

MEMORANDUM OF COOPERATION
BETWEEN THE EUROPEAN FOOD SAFETY AUTHORITY
AND THE CANADIAN FOOD INSPECTION AGENCY

THE EUROPEAN FOOD SAFETY AUTHORITY (EFSA) OF THE EUROPEAN UNION (EU) AND THE CANADIAN FOOD INSPECTION AGENCY (CFIA), hereinafter referred to as the “Participants”, having considered that it is necessary to promote scientific cooperation on data collection and sharing of information related to risk assessment, accept the following terms for mutual cooperation:

1. PURPOSE AND NATURE

- (a) The purpose of this Memorandum of Cooperation (MoC) is to enhance the scientific cooperation and dialogue between the Participants in the fields of data collection and sharing of information related to risk assessment in accordance with the scope of each Participant’s mission in those fields and in accordance with the following laws and regulations:
 - (i) for EFSA Article 33 of Regulation (EC) No 178/2002 establishing EFSA; and
 - (ii) for the CFIA the *Canadian Food Inspection Agency Act* (S.C. 1997, c. 6), the *Plant Protection Act* (S.C. 1990, c. 22), the *Health of Animals Act* (S.C. 1990 c. 21), the *Food and Drugs Act* (R.S.C. 1985 c. F-27), the *Feeds Act* (R.S.C. 1985, c. F-9), and the *Seeds Act* (R.S.C. 1985, c. S-8) and regulations.
- (b) This MoC does not create any rights or legal obligations under international law.
- (c) This MoC does not intend to compromise either Participant’s ability to carry out their respective responsibilities.

2. ITEMS

The Participants intend to provide mutual support and cooperation on each of the following items in accordance with the Participants' respective laws and regulations:

- (a) collection, analysis and sharing of technical data in the areas mentioned under paragraph 1; and
- (b) sharing views and expertise in the area of methodologies for data collection, risk assessment and risk communication.

3. MODALITIES

- (a) An exchange of information may take place for the purpose of and in accordance with the terms of this MoC. To facilitate this exchange of information, the Participants will designate one staff member as coordinator for the maintenance of close, direct and continuing contacts with a view to ensure the application of the terms of this MoC. These coordinators will keep, and update as necessary, a list of contact persons for the main areas of collaboration.
- (b) The information exchanged may only be shared with persons who are bound by obligations of confidentiality as defined in the Participants' respective laws and policies. This may apply to the Participant's staff and external scientific experts contributing to the preparation of the Participants' scientific outputs.
- (c) The exchange and treatment of information will be carried out in accordance with the *Access to Information Act* (R.S.C., 1985, c. A-1) and the *Privacy Act* (R.S.C., 1985, c. P-21) for the CFIA; and in accordance with Regulation (EC) No 178/2002, as well as Regulation (EC) No 1049/2001 on public access to documents and Regulation (EC) No 45/2001 on the protection of personal data for EFSA.
- (d) An evaluation meeting may be held periodically to summarise progress on cooperation.

4. CONFIDENTIALITY AND DATA PROTECTION

- (a) The Participants will ensure that information under of this MoC will be treated in accordance with applicable laws, regulations, and policies governing the processing and release of information.
- (b) The CFIA will not share information that is classified or determined to be “confidential business information”.
- (c) EFSA will not share information that is classified as “confidential” in accordance with Article 39 of Regulation (EC) No 178/2002 and 4(1) and (2) of Regulation (EC) No 1049/2001.
- (d) Considering its purpose and nature detailed in paragraph 1, this MoC will not cover any sharing or other processing of personal data or personal information. If any personal data or personal information processing is envisaged, this will be in compliance with the following applicable laws and regulations governing data protection:
 - (i) for EFSA, the Regulation (EC) No 45/2001; and
 - (ii) for the CFIA, the *Privacy Act* (R.S.C., 1985, c. P-21).

5. PERIOD OF COOPERATION

The cooperation under this MoC will commence on the day of its signature by the Participants, and will continue for a period of five years. At the end of the five year period, the cooperation will continue for further period of five years, unless one of the Participants notifies the other in writing six months before the end of each period its intention to terminate the cooperation.

6. TERMINATION

Notwithstanding paragraph 5, the cooperation under this MoC will be terminated by notifying the other in writing its intention to terminate the cooperation in case of the occurrence of any special reason by which the cooperation cannot be continued.

7. WORKING LANGUAGE BETWEEN THE PARTICIPANTS

For the purposes of this MoC, the working language between the Participants will be English.

Signed in duplicate at Parma on this 14 day of December 2015, in the English and French languages.

Bernhard Url

Executive Director

Signature: on file

For the European Food Safety Authority

Martine Dubuc

Vice President Science

Signature: on file

For the Canadian Food
Inspection Agency