# 2010 discharge: European Food Safety Authority (EFSA)

2011/2226(DEC) - 10/05/2012 - Text adopted by Parliament, single reading

The European Parliament adopted by a small majority (321 votes to 306, with 14 abstentions) a decision aiming to **postpone** granting the Executive Director of the European Food Safety Authority discharge in respect of the implementation of the Authority's budget for the financial year 2010. It also postpones the closure of the accounts of this Agency.

The reasons for this postponement are set out in a resolution adopted on the same day by 481 votes to 128 and 31 abstentions. These may be summarised as follows:

- **Conflict of interest and 'revolving door' cases**: Parliament notes that in September 2010 the Chair of the Management Board was reported to have direct links to the food industry, and to be a member of the Board of Directors of the International Life Science Institute (ILSI) – Europe. It considers that, while a dialogue with industry on product assessment methodologies is legitimate and necessary, this dialogue should not undermine the independence of the Authority nor the integrity of risk assessment procedures. Parliament asks therefore the Authority to **consider as a conflict of interest the current or recent past participation of its Management Board, panel and working group members or staff in ILSI activities**. It notes that **ILSI is financed by firms in the food, chemical and pharmaceutical sectors**. It considers, therefore, that a thorough case-by-case analysis of these reports and of possible and actual conflicts of interest should be carried out;
- **Revolving door cases**: Members note that in March 2010 a German NGO turned to the European Ombudsman, complaining that the Authority did not adequately address a potential conflict of interest concerning the move of its Head of Genetically Modified Organisms Unit to a biotechnology company in 2008 less than two months after the staff member in question left the Authority, without a ‘cooling off’ period. The Ombudsman concluded that the Authority had not carried out a thorough assessment of the alleged potential conflict of interest and called on the Authority to improve the way in which it applies its rules and procedures in future ‘revolving door’ cases. They once more, urge the Authority to take appropriate measures in cases of conflict of interests and 'revolving door' cases, including when cases occur within the Management Board, and to inform both the discharge authority and the public promptly of the measures taken. They call therefore on the Authority to inform the discharge authority in writing by 30 June 2012 of the steps undertaken to implement the new policy on independence and scientific decision-making processes and to conform to the OECD definition of conflict of interest when renewing its panels and its scientific committee. Parliament observes that the Authority is **repeatedly challenged over alleged cases of conflicts of interest** involving members of the experts‘ panels, especially in the case of the panels on ’Food additives and nutrient sources added to food‘ (ANS) and ’Genetically modified organisms‘ (GMOs);
- **Budget and Financial Management**: Parliament recalls that the Authority had a budget execution rate of **98.8%,** only 83.5% in terms of payment appropriations, which is **11% below the target set by the Authority**. Corrective action should be taken;

- **Management Board meetings costs are excessive**: Parliament finds it unacceptable that while the Management Board of the Authority consists of **only 15 members**, **each meeting costs on average EUR 92 630** (this amount is nearly three times higher than the second most expensive Management Board of a decentralised agency). This situation should be remedied immediately ;

- **Carryovers and contract management process**: Parliament acknowledges from the Authority that 6% of commitments for operational activities carried over from 2009 had to be cancelled. It urges once more, the Authority to improve its budget management in order to reduce its high carryover amounts. It urges, in addition, the Authority to improve the reporting on contract implementation in order to guarantee effective supervision and management of its operational activities;

- **Human resources**: Parliament calls on the Authority to address its weaknesses in recruitment procedures, which put at risk the transparency of the procedures. They acknowledge, in particular, from the Court of Auditors that the Authority did not ensure the anonymity of the written tests and decided pass marks for the various stages of the selection process after the evaluation process had already started;
- **Performance**: Parliament underlines the need for the Authority to ensure that its advice is of a high quality and is independent, in order to guarantee compliance with Union safety standards, scientific excellence and independence on all matters with a direct or indirect impact on food and feed safety, and plant protection;
- **Internal Audit**: Parliament acknowledges that six “very important” recommendations from the IAS still need to be implemented. It calls on the Authority to rapidly address these deficiencies.