



EUROPEAN PARLIAMENT

2009 - 2014

Committee on Budgetary Control

2011/2226(DEC)

10.9.2012

AMENDMENTS

1 - 76

Draft second report
Monica Luisa Macovei
(PE491.067v01-00)

on discharge in respect of the implementation of the budget of the European
Food Safety Authority for the financial year 2010
(C7-0286/2011 – 2011/2226(DEC))

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United in diversity

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Amendment 1
Edit Herczog, Jens Geier

Proposal for a decision 1
Citation 11 a (new)

Proposal for a decision

Amendment

- having regard to the Joint Statement and Common Approach adopted (in June 2012) by the European Parliament, the Council and the Commission, resulting from the work of the Inter Institutional Working Group on decentralised agencies, and in particular the sections on governance, operations, programming, accountability and transparency;

Or. en

Amendment 2
Edit Herczog, Jens Geier, Gerben-Jan Gerbrandy

Proposal for a decision 1
Paragraph 1

Proposal for a decision

Amendment

1. ... the Executive Director of the European Food Safety Authority discharge in respect of the implementation of the Authority's budget for the financial year 2010;

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 2010;

Or. en

Amendment 3
Monica Luisa Macovei

Proposal for a decision 1
Paragraph 1

Proposal for a decision

1. ... the Executive Director of the European Food Safety Authority discharge in respect of the implementation of the Authority's budget for the financial year 2010;

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 2010;

Or. en

Amendment 4
Monica Luisa Macovei

Proposal for a decision 2
Paragraph 1

Proposal for a decision

1. ... the closure of the accounts of the European Food Safety Authority for the financial year 2010;

Amendment

1. **Approves** the closure of the accounts of the European Food Safety Authority for the financial year 2010;

Or. en

Amendment 5
Monica Luisa Macovei

Motion for a resolution
Recital A

Motion for a resolution

A. whereas the Court of Auditors has stated that it has obtained reasonable assurances that the annual accounts for the financial year 2010 are reliable and that the underlying transactions are legal and regular,

Amendment

deleted

Or. en

Amendment 6
Monica Luisa Macovei

Motion for a resolution
Recital A a (new)

Motion for a resolution

Amendment

Aa. whereas on 10 May 2012, the European Parliament postponed its decision on the discharge and closure of the accounts of the Authority for the financial year 2010,

Or. en

Amendment 7
Monica Luisa Macovei

Motion for a resolution
Recital A b (new)

Motion for a resolution

Amendment

Ab. whereas the Authority provided extensive replies to the discharge authority by letters of 29 June 2012 and 20 August 2012,

Or. en

Amendment 8
Monica Luisa Macovei

Motion for a resolution
Recital B

Motion for a resolution

Amendment

B. whereas on 10 May 2011 Parliament granted the Executive Director of the European Food Safety Authority discharge for implementation of the Authority's budget for the financial year

deleted

2009¹⁶, and in its resolution accompanying the discharge decision, inter alia:

– called on the Authority to strengthen the budget processes relating to its differentiated appropriations and the planning and monitoring of multiannual implementation,

– urged, in addition, the Authority to improve its budget management in order to reduce its high carryover amounts,

– invited the Authority to initiate a survey on the potential conflicts of interest of its leading scientists, its Management Board and its panel members, so that possible omissions in the declarations of interest can be detected and followed by action in a timely manner,

Or. en

Amendment 9

Monica Luisa Macovei

Motion for a resolution

Recital C

Motion for a resolution

Amendment

C. whereas the overall budget of the Authority for 2010 was EUR 74 700 000 compared with EUR 71 400 000 in 2009, which represents an increase of 4,6 %; whereas the initial contribution of the Union to the budget of the Authority for 2010 was EUR 69 041 000, which represents an increase of 4,36 % compared with its initial contribution in 2009¹⁷,

deleted

Or. en

Amendment 10
Monica Luisa Macovei

Motion for a resolution
Recital D

Motion for a resolution

Amendment

D. whereas the workload continues its growing trend both in volume and in complexity with the adoption of more than 560 scientific outputs;

deleted

Or. en

Amendment 11
Monica Luisa Macovei

Motion for a resolution
Paragraph 1

Motion for a resolution

Amendment

1. Recalls that the initial Union contribution to the Authority for 2010 amounted to EUR 69 041 000; notes however that EUR 3 950 000 coming from the recovery of surplus, was added to that amount which, as a result, makes a total Union contribution of EUR 72 991 000 for 2010;

deleted

Or. en

Amendment 12
Monica Luisa Macovei

Motion for a resolution
Paragraph 2

Motion for a resolution

Amendment

2. Acknowledges from its Annual Activity Report (AAR) that, in 2010, the Authority

deleted

had a budget execution rate of 98,8 % in terms of committed appropriations and of 83,5 % in terms of payment appropriations; takes note that under Title 1 (Staff) and Title 2 (Infrastructure) the budget was fully executed while under Title 3 (Operations) the execution rate reached 96,5 %;

