RESOLUTION (EU) 2020/1960 OF THE EUROPEAN PARLIAMENT

of 14 May 2020

with observations forming an integral part of the decision on discharge in respect of the implementation of the budget of the European Food Safety Authority (EFSA) for the financial year 2018

THE EUROPEAN PARLIAMENT,

— having regard to its decision on discharge in respect of the implementation of the budget of the European Food Safety Authority for the financial year 2018,

— having regard to its resolution of 16 January 2019 on the Union's authorisation procedure for pesticides ([1]),

— having regard to Rule 100 of and Annex V to its Rules of Procedure,

— having regard to the opinion of the Committee on the Environment, Public Health and Food Safety,

— having regard to the report of the Committee on Budgetary Control (A9-0068/2020),

A. whereas, according to its statement of revenue and expenditure ([2]), the final budget of the European Food Safety Authority (the 'Authority') for the financial year 2018 was EUR 79 183 814,25, representing a slight decrease of 0,47 % compared to 2017; whereas the budget of the Authority derives mainly from the Union budget ([3]);

B. whereas the Court of Auditors (the 'Court'), in its report on the annual accounts of the Authority for the financial year 2018 (the 'Court's report'), states that it has obtained reasonable assurances that the Authority's annual accounts are reliable and that the underlying transactions are legal and regular;

Budget and financial management

1. Notes with satisfaction that the budget monitoring efforts during the financial year 2018 resulted in a budget implementation rate of 100 %, representing a slight increase of 0,02 % compared to 2017; notes, furthermore, that the payment appropriations execution rate was at 91,31 %, representing a decrease of 1 % compared to 2017;

Performance

2. Notes that the Authority has introduced several impact and outcome key performance indicators (KPIs) in its comprehensive performance based management approach to measure the added value provided by its activities; notes furthermore that the Authority uses other KPIs to enhance its budget management;

3. Acknowledges that 2018 was the second year of the comprehensive performance-based management approach, of the measurement of the Authority's performance based on new KPIs and of the implementation of the Authority's Strategy 2020 plan;

4. Notes with satisfaction the good results achieved by the Authority in terms of compliance with the scientific production deadlines; notes further that in the one area where 83,6 % of the outputs were closed on time, below the target of 90 %, the delay was limited to a few areas where a significantly high workload was experienced;

5. Notes that, following the Authority's external evaluation started in 2017, the Authority adopted a series of recommendations at its meeting in October 2018; notes that areas of progress referred to in the evaluation report included, notably, the Authority's new mechanisms for engagement with stakeholders, its cooperation with Member State authorities and its strengthened independence; notes that areas of improvement highlighted in the evaluation relate to the Authority's approach to prioritising resources, the economic visibility of its system for recruiting experts, and the need to tailor its communication materials more closely to the needs of different audiences;

([1]) Texts adopted, P8_TA(2019)0023.
([2]) OJ C 202, 12.6.2018, p. 1.
([3]) OJ C 202, 12.6.2018, p. 3.

6. Notes with satisfaction that the Authority shares resources and activities with the European Chemicals Agency, the European Medicines Agency and the European Centre for Disease Prevention and Control in the areas of risk assessment, data, and research; notes that the Authority has been increasing its resources and activity-sharing with the Joint Research Centre particularly in the sphere of environmental data and maps; strongly encourages the Authority to actively seek further and broader cooperation with all of the Union agencies;

7. Encourages the Authority to pursue the digitalisation of its services;

8. Welcomes the contribution of the Authority to the safety of the Union food and feed chain, and its considerable efforts in providing Union risk managers with comprehensive, independent and up-to-date scientific advice on questions linked to the food chain, communicating clearly to the public on its outputs and the information on which they are based, and cooperating with interested parties and institutional partners to promote coherence and trust in the Union food safety system;

9. Highlights that, in 2018, the Authority finalised 788 questions through scientific opinions, technical reports and supporting publications;

10. Believes that the Authority should continue paying special attention to public opinion, and commit itself to openness and transparency; stresses, in that connection, that Regulation (EU) 2019/1381 of the European Parliament and of the Council [4] gives the Authority additional tasks relating to safety assessment and public communications, all of which will generate additional costs;

Staff policy

11. Notes that, on 31 December 2018, the establishment plan was 97,49 % executed, with 5 officials and 306 temporary agents appointed out of 319 posts authorised under the Union budget (compared with 323 authorised posts in 2017); notes that, in addition, 122 contract agents and 14 seconded national experts worked for the Authority in 2018;

12. Notes with concern that the Authority, as one of the Union's regulatory agencies responsible for risk assessment of regulated products, does not receive sufficient resources to effectively carry out its responsibilities; insists that the Authority be granted sufficient resources to carry out its tasks;

13. Notes that the Court has identified a horizontal trend across agencies in the use of external staff hired in IT consultancy roles; calls for the dependency on external recruitment in this important and sensitive area to be reduced as much as possible to limit any potential risks;

