



**2017/2159(DEC)**

2.3.2018

# **AMENDMENTS**

## **1 - 32**

**Draft report**

**Indrek Tarand**

2016 discharge: European Food Safety Authority (EFSA)  
(2017/2159(DEC))



## **Amendment 1**

**Indrek Tarand**

on behalf of the Verts/ALE Group

### **Proposal for a decision 1**

#### **Paragraph 1**

##### *Proposal for a decision*

1. Grants the Executive Director of the European Food Safety Authority discharge in respect of the implementation of the Authority's budget for the financial year 2016 / *Postpones its decision on 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 2016;*

##### *Amendment*

1. Grants the Executive Director of the European Food Safety Authority discharge in respect of the implementation of the Authority's budget for the financial year 2016;

Or. en

## **Amendment 2**

**Ryszard Czarnecki, Notis Marias, Raffaele Fitto, Beata Gosiewska, Monica Macovei, Richard Sulík**

### **Proposal for a decision 1**

#### **Paragraph 1**

##### *Proposal for a decision*

1. *Grants the Executive Director of the European Food Safety Authority discharge in respect of the implementation of the Authority's budget for the financial year 2016* / Postpones its decision on 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 2016;

##### *Amendment*

1. Postpones its decision on 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 2016;

Or. en

## **Amendment 3**

**Marco Valli, Laura Agea, Dario Tamburrano**

**Proposal for a decision 1**  
**Paragraph 1**

*Proposal for a decision*

1. ***Grants the Executive Director of the European Food Safety Authority discharge in respect of the implementation of the Authority's budget for the financial year 2016*** / Postpones its decision on 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 2016;

*Amendment*

1. Postpones its decision on 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 2016;

Or. it

**Amendment 4**  
**Indrek Tarand**  
on behalf of the Verts/ALE Group

**Proposal for a decision 2**  
**Paragraph 1**

*Proposal for a decision*

1. Approves the closure of the accounts of the European Food Safety Authority for the financial year 2016 / ***Postpones the closure of the accounts of the European Food Safety Authority for the financial year 2016;***

*Amendment*

1. Approves the closure of the accounts of the European Food Safety Authority for the financial year 2016;

Or. en

**Amendment 5**  
**Marco Valli, Laura Agea, Dario Tamburrano**

**Proposal for a decision 2**  
**Paragraph 1**

*Proposal for a decision*

1. ***Approves the closure of the accounts of the European Food Safety***

*Amendment*

1. Postpones the closure of the accounts of the European Food Safety

**Authority for the financial year 2016 /**  
Postpones the closure of the accounts of  
the European Food Safety Authority for the  
financial year 2016;

Authority for the financial year 2016;

Or. it

**Amendment 6**  
**Indrek Tarand**

on behalf of the Verts/ALE Group

**Motion for a resolution**  
**Paragraph 6**

*Motion for a resolution*

6. Notes **with concern** that by the number of all posts occupied on **1 August** 2017 gender balance ratio is **60,7** % female to **39,3** % male; notes also that senior posts' (senior **manager** and management **board**) gender balance ratio is **75** % male and **25** % female; calls on the Authority to do everything in its power to establish a more gender-balanced staff composition especially at the senior posts level;

*Amendment*

6. Notes that by the number of all posts occupied on **31 December** 2017 gender balance ratio is **60** % female to **40** % male; notes also that senior posts' (senior and **middle** management **posts**) gender balance ratio is **68** % male and **32** % female; calls on the Authority to do everything in its power to establish a more gender-balanced staff composition especially at the senior posts level;

Or. en

**Amendment 7**  
**Luke Ming Flanagan**

**Motion for a resolution**  
**Paragraph 6**

*Motion for a resolution*

6. Notes with concern that by the number of all posts occupied on 1 August 2017 gender balance ratio is 60,7 % female to 39,3 % male; notes **also that** senior posts' (senior manager and management board) gender balance ratio **is** 75 % male and 25 % female; calls on the Authority to do everything in its power to establish a more gender-balanced staff composition especially at the senior posts level;

*Amendment*

6. Notes with concern that by the number of all posts occupied on 1 August 2017, **the** gender balance ratio is **almost two to one** - 60,7 % female to 39,3 % male; notes **with even more concern, however, that for** senior posts (senior manager and management board) **the** gender balance ratio **swings the other way but to an even greater extent** - 75 % male and 25 % female, **or three to one**; calls on the

