

**DECISION OF THE EXECUTIVE DIRECTOR
CONCERNING THE SELECTION OF MEMBERS OF THE SCIENTIFIC COMMITTEE,
SCIENTIFIC PANELS AND EXTERNAL EXPERTS TO ASSIST EFSA WITH ITS
SCIENTIFIC WORK**

The Executive Director

Having regard to

1. Regulation (EC) No 178/2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority (EFSA) and laying down procedures in matters of food safety¹, and in particular to Article 28, paragraph 9(e) thereof, regarding the role of the Scientific Committee and the Scientific Panels.
2. the Decision of the EFSA Management Board concerning the establishment and the operations of Scientific Committee and Scientific Panels,² and in particular Articles 1 and 6 thereof, which foresee the delegation to the Executive Director of the Authority to draw up implementing rules for the selection of members of the Scientific Committee and Scientific Panels and of external experts.
3. the advice of the Advisory Forum and of the Scientific Committee³.

Whereas:

1. To carry out its tasks EFSA relies on scientific experts, who are non-EFSA staff. They are the members of the Scientific Committee, the Scientific Panels, and external experts.
2. The procedures used for the selection of experts are to be transparent and to be applied in a consistent manner.
3. The selection process of the members of the Scientific Committee and Scientific Panels is characterized by several steps involving EFSA scientific support staff, external evaluators, the Advisory Forum, the Executive Director and the Management Board of the EFSA.
4. The selection of external experts referred to in Article 6 of the Decision of the Management Board concerning the establishment and the operations of the Scientific Committee and

¹ *Official Journal* L 31, 1.2.2002, p. 1 as last amended by Commission Regulation (EC) No 575/2006 of 7 April 2006.

² MB 11.09.2007- 4.1 Annex A.

³ Available at http://www.efsa.europa.eu/EFSA/efsa_locale-1178620753812_1178668245478.htm and http://www.efsa.europa.eu/EFSA/efsa_locale-1178620753812_1178700136320.htm, respectively.

Scientific Panels should follow a different procedure, due to the different roles of those experts.

5. The members of networks, as defined under Article 36 of Regulation (EC) No 178/2002, (e.g. the Focal Points, the Task Force on Zoonoses etc.) are nominated by the Member States.

It was necessary to lay down the detailed internal rules governing the procedures regulating the selection process of non-staff experts in EFSA, which are described in this document. The financial remuneration of these experts is not the subject of the present document.

Has adopted the following decision:

TITLE I

SELECTION OF MEMBERS OF THE SCIENTIFIC COMMITTEE AND SCIENTIFIC PANELS

Article 1: Call for members of the Scientific Committee and Scientific Panels

1. Without prejudice to Article 28 of Regulation (EC) No 178/2002, a formal procedure for the selection of members of the Scientific Committee and Scientific Panels shall be organized for every renewal of the said bodies, to occur every three years.
2. The same procedure shall apply for the establishment of a new scientific panel and in case of major changes in the remit of a panel or the Scientific Committee.
3. In accordance with Article 28(5) of the Regulation (EC) No 178/2002, the procedure shall start with the launch of a call for expressions of interest published in the Official Journal, on the Authority's website and in relevant leading scientific journals, as appropriate. In order for the call to be given the widest dissemination possible, the EFSA shall:
 - a. advertise the call in other media frequently consulted by scientific experts;
 - b. ask the members of the Advisory Forum and their Focal Points, as appropriate, to inform national authorities, academia and other entities, including those selected in accordance with Article 36 of Regulation (EC) No 178/2002 of such call, with the request to give the call the widest dissemination possible.
4. The call for expressions of interest shall include eligibility criteria and selection criteria. A completed Annual Declaration of Interests form, as provided in Annex 2 of the Guidance Document on Declarations of Interest⁴, shall be submitted along with the application. The form shall be included in annex to the call, together with the said Guidance Document.

Article 2: EFSA Evaluation Team

1. Upon the publication of the call, and in any case no later than two weeks before the deadline of the said call, the Executive Director shall set up an EFSA Evaluation Team (hereinafter referred to as the EET).

⁴ MB 11.09.2007 - 5.3.