14. Notes that the Authority has adopted the Commission's model decision on the policy on protecting the dignity of the person and preventing harassment; further notes that it organised obligatory training courses both for staff and managers and made confidential counselling available, as well as organising the publication on its intranet of a report on harassment, showing statistics and formal procedures for the 2014-2018 period; asks the Authority to report back to the discharge authority on the measures taken after the investigation of harassment cases;

15. Acknowledges that the gender balance within the Authority's senior management is satisfactory, as 2 out of 5 are male, and 3 female; raises concerns, though, about the geographical imbalance, as within the senior management no one is a citizen of the states that acceded to the Union in 2004; asks the Authority to take measures ensuring that there is better geographical balance within its senior management;

16. Regrets that, in relation to the two-year cooling off period, the 2017 independence policy includes the obligation to screen experts' interests only in relation to the mandate of the scientific group that the expert is applying to; calls for the policy to be updated without delay in order to ensure that experts' interests are viewed within the context of the overall remit of the Authority, as repeatedly called for by the Parliament;

[4] Regulation (EU) 2019/1381 of the European Parliament and of the Council of 20 June 2019 on the transparency and sustainability of the EU risk assessment in the food chain and amending Regulations (EC) No 178/2002, (EC) No 1829/2003, (EC) No 1831/2003, (EC) No 2065/2003, (EC) No 1935/2004, (EC) No 1331/2008, (EC) No 1107/2009, (EU) 2015/2283 and Directive 2001/18/EC (OJ L 231, 6.9.2019, p. 1).

17. Regrets that the research funding from companies falling under the Authority's remit is not considered relevant to the cooling-off period, as long as amounts at stake do not rise above 25% of the total research budget managed by the expert and/or their research team, and that the threshold is applied to individual sources as opposed to all private sources combined; calls for the funding threshold to be removed from the Authority's independence policy, in line with the Parliament's repeated requests on the matter;

Prevention and management of conflicts of interest and transparency

18. Notes with concern that the Authority has been hit by conflicts of interest problems and that surveys have shown that the proportion of experts with a financial conflict of interest has varied from 59 % in to 2013 to 49 % in 2017; notes that the Court has identified a need to strengthen the accounting officer's independence, but gives no judgment about the independence of experts; calls on the Authority to adopt a strict cooling-off period as regards financial conflicts of interest and clear policy guidelines on the use of experts, which fence off the Authority's scientific opinions from undue influence;

19. Regrets the fact that external experts, such as experts attending hearings or members of the advisory forum, focal points or scientific networks, are not subject to a conflict of interest screening, and that any potential conflict of interest in this area might go unnoticed;

20. Recalls the recommendations of Parliament's resolution of 16 January 2019 on the Union's authorisation procedure for pesticides, and in particular its call on the Authority to improve its risk communication, update its guidance documents in line with the most recent developments in all relevant fields, increase the user-friendliness of the information provided on its website and facilitate data mining, publish its opinion in peer-reviewed journals and encourage more independent national experts and other scientists to participate in its work and to exclude the participation of experts with conflicts of interest from all stages of the peer review process; notes from its reply that the Authority has taken up several of the recommendations in the revised Regulation (EC) No 178/2002 of the European Parliament and of the Council ([5]), particularly with regard to increased transparency and more accessible risk communications;

21. Recalls that the revised Regulation (EC) No 178/2002 will require the Authority to pro-actively make regulatory data submitted by applicants available to be downloaded, printed and consulted in an electronic format; whereas that will allow the Authority to benefit from extended peer review by the scientific community; recalls that this transparency requirement is indispensable for industry-sponsored research, but that it cannot be used as an argument to refuse the use by academics of data kept confidential for legitimate reasons, such as patients' personal medical records;

Internal controls

22. Welcomes the fact that in 2018 a fitness-check was carried out with the aim of assessing how to revise the Authority's Anti-Fraud Strategy in 2019 and during the reporting year, and that the Authority did not have to transmit or follow-up on any suspicions of fraud cases to OLAF;

23. Notes that, according to the Court's report, the Internal Audit Service issued an audit report "Human Resources Management & Ethics in EFSA" and the Authority is preparing a corresponding action plan to address some potential areas for improvement; calls on the Authority to report back to the discharge authority on the measures implemented;

24. Calls on the Authority to focus on disseminating the results of its research to the public, and to reach out to the public via social media and other media outlets;

25. Refers, for other observations of a cross-cutting nature accompanying its decision on discharge, to its resolution of 14 May 2020 ([6]) on the performance, financial management and control of the agencies.

([5]) Regulation (EC) No 178/2002 of the European Parliament and of 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 (OJ L 31, 1.2.2002, p. 1).

([6]) Texts adopted, P9_TA-PROV(2020)0121.