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**COMMUNICATION FROM THE COMMISSION TO THE COUNCIL AND THE  
EUROPEAN PARLIAMENT**

**Better training for safer food**

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# COMMUNICATION FROM THE COMMISSION TO THE COUNCIL AND THE EUROPEAN PARLIAMENT

## Better training for safer food

(Text with EEA relevance)

### 1. SUMMARY

Alongside the development of the internal market, a set of European rules covering food law, feed law, animal health, animal welfare and plant health has been progressively developed. These rules have contributed to the smooth operation of the internal market whilst maintaining a high level of protection. They follow international developments in these areas, in particular in the World Trade Organisation (WTO), Codex Alimentarius, the World Organisation for Animal Health (OIE) and the International Plant Protection Convention (IPPC).

The internal market objectives for these areas have been achieved. Rather than developing new major legislative initiatives, the Commission believes that it is necessary to ensure that existing law is correctly applied. To this end, training of those who must verify the implementation of Community law is essential.

European law provides for the Commission to organise training courses for the staff of the competent authorities in the Member States in charge of verifying compliance with EU food and feed law, animal health and animal welfare requirements, and with plant health requirements. Such training is also open to participants from third countries and in particular from developing countries.

A European dimension to training aims to establish a good level of uniformity of the controls carried out and of the decisions taken by the controlling authority pursuant to such controls, thus giving more certainty to food businesses through equal treatment wherever controls are carried out.

The involvement of participants from third countries will lead to a better understanding of EU food standards and import procedures thus lowering the hurdle for third countries, and in particular developing countries, to place goods on the EU market. It will also lead to better compliance with EU food standards and thus to fewer and more simplified controls at import.

In this Communication, the Commission gives an overview of possible options that may be used for organising training by its **Health and Consumer Protection Directorate-General**; gives its opinion of the way forward; and suggests a method that aims to offer efficient training using, in the most economical way, the resources that are available.

## 2. BACKGROUND

Food law, feed law, animal health rules, animal welfare requirements and plant health requirements are almost fully Community based (see overview in Annex I). The development of these rules has enabled the creation of the internal market for food, feed, live animals and plants within the Community whilst ensuring a high level of consumer protection and of protection of animals and plants. At international level, Community legislation referred to above allows compliance with the international obligations laid down in international agreements such as those developed by the World Trade Organisation (WTO), Codex Alimentarius, the World Organisation for Animal Health (OIE) and the International Plant Protection Convention (IPPC).

Along with the adoption of 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<sup>1</sup>, the verification of compliance with these requirements is also based on Community law. That Regulation establishes an integrated and global approach towards verification by the competent authorities of compliance with the requirements referred to above.

Such a strong Community oriented integrated and global approach requires a high level of competence and expertise of the controlling authorities, and imposes high standards on control officials in the Member States so as to ensure that official controls are efficient, objective and adequate. Staff of controlling authorities need to have a broad knowledge of different hazards (chemical, biological and physical) that can occur along the feed and food chain. They must also understand the mechanisms of the market in which food and its ingredients can be obtained from many different sources. At the same time, they need to be informed about very specific problems that are inherent to specific production, processing, conservation and distribution methods. They must be able to identify non-compliance with feed and food safety requirements, with animal health and animal welfare requirements, and with plant health requirements. They must also be able to detect fraudulent practices. Control of feed and food production and marketing, and of animal and plant production and trade, therefore requires a multidisciplinary approach.

Third countries must, when exporting food, feed, live animals and plants to the Community, provide guarantees as to the respect of Community rules with regard to food safety, feed safety, animal health, plant health rules and where appropriate with animal welfare rules. The Community's import regime for live animals and food and feed of animal origin is based upon guarantees given by the competent authorities in the exporting third countries. They must certify that consignments destined for export to the EU comply with the EU requirements so as to ensure that the appropriate levels of protection with regard to animal health and public health requirements are met. In other cases, and in particular for feed and food of plant origin, the Community relies upon guarantees given by the importer of the goods, who in turn must have obtained guarantees at the place of production that EU

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<sup>1</sup> OJ L 165, 30.4.2004 (see corrigenda in OJ L 191, 28.5.2004, p. 1).

requirements are met. It is essential therefore that all those involved in importing live animals, feed, food or plants are familiar with EU import requirements.

