



**2015/2176(DEC)**

4.3.2016

# **AMENDMENTS**

## **1 - 33**

**Draft report**  
**Derek Vaughan**  
(PE569.750v01-00)

on discharge in respect of the implementation of the budget of the European  
Food Safety Authority for the financial year 2014  
(2015/2176(DEC))

AM\_Com\_NonLegReport

**Amendment 1**  
**Anders Primdahl Vistisen**

**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 2014;

*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 2014;

Or. en

**Amendment 2**  
**Ryszard Czarnecki, Raffaele Fitto, Beata Gosiewska, 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 2014;

*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 2014;

Or. en

**Amendment 3**  
**Benedek Jávor, Nessa Childers, Dennis de Jong, Eleonora Evi**

**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

*Amendment*

1. ***Postpones its decision on granting*** the Executive Director of the European Food Safety Authority discharge in respect of the

Authority's budget for the financial year 2014;

implementation of the Authority's budget for the financial year 2014;

Or. en

#### **Amendment 4**

**Marco Valli, Marco Zanni, Eleonora Evi, Marco Affronte, Piernicola Pedicini**

#### **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 2014;

###### *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 2014;

Or. it

#### **Amendment 5**

**Anders Primdahl Vistisen**

#### **Proposal for a decision 2**

##### **Paragraph 2**

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

2. ***Approves*** the closure of the accounts of the European Food Safety Authority for the financial year 2014;

###### *Amendment*

2. ***Postpones*** the closure of the accounts of the European Food Safety Authority for the financial year 2014;

Or. en

#### **Amendment 6**

**Ryszard Czarnecki, Raffaele Fitto, Beata Gosiewska, Richard Sulík**

#### **Proposal for a decision 2**

##### **Paragraph 2**

*Proposal for a decision*

*Amendment*

2. ***Approves*** the closure of the accounts of the European Food Safety Authority for the financial year 2014;

2. ***Postpones*** the closure of the accounts of the European Food Safety Authority for the financial year 2014;

Or. en

**Amendment 7**

**Benedek Jávör, Nessa Childers, Eleonora Evi, Dennis de Jong**

**Proposal for a decision 2**

**Paragraph 2**

*Proposal for a decision*

*Amendment*

2. ***Approves*** the closure of the accounts of the European Food Safety Authority for the financial year 2014;

2. ***Postpones*** the closure of the accounts of the European Food Safety Authority for the financial year 2014;

Or. en

**Amendment 8**

**Marco Valli, Marco Zanni, Eleonora Evi, Marco Affronte, Piernicola Pedicini**

**Proposal for a decision 2**

**Paragraph 2**

*Proposal for a decision*

*Amendment*

2. ***Approves*** the closure of the accounts of the European Food Safety Authority for the financial year 2014;

2. ***Postpones*** the closure of the accounts of the European Food Safety Authority for the financial year 2014;

Or. it

**Amendment 9**

**Tamás Deutsch**

**Motion for a resolution**

**Paragraph 3 a (new)**

*Motion for a resolution*

*Amendment*

***3a. Asks the EU institutions and bodies to apply strictly the measures pertaining to discretion and exclusion in respect of public procurement, with proper background checks being carried out in every instance, and to apply the exclusion criteria in order to debar companies in the event of any conflict of interest, this being essential to protect the EU's financial interests;***

Or. en

**Amendment 10**

**Benedek Jávor, Dennis de Jong, Nessa Childers, Eleonora Evi, Tomáš Zdechovský**

**Motion for a resolution**

**Paragraph 3 a (new)**

*Motion for a resolution*

*Amendment*

***3a. Reminds the Authority that the first objective of its independence policy should be its reputation and therefore to make sure that the Authority is free from real or perceived conflicts of interests, in particular with the economic sectors it is de facto regulating;***

Or. en

**Amendment 11**

**Benedek Jávor, Nessa Childers, Dennis de Jong, Eleonora Evi**

**Motion for a resolution**

**Paragraph 3 b (new)**

*Motion for a resolution*

*Amendment*

***3b. Fails to understand why the Authority's Executive Director chose to appoint a food industry lobbyist as the***

*Authority's new Communications Director, especially in the light of the rising public concerns on the independence of the Authority from regulated industry and previous requests from the discharge authority in particular in 2011 and the Article 11 of the EU Staff Regulations stating that "the appointing Authority shall examine whether the candidate has any personal interest such as to impair his independence or any other conflict of interest";*

