COMMISSION DECISION

of 12 September 2011

on the financing for the year 2011 of several measures necessary to ensure the application of Regulation (EC) No 882/2004

(2011/C 271/05)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities [1] (hereinafter referred to as the 'Financial Regulation'), and in particular Article 75 thereof,

Having regard to Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities [2] (hereinafter referred to as the 'Implementing Rules'), and in particular Article 90 thereof,

Having regard to Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules [3], and in particular Article 66(1)(c) thereof,

Whereas:

(1) In accordance with Article 75 of the Financial Regulation and Article 90(1) of the Implementing Rules, the commitment of expenditure from the Union budget shall be preceded by a financing decision setting out the essential elements of the action involving expenditure and adopted by the institution or the authorities to which powers have been delegated by the institution.

(2) Regulation (EC) No 882/2004 lays down rules for the performance of official controls to verify compliance with rules aiming in particular at preventing, eliminating or reducing to acceptable levels risks to humans and animals, either directly or through the environment, guaranteeing fair practices in feed and food trade and protecting consumers interests, including feed and food labelling and other forms of consumer information.

(3) According to Article 66(1)(c) of Regulation (EC) No 882/2004, the appropriations required for the financing of other measures necessary to ensure the application of this regulation shall be authorised each year within the framework of the budgetary procedure. The measures referred to in Article 66 include in particular the organisation of studies, the publication of information and the organisation of meetings and conferences.

(4) In accordance with Regulation (EC) No 2160/2003 of the European Parliament and of the Council of 17 November 2003 on the control of *Salmonella* and other specified food-borne zoonotic agents [4], Union targets for the reduction of their prevalence can be determined and Member States should establish national control programmes in order to achieve these targets. The European Food Safety Authority (EFSA) adopted on 9 December 2009 a scientific opinion on the quantification of the risk posed by broiler meat to human campylobacteriosis in the European Union [5]. According to the opinion, campylobacteriosis is the most frequently reported food-borne infection in the European Union (possibly 20 million cases of clinical campylobacteriosis per year). EFSA also adopted on 11 March 2010 a scientific opinion on the quantitative microbiological risk assessment of *Salmonella* in slaughter and breeder pigs [6], according to which around 10-20 % of human *Salmonella* infections in the Union may be attributable to the pig reservoir as a whole. Before defining a target for the reduction of the prevalence of these specific zoonoses in the European Union, Article 4(4)(a) of Regulation (EC) No 2160/2003 requires an analysis of the expected costs and benefits.

(5) According to Article 6(4) of Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin [7], food business operators importing food containing both products of plant origin and processed products of animal origin have to ensure that the processed products of animal origin contained in such food satisfy the relevant requirements of the Regulation. They must furthermore be able to demonstrate that they have done so during official controls. Because of the potentially high impact of these rules, transitional arrangements derogating from certain of them and valid until 31 December 2013 were laid down in Commission Regulation (EC) No 1162/2009 [8] and a possible modification of the

[1] OJ L 248, 16.9.2002, p. 1.
[2] OJ L 357, 31.12.2002, p. 1.
[3] OJ L 165, 30.4.2004, p. 1.
[4] OJ L 325, 12.12.2003, p. 1.
[5] EFSA Journal 2010; 8(1):1437.
[6] EFSA Journal 2010; 8(4):1547.
[7] OJ L 139, 30.4.2004, p. 55.
[8] OJ L 314, 1.12.2009, p. 10.

abovementioned provision of Regulation (EC) No 853/2004 is considered. The impacts on the operators and on official controls of these new possible rules after the end of the transitional arrangements should be assessed.

(6) Commission Regulation (EC) No 2073/2005 of 15 November 2005 on microbiological criteria for foodstuffs [1] implements the general and specific hygiene measures referred to in Article 4 of Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs [2]. Regulation (EC) No 2073/2005 lays down an analytical reference method for the detection of histamine in certain fishery products to be used within the framework of official controls. The impact of this reference method on the sensitivity and the specificity should be assessed against the Codex Alimentarius standard AOAC 977.13 [3]. This study should be performed by the Joint Research Center (JRC).

(7) The possibility to review the current rules on meat inspection provided for in Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption [4] has to be addressed. A series of conferences and meetings, complemented by studies to evaluate the outcome of pilot studies, should be organised in 2011 with the aim to discuss this issue with competent authorities of Member States and of third countries, stakeholders' representatives and international scientific organisations.

