

**RESOLUTION (EU) 2019/1474 OF THE EUROPEAN PARLIAMENT
of 26 March 2019**

**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 for the financial year 2017**

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 2017,
 - having regard to its resolution of 16 January 2019 on the Union's authorisation procedure for pesticides ⁽¹⁾,
 - having regard to Rule 94 of and Annex IV to its Rules of Procedure,
 - having regard to the report of the Committee on Budgetary Control and the opinion of the Committee on the Environment, Public Health and Food Safety (A8-0128/2019),
- 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 2017 was EUR 79 558 730,31, representing an increase of 0,08 % compared to 2016; whereas the budget of the Authority 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 2017 ('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 2017 resulted in a budget implementation rate of 99,98 %, representing a slight decrease of 0,02 % compared to 2016; notes, furthermore, that the payment appropriations execution rate was at 92,31 %, representing an increase of 2,65 % compared to 2016;
2. Reiterates its concern stemming from the repeatedly low level of financial appropriations from the Union budget for the Authority;
3. Regrets the growing mismatch between increasing tasks and shrinking resources, which resulted in relevant delays in the delivery of some projects;

Cancellation of carry-overs

4. Notes that the cancellations of carry-overs from 2016 to 2017 amounted to EUR 291 011,86, representing 3,55 % of the total amount carried over, showing a decrease of 2,31 % in comparison to 2016;

Performance

5. Notes with satisfaction 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;
6. Acknowledges that 2017 was the first year of the implementation of the Authority's Strategy 2020 plan and of the new policy set up to ensure the independence of professionals involved in the Authority; welcomes the fact that its performance was satisfactory, with only nine indicators presenting moderate deviation and two relevant deviation out of the 65 indicators in total;
7. 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;

⁽¹⁾ Texts adopted, P8_TA(2019)0023.

⁽²⁾ OJ C 311, 19.9.2017, p. 9.

8. Believes that the Authority should continue paying special attention to public opinion, and commit itself to openness and transparency;
9. Highlights that the Authority finalised 779 questions through scientific opinions, technical reports and supporting publications;
10. Notes that the Authority's external evaluation started in 2017 and the results became available in 2018; calls on the Authority to report to the discharge authority on the conclusions of this evaluation and the respective measures taken in order to address any recommendations;
11. Notes with appreciation that the Authority shares resources and activities with the European Chemicals Agency, the European Medicine Agency and the European Centre for Disease Prevention and Control in the areas of data collection, analysis and databases and in scientific assessments;

Staff policy

12. Notes that, on 31 December 2017, the establishment plan was 96,28 % executed, with 311 officials and temporary agents appointed out of 323 posts authorised under the Union budget (compared with 330 authorised posts in 2016); notes that in addition, 120 contract agents and 12 seconded national experts worked for the Authority in 2017;
13. Notes that the Authority has adopted the Commission's model decision on the policy on protecting the dignity of the person and preventing harassment; acknowledges that it organised training sessions and enabled confidential counselling;
14. Notes with concern that in 2017, two formal complaints were received, requesting the opening of a formal procedure for harassment; takes note of the Authority's conclusion that there was no beginning of proof, which is required for the opening of an administrative inquiry;

Procurement

15. According to the Court's report, the Authority awarded three framework contracts in cascade on behalf of nine agencies joining in the open call for tender; notes the Court's observation that framework contracts with reopening of competition for each specific contract were more appropriate than cascades for obtaining good value for money for procurements where the actual services to be delivered are not known when the call is launched; takes note of the Authority's justification and notes furthermore from its reply that the Authority finds the cascading mechanism a better fit in respect of the long term nature of the specific framework contract;

Prevention and management of conflicts of interest and transparency

16. Acknowledges the Authority's existing measures and ongoing efforts to secure prevention and management of conflicts of interest and transparency; welcomes the recent Authority's decision on implementing rules laying down guidelines on whistleblower's' protection and confidentiality of their identity; welcomes the Authority's updated policy on independence, which was adopted in 2017 after stakeholder and public consultation and which aims to build on from the policy it replaces in order to ensure that the Authority may reach a correct balance between attracting the relevant expertise from the scientific community but at the same time guarding its activities against any undue influence; welcomes also the new definition of what constitutes a conflict of interest which was adopted in the new Authority's policy on independence; welcomes further the publication on the Authority's website of the declarations of interest by the members of the Management Board; regrets that the publication of their CVs is still missing; notes with appreciation that the Authority implemented rules on competing interest management as of July 2018 replacing the rules on the declarations of interest of 2014;
17. Notes that the Parliament has repeatedly called on the Authority through its annual discharge reports to implement a two-year cooling off period which would prevent experts with financial interests linked to companies whose substances are evaluated by the Authority from sitting in the Authority's scientific panels or working groups;
18. Is convinced that a sufficient budget and resources should be allocated to the Authority to ensure that it can hire independent experts free from conflicts of interest;

19. Notes with appreciation the Authority's commitment to adopt a yearly report on independence related activities, which will be included as an annex to the consolidated annual report and contain findings of audits, compliance and veracity checks;
20. Welcomes that Member States' experts will now have to submit a public declaration of interest to the Authority; insists that those declarations are checked by the Authority and made public;
21. According to the Court's report, there is a need to strengthen the accounting officer's independence by making the officer directly responsible to the Authority's Executive Director and Management Board; according to the Authority's reply, it already has formal requirements in place to ensure the independence of the accounting officer;
22. Recalls recommendations of the 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 in order to inform the public in an appropriate, understandable and easily accessible way; to regularly update its guidance documents in line with the most recent developments in all relevant fields, with a view to assessing the short- and long-term effects of residue levels of active substances, formulations and mixtures in surface waters, soil, wind and dust; to increase the user-friendliness of the information provided on its website and to facilitate data mining; to publish its opinions in peer-reviewed journals in order to intensify constructive discussion and incentivise and encourage more national experts and other scientists to participate in its work;
23. Notes that a group of Members of the European Parliament filed a lawsuit against the Authority on grounds of limiting of access to documents in the 'glyphosate' case; calls on the Authority to fully and without further delay implement the ruling of 7 March 2019 of the Court of Justice of the European Union;

Internal controls

24. Notes with appreciation that the Authority revised its risk management process to ensure that all risks are covered, and furthermore that it has developed an anti-fraud strategy, following an internal risk assessment carried out in accordance with the European Anti-Fraud Office methodology and guidance;
25. Acknowledges that the Authority implemented a financial ex-post control strategy in the form of a proportionate control approach in line with the legal obligations and furthermore defined the assurance governance and revised its internal control framework towards a principle-based approach;
26. Takes note that the Commission's Internal Audit Service (IAS) reviewed the implementation of the action plan that followed upon an IAS recommendation to update the Authority's IT governance and concluded that all audit recommendations had been adequately and effectively implemented;
27. According to the Court's report, the IAS issued an audit report 'The process for Evaluation of Regulated Products: Assessment Phase in Pesticides Authorisation' and two very important observations were identified; notes that the Authority is preparing a corresponding action plan; calls on the Authority to report to the discharge authority on the implementation of that action plan;
28. Refers, for other observations of a cross-cutting nature accompanying its decision on discharge, to its resolution of 26 March 2019 ⁽³⁾ on the performance, financial management and control of the agencies.

⁽³⁾ Texts adopted, P8_TA(2019)0254 (see page 361 of this Official Journal).