Or. en

## **Amendment 12**

**Benedek Jávor, Nessa Childers, Dennis de Jong, Eleonora Evi**

### **Motion for a resolution**

#### **Paragraph 4**

##### *Motion for a resolution*

4. Acknowledges that the Authority launched a project to modify the way it screens and processes the annual declarations of interest in order to ensure better coherence and overall compliance with its rules on declarations of interest; notes, furthermore, that this new system, scheduled to be completed in the course of 2016, foresees centralised screening of the annual declarations of interest and transfer of responsibility from the Authority's scientific departments to its legal and regulatory department;

##### *Amendment*

4. Acknowledges that the Authority launched a project to modify the way it screens and processes the annual declarations of interest in order to ensure better coherence and overall compliance with its rules on declarations of interest; notes, furthermore, that this new system, scheduled to be completed in the course of 2016, foresees centralised screening of the annual declarations of interest and transfer of responsibility from the Authority's scientific departments to its legal and regulatory department; ***calls on the Authority to include in its policy the prohibition to work with any expert including Member States' delegated experts who do not properly and meaningfully fill in the declaration of interests(DoI); calls on the Authority to include in its policy an obligation for experts to inform the Authority of any eventual changes while working for the Authority;***

**Amendment 13**  
**Barbara Kappel**

**Motion for a resolution**  
**Paragraph 5**

*Motion for a resolution*

5. Ascertains that, in order to attain both working with the top academics in the industry and having the most effective conflicts of interest policy possible, the Authority uses a system to assess the experts' interests, which takes into account the role of the experts and the mandate of the scientific working group or panel of which the expert would be a member against a number of different criteria; notes, furthermore, that in 2016 the Authority will undertake an examination of the systems it has in place to detect conflicts of interest as part of the regular cycle of review of its independence policy; asks the Authority to inform the discharge authority about the outcomes of the review;

*Amendment*

5. Ascertains that, in order to attain both working with the top academics in the industry and having the most effective conflicts of interest policy possible, the Authority uses a system to assess the experts' interests, which takes into account the role of the experts and the mandate of the scientific working group or panel of which the expert would be a member against a number of different criteria; notes, furthermore, that in 2016 the Authority will undertake an examination of the systems it has in place to detect conflicts of interest as part of the regular cycle of review of its independence policy; asks the Authority to inform the discharge authority about the outcomes of the review ***and the necessary adjustments to the procedures for selecting experts and checking their credentials;***

Or. de

**Amendment 14**  
**Benedek Jávor, Nessa Childers, Dennis de Jong, Eleonora Evi, Tomáš Zdechovský**

**Motion for a resolution**  
**Paragraph 5**

*Motion for a resolution*

5. ***Ascertains that***, in order to attain both working with the top academics in the industry and having the most effective conflicts of interest policy possible, the

*Amendment*

5. ***Notes with concern that*** in order to attain both working with the top academics in the industry and having the most effective conflicts of interest policy



Authority uses a system to assess the experts' interests, which takes into account the role of the experts and the mandate of the scientific working group or panel of which the expert would be a member against a number of different criteria; notes, furthermore, that in 2016 the Authority will undertake an examination of the systems it has in place to detect conflicts of interest as part of the regular cycle of review of its independence policy; asks the Authority to inform the discharge authority about the outcomes of the review;

possible, the Authority uses a system to assess the experts' interests, which takes into account the role of the experts and the mandate of the scientific working group or panel of which the expert would be a member against a number of different criteria; notes, furthermore, that in 2016 the Authority will undertake an examination of the systems it has in place to detect conflicts of interest as part of the regular cycle of review of its independence policy; asks the Authority to inform the discharge authority about the outcomes of the review;

Or. en

## **Amendment 15**

**Benedek Jávor, Nessa Childers, Dennis de Jong, Eleonora Evi**

### **Motion for a resolution**

#### **Paragraph 5 a (new)**

*Motion for a resolution*

*Amendment*

***5a. Is of the opinion that the current independence policy of the Authority only banning evident and general conflicts of interests and solely assessing interest according to the specific manifest of the scientific panels and working group interests is not a sophisticated and robust way to avoid potential conflicts of interests; the Authority's current independence policy and implementing rules are neither "robust" nor "sophisticated" but remain costly and ineffective and its limited intention of implementing a cooling-off period with the scope of the panel mandate is largely insufficient;***