Or. en

Amendment 13
Monica Luisa Macovei

Motion for a resolution
Paragraph 3

Motion for a resolution

Amendment

3. Notes, however, from the AAR that in 2010 the Authority had a budget execution rate of only 83,5 % in terms of payment appropriations, which is 11 % below the target set by the Authority; finds from comments by the Authority that the execution rate in terms of payment appropriations is lower than expected for the following main reasons:

deleted

– major data processing and IT operational support projects were initiated in November 2010 and therefore triggered payments for an amount of EUR 4 300 000 only in 2011;

– delays in contracting scientific cooperation activities and lower payment levels under the existing grant and procurement programme led to an underspend of the related differentiated credits amounting to EUR 1 300 000;

– payments for an amount of EUR 1 100 000 for specific projects in administration and communication were postponed to 2011;

Amendment 14
Monica Luisa Macovei

Motion for a resolution
Paragraph 4

Motion for a resolution

Amendment

4. Acknowledges from the Authority that budget execution was reported to the Management Board on a monthly basis, deviations from the budget execution targets by activity or in relation to the scientific cooperation programme were pointed out and corrective action taken;

deleted

Or. en

Amendment 15
Monica Luisa Macovei

Motion for a resolution
Paragraph 5

Motion for a resolution

Amendment

5. Urges, however, the Authority to take further action to enable a satisfactory budget execution in terms of both commitment and payment appropriations and to inform the discharge authority of the progress achieved;

5. Notes the Authority's statement that measures now adequate have been undertaken to improve financial management and that execution rate in terms of commitment appropriations was close to 100 % in 2011;

Or. en

Amendment 16
Monica Luisa Macovei

Motion for a resolution
Paragraph 6

Motion for a resolution

Amendment

6. Notes from the Authority that in line with the schedule of the Commission, migration to the accrual-based accounting (ABAC) system was scheduled for September 2011 and implemented accordingly;

deleted

Or. en

Amendment 17

Gerben-Jan Gerbrandy

**Motion for a resolution
Paragraph 7**

Motion for a resolution

Amendment

7. Finds it unacceptable that while the Management Board of the Authority consists of only 15 members, each meeting costs on average EUR 92 630, which represents an amount of EUR 6 175 per member; underlines that this amount is nearly three times higher than the second most expensive Management Board of a decentralised agency; is of the opinion that the Management Board meetings costs are excessive and should be reduced drastically; calls on the Authority and its Management Board to remedy the situation immediately and to inform the discharge authority of the measures undertaken by 30 June 2012;

7. Welcomes information received on the significant reductions in Management Board meeting costs, realised through switching to audio streaming on demand, using English as the only language for Board meetings and to hold all meetings at the premises in Parma;

Or. en

Amendment 18

Monica Luisa Macovei

**Motion for a resolution
Paragraph 7**

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Motion for a resolution

7. ***Finds it unacceptable*** that while the Management Board of the Authority consists of only 15 members, each meeting ***costs*** on average EUR 92 630, which represents an amount of EUR 6 175 per member; ***underlines that this amount is nearly three times higher than the second most expensive Management Board of a decentralised agency; is of the opinion that the Management Board meetings costs are excessive and should be reduced drastically; calls on the Authority and its Management Board to remedy the situation immediately and to inform the discharge authority of the measures undertaken by 30 June 2012;***

Amendment

7. ***Reminds*** that while the Management Board of the Authority consists of only 15 members, each meeting ***costed*** on average EUR 92 630 ***in 2010***, which represents an amount of EUR 6 175 per member; ***welcomes that, through the implementation of a series of measures, the Authority reduced expenditure related to the Management Board by 66 % compared to 2010;***

Or. en

Amendment 19
Monica Luisa Macovei

Motion for a resolution
Subheading 2

Motion for a resolution

Carryovers and contract management process

Amendment

Contract management process

Or. en

Amendment 20
Monica Luisa Macovei

Motion for a resolution
Paragraph 8

Motion for a resolution

8. Acknowledges from the Authority that 6

Amendment

deleted

% (EUR 270 000 000) of commitments for operational activities carried over from 2009 had to be cancelled; notes that this is an improvement compared with the previous year in which 19 % of commitments for operational activities were carried over from 2008, 37 % of such commitments were carried over from 2007 and 26 % of such commitments were carried over from 2006;