In the above context, control staff of the competent authorities and/or control bodies in the Member States and in third countries will need training on and regular updating of their knowledge of Community rules with regard to food law, feed law, animal health, animal welfare and plant health requirements, and on the techniques to verify compliance therewith. This need has been recognised in Regulation (EC) No 882/2004: its Article 6 imposes on the competent authorities in the Member States the obligation to ensure that staff performing official controls receive appropriate training; and its Article 51 provides the legal instrument to organise such training at Community level as a complement to national training.

### **3. THE NEED FOR BETTER TRAINING**

#### **3.1. Better training for safer food and for healthier animals and plants**

The ability to detect fraud and non-compliance are crucial in the process of ensuring that the level of protection that is established in food law, feed law, animal health rules, animal welfare rules and plant health requirements is maintained. Increasing abilities to detect fraud and non-compliance will lead therefore to a better protection of human health, animal health, animal welfare and plant health. Training should thus not only focus on becoming familiar with legal requirements, but also on acquiring skills with regard to control techniques that must allow, in an efficient way, detection of fraudulent practices and non-compliance that may have adverse effects on our level of protection.

#### **3.2. Impact on competitiveness, markets and trade**

A European dimension to training plays an important role in spreading knowledge and awareness of Community legislation and in promoting harmonisation and uniformity of control activities and procedures across the EU. All food businesses should benefit from this harmonisation which contributes to creating a level playing field by ensuring a fair level of uniformity of the controls carried out and of the decisions taken by the controlling authority pursuant to such controls. This is expected to offer greater certainty to food businesses as regards equal treatment wherever controls are carried out and thus facilitates fair trade.

#### **3.3. Impact on third countries and international relations**

Training is important to promote uniform procedures for the control of animals, food and feed imported from third countries. It is therefore essential to guarantee that imports respect Community law and that EU businesses are in a parallel competitive position in comparison with their non-EU counterparts.

Participation of third countries in Community training programmes will play an important role in promoting Community standards at international level, thus enhancing international trade of safe food, and providing EU businesses with easier access to safe goods from third countries.

Training is a powerful instrument to assist developing countries to meet Community requirements and thus gain access for their products to the EU market. Apart from the positive economic effect on trade, this action would also have a political impact, both in its support of the commitments made by the EU at international level (e.g. under the WTO SPS Agreement in terms of technical assistance) and in enhancing the EU's relationship with supplying countries.

Training of representatives from developing countries may be expected to raise food standards within these countries. Apart from a better competitive position and easier access to the EU market, it may possibly contribute to a better food security and food safety for the consumers in these countries.

### **3.4. Impact on public authorities**

Although much of the responsibility for information and training of staff performing official controls rests with the national competent authorities (Article 6 of Regulation (EC) No 882/2004), the development of a Community training strategy aims to achieve more uniformity of control procedures, control methods and control results. As a result of greater uniformity, official controls should gain in terms of both efficiency and objectivity.

The implementation of a Community training strategy should constitute an effective instrument to optimise resources and determine scale economies to the advantage of both Community and national public authorities.

### **3.5. Impact on legislation**

Better training will make control staff more familiar with EU rules and lead to a better understanding of the background and objectives of, and the reasons for, these rules. Training is expected therefore to reduce the need for new legislative initiatives, be it in the form of legally binding texts or as explanatory notes and interpretative documents. Training may thus contribute to achieve the general objective of the Commission to have less but better legislation.

## **4. TRAINING IN THE MEMBER STATES**

Most Member States have a tradition of organising training courses for their control staff. With the adoption of Regulation (EC) No 882/2004, such training has become mandatory for all Member States.