Or. en

**Amendment 16**  
**Tamás Deutsch**

**Motion for a resolution**  
**Paragraph 5 a (new)**

*Motion for a resolution*

*Amendment*

***5a. Calls for those EU institutions and agencies which have introduced codes of conduct, including European Parliament, to step up their implementation measures, such as checks of declarations of financial interests;***

Or. en

**Amendment 17**  
**Benedek Jávor, Nessa Childers, Dennis de Jong, Eleonora Evi, Tomáš Zdechovský**

**Motion for a resolution**  
**Paragraph 5 b (new)**

*Motion for a resolution*

*Amendment*

***5b. Calls on the Authority to review both its independence policy and related implementing rules in a way that guarantees that no relevant economic interests are falling within Authority's remit; reminds in this respect the Authority to the repeated requests from the discharge authority to take into account the mandate of the Authority and not the panel in question when assessing whether there is conflict of interest;***

Or. en

**Amendment 18**  
**Benedek Jávor, Nessa Childers, Dennis de Jong, Eleonora Evi, Tomáš Zdechovský**

**Motion for a resolution**  
**Paragraph 5 c (new)**

*Motion for a resolution*

*Amendment*

***5c. Reiterates its call for the Authority to apply a two-years cooling-off period; does not accept the Authority's justification for its refusal to implement the discharge authority's repeated demands of establishing a two-years cooling-off period on all material interests related to companies it regulates;***

Or. en

#### **Amendment 19**

**Petri Sarvamaa, Tamás Deutsch**

#### **Motion for a resolution**

##### **Paragraph 6**

*Motion for a resolution*

6. ***Notes*** that, in order to improve its independence and conflicts of interest policy concerning expert groups, the Authority performed in 2014 an ex-post analysis of its rules on declarations of interests; notes that this analysis led to a review and the adoption of a new, simpler and more sophisticated version of these rules;

*Amendment*

6. ***Welcomes the fact*** that, in order to improve its independence and conflicts of interest policy concerning expert groups, the Authority performed in 2014 an ex-post analysis of its rules on declarations of interests; notes that this analysis led to a review and the adoption of a new, simpler and more sophisticated version of these rules; ***calls on the Authority to perform analyses of its policies at a regular basis to ensure the constant development of its independency;***

Or. en

#### **Amendment 20**

**Benedek Jávor, Nessa Childers, Dennis de Jong, Eleonora Evi, Tomáš Zdechovský**

#### **Motion for a resolution**

##### **Paragraph 6**

*Motion for a resolution*

6. Notes that, in order to improve its independence and conflicts of interest policy concerning expert groups, the Authority performed in 2014 an ex-post analysis of its rules on declarations of interests; notes that this analysis led to a review and the adoption of a new, ***simpler and more sophisticated*** version of these rules;

*Amendment*

6. Notes that, in order to improve its independence and conflicts of interest policy concerning expert groups, the Authority performed in 2014 an ex-post analysis of its rules on declarations of interests; notes ***with concern that despite the fact*** that this analysis led to a review and the adoption of a new ***and simpler*** version of these rules ***without substantial changes however; and in particular, reminds with great concern the Authority the main changes requested by the discharge authority have not been taken into account;***

Or. en

**Amendment 21**

**Benedek Jávor, Nessa Childers, Dennis de Jong, Eleonora Evi, Tomáš Zdechovský**

**Motion for a resolution**

**Paragraph 6 a (new)**

*Motion for a resolution*

*Amendment*

***6a. Reminds the Authority of the European Ombudsman's ruling stating that the Authority "should revise its conflict of interest rules" to ensure that those experts who work for academia declare all relevant information to EFSA"; is of the opinion that if this would affect around one third of the experts as stated by the Authority, then the Authority should dedicate special attention to the issue and work on specific measures together with the concerned academic institutions to safeguard the integrity of both institutions;***

