



## Decision

<b>EFSA – European Food Safety Authority</b>	<b>Decision of the Management Board of the European Food Safety Authority on the criteria to register stakeholders and the mechanisms to engage with stakeholders</b>	<b>Decision No.: mb220629-a3</b>
	<b>Effective Date: 29 June 2022</b>	<b>Supersedes: ps181009-a2 - ADOPTED</b>

<b>Approvals</b>	Signature	Name
Originator	Signature on the file	Bernhard Url (Executive Director)
Management Board	See Decision	Aivars Bērziņš (Chair of the Management Board)

<b>Introduction</b>	Stakeholders have been contributing to EFSA’s work since the Authority was established in 2002. Since the launch of EFSA’s Stakeholder Engagement Approach (SEA) in 2016, EFSA has been committed to prioritizing stakeholder involvement in the process of risk assessment. This commitment is reinforced by EFSA’s Strategy 2027, which follows the entry into application in March 2021 of Regulation (EU) 2019/1381 on the transparency and sustainability of the EU risk assessment in the food chain (the so-called “Transparency Regulation”) amending, inter alia, Regulation (EC) No 178/2002. The aim of the new Regulation is to increase the transparency of risk assessment in the food chain, strengthen the reliability, objectivity and independence of the scientific studies submitted to EFSA, and ensure the long-term operational sustainability of EFSA.
<b>Description</b>	In June 2016, the EFSA Management Board adopted the Decision on the criteria for establishing of a list of stakeholders and the establishment of the Stakeholder Forum and Stakeholder Bureau. This Decision is hereby revised to take stock of some enhancements proposed by stakeholders during a systematic review of EFSA’s Stakeholder Engagement Approach (SEA) conducted in 2019 and 2020. These proposals informed the elaboration of a series of measures that updated the SEA and are reflected in this new Decision.
<b>References</b>	1. Decision of the Management Board of the European Food Safety Authority on the criteria for establishing a list of stakeholders and the establishment of the Stakeholder Forum and Stakeholder Bureau - ps181009-a2

	<ol style="list-style-type: none"> <li>2. EFSA Stakeholder Engagement Approach (<a href="#">link</a>) and subsequent revision (<a href="#">link</a>)</li> <li>3. EFSA Strategy 2027; Science, Food, Sustainability - 13 July 2021 (<a href="#">link</a>)</li> <li>4. Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 ("EFSA Founding Regulation"), as amended</li> <li>5. Regulation (EU) 2019/1381 of the European Parliament and of the Council on the transparency and sustainability of the EU risk assessment in the food chain ("Transparency Regulation") of 20 June 2019</li> </ol>
<b>Abbreviations</b>	<p>EEA: European Economic Area  EFSA: European Food Safety Authority  EU: European Union  SEA: Stakeholder Engagement Approach</p>

## Decision History

<b>Date</b>	<b>Revision No.</b>	<b>Description of Change</b>
15/06/2016	0	Adoption of the decision.
09/10/2018	1	The amendment proposed concerns a change in composition of the Stakeholder Bureau, to allow alternate members of the Bureau to be elected. It follows recommendations by the Management Board based on the Interim evaluation report of the implementation of SEA, presented at the 76th Management Board meeting, 21 March 2018 - <a href="#">link</a> .
[INSERT DATE OF ADOPTION]	2	The proposed amendment takes stock of the revisions to the SEA approved by the Management Board on 14 October 2021 ( <a href="#">link</a> ) and aligns its provisions to the updated features of the SEA as described in the revised <a href="#">blueprint</a> following the entry into application of the Transparency Regulation.

# **DECISION OF THE MANAGEMENT BOARD OF THE EUROPEAN FOOD SAFETY AUTHORITY ON THE CRITERIA FOR ESTABLISHING A LIST OF TO REGISTER STAKEHOLDERS, AND THE MECHANISMS FOR ENGAGING WITH STAKEHOLDERS**

THE MANAGEMENT BOARD OF THE EUROPEAN FOOD SAFETY AUTHORITY

Having regard to

Regulation (EC) No 178/2002 of the European Parliament and the Council of 28 January 2002 laying down the general principles of food law, establishing the European Food Safety Authority (hereinafter "EFSA") and laying down procedures in relation to food safety<sup>1</sup> (hereinafter also referred to as "EFSA's Founding Regulation") as last amended, and in particular to Articles 40 and 42 thereof;

The decision of the Management Board of the European Food Safety Authority on the criteria for establishing a list of stakeholders and the establishment of the Stakeholder Forum and Stakeholder Bureau of 10 October 2018 (hereinafter also referred to as the "Stakeholder Engagement Approach Decision")<sup>2</sup>;

Whereas:

- (1) In 2016, EFSA's Management Board endorsed a framework (hereinafter referred to as the "EFSA Stakeholder Engagement Approach", or the "SEA")<sup>3</sup> and adopted a related Decision (the "Stakeholder Engagement Approach Decision")<sup>4</sup> to strengthen dialogue and engagement with stakeholders from the food and feed chain. The SEA foresees dedicated engagement platforms that are only accessible by organisations who completed the registration process to become accredited EFSA stakeholders and are featured in the EU Transparency Register<sup>5</sup>. Two of these platforms – the Stakeholder Bureau and the Stakeholder Forum – are established by the Management Board.

