

Transparency and sustainability of the EU risk assessment in the food chain

2018/0088(COD) - 17/04/2019 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 603 votes to 17, with 27 abstentions, a legislative resolution on the proposal for a Regulation of the European Parliament and of the Council on the transparency and sustainability of the EU risk assessment in the food chain, amending Regulations (EC) No 178/2002, (EC) No 1829/2003, (EC) No 1831/2003, (EC) No 2065/2003, (EC) No 1935/2004, (EC) No 1331/2008, (EC) No 1107/2009, (EC) 2015/2283 and Directive 2001/18/EC.

The European Parliament's position adopted at first reading under the ordinary legislative procedure amended the Commission proposal as follows:

Risk communication

The proposed amending Regulation shall ensure transparent, continuous and inclusive risk communication throughout the risk analysis, involving Union and national risk assessors and risk managers.

Risk communication shall aim to:

- raise awareness and understanding of the specific issues under consideration, including in cases of divergences in scientific assessment, during the entire risk analysis process;
- ensure consistency, transparency and clarity in formulating risk management recommendations and decisions;
- provide a sound basis, including, where appropriate, a scientific basis, for understanding risk management decisions;
- improve the overall effectiveness and efficiency of the risk analysis;
- foster public understanding of the risk analysis, including of the respective tasks and responsibilities of risk assessors and risk managers to enhance confidence in its outcome;
- ensure appropriate involvement of consumers, feed and food businesses, the academic community and all other interested parties;
- ensure appropriate and transparent exchange of information with interested parties in relation to risks associated with the food chain;
- ensure the provision of information to consumers about risk prevention strategies; and
- contribute to the fight against the dissemination of false information and the sources thereof.

Taking into account the respective roles of risk assessors and risk managers, risk communication shall:

- ensure that accurate and all appropriate information is exchanged in an interactive and timely manner with all interested parties, based on the principles of transparency, openness, and responsiveness;
- provide transparent information at each stage of the risk analysis process from the framing of requests for scientific advice to the provision of risk assessment and the adoption of risk management decisions, including information on how risk management decisions were reached and which factors were considered;

- take into account risk perceptions of all interested parties;
- facilitate understanding and dialogue amongst all interested parties; and
- be clear and accessible, including to those not directly involved in the process or not having a scientific background.

The Commission shall adopt, by means of implementing acts, a general plan for risk communication in order to achieve the objectives, in accordance with the general principles. The general plan shall establish appropriate mechanisms of coordination and cooperation between the risk assessors and risk managers at Union and national level involved in the risk analysis process, in particular where several Union agencies provide scientific outputs on the same or on related subject matters, to ensure coherent risk communication and an open dialogue amongst all interested parties.

Governance

Each Member State shall nominate a member and an alternate member as its representatives to the Management Board. The members and alternate members thus nominated shall be appointed by the Council and have the right to vote.

The Management Board would also include two full members appointed by the European Parliament with voting rights.

The selection of members of the Scientific Committee and Scientific Panels of the Authority by the EFSA Executive Director and their appointment by the Management Board shall be based on strict criteria ensuring the excellence and independence of the experts while ensuring the multidisciplinary expertise required for each Scientific Panel.

Experts appointed as members of the Scientific Panels shall be scientists who are also actively engaged in research and publish the results in peer-reviewed scientific journals, provided that they comply with the strict criteria of excellence and independence.

Pre-submission advice

The amended legislation also provides for the implementation of a new pre-submission advisory procedure that will allow EFSA to advise applicants on how to properly submit their application for authorisation, thus making the process more reliable.

Notification of studies

The Authority shall establish and manage a database of studies commissioned or carried out by business operators to support an application or notification in relation to which Union law contains provisions for the Authority to provide a scientific output, including a scientific opinion.

Business operators shall, without delay, notify the Authority of the title and the scope of any study commissioned or carried out by them to support an application or a notification, as well as the laboratory or testing facility carrying out that study, and its starting and planned completion dates.

The Authority shall conduct its activities in the most transparent manner and make public a certain amount of information, including agendas, lists of participants and minutes of meetings of the Management Board, Advisory Forum, Scientific Committee and Scientific Panels and their working groups.

The disclosure of such information shall be without prejudice to any existing rules concerning intellectual property rights which set out limitations on certain uses of the disclosed documents or their content.