

EFSA – European Food Safety Authority	Decision of the Executive Director on Declarations of Interest	Decision No.: EFSA/LRA/DEC/02/2014
	<b>Effective Date:</b> 31/07/2014	<b>Supersedes:</b> EFSA/2012/05/LRA

<b>Approvals</b>	Signature	Name
Originator	RESU/LRA	Dirk Detken
Executive Director	+	Bernhard Url
Management Board	N/A	N/A

<b>Introduction</b>	See citations and recitals of the annexed Decision
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<b>Description</b>	This decision lays down the rules to be followed by the Authority in order to prevent the occurrence of conflicts of interest among the members of its governance bodies and its staff.
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<b>References</b>	<ul style="list-style-type: none"> <li>• Treaty on European Union</li> <li>• Treaty on the Functioning of the European Union</li> <li>• Charter of Fundamental Rights of the European Union</li> <li>• Regulation (EC) No 178/2002</li> <li>• Regulation (EU) No 966/2012</li> <li>• Commission Delegated Regulation (EU) No 1268/2012</li> <li>• Policy on Independence and Scientific Decision-Making Processes of EFSA, adopted by the Management Board on 15 December 2011</li> </ul>
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<b>Relevant Documents</b>	Policy on Independence and Scientific Decision-Making Processes of EFSA, adopted by the Management Board on 15 December 2011
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### Decision History

Date	Revision No.	Description of Change
31/07/2014	1 (one)	Shortening of the document Simplification of the structure Clearer principles and improved readability Introduction of criteria for the screening of Declarations of Interest in tenders and grant awarding procedures Simplification of requirements for outsourcing processes

<b>Abbreviations</b>	<i>Cf. Decision</i>
ADoIs	Annual Declarations of Interest
CoIs	Conflicts of Interest
DoIs	Declarations of Interest
ODoIs	Oral Declarations of Interest
SDoIs	Specific Declarations of Interest

**DECISION OF THE EXECUTIVE DIRECTOR OF THE EUROPEAN FOOD  
SAFETY AUTHORITY  
ON DECLARATIONS OF INTEREST**

THE EXECUTIVE DIRECTOR OF THE EUROPEAN FOOD SAFETY  
AUTHORITY,  
HAS ADOPTED THE FOLLOWING DECISION

**Article 1 - Scope**

1. This decision lays down rules on the establishment and the implementation of a system for processing Declarations of Interest. Its aim is to contribute to the prevention of conflicts of interest in line with the goals laid down in the Policy on Independence and Scientific Decision-Making Processes of the European Food Safety Authority (EFSA).
2. With reference to Regulation (EC) No 178/2002 of the European Parliament and the Council of 28 January 2002, laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety<sup>1</sup>, this decision is applicable to members of EFSA's Scientific Committee, Scientific Panels, Working Groups, members of its Networks (pursuant to Article 36 of Regulation (EC) No 178/2002), other external experts, hearing experts and observers. It is also applicable to the members of EFSA's Management Board and the Advisory Forum, the Executive Director and other EFSA staff, staff of other European Union Institutions, bodies and agencies participating in EFSA's meetings, and contractors, grant beneficiaries and their respective employees.

**Article 2 - Definitions**

1. This article applies to members of EFSA's Management Board, Advisory Forum, Scientific Committee, Scientific Panels, Working Groups, other external experts, Networks, networking activities, hearing experts, observers, EFSA's Executive Director, EFSA staff, tenderers and participants to grant beneficiaries.
2. For the purposes of this decision:
  - a. **“Interest”** means the relation of being objectively concerned in something, (such as having a right or title, a claim or a share in it);
  - b. **“Conflict of Interest”** (CoI) means a situation when an individual is in a position to exploit his or her own professional or official capacity in some way for personal or corporate benefit with regard to that person's involvement with EFSA;

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

- c. **“Annual Declaration of Interest”** (ADoI) means the written declaration of interest to be submitted annually;
  - d. **“Specific Declaration of Interest”** (SDoI) means the written declaration of interest to be submitted before each meeting that relates to the items on the agenda of the meeting;
  - e. **“Oral Declaration of Interest”** (ODoI) means the verbal declaration of interest to be made at the beginning of each meeting;
  - f. **“Food Safety Organisation”** (FSO) means any organisation included in the list drawn up by the EFSA’s Management Board according to Article 2 of Commission Regulation (EC) 2230/2004. It also means any other legal entity, such as universities or public research institutes, that carries out tasks within EFSA’s mission, pursues public interest objectives, receives more than 50% of its budgets from public entities, and whose governance ensures the performance of its tasks with independence and integrity as set out in Article 2(1) of that Commission Regulation. An FSO can be an entity based both inside or outside the European Union.
  - g. **“Family member”** means:
    - 1) the spouse;
    - 2) the partner with whom a person subject to this decision has contracted a registered partnership, on the basis of the legislation of a Member State, if the legislation of the Member State treats registered partnerships as equivalent to marriage and in accordance with the conditions laid down in the relevant legislation of the Member State;
    - 3) the direct descendants who are under the age of 21 or are dependants and those of the spouse or partner.
  - h. **“Interests of family members”** means interests relevant under these rules that are held by family members of the persons subject to these rules.
3. For the purpose of declaring interests:
- I. **“Economic interest”** means any economic stake or share in an entity with an interest falling within EFSA’s remit, as described in recital 36 and Article 22 of Regulation (EC) No 178/2002, including its stocks, equities or bonds, or of one of its subsidiaries or of a company in which it has a holding. Financial instruments on which the individual has no influence are not to be considered relevant for the purposes of this decision.
  - II. **“Member of a managing entity or equivalent structure”** means any participation in the internal decision-making (such as board membership, directorship) of a entity with an interest falling within EFSA’s remit. Depending on the level of intensity of the relation between the entity and the person declaring the interest the activity shall be classified as “Employment” or “Occasional consultancy” (see below).
  - III. **“Member of a scientific advisory entity”** means any participation in the works of a scientific advisory entity with an interest falling within EFSA’s remit and other than those organised by EFSA (such as membership of EFSA’s Scientific Panels, Working Groups and Networks). Depending on the level of intensity of the relation between the entity and the person declaring the interest the activity shall be classified as “Employment” or “Occasional consultancy” (see below).

- IV. **“Employment”** means any form of regular occupation or business, part-time or full-time, paid or unpaid, including self-employment (such as consultancy), with an employer with an interest falling within EFSA’s remit. **“Employment by industry”** means any form of employment carried out for an employer which could be directly or indirectly impacted by EFSA’s scientific outputs, in areas such as food production, processing and distribution, agriculture or animal husbandry.
- V. **“Occasional consultancy”** means providing advice or services paid or unpaid to companies, trade associations or other bodies with an interest falling within EFSA’s remit occurring rarely so that it does not become a regular occupation. Regular consultancy shall be declared under “Employment”.
- VI. **“Research funding”** means financial support, including grants, rents and reimbursement of expenses, sponsorships and fellowships, for research or developmental work received from any public or private entity by the concerned person either in a personal or professional capacity. The expert shall declare whether the research (co-)funding received from the private sector for the area under concern exceeds 25% of the annual research budget managed by the expert during the year preceding the submission of the DoI. This includes also projects funded by the organisation of the experts, benefiting him or her.
- VII. **“Intellectual property rights”** means rights on items falling within EFSA’s remit that are the result of human intellectual creativity, such as patents and trademarks. It does not mean plain authorship and publications.
- VIII. **“Other memberships or affiliations”** means any membership or affiliation not falling under the definitions provided above and relevant for the purposes of this decision, to entities with an interest falling within EFSA’s remit, including professional organisations.
- IX. **“Other relevant interest”** means any interest not falling under the definitions provided above and relevant for the purposes of this decision.

### **Article 3 - General principles of declarations and screening of interests**

The following general principles are applicable to members of EFSA’s Management Board, Advisory Forum, Scientific Committee, other external experts, Executive Director, Scientific Panels, Working Groups, Networks, networking activities:

- a. The **ADoI** is used to decide on the person’s general eligibility with respect to the relevant activity within EFSA.
- b. The **SDoI** and **ODoI** are used to identify whether the member of EFSA’s Scientific Committee, Scientific Panel, Working Group or other external expert who is already a member of the concerned group should abstain from the discussion of a specific item on the agenda or from participating to a specific meeting of that entity.
- c. The identification and prevention of CoIs are based on the evaluation of the ADoI, and where appropriate of the SDoI and the ODoI submitted by the particular individual.
- d. The responsibility for a complete and truthful DoI lies with the individual completing the DoI. Those submitting DoIs to EFSA confirm whether or not they consider themselves to have a CoI with respect to any EFSA activity in which they are involved.

- e. Individuals subject to these rules only have to declare current activities and past activities that have taken place in the **five years preceding** the day of submission of the DoI.
- f. Individuals submitting DoIs provide all relevant details about the **subject matter of each declared interest**. They indicate the domain in which the activity is, or was, carried out, clarify the exact interest and role of the **entity or organisation** of relevance for each interest and indicate their precise role in that **entity or organisation**.
- g. **Interests** are screened by considering whether they are compatible with the **tasks** to be assigned by EFSA to the person that declared the interests, with regards to the **mandate of the group** to which the person will participate and the **role and function** that he or she is required to take on within that group.
- h. The individuals subject to these rules are not allowed to assess, rate or review their own work.
- i. Individuals employed by industry are not allowed to become members of EFSA's Scientific Committee, Scientific Panels and Working Groups.
- j. The screening of **interests of close family members** is performed as for interests of the individuals submitting the DoI. However, the general principles referred to in letters h) and i) will not apply to close family members.

