

Food law, European Food Authority, and food safety

2000/0286(COD) - 17/09/2001 - Council position

The Council's common position reflects the main thrust of the initial Commission proposal, as well as incorporating a number of Parliamentary amendments into the revised text. The Council has agreed to retain the legal form of a Regulation for this piece of legislation, despite the problems of implementation a Regulation implies. In return, the Council felt it necessary to amend the provisions on the timetable for its application. This should help reduce the difficulties of implementation as much as possible as well as ensuring an effective and non-discriminatory introduction of the provisions of food law. The main amendments to the Commission proposals are as follows: - A general framework of obligations imposed on operators will apply from 1 January 2005. - Principles and procedures already in force should be adapted by 1 January 2007 at the latest so that existing legislation can be made compatible with the principles and procedures set out in the Regulation. - On 'food law', the Council has amended the definition of 'food or foodstuff'. The new definition will only cover water once it has left the tap, as well as bottled water and water used in the manufacture, preparation or treatment of food. Municipal water is regulated by existing Directives. Furthermore, residues and contaminants have been added to the list of substances and products which are not covered by the definition of 'food'. - Provisions have been made to strengthen safety requirements. - Concerning the mission and tasks of the Food Authority, the common position explicitly awards the Food Authority responsibility for animal feedingstuffs. This equips it with an overall view of the food chain, considered essential if emerging risks are to be managed effectively. Significantly, the common position confirms that food safety will be the primary responsibility of the Food Authority. - The operational separation between the tasks of risk assessment and risk management is confirmed by the common position. - Concerning the composition of the Management Board, the Council has sided with the European Parliament and adopted a position contrary to that of the Commission. The modified text proposes a system whereby the Management Board will be composed of 16 members appointed by the Council in consultation with the European Parliament from a list drawn up by the Commission. It will include a Commission representative. A quarter will stem from consumer organisations. - An open and transparent procedure for the appointment of the Executive Director has been agreed to. - Concerning the Advisory Forum, the common position has made substantial amendments largely in line with Parliamentary suggestions. The aim of the Forum is, inter alia, to advise the Executive Director, exchange information and ensure solid co-operation amongst interested parties. - Concerning the scientific committees and scientific panels the Council decided to allow Parliament and Member States the right, under certain conditions, to request an opinion from the Authority. - Concerning the seat of the authority, the Council has decided not to include such a provision in the Regulation. - Lastly, the Commission will retain responsibility for the rapid alert system.