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<sup>1</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, as amended, OJ L 31, 1.2.2002, p. 1–24, as last amended by 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. 1–28

<sup>2</sup> ps 18 10 09-a2, <https://www.efsa.europa.eu/sites/default/files/Document18992.pdf>

<sup>3</sup> Available at: [https://www.efsa.europa.eu/sites/default/files/EFSA\\_Stakeholder\\_engagement\\_approach\\_FINAL.pdf](https://www.efsa.europa.eu/sites/default/files/EFSA_Stakeholder_engagement_approach_FINAL.pdf)

<sup>4</sup> Decision of the Management Board of the European Food Safety Authority of 15 June 2016 on the criteria for establishing a list of stakeholders and the establishment of the Stakeholder Forum and Stakeholder Bureau, mb160316-a3

<sup>5</sup> <https://ec.europa.eu/transparencyregister/public/homePage.do>

- (2) In 2018, EFSA carried out a review of the SEA<sup>6</sup> which led to an amendment of the Stakeholder Engagement Approach Decision in the composition of the Stakeholder Bureau, to allow alternate members to be elected.
- (3) In recent years, societal expectations in relation to the accountability of, and engagement with, public organisations have changed. For EFSA, this means a demand from a large number of interested parties and civil society stakeholders for more transparency, and closer involvement in the scientific process by means of participatory and open dialogue;
- (4) A more meaningful engagement with a wider range of stakeholders will raise the quality of the Authority's work and help to define the organisation as an active guardian of food safety in the EU actively engaged with its stakeholders, and to ensure that the Authority is accountable to EU citizens;
- (5) In 2019, EFSA has carried out a comprehensive review of its SEA to take stock of the improvement requests from registered stakeholders<sup>7</sup>, which were followed by recommendations from the Management Board of EFSA<sup>8</sup>. Based on those, EFSA developed a plan for advancing the SEA considering the entry into force of the Transparency Regulation and in view of the EFSA Strategy 2027. The plan was presented to stakeholders who contributed to the formulation of proposals to achieve a more flexible, targeted, topic-based and purpose-driven engagement, and for a clearer communication on how stakeholder input is considered by EFSA in its risk assessments;
- (6) The results of this review have led EFSA to propose an update of the SEA, which was approved by its Management Board on 14 October 2021<sup>9</sup>;
- (7) The revised SEA should ensure alignment with EFSA's new regulatory framework introduced by the Transparency Regulation; support the implementation of the EFSA Strategy 2027; foster a closer relationship with the stakeholders and promote a better understanding of engagement opportunities by its beneficiaries; evolve EFSA's engagement methodologies and participatory processes in line with the latest trends and the lessons learnt from the COVID-19 pandemic.
- (8) The revised SEA should refocus the principles of stakeholder engagement on Trustworthy, Traceable and Targeted (the "3 T's"). These three principles guiding the approach are aligned with EFSA's key values, including in particular those of independence and transparency;
- (9) The revised SEA should ensure a greater focus through topic-based engagement where stakeholders can better contribute to the discussion based on their interest and expertise, allow stakeholders to better trace the impact of their contributions to EFSA's

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<sup>6</sup> Stakeholder Engagement Approach Interim evaluation report Pilot phase June 2016 – November 2017, mb180321-i5, <https://www.efsa.europa.eu/sites/default/files/event/mb180321/mb180321-i5.pdf>

<sup>7</sup> Review of EFSA's Stakeholder Engagement Approach 2016–2019, mb191218-d2, <https://www.efsa.europa.eu/sites/default/files/event/mb-82/mb191218-d2.pdf>

<sup>8</sup> 82nd Management Board meeting, <https://www.efsa.europa.eu/en/events/event/82nd-management-board-meeting-multi-annual-work-plan-adopted-updates>

<sup>9</sup> 88th Management Board Web meeting, <https://www.efsa.europa.eu/en/events/event/88th-management-board-web-meeting>

work, and offer more time-efficient engagement opportunities, taking into account their areas of interest and expertise.

