



## European Food Safety Authority

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### STAKEHOLDER CONSULTATIVE COMMITTEE

#### TERMS OF REFERENCE

##### **Explanatory note**

1. Since its establishment in 2002, EFSA has always attached great importance to the involvement of interested parties in its areas of competence. This policy responds to both the spirit and the provisions of EFSA's founding Regulation<sup>1</sup> and to the Authority's policy on transparency and openness<sup>2</sup>.
2. EFSA acknowledges the importance of building close collaboration with stakeholders by encouraging dialogue in this respect and intends to build further on this in the future. To this end EFSA has taken a series of measures intended to further involve stakeholder participation in its work. In the course of the last one and a half years EFSA has organized two stakeholder colloques (Ostende 2003 and Berlin 2004), two scientific colloquia in 2004, a number of public consultations in 2004 (mainly in the area of GMOs and feed additives) and held smaller meetings with interested parties on numerous occasions. EFSA intends to continue with such dialogue in the future as these exchanges with stakeholder organisations have proven valuable to both EFSA and to interested parties.
3. The dialogue between EFSA and stakeholder organisations should be a two-way communication process where all parties feel confident to work more closely together, to understand better the needs of each other and to benefit from each other's experiences. This dialogue should bring an added value to all parties involved.
4. Discussions with stakeholder organisations in Ostende and Berlin have shown that stakeholder organisations would find it valuable to have more structured dialogue through the creation of a stakeholder committee which would bring together EU large organisations involved in the area of food safety at the EU level. Similarly EFSA would find such a structured dialogue helpful and beneficial to its mission.
5. Therefore, in this context, EFSA proposes to structure this dialogue with stakeholder organisations and to create a permanent Stakeholder Consultative Committee which will advise the Authority on general matters linked to its

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<sup>1</sup> Article 42 of the 178/2002 Regulation establishes that "the Authority shall develop effective contacts with consumer representatives, producer representatives, processors and any other interested parties".

<sup>2</sup> See MB 16.12.2004 – 5 / MB 20.01.2004 / MB 03.12.2003-8

operation and to its relationship with stakeholders and to seek pragmatic ways to enhance collaboration.

6. It is to be noted that this Committee will not substitute current exercises with stakeholder organisations, which include annual colloques, public consultations, scientific colloquia, technical hearings, bilateral meetings at the request of stakeholder organisations. The intention is to continue with such meetings in the future.
7. EFSA will continue to organize stakeholder colloques (3<sup>rd</sup> stakeholder colloque in Autumn 2005 in Parma) which will include a wider range of stakeholder organisations with a legitimate interest in the work of EFSA and which will allow interaction among these organisations and with EFSA.
8. The Stakeholder Consultative Committee does not overlap or interfere with the newly created Commission's advisory group on the food chain which advises the Commission only and therefore covers risk management issues.
9. EFSA's Management Board has closely followed developments as regards the Authority's strategy towards stakeholders and gave in principle its agreement to the creation of a Stakeholder consultative committee at the Management Board meeting of December 2004<sup>3</sup>. However, Members of the Board stressed that a detailed paper regarding the composition and functioning of such a Committee should be put forward for the consideration of the Board at the spring meeting. Hence as a response to this request, EFSA's Executive Director presents this detailed paper for the consideration and agreement of the Management Board.

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<sup>3</sup> See MB 16.12.2004 – 5 / see MB 20.01.2004

## **TERMS OF REFERENCE: draft**

### **Stakeholder consultative committee**

#### **I. Mandate and tasks**

1. EFSA proposes to establish a consultative platform composed of EU wide stakeholder organisations operating in the food chain. This platform will assist EFSA on the development of its overall relations and policy with regard to stakeholder involvement by providing a forum for regular dialogue and exchanges regarding the implementation of EFSA's strategy towards stakeholders.

2. The Stakeholder Consultative Committee will advice EFSA's Executive Director with regard to general issues which affect the work of EFSA and in particular with regard to:

- EFSA's work programme
- the setting of priorities
- the setting of topics for self-tasking activities
- the topics for consultation and the best way to organize such consultations
- the horizontal policies regarding transparency and openness.

#### **II. Composition of the group and selection procedure**

3. The members of the Committee shall be representatives from food operators active in the whole food chain, consumer and other NGOs active within the mandate of EFSA and scientific/academic organisations.