#### **Article 4 - Annual Declaration of Interest**

1. This article applies to members of EFSA's Management Board, Advisory Forum, Scientific Committee, Scientific Panels, Working Groups, other external experts, Networks, networking activities, hearing experts, observers, EFSA's Executive Director, EFSA staff, tenderers and participants to grant beneficiaries.
2. The individuals above declare any interest defined in Article 2 using the form in Annex I.
3. These individuals indicate whether declared interests are current, meaning activities are ongoing at the moment of the DoI submission, or past, meaning activities are not ongoing but occurred during the five years preceding the submission of the DoI.
4. These individuals update and resubmit their ADoI to EFSA without delay following any change in their interests.

#### **Article 5 - Specific Declaration of Interest**

1. This article applies to members of EFSA's Scientific Committee, Scientific Panels Working Groups and other external experts.
2. Members of the Scientific Committee, the Scientific Panels, Working Groups, as well as other external experts, declare any interest defined in Article 2 in relation to the items on the agenda of each meeting they plan to attend or output to which they are asked to contribute. This is done using the form in Annex III.
3. EFSA asks experts to complete their SDoIs when it sends them the invitation to attend a relevant meeting or to contribute to a relevant mandate. Only experts who have had their SDoI positively screened by EFSA before the meeting takes place may attend the meeting.

4. When an expert is invited to join a Working Group that deals with only one mandate at the time leading to a single output, a single SDoI referring to that mandate suffices for all meetings of that Working Group dealing with this mandate (in addition to the ADoI).
5. When an expert is invited to join a Working Group that deals with several mandates or questions leading to multiple outputs, or a Working Group that deals with one mandate addressing several questions, an SDoI is required for each meeting where new questions are addressed (in addition to the ADoI).
6. When a **specific product, substance, process or claim is under discussion**, the screening process carried out by EFSA will also take into account an expert's interests in relations to companies or bodies that develop, manufacture or market:
  - a. products/substances that would be used in conjunction with the one under discussion; or
  - b. products/substances that would compete in the market with the one being reviewed.

#### **Article 6 - Oral Declaration of Interest**

1. This article applies to members of EFSA's Scientific Committee, Scientific Panels, Working Groups and other external experts.
2. At the beginning of each meeting, members of the Scientific Committee, the Scientific Panels, Working Groups, as well as other external experts, orally declare any interest not already declared elsewhere that might be considered prejudicial to their independence in relation to the items on the agenda of that meeting.
3. Any orally declared interest is recorded in the minutes of that meeting in the section that deals with the outcome of the screening of interests by EFSA.

#### **Article 7 - Declaration concerning confidentiality and declaration of commitment**

Members of the Scientific Committee, the Scientific Panels, Working Groups, external experts, members of the Management Board, of the Advisory Forum and the Executive Director make an annual declaration concerning confidentiality and commitment. This is done using the template provided in Annex II to this decision.

#### **PROCEDURE FOR PREVENTING CONFLICTS OF INTEREST AMONG SCIENTIFIC EXPERTS**

#### **Article 8 - Screening of DoIs of members of EFSA's Scientific Committee, Scientific Panels and Working Groups**

1. This article applies to members of EFSA's Scientific Committee, Scientific Panels Working Groups and other external experts.
2. The responsible officer performs the screening of the ADoIs in advance of the meeting according to the criteria listed below. The officer responsible for the screening reports any CoI to his or her reporting officer. The decisions on the outcome of the screening of the ADoIs rest with the responsible countersigning officer.

**I. Economic interest** (e.g. Ownership of shares of a company producing food or drinks or of a company developing diagnostic kits for measurement of dioxins).

EFSA activity	Scientific Committee, Panels and Working Groups	
	Chair and Vice Chair	Members
CURRENT	not allowed	not allowed when the expert has a conflict of interest of a general nature that would regularly lead to the exclusion of the expert from the meetings of the scientific group.
PAST	allowed	

**II. A. Member of a management entity or equivalent of FSO** (e.g. Member of the managing entity of the Food Safety Authority of an EU Member State).

EFSA activity	Scientific Committee, Panels and Working Groups	
	Chair and Vice Chair	Members
CURRENT	not allowed	allowed
PAST	allowed	

**II. B. Member of a management entity or equivalent**, other than FSOs (e.g. membership of the board of trustees or board of directors of European or international food producers' association).

EFSA activity	Scientific Committee, Panels and Working Groups	
	Chair and Vice Chair	Members
CURRENT	not allowed	not allowed when the expert has a conflict of interest of a general nature that would regularly lead to the exclusion of the expert from the meetings of the scientific group.
PAST	not allowed when interest ended within past two years.	allowed

**III. A. Member of a scientific advisory entity managed by an FSO** (e.g. membership in a panel/committee competent for risk assessments regarding nutrition, dietetic products, allergies of a risk assessment administration of an EU Member State).

EFSA activity	Scientific Committee, Panels and multiple mandate Working Groups	One Mandate Working Groups	Scientific Committee, Panels and multiple mandate Working Groups
	Chair and Vice Chair		Members
CURRENT	allowed	not allowed	allowed
PAST	allowed		

**III.B. Member of a scientific advisory entity, other than scientific groups of FSOs** (e.g. membership of the Scientific Advisory Committee of European food producers' association).

EFSA activity	Scientific Committee, Panels and Working Groups	Scientific Committee, Panels and multiple Working Groups	One Mandate Working Groups
	Chair and Vice Chair		Members
CURRENT	not allowed	allowed	not allowed when the expert has a conflict of interest of a general nature that would regularly lead to the exclusion of the expert from the meetings of the scientific group.
PAST	allowed		

**IV.A. Employment with an FSO** (e.g. expert working as full time university professor in the relevant sector for the one mandate Working Group he/she is called upon to join).

EFSA activity	Scientific Committee, Panels and multiple mandate Working Groups	One Mandate Working Groups	Scientific Committee, Panels and Working Groups
	Chair and Vice Chair		Members
CURRENT	allowed	not allowed	allowed

<b>PAST</b>	<b>allowed</b>
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**IV.B. Employment**, other than FSOs (e.g. expert applying for Panel membership and is employed by company producing these products).

EFSA activity	Scientific Committee, Panels and Working Groups	
	Chair and Vice Chair	Members
<b>CURRENT</b>	<b>not allowed</b>	<b>not allowed</b> when the expert has a conflict of interest of a general nature that would regularly lead to the exclusion of the expert from the meetings of the scientific group.
<b>PAST</b>		<b>not allowed</b> when the expert has a conflict of interest of a general nature that would regularly lead to the exclusion of the expert from the meetings of the scientific group and interest ended within past two years.

**V.A. Occasional consultancy to FSOs** (e.g. university professor training in a single instance staff of a national competent authority).

EFSA activity	Scientific Committee, Panels and multiple mandate Working Groups	One Mandate Working Groups	Scientific Committee, Panels and Working Groups
	Chair and Vice Chair		Members
<b>CURRENT</b>	<b>allowed</b>	<b>not allowed</b>	<b>allowed</b>
<b>PAST</b>	<b>allowed</b>		

**V. B. Occasional consultancy to bodies other than FSOs** (e.g. University professor providing one lecture to employees of a company on how best to substantiate the claims of their products or on how to develop a novel food).

EFSA activity	Scientific Committee, Panels and Working Groups	
	Chair and Vice Chair	Members
<b>CURRENT</b>	<b>not allowed</b>	<b>not allowed</b> when the expert has a conflict of interest of a general nature that would regularly lead to the exclusion of the expert from the meetings of the scientific group.
<b>PAST</b>		<b>allowed</b>

**VI. Research funding from the private sector exceeds 25% for the area under concern** (e.g. the research team of a university professor who is member of a Panel receives 251.000 € out of 1.000.000 € from companies in food packaging sector).

EFSA activity	Scientific Committee, Panels and Working Groups	
	Chair and Vice Chair	Members
<b>CURRENT</b>	<b>not allowed</b>	<b>not allowed</b> when the expert has a conflict of interest of a general nature that would regularly lead to the exclusion of the expert from the meetings of the scientific group.
<b>PAST</b>		<b>allowed</b>

**VII. Intellectual property rights** (e.g. patent on a product to be assessed or on a test that may be evaluated by the relevant Panel).

EFSA activity	Scientific Committee, Panels and Working Groups	
	Chair and Vice Chair	Members
<b>CURRENT</b>	<b>not allowed</b>	<b>not allowed</b> when the expert has a conflict of interest of a general nature that would regularly lead to the exclusion of the expert from the meetings of the scientific group.
<b>PAST</b>		<b>allowed</b>

**VIII and IX. Other membership or affiliation or other relevant interest**, including professional organisations, regarding the relevant matter (This includes more general professional involvements such as professional societies, e.g. EUROTOX; Expert involved in a single day event related to EU Presidency and Expert involved in assessing proposals for DG Research).

EFSA activity	Scientific Committee, Panels and Working Groups	
	Chairmanship or membership	
	<b>allowed or not allowed</b> depending on the mission, scope of activities, funding of the relevant organisation, etc.	



