

**RESOLUTION (EU) 2023/1881 OF THE EUROPEAN PARLIAMENT****of 10 May 2023****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 2021**

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 2021,
  - 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 (A9-0131/2023),
- A. whereas, according to its statement of revenue and expenditure <sup>(1)</sup>, the final budget of the European Food Safety Authority (the 'Authority') for the financial year 2021 was EUR 129 179 801,95, representing an increase of 25,39 % compared to 2020 mainly due to the additional resources given in the context of Regulation (EU) 2019/1381 of the European Parliament and of the Council <sup>(2)</sup>; whereas the Authority's budget derives mainly from the Union budget;
- B. whereas the Court of Auditors (the 'Court'), in its report on the annual accounts of the Authority for the financial year 2021 (the 'Court's report'), states that it has obtained reasonable assurance 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 2021 resulted in a budget implementation of current year commitment appropriation rate of 99,99 %, representing a slight increase of 0,01 % compared to 2020; notes, furthermore that the current year payment appropriations execution rate was at 88,85 %, representing an increase of 0,44 % compared to 2020;

**Performance**

2. Notes that the work plan of the Authority for 2021 was executed under the Strategy 2020, which the management board decided to extend for an additional year due to the SARS-CoV-2 pandemic;
3. Notes the Authority's work-programme implementation and the good level of performance achieved in terms of the Authority's key performance indicators and deliverables; notes that the Authority revised its performance framework and its key performance indicators in 2021 to align it with the Authority's Strategy 2027, adopted in 2021, and implemented changes in relation to the entry into force of Regulation (EU) 2019/1381; notes, moreover, the Authority's increased responsibility towards Union citizens after the amendment to Regulation (EC) No 178/2002 of the European Parliament and of the Council <sup>(3)</sup> entered into effect as well; notes furthermore that the authority adopted its Programming Document 2022-2024;

<sup>(1)</sup> OJ C 141, 29.3.2022, p. 69.

<sup>(2)</sup> 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).

<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).

4. Notes that de-prioritisation of some of the activities initially planned to make the Authority ready for the changes related to Regulation (EU) 2019/1381 created a backlog carried to 2021, which caused delays in the generation of the efficiency gains; calls on the Authority to report to the discharge authority any development in that regard;
5. Welcomes the efforts taken by the Authority to strengthen its collaboration with other Union agencies, notably focusing on two aspects, the sharing of the grants and procurement needs to allow for identification of joint procurement procedures and the sharing of technologies and of resources to adapt common IT solutions; notes, in particular, that the Authority has undertaken coordination activities with the European Centre for Disease Prevention and Control, the European Chemicals Agency, and the European Medicines Agency;
6. Highlights the fact that, in 2021, the Authority finalised 704 questions through scientific opinions, technical reports and supporting publications, 81 fewer than the planned 785;

### **Staff policy**

7. Notes that, on 31 December 2021, the establishment plan was 98,16 % implemented, with 5 officials and 368 temporary agents appointed out of 380 posts authorised under the Union budget (compared to 354 authorised posts in 2020); notes that, in addition, 140 contract agents and 12 seconded national experts worked for the Authority in 2021 notes further that the Authority has been given 33 new staff posts for the implementation of the Regulation (EU) 2019/1381;
8. Welcomes the gender balance within the Authority's senior management members, with three out of five (60 %) being women; notes the gender balance within the Authority's management board, with 12 out of 15 (80 %) being men; notes the gender balance within the Authority's overall staff, with 285 out of 467 (61,03 %) being women;
9. Welcomes the Authority's new Employer Branding Strategy, which contains a clear description on its value propositions, such as flexible working conditions and relocation support amongst others, to improve the targeted dissemination of its vacancies to under-represented countries; notes that the Authority planned to create a new career website; notes that the Authority is, in particular, increasing its visibility with the support of the Communication and Partnership Department, the EU Agencies Network, as well as other international agencies and partner organisations; calls on the Authority to report to the discharge authority any development in that regard;
10. Notes certain limitations in the application of the recent rules proposed by the European Commission on teleworking, which the Authority applies by analogy, in particular when it comes to partial teleworking outside the country of employment; is concerned about the fact that current limited rules on teleworking abroad may impact on the Authority's attractiveness when recruiting candidates from the different Member States wishing to join the Authority; calls for more flexibility in the application of these rules, which would help increasing the Authority's attractiveness and leading to a better nationality balance of its staff;
11. Notes that the Authority has a policy on protecting the dignity of the person and preventing psychological and sexual harassment, which includes confidential counsellors being available to all staff;
12. Recalls the importance of developing a long term human resources policy on work-life balance, lifelong guidance and the offering of specific training possibilities for career development, gender balance at all staff levels, teleworking, the right to disconnect, the enhancement of a geographical balance to have an appropriate representation from all Member States, and the recruitment and integration of people with disabilities as well as ensuring that they are treated equally and that their opportunities are widely promoted;

