

## **CODE OF CONDUCT OF THE MANAGEMENT BOARD OF THE EUROPEAN FOOD SAFETY AUTHORITY**

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# CODE OF CONDUCT

## OF THE MANAGEMENT BOARD OF THE EUROPEAN FOOD SAFETY AUTHORITY

### *Article 1*

#### **Scope of application**

1. With the present Code of Conduct<sup>1</sup> the members of the Management Board<sup>2</sup> of the European Food Safety Authority<sup>3</sup> commit to meet the highest ethical standards. The Code provides guidance and sets ethical conventions, probity standards and benchmarks for Board members when acting independently in the public interest, also — where applicable — after termination of their mandate.
2. The Code is without prejudice to other rules that may apply to the Board members. It forms an integral part of the implementation of the Authority's Independence Policy<sup>4</sup>.

### *Article 2*

#### **Fundamental principles**

1. Board members shall act independently in the public interest, with integrity and discretion. They shall act impartially, avoiding any situation liable to give rise to conflicts of interest. Taking into account the public character of their function they shall conduct themselves in a way that maintains and promotes the public's trust in the Authority.
2. The Board is a collegial body and collegially assumes responsibility for its decisions.
3. When questions arise which are not explicitly covered by the Code or by other relevant rules<sup>5</sup>, adherence to the generally accepted principles of probity shall determine the Board members' behaviour.

### *Article 3*

#### **Main duties of the Board members**

Board members shall in particular:

- exercise due diligence in directing the Authority;
- respect the professional standing of the other Board members;
- not engage in any practice detrimental to the reputation and interests neither of the Board nor of the Authority;
- ensure that the Board operates within the limits of its statutory remit, including having due regard to best practice regarding sound financial management.

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<sup>1</sup> Hereinafter referred to as "the Code".

<sup>2</sup> Hereinafter referred to as "the Board".

<sup>3</sup> Hereinafter referred to as "the Authority" or "EFSA".

<sup>4</sup> EFSA Independence Policy - <http://www.efsa.europa.eu/en/about/corporatedocs>

<sup>5</sup> Management Board Rules of Procedure - <http://www.efsa.europa.eu/en/about/corporatedocs>

#### *Article 4*

### **Relations with media, stakeholders and the general public**

1. Board members are the ambassadors of the Authority and shall always set an exemplary conduct in all their activities linked to the Authority. The 'ambassador' function of the Board members entails the promotion of EFSA to its stakeholders and the general public and preparedness to be accountable for the decisions of the Board whilst supporting the Authority.
2. Board members shall follow the principles of the EFSA guidelines for media handling. If Board members wish to respond to a media query on an EFSA-related topic but in a non-EFSA capacity, they should make it clear to the journalist or requestor in which capacity they are speaking and, whenever possible, inform EFSA about the matter.
3. Board members, when communicating on a matter on which the Board has taken a view, shall represent the views of the Board. If Board members are communicating on a matter that falls within the remit of the EFSA but on which the Board has not taken a view so far, they are free to give their own personal view but shall make clear that this does not necessarily represent the view of the Board.

#### *Article 5*

### **The role of the Chair and the Vice-Chairs of the Board**

The Chair and the Vice-Chairs of the Board shall in particular:

- be responsible that the Board fulfills its main role, i.e. to ensure an effective and efficient functioning of the Authority;
- endeavour to ensure that the Board is properly managed, addressing its key tasks and devoting sufficient time to address each of them properly; and
- guide the Board in establishing and setting vision, mission, values and strategy of the Authority.

#### *Article 6*

### **Professional secrecy**

1. Board members are bound to professional secrecy with regard to duly classified documents of the Authority they are dealing with when exercising their mandate and with regard to any non-public deliberations of the Board or its members.
2. The above is without prejudice to the sharing of documents with persons assisting the members in the discharge of their duties as Board members, provided that those persons are subject to an equivalent duty of confidentiality. Board members shall take all necessary measures to ensure that the persons having access to their information also respect the above obligations they are subject to.

