

# Food law, European Food Authority, and food safety

2000/0286(COD) - 07/08/2001 - Commission opinion on Parliament's position at 2nd reading

Having received the amendments of the European Parliament's first reading as well as political agreement in the Council, the European Commission has presented its revised draft for the proposed Regulation on Food Safety. Of the 189 amendments proposed by the European Parliament, the Commission accepted in full 43 amendments, in part or in principle 55 amendments and rejected 88 amendments. (186 in total as some were merged). Whilst the European Commission accepted most of the Council's position parts of it were not approved. The new text has been revised taking into account the views of both institutions. Concerning Chapter I and II relating to General Food Law, the text remains largely unchanged. There has however been a significant re-ordering of some of the articles with some being placed in a more logical order. For example, principles are separated from requirements. The definition of stages of production, processing and distribution has been significantly redrafted so that the scope of Chapter II which covers these stages is clearer. An additional definition "final consumer" is included and the definition "official control" deleted for inclusion in a more specific text on controls. A further change by which food law principles and procedures should be adopted has also been agreed. There are some minor changes in emphasis in relation to the import and export of food. Importantly, food that may be injurious to health or unsafe feed shall not be exported from the Community. A requirement for food and feed businesses to enable employees to co-operate with the competent authorities to prevent, reduce or avoid risk has been added. Concerning Chapter III relating to the Food Authority the following changes have been made. The mission of the Authority has been amended in such a way that whilst it retains a wide scope its main mission will be to focus on food and feed safety. Importantly, the mission of the Authority in relation to animal health, animal welfare and plant health issues, which are not linked to food and feed safety, will now be limited to scientific opinions only. There has also been a rewording of Article 22 (5) which now underlines co-operation between the Authority, the Commission and the Member States in order to ensure a sound coherence between risk assessment, risk management and risk communication. Moreover, it has now been agreed that the Commission will monitor and manage the rapid alert system, whilst the Authority will remain a member of the network. Feed will be covered by the rapid alert emergency procedures. Conditions of referral to the Authority of a request for scientific opinions have been completed and the situation in which a request may be amended or refused specified. Chapter V dealing with the Final Provisions has seen few major changes. The exception being the deletion of the Article on the seat of the Food Authority. Further, the 1 January 2002 has now been fixed as the starting date for the Food Authority. The Commission was unable to agree to the Council's common position regarding the composition of the Management Board. Nor could, the Commission agree to the date proposed by the Council whereby certain articles need only be applicable as from January 2005. The Commission foresees an earlier starting date of January 2004.