

FEDIOL position on transparency and sustainability of the EU risk assessment

FEDIOL supports overall work to address public perceptions on the EU risk assessment in the food chain and risk communication, as launched by the Commission new initiative on transparency and sustainability of the EU food and feed chain risk assessment.

We however see no easy and immediate “quick fix” to address these complex issues. Rather, a mix of different initiatives should be implemented, ranging from building upon existing transparency initiatives and strengthening them, to communicating through appropriate channels to investing into consumer education, etc.

Within the scope of FEDIOL, FEDIOL members do not have regulated products per se, but are well contributing in providing data to EFSA or the Commission on contaminants or nutrition related issues. FEDIOL position should therefore be understood in this context.

Providing access to non-confidential data upon delivery of EFSA's Opinion or upon adoption of any EU risk management decision

FEDIOL supports increasing transparency and providing access to data or studies provided that such approach is clearly framed and any release is put into context. One crucial element is the timing of the publication. FEDIOL strongly considers that publication of non-confidential data should only take place **upon delivery of EFSA's Opinion or upon adoption of any EU risk management decision**. Any publication before that timing would lead to misinterpretations, consumers’ fears without knowing EFSA final assessment.

Taking the example of contaminants, one single level of a contaminant A will not say anything about the levels found overall in food products or in which categories it would occur the most. It also does not provide any information about the total exposure per population group (mean vs. P95) or the overall toxicity of the contaminant. Interpreting and assessing those data is therefore only possible as from the time EFSA panel experts express their final analysis through EFSA opinion. It should also be noted that at the time when industry answers an EFSA call for data, it is not yet sure whether data A, B or C are going to be used by EFSA in its risk assessment. Indeed, EFSA assesses all data to check whether they meet quality criteria and may hence decide to not use them. In addition, for highly concentrated sectors like the vegetable oil and fat industry, giving access to some information, which could appear trivial – such as the name of the method or the LOD/LOQ – could de facto lead to knowing the undertaking behind, which would be against the Commission approach outlined in its Roadmap¹. Last but not least, a clear distinction should

¹ [Commission Roadmap](#), Commission Proposal for a Regulation on transparency and sustainability of the EU food and feed safety risk assessment model amending Regulation (EC) No 178/2002 Regulation (EC) No 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; and Directive 2001/18/EC on the deliberate release into the environment of GMOs, Regulation (EC) No 1829/2003 on GM food and feed, Regulation (EC) No 1831/2003 on feed additives, Regulation (EC) No 2065/2003 on smoke flavourings, Regulation (EC) No 1935/2004 on food contact materials, Regulation (EC) No 1331/2008 on the common authorisation procedure for food additives, food enzymes and food flavourings, Regulation (EC) No 1107/2009 on plant protection products and Regulation (EU) No 2015/2283 on novel foods. Ares(2017)6265773.

be made between making data accessible to using them further, incl. for commercial purposes, which should be prevented. Depending on the interested stakeholder, different levels of accessibility to the studies/data would be useful.

Ultimately, whilst a common approach could apply to all types of data or studies provided to EFSA, flexibility should be given to EFSA to address data from regulated vs. non regulated products.

Evidence from industry studies

FEDIOL trusts that strengthening the EU risk assessment process goes together with communication on the quality requirements of studies, for assessment by EFSA. As such, the following elements are all concrete and objective tools, which would help providing insight on which basis EFSA takes decisions when assessing substances:

- information on principles and quality criteria applied and adherence to internationally recognised principles such as those from OECD
- the frame under which studies are performed through the provision of EFSA documents indicating the design and quality of studies needed
- the quality of the lab where EFSA could request Member States to audit a lab for a specific study *etc.*

This should entail that sufficient expertise should be made available at Member States' level to ensure meaningful audits are carried out. Overall, allocation of more resources by the EU would enable to further finance studies on food safety. In cases where EFSA might need to reconfirm outcome of previous studies to further assert its position, they should be funded from the EU budget, independently of industry. The same quality criteria should also apply to non-industry studies.

Risk Communication in the agri-food chain

FEDIOL agrees with the need to develop a more effective and transparent communication with the public. FEDIOL would particularly support the following:

- Clear, simple and timely communication from the Commission and EFSA in partnership.
- Further reflection on how to communicate effectively with the public – learning from recent risk communication cases. Development of risk communication plans involving EU and national stakeholders and taking into account the specificities of each Member State would be a clear step forward.
- Strengthened collaboration between Member States and the Commission to avoid different or contradicting messages.
- More investments on education in explaining in lay-man's words what EU risk assessment is about and which tools exist, is of the utmost importance. This could go through TV and web campaigns, web-based interactions with consumers (Twitter, Facebook, *etc.*), education in schools, *etc.*

FEDIOL would like to highlight clear improvements on the way EFSA communicates (e.g. press releases) and the development of several channels for feedback available to all accredited stakeholders, which have been launched in the last months. Lots of mechanisms are now available to interact with EFSA, equally accessible to all accredited stakeholders, whilst maintaining EFSA independence.

Sustainability of the risk assessment system and involvement of Member States

FEDIOL supports EFSA work. EFSA's work is indispensable for the trust in our food system. There is a need to maintain the existing high level of scientific expertise within EFSA to continue guaranteeing its risk assessments robustness. One key tool would be to increase EFSA level of resources. Given the increasing level of requests to EFSA on numerous issues, it is crucial to allocate adequate resources to maintain its leading scientific role in Europe and beyond. FEDIOL also concurs with the need to strengthen scientific cooperation between Member States and EFSA, but also the collaboration between EFSA and other

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international bodies such as JECFA. From what we observe, levels of involvement of Member States greatly vary from country to country. One tool to increase it could be to compensate for work done within EFSA, which could indirectly avoid duplication of risk assessments between EU and MS. On the point of independence, ultimately it depends on how independence is defined. FEDIOL trusts that the principle of independence should apply equally to industry but also to NGOs.

FEDIOL and structure of the EU vegetable oil and fat sector

FEDIOL is the European federation representing the interests of the European vegetable oil and protein meal industry. Directly and indirectly, FEDIOL covers about 180 processing sites that crush oilseeds/oil fruits and/or refine crude vegetable oils and fats. These plants belong to around 35 companies. It is estimated that over 80% of the EU crushing and refining activities is covered by the FEDIOL membership structure.

The activity of oilseed processing is spread over 17 Member States with a concentration of plants with crushing and refining activities in countries such as Germany, the Netherlands, France, Spain, UK, Italy, Czech Republic, Poland and Belgium.