**Procurement**

13. Notes that in 2021 the Authority managed 116 procurement procedures and its Public Procurement Committee (PPC) reviewed 16 files with the objective of verifying the legality and regularity of major procurement procedures before the signature of the proposed contract; notes that for all the 16 files the PPC was able, in its advisory capacity, to verify with reasonable assurance that the procurement procedures and the resulting contracts are regular and legal;

**Prevention and management of conflicts of interest, and transparency**

14. Acknowledges the Authority's existing measures and ongoing efforts to secure transparency, prevention and management of conflicts of interest, and whistleblower protection; regrets that the Authority continues not to publish the CVs of its management board members online; urges the Authority to take measures in that regard;
15. Notes that in 2021 the Authority identified and managed nine conflicts of interest at the level of annual declarations of interests pertaining to external experts; notes that the Authority decided to not recruit one preselected candidate following evaluation of the declaration of interests; notes that the Authority, furthermore, identified and prevented three conflicts of interest at the level of procurement and grants awarding procedures; calls on the Authority to continue its efforts in identifying and managing conflicts of interest, including potential conflicts of interest, and to keep the discharge authority informed;
16. Calls on the Authority to ensure that all management and advisory members, their alternates and other experts have dutifully submitted the annual declarations of interest; calls on the Authority to ensure a high level of compliance with conflict of interest and transparency rules throughout all of its activities;
17. Notes that for 2022 the Authority planned to adopt a new post-employment approach which includes the criteria and procedure to discontinue the access to confidential information to staff leaving the service; calls on the Authority to report on any development in that regard;
18. Insists on the need to put in place more systematic rules on transparency, incompatibilities, conflict of interests, illegal lobbying and revolving doors; calls on the Authority to strengthen its internal control mechanisms, including the setting up of an internal anticorruption mechanism;

**Internal control**

19. Notes that the Authority has performed an assessment of its internal control systems for the reporting year and concluded that, overall, all internal control components and principles were present and functioning as intended; welcomes that the Authority nevertheless identified a number of measures to further strengthen the management of sensitive information, and to ensure fit for purpose risk management, internal control mechanisms for the increased funds as a result of Regulation (EU) 2019/1381;
20. Notes that following the Internal Audit Service (IAS) audit on the assessment and adoption of scientific outputs in the food ingredients and packaging domain in 2020, the observation has been implemented and is considered completed by the Authority;
21. Notes that in 2021 the IAS issued a final report on the procurement and grant award processes in the Authority covering the years 2019-2020; notes that the IAS concluded that the governance, risk management and internal control framework set up by the Authority for its procurement and grant award processes is adequately designed, efficient and effective, therefore providing reasonable assurance that the key internal control objectives are achieved; notes that the IAS issued three important recommendations; calls on the Authority to report to the discharge authority any development in that regard;

22. Recalls the importance to strengthen Management and control systems to ensure the proper functioning of the Authority; strongly insists on the requirement of an effective management and control systems to avoid potential cases of conflict of interest, missing *ex-ante/ex-post* controls, inadequate management of budgetary and legal commitments, and failures to report issues in the register of exceptions;
23. Notes that the corrective actions to follow the Court's observations of 2020 have been completed; recalls the necessity to complete the corrective actions to follow the Court's observations of 2017, in particular to strengthen the accounting officer's independence by making them directly responsible to the Authority's Director;