2. The EET shall be chaired by the Director of Risk Assessment (RA) and shall comprise the Director of Scientific Cooperation and Assistance (SCA), the Heads of all relevant Units of the RA Directorate, the Head of the Scientific Committee and Advisory Forum Unit and a Project Coordinator representing the Human Resources (HR) Unit. The Quality manager shall ensure that the procedures as laid out in this document are fully respected.
3. With the agreement of the Executive Director, the EET will be assisted by scientific expert staff of Units in the RA or SCA Directorates in the evaluation of eligible candidates.

Article 3: Check of validity and eligibility of applicants

1. The validity and eligibility check of each application shall be carried out by the HR Unit.
2. Applications shall be considered valid only if sent by the deadline specified in the call and in accordance with the requirements set out therein. The applicants shall be considered eligible if all the eligibility criteria have been met.
3. The results of the validity and eligibility check carried out by the HR Unit will be reported to the EET which will review and confirm the outcome. The minutes of the EET meeting where the decision to exclude non-eligible applicants is made, will include for each non-valid or non-eligible applicant an indication of the criterion that was not met.

Article 4: Evaluation of eligible candidates

1. The Annual Declaration of Interests is reviewed by the EET, consistent with the EFSA Procedure for Identifying and Handling Potential Conflicts of Interest. The extent of any potential conflict of interest will be taken into account in deciding whether an applicant will be further evaluated.
2. The selection criteria are published with the call for expression of interest. These are:
 - Experience in carrying out scientific risk assessment and/or providing scientific advice in fields related to food and feed safety in general and, in particular in the areas of competence and expertise of the Scientific Committee or the Scientific Panel preferred.
 - Proven scientific excellence in one, or preferably several fields linked to the area covered by the Scientific Committee or the Scientific Panel preferred.
 - Experience in peer reviewing scientific work and publications, preferably in fields related to the area covered by the Scientific Committee or the Scientific Panel preferred.
 - The ability to analyse complex information and dossiers, often from a wide range of scientific disciplines and sources and to prepare draft scientific opinions and reports.
 - Professional experience in a multidisciplinary environment, preferably in an international context.
 - Experience in project management related to scientific matters.
 - Proven communication skills, based on teaching experience, public presentations, active participation in meetings, publications.
3. Before starting the evaluation of the applications considered valid and eligible, the EET shall agree on the interpretation of the selection criteria as referred to in the call of expression of interest in order to achieve a consistent and objective approach thereto. To this end, a grading and scoring grid shall be drawn up and used to evaluate all candidates. The grid shall include a scoring range from 0 through 5 (0 being not fulfilled; 1-2 being inadequately fulfilled; 3-4 being generally adequately fulfilled, and 5 being fully and adequately fulfilled) for each of

the selection criteria. In order to differentiate the impact of the various criteria, a weighting coefficient will be attributed to the criteria foreseen in the evaluation grid. It will be agreed upon before the evaluation is initiated.

4. Per Scientific Panel, as well as for the Scientific Committee, two evaluators shall be assigned to independently evaluate each application. One of the evaluators shall preferably be the member of the EET who is the Head of the Unit supporting the Scientific Panel or the Scientific Committee for which the applicant has expressed an interest, while the other one shall be an expert scientific staff member designated by the Chair of the EET (see Article 2.3). Scores shall be documented using scoring grids for all criteria. Candidates who have expressed an interest for more than one Scientific Panel and/or the Scientific Committee shall be scored independently by a different team of evaluators for each Scientific Panel and for the Scientific Committee.
5. Using the weighting coefficients, each evaluator will provide one overall score. Each candidate shall thus receive two scores for the Scientific Committee or each Scientific Panel for which he/she has applied for. Based on these scores, the applicants will be ranked and all differences in rankings between the two evaluators will be identified and discussed. The applications for which no consensus is reached shall be assigned to a third evaluator, to be chosen by the EET. The three sets of scores shall then be averaged.