Or. en

Amendment 21
Monica Luisa Macovei

Motion for a resolution
Paragraph 9

Motion for a resolution

Amendment

9. Urges, once more, the Authority to improve its budget management in order to reduce its high carryover amounts; notes, in particular, that this situation demonstrates weaknesses in the Authority's contract management and monitoring of the remittance of reports and cost statements;

deleted

Or. en

Amendment 22
Monica Luisa Macovei

Motion for a resolution
Paragraph 10

Motion for a resolution

Amendment

10. Calls on the Authority to develop and implement a common monitoring system for the management of all its contracts; acknowledges, in particular, the absence

10. Takes note that the Authority developed a 'Grants and Procurement Tool' to improve the monitoring of tendering process, the contracts

of a central and coordinated capacity at directorate level responsible for the monitoring of contracts; underlines that this entails a risk of inefficient use of resources and uncoordinated monitoring of contracts and therefore asks the Authority to centralise these responsibilities at the level of each directorate;

management and the payment forecast capacity; notes that the new Database on Procurements and Grants was launched on 28 June 2012;

Or. en

Amendment 23
Monica Luisa Macovei

Motion for a resolution
Paragraph 11

Motion for a resolution

Amendment

11. Urges, in addition, the Authority to improve the reporting on contract implementation in order to guarantee effective supervision and management of its operational activities;

deleted

Or. en

Amendment 24
Monica Luisa Macovei

Motion for a resolution
Subheading 3

Motion for a resolution

Amendment

Procurement

deleted

Or. en

Amendment 25
Monica Luisa Macovei

Motion for a resolution
Paragraph 12

Motion for a resolution

Amendment

12. Notes from its AAR that, in 2010, the Authority finalised 24 procurement procedures in Communication and Administration for an amount of EUR 48 800 000, as well as 75 procurement contracts and 10 grant agreements as part of the scientific cooperation programme with values of EUR 5 700 000 and EUR 2 100 000 respectively;

deleted

Or. en

Amendment 26
Monica Luisa Macovei

Motion for a resolution
Paragraph 13

Motion for a resolution

Amendment

13. Notes that the Authority has had a Practical Procurement Guide since 2008 to provide practical guidance to its staff in preparing and implementing procurement procedures and the resulting contracts, and that the Guide is regularly updated; notes moreover that the Guide is being revised to take into account the rules recently adopted by the Commission on public procurement and revision of the Financial Regulation;

deleted

Or. en

Amendment 27
Monica Luisa Macovei

Motion for a resolution
Subheading 4

Motion for a resolution

Amendment

Human resources

deleted

Or. en

Amendment 28
Monica Luisa Macovei

Motion for a resolution
Paragraph 14

Motion for a resolution

Amendment

14. Notes from the Authority that 99 % of planned posts were either filled or under offer by the end of 2010;

deleted

Or. en

Amendment 29
Monica Luisa Macovei

Motion for a resolution
Paragraph 15

Motion for a resolution

Amendment

15. Calls on the Authority to address its weaknesses in recruitment procedures, which put at risk the transparency of the procedures; acknowledges, in particular, from the Court of Auditors that the Authority did not ensure the anonymity of the written tests and decided pass marks for the various stages of the selection process after the evaluation process had already started;

deleted

Or. en

Amendment 30
Gerben-Jan Gerbrandy

Motion for a resolution
Paragraph 15

Motion for a resolution

15. *Calls on the Authority to address its weaknesses in recruitment procedures, which put at risk the transparency of the procedures; acknowledges, in particular, from the Court of Auditors that the Authority did not ensure the anonymity of the written tests and decided pass marks for the various stages of the selection process after the evaluation process had already started;*

Amendment

15. *Notes that the Authority, in December 2010, amended its recruitment guidelines in line with the best practice recommended by* from the Court of Auditors *regarding* the anonymity of the written tests and pass marks for the various stages of the selection process;

Or. en

Amendment 31
Monica Luisa Macovei

Motion for a resolution
Paragraph 16

Motion for a resolution

16. *Is concerned that the Authority delayed for over 12 months the Internal Audit Service (IAS)'s 'very important' recommendation which called on the Authority to define contract renewal processes and ensure the transparency of decision-making; calls, therefore, on the Authority to explain to the discharge authority the reasons behind this delay and to rapidly address this deficiency;*

Amendment

deleted

Or. en

Amendment 32
Gerben-Jan Gerbrandy

Motion for a resolution
Paragraph 16

Motion for a resolution

16. *Is concerned that the Authority delayed for over 12 months the Internal Audit Service (IAS)'s 'very important' recommendation which called on the Authority to define contract renewal processes and ensure the transparency of decision-making; calls, therefore, on the Authority to explain to the discharge authority the reasons behind this delay and to rapidly address this deficiency;*

