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CONFERENCE ROOM DOCUMENT

The European Food Safety Authority

Contribution from the European Community

On 21st January 2002 the EU Council of Ministers agreed the last steps towards the adoption of a Parliament and Council Regulation setting up the European Food Safety Authority (EFSA) thus paving the way for the Authority to start its operation as early as possible in 2002.

The primary responsibility of the Authority will be to provide independent scientific advice on all matters with a direct or indirect impact on food safety. The Authority has been given a wide brief, so that it can cover all stages of food production and supply, from primary production to the safety of animal feed, right through to the supply of food to consumers. It will gather information from all parts of the globe, keeping an eye on new developments in science. It will share its findings and listen to the views of others through a vast network that will be developed over time. As well as interacting with experts and decision-makers on many levels, EFSA will communicate directly with the public on its areas of responsibility.

Although the Authority's main "customer" will be the Commission, it will be open to respond to scientific questions from the European Parliament and the Member States and it can also initiate scientific investigations on its own behalf. The Authority will carry out assessments of risks to the food chain and indeed can carry out scientific assessment on any matter that may have a direct or indirect effect on the safety of the food supply, including matters relating to animal

health, animal welfare and plant health. The Authority will also give scientific advice on non-food and feed GMOs, and on nutrition in relation to Community legislation.

Legal Basis for the European Food Safety Authority

The European Parliament and Council Regulation laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety was adopted by the Council of Ministers on 21 January 2002. In accordance with the provisions of this regulation, it will enter into force twenty days following publication in the Official Journal. Thus the Authority is likely to have a legal base before the end of February.

In January 2000 the Commission issued its White paper on Food Safety in which it announced a comprehensive package of 84 measures the corner stone of which was the Regulation on General Food Law and the establishment of the European Food Safety Authority. The Commission adopted its proposal for the Regulation in November 2000. The rapidity with which this complex and comprehensive Regulation has been adopted reflects the exceptionally high importance attached to food safety in general, and the Authority in particular, by the Community Institutions and the Member States.

Making the European Food Safety Authority operational

The adoption of the legal basis is a major milestone, opening the door to a series of practical measures that will need to be undertaken to make the Authority operational. Most importantly, it allows the Commission to initiate the procedures leading to the nomination of the Management Board and the Executive Director, which will give the Authority its legal personality.

Central to the tasks of the Authority is the provision of scientific advice by its Scientific Committee and Panels. The important steps of selecting and appointing members of the Scientific Committee and Panels can be made only after the Management Board and Executive Director are in place.

Once the Executive Director is in place the Authority will also be able to recruit suitable scientific, technical, communications and administrative staff to ensure that it is able to meet the demands placed upon it.

Legal Status of the European Food Safety Authority

The European Food Safety Authority will be a Community body with its own legal identity, funded from the Community budget but operating independently of the Community institutions. It will not therefore be managed by the Commission but by an Executive Director who in turn will be answerable to a Management Board.

The tasks of the European Food Safety Authority

The Authority will be responsible for:

- the scientific evaluation of risks,
- the collection and analysis of scientific data,
- safety evaluations of dossiers put forward by industry for Community level approval of substances or processes,
- identification of emerging risks,
- scientific support to the Commission particularly in the case of a food safety crisis,
- direct communication to the public and other interested parties of information concerning matters within its remit.

The Authority will primarily be a scientific risk assessment body; the responsibility for risk management or decision making remaining with the EU's political institutions: the European Commission, the Council of EU Ministers and the EU Parliament.

The Authority will develop and issue scientific and technical information on a wide range of matters affecting the safety of the food chain. It will also have extensive responsibilities for communicating scientific and technical information directly to the public in a coherent and consistent manner, working with other key food safety bodies in the Member States and the European Commission.

The objective is to ensure that its independence, scientific excellence and openness will make the Authority the automatic first port of call on matters relating to food safety.

Scope of the European Food Safety Authority

The European Food Safety Authority will have a broad remit, allowing it to make scientific assessments of any matter which may have a direct or indirect effect on the safety of the food supply including matters in relation to animal health, animal welfare and plant health.

This is essential so as to avoid repeating the failures of the past to identify emerging risks in one field that may have an impact on another as was the case with BSE which emerged initially only as an animal health problem.

The Authority will also give scientific advice on non-food/feed GMOs and on nutrition in relation to Community legislation. It will therefore cover all stages of production and supply, from primary production, animal feed, right through to the supply of food to consumers.

The primary components of the European Food Safety Authority

The Authority comprises 4 separate components:

i) Management Board

A Management Board shall have responsibility for ensuring that the Authority functions effectively and efficiently. The Board will be composed of 14 members appointed by the Council in consultation with the European Parliament. The Commission will be responsible for drawing up a list of candidates from which the selection is made. There will also be a representative from the Commission on the Board. Four of the members shall have their background in organisations representing consumers and other interests in the food chain.

The members of the Management Board will be appointed in such a way as to secure the highest standard of competence, a broad range of relevant expertise and, consistent with these, the broadest possible geographic distribution within the Union.

ii) The Executive Director

An executive director will be responsible for the day to day management of the Authority and will be answerable to the Management Board.

The Executive Director shall be appointed by the Management Board, on the basis of a list of candidates proposed by the Commission after an open competition, following publication of a call for an expression of interest in the Official Journal of the European Communities and elsewhere. The appointment will be for a period of five years, which may be renewable.

iii) Advisory Forum

The Executive Director will be assisted by an Advisory Forum composed of representatives from the competent bodies in the Member States, which undertake tasks similar to those of the Authority, on the basis of one representative per Member State.

These bodies will most probably be national agencies performing risk assessments in the food sector where they exist in a Member State. Their close involvement is essential, for example, to ensure efficient networking with national scientific organisations as a mechanism for exchanging information on potential risks and for pooling knowledge. This will also encourage broad understanding and acceptance of the scientific advice of the Authority in Europe.

iv) Scientific Committee and Panels

A Scientific Committee and several Scientific Panels will be responsible for the scientific opinions of the Authority.

The **Scientific Committee** will be responsible for the general co-ordination necessary to ensure the consistency in the scientific opinions of the different panels. This Committee will be composed of the chairpersons of the scientific panels and six independent experts who do not belong to any panel.

The **Scientific Panels** will be composed of independent scientific experts selected following an open call for expressions of interest and appointed by the Management Board. They will be selected on the basis of criteria of competence, knowledge, independence and experience. Members of the Scientific Committee and Panels will not be employees of the EFSA. The following 8 panels will be established:

- Panel on food additives, flavourings, processing aids and materials in contact with food;
- Panel on additives and products or substances used in animal feed;
- Panel on plant health, plant protection products and their residues;
- Panel on genetically modified organisms;
- Panel on dietetic products, nutrition and allergies;
- Panel on biological hazards (including TSE/BSE issues);
- Panel on contaminants in the food chain;
- Panel on animal health and welfare.

For further background see:

www.efsa.eu.int

http://europa.eu.int/comm/food/fs/efa/index_en.html

http://europa.eu.int/comm/dgs/health_consumer/library/press/press135_en.pdf