4. Organisations part of the Stakeholder Consultative Committee should meet the following criteria:

- organisations set up at the EU level (e.g. large EU wide organisations);
- organisations with a legitimate interest in the areas of work of EFSA;
- organisations which are representative in the field of their competence and involved in the areas covered by EFSA and in food safety;
- organisations with whom the Authority does not have a legal obligation (e.g. EU institutions);
- organisations permanently established at the EU level and well-known at the EU level for their activities in the area within the remit of EFSA and in particular food safety

5. In order to facilitate active participation and effective discussions the total number of participants should not be too high and be workable, and should be balanced to encourage a wide range of views. The Committee should be composed of 20-30 representative EU wide organisations representing the interests of the whole food chain. Considerations to be taken into account include:

- members represent organisations are not members of the Committee in their individual capacity and;
- members shall be selected to ensure the best possible balance between the different parties represented (geographically and with regards to their interests);
- all members will have the same weight within the group. The stakeholder committee should aim at reaching consensus in its discussions, papers and reports they will produce. The outcomes of the deliberations, discussions or reports are not binding on EFSA but will be made publicly available and reported to the Board.

6. The membership of the group will be fixed. However, other stakeholder organisations than those permanently sitting in the Stakeholder Consultative Committee and with a legitimate interest in the work of EFSA shall be invited on a case-by-case basis. In this way flexible participation is encouraged so that informed discussions can be developed as necessary depending on the specific circumstances that might occur in the future.

7. The participating organisations will be chosen following a wide examination of Stakeholder organisations operating at the European level covering matters within the remit of EFSA. It is intended to review this membership after one year.

8. Other stakeholder organizations could be invited on a case-by-case basis and on topic-related to attend a particular point of the agenda or a whole meeting.

9. The Stakeholder consultative committee will not serve as a platform for solving conflicts of interests between its members unrelated to EFSA. Member organisations of the consultative committee must also recognize their own responsibilities in making the relationship work. Each participant organisation should be able to acknowledge and take into account the priorities and realities of the other. This does not exclude frank discussions or differences of opinion.

### **III. Chairman**

10. The Stakeholder Consultative Committee will be chaired by an independent chairman.

11. The Chair will be appointed from among the stakeholder organisations represented as determined by the members. The Chair will be elected by a vote by

simple majority of members and appointed for a period of 2 years, not renewable. Two vice-chairs will be appointed following the same procedure and for the same period of time. The holding of the office of Vice Chair does not preclude members from subsequently holding the office of Chair.

12. Until the Committee are ready to elect their own chair from the membership of the group, the chair will be taken by the Executive Director of EFSA.

13. EFSA will assist the consultative committee by providing the secretariat.

#### **IV. Meetings: frequency and location**

14. The Stakeholder Consultative Committee will meet on average twice per year. Additional meetings might be organised if required with respect to the implementation of specific projects.

15. The meetings will normally be held in Parma, Italy.

16. The Stakeholder Consultative Committee will hold its “first meeting” in June/July 2005. The dates of forthcoming meetings will be agreed at that meeting.

17. Meetings of the Stakeholder Consultative Committee do not preclude other exercises with other stakeholder organisations, such as the annual stakeholder colloque, public consultations, technical hearings, scientific colloquia, ad hoc meetings on specific subjects and/or any other bilateral meetings.

#### **V. Working methods and timeframe**

18. The Stakeholder Consultative Committee is an advisory group to EFSA. Its recommendations are not binding on EFSA and will only constitute advice to EFSA. The group will not take decisions on behalf of EFSA nor speak on behalf of EFSA or take views that could be construed or perceived as a reflection of the official position of the Authority.

19. By providing the secretariat of the group, EFSA will be in charge of drafting agendas and minutes, distributing documents and liaising with the participants with regards to practical arrangements for the effective operation of the Stakeholder Consultative Committee.

20. The working languages of the Stakeholder Consultative Committee will be those of EFSA.

21. Agendas, documents, minutes and any other relevant information about the group will be available on EFSA’s website. EFSA will be responsible for updating its website regularly.

22. The Stakeholder Consultative Committee should aim at reaching consensus in the papers, reports and advice that it produces. The outcome of the deliberations, discussions or reports are not binding on EFSA.

23. The Committee will annually report its activities and will outline the priorities for the year to come. The report of activities will be posted on EFSA's website and will be widely distributed among different EU *interlocuteurs*.

## **VII. Funding**

24. The costs of participation at the meetings of the Stakeholder Consultative Committee will be borne by each individual organisation.

25. EFSA may contribute to financing the cost of those organisations that cannot otherwise afford participating at these meetings if a financial contribution would not be provided.

26. Request for a financial contribution will be assessed on a case-by-case basis and will need to be properly documented by the requesting organisation.