Amendment

16. *Notes the actions taken by the Authority to define contract renewal processes and ensure the transparency of decision-making; calls on the Authority to inform the discharge authority on the functioning of the new Database on Procurements and Grants which was released in June 2012;*

Or. en

Amendment 33
Monica Luisa Macovei

Motion for a resolution
Subheading 5

Motion for a resolution

Conflict of interest and '*revolving door*' cases

Amendment

Conflict of interest and *transparency*

Or. en

Amendment 34
Monica Luisa Macovei

Motion for a resolution
Paragraph 17

Motion for a resolution

17. *Notes, in particular, that in September 2010 the Chair of the Management Board*

Amendment

17. *Welcomes the organisation of a mandatory session on ethics and integrity*

was reported to have direct links to the food industry, and to be a member of the Board of Directors of the International Life Science Institute (ILSI) - Europe;

for all members of the Management Board in October 2012 but calls 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;

Or. en

Amendment 35
Monica Luisa Macovei

Motion for a resolution
Paragraph 17 a (new)

Motion for a resolution

Amendment

17a. Welcomes the Authority's commitment to propose its Management Board to elect its Chairperson by open ballot; believes that a transparent procedure will reinforce the Management Board's accountability;

Or. en

Amendment 36
Monica Luisa Macovei

Motion for a resolution
Paragraph 17 b (new)

Motion for a resolution

Amendment

17b. Takes 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; notes from the Authority that its practical approach concerning an expert breaching

the independence policy rules is an exclusion for a 5-year period; suggests to insert a conclusive set of proportionate sanctions to be part of the implementing rules of the independence policy;

Or. en

Amendment 37
Monica Luisa Macovei

Motion for a resolution
Paragraph 17 c (new)

Motion for a resolution

Amendment

17c. Notes 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, including the outcomes of the procedure verifying the integrity of the scientific review and to broaden and reinforce the mandate of its Committee on Conflict of Interests, for instance with a similar mandate to the Committee for Ethical Standards and Prevention of Conflict of Interest of the French Agency for Food, Environmental and Occupational Health & Safety (ANSES); expects the Authority to inform the discharge authority on this matter by the start of the next discharge procedure;

Or. en

Amendment 38
Monica Luisa Macovei

Motion for a resolution
Paragraph 17 d (new)

Motion for a resolution

Amendment

17d. Encourages the Authority to further strengthen its independence policy and consider adopting rules among others including sanctions and publishing the curriculum vitae and declarations of interest of the in-house experts and scientists;

Or. en

Amendment 39
Monica Luisa Macovei

Motion for a resolution
Paragraph 17 e (new)

Motion for a resolution

Amendment

17e. Notes the Authority's statement that it adopted a policy on gifts and hospitality on 4 July 2012; commends this initiative and invites the Authority to make the policy available on its website;

Or. en

Amendment 40
Monica Luisa Macovei

Motion for a resolution
Paragraph 17 f (new)

Motion for a resolution

Amendment

17f. Acknowledges that from 1 October 2012 the Authority will launch its first evaluation of a random sample of declarations of interest to verify their coherence with its newly adopted independence policy and implementing rules; expects the Authority to share the

outcomes of the evaluation of all declarations with the discharge authority by 1 March 2013 in order to reflect them in the amendments to the next discharge report;

Or. en

Amendment 41
Monica Luisa Macovei

Motion for a resolution
Paragraph 18

Motion for a resolution

Amendment

18. Considers that, while a dialogue with industry on product assessment methodologies is legitimate and necessary, this dialogue should not undermine the independence of the Authority nor the integrity of risk assessment procedures; asks therefore the Authority to consider as a conflict of interest the current or recent past participation of its Management Board, panel and working group members or staff in ILSI activities such as taskforces, scientific committees or chairs for conferences;

deleted

Or. en

Amendment 42
Jens Geier, Edit Herczog

Motion for a resolution
Paragraph 18

Motion for a resolution

Amendment

18. Considers that, while a dialogue with industry on product assessment methodologies is legitimate and necessary, this dialogue should not undermine the

18. Considers that, while a dialogue with industry on product assessment methodologies is legitimate and necessary, this dialogue should not undermine the

independence of the Authority nor the integrity of risk assessment procedures; ***asks*** therefore the ***Authority to consider as a conflict of interest the current or recent*** past participation of its Management Board, panel and working group members or staff in ILSI activities ***such as taskforces, scientific committees or chairs for conferences;***

independence of the Authority nor the integrity of risk assessment procedures; ***notes*** therefore the ***analysis carried out by the Authority of*** past participation of its Management Board, panel and working group members or staff in ILSI ***or other*** activities ***and looks forward to measures on conflict of interest arising from the Common Approach agreed by the European Parliament, the Council and European Commission, which will provide a standard according to which all agencies can act;***