Or. en

**Amendment 22**  
**Tamás Deutsch**

**Motion for a resolution**  
**Paragraph 7 a (new)**

*Motion for a resolution*

*Amendment*

***7a. Calls for an overall improvement in the prevention of, and the fight against, corruption in the public sector, and especially within the EU institutions and agencies, through a holistic approach, commencing with better public access to documents and more stringent rules on conflicts of interest, the introduction or strengthening of transparency registers and the provision of sufficient resources for law enforcement measures, and also through improved cooperation among Member States and with relevant third countries;***

Or. en

**Amendment 23**  
**Tamás Deutsch**

**Motion for a resolution**  
**Paragraph 8 a (new)**

*Motion for a resolution*

*Amendment*

***8a. Encourages the EU institutions and agencies to better raise awareness of the conflict-of-interest policy among their officials, alongside ongoing awareness-raising activities and the inclusion of integrity and transparency as an obligatory item to be discussed during recruitment procedures and performance reviews; considers that a distinction should be made between elected representatives and public officials in the legislation on conflicts of interest; believes that there should also be such regulations in the Member States for***

*public officials and civil servants involved in the administration and monitoring of EU subsidies; calls on the Commission to submit a draft legal basis on this matter;*

Or. en

**Amendment 24**

**Benedek Jávor, Nessa Childers, Dennis de Jong, Eleonora Evi**

**Motion for a resolution**

**Paragraph 8 a (new)**

*Motion for a resolution*

*Amendment*

*8a. Points out that several EU regulations including amongst others the Charter of Fundamental Rights of the European Union gives individuals the right to access public documents; reminds the Authority that scientific rigour is ensured best by transparency and accountability of the results; highlights that the Authority should make therefore all data used to reach any scientific conclusions public in a machine readable format so as to enable scientific scrutiny and constant progress;*

Or. en

**Amendment 25**

**Benedek Jávor, Nessa Childers, Dennis de Jong, Eleonora Evi, Tomáš Zdechovský**

**Motion for a resolution**

**Paragraph 8 b (new)**

*Motion for a resolution*

*Amendment*

*8b. Acknowledges the Authority's efforts to improve the transparency of its work as well as the data it uses for it; acknowledges the existing legal limitations it faces for increasing data transparency; stresses that the aim of the disclosure is to make reproducibility of*

*the Authority's work possible and therefore the steps taken towards process transparency in risk-assessment are a welcomed first step, however data transparency should also be ensured;*

Or. en

#### **Amendment 26**

**Benedek Jávor, Nessa Childers, Dennis de Jong, Eleonora Evi, Tomáš Zdechovský**

#### **Motion for a resolution**

##### **Paragraph 8 c (new)**

*Motion for a resolution*

*Amendment*

*8c. Reminds the Authority that commercial confidentiality clauses must not be allowed to impair disclosure of data due to the overriding public interest of health and safety; encourages it to interpret existing legal protection of commercial interest as restrictively as possible;*

Or. en

#### **Amendment 27**

**Barbara Kappel**

#### **Motion for a resolution**

##### **Paragraph 9**

*Motion for a resolution*

*Amendment*

9. Takes note that the Authority's staff are legally bound to comply with the Staff Regulations<sup>1</sup> regarding future employment; notes, in addition, that the assessment of staff's future employment occurs on a systematic basis, and that **the Authority's Executive Director may exercise his right to set conditions related to that employment or restrict it in case** the employment is considered to be a potential

9. Takes note that the Authority's staff are legally bound to comply with the Staff Regulations<sup>1</sup> regarding future employment; notes, in addition, that the assessment of staff's future employment occurs on a systematic basis, and that if the employment is considered to be a potential conflict of interest **no appointment should be made until that potential conflict has been resolved on the basis of clear,**

conflict of interests; points out that in 2013, of the 29 statutory staff members that left the employment at the Authority, three went to the chemical/pharmaceutical sector with a range of restrictions put in place for these individuals; acknowledges that the Authority considers that a clear legal and governance framework on revolving doors is already in place;

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<sup>1</sup> Regulation (EU, Euratom) No 1023/2013 of the European Parliament and of the Council of 22 October 2013 amending the Staff Regulations of Officials of the European Union and the Conditions of Employment of Other Servants of the European Union (OJ L 287, 29.10.2013, p. 15).