Article 5: External review of the evaluation

1. In order to confirm that the evaluation and scoring of all eligible candidates is done in a fully independent and consistent manner, three independent external evaluators shall be chosen by the Executive Director to review the internal evaluation procedure. These experts shall be selected on the basis of the following criteria:
 - a. Internationally recognized scientific expertise and experience;
 - b. Knowledgeable of the EFSA and its scientific working procedures; and
 - c. Not currently participating in or applying to any of EFSA's scientific activities.
2. The three external evaluators shall assess, first individually, then jointly, the same stratified random sample of 10% of all eligible applications per panel and Scientific Committee. The evaluator will declare a potential conflict of interest if one of the experts in the 10% sample worked at the same organisation as the evaluator or was a research collaborator.
3. This evaluation will be done using the same procedure as described above for the evaluation of eligible candidates. Thus, in assessing the applications, the external assessors shall apply the selection criteria of the call and the grid drawn up by the EET. The ranking of the external evaluators for the 10% of the eligible candidates will be compared with those given by the EET for these same candidates. Specifically, the comparison will focus on the consistency with the outcome of the selection procedure, i.e. whether they are ranked in the top third, middle third, or lower third.
4. The cases resulting in incongruities shall be discussed between the external evaluators, the EET members and EFSA evaluators of the relevant applications with a view to clarify and document the causes for these differences and to find consensus on an appropriate scoring.

5. In case there are less than 20% discrepancies in the number of sampled applications between the evaluation of the sample by the EET and the external evaluators, the evaluation process will be confirmed as valid. In case of discrepancies in more than 20% of the sample, the evaluation and review process shall be repeated for the concerned Scientific Panel or Scientific Committee using the consensus criteria for scoring. Subsequently, the external evaluators will repeat their review. For each review, the external reviewers shall be provided with a new random sample of 10% of all eligible applications for that panel or Scientific Committee.

Article 6: Shortlist of the best candidates

1. Following the positive outcome of the review referred to in Article 5 of the present decision, the EET shall establish a shortlist of the best candidates for the Scientific Committee and each of the Scientific Panels.
2. The selection shall be done by setting a cut-off score above which all candidates shall be considered suitable members of a Scientific Panel or the Scientific Committee. As a general rule the cut-off score will be set at no less than 2/3 of the maximum achieved score.
3. In case the shortlist for a particular Scientific Panel or the Scientific Committee would be too small (i.e. less than the maximum membership of a full Scientific Panel or Scientific Committee), the EET may advise the Executive Director to launch a second call for expression of interest for the respective Scientific Panel and/or Scientific Committee, in order to be able to have a number of successful candidates at least equal to the posts available.
4. All candidates with an average scoring above the agreed cut-off shall be included in the shortlist. All short listed candidates are considered suitable to become a member of the Scientific Committee or of the Scientific Panel, respectively.
5. The position of the candidates on the shortlist shall be based on the score given to their respective applications in the evaluation phase. In order to be able to select the best candidates, EFSA shall share, on a confidential basis, the shortlist of suitable candidates and their CVs with the Advisory Forum for possible comments.

Article 7: Selection of candidates from the shortlist

1. Upon receipt of advice from the Advisory Forum, the EET shall submit to the Executive Director, a report with candidates proposed for appointment, along with a justification for these nominations. In doing so, the EET shall consider the following factors:
 - a. the position of the candidate on the shortlist;
 - b. the expertise required for the relevant Scientific Panel or for the Scientific Committee. This relates in particular to the candidate's potential contribution to a broad diversity in the Scientific Committee or Scientific Panel of scientific expertise and experience, disciplines of work and characteristics of opinion development;
 - c. a thorough knowledge of the English language;
 - d. the nationality and gender of the candidate; and
 - e. advice from the members of the Advisory Forum.

The Executive Director will review the report and proposals and, following this review, provide a proposal to the Management Board on the experts to be appointed as members of the relevant Scientific Panel(s) and/or the Scientific Committee.

2. EFSA shall ensure that every effort is made to secure a proper balance of geographical region and gender. Thus, for otherwise equal candidates, priority will be given to the one for an underrepresented Member State or gender. Experts from non-EU countries will be considered if appropriate candidates from Member States are not identified.
3. The candidates on the shortlist who were not selected shall be proposed to be kept on a reserve list. The candidates on the reserve list shall be contacted and requested to agree that the data provided with their application be uploaded by EFSA in the Database of External Scientific Experts, so that they may be identified to act as an external scientific expert.