Or. en

Amendment 43
Monica Luisa Macovei

Motion for a resolution
Paragraph 19

Motion for a resolution

Amendment

19. Urges the Court of Auditors to finalise and present its audit of conflict of interest in the Authority;

deleted

Or. en

Amendment 44
Monica Luisa Macovei

Motion for a resolution
Paragraph 20

Motion for a resolution

Amendment

20. Recalls that the current Chair of the Management Board failed, in 2010, to declare her membership of the Board of Directors of the ILSI; notes that ILSI is financed by firms in the food, chemical and pharmaceutical sectors;

deleted

Amendment 45
Monica Luisa Macovei

Motion for a resolution
Paragraph 21

Motion for a resolution

Amendment

21. Considers, therefore, that a thorough case-by-case analysis of these reports and of possible and actual conflicts of interest should be carried out in order to evaluate the objectivity and impartiality of the Authority at all levels and the work it carries out; calls, moreover, on the Authority to undertake a thorough screening of the declarations of interest submitted by its staff, experts and members of the Management Board, followed by concrete measures to end conflicts of interest and to provide information to the public; calls on the Authority to inform the discharge authority of the screening process and the concrete measures adopted, by means of a detailed written report by 30 June 2012;

deleted

Amendment 46
Gerben-Jan Gerbrandy

Motion for a resolution
Paragraph 21

Motion for a resolution

Amendment

21. Considers, therefore, that a thorough case-by-case analysis of these reports and of possible and actual conflicts of interest should be carried out in order to evaluate the objectivity and impartiality of the

21. Considers, therefore, that a thorough case-by-case analysis of these reports and of possible and actual conflicts of interest should be carried out in order to evaluate the objectivity and impartiality of the

Authority at all levels and the work it carries out; calls, moreover, on the Authority to undertake a thorough screening of the declarations of interest submitted by its staff, experts and members of the Management Board, followed by concrete measures to end conflicts of interest and to provide information to the public; calls on the Authority to inform the discharge authority of the screening process and the concrete measures adopted, *by means of a detailed written report by 30 June 2012;*

Authority at all levels and the work it carries out; calls, moreover, on the Authority to undertake a thorough screening of the declarations of interest submitted by its staff, experts and members of the Management Board, followed by concrete measures to end conflicts of interest and to provide information to the public; calls on the Authority to inform the discharge authority of the screening process and the concrete measures adopted, *while taking note of the new integrated policy of independence and new implementing rules the Authority adopted in 2011 and 2012;*

Or. en

Amendment 47
Monica Luisa Macovei

Motion for a resolution
Paragraph 22

Motion for a resolution

Amendment

22. Notes that the Court of Auditors has observed that the review process of the declarations of interests of the members of the Management Board is insufficiently rigorous and detailed and puts the completeness and transparency of the procedure at risk;

deleted

Or. en

Amendment 48
Monica Luisa Macovei

Motion for a resolution
Paragraph 23

Motion for a resolution

23. Considers that product assessment should not be based solely on industry data, but should duly take into account independent scientific literature published in peer-reviewed journals; stresses that extra caution should be exercised in relation to industry influence in the development of guidelines and assessment methodologies, which should not favour industry-sponsored studies on speculative grounds and which should be developed in an open, transparent and balanced manner;

Amendment

23. Acknowledges the Authority's commitment to work with the European Commission in order to define the modalities of full public access to unpublished raw data;

Or. en

Amendment 49

Monica Luisa Macovei

Motion for a resolution

Paragraph 24

Motion for a resolution

24. Reminds the Authority that the rules governing declarations of interests should be accompanied by a set of consequences applied when those rules are breached; further, notes that the Authority should, in addition, focus on public interest in its independent decision-making by taking into account all relevant data and information;

Amendment

deleted

Or. en

Amendment 50

Monica Luisa Macovei

Motion for a resolution

Paragraph 25

Motion for a resolution

Amendment

25. Notes that in March 2010 a German NGO turned to the European Ombudsman, complaining that the Authority did not adequately address a potential conflict of interest concerning the move of its Head of Genetically Modified Organisms Unit to a biotechnology company in 2008 less than two months after the staff member in question left the Authority, without a ‘cooling off’ period; *deleted*