3. For the screening of SDOIs, the following criteria shall apply:

**I. Economic interest** (e.g. Ownership of shares of a company producing the feed additive being assessed in the meeting).

EFSA activity	Scientific Committee, Panels and Working Groups
	Participation to meeting
CURRENT	Participation not allowed to the specific agenda item where the CoI was identified
PAST	Participation allowed to the specific agenda item

**II. Member of a management entity or equivalent** (e.g. Member of the management board of a Member State risk assessment entity competent for the evaluation of a novel food discussed at the meeting).

EFSA activity	Scientific Committee, Panels and Working Groups
	Participation to meeting
CURRENT	Participation not allowed to the specific agenda item where the CoI was identified
PAST	Participation allowed to the specific agenda item

**III. Member of a scientific advisory entity** (e.g. membership of a scientific advisory committee issuing advice to the benefit of a management board of a company producing food contact materials discussed at the meeting).

EFSA activity	Scientific Committee, Panels and Working Groups
	Participation to meeting
CURRENT	Participation not allowed to the specific agenda item where the CoI was identified
PAST	Participation allowed to the specific agenda item

**IV. Employment** (e.g. employee of a European association representing producers of a food contact material discussed at the meeting).

EFSA activity	Scientific Committee, Panels and Working Groups
	Participation to meeting
CURRENT	Participation not allowed to the specific agenda item where the CoI was identified
PAST	Participation allowed to the specific agenda item

**V. Occasional consultancy** (e.g. university professor advising a company on a TSE test being evaluated by EFSA and being discussed at a meeting)

EFSA activity	Scientific Committee, Panels and Working Groups
	Participation to meeting
CURRENT	Participation not allowed to the specific agenda item where the CoI was identified
PAST	Participation allowed to the specific agenda item

**VI. Research funding from the private sector exceeds 25% for the area under concern** (e.g. full time researcher receiving from the private sector 32% of the funding he/she benefits from in the context of his/her research activities on a given active substance)

EFSA activity	Scientific Committee, Panels and Working Groups
	Participation to meeting
CURRENT	Participation not allowed to the specific agenda item where the CoI was identified
PAST	Participation allowed to the specific agenda item

**VII. Intellectual property rights** (e.g. researcher holding a patent over a given food additive)

EFSA	Scientific Committee, Panels and Working Groups
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<b>activity</b>	<b>Participation to meeting</b>
<b>CURRENT</b>	<b>Participation not allowed</b> to the specific agenda item where the CoI was identified
<b>PAST</b>	<b>Participation allowed</b> to the specific agenda item

**VIII. Other membership or affiliation**, including professional organisations, regarding the relevant matter (e.g. membership in Swedish society of toxicologists)

<b>EFSA activity</b>	<b>Scientific Committee, Panels and Working Groups</b>
	<b>Participation to meeting</b>
	<b>Participation allowed or not allowed</b> to the specific agenda item where the CoI was identified (depending on the mission, scope of activities, funding of the relevant organisation, etc.)

**IX. Other relevant interest** (e.g. speaking at a conference organised by an international life science industry association where he or she receives reimbursement of costs )

<b>EFSA activity</b>	<b>Scientific Committee, Panels and Working Groups</b>
	<b>Participation to meeting</b>
	<b>Participation allowed or not allowed</b> to the specific agenda item where the CoI was identified (depending on the mission, scope of activities, funding of the relevant organisation, etc.)

- The responsible officer performs the screening of the ODoIs before starting the discussion of any of the items on the agenda of the meeting. He or she performs the screening in accordance with the criteria laid down in the previous paragraph. The decision on the outcome of the ODoI screening falls within the responsibility of this officer.
- Any measure taken to prevent the occurrence of CoIs is recorded and made publicly available.

### **Article 9 – Selection procedures of members of EFSA’s Scientific Committee and Scientific Panels**

- This article applies to candidates to the position of member of EFSA’s Scientific Committee and Scientific Panels.
- Candidates and external evaluators participating in calls for expression of interest for the renewal of EFSA’s Scientific Committee or Scientific Panels submit an ADoI so that the Authority can prevent the occurrence of CoIs. The screening of these ADoIs takes place in accordance with this decision and with the Decision of the Executive Director on the selection of Scientific Committee, Scientific Panels and external experts.

### **Article 10 - Members of Networks**

- This article applies to members of the Networks.
- The responsibility for the appointment or nomination of representatives of the Member State(s) or of its authorities rests exclusively at all times with their respective Member State(s).
- In view of the above, EFSA invites members of Networks to complete and submit an ADoI for transparency reasons, without screening. EFSA shall publish the submitted ADoIs in accordance with Regulation (EC) No 45/2001<sup>2</sup> of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community

<sup>2</sup> OJ L 8, 12.1.2001, p. 1–22.

institutions and bodies and on the free movement of such data. No SDoI or ODoIs are requested.

### **Article 11 - Hearing experts**

1. This article applies to hearing experts.
2. Hearing experts are individuals possessing particular and relevant knowledge, who are invited by EFSA to share the information in their possession with the Scientific Committee, the Scientific Panel or their Working Groups by giving a presentation or providing data, reports or publications on a single occasion or in a limited numbers of instances.
3. Hearing experts do not carry out tasks that are under the responsibility of the members of the respective scientific entity, i.e. to participate in deliberations, to vote and to chair or to be a rapporteur. They may present topics and answer questions, but they shall not draft scientific outputs and they shall not be involved in the adoption of the scientific output.
4. In these cases, hearing experts may be invited to present their views or the data in their possession, irrespective of whether they would be considered to have a CoI.
5. For transparency reasons, hearing experts are invited to submit an ADoI in advance of the meeting to which they are invited. No SDoI or ODoIs are requested or screening is performed.

### **Article 12 - Observers**

1. This article applies to observers.
2. Observers may be accepted by EFSA to attend meetings and events organised by the Authority. They are not allowed to take part in the discussion, drafting, deliberation of the scientific output at hand or in other activities that require active engagement. Observers are not required to submit DoIs.
3. When the staff of FSOs or of European Union institutions, bodies and agencies attend EFSA's scientific meetings as observers, they are invited for transparency reasons to submit an ADoI. When they take part as members of an EFSA group, they are subject to the obligations to submit ADoIs, SDoIs and ODoIs as other members of the group. In this event, their DoIs are screened as those of any other member or expert.

### **Article 13 - Review of the decisions**

1. This article applies to members of EFSA's Scientific Committee, Scientific Panels Working Groups, other external experts, EFSA staff, tenderers and participants to grant awarding procedures.
2. In case a specific complaint is filed against a decision taken under these rules, or should a reconsideration of a decision taken under these rules be deemed appropriate, for example to address an error, the Executive Director may review that decision.

**Article 14 - Process regarding omissions of declarable interests for members of the Scientific Committee, Scientific Panels, Working Groups and other external experts**

1. This article applies to EFSA and members of EFSA's Scientific Committee, Scientific Panels Working Groups and other external experts.
2. Twice a year, EFSA checks the compliance and the veracity of a sample of the DoIs submitted in the context of this decision and makes publicly available the outcome of this exercise.
3. In case EFSA becomes, or is made, aware of information that is not consistent with, or that is missing from, the DoI of an individual subject to this decision, and a preliminary assessment of this information suggests that it concerns a declarable interest, EFSA seeks additional information from the expert and asks him or her to update his or her DoI to include the missing information.
4. Once the expert has completed this update, EFSA screens the DoI in accordance with this decision.

**Article 15 - Process regarding breaches of EFSA's rules on DoIs**

1. This article applies to members of EFSA's Scientific Committee, Scientific Panels Working Groups and other external experts.
2. If the screening of the updated DoI following the process described in the previous article results in the identification of a CoI, the omission is considered as a breach of the rules laid down in this decision.
3. When the seriousness of a breach of the rules is such that it is considered a breach of trust, EFSA recommends to the Management Board that the concerned member is dismissed from EFSA's Scientific Committee and/or Scientific Panels.
4. For external experts and members of Networks, the final decision on the consequences to be drawn from the breach rests with the Executive Director.
5. If EFSA finds there to be a breach of rules, the Executive Director asks the Internal Audit Capability (IAC) to perform a review of the scientific outputs to which the expert in question contributed. The IAC clarifies whether, and the extent to which, that expert influenced the outputs adopted by the EFSA group(s) in which he or she participated.
6. The IAC reports his or her findings to the Executive Director and to the Audit Committee of the Management Board. The Executive Director takes all measures he or she deems fit to address these findings, which include the option of reviewing the output(s) to which the expert contributed.

## **Article 16 - Granting of waivers**

1. This article applies only to members of EFSA's Working Groups.
2. When EFSA identifies a CoI situation concerning an external expert participating in a Working Group, and the expertise he or she holds is considered essential for the completeness of a given scientific output, it considers alternative experts in the field to replace the expert.
3. The secretariat of the Working Group carries out a search for an alternative expert and discusses the outcome of this search with the Working Group members with a view to finding the most suitable replacement.
4. In exceptional cases, if the involvement of the external expert identified as an alternative is considered essential and where no suitable alternative expert is found, the officer responsible for the DoI screening may request the competent countersigning officer to issue a waiver in respect to that expert's DoI.
5. Such a waiver may be granted when the contribution of the concerned expert is found to be essential for the completeness of the draft output, when no suitable alternate could be identified, and when the expert's contribution could not be handled through his or her participation as hearing expert only. No waivers are granted to experts involved in activities related to the evaluation of applications related to regulated products, claims, organisms, processes or substances.
6. The countersigning officer informs the Executive Director when a waiver is granted. Waivers are recorded in the minutes of the meeting(s) and in the ensuing scientific output.
7. Should a waiver be granted, the concerned expert is allowed to take part in the discussions and in the drafting phase of the scientific output. Scientific experts having been granted a waiver are not allowed to be, or act as, a chairman, a vice-chairman or rapporteur of EFSA's scientific groups.