The training programmes are usually developed and organised by the competent authorities often assisted by academic staff. Training is provided for in different ways and mainly: directly by the competent authorities (either at central and/or at regional/local level), by a variety of training providers such as academic institutions, laboratories, professional bodies, private bodies, by a national agency, or a combination of the above.

Training includes classroom training, field based training and distance learning. Training material includes CD-ROMs, DVDs, videos etc.

Tutors may include experts from the departments of the competent authority, as well as experts from the academic world, laboratories, professional organisations, international organisations, private bodies etc.

Some Member States have one or more training centres with highly qualified training staff. These centres are often specialised in a particular area (e.g. animal welfare, veterinary controls) with professional tutors, have access to fully equipped infrastructures and have learning material developed for training purposes.

The capacity for training in the Member States must meet high demands. It is estimated that the total number of control staff in the EU is close to 50 000 persons. Training covers in certain cases 100% of the staff members on an annual basis for a particular subject. The average duration of the training per staff member varies between 30 hours and 80 hours per year. The number of tutors involved in training varies from one per four to one per twenty trainees<sup>2</sup>. **From the information available, it seems that the degree to which training is developed varies importantly across the EU.** In view of the massive task to be carried out, Member States expressed their satisfaction that the Commission will cover a number of training needs, enabling them to review national training priorities.

## 5. TRAINING AND THIRD COUNTRIES/DEVELOPING COUNTRIES

The Commission and the Member States have an ever growing responsibility to ensure that Community requirements are met in relation to all imports of food, feed, animals, plants and their products from third countries. The EU now imports such goods from over 200 countries around the world. These countries range from the highly developed to the poorest countries in the world.

Experience has shown that food consignments from third countries do not always comply with EU Food Law. The Rapid Alert System for Food and Feed, based on Article 50 of Regulation (EC) No 178/2002<sup>3</sup>, demonstrates that in 2005, 46% of all notifications follow from controls on imported food at Border Inspection Posts. This resulted in 1 453 consignments being rejected for import. In addition, another 5% of consignments from third countries that were already released were the subject of a notification.

Meeting EU standards is a condition for importing food, feed, animals and plants from third countries. The respect of these standards is necessary to prevent the introduction into the EC of diseases of animals and plants, guarantee a high level of food safety and a supply of safe feed for animals. It is essential that third countries are informed about these standards so as to allow better compliance and subsequently a reduction of the number of consignments rejected at the EU borders.

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<sup>2</sup> Data based on figures received by the Commission from Member States.

<sup>3</sup> 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), as amended by Regulation (EC) No 1642/2003 (OJ L 245, 29.9.2003, p. 4).

Developing countries may encounter difficulties with the organisation of export controls of products and consequently in providing the conformity/equivalency of their export products to the standards set by the EU. Food trade is extremely important for most of these countries, where the level of subsistence and social-economic development is directly linked with the possibility of placing their goods on the global market.

The EU is very sensitive to these aspects and, whilst not intending to compromise on the level of health protection and food safety, pays particular attention in order to ensure that products from third countries, and in particular from developing countries, are not excluded from the EU market. The EU has therefore developed a number of instruments that aim to assist third countries to assimilate existing European standards and requirements on food and feed safety, animal health, animal welfare and plant health. Regulation (EC) No 882/2004 includes provisions for technical assistance, joint projects, the development of guidelines and training programmes to assist third countries in meeting the EU standards and requirements and in organising official controls on products exported to the EU.

Training for third countries is also fully in line with the European Neighbourhood Policy (ENP). ENP is currently a key element of EU's external policy. This ENP priority can be reflected in the training initiative.

The development of a Community training programme needs to put **emphasis on the international dimension of food and feed safety standards, and on the trade in live animals and plants**. In this perspective, training activities will be organised for participants from third countries with a view to promoting safe trade in animals, plants, food and feed thus permitting the Commission to honour political commitments taken at international level, in particular vis-à-vis developing countries further preparing candidate and potential candidate countries and taking into account other policies such as the ENP.

