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Report Highlights:

The European Food Safety Authority (EFSA) was created to provide scientific advice in the form of risk assessments to the Commission to support new food and feed legislation. EFSA has now issued several scientific opinions. Following EFSA's activities should provide U.S. regulatory agencies and industries indications of future EU legislative initiatives that could impact trade. Because "risk management" responsibility remains with the Commission, watching the Commission react to independent scientific advice could prove quite interesting.

Includes PSD Changes: No
Includes Trade Matrix: No
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Summary

The main responsibility of the European Food Safety Authority (EFSA) is to provide scientific advice for Community legislation and policies in all fields having a direct or indirect impact on food and feed safety through the development of risk assessments, and to communicate these findings to the general public.¹

Following a series of food safety problems in Europe in recent years, including BSE and dioxin, a wide ranging reform of the EU food law was launched by the European Commission in its January 2000 White Paper on Food Safety². The January 28, 2002 adoption of the legal basis setting up EFSA also provided a new framework for EU food law³. Passage was viewed as a major milestone.

The creation of EFSA took place in several phases, with appointment of a Management Board in September 2002. With the arrival of an Executive Director in early 2003, and the first meeting of EFSA's scientific panels in late May 2003, EFSA effectively became operational. EFSA issued its first scientific opinion in July 2003. Since then, several scientific panels have issued additional opinions. However, with the current staffing level (a present total of 50, but only about 15 scientific staff), the demand for EFSA's services is initially expected to greatly exceed what it is able to provide. EFSA is expected to add an additional 100 staff within the next year with perhaps 70-80 of that number being scientists.

EFSA Responsibilities

EFSA is primarily a scientific risk assessment body; risk management and decision making remains the domain of the EU's political institutions: the European Commission, the Council and the EU Parliament. Enforcement of legislation still resides with the member states.

The Authority has six main tasks:

1. Provide independent scientific advice on food safety issues and other related matters such as animal health/welfare, plant health, GMOs and nutrition at the request of the Commission, European Parliament and the Member States as a basis for risk management decisions;
2. Advise on technical food issues to underpin policy developments and legislation related to the food chain;
3. Collect and analyze data on dietary, exposure and other information relevant to any potential risks necessary to monitor safety along the food chain in the EU
4. Identify emerging risk issues;
5. Support to the Commission in the case of crisis
6. Communicate to the general public on all matters within its mandate

¹ EFSA's website may be reached at: http://efsa.eu.int/index_en.html

² The White Paper on Food Safety (January 12 2000) provided a framework for future legislation and presented an action plan consisting of 84 recommendations to serve as the basis of a "more co-ordinated and integrated" approach to food safety "with a view to achieving the highest possible level of health protection." Most of the 84 action items were enacted into legislation before the authorization of EFSA. http://europa.eu.int/comm/dgs/health_consumer/library/pub/pub06_en.pdf

³ See Regulation (EC/178/2003) of the European Parliament and of the Council, of 28 January 2003. http://www.efsa.eu.int/pdf/En_Base.pdf

EFSA Structure and Operation

The Authority comprises four separate components: The Management Board, the Executive Director and staff, the Advisory Forum and the Scientific Committee and Panels. An organizational chart is available on EFSA's website.⁴

The Management Board

The Management Board is responsible for setting the internal rules and procedures of the Authority, adopting work programs, for preparing the draft budget, and for appointing the Executive Director of the Authority as well as the members of the Scientific Committee and Panels.

The Board consists of 15 Members, and includes a representative from the European Commission. Five members of the board have backgrounds in consumer or industry matters. The Council, in consultation with the European Parliament, appointed board members. The Board met for the first time in September of 2002. The regulation establishing EFSA does not foresee the Board having involvement in the day to day running of the Authority nor in the implementation of the scientific programs, which are the responsibility of the Executive Director.

The Executive Director and Staff

The Executive Director, Mr. Geoffrey Podger, who joined EFSA on February 1 2003, is responsible for the day-to-day management of the Authority and is answerable to the Management Board. He is responsible for the appointment of the Authority's scientific and support staff. Currently about 50 staff members have been recruited. This number is to increase to 250 people in 3 years time. The EFSA Deputy Executive Director, Dr. Herman Koeter, was appointed on July 14 2003 and officially joined EFSA on Oct 1 2003.

The Advisory Forum

The Advisory Forum represents the main link with the Member States. The Forum is composed of representatives from the national authorities who are responsible for scientific assessment of food safety matters in the Member States. The Forum is expected to play an important role in networking and providing EFSA access to scientists in the member states whose knowledge is supplementary to that within the EFSA Scientific Panels (see below).