Article 8: Adoption of the list by the Management Board and appointment of the candidates

1. In accordance with Article 28(5) of Regulation (EC) No 178/2002, the Executive Director shall submit to the Management Board an evaluation and analysis report including a proposal listing the most suitable candidates to be appointed as members of the Scientific Committee and Panels and the reserve list. The above documents shall be submitted for approval and subsequent appointment at a private session of the Management Board in accordance with Article 4(5) of the Rules of procedure of the Management Board of the European Food Safety Authority⁵.
2. Upon approval of the proposal by the Management Board, the Heads of the Units supporting the relevant Panels or the Scientific Committee will contact the experts to notify their appointment and invite them for the first plenary meeting of the relevant body. The HR Unit shall notify the candidates on the reserve list and the unsuccessful applicants of the outcome of the selection procedure.
3. In accordance with Article 28(5) of Regulation (EC) No 178/2002 and Articles 1(3) and 1(4) of the Decision concerning the establishment and operations of the Scientific Committee and Panels, the following applies for terms of office:
 - Members of the Scientific Committee and of the Panels shall be appointed for a three-year term of office that may be renewed twice;
 - Members who have just completed three consecutive terms of office in the Scientific Committee shall be eligible for membership of a Panel. Likewise, Members who have just completed three consecutive terms of office in a Panel shall be eligible for membership of the Scientific Committee or a different Panel.

Article 9: Replacement of a member of the Scientific Committee or Scientific Panel

1. In accordance with Articles 3(1) and 24 of the Decision concerning the establishment and the operations of Scientific Committee and Scientific Panels, in case of dismissal, resignation or where a need is identified to replace members or to increase the number of members of a Scientific Panel or the Scientific Committee, replacements or new members will be selected

⁵ As last amended by the Management Board on 10 May 2006.

from the reserve list and proposed by the Executive Director to the Management Board for approval, following consultation with the Chair of the Scientific Panel.

2. In case the reserve list does not include candidates with the required scientific profile, the Executive Director may decide to launch a dedicated call for expression of interest of scientific experts with the sought profile of expertise and experience. The selection of candidates for the shortlist and the subsequent proposal for approval by the Management Board of the preferred candidate(s) as Scientific Committee of Scientific Panel member(s) will follow the same procedure as described from Articles 1 to 8.
3. In accordance with Articles 3(1) and 24 of the Decision concerning the establishment and the operations of Scientific Committee and Scientific Panels, replacement members and new members will serve the remainder of the mandate of the Scientific Committee or Scientific Panel. This will count as a full mandate.

Article 10: Personal Data Protection in relation to the selection

1. All personal information on candidate members of the Scientific Committee and Scientific Panels shall be processed by EFSA pursuant to Regulation (EC) N° 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data.
2. The EFSA Executive Director is identified as controller for the processing of personal data related to the selection procedures laid down in this decision.
3. The purpose of the processing is to organize selection procedures for members of the Scientific Committee and Scientific Panels and all personal data shall be processed solely for these purposes.
4. The recipients of data processed are the members of the EFSA Evaluation Team, Human Resources Unit (person/s in charge of supporting the selection process), evaluators, external evaluators, the EFSA Advisory Forum, the EFSA Management Board, the EFSA Executive Director, bodies charged with a monitoring or inspection task in conformity with Community Law, including the European Court of Auditors, the Internal Audit Service, OLAF, the European Data Protection Supervisor.
5. Candidates have a right to access their data. They have a right to update or correct their identification data. On the other hand, data demonstrating compliance with the eligibility criteria and selection criteria may not be updated or corrected after the closing date for the respective call for expressions of interest or of the closing date for applications for the respective selection procedure duly communicated by EFSA.
Candidates are also entitled to have recourse at any time to the European Data Protection Supervisor: <http://www.edps.europa.eu>