## 6. COMMUNITY TRAINING INITIATIVES IN THE PAST AND AT PRESENT

The Commission has organised or continues to organise a number of training activities in the areas of concern. These include:

### 6.1. Training on the basis of Council Decision 90/424/EEC

The exchange of staff members of the controlling authorities in the Member States is a training method that has been applied in the past on the basis of Article 19 of Decision 90/424/EEC on expenditure in the veterinary field<sup>4</sup>. Many of these exchanges consisted of an extended stay of control staff of a Member State at a Border Inspection Post of another Member State. The experience of organising such exchange was positive. It has allowed many national control officers to become better acquainted with the organisation of import checks on products of animal origin.

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<sup>4</sup> Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field (OJ L 224, 18.8.1990, p. 19), as last amended by Decision 2006/53/EC of 23 January 2006 (OJ L 29, 2.2.2006, p. 37).

Although it is not excluded that future training activities may include the exchange of staff, it must be noted that such a training method only has a European added value when included in a training module that is based on training material that serves a common goal and that has been developed especially for the purpose of training with regard to a particular subject, such as import procedures.

Also on the basis of Decision 90/424/EEC, one week training courses on various subjects (e.g. meat hygiene, fishery products etc) have been organised in institutes in the Member States (e.g. Lyon, Berlin, London, Bremen) attended by experts of different Member States. These courses concentrated mainly on different aspects of veterinary legislation and have enabled participants to better understand Community rules in the area concerned.

## **6.2. Ad-hoc training projects**

Ad hoc training is being delivered for training projects organised in 2006. For that purpose, the Commission launched a number of calls for tender (see Annex II).

Such projects address very specific issues with training given by highly qualified bodies. Some of these activities are expressly addressed to developing countries covering nations worldwide.

At the time of the adoption of this Communication, it is too early to give a detailed report on the quality of performance in this area. In general, the response from participants was very positive and demonstrates that there is an important need to have training in place.

## **6.3. Training by the Community Reference Laboratories**

Under EU law on food, feed, animal health and animal welfare, 39 Community Reference Laboratories (CRLs) have been established. Each of these CRLs constitutes a network with National Reference Laboratories (NRLs) in the Member States. The CRLs thus provide the NRLs with information and instructions on analytical and diagnostic methods, make practical arrangements to apply new methods, assist in the diagnosis of disease outbreaks etc. Their task is also to conduct initial and further training courses for the benefit of staff from national reference laboratories and experts from developing countries. In this context, the CRLs organise at least one workshop every year. These workshops seek to ensure that analytical and diagnostic methods are carried out with the required expertise and in a uniform way thus guaranteeing reliable results.

It is worthwhile to build on the excellent experience gained in this field and to explore possibilities for future collaboration between the CRLs and the new training initiative, with particular emphasis on the participation of laboratory staff from developing countries.

## **6.4. Training by other departments of the Commission**

Other Directorate Generals of the Commission organise training with a view of preparing candidate Member States to their accession to the EU (Enlargement DG), to assist developing countries in applying EU Sanitary and Phytosanitary measures (Trade DG), or through the EC's external assistance programmes (EuropeAid). The



JRC gives training courses on diverse food and feed safety and quality issues. In particular, on specific aspects of the implementation of the ISO/IEC 17025 quality standard, as required for official food and feed control laboratories. These courses include also hands-on training and demonstration of analytical methods in the JRC laboratories. Special emphasis has been placed in training experts from New Member States, Acceding, Candidate and Western Balkan Countries. These projects do not in general overlap or compete with the Health and Consumer protection DG initiatives. Where there might be a risk of interference, matters are discussed and coordinated in a Commission interservice steering group created for that purpose.

## **7. FUTURE COMMUNITY TRAINING**

### **7.1. The legal background**

Article 51 of Regulation (EC) No 882/2004 allows the Commission to organise training courses for the staff of the competent authorities of Member States and for participants from third countries. Emphasis is placed on participants from developing countries. The areas covered by such training are food law and feed law, animal health and animal welfare requirements.

