



Mr Maroš Šefčovič,  
Vice-President in charge of Inter-Institutional Relations and Administration  
European Commission  
Rue de la Loi 200  
B-1049 Brussels  
BELGIUM

CC: Ms Catherine Day, European Commission Secretary General

Brussels, 29 November 2010

Dear Commissioner Šefčovič

We would like to inform you about a complaint that we made today to EFSA about the interview panel which appointed Ms Laura Smillie a few months ago.

Ms Smillie started working for the EFSA Communication Directorate on 17 May 2010. Less than three weeks before, she was still an employee of the European Food Information Council (EUFIC) where she worked for five years as communications manager.

EUFIC is a food industry-sponsored think tank whose members and funders include companies such as Coca-Cola, Danone, Kraft Foods, Mars, McDonald's, Nestlé, and Unilever – all big players in the European food industry and powerful lobbies.

There is no doubt this case of 'reverse' revolving door creates potential conflicts of interests. We contend that EFSA's interview panel did not do its job properly and should have excluded Ms Smillie, or at least put in place a system of self-disqualification because of the conflict of interests. Given her background as a representative of the food industry, there is a major risk she breaches Articles 11 and 11a of the EU Staff Regulations.

Please find attached our letter sent today to EFSA detailing our arguments.

As a review of the EU's staff regulations is said to be underway, the Commission should take this opportunity to draft rules on reverse revolving doors to avoid "conflicts with the legitimate interests of the EU institutions".

This should include a ban of at least two years on private-sector interest representatives assuming public office in EU institutions that they have lobbied over the last three years.

We thank you in advance for taking our views and concerns into consideration.

Yours faithfully,

Olivier Hoedeman  
Research and Campaign Coordinator  
Corporate Europe Observatory

Christoph Then  
Executive Director  
Testbiotech

Gabriella Zanzanini  
Director of European Affairs  
Food & Water Europe



Ms Catherine Geslain-Lanéelle  
Executive Director  
European Food Safety Authority  
Largo N. Palli 5/A  
43121 Parma  
ITALY

CC : Mr Maroš Šefčovič, European Commission Vice-President in charge of Inter-Institutional Relations and Administration; Mr Dirk Detken, head of EFSA's legal and policy affairs unit

Brussels, 29 November 2010

Dear Ms Geslain-Lanéelle,

We would like to complain about the EFSA interview panel responsible for appointing Laura Smillie a few months ago.

Ms Smillie started working for EFSA's Communication Directorate on 17 May 2010. Less than three weeks before, she was still an employee of the European Food Information Council (EUFIC) where she worked for five years as communications manager. EUFIC is a food-industry-sponsored think tank whose members and funders include companies such as Coca-Cola, Danone, Kraft Foods, Mars, McDonald's, Nestlé, and Unilever – all big players in the European food lobby.

This case of 'reverse' revolving door – employing someone who has come from an industry lobbying position – creates potential conflicts with the legitimate interests of the EFSA. We contend that EFSA's interview panel did not do its job properly and should have excluded Ms Smillie, or at least put in place a system of self-disqualification because of the conflict of interests. Given Ms Smillie's background as a food industry representative, there is a major risk she breaches Articles 11 and 11a of the EU Staff Regulations.

We argue that someone who worked for a commercial interest lobby group – and this is indisputable in the case of Ms Smillie<sup>1</sup> – is ill-suited to work for a public agency which it was her job to influence, because this endangers her obligations under Article 11 and 11a.

Article 11 of the EU Staff Regulations states: "An official shall carry out his duties and conduct himself solely with the interests of the Communities in mind; (...) He shall carry out the duties assigned to him objectively, impartially and in keeping with his duty of loyalty to the Communities."

Article 11a of the EU Staff Regulations states: "1. An official shall not, in the performance of his duties and save as here-in after provided, deal with a matter in which, directly or indirectly, he has any personal interest such as to impair his independence (...)"

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<sup>1</sup> See "How EFSA let Big Food shape its risk communication policy", Corporate Europe Observatory, November 2010.  
<http://www.corporateeurope.org/lobbycracy/content/2010/11/big-food-shaping-efsa-policy>

We argue that someone with Ms Smillie's background is not the best choice in terms of ensuring that duties are carried out objectively and impartially because there is a clear risk Ms Smillie is not in a position to conduct herself solely with the interests of the Communities in mind.

This is particularly true on the issue of Ms Smillie's responsibility for risk communication guidelines. Ms Smillie, on the request of industry, developed a particular approach to risk communication while working at EUFIC. This approach to risk communication was developed to serve vested interests – i.e. to limit the media impact of a food crisis and thus potential losses for the food industry. There is a clear risk that a similar approach will now be implemented at EFSA, contradicting the public interest in an open and truthful communication policy on food safety issues.

We thank you in advance for taking our views and concerns into consideration.

Yours faithfully,

Olivier Hoedeman

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