- (10) The revised approach for registered stakeholders should reflect the newly incorporated concepts of Community Management. EFSA's communities are defined groups (such as Member States, consumer representatives, producer representatives, processors, any other interested parties in accordance with EFSA's Founding Regulation). EFSA divides registered stakeholder communities into seven major groups in accordance with Annex 1 of its Stakeholder Engagement Approach.
- (11) Engagement with stakeholders at EFSA aims at ensuring that EFSA can efficiently meet its mandate to improve EU food safety and public health and to ensure a high level of consumer protection. During the engagement with stakeholders, EFSA should ensure equal and timely access to information to all stakeholders and to the general public in line with the principles and provisions of the Transparency Regulation. EFSA shall also ensure that no stakeholder or group of stakeholders shall unduly influence the work of EFSA. Being a registered or non-registered stakeholder should in no way be intended as an entry point to unduly influence the work of EFSA;
- (12) The registration process for stakeholders should allow for a broader range of interests, perspectives and technical knowledge to be represented among EFSA stakeholders;
- (13) A series of engagement mechanisms for registered stakeholders should improve the opportunities for registered stakeholders to contribute to the different stages of scientific assessment and communications in a balanced way, while preserving the independence and transparency of these processes;
- (14) Engagement mechanisms for non-registered stakeholder should also align with EFSA's core principles in particular openness and transparency.

HAS DECIDED AS FOLLOWS:

### **Article 1 – Scope of the Decision**

The scope of the present decision is the definition of the criteria for the registration of stakeholders, the definition of engagement mechanisms for registered and non-registered stakeholders in the framework of EFSA's Stakeholder Engagement Approach and its communities<sup>10</sup>.

### **Article 2 – Criteria for the registration of stakeholders**

1. Stakeholder registration implies a process carried out by EFSA assessing whether stakeholders meet set eligibility criteria and can engage with the Authority on dedicated platforms in addition to other engagement mechanisms open to the wider public.
2. This process is important to ensure that the stakeholders with whom EFSA engages more regularly form a community or different communities. An organisation meeting

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<sup>10</sup> Communities are formal or informal structures (e.g., communities of affiliation or of interest) who share a concern or common purpose on their work and learn how to do it better as they interact regularly (definition adapted from Lave and Wenger, 1991 and 1996).

all the eligibility criteria outlined below shall be entitled to become a registered stakeholder. The eligibility criteria are:

- a. The organisation is legally established in the EU/EEA and has activities at EU level; and
  - b. The organisation has a legitimate interest in EFSA's work or in the food and feed sector; and
  - c. The organisation is representative in the field of its competence; and
  - d. The organisation is non-profit making and does not exclusively represent individual companies; and
  - e. The organisation is registered in the EU Transparency Register<sup>11</sup>.
3. The process for the registration of stakeholders, including the verification that a stakeholder meets the eligibility criteria, shall be carried out by the Secretariat of the Engagement & External Relations (ENREL) Unit of EFSA.
  4. The registration process shall comply with good administrative principles and practices, first and foremost with non-discrimination and equal treatment. Organisations seeking to become registered stakeholders may submit an application at any time through EFSA's website.
  5. EFSA shall assess applications according to the eligibility criteria mentioned above in Article 2.3 and notify stakeholders of the outcome of this process within three months upon receipt by EFSA. Each assessment shall be documented in an Assessment Report, which shall be notified to the respective stakeholder. The list of registered stakeholders is publicly available on EFSA's website ([link](#)).
  6. On a yearly basis, the Secretariat of the Engagement & External Relations (ENREL) Unit of EFSA ask registered stakeholders about any changes in their status which might compromise their eligibility to be on the stakeholders' list, and update the list accordingly.
  7. EFSA informs the Management Board on the composition of the list of Stakeholders on a yearly basis.
  8. Registered stakeholder organisations shall nominate at least one liaison officer acting as a focal point vis-à-vis EFSA. The name(s) of liaison officers must be communicated to EFSA during the registration process. Registered stakeholder organisations have the obligation to inform EFSA in a timely manner of any changes to the nominated liaison officer(s) to ensure the smooth management of communication between EFSA and stakeholders.

