

EUROPEAN ECONOMIC AREA  
STANDING COMMITTEE  
OF THE EFTA STATES

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SUBCOMMITTEE I ON THE FREE MOVEMENT OF GOODS

COMMENTS FROM THE EEA EFTA STATES ON  
THE COMMISSION WHITE PAPER ON FOOD SAFETY

**I EXECUTIVE SUMMARY**

The EEA EFTA States welcome the White Paper on Food Safety. It represents a major initiative designed to promote the health of the consumers and to restore and maintain confidence in food safety. The food safety policy must be based on a comprehensive, integrated approach throughout the food chain, from farm and fjord to the table to secure public health and a high level of consumer protection. In this respect the EEA EFTA States are pleased to note that the EU fully recognises the need to incorporate animal feed and animal health when these have an impact on food safety. We also support that risk analysis must form the foundation on which food safety policy and legislation are based and that the precautionary principle will be used where appropriate.

The Commission White Paper on Food Safety has been distributed for comments in the EEA EFTA States. The EEA EFTA States, as parties to the Agreement on the European Economic Area (EEA), are part of the Single Market and implement EC legislation in the field of food safety. Experts from the EEA EFTA States also currently participate actively in the Commission work in the field of food safety.

**II THE ESTABLISHMENT OF A EUROPEAN FOOD AUTHORITY**

1. The EEA EFTA States support the proposal to establish a European Food Authority (EFA), based on the principles of *independence*, *scientific excellence* and *transparency*, and the aim to establish a common policy on *risk assessment* and *risk communication* on food safety issues.

2. The EEA EFTA States, with two of the major fish exporting countries in the world, have noted that fish and fish products are not clearly reflected upon in the White Paper. It is assumed that fish and fish products are meant to be included, but for clarification we would, nevertheless, emphasise that the work of the Agency should also

*include fish and fish products* in the same manner as agricultural products and thereby cover the chain from farm and fjord to the table.

### III EEA ASPECTS

3. The operations of the Food Agency will fall within the scope of the EEA Agreement. Participation of experts from the EEA EFTA States in the work of the Agency should be based on the general provisions of co-operation in the EEA Agreement. At an informal EEA EFTA meeting with the Commission in February 2000, it was requested from the EEA EFTA side that the EEA aspects should be taken fully into account in the establishment of the new Authority.

4. The White Paper refers to the European Medicines Evaluation Agency (EMEA). Following an EEA Joint Committee Decision, Iceland and Norway participate in the work of the EMEA and Liechtenstein is currently in the process of being involved in the work. In the framework of the EFA, participation by the EEA EFTA States should be on equal terms as that of EU Member States.

5. With regard to information gathering and analysis, we would like to emphasise that relevant data should be collected from the EEA EFTA States in the same way as from other Member States, and that the EEA EFTA States participate in monitoring and surveillance programmes.

### IV DETAILED COMMENTS

#### 4.1 Objectives of a European Food Authority

6. With regard to *independence*, the EEA EFTA States would like to emphasise that the EFA should be independent in relation to production and business sectors, agricultural industry and trade.

7. Concerning the scientific experts, they should not represent their respective institution or country. They must be impartial, and neither have economic or other interests in the food production chain, nor adherence to any group exerting political pressure in questions concerning food safety and quality.

8. The EEA EFTA States support the proposal that the tasks of EFA should not cover legislation and control. Following this, it is important to ensure a clear *separation of roles* between those responsible for carrying out risk assessments on the one side and those responsible for carrying out risk management on the other. In this context, it is essential that there really is an organisational separation between the authorities responsible for legislation and control (the Commission, Council and European Parliament) and the competent structure of EFA. Even though the principle of an independent EFA has been emphasised, there is a strong need to clarify practical aspects related to the need for interaction between risk assessors and risk managers. This is

especially relevant in the light of the fact that risk assessors should not represent an advisory capacity in risk management issues.

9. With regard to both the Scientific Committees and the staff of the EFA, the focus on *scientific excellence* as a means to restore and maintain consumer confidence is not without important challenges. There may be many professions with different approaches, both regarding relevance and judgement of data. Scientific excellence is not enough and the committees also need members with sufficient knowledge within areas such as food inspection, monitoring programmes, consumer preferences etc., in order to establish consumer confidence. Thus, both such committees and the staff of the EFA should be as representative as possible with regard to relevant disciplines, research approaches and values. Furthermore, in the internal organisation of the work of EFA it might be necessary to allocate a secretariat to assist the Scientific Committees.

10. The focus on *transparency* and accountability is supported and is vital for the establishment of consumer confidence. The openness to rigorous public scrutiny is highly appreciated and there should also be transparency with regard to the evaluation procedures adopted by the EFA.

#### **4.2 Tasks of the Authority**

11. The proposed tasks of the Authority, to focus primarily on risk assessment through scientific analysis, as well as gathering and communication of information, are strongly supported.

12. In particular, the clear separation between risk assessment and risk management is appreciated. Such a division of tasks is not only essential within the framework of the Treaty, but is also important for the good functioning of the EEA Agreement.

13. However, although the White Paper firmly states that control functions must be at the center of the Commission's risk management process, there is a need for further clarification in this respect. For example, paragraph 40 does not exclude the future extension of the Authority's competence and paragraph 53 states that "the Authority may be requested to carry out follow-up tasks including monitoring and epidemiological surveillance." These issues raise the question of how the Authority will develop in the future and how possible future tasks can coincide with the EEA Agreement.

14. Furthermore, it is foreseen that the work of the EFA and the Scientific Committees normally will be initiated by the Commission. The EEA EFTA States are, however, of the opinion that individual States should also have the possibility to raise such issues.

#### **4.3 Procedures for consultations**

15. In order to ensure all elements being taken care of in the process, clear guidelines should be established on the *procedures for consultations* to take into consideration other aspects related to food safety such as animal health, welfare issues,

consumer safety and notably environmental and chemical sectors when these overlap with risk assessment in relation to food.

#### **4.4 Communication/Information**

16. The agency will need to pay special attention to the establishment of an efficient and qualified information service, taking full advantage of the new information technology. In the case of a crisis, a clear division of tasks between the Authority and the Commission Services must be established. In this respect, it is supported that the Authority should operate the Rapid Alert System for food and animal feed.

#### **4.5 Networking with National Agencies and Scientific Bodies**

17. According to the White Paper, the EFA should work in close co-operation with national scientific agencies and institutions in charge of food safety and build upon their expertise. The further developments in this respect will be followed closely from the EEA EFTA side and it has to be further discussed how the relevant bodies in the EEA EFTA States can be suitably associated with the work of the Authority.

18. Furthermore, guidelines should be established for dispute settlements between the EFA and the national authorities.

#### **4.6 Nutritional issues**

19. *Nutritional* issues play an important role in public health. Scientific opinions and information concerning food should also be integrated in a general health promoting framework. However, nutritional information must be based upon knowledge about nutrition, food habits and public health and should be related to regional circumstances and the regional food habits. If nutrition information is only communicated in the context of risk, it may be inadequate. A local base for such information is therefore necessary. There is, in addition, a need for a centrally located expertise based in EFA. If nutrition is to become one of the work tasks of the EFA, it is crucial that the Commission considers this part as carefully as it has considered the food safety part.

#### **4.7 Resources**

20. As regards resources, the allocation of sufficient resources is an important prerequisite for the well-functioning of the Authority.

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