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## **Decision**

EFSA – European Food Safety Authority	Decision of the Executive Director of the European Food Safety Authority regarding multisectoral issues	Decision No.:  EFSA/2012/03/LRA
	<b>Effective Date:</b> 20/02/2012	<b>Supersedes:</b> N/A

<b>Approvals</b>	Signature	Name
Originator	RESU/LRA	OR/DD
Executive Director	+	CGL
Management Board	N/A	N/A

<b>Introduction</b>	See citations and recitals of the annexed Decision
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<b>Description</b>	
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<b>References</b>	<ul style="list-style-type: none"><li>Regulation (EC) No 178/2002</li></ul>
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<b>Relevant Documents</b>	
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### **Decision History**

<b>Date</b>	<b>Revision No.</b>	<b>Description of Change</b>
N/A	N/A	N/A

<b>Abbreviations</b>	<i>Cf. Decision</i>

**DECISION OF THE EXECUTIVE DIRECTOR OF THE EUROPEAN FOOD  
SAFETY AUTHORITY**

**regarding multisectoral issues**

**THE EXECUTIVE DIRECTOR OF THE EUROPEAN FOOD SAFETY AUTHORITY,**

Having regard to Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles of food law, establishing the European Food Safety Authority, hereinafter referred to as EFSA, and laying down procedures in matters of food safety<sup>1</sup>, hereinafter referred to as the Regulation, and in particular Article 28(2) thereof,

Having regard to Commission Regulation (EC) No 575/2006 of 7 April 2006 amending Regulation (EC) No 178/2002 of the European Parliament and of the Council as regards the number and names of the permanent Scientific Panels of the European Food Safety Authority<sup>2</sup>,

Having regard to the Decision of the EFSA Management Board concerning the establishment and operations of the Scientific Committee, Scientific Panels and of their Working Groups of 17 December 2009<sup>3</sup>,

Having regard to the Decision of the Executive Director concerning the establishment of a Mandate Review Committee, hereinafter referred to as the MRC, of 29 May 2009,

Whereas:

- (1) The rules governing the establishment and operations of the Scientific Committee and Scientific Panels should be in line with the requirements of the Regulation, and in particular Article 28(2) thereof, which requires that the Scientific Committee shall be responsible for the general coordination to ensure consistency of the scientific opinion procedure, in particular with regard to the adoption of working procedures and harmonisation of working methods;
- (2) According to the Regulation and in particular Article 28(2) thereof, the Scientific Committee shall provide opinions on multisectoral issues falling within the competence of more than one Scientific Panel, and on issues which do not fall within the competence of any of the Scientific Panels;

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<sup>1</sup> OJ L 31, 1.2.2002, p. 1-24, as last amended.

<sup>2</sup> OJ L 100, 8.4.2006, p. 3.

<sup>3</sup> MB 17 12 09 item 7 doc 5a – Rules of procedures of Scientific Committee, Scientific Panels and Working Groups.

- (3) As identified in EFSA's Scientific Strategy 2012-2016, it is increasingly expected that risk assessments which consider risks in a wider integrated manner will be required in order to provide risk managers with comprehensive advice on which to base their decisions;
- (4) Until now EFSA has published a limited number of scientific opinions where two or more Scientific Panels were adopting joint opinions, in total 28, and that in the future, the number of scientific issues that fall within the competence of more than one Scientific Panel is expected to rise significantly, possibly 100-400 per year in 2013-2015 in the area of enzymes originating from genetically modified microorganisms, CEF-GMO, according to the medium term planning endorsed by EFSA and the European Commission Directorate General for Health and Consumers, hereinafter referred to as DG SANCO;
- (5) The Scientific Committee is assigned a crucial role through the Founding Regulation, in being formally responsible for the Scientific Opinions on multisectoral issues.
- (6) EFSA needs to adapt its working procedures in order to be better able to accommodate a growing demand on the Scientific Committee in these areas;
- (7) The approach on multisectoral issues was discussed with the Scientific Committee during the meeting held on 7-8 February 2012, in particular the necessity to harmonise the internal rules regarding multisectoral issues;

HAS DECIDED AS FOLLOWS:

#### *Article 1*

##### **Scope**

This Decision defines the approach that the EFSA Mandates Review Committee shall implement based on a case-by-case assessment when assigning mandates so as to ensure timely and efficient delivery of integrated scientific advice in full compliance with the legal framework.

#### *Article 2*

##### **Preliminary screening of requests of multisectoral opinions**

EFSA shall carry out a preliminary screening of the requests received to identify whether a scientific issue is truly multisectoral in the sense of requiring expertise from more than one Scientific Panel.

#### *Article 3*

##### **The leading Panel opinion**

1. In case the required competence for a scientific opinion falls largely in the remit of one Scientific Panel and the complementing competences required come from other Scientific Panels, EFSA shall assign the mandate to that single Scientific Panel.
2. Without prejudice to the competences of the Scientific Committee, EFSA will not classify such mandate as multisectoral but rather consider it as belonging to the competence of that lead Scientific Panel. The leading Scientific Panel will create a working group where all the

necessary expertise, including that from other Scientific Panels or external experts is be represented. The resulting scientific opinion will be formally and in full adopted by the leading Scientific Panel.

3. This lead Scientific Panel strategy is also applicable to cases where a standing working group receives an application to assess where competences are needed that normally are not required.

#### *Article 4*

##### **The assignment of multisectoral opinions**

1. In case EFSA receives a request concerning a multisectoral matter the Scientific Committee is responsible for adopting the final opinion, either via:
  - a) a dedicated Scientific Committee working group(s), composed of members of different Scientific Panels and/or external experts possessing the knowledge and expertise needed to address the said matter. The working group(s) will provide a draft contribution. The opinion will then be adopted by the Scientific Committee, which may, in case of need, be supported by a drafting group.
  - b) the relevant Scientific Panel(s) preparing a draft opinion to be discussed and adopted by the Scientific Committee. The preparatory work necessary for elaborating the draft opinion will be agreed upon by the designated Scientific Panel(s) responsible for such a task. This means, in this case, there will be no specific Working Group established under the Scientific Committee but the respective Scientific Panels are invited to organize their work. The respective Scientific Panels will provide the draft scientific opinion. The final opinion will be adopted by the Scientific Committee, which may, in case of need, be supported by a drafting group. The scientific assessment of the Scientific Committee will also focus on any possible deviations of the draft opinion highlighted during the preparatory work from existing guidance documents in areas where such guidance documents exist. This is in line with the need identified in the Science Strategy 2012-2016 to have a systematic review for consistency of guidance developed by Scientific Panel(s).
2. In both above-mentioned cases the opinion is formally a scientific output of the Scientific Committee which would be the entity exclusively responsible for the overall coherence and consistency of the final output.

#### *Article 5*

##### **Entry into force**

This Decision shall enter into force on the day of its signature.

Done at Parma on 20 February 2012

[SIGNED]  
Catherine Geslain-Lanéelle  
Executive Director