TITLE II SELECTION OF EXTERNAL SCIENTIFIC EXPERTS

Article 11: Roles of external experts

1. Without prejudice to Article 28 (9) of Regulation (EC) No 178/2002 and the Management Board Decision concerning the establishment and the operations of Scientific Committee and Scientific Panels, and in particular Articles 1 and 6 thereof, external experts possessing particular and relevant scientific knowledge may be invited to contribute to the work of:
 - the Scientific Committee, Scientific Panels and their working groups;
 - the work of networks, as defined under Article 36 of Regulation (EC) No 178/2002, and their working groups.
2. When a Scientific Panel or the Scientific Committee, an EFSA network or a working group identifies the need to appoint one or more external scientific experts in order to address specific scientific issues, the reasons justifying such a need for external scientific experts shall be recorded in the minutes of the meeting where that need was first identified. External scientific experts providing the required expertise could be invited on:
 - an *ad hoc* basis for a single meeting or for the duration of the work on a specific mandate or project, or
 - on a longer term when the required expertise is needed for more than one mandate or project.

Article 12: Database of external experts

1. The EFSA, with support from the Advisory Forum, has taken the initiative to create a database of external experts to achieve the following:
 - enhance the transparency of the process through which experts are invited to participate in the scientific activities;
 - enhance the EFSA's capacity to conduct risk assessments under the remit of EFSA; and
 - respond more effectively and flexibly to the growing workload, particularly in cases where very specialised, unexpected or urgent work may be required.

Responsibility for the operation of this database lies with the Scientific Cooperation Unit in the SCA Directorate.

2. This database contains data on experts who are willing to contribute, on a temporary basis, to the work of (working groups of) the Scientific Committee, Scientific Panels, the networks as well as other working groups of EFSA.
3. The use of the database is not restricted to EFSA. Member States (*via* their Members of the Advisory Forum and National Focal Points) will also be able to query the database. This will allow them the option of approaching selected experts for their own scientific projects. Applicants will be requested to provide their consent for the use of their data in this database

by Member States. The data provided in the Annual Declaration of Interests will reside in a separate database which is only accessible to EFSA.

4. The database is populated with experts that are invited to join, including current and past members of the Scientific Committee, Scientific Panels, networks and their respective working groups. The experts whose names are in the database are requested to annually confirm their interest to remain included in the database.
5. EFSA will actively promote the application of experts to the database and will invite Member States to support this. Specifically, the database is open to on-line applications submitted by experts from Member States and third countries.

Article 13: Database application, validity check, and eligibility of applicants

1. The process for inclusion of scientific experts in the database of external experts is based on the submission and validation of a set of mandatory data consisting of personal data, institutional data, and data describing the expertise. The validity and eligibility check of each application is to be carried out by the Scientific Cooperation unit in the SCA Directorate. The applicant will be informed of the outcome of the validation and eligibility steps.
2. The EFSA Scientific Cooperation Unit will perform a data validation, assessing whether for all mandatory fields in the application form valid data were provided. A valid submission requires *inter alia* that the applicant expert should have identified at least one area of expertise in the database application form. Inappropriate applications will not be further considered for inclusion in the database. The results of the validity and eligibility check carried out by the Scientific Cooperation Unit will be reported every quarter, for information and possible comments, to the Directors of RA and SCA and the Head of Unit of SCAF. This information will include an overview of the applications, including non-valid or non-eligible applicant, with an analysis of the criteria that were not met.
3. To be included into the Database of External Scientific Experts, the expert will need to satisfy all of the following eligibility criteria, which will be assessed from the information provided with a valid application:
 - a university degree, or equivalent, in one or more areas of expertise within the remit of EFSA as listed in the database application form;
 - relevant professional experience i.e. in risk assessment, data collection on biological or chemical hazards, as appropriate;
 - scientific articles in peer reviewed journals or other scientific documents relevant to the expertise declared;
 - ability to communicate and work in at least one Community language; and
 - a completed Annual Declaration of Interests.

Article 14: The evaluation of experts

1. A list of potential experts shall be based on the scientific profiles needed for the tasks at hand. The Chair of the concerned body (working group, Scientific Panel, or Scientific Committee),

following consultation with the Head of Unit concerned, shall recommend the scientific profiles required, following discussion at the relevant Scientific Panel, the Scientific Committee or network. In case EFSA staff is chairing a working group, the profiles shall be decided by the Head of the Unit supporting the concerned working group.