## **MEMBERS OF OTHER EFSA GOVERNANCE BODIES AND EFSA STAFF**

### **Article 17 - Members of the Management Board**

1. This article applies to members of EFSA's Management Board.
2. Every year, Members of the Management Board make a declaration on commitment and confidentiality (Annex II) and complete an ADoI (Annex I) indicating any direct or indirect interests which might be considered prejudicial to their independence.
3. The members inform the Board of any change in their interests by updating their ADoIs. The Executive Director provides an assessment of each member's ADoI to the Board taking due account of the Decisions of the Council appointing the members of the Board. The Board takes a decision and, where appropriate, recommends a follow-up. If an identified CoI substantially affecting the work of the Board or EFSA's reputation is not resolved, the Board, acting on a two-thirds majority, may ask the competent Institutions to proceed with the replacement of the concerned member.

## **Article 18 - DoIs of members of the Advisory Forum**

1. This article applies to members of the Advisory Forum.
2. Every year, members of the Advisory Forum make a declaration of commitment and confidentiality (Annex II) and complete an ADoI (Annex I) indicating any direct or indirect interest which might be considered prejudicial to their independence.
3. In view of the exclusive responsibility of Member States for the appointment of Advisory Forum members, their DoIs are not subject to a screening by EFSA and are published as EFSA receives them.

## **Article 19 - Declarations of interest of the Executive Director**

1. This article applies to EFSA's Executive Director
2. Every year, the Executive Director makes a declaration on commitment and on confidentiality (Annex II) and completes an ADoI (Annex I) indicating any direct or indirect interests which might be considered prejudicial to his or her independence.
3. In accordance with Article 11 and 11a of the Staff Regulations, the Executive Director is required not to deal, in the performance of his or her duties, with a matter in which, directly or indirectly, he or she has any personal interest such as to impair his or her independence. The Executive Director informs the Management Board of any change in his or her interests.
4. The Management Board screens the DoIs of the Executive Director to identify if an interest would create a CoI in relation to the tasks assigned by law to the Executive Director.

## **Article 20 - Declarations of interest of EFSA staff**

1. This article applies to all individuals employed by EFSA.
2. Prospective staff members declare all relevant interest before taking up employment with EFSA using the form in Annex I. EFSA screens their DoIs with a view to ensuring that no CoI exists and that they are compliant with Articles 11 and 11a of the Staff Regulations. This applies also to EFSA staff returning to EFSA from leave on personal grounds.
3. For the duration of their contract, EFSA staff are required to declare at least once a year all relevant interests. This is done using the form provided in Annex I. The same rules on the screening of DoIs for experts are also applicable to the DoIs submitted by EFSA staff.
4. The requirement above applies to all EFSA staff, irrespective of whether they are on active duty or on leave and of their grade. In addition to the interests defined under Article 2 of this decision, EFSA staff are also required to declare any negotiation with prospective employer(s). DoIs of staff members are screened by the responsible manager. When the manager identifies a CoI, he or she highlights the finding to his or her line manager. If the line manager confirms that there is a CoI, he or she brings the matter to the attention of the Executive Director.
5. As a result of the DoI screening, the Executive Director, after having consulted the Joint Committee established by EFSA pursuant to the Staff Regulations, and

having heard the staff member concerned, may decide to reassign the individual in question or take any measure considered appropriate to ensure that the CoI does not occur.

6. When, as a result of the procedure above, a staff member is transferred to another Unit or Head of Department, his or her ADoI is updated and submitted to his or her new countersigning officer for screening. The same procedure above also applies to updated DoIs.
7. Employment by EFSA is considered in conflict with membership of the Scientific Committee, Scientific Panels or Working Groups.
8. The DoIs of EFSA's Management Team are made publicly available on EFSA's website.
9. Activities to be undertaken by EFSA staff during unpaid leave on personal grounds are subject to prior notification and screening as set out in Article 40 of the Staff Regulations.
10. Activities to be undertaken by EFSA staff after they have finished working for the Authority are subject to the prior notification and screening prescribed by Article 16 of Staff Regulations and to the implementing decision adopted by EFSA.

## **PROCUREMENT AND GRANT AWARDING PROCEDURES**

### **Article 21 – Declaration of Interest of tenderers to EFSA's procurement procedures**

1. This article applies to tenderers participating to certain EFSA procurement procedures.
2. Upon a risk based, documented and reasoned decision of the Authorising Officer competent for the relevant procedure, legal or natural persons applying to EFSA's public procurement procedures concerning a scientific or technical project are required to submit a true, accurate and up to date institutional DoI using the template in Annex IV.
3. These persons are required to declare any interest with reference to the subject matter of the procedure in question and to the operational entity carrying out the project or provide the requested services.
4. Tenderers are required to update their DoIs without delay in case of any change in those interests.

### **Article 22 – Declaration of Interest of team members in the context of procurement and grants procedures of EFSA**

1. This article applies to certain tenderers and participants to grant awarding procedures.
2. Upon a risk based, documented and reasoned decision of the Authorising Officer competent for the relevant procedure, EFSA may ask tenderers/applicants to its public procurement or grant awarding procedures to submit a true, complete and updated individual DoI also for each of the members of the team they propose to work on the contract or grant.

3. Tenderers and applicants comply with this requirement by submitting a true, accurate and up to date SDoI using the template in Annex III. References made in Annex III to “items on the agenda or mandate” are to be read as references to the “subject matter of the call or procedure”
4. Tenderers and applicants, even during the implementation of the contract / grant agreement, update their DoIs without delay in case of a change in the activities at issue.

**Article 23 – Screening of the DoIs in the context of procurement and grant awarding procedures**

1. This article applies to certain tenderers and participants to grant awarding procedures.
2. DoIs submitted in the context of procurement and grant awarding procedures are screened according to the criteria listed below. The DoI is screened by the competent Head of Unit and by the evaluation committee, who make a proposal to the Authorising Officer. The decision on the measure to be applied, if any, rests with the Authorising Officer.

I. **Economic interest** (e.g. consultancy and tenderer controlled by a company producing one of the products subject of the call/grant procedure)

Time	Participation to the tender or project
CURRENT	<b>not allowed</b> when the activity concerns the subject matter of the call
PAST	<b>allowed</b>

II. **A. Member of a management entity or equivalent**, of FSO (e.g. team member also sitting as member of a management board of a national authority competent for assessing one of the pesticides active substance subject of the literature review being outsourced)

Time	Participation to the tender or project
CURRENT	<b>allowed</b>
PAST	

II. **B. Member of a management entity or equivalent**, other than FSOs (e.g. tenderer also sitting as board member of a company producing one of the food additives whose preliminary evaluation is the subject matter of the call/procedure)

Time	Participation to the tender or project
CURRENT	<b>not allowed</b> when the activity concerns the subject matter of the call
PAST	<b>allowed</b>

III. **A. Member of a scientific advisory entity managed by an FSO** (e.g. university professor and team member also advising the risk assessment food safety authority of a third country competent for delivering an opinion on the same subject matter of the tender/procedure)

Time	Participation to the tender or project
CURRENT	<b>allowed</b>
PAST	

III. **B. Member of a scientific advisory entity, other than scientific groups of FSOs** (e.g. full time consultant and team member proposed by tenderer advising a company producing GMOs that subject of the tender/procedure).

Time	Participation to the tender or project
CURRENT	<b>not allowed</b> when the activity concerns the subject matter of the call
PAST	<b>allowed</b>



**IV. A. Employment with an FSO** (toxicologist and civil servant employed by a risk assessment entity of an international organisation competent being also the rapporteur Member State in the risk assessment process of pesticides active substances)

Time	Participation to the tender or project
CURRENT	allowed
PAST	

**IV. B. Employment**, other than FSO (veterinarian employed by a company producing a food for which health claim applications have been filed, and the tender/procedure concerns preparatory work on health claims applications)

Time	Participation to the tender or project
CURRENT	not allowed when the activity concerns the subject matter of the call
PAST	

**V. A. Occasional consultancy to FSOs** (e.g. team member who is a university professor advising a food safety risk assessment authority of an EU member state tasked with the evaluation of health claims discussed at the meeting and the consultancy concerns the health claim subject of the tender/procedure)

Time	Participation to the tender or project
CURRENT	allowed
PAST	

**V. B. Occasional consultancy to bodies other than FSOs** (e.g. team member who is a civil servant providing as “outside activity” occasional consultancy to an European association representing producers regarding the food additive subject of the tender/procedure)

Time	Participation to the tender or project
CURRENT	not allowed when the activity concerns the subject matter of the call
PAST	

**VI. Research funding from the private sector exceeds 25% for the area under concern** (e.g. team member who is a researcher receiving, or benefiting, from research funding from the private sector for the subject matter of the tender/procedure )

Time	Participation to the tender or project
CURRENT	not allowed when the activity concerns the subject matter of the call
PAST	

**VII. Intellectual property rights** (e.g. tenderer or team member holding a patent on one of the products subject to the tender/procedure)

Time	Participation to the tender or project
CURRENT	not allowed when the activity concerns the subject matter of the call
PAST	

**VIII and IX. Other membership or affiliation or other relevant interest**, including professional organisations, regarding the relevant matter (e.g. tenderer or team member belonging to Canadian veterinarian association)

Participation to the tender or project	
allowed or not allowed depending on the mission, scope of activities, funding of the relevant organisation, and how the interest relates to the subject matter of the call etc.	

