

Subject: Re: EC Endocrine disrupting chemical legislation

Date: Tue, 23 Sep 2014 19:50:50 +0200

From: Jorgo Riss <xxxx@greenpeace.org>

To: Anne.GLOVER@ec.europa.eu

Stéphane Horel <xxxx@wanadoo.fr>, xxxx@ehn.org, xxxx@gmail.com, Doug Parr

CC: <xxxx@greenpeace.org>, xxxx@greenpeace.org, xxxx@theguardian.com,
xxxx@euractiv.com, xxxx@ec.europa.eu, Hans Muilerman <xxxx@pan-europe.info>,
Martin Pigeon <xxxx@corporateurope.org>, xxxx@yahoo.com, xxxx@novethic.fr

Brussels, 23 September 2014

Dear Professor Glover,

We are replying to your email of 12 September. It seems you may have misunderstood our concerns regarding your involvement in the Commission process to establish criteria to identify endocrine disrupting chemicals (EDCs).

The EDC file illustrates, in exemplary fashion, some of the problems related to the position of Chief Scientific Adviser to the President of the European Commission (CSA).

You say that you intervened on this file on 20 June 2013 because you had a duty to reply to a letter^[1] from scientists that you had received three days earlier. You then sent a note to the Director General of the European Commission's Environment Directorate asking him "to provide [you] with factual information to allow [you] to respond"^[2] to this critique of the Commission's approach on EDCs by the scientists.

However, you also copied your note to several of the most senior decision-makers within the European Commission, including the Secretary-General and President Barroso's head of cabinet. In your note, you gave weight to your concern by referring to the EDC issue as "*sensitive and controversial*".

You presented the authors of the letter as being "*very eminent experts*", thereby crediting them as being authoritative on the issue.

The competence of these scientists on the particular issue of endocrine disruption has however been questioned: prominent endocrinologists and specialists on EDCs published two rebuttals^[3] ^[4] when, a few weeks later, the letter you had received was published in various toxicology journals accompanied by a sweeping editorial stating that the Commission's initiative to identify EDCs was "*defying common sense*".^[5] Furthermore, it was revealed that most signatories of the editorial (17 out of 18) and many signatories of the letter to you have links to industries affected by a regulation of EDCs.^[6]

The letter was an attack on an ongoing EU science-based decision-making process.^[7] We would argue that your intervention gave credence to this attack, creating the impression of scientific controversy. You relayed this impression to the highest political echelons of the European Commission at a crucial time in the policy process.

Two weeks after your intervention, the Commission's Secretary General decided to delay the process of defining the criteria to identify endocrine disrupting chemicals.^[8]

Thus, our concern is that your intervention:

- was copied to the highest levels of the Commission, adding strong political content to a science-based discussion,
- bypassed all other scientific institutional processes in the Commission,

- presented the signatories to the letter as authoritative on the issue of EDCs, and
- created the impression that there was a significant scientific controversy on the definition of EDCs when your own records[9] show there was none.

In fact, after having criticised the Commission’s work on defining EDCs, the authors of the letter dropped their opposition when they faced the experts working for the Commission at a meeting you organised in October 2013. The conclusions of that meeting are fully consistent with the positions of the Joint Research Centre and the European Food Safety Authority, and these had already been taken on board by DG Environment prior to your intervention in June.

However, by the time the critics agreed, the damage had already been done: since then the Commission has not materially advanced the establishment of criteria to identify EDCs and one EU member state is now suing the Commission for this delay.[10]

These are the facts which motivate our concerns about the role you played in the Commission’s process to establish criteria to identify EDCs.