### **Digitalisation and the green transition**

24. Notes the developments in the areas of the provision of transactional services, digital collaboration and the Authority's technology roadmap; notes the Authority's goal of creating a more modern and agile working environment through carrying out IT investments, that were made in the past technology roadmap and that helped to prevent severe disruptions in the Authority's work during the COVID-19 pandemic; welcomes the digital collaboration project set on improving the exchange of knowledge and expertise within Authority's networks of staff, experts, and interested parties; notes that the digital collaboration project exceeded the target of 170 active social collaboration groups in 2021, having had 204 active groups;
25. Notes the implementation of the IT tool referred as 'complete DoI IT solution' aimed at the implementation of independence related activities including the screening of declarations of interests subject to the Authority independence rules; notes with concern that the new IT solution experienced technical issues that negatively affected the implementation of such activities; calls on the Authority to report to the discharge authority on any development in that regard;
26. Recalls the importance to increase the digitalisation of the agency in terms of internal operation and management but also in order to speed up the digitalisation of procedures; stresses the need for the agency to continue to be proactive in this regard in order to avoid a digital gap between the agencies; draws attention, however, to the need to take all the necessary security measures to avoid any risk to the online security of the information processed;
27. Encourages the Authority to work in close cooperation with ENISA (European Union Agency for Cybersecurity) and CERT-EU (Computer Emergency Response Team for the Union Institutions, bodies and agencies) and to carry out regular risk assessments of its IT infrastructure and to ensure regular audits and tests are carried out on its cyber defences; suggests to offer regularly updated cybersecurity-related training programmes to all staff members, including management, within the Authority;

### **Business continuity during the COVID-19 crisis**

28. Notes that in 2021 the Authority continued its activities and was able to deliver its work programme despite the impact of the COVID-19 pandemic; notes, that the Authority suspended its staff missions, as well as physical meetings and events and gave priority to virtualisation, thus decreasing the budget in expenses in the related budget lines compared to the 2020 financial year; notes, moreover, that return to the office by staff was postponed and teleworking was promoted; encourages the Authority to make use of the lessons learned regarding staff travel, in order to better organise meetings and tasks that could be carried out more efficiently remotely than in-person in the future;
29. Notes that the Authority went live in 2021 with an electronic onboarding module in the Taleo Recruitment Tool, that manages and supports the onboarding of staff and trainees through an automated solution that was further adapted to the pandemic situation;

**Other comments**

30. Notes the Authority's efforts to increase awareness of food safety among the public at large through the launch of its first pan-EU digital communication campaign in 2021, aimed to explain the science behind food safety in the Union in an accessible way and to help make informed decisions about food choices; notes that the campaign was delivered in partnership with Member State competent authorities and directly targeting non-specialised audiences; notes with appreciation the positive results, assessed by a post-campaign evaluation survey;
31. Highlights that the swift authorisation of sustainable feed additives and sustainable alternatives to pesticides plays an important role in reaching the ambitions of the Farm-to-Fork strategy; stresses in that regard that sufficient capacity in terms of staff and their respective expertise is essential in order to prevent delays in application and assessment procedures for the approval of sustainable feed additives and sustainable alternatives to pesticides;
32. Recalls that in 2021 the Parliament adopted six objections to the import of genetically modified crops for food and feed; highlights that one reason for these objections are gaps in the risk assessment undertaken by the Authority's Panel on Genetically Modified Organisms; urges the Authority to address and close these gaps as a matter of urgency;
33. Draws attention to persistent shortcomings in the area of animal welfare, particularly, but not limited to, the transport of live animals; welcomes, in this context, the initiation of work on a major series of animal welfare mandates concerning, in particular, animal transport, which will form the foundation of new legislation being drafted in this area;
34. Calls on the Authority to continue to develop its synergies (for instance human resources, building management, IT services and security), and to reinforce its cooperation, its exchange of good practices and its discussions regarding areas of mutual interest with other Union agencies with a view to improving efficiency;
35. Refers, for other observations of a cross-cutting nature accompanying its decision on discharge, to its resolution of 10 May 2023 <sup>(4)</sup> on the performance, financial management and control of the agencies.

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<sup>(4)</sup> Texts adopted, P9\_TA(2023)0190.