement in ILSI activities that should be scrutinised by EFSA, and reflected much more carefully in its standards for protecting its independence. Since, in addition, experts in other EFSA panels have a history of repeated and/ or consistent involvement in ILSI activities, the current situation can give the impression that EFSA’s work might be impacted by networks representing vested interests.

In the case of the ISBR and IOBC, EFSA very vaguely states:

"These associations appear to promote the practice and application of science in the fields of biotechnology and environmental risk analysis and environmentally safe methods of pest and disease control in plant protection."

It is unclear why EFSA is not interested in finding out more about the real activities and interests of these organisations, and mostly repeats what is claimed by those institutions themselves. Looking at the publications available in the context of genetically engineered plants, the IOBC has to be regarded as a like-minded group of scientists, who cooperate repeatedly and/ or constantly with experts from industry. Thus, the activities of the IOBC are not likely to be driven by pure scientific interest, but clearly influenced by the perspective of companies wanting to profit from this field of technology.

Interestingly, the IOBC claims that it is not funded by industry.² At the same time, direct funding by industry cannot be denied: As evidenced by Testbiotech, ISBR's conferences are regularly sponsored by biotech corporations such as Monsanto, Bayer, Dow AgroSciences, DuPont and Syngenta as well as by ILSI or the international federation of biotech industry, CropLife International. Testbiotech has also shown that previous the ISBR Board of Directors consisted almost exclusively of experts from industry or with ILSI affiliations (see also Bauer-Panskus & Then, 2015a). In its current financial report, ISBR acknowledges financial support by CropLife. Further, ISBR even shares an address with the ILSI Research Foundation.³ ILSI even offered a prize of free participation in an ISBR conference in 2017, for the best poster in an ILSI Research Foundation event.⁴ According To ILSI,

"The 1st Place Winner will be sponsored to participate in the 14th International Symposium on the Biosafety of Genetically Modified Organisms (ISBGMO), to be held in Guadalajara, Mexico in 2017."

Further, as Testbiotech reported, ISBR's conference in 2014, ISBGMO13, was sponsored mainly by industry or industry umbrella organisations. Sponsors included: AfricaBio, Bayer, CERA (which is organised by ILSI), CropLife, DuPont/Pioneer, Dow, FuturaGene, Monsanto and Syngenta.⁵ In comparison, according to the ISBR annual financial report for 2015, membership contributions were much smaller.⁶ Furthermore, according to the 2015 financial report, CropLife funded the ISBR publications:

„The publications expenditures were supported through a grant from CropLife International

2 www.iobc-wprs.org/20160415_Open_Letter_IOBC-WPRS_to_EFSA.pdf

3 http://isbr.info/About_Us

4 <http://ilsirf.org/event/south-asia-biosafety-conference/>

5 <http://isbr.info/ISBGMO13/Sponsors>

6 http://isbr.info/Annual_Reports

to promote the open access dissemination by Frontiers of articles arising from ISBGMO13.“

Testbiotech showed that GMO panel members Jeremy Sweet and Adinda De Schrijver as well as Yann Devos, a member of EFSA's GMO Unit, were members of ISBR. In the case of Yann Devos, who was also a member of the Program Committee of the ISBR conferences in 2012 and 2014, EFSA claims:

"EFSA considers that the presence of EFSA staff at scientific events is in line with EFSA's openness principle and the need to keep its staff trained and their knowledge up to date. Regarding the organisations IOBC and ISBR, it should be clarified that temporary membership by these organisations automatically for the simple fact of having attended one of these events. It should be highlighted that neither Dr Devos, nor EFSA, have ever paid fees for these organisations, or requested to become permanent members of the above organisations."

While Testbiotech did not claim that EFSA or Mr Devos funded ISBR, it would have been much more relevant to issue a statement that Mr. Devos never benefited from his cooperation with ISBR. But, very disturbingly, such a statement was not made. Instead, in his letter to Testbiotech, Mr Url explained the membership of Mr Devos as being somewhat accidental. However, according to ISBR's website, Mr Devos is a member of the ISBR Board of Directors, serving as Programs Committee Chair (see figure below).



Figure 1: ISBR Board of Directors (as of 10 June 2016)

As already shown for previous boards of ISBR, also in this period, most of these board members are strongly affiliated with industry (see Table 1).

Overall, the current ISBR leadership consists of four members, who came directly from industry either past or present (Monica Garcia-Alonso, Donald MacKenzie, Gabriela Levitus) or from organisations mainly funded by industry such as ILSI (Andrew Roberts). Alan Gray, ISBR's president, is also repeatedly involved in ILSI activities. In this context, the presence of an EFSA staff member (Yann Devos) as part of the ISBR leadership is neither accidental nor acceptable.

In summary, it was shown that ISBR is an organisation that is heavily funded by industry and its leadership dominated by experts with ties to industry. Membership per se, let alone being part of the ISBR leadership, should therefore be regarded as a conflict of interest. Experts with ties to ISBR should be barred from being on EFSA panels, in working groups and members of staff. This is especially relevant for experts belonging to the ISBR Board of Directors. It is a matter of great concern that Mr Url seems to be unaware of the facts or - if he is aware - appears to be possibly trying to mislead public perception.

Table 1: Examples of industry affiliations for members of the ISBR Board of Directors (2016)⁷

Name	ISBR position	Affiliation
Alan Gray	President	Co-author of several ILSI publications ⁸
Monica Garcia-Alonso	ISBR Secretary / Communications & Outreach Committee Chair	„ ... worked for Syngenta for 19 years where she gathered extensive experience in environmental risk assessment and regulatory affairs “
Donald MacKenzie	Treasurer & Finance Committee Chair	„Dr Donald MacKenzie is the regulatory affairs and stewardship leader for the Golden Rice Project at the International Rice Research Institute. Dr MacKenzie was previously a global regulatory affairs manager for DuPont Pioneer and has held government posts with Agriculture and Agri-Food Canada’s Research Branch, the Canadian Food Inspection Agency, and in Health Canada.“
Yann Devos	Programs Committee Chair	EFSA
Andrew Roberts	Publications Committee Chair	Dr Roberts is currently leading CERA’s scientific initiatives in the areas of ERA under low-exposure conditions and RNA interference. As of January 2015, Dr Roberts was promoted to the position of Director of both CERA and CSAFF, with the goal of continuing collaboration between the centres, identifying opportunities to work with new partners both within and outside the ILSI family, and expanding the work of both CERA and CSAFF to applicable scientific areas beyond agricultural biotechnology.
Gabriela Levitus	Symposium Committee Chair	Executive director ⁹ of ArgenBio, the umbrella organisation of Argentina's biotech industry, with members such as Monsanto, Bayer, Dow, Pioneer and Syngenta. ¹⁰

⁷ http://isbr.info/Board_of_Directors

⁸ Roberts, A., Devos, Y., Raybould, A., Bigelow, P., & Gray, A. (2013) Environmental risk assessment of GE plants under low-exposure conditions. *Transgenic research*, 23(6): 971-983.

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⁹ www.argenbio.org/index.php?action=acerca&opt=2¬e=26&id=2

¹⁰ <http://www.argenbio.org/index.php?action=acerca&opt=2¬e=27&id=3>

(3) The case of Mr Lampen

In the case of Mr Lampen, EFSA started a more detailed investigation. This is welcomed. However, it is also astonishing that EFSA was not previously aware of this information since, for example, Testbiotech already in 2013 and 2015 published an overview of Mr Lampen's activity with ILSI (Bauer-Panskus & Then, 2015b).

References:

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