### **Article 3 – Engagement mechanisms dedicated to EFSA's registered stakeholders**

1. Registration gives access to dedicated on- and offline platforms – besides those open to the wider public outlined in Article 4 – through which registered stakeholders can engage with EFSA and among themselves more closely. These mechanisms are complemented by dedicated communication channels through which registered

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<sup>11</sup> Available at: <http://ec.europa.eu/transparencyregister/public/homePage.do?redir=false&locale=en>

stakeholders are informed about upcoming activities and other matters of relevance to them. Registered stakeholders shall be able to take part in and/or be a member of two dedicated engagement platforms, not open to the wider public: the Stakeholder Forum and the Stakeholder Bureau (described below in Articles 5 and 6 respectively). In addition, registered stakeholders are given access to a dedicated digital community platform acting as a gateway to all the services available to them. This space also works as a collaborative workspace where its members can regularly engage in a dialogue with EFSA and fellow registered stakeholders on a variety of technical topics in the remit of the Authority's work.

2. The liaison officers of newly registered stakeholder organisations, or changed liaison officers of already registered organisations shall be invited to join EFSA's digital onboarding sessions, where they can meet EFSA staff and learn more about EFSA's engagement framework. Onboarding sessions occur on a quarterly basis according to a calendar that is published on the digital community platform for registered stakeholders.
3. Depending on their interests, registered stakeholders shall also be invited to interact with EFSA through other dedicated targeted engagement platforms. Such channels run in parallel to the meetings and activities of the Stakeholder Forum and Stakeholder Bureau and in general shall be of a more technical nature (e.g., Roundtables with industry and NGO representatives).
4. Engagement activities occurring on the platforms dedicated to registered stakeholders shall occur in full transparency. EFSA shall strive to ensure a balanced representation of the interests of the stakeholders that interact with EFSA through these mechanisms, ensuring at all times its public health remit and its responsibility as a public organisation to European citizens.

#### **Article 4 – Engagement mechanisms open to non-registered stakeholders**

1. The engagement mechanisms open to both registered and non-registered stakeholders include: discussion groups, public consultations and calls for data, public events of any formats (e.g., Scientific Colloquia and workshops), Open plenary meetings of EFSA's Scientific Panels and Scientific Committee.
2. Other formats and mechanisms may be activated by EFSA to engage with stakeholders for specific purposes (e.g., on a specific topic falling in the remit of the Authority's work). The format of an engagement initiative is defined by EFSA on a case by case basis based on the options available in the EFSA Engagement Toolkit ([link](#)).
3. Topic-driven engagement initiatives open to non-registered stakeholders is communicated transparently and in a timely manner on the calendar of meetings and events available on the EFSA website ([link](#)). EFSA may invite non-registered stakeholders to participate in targeted engagement platforms where it considers that an organisation's specific and/or technical expertise would be useful to the discussion or activity being carried out. Any involvement of non-registered stakeholders is communicated transparently and in a timely way.

#### **Article 5 – Establishment and role of the Stakeholder Forum**

1. The Stakeholder Forum (hereafter referred to as "the Forum") is hereby established as one of the mechanisms for EFSA's engagement with the community of registered stakeholders.



2. The Forum is a plenary gathering of the EFSA registered stakeholder community members. It is convened regularly (either in a physical, online or hybrid mode), and is chaired by EFSA's Executive Director.
3. The aim of the Forum is to give registered stakeholders the opportunity to provide strategic input to EFSA's work plans and future work priorities, and to put their views and needs forward to EFSA via an open and transparent dialogue, focussing on topics of particular interest to stakeholders. The Forum also helps consolidating EFSA's community of registered stakeholders by ensuring appropriate networking opportunities among its members and between stakeholders and EFSA.
4. The Forum's agenda is shaped by EFSA in consultation with registered stakeholders. The final draft is discussed and agreed with the Stakeholder Bureau (described below in Article 6).
5. EFSA and the stakeholders community shall strive to ensure that the final agenda of the Forum is representative of the full breadth of interests of its registered stakeholders while ensuring the relevance of the topics and that themes and topics for the whole community.
6. Recommendations resulting from the Forum shall be considered by EFSA in its strategic planning as well as in the development of the Authority's on-going processes. The proceedings and outcome of the Forum shall be made public.
7. Representatives from EFSA's Management Board and the European Commission shall be invited to attend the Forum. Representatives of other EFSA bodies (e.g., the Advisory Forum) may also be invited depending on the relevance of the topics discussed for their mandate and activities.

