

Procedure file

Basic information		
DEC - Discharge procedure	2006/2166(DEC)	Procedure completed
2005 discharge: European Food Safety Authority		
Subject 8.70.03.07 Previous discharges		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	CONT Budgetary Control		20/04/2006
		PSE HERCZOG Edit	
	Committee for opinion	Rapporteur for opinion	Appointed
	ENVI Environment, Public Health and Food Safety		14/09/2006
		PSE HAUG Jutta	
Council of the European Union	Council configuration	Meeting	Date
	Economic and Financial Affairs ECOFIN	2787	27/02/2007
European Commission	Commission DG	Commissioner	
	Budget	KALLAS Siim	

Key events			
30/10/2006	Non-legislative basic document published	N6-0034/2006	Summary
29/11/2006	Committee referral announced in Parliament		
26/03/2007	Vote in committee		Summary
02/04/2007	Committee report tabled for plenary	A6-0112/2007	
24/04/2007	Results of vote in Parliament		
24/04/2007	Debate in Parliament		
24/04/2007	Decision by Parliament	T6-0125/2007	Summary
24/04/2007	End of procedure in Parliament		
15/07/2008	Final act published in Official Journal		

Technical information	
Procedure reference	2006/2166(DEC)
Procedure type	DEC - Discharge procedure
Legal basis	Rules of Procedure EP 100
Stage reached in procedure	Procedure completed
Committee dossier	CONT/6/42423

Documentation gateway					
Non-legislative basic document		N6-0034/2006 OJ C 266 31.10.2006, p. 0022	31/10/2006	OS	Summary
Court of Auditors: opinion, report		N6-0001/2007 OJ C 312 19.12.2006, p. 0001	19/12/2006	CofA	Summary
Supplementary non-legislative basic document		05711/2007	07/02/2007	CSL	Summary
Committee draft report		PE384.445	09/02/2007	EP	
Committee opinion	ENVI	PE382.439	28/02/2007	EP	
Amendments tabled in committee		PE386.412	08/03/2007	EP	
Committee report tabled for plenary, single reading		A6-0112/2007	02/04/2007	EP	
Text adopted by Parliament, single reading		T6-0125/2007	24/04/2007	EP	Summary
Commission response to text adopted in plenary		SP(2007)2625/2	31/05/2007	EC	
Final act					
Budget 2008/531 OJ L 187 15.07.2008, p. 0167 Summary					

2005 discharge: European Food Safety Authority

PURPOSE: presentation of the final accounts of the European Food Safety Authority for the financial year 2005.

CONTENT: this document published in the Official Journal of the EU sets out a detailed account of the implementation of the 2005 budget, including the revenue and expenditure and the balance sheet for the year concerned.

According to this document, the final budget amounted to EUR 36.9 million (against EUR 29.1 million in 2004) including a 100% Community contribution.

As regards the staffing policy, the Authority, whose headquarters are now based in Parma (Italy), officially set out 194 posts in its establishment plan. 124 are currently occupied with + 36 other staff (auxiliary contracts, seconded national experts, local staff, and employment agency staff) totalling 160 (139 in 2004) posts assigned to administrative and operational duties.

Staff expenditure amounted to EUR 16.3 million.

The Authority's competences and activities are summarised below:

- of the 301 requests for scientific opinions made to the EFSA in 2005 (which represents an increase of 65 % compared with 2004), 163 opinions were adopted and published. They covered many areas including aromatic plants, genetically modified organisms (with the WHO), bovine spongiform encephalopathy (BSE) or transmissible spongiform encephalopathy (TSE). In addition the Authority published its first annual report on animal diseases and other important publications on the determination of risk in the food sector;
- the communication of risks and, in general, the activities of the communication department saw a 40 % increase in the number of communications to the public in 2005. Consultations of the EFSA's website also doubled in 2005. The coordination of the communication of risks was stepped up through the advisory forum and workshops organised;
- the networking of the EFSA with interested parties, national authorities and institutional counterparts intensified through the setting-up of a forum for interested parties. The Advisory Forum met five times with a view to working as a network with the national authorities on specific topics such as coordination in the event of a crisis scenario or increasing the use of the extranet linking the national authorities, the Commission and the EFSA;
- as regards the assessment of the EFSA in 2005, the final consultants' report was published on the EFSA's website by the Management Board which submitted its recommendations at the end of June 2006.

The complete version of the final accounts may be found at the following address:

http://www.efsa.europa.eu/en/about_efsa/efsa_funding/accounts.html

2005 discharge: European Food Safety Authority

The committee adopted the report by Edit HERCZOG (PES, HU) granting discharge to the European Food Safety Authority for 2005. In its accompanying resolution, it made a number of general points concerning the majority of the EU agencies:

- the ever-growing number of Community Agencies and the activities of some of them do not seem to form part of an overall policy framework, and "the remits of some Agencies do not always reflect the real needs of the Union or the expectations of its citizens";
- the Commission should therefore define an overall policy framework and should present a cost-benefit study before the setting up of any new Agency, and the Court of Auditors should give its opinion on this study before Parliament takes its decision;
- every 5 years, the Commission should present a study on the added value of every existing Agency; where the evaluation is negative in the case of a particular Agency the latter's mandate should be reformulated or the Agency should be closed;
- the Commission should improve administrative and technical support to the Agencies, given the growing complexity of the Community's administrative rules and technical problems;
- the Agencies should improve their cooperation and benchmarking with actors in the field;
- the Commission should harmonise the format of the annual reporting by the Agencies to develop performance indicators which would allow a comparison of their efficiency.