Authority *as a matter of urgency* to do everything in its power to establish a more gender-balanced staff composition especially at the senior posts level;

Or. en

**Amendment 8**  
**Petri Sarvamaa**

**Motion for a resolution**  
**Paragraph 6**

*Motion for a resolution*

6. Notes with concern that by the number of all posts occupied on 1 August 2017 gender balance ratio *is* 60,7 % female to 39,3 % male; notes also that senior posts' (senior manager and management board) gender balance ratio is 75 % male and 25 % female; calls on the Authority to *do everything in its power to establish* a more gender-balanced staff composition especially at the senior posts level;

*Amendment*

6. Notes with concern that by the number of all posts occupied on 1 August 2017 gender balance ratio *was* 60,7 % female to 39,3 % male; notes also that senior posts' (senior manager and management board) gender balance ratio is 75 % male and 25 % female; calls on the Authority to *aim for* a more gender-balanced staff composition especially at the senior posts level;

Or. en

**Amendment 9**  
**Luke Ming Flanagan**

**Motion for a resolution**  
**Paragraph 8**

*Motion for a resolution*

8. Notes that on average the Authority's staff was on sick leave 7,4 days in 2016; welcomes the fact that the Authority organised a staff-away day, health and safety matters' days and well-being activities; calls on the Authority to invite the staff to participate in even greater number;

*Amendment*

8. Notes that on average the Authority's staff was on sick leave 7,4 days in 2016 *and calls on the Authority to examine those absences with a view to establishing if any are workplace stress-related*; welcomes the fact that the Authority organised a staff-away day, health and safety matters' days and well-being activities; calls on the Authority to invite the staff to participate in even greater number;

**Amendment 10****Bart Staes, Benedek Jávör****Motion for a resolution****Paragraph 12***Motion for a resolution*

12. Observes that on 21 June 2017, the management board of the Authority adopted a new policy on independence to ensure the independence of all professionals involved in its scientific operations; notes that the new policy includes a new definition of what constitutes a conflict of interest, a comprehensive set of “cooling-off” rules, a requirement that experts declare the proportion of their annual earnings received from any organisation, body or company whose activities fall within the Authority’s areas of work; notes moreover that the Authority adopted unconditional restrictions to financial investments into business operators directly or indirectly concerned by the Authority’s outputs: notes that such interests are considered incompatible with any involvement as a member of the Authority’s scientific committee, scientific panels, working groups or peer review meetings;

*Amendment*

12. Observes that on 21 June 2017, the management board of the Authority adopted a new policy on independence to ensure the independence of all professionals involved in its scientific operations; notes that the new policy includes a new definition of what constitutes a conflict of interest, a comprehensive set of “cooling-off” rules, a requirement that experts declare the proportion of their annual earnings received from any organisation, body or company whose activities fall within the Authority’s areas of work; notes moreover that the Authority adopted unconditional restrictions to financial investments into business operators directly or indirectly concerned by the Authority’s outputs: notes that such interests are considered incompatible with any involvement as a member of the Authority’s scientific committee, scientific panels, working groups or peer review meetings; ***notes that experts sent by Member States will now have to fill the declarations of interests form;***

Or. en

**Amendment 11****Benedek Jávör, Bart Staes****Motion for a resolution****Paragraph 12***Motion for a resolution**Amendment*

12. Observes that on 21 June 2017, the management board of the Authority adopted a new policy on independence to ensure the independence of all professionals involved in its scientific operations; notes that the new policy includes a new definition of what constitutes a conflict of interest, a comprehensive set of “cooling-off” rules, a requirement that experts declare the proportion of their annual earnings received from any organisation, body or company whose activities fall within the Authority’s areas of work; notes moreover that the Authority adopted unconditional restrictions to financial investments into business operators directly or indirectly concerned by the Authority’s outputs: notes that such interests are considered incompatible with any involvement as a member of the Authority’s scientific committee, scientific panels, working groups or peer review meetings;