Or. en

**Amendment 51
Monica Luisa Macovei**

**Motion for a resolution
Paragraph 26**

Motion for a resolution

Amendment

26. Underlines that the Ombudsman concluded that the Authority had not carried out a thorough assessment of the alleged potential conflict of interest and called on the Authority to improve the way in which it applies its rules and procedures in future ‘revolving door’ cases; stresses, moreover, that the Ombudsman also observed that negotiations by a serving member of staff concerning a future job which could amount to a ‘revolving door’ situation would themselves constitute a conflict of interest and recommended that the Authority should strengthen its rules and procedures accordingly; calls on the Authority to inform the discharge authority of the concrete measures adopted, and their respective deadlines, to properly address the conclusions of the Ombudsman; *deleted*

Amendment 52
Monica Luisa Macovei

Motion for a resolution
Paragraph 27

Motion for a resolution

Amendment

27. Once more, urges the Authority to take appropriate measures in cases of conflict of interests and ‘revolving door’ cases, including when cases occur within the Management Board, and to inform both the discharge authority and the public promptly of the measures taken;

deleted

Amendment 53
Monica Luisa Macovei

Motion for a resolution
Paragraph 28

Motion for a resolution

Amendment

28. Notes from its AAR that in 2010 the Authority took several initiatives in the area of prevention and management of conflict of interests:

- the commissioning of an independent report to assess the implementation by the Authority of its 2007 policy on declaration of interests;***
- the commissioning of an independent report to benchmark the Authority's independence system against those of both national and international peer organisations;***
- the conclusion of an external independent review of its declaration of***

deleted

interest assessments;

Or. en

Amendment 54

Monica Luisa Macovei

Motion for a resolution

Paragraph 29

Motion for a resolution

Amendment

29. Welcomes the fact that the Authority has adopted a new definition of conflicts of interests, based on the OECD definition, but warns that further improvements are necessary to strengthen the Authority's policy on independence; stresses in particular that the criteria that define a conflict of interests should be clarified and widened, and include current and recent past activities;

deleted

Or. en

Amendment 55

Edit Herczog, Jens Geier

Motion for a resolution

Paragraph 29

Motion for a resolution

Amendment

29. Welcomes the fact that the Authority has adopted a new definition of conflicts of interests, based on the OECD definition, **but warns that further improvements are necessary to strengthen the Authority's policy on independence; stresses in particular that the criteria that define a conflict of interests should be clarified and widened, and include** current and recent past activities;

29. Welcomes the fact that the Authority has adopted a new definition of conflicts of interests, based on the OECD definition, **looks forward to receiving reports on implementation, and notes that annual and specific declaration of interest forms now have to be completed by scientific experts and others, covering economic interests, employment, membership of specific bodies, consultancy or advisory work, research funding, and intellectual**

property for both current and recent past activities;

Or. en

Amendment 56
Monica Luisa Macovei

Motion for a resolution
Paragraph 30

Motion for a resolution

Amendment

30. Takes note from the Authority that a review of its policy on declarations of interest took place in 2011 and that its Management Board adopted a new policy on independence and scientific decision-making processes;

deleted

Or. en

Amendment 57
Monica Luisa Macovei

Motion for a resolution
Paragraph 31

Motion for a resolution

Amendment

31. Observes that *the Authority is repeatedly challenged over alleged cases of conflicts of interest involving members of the experts' panels, especially in the case of the panels on 'Food additives and nutrient sources added to food' (ANS) and 'Genetically modified organisms' (GMO); underlines that* eight of the Authority's panels and its scientific committee *were due for renewal in March 2012 and that the Authority's capability of implementing the new policy is under scrutiny; calls therefore on the Authority to inform the discharge authority in*

31. Observes that eight of the Authority's Panels and its Scientific Committee *have been renewed in June 2012; welcomes the publication of the declarations of interest of the newly appointed experts on the Authority's website but observes that some of the curriculum vitae are not yet available; invites the Authority to publish all of them by 1 January 2012;*

*writing by 30 June 2012 of the steps undertaken to implement the new policy on independence and scientific decision-making processes and to conform to the OECD definition of conflict of interest when renewing its panels and its scientific committee; at the same time, calls on the Authority to **inform the discharge authority of the new composition of the panels and of the scientific committee by 30 June 2012;***

Or. en

Amendment 58
Gerben-Jan Gerbrandy

Motion for a resolution
Paragraph 31

Motion for a resolution

31. Observes that the Authority is repeatedly challenged over alleged cases of conflicts of interest involving members of the experts' panels, especially in the case of the panels on 'Food additives and nutrient sources added to food' (ANS) and 'Genetically modified organisms' (GMO); ***underlines that*** eight of the Authority's panels and its scientific committee were due for renewal in March 2012 and that the Authority's capability of implementing the new policy is under scrutiny; ***calls therefore on the Authority to inform the discharge authority in writing by 30 June 2012*** of the steps undertaken to implement the new policy on independence and scientific decision-making processes and to conform to the OECD definition of conflict of interest when renewing its panels and its scientific committee; ***at the same time, calls on the Authority to inform the discharge authority of the new composition of the panels and of the***