Plant health is only partly covered by the legal basis in Regulation (EC) No 882/2004. However, Article 2(1)(i) of Directive 2000/29/EC<sup>5</sup> offers a legal basis for training in the plant health sector so that the training activities organised by the Commission can fully take into account that sector.

### **7.2. Participation of non-governmental trainees**

From a general point of view, it can be expected that training of business operators will lead to increased efficiency of skilled workers, better performance generated by increasing ability programmes, and a better implementation of EU standards and thus to a higher level of protection.

Such participation would allow food businesses to adapt their management procedures for ensuring compliance efficiently. It may lead to advantages in that the risk of withdrawing products from the market could be reduced. Better compliance might also reduce the need for official controls and possibly the costs linked to such controls.

However, the legal basis only provides for training to be organised and funded by the Community budget for staff of the competent authorities, thus excluding participation of trainees from food businesses. Participation of such trainees shall not result in any expenditure for the EU budget. Member States can, in any event, encourage their national training agencies to develop appropriate training for such trainees.

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<sup>5</sup> Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against the spread within the Community (OJ L 169, 10.7.2000, p. 1).

### 7.3. Volume of Community training

The training activities that are organised in 2006 concern nearly 1 500 participants. Bearing in mind that the activities for 2006 are considered as a starting-up phase, it should be possible to increase the number of participants gradually, so as to reach an average of 6 000 participants.

The Commission believes that it is important that in first instance those responsible for training in the Member States are trained so as to convey a correct message to the trainees in the Member States. Training of these persons should be continuous as Community law evolves. Additionally, Community training should address control staff working on a daily basis with several aspects of Community law, in accordance with a selection to be made by the Member States, and participants from third countries.

The length of the training sessions varies between two and ten days. In view of the envisaged number of participants, this amounts to a considerable training volume of around 960 training days per year, requiring important resources.

### 7.4. The management of Community training

Whatever training system is chosen, there must be continuous management allowing to lay down **priorities** and identify training projects, establish a **training programme** (annual or multi-annual), **verify the quality of training, verify the quality** of the training material, and to establish **procedures** necessary for the fluent functioning of a training system.

These activities belong to the **core activities of the Commission**. For the daily management of a Community training system it is necessary that the Commission services be assisted by other actors in order to accomplish the above tasks. These include in first instance the Member States, but possibly also non-governmental organisations. The Commission has the intention to consult these stakeholders on training matters.

### 7.5. Criteria for a future Community training system

Different options for organising a European training programme are available. The option of choice should be determined by taking into account different parameters, and in particular:

- EU training should be **complementary**: training organised at Community level should not compete with training organised by the Member States, but should be complementary to it by adding a European dimension to training.
- **Priority based**: in view of the wide scope to be covered by training, it is necessary to set clear priorities. It is neither possible nor necessary to deliver training on all issues covered by Community feed and food law, animal health and animal welfare requirements, and plant health rules. The European training programme should emphasise the European dimension of official controls, whilst Member States are better placed to organise training on control matters that fall within their legal national framework.

- **Flexibility:** it must be possible to react quickly on emergencies so as to ensure that a possible scare is dealt with in an identical way by all Member States involved. This will require the possibility of quickly adapting the system and of having easy access to available expertise.
- **Excellence:** any system should be of the highest possible standard. This will require the use of high quality learning material and teaching by highly qualified tutors.
- **Transparency:** there should be open and clear communication towards all stakeholders within the Community and in third countries on the organisation of training courses and the possibilities for participation.
- **A global and comprehensive approach:** a training initiative must cover the very wide areas of food law, feed law, animal health rules, animal welfare rules and plant health requirements. This requires a global approach with input of specialist expertise in these areas.
- **Continuity:** training should be delivered over an extended period by a well established team that is familiar with EU policy in the areas of concern, so as to ensure a uniform high quality of training.
- **The Commission must not relinquish controls over training:** the Commission must in particular be able to steer the training programme, to verify the quality of the training activities and the learning material, and be able to impose corrective action when needed.