The Advisory Forum will provide advice in setting priorities for the vast amount of work that EFSA anticipates it will be asked to perform.

The Scientific Committee and Panels

The Scientific Committee and eight Scientific Panels are responsible for the scientific opinions of the EFSA. Minority views will always be included in the opinions.

The Scientific Committee is responsible for the general co-ordination necessary to ensure the consistency in the scientific opinions of the different panels, and for issues that transcend a single panel's scope. This Committee is composed of the chairpersons of the Scientific Panels and six independent experts who are not members of any panel.

⁴ Organizational chart: http://efsa.eu.int/pdf/mboard_meeting_010_doc4_en.pdf

Members of the Scientific Committee and Panels are not employees of EFSA. The Scientific Committee's inaugural meetings took place in May 2003.

The Scientific Panels are composed of independent scientific experts, primarily from the EU (including acceding countries) as well as non-European countries. They were selected following an open call for expressions of interest and were appointed by the Management Board. The selection process took into account scientists' professional background and, where possible, their independence from industry. The resumes of all Scientific Committee and Panel members are available through the EFSA website. About 30 percent of the members have previously served on DG-SANCO's Scientific Committees. The scope of EFSA's scientific panels is summarized below:

- Panel on food additives, flavorings, 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.

EFSA Location

EFSA is still awaiting a definitive decision on a permanent seat for the European Food Safety Agency. EFSA moved out of the European Commission buildings in Rue de Genève to its own temporary separate location across the street. Rumors continue to fly regarding EFSA's permanent home – Prama, Helsinki, Barcelona, Lille, or in one of the acceding countries.

EFSA Customers: Tasks and Priorities

Demands for EFSA's services originate from a number of different sources:

- Questions from members of the European Parliament
- Questions from the Commission
- Questions from Member States
- Self-tasking

EFSA's primary purposes are to collect scientific information and use that information in performing risk assessments. It believes that it has the authority to rephrase or modify questions that are too narrowly presented through discussion, as well as avoid trendy, but not necessarily important, issues. Self-tasking is expected to ultimately play an important role.

As part of its communications role (see below), EFSA will develop and maintain a register of task requests and self-initiated tasks that will be accessible through its web site.

EFSA will assist the Commission in communication issues during food crises and on the measures taken in response to a crisis, in addition to providing the Commission with appropriate technical and scientific advice.

The Management Board will set the priorities for the vast amount of tasks that EFSA will be required to perform.

EFSA's Accomplishments

EFSA's primary role is to develop risk assessments and communicate that information to the Commission and the public. To meet that goal, EFSA's policy is to publish all risk assessments on their website as soon as they are released.

The first scientific opinion was issued on July 10 2003: The Scientific Panel on Genetically Modified Organisms concluded that there was no new scientific evidence that would justify banning certain GMOs in upper Austria⁵. Other panels have also issued scientific opinions.⁶

EFSA Communication

EFSA believes one of the keys to its success is its commitment to transparency and open communication. EFSA intend to communicate actively with the public about its activities and their results. The opinions of the Scientific Committee and the Scientific Panels, including minority opinions, will be made public. The Management Board's meetings are available to the public by live or previously recorded webstream transmission.

At the December 3rd 2003 Management Board meeting, the Board approved opening up EFSA's work to further public scrutiny by increasing the involvement of consumers and other stakeholders in the Authority's work. This means setting up a stakeholder forum, and holding public hearings on significant scientific issues.

A risk communications network is being established to facilitate communicating EFSA's opinions across the EU in an appropriate and culturally aware manner.

EFSA staff expects to develop contacts with scientists in third countries such as the U.S., to provide additional expertise to its scientific panels on an "as needed" basis, in a manner that is similar to its reaching out beyond its current Panel membership for additional expertise and perspective from across the EU.

EFSA Website

EFSA's website (see footnote #1) is readily accessible. New information is posted rapidly and easily found.

Visit our website: More information on food safety can be found at <http://www.useu.be/AGRI/foodsafes.html>. This web page also links to a series of USEU reports on specific food safety measures. Email: AgUSEU.Brussels@usda.gov

Related reports from USEU Brussels:

Report Number	Title	Date Released
E23032	EU Food & feed controls	3/7/03
E23084	Reports of Rapid Alert System Go Online	5/28/03

⁵ http://www.efsa.eu.int/pdf/pressrel20030710_en.pdf

⁶ All of EFSA's opinions and risk assessments are available on the website: see "press releases" or go to individual EFSA scientific panels: http://efsa.eu.int/index_en.html