3. Board members shall continue to be bound by the obligations referred to in paragraphs 1 and 2 of the present Article after the termination of their mandate.

#### *Article 7*

### **Gifts and hospitality**

Board members shall neither apply for, nor receive or accept from any source any advantage, direct or indirect (e.g. as a gift or in form of hospitality), which is in any way connected to their role as members of the Board, either for doing or omitting to do something in their official capacity, or for showing advantage to someone or to an organisation.

#### *Article 8*

### **Independence**

1. All members of the Board shall sign on annual basis written Declarations of Commitment and Declarations of Interests. Further details regarding these declarations are set out in Regulation (EC) No 178/2002 of the European Parliament and of the Council<sup>6</sup> and in the Authority's Independence Policy and in the Decision of the EFSA Executive Director on DoIs<sup>7</sup>.

2. Board members shall not seek or take instructions from institutions or other bodies of the European Union, from any government of a Member State or from any other legal or natural person, including any decision-making body that they belong to or not.

3. Board members shall inform the Chair and the Executive Director of the Authority without undue delay of any changes to their declared interests and update their Declarations of Interests accordingly.

4. The interests of a Board member, and those of persons belonging to the same household or family, shall not take precedence over those of the Authority's. Board members shall refrain from involving themselves or being involved in any activity that could result in a conflict of interests or is likely to provoke the perception of an existing conflict of interests by the general public.

5. During their term, Board members shall not be members of any other of the Authority's bodies referred to in Article 24 of Regulation (EC) No 178/2002 or any sub-entity to those bodies.

6. Board members are committed not to exploit their position in order to influence in any way the scientific experts of the Authority or EFSA's scientific outputs.

7. Furthermore, the members of the Board shall consider the possible public perception in all facets of their professional and private life — in particular as regards any activities, which are pertinent to raise doubts related to even only potential conflicts of interests.

8. Bearing in mind that independence is a fundamental principle and a core value of EFSA, Board Members shall not hold positions or interests that are considered incompatible with their role as a Board member and the role of the Board. This is without

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<sup>6</sup> OJ L 31, 1.2.2002, p. 1.

<sup>7</sup> <http://www.efsa.europa.eu/en/about/corporatedocs>.

prejudice to those members that were appointed in line with Article 25(1) of Regulation (EC) No 178/2002 as having their background in organisations representing consumers or other interests in the food chain.

9. Board members undertake to produce on request supporting information, data or documents relevant for performing the screening of their Declarations of Interests.

10. For two years after the expiry of their term of office as Board member, the former Board members accept to inform EFSA of any professional engagement overlapping with EFSA's remit. EFSA shall make this information publicly available in the form of an online register.

#### *Article 9*

### **Applicability of the Code of Conduct to the representative of the European Commission**

Article 8(2) of the present Code does not apply in relation to the representative of the European Commission<sup>8</sup>. Article 8(10) of the present Code applies in relation to the representative of the European Commission<sup>8</sup> only in case his or her employment at the European Commission ceases within the following two years from the expiry of his or her term of office as Board member.

#### *Article 10*

### **Acceptance of the Code of Conduct**

1. All Board members, including any new members who may subsequently assume office as from the date of the signature of this Code, shall sign the present Code of Conduct.

2. By undersigning the Code, Board members commit themselves to the respect of its provisions. Failure to comply with the obligations set out in the Code may prompt the Board to trigger the procedure prescribed in Article 15 of the Board's Rules of Procedure<sup>9</sup>.

3. The signed original of the Code shall be held by the Executive Director of the Authority.

4. Upon their signature Board members shall receive a copy of the signed original for their own record.

Signed in Parma on 12 December 2017

*Raymond O'Rourke*

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<sup>8</sup> As referred to in Article 25(1) of Regulation (EC) No 178/2002.

<sup>9</sup> <http://www.efsa.europa.eu/en/about/corporatedocs>