- Should EFSA consider that a CoI would inevitably occur were a contract or grant be awarded, the Authorising Officer asks the tenderer/grant applicant to put in place, within a set deadline, appropriate measures to prevent the occurrence of the CoI, such as the replacement of the individual(s) with the identified CoI(s).
- The Authorising Officer assesses the measures taken by the tenderer/ applicant to confirm that no CoI would exist. If the tenderer/ applicant is not able to adopt appropriate measures, they are excluded from the procedure.

## **COMMON RULES**

### **Article 24 - Committee on Independence Review and Advice**

1. This article applies to all decisions taken, or to be taken, by EFSA in the context of the implementation and enforcement of this Decision.
2. At any point while this decision is in force, the Management Board or the Executive Director may consult or refer a matter to the attention of, a specialist committee with the competence to review and advise on independence related matters.
3. Until the Management Board adopts a decision on the composition and terms of reference of such a committee, these functions shall be fulfilled by the Committee on Conflicts of Interests in accordance with the Decision of the Executive Director of 21 February 2012.

### **Article 25 - Training**

1. This article is applicable to EFSA.
2. EFSA ensures that its staff members, the members of its Scientific Committee, Scientific Panels and Working Groups follow a mandatory training course on how to comply with these rules.
3. For this purpose, EFSA implements systematic training courses for staff and its scientific experts and keeps on hand at all times an advisor to answer questions or clarify doubts from staff and experts about how the rules should be implemented.

### **Article 26 - Protection of personal data**

1. This article is applicable to EFSA and to all individuals subject to this Decision.
2. EFSA processes all DoIs pursuant to Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data.
3. The purpose of the data processing is to safeguard the independence of EFSA and its governance bodies.
4. The legal basis for DoIs processing is provided in:
  - a. Articles 22, 37 and 38 of Regulation (EC) No 178/2002;
  - b. As concerns ADoIs of the Executive Director and of EFSA staff, Article 11 and 11(a) of the Staff Regulations;
  - c. As concerns DoIs of participants to procurement and grant awarding procedures, Article 107 of Regulation (EU) No 966/2012 of 25 October 2012 on the financial rules applicable to the general budget of the Union as well as Article 142 of Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU) No 966/2012.
5. The EFSA Executive Director is the controller of handling the DoI.
6. The nature of interests to declare, the obligation to do so, as well as possible consequences of not declaring and the publication of DoIs, are explained in this decision, also available on EFSA's website.
7. The recipients of the DoIs are the persons and bodies identified in this decision, without prejudice to the publicity requirement regarding specifically ADoIs laid down in Article 38(1) litt. (d) of Regulation (EC) No 178/2002. Furthermore, DoIs

may be transferred to bodies in charge of a monitoring or inspection task in conformity with Union Law, including the European Court of Auditors, the Internal Audit Service, OLAF, the European Ombudsman and the European Data Protection Supervisor.

8. The conservation period of DoIs per category of data subjects is 10 years from the data of submission of the relevant DoI.
9. Data subjects with active EFSA involvements have a right to access their DoI and to update or correct it at any time. To meet this requirement, the DoI IT tool, available upon username/password authentication, is permanently accessible to data subjects. In case EFSA has knowledge of information that is not consistent with the declared interest, or in case of failure to submit a DoI, the data subject concerned are contacted with the purpose to update the DoI on the missing information. In case an internal breach of the rules procedure is opened, the data subject is notified without delay.
10. Data subjects also are entitled to have recourse at any time to the European Data Protection Supervisor: <http://www.edps.europa.eu>.

#### **Article 27 - Entry into force**

1. This decision repeals and replaces the previous decision of the Executive Director dated 21 February 2012 on the same subject.
2. This decision enters into force on the day of its signature and becomes applicable as of 30 September 2014.
3. A review of this decision shall be commenced by 2017.

Revision of implementing rules to be added

Done at Parma on 31 July 2014

[SIGNED]

Bernhard Url  
Executive Director

Annexes:      Annex I ADoI form  
                  Annex II Declaration concerning confidentiality and of commitment  
                  Annex III SDoI form  
                  Annex IV Declaration of Interest template for participants to  
                  procurement and grants procedures

**ANNEX I: ANNUAL DECLARATION OF INTEREST (ADoI)**

Title (Ms., Mr., Dr., Prof.): \_\_\_\_\_

**First Name:** \_\_\_\_\_

**Surname:** \_\_\_\_\_

**Profession:** \_\_\_\_\_

EFSA involvement \_\_\_\_\_

**hereby declares to have the following interests relating to his or her EFSA activities**

*(Please specify the interest that you or your close family members currently have or have had last year and/or in the past 5 years.)*

<b>I. Economic interest<sup>4</sup></b>	<b>Current<sup>1</sup></b> <i>Please answer Yes or No</i>	<b>Period<sup>1</sup></b> <i>From/To (Month/Year)</i>	<b>Organisation<sup>2</sup></b>	<b>Subject matter<sup>3</sup></b>

1. Please specify the relevant period of time each activity took place in (month/year).
2. Please indicate name, location and nature of the organisation.
3. Please indicate the subject matter of the activity, your precise role, and the activity of the entity, such as types of substances, products, guidance documents, processes or policies and how it relates to the remit of EFSA and of the scientific group.
4. Please indicate any economic stake or share in an entity with an interest falling within EFSA's remit, including its stocks, equities or bonds, or of one of its subsidiaries or of a company in which it has a holding. Financial instruments on which the individual has no influence are not to be considered relevant for the purposes of this decision.

<b>II. Member of a Managing Entity or equivalent structure<sup>5</sup></b>	<b>Current<sup>1</sup></b> <i>Please answer Yes or No</i>	<b>Period<sup>1</sup></b> <i>From/To (Month/Year)</i>	<b>Organisation<sup>2</sup></b>	<b>Subject matter<sup>3</sup></b>

1. Please specify the relevant period of time each activity took place in (month/year).
2. Please indicate name, location and nature of the organisation.
3. Please indicate the subject matter of the activity, your precise role, and the activity of the entity, such as types of substances, products, guidance documents, processes or policies and how it relates to the remit of EFSA and of the scientific group.
5. Please indicate any participation in the internal decision-making (such as board membership, directorship) of a entity with an interest falling within EFSA's remit.

<b>III. Member of a Scientific Advisory Entity<sup>6</sup></b>	<b>Current<sup>1</sup></b> <i>Please answer Yes or No</i>	<b>Period<sup>1</sup></b> <i>From/To (Month/Year)</i>	<b>Organisation<sup>2</sup></b>	<b>Subject matter<sup>3</sup></b>

1. Please specify the relevant period of time each activity took place in (month/year).
2. Please indicate name, location and nature of the organisation.
3. Please indicate the subject matter of the activity, your precise role, and the activity of the entity, such as types of substances, products, guidance documents, processes or policies and how it relates to the remit of EFSA and of the scientific group.
6. Please indicate any participation in the works of a scientific advisory entity with an interest falling within EFSA's remit and other than those organised by EFSA (such as membership of Scientific Panels, Working Groups and Networks). Any advice related to "regulated products", their development and/or their assessment methods are declared exclusively under "Employment" or "Occasional consultancy" depending on the level of intensity of the relation between the entity and the individual declaring the interest.

<b>IV. Employment<sup>7</sup></b>	<b>Current<sup>1</sup></b> <i>Please answer Yes or No</i>	<b>Period<sup>1</sup></b> <i>From/To (Month/Year)</i>	<b>Organisation<sup>2</sup></b>	<b>Subject matter<sup>3</sup></b>

1. Please specify the relevant period of time each activity took place in (month/year).
2. Please indicate name, location and nature of the organisation.
3. Please indicate the subject matter of the activity, your precise role, and the activity of the entity, such as types of substances, products, guidance documents, processes or policies and how it relates to the remit of EFSA and of the scientific group.
7. Please indicate any form of regular occupation or business, part-time or full-time, paid or unpaid, including self-employment (such as consultancy), with an employer with an interest falling within EFSA's remit.

<b>V. Occasional consultancy<sup>8</sup></b>	<b>Current<sup>1</sup></b> <i>Please answer Yes or No</i>	<b>Period<sup>1</sup></b> <i>From/To (Month/Year)</i>	<b>Organisation<sup>2</sup></b>	<b>Subject matter<sup>3</sup></b>

1. Please specify the relevant period of time each activity took place in (month/year).
2. Please indicate name, location and nature of the organisation.
3. Please indicate the subject matter of the activity, your precise role, and the activity of the entity, such as types of substances, products, guidance documents, processes or policies and how it relates to the remit of EFSA and of the scientific group.
8. Please indicate any consultancy activity occurring rarely so that it does not become a regular occupation, and in which the concerned individual provides advice or services to companies, trade associations or other bodies with an interest falling within EFSA's remit. This includes also services provided for free. Regular consultancy shall be declared under "Employment".

