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Table 2: EFSA's interpretation of the reliability of studies indicating possible harm, by number of studies

	Number of studies reviewed	Treated as reliable	Treated as unreliable
Jan 2013	**27**	**0**	**27**
Dec 2013	**55**	**0**	**55**

These tables show that the EFSA panel twice reached the conclusion that aspartame is safe, not by consistently applying uniformly critical standards to the evidence from all studies, but by routinely forgiving almost all the shortcomings of favourable studies yet being unremitting critical of all the studies suggesting any possible risks. The panel's overall conclusion is driven more by the panel's biased interpretative assumptions than by the evidence adduced.

In the panel had taken a genuine position of ethical, social and policy neutrality, it might have been equally sensitive to possible false negatives in Table 1 and possible false positives in Table 2. If it had actively adopted a pro-public health position, it would have given greater attention to potential false negatives than false positives. Instead it has taken a pro-industry view by being massively more critical of studies suggesting possible harm, than of their opposites.

The main change that has taken place between January and December is that the EFSA panel is marginally more critical of a few of the weakest studies listed in Table 1. In January, the panel only discounted 3 out of a total of 83, whereas in December, 13 of 66 were discounted.

As Table 2 however shows, on both occasions, the EFSA panel discounted every single study that

showed for example that “Observation records indicated that animal A23LM was alive at week 88, dead from week 92 through week 104, alive at week 108, and dead at week 112.”[3]

In the rebuttal I provided to EFSA on 22 February 2013 to its draft review, I again drew the Panel’s attention to the reasons why the apparent findings of many of Searle’s studies were seriously unreliable, but a collective set of blind eyes have been turned to the evidence showing that at least 15 of the initial portfolio of studies cannot be relied upon. Nonetheless, studies E11, E33-34, E40, E41, E43 and E70 are treated as if reliably indicating that aspartame is safe.

If the EFSA panel’s criteria of appraisal had been symmetrical between possible false positives and false negatives, and reasons for discounting studies had been consistently applied, then the numbers of studies deemed unreliably reassuring would have risen by at least 15.

In 1996 Ralph Walton, of Northeastern Ohio Universities College of Medicine, reported that “Of the 166 studies felt to have relevance for questions of human safety, 74 had Nutrasweet® industry related funding and 92 were independently funded. One hundred percent of the industry funded research attested to aspartame's safety, whereas 92% of the independently funded research identified a problem.”[4] Extending that analysis to all the studies discussed this year by the EFSA Panel reveals that it remains the case that 100% of the industry-funded studies suggest that aspartame is harmless, whereas the percentage of independently-funded studies suggesting possible risks has risen to 97%.

EFSA’s claim that aspartame is safe has therefore been reached only by assuming that the vast