## 7.6. Cooperation with national training bodies

It would not be good management to ignore the often excellent training efforts, training facilities and training tools that are established in certain Member States. It would therefore be good practice to make use of their experience and existence for Community purposes.

National bodies could play a leading role in the EU with regard to disseminating European policy on issues related to food and feed safety, animal health, animal welfare and plant health. They could become a reference centre for assisting with training activities in the other Member States in first instance by “training the trainers”, but also by organising regular training sessions for staff of the controlling authorities in the Member States and from third countries.

The Commission believes that the system of cooperation with national bodies entails a number of **advantages** that make it a valuable system for managing training activities:

- It would be flexible. It would allow assigning special tasks to a particular agency in a relatively short period, and the work programme of the bodies could be adapted in accordance with the priorities set by the Commission.
- It would make optimal use of the resources available in the Commission and in the Member States.

- It would benefit from of the experience and availability of infrastructures already available in the Member States.
- It would strengthen the visibility of Europe's vital role in this policy area which is of crucial importance to citizens.

The Commission will further examine how this cooperation can be organised in practice.

## **8. POSSIBLE OPTIONS FOR THE ORGANISATION OF TRAINING ACTIVITIES BY THE HEALTH AND CONSUMER PROTECTION DIRECTORATE-GENERAL**

### **8.1. Contracts for the organisation of training**

The issuing of one or more contracts by the Commission establishing the terms of reference for the organisation of the different elements of training, (e.g. the delivery of training, the establishment of learning material, the programme management, the logistic aspects, the development of an e-learning programme) can be considered as a valuable option for the organisation of Community training. Such a method is flexible: it allows describing the characteristics of the training needs in accordance with the priorities set by the Commission. Contracts can also cover a given period during which it can be expected that a given training project can be finalised. Depending on the type of contract, it is also possible to handle more urgent needs for the delivery of a particular training project.

Since contracts can be spread over a number of years, the risk of lack of continuity at the end of a contract can be reduced, but not eliminated. The experience that has been build over a number of years may be lost at the end of a contract.

### **8.2. A specialised Commission service**

The possibility to create a training centre with permanent facilities, infrastructures and staff could be envisaged as a specialised service of the Commission. The practical consequences for the Commission would be important: fully equipped infrastructures, need for sufficient staff to be permanently available including tutors, staff for the daily management, the management of the training programme, the development of training materials, the invitation of trainees, logistical arrangements etc. Even if certain of these tasks can be outsourced, such a system would require very important resources, both human and financial and it is unlikely that such resources can be made available. The advantage is that the European message can be disseminated by a system that is close to policy development.

### **8.3. An executive agency**

Regulation (EC) No 58/2003 of 19 December 2002 laying down the statute of executive agencies to be entrusted with certain tasks in the management of Community programmes<sup>6</sup> empowers the Commission to set up an executive agency and to entrust it with certain management tasks relating to a Community programme.

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<sup>6</sup> OJ L 11, 16.1.2003, p. 1.

This would allow the Commission to focus on its core activities and functions which cannot be outsourced, without relinquishing control over, or ultimate responsibility for, activities managed by such an executive agency.

The management of such a programme includes technical tasks which do not entail political decision-making and require a high level of technical and financial expertise. With regard to training, these tasks could include the management of procedures with regard to the execution of a training programme. Entrusting such tasks to an executive agency could be a way of achieving training in an efficient way. Such an agency would also give a high profile and visibility of the training project.

However, prior to finalise reflections on such option, a number of procedural steps have to be undertaken. One of these is a cost-benefit analysis to be carried out taking into account the factors referred to in Article 3 of Regulation (EC) No 58/2003. In addition, before the Commission can create a new Executive Agency or extend the remits of an existing one, the Regulatory Committee of Executive Agencies has to give a positive opinion and the European Parliament needs to be involved on the basis of working arrangements agreed between the Commission and the budgetary authority.