VI. Research funding <sup>9</sup>	Current <sup>1</sup> <i>Please answer Yes or No</i>	Period <sup>1</sup> <i>From/To (Month/Year)</i>	Organisation <sup>2</sup>	Subject matter <sup>3</sup>

1. Please specify the relevant period of time each activity took place in (month/year).
2. Please indicate name, location and nature of the organisation.
3. Please indicate the subject matter of the activity, your precise role, and the activity of the entity, such as types of substances, products, guidance documents, processes or policies and how it relates to the remit of EFSA and of the scientific group.
9. Please indicate any funding for research or developmental work received from any public or private entity either in a personal or professional capacity. It includes grants, rents and reimbursement of expenses, sponsorships and fellowships. This includes funding received by the organisation employing the expert.

**Please also indicate whether the research (co-)funding received from the private sector during the year preceding the submission of the DoI exceeds 25% of the annual research budget that is managed by you for the area under concern or that is otherwise benefiting you, including research funding by your organisation (Yes or No): \_\_\_\_\_**

VII. Intellectual property <sup>10</sup>	Current <sup>1</sup> <i>Please answer Yes or No</i>	Period <sup>1</sup> <i>From/To (Month/Year)</i>	Organisation <sup>2</sup>	Subject matter <sup>3</sup>

1. Please specify the relevant period of time each activity took place in (month/year).
2. Please indicate name, location and nature of the organisation.
3. Please indicate the subject matter of the activity, your precise role, and the activity of the entity, such as types of substances, products, guidance documents, processes or policies and how it relates to the remit of EFSA and of the scientific group.
10. Please indicate any right on items falling within EFSA's remit that are the result of human intellectual creativity, such as patents and trademarks. Plain authorship and publications are not to be declared.

VIII. Other membership or affiliation <sup>11</sup>	Current <sup>1</sup> <i>Please answer Yes or No</i>	Period <sup>1</sup> <i>From/To (Month/Year)</i>	Organisation <sup>2</sup>	Subject matter <sup>3</sup>

1. Please specify the relevant period of time each activity took place in (month/year).
2. Please indicate name, location and nature of the organisation.
3. Please indicate the subject matter of the activity, your precise role, and the activity of the entity, such as types of substances, products, guidance documents, processes or policies and how it relates to the remit of EFSA and of the scientific group.
11. Please indicate any membership or affiliation not falling under the definitions provided above and relevant for the purposes of this decision to any entity with an interest falling within EFSA's remit, including professional organisations.

IX. Other <sup>12</sup>	Current <sup>1</sup> <i>Please answer Yes or No</i>	Period <sup>1</sup> <i>From/To (Month/Year)</i>	Organisation <sup>2</sup>	Subject matter <sup>3</sup>

1. Please specify the relevant period of time each activity took place in (month/year).
2. Please indicate name, location and nature of the organisation.
3. Please indicate the subject matter of the activity, your precise role, and the activity of the entity, such as types of substances, products, guidance documents, processes or policies and how it relates to the remit of EFSA and of the scientific group.
12. Please indicate any interest not falling under the other definitions and categories above and relevant for the purposes of this decision.



**I confirm that:**

- **I think I have a CoI with respect to the following EFSA activity \_\_\_\_\_ or**
- **I think I do not have a conflict of interest with respect to my activity(ies) at EFSA.**

**I declare that I have read the Decision of the Executive Director on declarations of interest and that the above declaration is truthful and complete.**

**Date:** \_\_\_\_\_ **Signature:** \_\_\_\_\_

If you need more sheets to declare your interests, do not hesitate to use blank ones or to ask for them, but please sign each one of them and attach them to this form.

**ANNEX II**  
**DECLARATION OF COMMITMENT AND CONFIDENTIALITY**

**First name:** \_\_\_\_\_

**Surname:** \_\_\_\_\_

**Position or capacity in which I am involved with EFSA's activities:**

- Member of EFSA's Scientific Committee or Scientific Panel on .....
- External expert in a Working Group on .....
- Expert of the EFSA Network or Task Force on .....
- Other expert, please indicate .....
- Management Board member
- Advisory Forum member/Expert in Focal Point meetings
- External evaluator of the selection process of EFSA's Scientific Committee and Scientific Panels
- External reviewer of EFSA scientific outputs
- Other; *please specify:* .....

**1. Commitment**

While contributing to EFSA activities, I will:

- comply with EFSA's internal security policy and measure made available to me;
- Comply with EFSA's rules on Declarations of interest and independence;
- Comply with the confidentiality rules detailed in point 2 of this Declaration;
- As far as applicable, comply with the rules on reimbursement of travel expenses and payment of allowances and indemnities laid down in the EFSA Experts Compensation Guide;
- Read and understand the way personal data are processed as detailed in point 3 of this Declaration;
- Ensure appropriate use of scientific publications provided by EFSA and respect copyrights as explained in point 4 of this Declaration;
- When communicating with media, stakeholders or the general public on a matter that falls within the EFSA's remit, always contact the EFSA press office of the 'Communication Channels' Unit.

**Duration:** The validity of this Declaration is limited to one year from the date of signature, unless the expert or member informs EFSA on the termination of her/his activities within EFSA. The renewal of this commitment shall be done on an annual basis.

## 2. Confidentiality

Should I receive *confidential information* or *restricted information* in the course and context of my duties for EFSA, I confirm that I will treat and process this information under conditions of strict confidentiality, I will use it exclusively for the purpose for which it has been made available to me and I will not divulge it to any third party.

The above implies that I:

- will not disseminate, publish or otherwise make available to anyone else information received from EFSA, without prior written consent of EFSA, including after completion of the event or assignment involved in with EFSA. The duty of confidentiality exists *vis-à-vis* any third party, including employees, employers or affiliates or the general public;
- will not use information received from EFSA for a personal benefit or that of any third party;
- will ensure safe storage of information identified by EFSA as Confidential or as Restricted, applying appropriate security measures if the information is managed electronically and not retain the information for longer than needed for the completion of the assignment or event with EFSA. In case EFSA provides me with a password to access information available on the EFSA servers, this access password will be kept for myself and not be shared with any other individual, using it only to carry out the relevant assignment;
- will compensate EFSA for any damages arising directly or indirectly from the breach of any of the above-mentioned statements or of any other obligation laid out in EFSA's internal rules with regard to my tasks or role.

As needed, I acknowledge I may be required to accept more specific confidentiality requirements by means of a dedicated statement pertaining to the specific event or assignment involved in with EFSA.

- '*Confidential information*' means information transmitted to EFSA and classified as confidential according to Union "food" legislation and/or declared as 'confidential' by the applicant/owner of the document in compliance with applicable law. Furthermore, '*confidential information*' means any information which is not made available or disclosed to unauthorized individuals or entities.
- '*Restricted information*' includes all documents, notes, analyses, studies, reports, comments and any other materials produced during evaluation processes and to which authorized EFSA staff have access, directly or indirectly. Furthermore, '*restricted information*' means any information whose unauthorized or uncontrolled external disclosure may harm the interests of EFSA or of any third party.

## 3. Processing of personal data

Regulation (EC) N° 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data applies to EFSA's activities as Union Agency.

This Declaration constitutes a legal act in the sense of Article 23 of the data protection Regulation and I am considered a processor of personal data on behalf of EFSA in the sense of Article 2(e) of the Regulation. As a processor of personal data, I acknowledge to be subject to the following obligations:

- To process the data received in the context of the assignment with EFSA solely for the purpose for which it was transmitted;
- To act only on instruction of EFSA, in its capacity of controller with regard to any personal data processing in the context of the assignment with EFSA;
- To ensure the confidentiality and security of personal data processing in the sense of Articles 21 and 22 of the Regulation, without prejudice to the obligations regarding confidentiality and security laid down in the national data protection legislation of the EU Member State, in which I am having my residence;
- To follow specific instructions of EFSA in the case of transfer of personal data to any third party, therefore observing appropriate security safeguards to avoid unauthorised processing and disclosure.

#### **4. Copyrights and library working tools provided by EFSA**

If involved in the preparation of scientific outputs, I may receive from EFSA scientific publications and journals protected by copyrights through the “Sciencenet” electronic tool, as handouts or via e-mail.

I will be allowed to make limited use of journals and scientific publications, but will not:

- Distribute copies of articles and journals to third parties;
- Use articles or journals for commercial purposes;
- Use the materials for other purposes than the EFSA’s assignment.

#### **5. Duty of care of EFSA**

I take note of EFSA’s commitment to:

- provide me with appropriate and up to date information, training and guidance to facilitate compliance with the rules and principles mentioned above;
- defend my reputation in the media in case unfounded allegations are put forward by third parties; and
- provide me with the adequate administrative, communication and scientific support to allow me to carry out in an effective manner the tasks linked to my role at EFSA.

Date: .../.../.....

**Signature:** \_\_\_\_\_

**ANNEX III: SPECIFIC DECLARATION OF INTEREST (SDoI)  
ACTIVITIES IN EFSA<sup>3</sup>: \_\_\_\_\_**

**Title** (Ms., Mr., Dr., Prof.): \_\_\_\_\_

**First Name:** \_\_\_\_\_

**Surname:** \_\_\_\_\_

**Profession:** \_\_\_\_\_

**Meeting of Scientific Committee/Scientific Panel/Network on** .....

**Meeting of the Working Group on** .....

**EFSA Mandate** .....

<b>Meeting dates:</b>	
<b>Question numbers discussed:</b>	

#	Items on the agenda

<sup>3</sup> Please specify the current activities within EFSA (e.g. Mandate or Meeting) and insert details (e.g. agenda).

