Ms Catherine Geslain-Lanéelle
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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, 27 January 2011

Dear Ms Geslain-Lanéelle,

Thank you for your letter of 21 December 2010[1] concerning a potential conflict of interest in the case of Laura Smillie.

In your reply you state that after careful consideration of our statements you did not find any breach of the governing legal provision with regards to the selection and appointment of Ms Laura Smillie.

However you failed to address the main concern we raised, which is that there is to our view a clear risk that Ms Smillie is not in a position to conduct herself solely with the public interest in mind, in particular on the issue of Ms Smillie's responsibility for new risk communication guidelines at EFSA.

On the request of the food and drink industry, Ms Smillie developed a particular approach to risk communication while working at the European Food Information Council (EUFIC) from 2005 to 2010[2].

This approach to risk communication was only developed to serve vested interests – i.e. to limit the media impact of a food crisis and thus potential losses for the food industry. It clearly contradicts the public interest in an open and truthful communication policy on food safety issues.

To our view, there is a clear risk that a similar approach will now be implemented at EFSA where Ms Smillie is responsible for developing and implementing risk communication guidelines.

According to the European Commission's Code of Good Administrative Behaviour, "as a general rule full justification for decisions should be given"

[1] http://www.efsa.europa.eu/en/edinterviews/documents/corporatetestbiotech101221.pdf
[2] 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

and a decision “should clearly state the reasons on which it is based and should be communicated to the persons and parties concerned”. We would like to be informed of your detailed argumentation regarding why you think there is no risk that an industry approach to risk communication will now be implemented at EFSA by Ms Smillie, or why you think this is not a problem.

Yours faithfully,

Olivier Hoedeman	Christoph Then	Gabriella Zanzanaini
Research and Campaign Coordinator Corporate Europe Observatory	Executive Director Testbiotech	Director of European Affairs Food & Water Europe