In its specific remarks concerning the EFSA, the committee called for the Authority to make a "serious effort" to improve its implementation of the budget. It was critical of the Authority's failure to implement the changes which Parliament had made to the establishment plan and to introduce activity-based management although this is laid down by the Authority's financial regulation. On recruitment, the report insisted on the strict application of the relevant selection criteria and proper checking of candidates' application documents. Lastly, the Authority was urged to tighten up its internal control systems with regard to contracts.

2005 discharge: European Food Safety Authority

PURPOSE: to grant discharge to the European Food Safety Authority for the financial year 2005.

LEGISLATIVE ACT: Decision 2008/531/EC of the European Parliament on the discharge for the implementation of the budget of the European Food Safety Authority for the financial year 2005.

CONTENT: with the present decision, the European Parliament grants discharge to the Executive Director of the European Food Safety Authority for the implementation of the Authority's budget for the financial year 2005.

This decision is in line with the European Parliament's resolution adopted on 24 April 2007 and comprises a series of observations that form an integral part of the discharge decision (please refer to the summary of the opinion of 24/04/2007).

2005 discharge: European Food Safety Authority

The European Parliament adopted a resolution drafted by Edit HERCZOG (PSE, HU), by 604 votes for, 23 against and 50 abstentions, and granted the executive director of the European Food Safety Authority discharge for the implementation of the Authority's budget for the financial year 2005. It then approved the closing of the accounts of the Authority for the financial year 2005.

The Parliamentary resolution is divided into two parts. The first contained general points, and concerned the majority of EU Agencies requiring individual discharge. The second part contained specific points relating to the Agency.

General points: Parliament considers that the ever-growing number of Community Agencies and the activities of certain of them do not seem to form part of an overall policy framework, and that the remits of some Agencies do not always reflect the real needs of the Union. Accordingly, it invites the Commission to define an overall policy framework for the setting up of new Community Agencies and to present a cost-benefit study before the setting up of any new agency, while being careful to avoid any overlap of activities between Agencies or with the remits of other European organisations. Parliament calls on the Court of Auditors to give its opinion on this cost-benefit study before Parliament takes its decision, and it asks the Commission to present every five years a study on the added value of every existing Agency. ; invites all relevant institutions In the case of a negative evaluation of the added value of an Agency, all relevant institutions are asked to take the necessary steps by reformulating the mandate of that Agency or by closing it.

In view of the constantly increasing number of Agencies, Parliament feels that the Directorates-General of the Commission charged with the setting up and monitoring of Agencies must develop a common approach to the Agencies. It also asks the Commission to improve administrative and technical support to the Agencies. Parliament regretted that the negotiations on the draft interinstitutional agreement on the operating framework for the European regulatory agencies have not yet been concluded, and calls on the Commission, in consultation with the Court of Auditors, to do their utmost to ensure that the agreement is brought to a rapid conclusion. Noting that the Commission's budgetary responsibility calls for closer linking of the Agencies to the Commission, Parliament calls on the Commission and the Council to take all necessary steps to give the Commission a blocking minority in the supervisory bodies of the regulatory Agencies by 31 December 2007 and to provide for such a minority from the outset when new Agencies are set up. It invites the Court of Auditors to create an additional chapter in its Annual Report, devoted to all Agencies to be discharged under the Commission's accounts in order to have a much clearer picture of the use of EU funds by Agencies.

Parliament goes on to ask the Commission to come up with a proposal to harmonise the format of the annual reporting by the Agencies and to develop performance indicators which would allow a comparison of their efficiency. The Commission is urged to monitor and direct the management of the Agencies, especially in relation to the proper application of tender procedures, transparency of recruitment procedures, sound financial management and, most importantly, the proper application of the rules concerning the internal control framework.

Specific points concerning the EFSA: Parliament noted that the financial year 2005 was marked by a significant under-implementation of the

budget, with only 80 % of commitment and payment appropriations being used. It felt that the Authority should make a serious effort to improve the use it makes of the appropriations with which it is entrusted. Parliament strongly deplored the fact that the changes it made to the establishment plan were not respected and that the Authority restored the grades initially provided for in the draft budget in respect of 19 posts without informing Parliament. It noted the failure to introduce activity-based management, and regretted the fact that the Authority did not carry out a risk analysis or formally lay down internal control systems and procedures.

Parliament went on to note with regard to recruitment that the Authority rejected candidates on the basis of criteria other than those provided for in the vacancy notices and, in addition, did not observe the regulatory provisions concerning the grades of selection board members in relation to the posts to be filled. It insisted on the strict application of the relevant criteria and on an effective check as to whether the documents submitted by candidates in support of their applications actually offer genuine proof. It was noted that the Authority had difficulties in recruiting highly skilled scientific staff in Parma.

Parliament regretted that a considerable number of anomalies were revealed during the audits carried out on the award and conclusion of contracts.

Lastly, the buildings intended to house the Authority permanently are still not available and the Authority was obliged to rent and fit out temporary premises (cost in 2005: approximately EUR 3 500 000). Parliament invited the Authority, together with the Commission, to clarify this situation with the national authorities, in particular with a view to any financial compensation.