An interesting idea needing further reflection is that the training activities could be merged with the activities of the “Executive Agency for the Public Health Programme” created by Commission Decision 2004/858/EC<sup>7</sup>. The tasks of that Agency would thus be extended with a new package of responsibilities. It would then join different programmes managed by the Health and Consumer Protection Directorate-General into a single structure. The advantage of such an approach would be that the existing overhead structures necessary for the management of an agency are already in place, thus allowing the implementation of the training programme without there being a need to create a new organisational structure (Steering Committee and Director). Merging the different programmes would also increase the efficiency of the existing Agency.

The European Food Safety Authority (EFSA) is not an option for organising these training activities. The EFSA has as specific task to perform risk assessment. Organising training, which is more linked to risk management, would be in conflict with its current mandate. Moreover the EFSA is a regulatory agency to which the reflections under point 8.4 apply.

#### **8.4. A regulatory agency**

A European training body assuming all or part of the tasks related to the organisation and delivery of training could also be seen as an organisation independent from the Commission, working in accordance with its founding Regulation to be adopted by the Council and the European Parliament, in the form of a regulatory agency. Its tasks could include the delivery of training, the training and recruitment of tutors, the development of training material, communication and providing publicity so as to

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<sup>7</sup> Commission Decision 2004/858/EC of 15 December 2004 setting up and executive agency, the ‘Executive Agency for the Public Health Programme’ for the management of Community action in the field of public health-pursuant to Council Regulation (EC) No 58/2003 (OJ L 369, 16.12.2004, p. 73).

attract in a most efficient way the target groups in the Member States and in third countries, and networking with national agencies.

As for an executive agency, a regulatory agency could give a higher profile to Community training by identifying training with it. It would reduce the administrative burdens for the Commission since it would recruit its own staff and manage its own budget.

However, by its nature, a regulatory agency is a body distinct from the Community Institutions that has its own legal personality and works independently from the Commission. There would therefore be a risk of lack of coordination with the Commission services. From that point of view, the option to create a new agency or to extend the remit of an existing one would not be the most appropriate format for providing EU training.

## **9. FURTHER STEPS TO BE TAKEN BY THE COMMISSION**

The Commission will further reflect on the possibility of a training programme to be executed by an executive agency (option 8.3). However, there will be a careful examination of the legal feasibility under the provisions of the legal framework and of practical arrangements in order to make possible the use of financial resources from the Community budget prior to such a decision. That solution is believed to offer the necessary guarantees that the main objectives of the Commission will be achieved and in particular that the core activities remain with the Commission (see Regulation (EC) No 58/2003). The Commission will therefore contract as soon as possible the cost-benefit analysis referred to above.

## **10. IMPACT ASSESSMENT**

The impact of the organisation of training programmes on different aspects of socio-economic life has been assessed and published simultaneously with this communication. It includes a cost analysis based on the experience gained during the start-up phase of a number of training activities organised in 2006.

On that basis, the total cost of an annual training programme can be estimated, taking into account certain parameters such as the number of participants per year, the average duration of a course, the number of participants per course and the management option of choice, as being included within a range of € 13.2M to €19.8M during 2007-2011; this activity is foreseen to be financed under the European Agricultural Guidance and Guarantee Fund (EAGGF) budget.

A higher cost at the onset of the training activities is expected. This is explained by the number of requests for participation that is likely to be high during that period, in particular from developing countries, whereby the number of trainees may vary between 6 000 and 9 000. After an initial two years, it is envisaged that there would be a reduction in the number of requests for participation.

## 11. CONCLUSIONS

The Commission will endeavour to have a permanent structure available that must allow the training activities in the areas of food law, feed law, animal health and animal welfare to be organised efficiently and effectively.

In organising these activities the Commission will further examine the different options for the management of a training programme. Whatever the outcome of these reflections will be, a number of procedural steps will need to be taken. These include the ordering of a cost-benefit analysis in the case of an executive agency, and the adoption of implementing rules for the organisation of training courses as required under Article 51(3) of Regulation (EC) No 882/2004. These implementing rules may include management issues such as procedures to be followed for establishing an annual training programme, the consultation of stakeholders, and possibly the contact with a training body.

