



EUROPEAN COMMISSION
HEALTH AND CONSUMERS DIRECTORATE-GENERAL

Head of Unit

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Dear Professor Dekant,

**Subject: Participation in the 2nd meeting Risk Assessment Committee (RAC)
meeting of the European Chemicals Agency (ECHA)**

Thank you for your detailed explanation which you send to me concerning your participation as an observer/accompanying scientist representing the European Council on Intermediates and Plasticisers (ECPI) industry association in the discussion on the point of the agenda concerning 'non classified phthalates' during the 23rd meeting of the Risk Assessment Committee (RAC) (27-30 November 2012) of the European Chemicals Agency (ECHA).

As indicated in my letter of 4 December 2012 to you, we have examined the situation in light of your explanation and the provisions of the Scientific Committee Rules of Procedure relating to Independence (Chapter 5, points 18-32) adopted by the Scientific Committees on 18 December 2009, in conformity to Article 12 of Commission Decision 2008/721/EC of 5 September 2008 and have formed the following views on this matter.

I refer to my acknowledgement message to you on 10 December 2012 and our discussion in Luxembourg on 12 April on this matter.

On procedural grounds, it seems that there has been a breach of established procedures as set out in Chapter V, points 18-32 and in particular point 21 which stipulates that members of the Scientific Committees are '*...under a continuing duty to declare any activity, situation, circumstance or other fact potentially involving a direct or indirect interest...*'. While it is not explicitly stated that such declarations must be done in advance of any such activity, in today's public and institutional attention to matters of scientific advice and independence of scientists, a legitimate expectation would be for all of us to go on the side of caution and ensure that activities or situations which may be or be perceived as being conflictual are properly communicated in advance to the Commission.

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By email only

On substance, the purpose of your intervention at the RAC meeting is clear from the explanations you offered. This together with the fact that you, as a member of the Scientific Committee on Health and Environmental Risks (SCHER) 2009-2013, have never participated in work concerning phthalates, demonstrates the absence of a conflict of interest situation.

I wish to underline our appreciation to the work you personally have carried out over the years, which has enabled the Commission to develop policies, which have ensured a high level of health, consumer and environmental protection.

I look forward to your continued support to the work of the Commission Scientific Committees.

Yours faithfully,

[Signed electronically]

Tapani Piha