12. Observes that on 21 June 2017, the management board of the Authority adopted a new policy on independence to ensure the independence of all professionals involved in its scientific operations; notes that the new policy includes a new definition of what constitutes a conflict of interest, a comprehensive set of “cooling-off” rules ***including a ban on consultancy contracts***, a requirement that experts declare the proportion of their annual earnings received from any organisation, body or company whose activities fall within the Authority’s areas of work; notes moreover that the Authority adopted unconditional restrictions to financial investments into business operators directly or indirectly concerned by the Authority’s outputs: notes that such interests are considered incompatible with any involvement as a member of the Authority’s scientific committee, scientific panels, working groups or peer review meetings;

Or. en

**Amendment 12**  
**Benedek Jávor, Bart Staes**

**Motion for a resolution**  
**Paragraph 12 a (new)**

*Motion for a resolution*

*Amendment*

***12 a. Is concerned that the scope of the Authority’s new independence policy, which only takes into account interests on “matters falling under the mandate of the relevant EFSA scientific group” and not “all material interests related to the companies whose products are assessed by the Authority and to any organisations funded by them” as the Parliament demanded, remains too narrow and thus perpetuates the Authority’s previous independence policy’s biggest limitation;***



**Amendment 13**  
**Benedek Jávor, Bart Staes**

**Motion for a resolution**  
**Paragraph 12 b (new)**

*Motion for a resolution*

*Amendment*

***12 b. Is concerned that the Authority ignored the repeated calls of the Parliament to include research funding in the list of interests to be covered by the two-year cooling-off period, research funding being the main source of financial conflicts of interests among the Authority's external experts;***

Or. en

**Amendment 14**  
**Benedek Jávor, Bart Staes**

**Motion for a resolution**  
**Paragraph 12 c (new)**

*Motion for a resolution*

*Amendment*

***12 c. Is concerned that the Authority did not follow the European Ombudsman's January 2015 ruling which, observing that the Authority had "failed to take adequate account of the changing nature of universities in its conflict of interest rules and its Declarations of Interests forms", asked the Authority to "revise its conflict of interest rules and the related instructions and forms it uses for declarations of interests" to make sure academia experts declare the details of the financial relationships between their university employers and their university employers' industry partners;***

Or. en

**Amendment 15**  
**Benedek Jávor, Bart Staes**

**Motion for a resolution**  
**Paragraph 12 d (new)**

*Motion for a resolution*

*Amendment*

***12 d. Stresses that the Authority's independence policy implementing rules, which were adopted end of 2017, did not remedy the above-mentioned problems, and that the Authority failed to seize the opportunity of the review of its independence policy to better prevent the occurrence of conflicts of interest scandals in the future;***

Or. en

**Amendment 16**  
**Benedek Jávor, Bart Staes**

**Motion for a resolution**  
**Paragraph 12 e (new)**

*Motion for a resolution*

*Amendment*

***12 e. Calls on the Authority to report to the discharge authority on the implementation of its new independence policy;***

Or. en

**Amendment 17**  
**Monica Macovei, Dennis de Jong**

**Motion for a resolution**  
**Paragraph 14**

*Motion for a resolution*

*Amendment*

14. Notes that of the 17 statutory staff members that left the Authority in 2016, in

14. Notes ***with concern that, according to the Corporate Europe Observatory,***

two cases restrictions were applied in order to prevent the individuals from becoming contact points between the Authority and their new employer, *exercising lobbying activities, and performing activities related to on-going the Authority's files;*

*46% of Authority's experts working at the Authority since 2015 are in conflict of interest with direct or indirect ties with lobbies and companies whose products are evaluated by the Authority; welcomes that of the 17 statutory staff members that left the Authority in 2016, in two cases restrictions were applied in order to prevent the individuals from becoming contact points between the Authority and their new employer; acknowledges that internal procedures are not sufficient to ensure independence between the Authority and industries; notes that staff leaving are obliged to inform the Authority about their future employment on any potential conflict of interest; urges the Authority to enforce strict rules on revolving doors and apply highly dissuasive sanctions in such cases;*

Or. en

## **Amendment 18**

**Monica Macovei, Ryszard Czarnecki, Dennis de Jong, Richard Sulík**

### **Motion for a resolution**

#### **Paragraph 16**

##### *Motion for a resolution*

16. Notes that the Authority in January 2016 adopted the standard operating procedures on “Handling complaints submitted by whistleblowers”;

##### *Amendment*

16. Notes that the Authority in January 2016 adopted the standard operating procedures on “Handling complaints submitted by whistleblowers” *and recommends to undertake consistent training on whistle-blowing rules rights and the Authority rules; calls on the Authority to commit itself to strictly protect the identity of whistle-blowers and their intimidation; asks the Authority to provide details on whistle-blower cases in 2016, if any, and how they have been handled;*