Amendment

31. Observes that the Authority is repeatedly challenged over alleged cases of conflicts of interest involving members of the experts' panels, especially in the case of the panels on 'Food additives and nutrient sources added to food' (ANS) and 'Genetically modified organisms' (GMO); ***notes the information given about recruitment to*** eight of the Authority's panels and its scientific committee ***which*** were due for renewal in March 2012, and that the Authority's capability of implementing the new policy is under scrutiny; ***takes note*** of the steps undertaken to implement the new policy on independence and scientific decision-making processes and ***stresses the importance*** to conform to the OECD definition of conflict of interest when renewing its panels and its scientific committee;

scientific committee by 30 June 2012;

Or. en

Amendment 59
Monica Luisa Macovei

Motion for a resolution
Paragraph 31 a (new)

Motion for a resolution

Amendment

31a. Notes that 37 experts of two Panels have been appointed in 2011, prior to the adoption of the Authority's new policy on independence and scientific decision-making processes; agrees therefore with the Authority's initiative to screen by 31 October 2012 their declarations of interest against the newly adopted policy and implementing rules; invites the Authority to inform the discharge authority of the outcomes of the screening process by the start of the next discharge procedure;

Or. en

Amendment 60
Monica Luisa Macovei

Motion for a resolution
Paragraph 31 b (new)

Motion for a resolution

Amendment

31b. Calls on the Authority to introduce in its annual activity reports a special section describing the actions taken to prevent and manage conflict of interest, which shall include inter alia:

- the number of conflict-of-interest cases verified,***
- the number of revolving door cases,***

- *the measures taken in each category of cases,*
- *the number of breach of trust procedures launched and their outcomes;*
- *the sanctions applied;*

Or. en

Amendment 61
Monica Luisa Macovei

Motion for a resolution
Paragraph 32

Motion for a resolution

Amendment

32. Takes note of the revision of the Authority's procedures in December 2010 to ensure the implementation of the obligations deriving from Articles 16(2), 17 and 19 of the Staff Regulations of Officials of the European Union and the Conditions of Employment of Other Servants of the European Union, laid down in Council Regulation (EEC, Euratom, ECSC) No 259/68¹⁸ ; was informed that in 2010, 20 staff members left the Authority, all of whom received a letter on departure reminding them of their obligations vis-à-vis the Authority; calls on the Authority to further improve the way in which it applies its rules and procedures to avoid the 'revolving door' cases recently highlighted by the European Ombudsman; considers that any problems with the enforcement of staff rules and declarations of interests undermine the Authority's credibility;

deleted

Or. en

Amendment 62
Monica Luisa Macovei

Motion for a resolution
Paragraph 33

Motion for a resolution

Amendment

33. Notes that the Authority has been audited by the Court of Auditors in the framework of the Special Report on conflicts of interest management in the Union Agencies and acknowledges from the Court of Auditors that the Special Report is due to be published by the end of June 2012; **deleted**

Or. en

Amendment 63
Monica Luisa Macovei

Motion for a resolution
Paragraph 34

Motion for a resolution

Amendment

34. Acknowledges from the Special Report that the Commission is considering a modification of the future funding of the Authority and proposed that the discharge authority and the Council consider a partial fee-based financing structure for the Authority; notes that the Commission is conducting an impact assessment on the matter; expresses, however, concerns that the new funding scheme proposed by the Commission could affect the independence of the Authority; **deleted**

Or. en

Amendment 64
Cristina Gutiérrez-Cortines, Pilar Ayuso

Motion for a resolution
Paragraph 34 – point 1 (new)

Motion for a resolution

Amendment

(1) Invites the European institutions to examine if it is advisable to incorporate and to commit to additional guidelines, legislation and procedures in a possible common framework for all European institutions and bodies;

Or. en

Amendment 65
Monica Luisa Macovei

Motion for a resolution
Subheading 6

Motion for a resolution

Amendment

Performance

deleted

Or. en

Amendment 66
Monica Luisa Macovei

Motion for a resolution
Paragraph 35

Motion for a resolution

Amendment

35. Notes from its AAR that a review of its efficiency, led by external consultants, began in 2010 with the launch of the e3 programme; acknowledges that the inception phase of the programme concerned the establishment of the programme portfolio, structure and governance in preparation for the structural reorganisation that would be implemented in 2011; invites the

deleted

Authority to inform the discharge authority of the conclusions drawn by the review and of the measures it has adopted and implemented to address them;