(8) Directive 2001/18/EC of the European Parliament and of the Council of 12 March 2001 on the deliberate release of genetically modified organisms (GMOs) into the environment [5] and Regulation (EC) No 1829/2003 of the European Parliament and of the Council of 22 September 2003 on genetically modified food and feed [6] establish the conditions for the placing on the market and use of GMOs and products containing or derived from GMOs in the European Union. The rules for the performance of official controls to verify compliance with the provisions of both legal acts are laid down by Regulation (EC) No 882/2004. Two evaluations have been carried out in 2010-2011 to assess to what extent this legislative framework has addressed its objective of protecting human and animal health, the environment and consumers' interests, whilst ensuring the effective functioning of the internal market. Studies should be carried out on subjects, which were not examined in depth in these evaluations, such as the labelling of the absence of GMOs in products. A series of conferences should be organised to increase knowledge as regards current implementation of the GMO legal framework by the Member States and to ensure the follow-up to the Commission's Report of 15 April 2011 on the socio-economic implications of GMO cultivation [7], as requested by the Council Conclusions of December 2008.

(9) Regulation (EC) No 1333/2008 of the European Parliament and of the Council of 16 December 2008 on food additives [8] and Regulation (EC) No 1334/2008 of the European Parliament and of the Council of 16 December 2008 on flavourings and certain food ingredients with flavouring properties for use in and on foods [9] lay down new rules on additives and flavourings with a view to ensuring the effective functioning of the internal market whilst ensuring a high level of protection of human health and a high level of consumer protection, including the protection of consumer interests. Since 20 January 2011, they are both applicable. Stakeholders and consumers should be informed about the new legal framework, its rules, its further implementation and its consequences for them in order to raise their awareness and to help the enforcement of these new rules.

(10) The present financing decision may also cover the payment of interest due for late payment on the basis of Articles 83 of the Financial Regulation and 106(5) of the Implementing Rules.

(11) It is appropriate to define the terms 'substantial change' within the meaning of Article 90(4) of the Implementing Rules for the application of this decision,

HAS DECIDED AS FOLLOWS:

Article 1

The annual work programme for the implementation of Article 66(1)(c) of Regulation (EC) No 882/2004, as set out in the Annex, is hereby adopted.

The work programme constitutes a financing decision in the meaning of Article 75 of the Financial Regulation.

[1] OJ L 338, 22.12.2005, p. 1.
[2] OJ L 139, 30.4.2004, p. 1.
[3] http://www.codexalimentarius.net
[4] OJ L 139, 30.4.2004, p. 206.
[5] OJ L 106, 17.4.2001, p. 1.
[6] OJ L 268, 18.10.2003, p. 1.
[7] COM(2011) 214.
[8] OJ L 354, 31.12.2008, p. 16.
[9] OJ L 354, 31.12.2008, p. 34.

Article 2

The maximum contribution authorised by this Decision for the implementation of the programme is set at EUR 1 095 000 to be financed from the following budgetary lines of the general budget of the European Union for 2011:

— budgetary line No 17 04 07 01: EUR 1 095 000.

These appropriations may also cover interest due for late payment.

Article 3

Cumulated changes of the allocations to the specific actions covered by the work programme not exceeding 10 % of the maximum contribution authorised by Article 2 of this Decision are not considered to be substantial within the meaning of Article 90(4) of Regulation (EC, Euratom) No 2342/2002, provided that they do not significantly affect the nature and objective of the work programme.

The authorising officer may adopt such changes in accordance with the principles of sound financial management and of proportionality.

Article 4

This Decision is addressed to the authorising officers by delegation.

Done at Brussels, 12 September 2011.

For the Commission

John DALLI

Member of the Commission

ANNEX

Regulation (EC) No 882/2004 — Work programme for 2011

1. **Introduction**

This programme contains eight implementing measures for the year 2011. On the basis of Article 66(1)(c) of Regulation (EC) No 882/2004 on Union financial support of measures necessary to ensure the application of the Regulation, the distribution of the budget and the main actions are the following:

For procurement (implemented in direct centralised management):

— Analysis of costs and benefits of establishing targets for the reduction of *Campylobacter* and *Salmonella* at the relevant stages of the food chain: EUR 200 000

— Impact assessments of new possible rules within the framework of the revision of the hygiene package, in particular due to the end of the transitional arrangements derogating from certain provisions of Regulation (EC) No 853/2004 laying down specific hygiene rules for food of animal origin: EUR 150 000

— Impact assessment of the analytical reference method used for the application of the histamine food safety criterion in Regulation (EC) No 2073/2005 on microbiological criteria for foodstuffs on the specificity and sensitivity of testing compared to Codex Alimentarius standard AOAC 977.13: EUR 55 000

— Studies related to the revision of the current meat inspection system: analysis to evaluate the outcome of pilot studies, including expected costs and benefits related to new approaches to hygiene controls in the meat sector as foreseen in Article 17 point 4(a)(iii) of Regulation (EC) No 854/2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption: EUR 100 000

— Conferences and meetings with competent authorities of Member States and of third countries, stakeholders' representatives and international scientific organisations on the revision of the current rules on meat inspection provided for in Regulation (EC) No 854/2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption: EUR 100 000

— Studies on GMOs related subjects: EUR 300 000

— A series of conferences on the implementation of the GMO legal framework and on the socioeconomic implications of GMO cultivation: EUR 40 000

— Stakeholder and consumer information package on additives and flavourings (information sheet, pocket guide, website, video, press conference and/or a press release): EUR 150 000

2. **Work programme for 2011 — procurement**

The global budgetary envelope reserved in 2011 for the procurement contracts amounts to EUR 1 095 000.