2. The Head of the Unit supporting that body shall consult the database of External Scientific Experts with a view to finding an adequate number of scientific experts possessing the relevant scientific profile.
3. The potential candidates who at least closely match the requested profile will be contacted by the Head of the Unit supporting the concerned body to find out about their interest to carry out the task at hand and their potential availability. The individuals that express such an interest will be requested to update the Annual Declaration of Interests, unless a current one is already available that has been completed less than one year ago. This Annual Declaration of Interests is reviewed by the concerned EFSA secretariat and only candidates without a conflict of interest will be retained for further evaluation.
4. For experts who are invited to join the Scientific Committee, a Scientific Panel or a (standing) working group for a prolonged term, as defined under Article 11.2 above, an evaluation such as described under Article 4 is conducted.
5. For experts who join the Scientific Committee, a Scientific Panel, or a working group on an *ad hoc* basis, as defined under Article 11.2 above, the evaluation of candidates who have expressed an interest to join is conducted by the Head of the Unit concerned using the following selection criteria:
 - Experience in carrying out scientific risk assessment and/or providing scientific advice in fields with the EFSA's remit in general and, in particular in the areas of competence and expertise of the Scientific Committee, the Scientific Panel, or working group concerned.
 - Proven scientific excellence in one, or preferably several fields linked to the area covered by the Scientific Committee, the Scientific Panel or working group concerned.
 - Experience in peer reviewing scientific work and publications, preferably in fields related to the area covered by the Scientific Committee or the Scientific Panel or working group concerned.
 - The ability to analyse complex information and dossiers, often from a wide range of scientific disciplines and sources and to prepare draft scientific opinions and reports.
 - Professional experience in a multidisciplinary environment, preferably in an international context.
 - Experience in project management related to scientific matters.
 - Proven communication skills, based on teaching experience, public presentations, active participation in meetings, publications.

Article 15: The selection of experts

1. Consistent with Article 6 of the Decision concerning the establishment and the operations of Scientific Committee and Scientific Panels, the decision on the preferred expert(s) is made either by the Chair of the relevant body (working group or Scientific Panel) in consultation with the Head of the Unit supporting that body or, in case EFSA staff is chairing the working group, by the Head of the Unit supporting the concerned working group. The following factors are considered in this evaluation:
 - a. the match with the scientific profile required for the tasks at hand. This relates in particular to the candidate's potential contribution to the availability of all scientific expertise and experience required for the task at hand;
 - b. the nationality and gender of the candidate. Specifically, for otherwise equal candidates, priority will be given to underrepresented Member States. Experts from non-EU countries will be considered if appropriate candidates from Member States are not identified; and
 - c. a thorough knowledge of the English language.
2. The selected expert(s) shall then be contacted by the Head of Unit to confirm his/her acceptance to assist EFSA. If that is confirmed, the selected expert(s) shall then be invited to attend the first meeting of the Scientific Committee, Scientific Panel or working group for which they have been selected. As described in the Guidance Document on the Declarations of Interest, he/she will be requested to submit a Specific Declaration of Interest (SDoI) and sign the EFSA agreements on confidentiality and commitment.
3. Experts that were not selected will also be informed by the Head of Unit about this.

Article 16: The invitation of external experts not included in the database of external scientific experts

1. If a query in the database of External Scientific Experts reveals that experts with the sought profile are not present or when the search in the database for the sought profile reveals only experts whose nationality or gender would substantially unbalance the composition of the Scientific Committee, Scientific Panel or working group, the Chair of the relevant body or the head of unit concerned may identify other experts considering the following possible sources of information:
 - a literature search on the subject on which expertise is sought to identify experts with proven expertise;
 - a web search for experts/expertise sought;
 - a written request to the Advisory Forum members or Focal Points for suggestions for names of best national experts in the field required;
 - a survey among members of the Scientific Panel, Scientific Committee or EFSA network seeking external experts;
 - a survey among EFSA scientific staff.
2. These candidate experts shall be contacted by the Head of Unit supporting the concerned body to find out about their interest and availability to assist EFSA. In case of a positive answer these experts will be requested to submit an application via the database of external

scientific experts and may subsequently be chosen following the procedure as laid down in Articles 14 (4 and 5) and 15, above.

Article 17: Personal Data Protection in relation to the selection

Consistent with Regulation (EC) 45/2001, data protection requirements concerning the data on the experts in the database will be ensured.