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European Food Safety Authority
Mrs. Catherine Geslain-Lanéelle
Executive Director
Mr. Dirk Detken
Head of The Legal and Policy Affairs
European Food Safety Authority EFSA
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43121 Parma
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Conflict of interest at EFSA

Munich 21.12.2010

Dear Mrs. Catherine Geslain-Lanéelle, dear Mr. Detken

We would like to draw your attention to some serious conflicts of interest that are affecting the work of European Food Safety Authority (EFSA) and its GMO panel. Harry Kuiper has chaired the *GMO Panel* at EFSA since 2003. Just before he joined the EFSA, he worked for a so-called *Task Force* established by the *International Life Sciences Institute* (ILSI). Kevin Glenn, a Monsanto employee heads this *Task Force* and all of its members are representatives of large biotech corporations. Even after starting work at EFSA, Mr Kuiper is still currently active within ILSI. There is also at least one other EFSA *GMO Panel* member who has worked with the ILSI *Task Force*.

Collaboration between ILSI and the *GMO Panel* experts has had a marked effect on EFSA. According to ILSI itself, the *Task Force* has had an impact on the EFSA Guidance for the risk assessment of genetically engineered plants. *Comparative Assessment* was implemented as a starting point for risk assessment. So-called *Comparative Assessment* is based on the assumption that conventional breeding and genetic engineering can generally be seen as being equivalent. As a result, the risks of genetically engineered plants are less rigorously investigated than they would be if EFSA assumed that genetic engineering and conventional breeding were basically different –which is much more plausible from a scientific point of view.

Further problems have arisen from the fact that ILSI set up the databank used by EFSA to compare the compounds of genetically manipulated plants with

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those of plants derived from conventional breeding. This constellation does not appear to provide adequate protection from targeted manipulation by industry.

Evidence of ILSI influence on the EFSA *GMO Panel* has been found also in the context of feeding trials. EFSA does not normally require feeding studies using genetically engineered plants to test for potential health impacts. The document published by EFSA to explain why feeding trials are not necessary, was even partially plagiarized from an ILSI paper. In your letter 5399594 of 17 December, it is claimed that there were inaccuracies in the statement made by Testbiotech dated 1 December. Mr. Detken explains that “animal feeding studies are used by EFSA for the toxicological and nutritional evaluation of GM plants”. This seems to be a misleading statement. In fact, the EFSA *GMO panel* did not request any feeding study for health tests with whole plants for those products which have so far been placed on the market (the only exception we are aware of is LY038 which was withdrawn by the applicant). We do not think that Mr. Detken's letter addresses the real problems raised by our background paper, - it is merely a defense of the EFSA's public position.

We recommend a far reaching reorganisation of EFSA with significant participation of environmental and consumer organisations. As a first step, all members of staff, experts and members of the EFSA management board active in ILSI should step down from their positions at EFSA.

We also attach our analysis of the new EFSA *Guidance* for environmental risk assessment which we hold for being insufficient regard of its concept and content. Please don't hesitate to contact us if you need more informations. We will most certainly attend the meeting on the selection of comparators. Thank you very much for your invitation! We would, in the meantime, urge EFSA to consider having a general debate on the concept of comparative safety assessment at this meeting.

With kind regards and best wishes for christmas,



Dr. Christoph Then

Executive Director, Testbiotech

Attached:

**TESTBIOTECH Background 1-12-2010, European Food Safety Authority:
A playing field for the biotech industry-, standards for risk assessment
massively influenced by industry**

**TESTBIOTECH Background 20- 12-2010, Analysis of EFSA *Guidance* on the
environmental risk assessment of genetically modified plants**

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