***transparent and verifiable criteria***; points out that in 2013, of the 29 statutory staff members that left the employment at the Authority, three went to the chemical/pharmaceutical sector with a range of restrictions put in place for these individuals; acknowledges that the Authority considers that a clear legal and governance framework on revolving doors is already in place;

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<sup>1</sup> Regulation (EU, Euratom) No 1023/2013 of the European Parliament and of the Council of 22 October 2013 amending the Staff Regulations of Officials of the European Union and the Conditions of Employment of Other Servants of the European Union (OJ L 287, 29.10.2013, p. 15)..

Or. de

## **Amendment 28** **Barbara Kappel**

### **Motion for a resolution** **Paragraph 10**

#### *Motion for a resolution*

10. Acknowledges that the Authority carried out an internal exercise to assess the impact of removing the possibility for experts to anonymise certain interests in their declarations of interest; notes from the Authority that the practice of anonymising interests has been used on very few occasions in the past; notes furthermore that for the latest renewal of panel members in 2015, no scientific experts chose to anonymise their interests; notes with satisfaction that the Authority no longer accepts anonymised interests and has withdrawn this option for experts when completing their declaration of interests;

#### *Amendment*

10. Acknowledges that the Authority carried out an internal exercise to assess the impact of removing the possibility for experts to anonymise certain interests in their declarations of interest; notes from the Authority that the practice of anonymising interests has been used on very few occasions in the past; notes furthermore that for the latest renewal of panel members in 2015, no scientific experts chose to anonymise their interests; notes with satisfaction that the Authority no longer accepts anonymised interests and has withdrawn this option for experts when completing their declaration of interests;  
***asks the Authority to check the***



*declarations submitted by experts who were appointed before 2015 and who took advantage of the option of anonymising their interests;*

Or. de

**Amendment 29**  
**Tamás Deutsch**

**Motion for a resolution**  
**Paragraph 10 a (new)**

*Motion for a resolution*

*Amendment*

*10a. Requests that all EU institutions and agencies implement Article 16 of the Staff Regulations by publishing, on an annual basis, information about senior officials who have left the EU administration, as well as a list of conflicts of interest; requests that the aforementioned independent structure assess the compatibility of post-EU employment or the situation whereby civil servants and former Members of the European Parliament move from the public to the private sector (the 'revolving door' issue) and the possibility of a conflict of interest, and define clear cooling-off periods, which should cover at least the period for which transitional allowances are granted;*

Or. en

**Amendment 30**  
**Benedek Jávor, Nessa Childers, Dennis de Jong, Eleonora Evi, Tomáš Zdechovský**

**Motion for a resolution**  
**Paragraph 10 a (new)**

*Motion for a resolution*

*Amendment*

*10a. Is looking forward to results of the*

*Authority's systemic review of its Policy on Independence and Scientific Decision-Making Process in 2016; welcomes the Authority's commitment to consider the publication of remunerations for experts' declared activities;*

Or. en

**Amendment 31**

**Benedek Jávor, Nessa Childers, Dennis de Jong, Eleonora Evi, Tomáš Zdechovský**

**Motion for a resolution**

**Paragraph 10 b (new)**

*Motion for a resolution*

*Amendment*

*10b. Calls on the Authority to make more extensive use of a new status for hearing experts following the example of the invited experts from World Health Organization's International Agency for Research Against Cancer; calls on the Authority to report to the discharge authority on use of hearing experts;*

Or. en

**Amendment 32**

**Benedek Jávor, Nessa Childers, Eleonora Evi**

**Motion for a resolution**

**Paragraph 10 c (new)**

*Motion for a resolution*

*Amendment*

*10c. Stresses that experts in regulatory agencies must be paid for their work so as to enable their independence from the sector they regulate; calls on the Commission to provide the financial means for the Authority to pay external experts and develop in-house research to ensure independence;*

**Amendment 33**

**Benedek Jávor, Nessa Childers, Eleonora Evi**

**Motion for a resolution**

**Paragraph 17 a (new)**

*Motion for a resolution*

*Amendment*

***17 a. Acknowledges that a large part of the difficulties the Authority is facing in securing its independence comes from the fact that the Commission consistently refuses to allocate it sufficient means of operation to work at defending food safety for EU citizens independently of the regulated industry's influence;***

Or. en