

Management Board
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Submitted by :	Resource and Support Directorate – LRA Unit with the contribution of Prof. Matthias Horst		
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EXPLANATORY NOTE

PROPOSAL FOR A CODE OF CONDUCT OF THE EFSA MANAGEMENT BOARD

Please find hereinafter a draft for a *Code of Conduct of the EFSA Management Board*, which aims at supporting its members and fostering important basic principles (like *integrity, objectivity, serving in the public interest*, etc.) in order to provide tangible evidence of their commitment to probity and ethics. Moreover the Code provides specific guidance to the Chair, the Vice-Chairs and the other members of Board and lays down the standards that the European institutional context and the general public are expecting from Board members, in particular when exercising their tasks in the framework of Regulation (EC) No 178/2002.

The Board members are kindly invited to adopt this revised version.

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

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

Article 1

Scope of application

1. With the present Code of Conduct¹ the members of the Management Board² of the European Food Safety Authority³ commit to meet the highest ethical standards. The Code of Conduct provides guidance and sets ethical conventions, probity standards and benchmarks for Board members when acting independently in the public interest, also — where applicable — after termination of their mandate.
2. The Code is without prejudice to other rules that may apply to the Board members.

Article 2

Fundamental principles

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

¹ [Hereinafter also referred to as "the Code".](#)

² [Hereinafter also referred to as "the Board".](#)

³ [Hereinafter referred to as "the Authority" or "EFSA".](#)

Article 3

Main duties of the Board members

Board members shall in particular:

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

Article 4

Relations with media, stakeholders and the general public

1. Board members are the ambassadors of the Authority and shall always set an exemplary conduct in all their activities linked to the Authority. The ‘ambassador’ function of the Board members entails the promotion of EFSA to its stakeholders and the general public and preparedness to be accountable for the decisions of the Board whilst supporting the Authority.

2. Board members shall follow the principles of the EFSA guidelines for media handling. If Board members wish to respond to a media query on an EFSA-related topic but in a non-EFSA capacity, they should make it clear to the journalist or requestor in which capacity they are speaking, and whenever possible, inform the EFSA Press service within the Communication Channels Unit about the matter.

3. Board members, when communicating on a matter on which the Board has taken a view, shall represent the views of the Board. If Board members are communicating on a matter that falls within the remit of the EFSA but on which the Board has not taken a view so far, they are free to give their own personal view but shall make clear that this does not necessarily represent the view of the Board.

Article 5

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

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

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

Article 6

Professional secrecy

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

Article 7

Gifts and hospitality

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

Article 8

Independence

1. All members of the Board shall sign on annual basis written Declarations of Commitment and Annual Declarations of Interests. Further details regarding these declarations are set out in Regulation (EC) No 178/2002 of the European Parliament and of the Council⁴ and in the Authority's Policy on the Independence of its scientific decision making processes⁵.
2. Board members shall not seek or take instructions from institutions or other bodies of the European Union, from any government of a Member State or from any other body (e.g. industry or consumer organisations), including any decision-making body that they belong to or not.
3. Board members shall inform the Chair and the Executive Director of the Authority without undue delay of any changes to their declared interests and update their Annual Declaration of Interests accordingly.
4. The interests of a Board member, and those of persons belonging to the same household or family, shall not take precedence over those of the Authority's. Board members shall refrain from involving themselves or being involved in any activity that could result in a conflict of interests or is likely to provoke the perception of an existing conflict of interests by the general public.
5. During their term, Board members shall not be members of any other of the Authority's bodies referred to in Article 24 of Regulation (EC) No 178/2002 or any sub-entity to those bodies.
6. Board members are committed not to exploit their position in order to influence in any way the scientific experts of the Authority or EFSA's scientific outputs.
7. Furthermore, the members of the Management Board shall consider the possible public perception in all facets of their professional and private life — in particular as regards any activities, which are pertinent to raise doubts related to even only potential conflicts of interests.
8. Bearing in mind that independence is a fundamental principle and a core value of EFSA, Board Members shall not hold positions or interests that are considered incompatible with their role and the role of the Board. This is without prejudice to those members that were appointed as having their background in organisations representing consumers and other interests in the food chain.
9. Board members undertake in particular to produce on request supporting information, data or documents and accept that failure to do so may invalidate their expression of interests or may result in termination of their mandate.

⁴ [OJ L 31, 1.2.2002, p. 1.](#)

⁵ <http://www.efsa.europa.eu/en/values/independence.htm?wtrl=01>.

Article 9

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

Article 8(2) of the present Code of Conduct does not apply in relation to the representative of the European Commission referred to in Article 25(1) of Regulation (EC) No 178/2002.

Article 10

Acceptance of the Code of Conduct

1. All Board members, including any new members who may subsequently assume office as from the date of the signature of this Code, shall sign the present Code of Conduct.
2. The signed original the Code shall be held by the Executive Director of the Authority.
3. Upon their signature Board members shall receive a copy of the signed original for their own record.

Place/Date

Name (in capital letters)

Signature