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#### 'A' ITEM NOTE

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From: General Secretariat of the Council  
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Subject: Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the transparency and sustainability of the EU risk assessment in the food chain amending Regulation (EC) No 178/2002 [on general food law], 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]  
- General approach  
= Statement

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#### Statement by the Netherlands

The Netherlands supports the ambition for more transparency and the adjustment in the procedures in order to achieve more transparency and objectivity in the risk assessment in the Food Chain.

The proposed measures are useful to achieve these targets, such as the plan on risk communication as well as the Union register for the publication of the studies accompanying an approval for regulated products.

Nevertheless, The Netherlands wants to emphasize the importance of a level playing field for European food business operators regarding the development of innovative products. In some cases this needs additional attention, meaning that the obligation to disclose non-confidential studies immediately after having submitted a request for approval to EFSA may hinder instead of promote innovation.

Furthermore, it is important that the system to be set up with the Union register for the publication of studies, including procedures, is efficient and effective. The administrative burden should be kept to a minimum for the food business operators, for EFSA and for Member States.

The Netherlands supports the proposal of the Austrian Presidency to start the negotiation with the European Parliament and the Commission (trilogue).

The Netherlands would however like to stress that the general approach in no way pre-empts or prejudices the negotiations on the MFF.

That means that an agreement to start negotiations with the EP does not in any way imply consent on the financial impact of the proposal as stated by the Commission in the Legislative Financial Statement which accompanied the legislative proposal of 11 April 2018.

Though NL recognizes that as a result of the present proposal a limited amount of additional means are necessary for EFSA to fulfil the new tasks, the Netherlands have strong doubts if the present proposal of € 62,5 million is realistic. It is almost a doubling of the present EFSA budget. Here the lack of an impact assessment has been felt strongly.

Moreover, and even more important the financial impact of the proposal of the Commission goes beyond the present MFF framework. The indicative ceilings for the EFSA can only be agreed upon once there is a final decision about the available budget for the MFF 2021-2027 in total, heading 7, the agencies and in particular the EFSA.

If the Parliament, Council and Commission could come to an agreement in the trilogues, all parties should take the financial impact of the proposal in reconsideration and have a clear and balanced position.