**SPECIFIC DECLARATION OF INTEREST (SDoI)**

**hereby declares to have the following interests relating to the items on the agenda of the meeting indicated above, unless already declared in an ADoI**

*(Please specify the interest that you or your close family members currently have or have had last year and/or in the past 5 years)*

<b>I. Economic interest<sup>4</sup></b>	<b>Current<sup>1</sup></b> <i>Please answer Yes or No</i>	<b>Period<sup>1</sup></b> <i>From/To (Month/Year)</i>	<b>Organisation<sup>2</sup></b>	<b>Subject matter<sup>3</sup></b>

1. Please specify the relevant period of time each activity took place in (month/year).
2. Please indicate name, location and nature of the organisation.
3. Please indicate the subject matter of the activity, your precise role, and the activity of the entity, such as types of substances, products, guidance documents, processes or policies and how it relates to the remit of the scientific group and to the items on the agenda of the meeting or to the mandate
4. Please indicate any economic stake or share in a entity with an interest on one of the items on the agenda or on the mandate. This includes its stocks, equities or bonds, or of one of its subsidiaries or of a company in which it has a holding. Financial instruments on which the individual has no influence are not to be considered relevant for the purposes of this decision.

<b>II. Member of a Managing Entity or equivalent structure<sup>5</sup></b>	<b>Current<sup>1</sup></b> <i>Please answer Yes or No</i>	<b>Period<sup>1</sup></b> <i>From/To (Month/Year)</i>	<b>Organisation<sup>2</sup></b>	<b>Subject matter<sup>3</sup></b>

1. Please specify the relevant period of time each activity took place in (month/year).
2. Please indicate name, location and nature of the organisation.
3. Please indicate the subject matter of the activity, your precise role, and the activity of the entity, such as types of substances, products, guidance documents, processes or policies and how it relates to the remit of the scientific group and to the items on the agenda of the meeting or to the mandate.
5. Please indicate any participation in the internal decision-making (such as board membership, directorship) of a entity with an interest on one of the items on the agenda or on the mandate.

<b>III. Member of a Scientific Advisory Entity<sup>6</sup></b>	<b>Current<sup>1</sup></b> <i>Please answer Yes or No</i>	<b>Period<sup>1</sup></b> <i>From/To (Month/Year)</i>	<b>Organisation<sup>2</sup></b>	<b>Subject matter<sup>3</sup></b>

1. Please specify the relevant period of time each activity took place in (month/year).
2. Please indicate name, location and nature of the organisation.
3. Please indicate the subject matter of the activity, your precise role, and the activity of the entity, such as types of substances, products, guidance documents, processes or policies and how it relates to the remit of the scientific group and to the items on the agenda of the meeting or to the mandate.
6. Please indicate any participation in the works of a scientific advisory entity agenda (such as membership of Scientific Panels, Working Groups and Networks) with an interest on one of the items on the agenda or on the mandate and other than those organised by EFSA (such as membership of Scientific Panels, Working Groups and Networks). Any advice related to “regulated products”, their development and/or their assessment methods are declared exclusively under “Employment” or “Occasional consultancy” depending on the level of intensity of the relation between the entity and the individual declaring the interest.

<b>IV. Employment<sup>7</sup></b>	<b>Current<sup>1</sup></b> <i>Please answer Yes or No</i>	<b>Period<sup>1</sup></b> <i>From/To (Month/Year)</i>	<b>Organisation<sup>2</sup></b>	<b>Subject matter<sup>3</sup></b>

1. Please specify the relevant period of time each activity took place in (month/year).
2. Please indicate name, location and nature of the organisation.
3. Please indicate the subject matter of the activity, your precise role, and the activity of the entity, such as types of substances, products, guidance documents, processes or policies and how it relates to the remit of the scientific group and to the items on the agenda of the meeting or to the mandate.
7. Please indicate any form of regular occupation or business, part-time or full-time, paid or unpaid, including self-employment (such as consultancy), with an employer with an interest on one of the items on the agenda or on the mandate.

<b>V. Occasional Consultancy<sup>8</sup></b>	<b>Current<sup>1</sup></b> <i>Please answer Yes or No</i>	<b>Period<sup>1</sup></b> <i>From/To (Month/Year)</i>	<b>Organisation<sup>2</sup></b>	<b>Subject matter<sup>3</sup></b>

1. Please specify the relevant period of time each activity took place in (month/year).
2. Please indicate name, location and nature of the organisation.
3. Please indicate the subject matter of the activity, your precise role, and the activity of the entity, such as types of substances, products, guidance documents, processes or policies and how it relates to the remit of the scientific group and to the items on the agenda of the meeting or to the mandate.
8. Please indicate any consultancy activity occurring rarely so that it does not become a regular occupation, and in which the concerned individual provides advice or services to companies, trade associations or other bodies with an interest on the items on the agenda or on the mandate. This includes also services provided for free. Regular consultancy shall be declared under “Employment”.

<b>VI. Research funding<sup>9</sup></b>	<b>Current<sup>1</sup></b> <i>Please answer Yes or No</i>	<b>Period<sup>1</sup></b> <i>From/To (Month/Year)</i>	<b>Organisation<sup>2</sup></b>	<b>Subject matter<sup>3</sup></b>

1. Please specify the relevant period of time each activity took place in (month/year).
2. Please indicate name, location and nature of the organisation.
3. Please indicate the subject matter of the activity, your precise role, and the activity of the entity, such as types of substances, products, guidance documents, processes or policies and how it relates to the remit of the scientific group and to the items on the agenda of the meeting or to the mandate.
9. Please indicate any funding for research or developmental work in the items on the agenda or on the mandate received from any public or private entity either in a personal or professional capacity. The overall proportion of each funding with respect to the annual funding that comes under the professional sphere of influence of that person is to be specified. It includes grants, rents, reimbursement of expenses, sponsorships and fellowships. Grouping by funders and supporters or by subject matters are accepted.

**Please also indicate whether the research (co-)funding received from the private sector during the year preceding the submission of the DoI exceeds 25% of the annual research budget that is managed by you for the area under concern or that is otherwise benefiting you, including research funding by your organisation (Yes or No): \_\_\_\_\_**



<b>VII. Intellectual property<sup>10</sup></b>	<b>Current<sup>1</sup></b> <i>Please answer Yes or No</i>	<b>Period<sup>1</sup></b> <i>From/To (Month/Year)</i>	<b>Organisation<sup>2</sup></b>	<b>Subject matter<sup>3</sup></b>

1. Please specify the relevant period of time each activity took place in (month/year).
2. Please indicate name, location and nature of the organisation.
3. Please indicate the subject matter of the activity, your precise role, and the activity of the entity, such as types of substances, products, guidance documents, processes or policies and how it relates to the remit of the scientific group and to the items on the agenda of the meeting or to the mandate.
10. Please indicate any right on items on the agenda or on the mandate that are the result of human intellectual creativity such as patents or trademarks. Plain authorship and publications are not to be declared.

<b>VIII. Other membership or affiliation<sup>11</sup></b>	<b>Current<sup>1</sup></b> <i>Please answer Yes or No</i>	<b>Period<sup>1</sup></b> <i>From/To (Month/Year)</i>	<b>Organisation<sup>2</sup></b>	<b>Subject matter<sup>3</sup></b>

1. Please specify the relevant period of time each activity took place in (month/year).
2. Please indicate name, location and nature of the organisation.
3. Please indicate the subject matter of the activity, your precise role, and the activity of the entity, such as types of substances, products, guidance documents, processes or policies and how it relates to the remit of the scientific group and to the items on the agenda of the meeting or to the mandate
11. Please indicate any membership or affiliation not falling under the definitions provided above and relevant for the purposes of this decision, to bodies with an interest in the subject matters on the agenda or in the mandate, including professional organisations.

<b>IX. Other<sup>12</sup></b>	<b>Current<sup>1</sup></b> <i>Please answer Yes or No</i>	<b>Period<sup>1</sup></b> <i>From/To (Month/Year)</i>	<b>Organisation<sup>2</sup></b>	<b>Subject matter<sup>3</sup></b>

1. Please specify the relevant period of time each activity took place in (month/year).
2. Please indicate name, location and nature of the organisation.
3. Please indicate the subject matter of the activity, your precise role, and the activity of the entity, such as types of substances, products, guidance documents, processes or policies and how it relates to the remit of the scientific group and to the items on the agenda of the meeting or to the mandate.
12. Please indicate any interest not falling under the definitions or categories provided above and relevant for the items on the agenda or for the mandate.

**I confirm that:**

- I think I have a CoI with respect to the following agenda items \_\_\_\_\_ or
- I think I do not have a CoI with respect to the agenda above.

**I hereby declare that I have read the Decision of the Executive Director on declarations of interest and that the above declaration is truthful and complete.**

**Date:** \_\_\_\_\_ **Signature:** \_\_\_\_\_

If you need more sheets to declare your interests, do not hesitate to use blank ones or to ask for them, but please sign each one of them and attach them to this form.