#### **Article 6 – Establishment and role of the Stakeholder Bureau**

1. The Stakeholder Bureau (hereafter referred to as "the Bureau") is hereby established as one of the mechanisms for EFSA's engagement with registered stakeholders.
2. The Bureau shall act as EFSA's advisory body on stakeholder engagement and – upon EFSA's request - recommend appropriate engagement initiatives in the framework of EFSA's risk assessments, risk communications or on other specific topics.
3. The Bureau shall also contribute to the preparation of the Stakeholder Forum.
4. The Bureau shall provide input to EFSA at a high level with regards to societal concerns on issues in the Authority's remit.
5. The Bureau shall be chaired by EFSA's Executive Director and, to ensure balance, shall be composed of one representative from a registered stakeholder in each of the following seven stakeholder categories: consumers; environmental/health NGOs and/or advocacy groups; farmers and primary producers; business and food industry; distributors and HORECA (food service industry preparing and serving food and beverages), associations of practitioners working in fields relevant to EFSA's food safety and public health remit, and academia<sup>12</sup>. In addition, one Alternate member per stakeholder category shall be appointed.

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<sup>12</sup> The categories are described in Annex I of the EFSA Stakeholder Consultative Approach.



6. Members of the Bureau shall act in the interests of the stakeholder category that they represent rather than solely in the interests of the stakeholder organisation that they represent.
7. Alternate member substitutes for a Bureau member when the latter is unable to attend Bureau meetings.
8. The Bureau shall meet at least once a year. Additionally, dialogue between EFSA and the Members of the Bureau – and among the Members of the Bureau - shall take place through other means of communication such as EFSA’s digital community platform.
9. The Chair of the EFSA Management Board is invited to attend the annual meeting(s) of the Bureau.

#### **Article 7 – Selection of the members of the Stakeholder Bureau**

1. Members of the Stakeholder Bureau can be designated only if the organisation they belong to is on the list of EFSA’s registered stakeholders representing each of the seven stakeholder categories referred to in Article 6 (5). The selection period for members of the Stakeholder Bureau shall last for two months.
2. Registered stakeholders shall propose one representative for the category of stakeholders that they belong to within this period following agreement<sup>13</sup> reached with other stakeholder organisations belonging to the same category. No election is foreseen, unless specifically requested by stakeholders belonging to the same category - should they not be able to agree on a representative. In this case, EFSA can facilitate the decision making (e.g., by means of an online voting system).
3. The procedure of designation of Alternate members shall be the same as for the members.
4. The mandate of Members and Alternate members of the Bureau shall be for a period of three years, after which a new vote is to be held to designate new members.
5. Members and Alternate members of the Bureau may serve for no longer than two mandates.

#### **Article 8 – Openness and transparency**

1. Openness and transparency are fundamental aspects of EFSA and are enshrined as concepts in EFSA’s regulatory framework (Art. 38 of EFSA’s Founding Regulation (EC) No 178/2002 and 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 in the overall Union policies on governance.
2. EFSA shall regularly publish on its website the updated list of registered stakeholders.
3. The work of the various platforms for stakeholder engagement is made available in a transparent manner through the timely announcement of EFSA’s upcoming activities in this area as well as through the publication of agendas, participant’ lists and the outcome of each of the meetings of the platforms on the EFSA website.

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<sup>13</sup> Either on a voluntary basis or by internal vote among members belonging to the same category.

4. The impact of the input provided by stakeholders on EFSA's work shall be documented in the outcomes of the various platforms' meetings and work that is posted on the EFSA website.
5. A report on EFSA's interaction with registered stakeholders shall be presented annually to the Management Board.

#### **Article 9 – Funding**

1. The costs of physical participation in the meetings organised by EFSA which foresee the participation of stakeholders is borne by each individual stakeholder organisation.
2. Exceptionally, EFSA may contribute to financing the costs of those organisations that could not otherwise afford to participate in meetings. Financial contributions may only be awarded to stakeholder organisations which are non-governmental, non-profit making, independent of industry, commerce and business and have as their primary objectives and activities the promotion and protection of the health and safety of consumers and the environment.
3. Requests for financial support shall be assessed by EFSA on a case-by-case basis and will need to be properly documented by the requesting organisation.

#### **Article 10 – Review**

1. A review of the effectiveness of EFSA's stakeholder engagement approach, its engagement mechanisms and its activities shall be carried out upon request of EFSA's Management Board or on EFSA's own initiative with the aim to take stock of lessons learned from the implementation of its stakeholder engagement approach as part of a continuous improvement process.
2. The recommendations resulting from the review shall be discussed with EFSA's Management Board.

#### **Article 11 – Final provisions**

1. EFSA's Management Board decision of 18 October 2018 concerning the criteria for establishing a list of stakeholders and the establishment of the Stakeholder Forum and Stakeholder Bureau is hereby repealed.
2. The present Decision shall enter into force and becomes effective on the day of its signature.
3. The present Decision may be subject to revision as a result of the review process described in Article 10 (1) above.

Adopted in Parma on 29 June 2022

For EFSA's Management Board

#### **SIGNED**

Aivars Bērziņš

Chair of the Management Board