Or. en

**Amendment 19**  
**Luke Ming Flanagan**

**Motion for a resolution**  
**Paragraph 18**

*Motion for a resolution*

18. Notes that in 2016 the Authority received 99 new requests for access to documents (and handled 118 requests) to which the Authority granted a full access in 23 cases while in 76 cases the Authority decided to grant only partial access to the documents and refused access in 19 cases;

*Amendment*

18. Notes that in 2016 the Authority received 99 new requests for access to documents (and handled 118 requests) to which the Authority granted a full access in 23 cases while in 76 cases the Authority decided to grant only partial access to the documents and refused access in 19 cases; ***calls on the Authority to approach all such requests in a spirit of openness and transparency;***

Or. en

**Amendment 20**  
**Petri Sarvamaa**

**Motion for a resolution**  
**Paragraph 19**

*Motion for a resolution*

19. Notes that, out of the 118 initial applications handled in 2016, in 26 cases the access to documents was refused or partially granted due to protection of privacy and the integrity of the individual, in 40 cases due to protection of commercial interests, in 18 cases due to the fact that no decision were yet taken and in one case due to protection of court proceedings and legal advice; expects that the Authority, when deciding on limiting the access to documents due to protection of commercial interests, also considers with ***utmost*** seriousness the citizens' interest in maintaining the high standards on food safety and health;

*Amendment*

19. Notes that, out of the 118 initial applications handled in 2016, in 26 cases the access to documents was refused or partially granted due to protection of privacy and the integrity of the individual, in 40 cases due to protection of commercial interests, in 18 cases due to the fact that no decision were yet taken and in one case due to protection of court proceedings and legal advice; expects that the Authority, when deciding on limiting the access to documents due to protection of commercial interests, also considers with seriousness the citizens' interest in maintaining the high standards on food safety and health, ***while applying all relevant rules and regulations;***

Or. en

**Amendment 21**  
**Marco Valli, Laura Agea, Dario Tamburrano**

**Motion for a resolution**  
**Paragraph 19 a (new)**

*Motion for a resolution*

*Amendment*

**19a.** *Stresses that all scientific work is based on the use of public data, as only then will the international scientific community be able to check and confirm it; notes that the Authority is required to receive from companies also information that is covered by trade secrecy rules, but it can establish a hierarchy of sources to use for its scientific opinions; calls on the Authority to place information covered by trade secrecy at the bottom of its hierarchy of sources while placing at the top of its hierarchy studies that are publicly available and that have been published after a scientific peer review process;*

Or. it

**Amendment 22**  
**Marco Valli, Laura Agea, Dario Tamburrano**

**Motion for a resolution**  
**Paragraph 19 b (new)**

*Motion for a resolution*

*Amendment*

**19b.** *Notes that the assessments dealt with by the Authority, regarding which it receives information that is covered by trade secrecy rules, do not concern safety alone, but also other aspects such as effectiveness; calls on the Authority not to use information covered by trade secrecy rules in assessing safety, but to limit its use to other aspects;*

Or. it

**Amendment 23**  
**Monica Macovei, Dennis de Jong**

**Motion for a resolution**  
**Paragraph 20**

*Motion for a resolution*

20. Notes that a group of Members of the European Parliament filed a lawsuit against the Authority on grounds of limiting of access to documents in the “glyphosate” case; calls on the Authority to fully implement the court’s ruling immediately once it is known;

*Amendment*

20. Notes that a group of Members of the European Parliament filed a lawsuit against the Authority on grounds of limiting of access to documents in the “glyphosate” case; calls on the Authority to fully implement the court’s ruling immediately once it is known; **welcomes the recent establishment of the ad-hoc parliamentary committee on EU authorization procedure on pesticides, which came as a response to the concerns raised about the risk posed by the herbicide substance glyphosate;**

Or. en

**Amendment 24**  
**Petri Sarvamaa**

**Motion for a resolution**  
**Paragraph 20**

*Motion for a resolution*

20. Notes that a group of Members of the European Parliament filed a lawsuit against the Authority on grounds of limiting of access to documents in the “glyphosate” case; **calls on** the Authority to fully implement the court’s ruling **immediately** once it is known;