2.1. *Analysis of costs and benefits of establishing targets for the reduction of Campylobacter and Salmonella at the relevant stages of the food chain*

LEGAL BASIS

Regulation (EC) No 882/2004, Article 66(1)(c)

BUDGETARY LINE

Budget line: 17 04 07 01

INDICATIVE NUMBER AND TYPE OF CONTRACTS ENVISAGED

One contract

SUBJECT OF THE CONTRACTS ENVISAGED (IF POSSIBLE)

Analysis of costs and benefits of establishing targets for the reduction of *Campylobacter* and *Salmonella* at the relevant stages of the food chain according to Article 4(4)(a) of Regulation (EC) No 2160/2003 on the control of salmonella and other specified food-borne zoonotic agents

IMPLEMENTATION

Direct centralised

INDICATIVE TIMEFRAME FOR LAUNCHING THE PROCUREMENT PROCEDURE

Approximately during the third or fourth quarter 2011

INDICATIVE AMOUNT OF THE CALL FOR TENDERS

EUR 200 000

SPECIFIC CONTRACT (IF APPLICABLE)

Conclusion of one specific service contract under framework contract SANCO/2008/01/055

2.2. *Impact assessment of new possible rules within the framework of the revision of the hygiene package, in particular due to the end of the transitional arrangements derogating from certain provisions of Regulation (EC) No 853/2004 laying down specific hygiene rules for food of animal origin*

LEGAL BASIS

Regulation (EC) No 882/2004, Article 66(1)(c)

BUDGETARY LINE

Budget line: 17 04 07 01

INDICATIVE NUMBER AND TYPE OF CONTRACTS ENVISAGED

One contract

SUBJECT OF THE CONTRACTS ENVISAGED (IF POSSIBLE)

Impact assessment of new possible rules within the framework of the revision of the hygiene package, in particular due to the end of the transitional arrangements derogating from certain provisions of Regulation (EC) No 853/2004 laying down specific hygiene rules for food of animal origin

IMPLEMENTATION

Direct centralised

INDICATIVE TIMEFRAME FOR LAUNCHING THE PROCUREMENT PROCEDURE

Approximately during the third or fourth quarter 2011

INDICATIVE AMOUNT OF THE CALL FOR TENDERS

EUR 150 000

SPECIFIC CONTRACT (IF APPLICABLE)

Conclusion of one specific service contract under framework contract SANCO/2008/01/055

2.3. *Impact assessment of the analytical reference method used for the application of the histamine food safety criterion in Regulation (EC) No 2073/2005 on the specificity and sensitivity of testing compared to Codex Alimentarius standard AOAC 977.13*

LEGAL BASIS

Regulation (EC) No 882/2004, Article 66(1)(c)

BUDGETARY LINE

Budget line: 17 04 07 01

INDICATIVE NUMBER AND TYPE OF CONTRACTS ENVISAGED

One administrative arrangement

SUBJECT OF THE CONTRACTS ENVISAGED (IF POSSIBLE)

Impact assessment of the analytical reference method used for the application of the histamine food safety criterion in Regulation (EC) No 2073/2005 on microbiological criteria for foodstuffs on the specificity and sensitivity of testing compared to Codex Alimentarius standard AOAC 977.13

IMPLEMENTATION

Direct centralised

INDICATIVE TIMEFRAME FOR LAUNCHING THE PROCUREMENT PROCEDURE

Approximately during the third or fourth quarter 2011

INDICATIVE AMOUNT OF THE CALL FOR TENDERS

EUR 55 000

SPECIFIC CONTRACT (IF APPLICABLE)

Conclusion of one administrative arrangement with the Commission's Joint Research Center (JRC)

2.4. *Studies related to the revision of the current rules concerning meat inspection*

LEGAL BASIS

Regulation (EC) No 882/2004, Article 66(1)(c)

BUDGETARY LINE

Budget line: 17 04 07 01

INDICATIVE NUMBER AND TYPE OF CONTRACTS ENVISAGED

One or several contracts

SUBJECT OF THE CONTRACTS ENVISAGED (IF POSSIBLE)

Analysis of expected costs and benefits and pilot projects related to new approaches to meat inspection as foreseen in Article 17 point 4(a)(iii) of Regulation (EC) No 854/2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption

IMPLEMENTATION

Direct centralised

INDICATIVE TIMEFRAME FOR LAUNCHING THE PROCUREMENT PROCEDURE

Approximately during the third or fourth quarter 2011

INDICATIVE AMOUNT OF THE CALL FOR TENDERS

EUR 100 000

SPECIFIC CONTRACT (IF APPLICABLE)

Conclusion of one or several specific service contract(s) under framework contract SANCO/2008/01/055

2.5. *Conferences and meetings on the revision of the current rules concerning meat inspection*

LEGAL BASIS

Regulation (EC) No 882/2004, Article 66(1)(c)

BUDGETARY LINE

Budget line: 17 04 07 01

INDICATIVE NUMBER AND TYPE OF CONTRACTS ENVISAGED

One or several contracts

SUBJECT OF THE CONTRACTS ENVISAGED (IF POSSIBLE)

Conferences and meetings with competent authorities of Member States and of third countries, stakeholders' representatives and international scientific organisations on the revision of the current rules concerning meat inspection provided for in Regulation (EC) No 854/2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption

IMPLEMENTATION

Direct centralised

INDICATIVE TIMEFRAME FOR LAUNCHING THE PROCUREMENT PROCEDURE

Approximately during the third or fourth quarter 2011

INDICATIVE AMOUNT OF THE CALL FOR TENDERS

EUR 100 000

SPECIFIC CONTRACT (IF APPLICABLE)

Conclusion of one or several specific service contract(s) under framework contract SANCO/2009/A1/005/Lot 2

2.6. *Studies on GMOs related subjects*

LEGAL BASIS

Regulation (EC) No 882/2004, Article 66(1)(c)

BUDGETARY LINE

Budget line: 17 04 07 01

INDICATIVE NUMBER AND TYPE OF CONTRACTS ENVISAGED

One or several contracts, depending on the results of the two ongoing evaluations

SUBJECT OF THE CONTRACTS ENVISAGED (IF POSSIBLE)

Studies on subjects which were not examined in depth in the two evaluations of the EU GMO legal framework

IMPLEMENTATION

Direct centralised

INDICATIVE TIMEFRAME FOR LAUNCHING THE PROCUREMENT PROCEDURE

Approximately during the third or fourth quarter 2011

INDICATIVE AMOUNT OF THE CALL FOR TENDERS

EUR 300 000

SPECIFIC CONTRACT (IF APPLICABLE)

Conclusion of one or several specific service contract(s) under framework contract SANCO/2008/01/055

2.7. *A series of conferences on the implementation of the GMO legal framework and on the socioeconomic implications of GMO cultivation*

LEGAL BASIS

Regulation (EC) No 882/2004, Article 66(1)(c)

BUDGETARY LINE

Budget line: 17 04 07 01

INDICATIVE NUMBER AND TYPE OF CONTRACTS ENVISAGED

One or several contracts, depending on the organisational and logistical modalities

SUBJECT OF THE CONTRACTS ENVISAGED (IF POSSIBLE)

A series of conferences on the implementation of the GMO legal framework and on the socioeconomic implications of GMO cultivation

IMPLEMENTATION

Direct centralised

INDICATIVE TIMEFRAME FOR LAUNCHING THE PROCUREMENT PROCEDURE

Approximately during the third or fourth quarter 2011

INDICATIVE AMOUNT OF THE CALL FOR TENDERS

EUR 40 000

SPECIFIC CONTRACT (IF APPLICABLE)

Conclusion of one or several specific service contract(s) under framework contract SANCO/2009/A1/005/Lot 2

2.8. *Stakeholder and consumer information package on additives and flavourings*

LEGAL BASIS

Regulation (EC) No 882/2004, Article 66(1)(c)

BUDGETARY LINE

Budget line: 17 04 07 01

INDICATIVE NUMBER AND TYPE OF CONTRACTS ENVISAGED

Five contracts as far as the work cannot be done internally

SUBJECT OF THE CONTRACTS ENVISAGED (IF POSSIBLE)

Stakeholder and consumer information package about the new lists of authorised food additives and flavourings and their conditions of use:

— information sheet with key facts and Q&A,

— pocket guide to help consumers to recognise additives when buying food,

— website with links to the database,

— video to draw attention to the website,

— press conference and/or press release for the launch of the stakeholder and consumer information package.

IMPLEMENTATION

Direct centralised

INDICATIVE TIMEFRAME FOR LAUNCHING THE PROCUREMENT PROCEDURE

Approximately during the third or fourth quarter 2011

INDICATIVE AMOUNT OF THE CALL FOR TENDERS

EUR 150 000

SPECIFIC CONTRACT (IF APPLICABLE)

Not applicable