**Annex IV**  
**Declaration of Interest for participants to EFSA's public procurement (Institutional DoI)**

**N.B. Any modification made by the tenderer / applicant to the structure and content of this template will make the document invalid.**

*To allow for electronic completion, you find the DoI form also in a separate Annex in MS Word format.*

*Please fill in all fields. In case you have nothing to declare please indicate "NOTHING TO DECLARE".*

*Please note that this form has to be completed separately for the leader, for each possible consortium partner, and for all possible subcontractors as referred to in the offer.*

*Only interests which fall within the specific subject matter of the call should be declared.*

## **Declaration of Interest**

Legal basis:

- Article 107 of Council Regulation (EU, EURATOM) No 966/2012 of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002
- Article 143 of Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union
- Articles 24, 25 and 26 of the Implementing Decision of EFSA's Policy on Independence and Scientific Decision Making Processes regarding Declarations of interest
- Tender specification stipulating that the contracts may not be awarded to tenderers who are subject of a conflict of interest

**Reference of the Call for tenders:** OC/EFSA/nn/20nn/nn

**Title:**

**Name of tendering organisation:** \_\_\_\_\_

**Name of consortium partner(s) (if any):** \_\_\_\_\_

**Name of subcontractor(s) (if any):** \_\_\_\_\_

**The tenderer / hereby declares the following interests:**

*(Tenderers / applicants are aware of the fact that a declared interest does not necessarily mean to have a conflict of interest. EFSA will apply the **principle of proportionality** laid down in Article 102 of Council Regulation (EU, EURATOM) No 966/2012 above.)*

<b>I. Economic interest<sup>4</sup></b>	<b>Current<sup>1</sup></b> <i>Please answer Yes or No</i>	<b>Period<sup>1</sup></b> <i>From/To (Month/Year)</i>	<b>Organisation<sup>2</sup></b>	<b>Subject matter<sup>3</sup></b>

1. Please specify the relevant period of time each activity took place in (month/year).
2. Please indicate name, location and nature of the organisation.
3. Please indicate the subject matter of the activity, your precise role, and the activity of the entity, such as types of substances, products, guidance documents, processes or policies and how it relates to the subject matter of the call.
4. Please indicate any economic stake or share in a entity with an interest in the subject matter of the call, including the stocks, equities or bonds thereof, or of one of its subsidiaries or of a company in which it has a holding. Also any substantial interests of the tenderer’s proposed subcontractor(s) and consortium partner(s) should be indicated. Financial instruments on which the tenderer / applicant has no influence are not to be considered relevant.

II. Member of a Managing Entity or equivalent structure <sup>5</sup>	Current <sup>1</sup> <i>Please answer Yes or No</i>	Period <sup>1</sup> <i>From/To (Month/Year)</i>	Organisation <sup>2</sup>	Subject matter <sup>3</sup>

1. Please specify the relevant period of time each activity took place in (month/year).
2. Please indicate name, location and nature of the organisation.
3. Please indicate the subject matter of the activity, your precise role, and the activity of the entity, such as types of substances, products, guidance documents, processes or policies and how it relates to the subject matter of the call.
5. Not applicable to legal persons such as companies. Please declare any participation in the internal decision-making (such as board membership, directorship) of a entity with an interest in the subject matter of the call.

III. Member of a Scientific Advisory Entity <sup>6</sup>	Current <sup>1</sup> <i>Please answer Yes or No</i>	Period <sup>1</sup> <i>From/To (Month/Year)</i>	Organisation <sup>2</sup>	Subject matter <sup>3</sup>

1. Please specify the relevant period of time each activity took place in (month/year).
2. Please indicate name, location and nature of the organisation.
3. Please indicate the subject matter of the activity, your precise role, and the activity of the entity, such as types of substances, products, guidance documents, processes or policies and how it relates to the remit of the scientific group and to the items on the agenda of the meeting or to the mandate to the subject matter of the call.
6. Not applicable to legal persons such as companies. Please indicate any participation in the works of a scientific advisory entity managed by a entity with an interest in the subject matter of the call and other than those organised by EFSA (such as membership of Scientific Panels, Working Groups and Networks). Any advice related to “regulated products”, their development and/or their assessment methods are declared exclusively under “Employment” or “Occasional consultancy” depending on the level of intensity of the relation between the entity and the person declaring the interest.

<b>IV. Employment<sup>7</sup></b>	<b>Current<sup>1</sup></b> <i>Please answer Yes or No</i>	<b>Period<sup>1</sup></b> <i>From/To (Month/Year)</i>	<b>Organisation<sup>2</sup></b>	<b>Subject matter<sup>3</sup></b>

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2. Please indicate name, location and nature of the organisation.
3. Please indicate the subject matter of the activity, your precise role, and the activity of the entity, such as types of substances, products, guidance documents, processes or policies and how it relates to the subject matter of the call.
7. Not applicable to legal persons such as companies. Please indicate any form of regular occupation or business, part-time or full-time, paid or unpaid, including self-employment (such as consultancy), with an employer with an interest in the subject matter of the call. This also includes employment by EFSA.

<b>V. Occasional consultancy<sup>8</sup></b>	<b>Current<sup>1</sup></b> <i>Please answer Yes or No</i>	<b>Period<sup>1</sup></b> <i>From/To (Month/Year)</i>	<b>Organisation<sup>2</sup></b>	<b>Subject matter<sup>3</sup></b>

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2. Please indicate name, location and nature of the organisation.
3. Please indicate the subject matter of the activity, your precise role, and the activity of the entity, such as types of substances, products, guidance documents, processes or policies and how it relates to the subject matter of the call.
8. Please indicate any consultancy activity occurring rarely so that it does not become a regular occupation, and in which the concerned individual provides advice or services to companies, trade associations or other bodies with an interest in the subject matter of the call. This includes also services provided for free. Regular consultancy shall be declared under "Employment".

VI. Research funding <sup>9</sup>	Current <sup>1</sup> <i>Please answer Yes or No</i>	Period <sup>1</sup> <i>From/To (Month/Year)</i>	Organisation <sup>2</sup>	Subject matter <sup>3</sup>

1. Please specify the relevant period of time each activity took place in (month/year).
2. Please indicate name, location and nature of the organisation.
3. Please indicate the subject matter of the activity, your precise role, and the activity of the entity, such as types of substances, products, guidance documents, processes or policies and how it relates to the subject matter of the call.
9. Please indicate any funding for research or developmental work received from any public or private entity either in a personal or professional capacity, regarding the subject matter of the tender. Grants, rents and reimbursement of expenses, sponsorships and fellowships are to be declared.

**Please also indicate whether the research (co-)funding received from the private sector in the year preceding the submission of the DoI exceeds 25% of the annual research budget that is managed by you for the area under concern or that is otherwise benefiting you, including research funding by your organisation (Yes or No): \_\_\_\_\_**

VII. Intellectual property <sup>10</sup>	Current <sup>1</sup> <i>Please answer Yes or No</i>	Period <sup>1</sup> <i>From/To (Month/Year)</i>	Organisation <sup>2</sup>	Subject matter <sup>3</sup>

1. Please specify the relevant period of time each activity took place in (month/year).
2. Please indicate name, location and nature of the organisation.
3. Please indicate the subject matter of the activity, your precise role, and the activity of the entity, such as types of substances, products, guidance documents, processes or policies and how it relates to the subject matter of the call.
10. Please indicate any right on the subject matter of the call granted to tenderer and their proposed subcontractor(s) and consortium partner(s) that are the result of human intellectual creativity, such as trademarks or patents. Plain authorship and publications are not to be declared.



<b>VIII. Membership or affiliation<sup>11</sup></b>	<b>Current<sup>1</sup></b> <i>Please answer Yes or No</i>	<b>Period<sup>1</sup></b> <i>From/To (Month/Year)</i>	<b>Organisation<sup>2</sup></b>	<b>Subject matter<sup>3</sup></b>

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3. Please indicate the subject matter of the activity, your precise role, and the activity of the entity, such as types of substances, products, guidance documents, processes or policies and how it relates to the subject matter of the call.
11. Please indicate any residual membership or affiliation of the tenderer / applicant and their proposed subcontractor(s) and consortium partner(s) to any entity with an interest in the subject matter of the call, including professional organisations.

<b>IX. Other<sup>12</sup></b>	<b>Current<sup>1</sup></b> <i>Please answer Yes or No</i>	<b>Period<sup>1</sup></b> <i>From/To (Month/Year)</i>	<b>Organisation<sup>2</sup></b>	<b>Subject matter<sup>3</sup></b>

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12. Please indicate any interest not falling under the definitions or categories provided above and relevant for the purposes of this call.

If you need more sheets to declare interests, do not hesitate to use blank ones, but please sign each one of them and attach them to this form.

**I confirm that:**

- **I think that I/my organisation am/is have/has CoI with respect to this call that would inevitably occur in case of contract award for the following reason \_\_\_\_\_**  
**or**
- **I consider that I/my organisation do not have/has a CoI with respect to this call that would inevitably occur in case of contract award.**

**The legal representative of the declaring entity declares that the information contained in this declaration is correct and complete to their best knowledge and ability and that the present declaration is truthful and complete:**

<b>Name of organisation:</b>	<i>[complete].....</i>
<b>Name of legal representative &amp; Signature:</b>	<i>[complete + signature].....</i>
<b>Seal of organisation:</b>	
<b>Date:</b>	<i>.../.../.....</i>

If you need more sheets to declare interests, do not hesitate to use blank ones, but please sign each one of them and attach them to this form.