*Amendment*

20. Notes that a group of Members of the European Parliament filed a lawsuit against the Authority on grounds of limiting of access to documents in the “glyphosate” case; **expects** the Authority to fully implement the court’s ruling once it is known;

Or. en

**Amendment 25**  
**Monica Macovei, Dennis de Jong**

**Motion for a resolution**  
**Paragraph 20 a (new)**

*Motion for a resolution*

*Amendment*

**20 a. Regrets that the Authority assessments on glyphosate was drafted from Monsanto documents and that, consequently, the Authority has classified glyphosate as not linked to cancer, breaking with long-standing practice of aligning with the IARC cancer hazard assessments, as documented by the Natural Resources Defense Council;**

Or. en

**Amendment 26**  
**Benedek Jávor, Bart Staes**

**Motion for a resolution**  
**Paragraph 20 a (new)**

*Motion for a resolution*

*Amendment*

**20 a. Notes with concern that criminal complaints have been filed against the Authority and Germany's Bundesinstitute für Risikobewertung (BfR) by environmental NGOs in Austria, Germany, Italy, Portugal, and France over accusations of plagiarism and misconduct in their risk assessment of the active substance glyphosate;**

Or. en

**Amendment 27**  
**Petri Sarvamaa**

**Motion for a resolution**  
**Subheading 5**

*Motion for a resolution*

*Amendment*

***Performance-based-budgeting***

***Main achievements***

**Amendment 28**  
**Luke Ming Flanagan**

**Motion for a resolution**  
**Paragraph 23**

*Motion for a resolution*

23. Observes that according to the IAC, the Authority's internal control system in place provides reasonable assurance regarding the achievement of the business objectives set up for the processes audited; notes that one 'very important' recommendation on the disclosure and transparency of the scientific decision-making processes was issued;

*Amendment*

23. Observes that according to the IAC, the Authority's internal control system in place provides reasonable assurance regarding the achievement of the business objectives set up for the processes audited; notes that one 'very important' recommendation on the disclosure and transparency of the scientific decision-making processes was issued; ***calls on the Authority to ensure that this recommendation is carried through, and reported to the discharge authority;***

Or. en

**Amendment 29**  
**Luke Ming Flanagan**

**Motion for a resolution**  
**Paragraph 31**

*Motion for a resolution*

31. Notes that a close cooperation with DG SANTE is well on track towards its preparation relating to the United Kingdom's decision to leave the Union; notes however that a critical uncertainty remains on the future availability of resources hampering thereby the thorough preparation of the Authority for its programming post 2020;

*Amendment*

31. Notes that a close cooperation with DG SANTE is well on track towards its preparation relating to the United Kingdom's decision to leave the Union; notes however that a critical uncertainty remains on the future availability of resources hampering thereby the thorough preparation of the Authority for its programming post 2020; ***calls on the Authority to remain proactive on this issue, anticipating and planning for any likely problems, rather than waiting and reacting;***



**Amendment 30**  
**Benedek Jávor, Bart Staes**

**Motion for a resolution**  
**Paragraph 31 a (new)**

*Motion for a resolution*

*Amendment*

***31 a. Notes with concern that the Authority currently lacks the financial resources to pay its external experts and perform all the new tasks it is asked to do, in particular on novel foods, risk communication and stakeholder engagement;***

Or. en

**Amendment 31**  
**Benedek Jávor, Bart Staes**

**Motion for a resolution**  
**Paragraph 31 b (new)**

*Motion for a resolution*

*Amendment*

***31 b. Notes that the Authority often comes under criticism for issues that are beyond its powers to change, such as specific aspects of the Union's pesticides regulation in the case of glyphosate, or, on conflicts of interests, the shrinking availability of independent experts caused by Union and national research funding policies that encourage public private partnerships between universities and industry;***

Or. en

**Amendment 32**  
**Benedek Jávor, Bart Staes**

**Motion for a resolution**  
**Paragraph 31 c (new)**

*Motion for a resolution*

*Amendment*

***31 c. Insists that the Commission and Member States substantially increases the Authority's budget, and that the Commission reviews the Authority's Founding Regulation, to give it the financial and legal resources it needs to perform all the tasks it is facing in correct conditions; in this perspective, any possible introduction of fees for industry should be done in a manner that protects the Authority's integrity;***

Or. en