2010 discharge: European Food Safety Authority (EFSA)

2011/2226(DEC) - 02/10/2012 - Committee report tabled for plenary, single reading

The Committee on Budgetary Control adopted the second reading report of Monica Luisa MACOVEI (PPE, RO) on the discharge of the European Food Safety Authority (EFSA) which called on the European Parliament to **grant the Executive Director of the European Food Safety Agency discharge in respect of the implementation of the Authority's budget for the financial year 2010.**

To recall, in May 2012, Parliament postponed the discharge decision for the Authority chiefly because there was a problem of **conflict of interest** of some staff (please refer to the summary dated 10/05/2012).

Members approved the closure of the Authority's accounts for the 2010 financial year, and made a series of recommendations to be taken into account in the granting of the discharge:

- **conflicts of interest:** Members welcome the organisation of a mandatory session on **ethics and integrity** for all members of the Management Board in October 2012. However, they call on the Board to enforce effectively its Code of Conduct and adopt provisions preventing and sanctioning revolving door cases in order to avoid similar situations to the one of its former Chairperson in the future. Recalling the case of conflict of interest mentioned in its resolution to postpone the discharge (as reported in the summary of 10 May 2012), Members took careful note of all new policies, rules, implementing measures and actions which have been set up since 2007 to offset this problem. They particularly welcome the code of conduct of the Authority's Management Board and its members' active approach in reviewing their declarations of interest, and the new rules for screening for conflicts of interest in force since July 2012. Members indicate that, in this regard, they will continue to invite the Executive Director for an exchange of views on a regular basis;

- **the Authority's full independence policy:** Members take note that the Authority's new policy on "independence and scientific decision-making processes" together with its implementing rules entered into force in July 2012 and that the Authority's new definition of conflicts of interests is compatible with the OECD guidelines. They note that the Authority scheduled an evaluation of its independence policy by the end of 2013 and committed to consider, inter alia, the possibility to publish the outcomes of the breach of trust procedures. They expect the Authority to inform the discharge authority on this matter by the start of the next discharge procedure. Overall, the Members encourage the Authority to further strengthen its independence policy and to consider adopting rules among others including sanctions in case of conflict of interest;

- **for steps to be taken in cases of non-compliance:** Members are firmly convinced that steps have to be taken should cases of non-compliance with existing rules occur and call on the Authority to draw up an action plan, accompanied by a precise timetable, aiming to remedy the shortcomings. Either the European Parliament or the European legislator has to address these problems by changing the existing rules and regulations to eliminate possible loopholes. Noting the package of measures taken by the Authority towards this end, Members welcome the Authority's initiative to screen by 31 October 2012 their declarations of interest against the newly adopted policy of the independence of the Authority. In this regard, they call on the Authority to introduce in its annual activity reports a special section describing the actions taken to prevent and manage conflict of interest;

- **transparency:** Members encourage the Authority to improve the openness and transparency of the risk assessment process, to better take into account independent peer-reviewed scientific literature and to provide detailed justification when it rejects diverging views. They especially encourage the Authority to increase dialogue and cooperation with external experts and national agencies, especially when they hold diverging views on a specific risk assessment process.

Overall, Members welcome the agreement on the Joint Statement and the Common Approach of the European Parliament, the Council and the Commission on decentralised agencies in which certain elements of importance to the discharge have been addressed and taken up.