It must be taken into account the certain options, such as a regulatory agency or a specialised Commission service are considered not to offer the best alternative solutions for efficient training. In the case of a regulatory agency, the Commission would risk relinquishing control over its training programme, and both options are likely to require important resources.

## **ANNEX I: Overview of Community measures**

The requirements of food law, feed law, animal health rules, animal welfare requirements and plant health have been established gradually over a period covering almost 40 years. The situation at present can be summarised as follows:

### ***Food and feed law***

- The general food law
- Labelling and nutrition
- Biotechnology
- Chemical safety of food
- Biological safety of food
- Animal nutrition
- Food and feed controls

See [http://europa.eu.int/comm/food/food/index\\_en.htm](http://europa.eu.int/comm/food/food/index_en.htm)

### ***Animal health rules***

- Preventive health measures on intra-community trade and imports of:
  - live animals
  - semen, ova and embryos
  - animal products
- Community legislation on animal diseases:
  - new Animal Health Strategy to improve the prevention and control of animal disease in the EU
  - control measures, to be taken as soon as the presence of a disease is suspected
  - eradication and monitoring programmes, for the diseases that are already within the Community
  - EU financial contribution
- Other activities: identification measures to guarantee the traceability of the animals

See [http://europa.eu.int/comm/food/animal/index\\_en.htm](http://europa.eu.int/comm/food/animal/index_en.htm)



### *Animal welfare rules*

- The protection of animals on the farm and in particular laying hens, calves and pigs
- The protection of animals during transport
- The protection of animals at time of slaughter or killing

See [http://europa.eu.int/comm/food/animal/index\\_en.htm](http://europa.eu.int/comm/food/animal/index_en.htm)

### *Plant health rules*

- Plant protection
- Harmful organisms
- Property rights
- Genetic resources
- Seeds and plant propagating material
- GM plants and seeds

See [http://europa.eu.int/comm/food/plant/index\\_en.htm](http://europa.eu.int/comm/food/plant/index_en.htm)

## **ANNEX II: Training for developing countries in 2006**

Following courses were developed in 2006:

- HACCP implementation and assessment
- Highly Pathogenic Avian Influenza
- European Standards for the importation of fruit and vegetables, and fishery products
- Import control procedures at border inspection posts
- Standards for animal by-products
- Animal welfare at the time of slaughter of meat producing animals

Of those, the following were addressed to developing countries selected on the basis of their trade records or their potential trade with the EU:

- Imports of fruit and vegetables: El Salvador, 30 May-1 June 2006, Malaysia, scheduled for September 2006, Tanzania, scheduled for October 2006
- Fishery products: Indonesia, 25-27 April 2006, Colombia 20-22 June 2006, Senegal, scheduled for October 2006

With representatives from:

- Africa (including among other countries: Tanzania, Kenya, Uganda, Malawi, Ethiopia, Eritrea, Botswana, Namibia, Zimbabwe, Zambia, Lesotho, Swaziland, South Africa, Senegal, Mauritania, Guinea Conakry, Ivory Coast, Cameroon, Benin, Togo, Gambia, Ghana).
- Asia (including among other countries: Malaysia, Philippines, Indonesia, Laos, Thailand, Vietnam, Cambodia, Myanmar, China, Taiwan, Singapore, South Korea, Papua New Guinea, Maldives, Bangladesh).
- Latin America (including among other countries: El Salvador, Belize, Bolivia, Dominican Republic, Guatemala, Colombia, Honduras, Nicaragua, Costa Rica, Panama, Cuba, Venezuela, Ecuador, Chile, Argentina, Brazil, Paraguay, Uruguay, Mexico).

A further course on Avian Influenza covered Laos, Vietnam, Cambodia and Indonesia and took place from February to May 2006. In view of the epidemiological situation of the disease, it is the intention to extend this activity to African countries as soon as possible. Representatives from developing countries were also invited to the other courses.