



Brussels, 2<sup>nd</sup> October 2012

Commissioner John Dalli, EU Commissioner for Health and Consumer Policy

Commissioner Janez Potočnik, EU Commissioner for Environment

European Commission

B-1049 Brussels BELGIUM

Dear Commissioner Dalli,

Dear Commissioner Potočnik,

**We, the undersigned environment, occupation/workers, and health organisations are writing to you today as we would like to request clarification on yesterday's news** that EFSA has been asked by the European Commission to prepare a scientific opinion on the human health and environmental risks of endocrine disruptors.

For at least one year, there has been an ongoing process under the auspices of DG Environment, on the science and policy issues relating to the Community Strategy for Endocrine Disruptors and the requirements of the Pesticides and Biocides legislation to establish the criteria for the identification and assessment of Endocrine Disruptors. The process includes DG Health and Consumers (Sanco), DG Employment, Joint Research Centre, European Chemicals Agency, Member States, industry and public interest stakeholders, and involves the Ad Hoc meetings and the ED Expert Advisory Sub Group meetings. In particular, the Expert Advisor Sub Group meeting has been providing advice to and is developing a report for the Commission and for the Member States Ad hoc Group on scientific aspects related to identification of endocrine disruptors. In these groups, discussions include the work of the OECD, the 2012 report on the "State of the Art Assessment of Endocrine Disruptors", and other relevant scientific materials. These meetings have taken up considerable resources and time from all participants. Although the news article on the EFSA website and mandate text indicate it derives from the 'European Commission', we find it hard to believe that the Commission as a whole would initiate an entirely new process, which will lead to significant duplication and overlap with the existing process already underway under the auspices of DG Environment. Moreover, the letter makes clear that the mandate comes specifically from DG Sanco.

**We would like to receive clarification as to how this new scientific opinion will fit into the existing process; and in particular, how it will be compatible with the DG Environment lead in the Commission services on producing criteria for Endocrine Disruptors.** The Biocides law is the legislation requiring the earliest adoption of delegated acts specifying criteria for the determination of endocrine disrupting properties and for Biocides, DG Environment leads the process. Under the Experts Sub Group mentioned above, DG Environment has already set up a group with expertise on EDCs, comprised of representatives of Member States and stakeholders in order provide expert advice on the criteria. It now seems counter-productive to involve additional groups of scientific experts, particularly as not all have the requisite expertise in the issue of endocrine disruption.

**We would also like to receive clarification on how this new scientific opinion will be compatible with the need for horizontal criteria that crosses all relevant legislation** including that of for food & feed, industrial chemicals, cosmetics, water, and other areas. This need has been clearly expressed in the 4<sup>th</sup> report on the implementation of the Community Strategy on Endocrine Disruptors (August 2011), particularly given the special nature of endocrine disrupting chemicals having additive effects.

**Controversies have already been provoked by previous EFSA work on Endocrine Disruptors,** and their omission of new scientific insights on endocrine disruption. There are ongoing disputes about the validity of EFSA opinions (see Vandenberg et al, Environmental Health Perspectives, May 2010 and other publications), as well as ongoing disagreement views between EFSA and different Member States, for example see the French ANSES on Bisphenol A in food containers "Effets sanitaires du bisphénol A" September 2011). In addition there is significant public concern about the reliability and impartiality of its work on EDCs (as evinced by the recent decision of MEPs to withhold EFSA's budget).

**We would like explanations on how the Commission intends to proceed further with these now overlapping processes, and how Member State and other stakeholder expertise will be involved in the future.** Given that the European Parliament is in the midst of its Report on Endocrine Disruptors, it would also be useful to understand how the Commission sees the Parliament's report in relation to this EFSA undertaking. The credibility and motivation of the Commission Services that initiated this mandate, if not the Commission as a whole, let alone that of EFSA itself, is brought into question by what appears to be a significant duplication and overlap of resources and separate processes. In these times of austerity budgets and EU financial crises, European citizens expect the European Commission to ensure the most efficient and effective use of its resources, as well as those of its participating Member State representatives and experts. Looking at the mandate, we are not sure that this new process serves these ends, and think that this new development merits the fullest explanation.

Finally, we would like to point out that we think it is of the utmost importance that the process on the EDCs Strategy and the EDCs Criteria continues to be transparent and involves all stakeholders. The definition of and criteria for EDCs will mean that some substances will become recognized as EDCs and therefore possibly subject to controls, and others not. Therefore we believe public scrutiny is necessary with respect to the scientific formulations of criteria and definitions, and the scientific opinions, definitions and criteria are part of a wider process which require ongoing democratic participation and decision-making, and embody the precautionary principle.

In view of the public interest in this matter, we intend to make the contents of this letter more widely available. **We are requesting a meeting with you** about this as a matter of urgency.

Bearing in mind the importance of the issue, we look forward to a swift response.

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***on behalf of***

Alliance for Cancer Prevention

Breast Cancer UK

BUND /Friends of the Earth Germany

Cancer Prevention and Education Society

Center for International Environmental Law

CHEM Trust

Client Earth

Danish Ecological Council

European Environment Bureau

Health Care Without Harm Europe

International Chemical Secretariat (ChemSec)

Intituto Sindical de Trabajo, Ambiente y Salud (ISTAS)

Générations Futures

Greenpeace

Organización para la Defensa de la Salud (Health Defense Organisation), Vivosano Foundation

Pesticide Action Network Europe

Reseau Environnement Sante

Swedish Society for Nature Conservation

Women in Europe for a Common Future