We are not alleging that you acted in bad faith on this file, but it illustrates how the position of CSA can be subverted to undermine or delay formal science-based decision-making processes. We are convinced that the Commission needs more objective and robust evidence gathering and advice than the position of CSA can provide – regardless of the professional qualities of the office holder. This and other examples have led 30 organizations to call on President-elect Juncker not to re-appoint a CSA but instead to strengthen the processes by which scientific evidence informs policy decisions.[11]

Yours sincerely,

Jorgo Riss (Greenpeace European Unit)
 Doug Parr (Greenpeace UK)
 Martin Pigeon (Corporate Europe Observatory)

[1] See [Attachment 1](#) (Letter Dekant to Glover)

[2] See [Attachment 2](#) (Note Glover to Falkenberg)

[3] *Policy Decisions on Endocrine Disruptors Should Be Based on Science Across Disciplines: A Response to Dietrich et al.* A. C. Gore, J. Balthazart, D. Bikle, D. O. Carpenter, D. Crews, P. Czernichow, E. Diamanti-Kandarakis, R. M. Dores, D. Grattan, P. R. Hof, A. N. Hollenberg, C. Lange, A. V. Lee, J. E. Levine, R. P. Millar, R. J. Nelson, M. Porta, M. Poth, D. M. Power, G. S. Prins, E. C. Ridgway, E. F. Rissman, J. A. Romijn, P. E. Sawchenko, P. D. Sly, O. Söder, H. S. Taylor, M. Tena-Sempere, H. Vaudry, K. Wallen, Z. Wang, L. Wartofsky, and C. S. Watson - *Endocrinology*, 154(11), pp. 3957–3960 DOI: <http://dx.doi.org/10.1210/en.2013-1854>

[4] *Science and policy on endocrine disruptors must not be mixed: a reply to a “common sense” intervention by toxicology journal editors* Å. Bergman, A.M. Andersson, G. Becher, M. van den Berg, B. Blumberg, P. Bjerregaard, C.-G. Bornehag, R. Bornman, I. Brandt, J. V Brian, S. C Casey, P. A Fowler, H. Frouin, L. C Giudice, T. Iguchi, U. Hass, S. Jobling, A. Juul, K. A Kidd, A. Kortenkamp, M. Lind, O. V Martin, D. Muir, R. Ochieng, N. Olea, L. Norrgren, E. Ropstad, P. S Ross, C. Rudén, M. Scheringer, N. E. Skakkebaek, O. Söder, C. Sonnenschein, A. Soto, S. Swan, J. Toppari, C. R Tyler, L. N Vandenberg, A. M. Vinggaard, K. Wiberg and R Thomas Zoeller *Environmental Health* 2013, 12:69 doi:10.1186/1476-069X-12-69

[5] *Scientificallly unfounded precaution drives European Commission’s recommendations on EDC regulation, while defying common sense, well-established science and risk assessment principles* D. R. Dietrich, S. von Aulock, H. Marquardt, B. Blaauboer, W. Dekant, J. Kehrer, J. Hengstler, A. Collier, G. Batta Gori, O. Pelkonen, F. Lang, F. P. Nijkamp, K. Stemmer, A. Li, K.

Savolainen, A. Wallace Hayes, N. Gooderham, and A. Harvey

ALTEX 30(3), 381–385 DOI: 10.14573/altex.2013.3.381

[6] *Special report: Scientists critical of EU chemical policy have industry ties*, S. Horel & B. Bienkowski, Environmental Health News, 23 Sept 2013

<http://www.environmentalhealthnews.org/ehs/news/2013/eu-conflict>

[7] In this case the work performed by scientists and member state experts within both an ad hoc group and an expert advisory group set up by DG Environment, the latter subsequently producing a report under the auspices of the Joint Research Center and the European Food Safety Authority.

[8] See [Attachment 3](#) (Note Day to Falkenberg)

[9] See [Attachment 4](#) (Meeting note on endocrine disruptors)

[10] <http://www.reuters.com/article/2014/05/22/us-eu-sweden-idUSBREA4L15X20140522>

[11] See [Attachment 5](#) (Open letter to Juncker)

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Jorgo Riss

Director

Greenpeace European Unit asbl/vzw - www.greenpeace.eu

Tel: [+32 \(0\) 2 274 19 07](tel:+3222741907)

Personal Assistant: Ms Gaetane Binon

Tel: [+32 \(0\) 2 274 19 09](tel:+3222741909)