Or. en

Amendment 67
Edit Herczog, Jens Geier

Motion for a resolution
Paragraph 35

Motion for a resolution

35. *Notes from its AAR that a* review of its efficiency, led by external consultants, *began* in 2010 with the launch of the e3 programme; acknowledges that the inception phase of the programme concerned the establishment of the programme portfolio, structure and governance in preparation for the structural reorganisation *that would be* implemented in 2011; *invites the Authority to inform the discharge authority of the conclusions drawn by the review and of the measures it has adopted and implemented to address them;*

Amendment

35. *Welcomes the June 2012 update given to the European Parliament by EFSA on the* review of its efficiency, led by external consultants, *starting* in 2010 with the launch of the e3 programme; acknowledges that the inception phase of the programme concerned the establishment of the programme portfolio, structure and governance in preparation for the structural reorganisation *which was then* implemented in 2011; *looks forward to future updates particularly regarding multi-annual planning, efficiency indicators and scorecard, and staff development policies;*

Or. en

Amendment 68
Monica Luisa Macovei

Motion for a resolution
Paragraph 36

Motion for a resolution

36. *Welcomes the Authority's plans to enhance its medium-term planning with a view to better involving the Member States*

deleted

Amendment

in the Authority's work and better pool its resources across Europe; supports the Authority in strengthening its cooperation with Member States in the area of risk assessment;

Or. en

Amendment 69
Monica Luisa Macovei

Motion for a resolution
Paragraph 37

Motion for a resolution

Amendment

37. Underlines the need for the Authority to ensure that its advice is of a high quality and is independent, in order to guarantee compliance with Union safety standards, scientific excellence and independence on all matters with a direct or indirect impact on food and feed safety, and plant protection; recommends, particularly in the interests of transparency, measures to further foster and monitor internal rules on declarations of interest by staff of the Authority and by experts working for the Authority;

deleted

Or. en

Amendment 70
Corinne Lepage

Motion for a resolution
Paragraph 37 a (new)

Motion for a resolution

Amendment

37a. Encourages 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; encourages 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

Or. en

Amendment 71
Monica Luisa Macovei

Motion for a resolution
Paragraph 38

Motion for a resolution

Amendment

38. Considers that the main tasks of the Authority are the provision of independent scientific advice on matters with a direct or indirect impact on food safety, the conduct of risk assessments to provide Union institutions, Member States and policy-making bodies with a sound scientific basis for defining policy-driven legislative or regulatory measures and the collection and analysis of scientific data;

deleted

Or. en

Amendment 72
Monica Luisa Macovei

Motion for a resolution
Subheading 7

Motion for a resolution

Amendment

Internal Audit

deleted

Or. en

Amendment 73
Monica Luisa Macovei

Motion for a resolution
Paragraph 39

Motion for a resolution

Amendment

39. Acknowledges that six ‘very important’ recommendations from the IAS still need to be implemented and that three of them have already been delayed for over 12 months; notes in particular that these delays concern: information security management, the contract renewal process and transparency of decision-making, and filing and archiving policy; calls, therefore, on the Authority to rapidly address these deficiencies, and to inform the discharge authorities of the results achieved;

deleted

Or. en

Amendment 74
Gerben-Jan Gerbrandy

Motion for a resolution
Paragraph 39

Motion for a resolution

Amendment

39. Acknowledges **that six ‘very important’** recommendations from the IAS **still need to be implemented and that three of them have already been delayed for over 12 months; notes in particular that these** delays **concern:** information security management, the contract renewal process and transparency of decision-making, and filing and archiving policy; calls, therefore, on the Authority to rapidly address these deficiencies, and to inform the discharge authorities of the results achieved;

39. Acknowledges **the steps taken by EFSA to address three outstanding** recommendations from the IAS **where** delays **occured:** information security management, the contract renewal process and transparency of decision-making, and filing and archiving policy; calls, therefore, on the Authority to rapidly address these deficiencies, and to inform the discharge authorities of the results achieved;

Amendment 75
Monica Luisa Macovei

Motion for a resolution
Paragraph 40

Motion for a resolution

Amendment

40. Draws attention to its recommendations from previous discharge reports, as set out in the Annex to this resolution;

deleted

(The deletion of this paragraph leads to the deletion of the table annexed to the draft report.)

Or. en

Amendment 76
Monica Luisa Macovei

Motion for a resolution
Paragraph 41

Motion for a resolution

Amendment

41. Refers, in respect of the other observations accompanying its Decision on discharge, which are of a horizontal nature, to its resolution of 10 May 2012¹⁹ on the performance, financial management and control of the Agencies.

deleted

Or. en