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NOTE

From:	Presidency
To:	Counsellors / Attachés (EFSA Affairs)
No. prev. doc.:	10837/21
Subject:	Appointment of one member of the Management Board of the European Food Safety Authority - <i>Selection procedure</i>

1. In accordance with Article 25(1) of Regulation (EC) No 178/2002¹, the Management Board of the European Food Safety Authority (EFSA) is composed of 14 members, appointed by the Council in consultation with the European Parliament (EP) from a list drawn up by the Commission.

Four of the members should have a background in organisations representing consumers and other interests in the food chain.

All the members of the Management Board should be appointed in such a way as to secure the highest standards of competence, a broad range of relevant expertise and, consistent with these, the broadest possible geographic distribution within the Union.

¹ Regulation (EC) 178/2002 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).

2. In accordance with Article 10 of Regulation (EU) 2019/1381², the term of office of the members of the EFSA Management Board in office on 30 June 2022 will expire on that date.
3. The term of office of one of the members of the EFSA Management Board, appointed by the Council in 2018, expired on 30 June 2021³. This member had a background in organisations representing consumers and other interests in the food chain. The vacant position should be filled in for a term of office ending on 30 June 2022.
4. On 13 July 2021, the Commission approved, and transmitted to the Council, the Commission Decision C (2021) 5122 final approving the list of candidates selected for the appointment of one new member of the EFSA's Management Board. The Commission decision was accompanied by the relevant documentation (application forms, declarations of interest and *curricula vitae*).
5. On 23 July 2021, the Council invited the European Parliament to make its views available for consideration by the Council as soon as possible and, at the latest, by 25 October 2021.
6. For the previous similar exercise, on 8 May 2020, the Permanent Representatives Committee endorsed a revised selection procedure to appoint seven members of the Management Board of EFSA⁴. The Presidency has reviewed the procedure in order to adapt it to the current situation. The outcome of this review is presented in the Annex to this document.
7. The Working Party of Counsellors/Attachés (EFSA affairs) is invited to consider the reviewed draft selection procedure set out in the Annex to this document.

² 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 (OJ L 231, 6.9.2019, p.1)

³ See Article 2 of Council Decision of 26 June 2018 appointing seven members of the Management Board of the European Food Safety Authority (OJ C 230, 2.7.2018, p. 2).

⁴ Docs. 7957/18 and 7432/20.

**SELECTION PROCEDURE
FOR THE APPOINTMENT OF ONE MEMBER OF THE MANAGEMENT BOARD
OF THE EUROPEAN FOOD SAFETY AUTHORITY (EFSA)**

The Management Board of the European Food Safety Authority (EFSA) is composed of 14 members, out of which four having a background in organisations representing consumers and other interests in the food chain. The members of the Board shall be appointed in such a way as to secure the highest standards of competence, a broad range of relevant expertise and, consistent with these, the broadest possible geographic distribution within the Union.

All the members of the Management Board are appointed by the Council in consultation with the European Parliament (EP) from a list drawn up by the Commission.

The term of office of one of the members of the current Management Board having a background in organisations representing consumers and other interests in the food chain expired on 30 June 2021.

With the purpose of filling in the vacant position, the Commission drew up a list of two candidates having a background in organisations representing consumers and other interests in the food chain.

The Council invited the European Parliament to make its views on that list available for consideration by the Council as soon as possible and, at the latest, by 25 October 2021.

Once the European Parliament has made its views available or, at the latest, after expiry of the deadline (25 October 2021), delegations will be invited to indicate bilaterally to the General Secretariat of the Council the candidate on the list drawn up by the Commission whose appointment as new member of the Management Board of the EFSA they recommend.

Delegations may take into account the result of the consultation of the European Parliament.

Delegations will take into account the need “*to secure the highest standards of competence, a broad range of relevant expertise and, consistent with these, the broadest possible geographic distribution within the Union.*”¹.

The General Secretariat will inform delegations of which candidate received the higher number of recommendations. That candidate will be retained. The retained candidate should be proposed to the Permanent Representatives Committee for confirmation, preferably as an item “I” on the agenda.

In the event the two candidates obtain the same number of recommendations, the two candidates will be proposed to the Permanent Representatives Committee, as an item “II” on the agenda, for proceeding to a secret ballot. If that secret ballot results in the two candidates obtaining again the same number of recommendations, a draw will take place to determine the candidate to be retained by the Council.

A draft appointment decision will then be submitted to the Council of the decision for adoption, preferably as an item "A" on the agenda.

¹ Article 25(1) of Regulation (EC) 178/2002 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).