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EUROPEAN PARLIAMENT**

Better training for safer food

IMPACT ASSESSMENT

{COM(2006) 519 final}
{SEC(2006) 1164}

IMPACT ASSESSMENT

1. PROCEDURAL ISSUES AND CONSULTATION OF INTERESTED PARTIES

1.1. Organisation and timing

The work related to this Impact Assessment started in 2005 and was carried out by the Directorate General of Public Health and Consumer Protection. Indeed, the need of a training strategy in the area covered by Regulation 882/2004 has been highlighted in the **Commission Work Programme for 2005**, where it was stated that “*Most of the food safety rules have already been put in place, but their application must be enhanced by training and better controls and they need updating in the light of scientific evolution and consumer needs*”¹. It identified that the heart of the problem is a lack of a harmonised approach to the design and developments of national control systems. The Communication also pointed out the need to develop a White Paper on a Community training strategy in the area covered by Regulation 882/2004.

Subsequently, a **Road Map** for developing a Community Food Safety training strategy was developed². This document stressed that “*recent food safety emergencies have highlighted deficiencies in national control systems*” and that the main policy objectives were the organisation and development of a Community training strategy for safer food, following adoption of a White Paper.

The Road Map has been included in the **Commission Legislative and Work Programme 2006**³ that also highlighted, among the actions aimed at offering better protection for citizens in their daily lives, the need to develop a special training programme on food safety with the aim to ensure a virtuous spiral of high standards in implementing controls.

Finally, the **Annual Policy Strategy for 2007**⁴ announced the launching of Community Food Safety Training, open to participants from developing countries, promoting and clarifying Community standards and enhancing international trade in safe food.

¹ Communication from the President in agreement with Vice-President Wallström “Commission work programme for 2005” - COM(2005) 15, 26.1.2005, p. 8 and 37 (Annex I).

² Commission Work Programme 2006: RoadMap “Better Training for Safer Food” - 2005/SANCO/024.

³ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and Committee of the Regions “Unlocking Europe’s full potential - Commission Legislative and Work Programme 2006” COM(2005) 531, , 25.10.2005, p. 8 and 22 (Annex).

⁴ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and Committee of the Regions Annual Policy Strategy for 2007 Boosting trust through action - COM(2006) 122, 14.3.2006, p. 13.

1.2. Inter-service consultations

The need of a Community training strategy was discussed with other Commission Directorate Generals. An Inter-service Group⁵ met four times between November 2004 and February 2006. The group discussed in particular the general and technical aspects of training activities, and monitoring the related activities and results. The main items for discussion were the setting of training priorities and the coordination with other departments of the Commission that organise training activities.

1.3. Stakeholders Consultation

A meeting with the stakeholders in the Advisory Group on the Food Chain and Animal and Plant Health⁶ has been held on 19 May 2006. This Advisory group was informed about the training activities organised by the Commission. The main remark from the professional organisations within the Advisory Group on the Food Chain and Animal and Plant health concerns the lack of training for businesses and their staff. Whilst training is foreseen for staff of the competent authorities and for third countries, they deplore the lack of a legal basis to train workers within the EU, and insist on the need to provide for the necessary legal environment to organise such training. The concerns of these stakeholders are inspired by the need to endorse the responsibilities they have under new food law, and to enable them, and in particular small businesses, to properly implement food safety systems such as the Hazard Analysis and Critical Control Point (HACCP) system. However, since Community law does not provide for a legal basis to provide training of businesses, the Commission cannot for the time being take into account these concerns.

Discussions with the Member States have been held in the context of the Standing Committee of the Food Chain and Animal Health (on 16/03/05 and 17-18/07/06). In addition, a Member State expert group meeting has been set up on 27/02/2006. At these occasions, the Member States have indicated that they attach great importance to EU organised training. This is to avoid diverging views on the implementation of EU law and on official controls, bearing in mind the complete overhaul of great parts of Community law during the last years. Such divergence could lead to uneven application of food law, feed law, animal health rules, animal welfare rules and plant health rules and to a different level of protection of consumers. Training should also contribute to a high level of safety of goods that circulate freely within the Community, and reinforce mutual confidence between Member States with regard to the quality of each other's control system. The Member States also insisted on that training priorities and programmes be established in cooperation with them, and that the Commission ensures that training efforts organised by them could be integrated into the EU training programme, e.g. through a system of cooperation. As an initial step, the Commission has identified single contact points in the Member States in order to facilitate communication related to the better training for safer food activity with them.

⁵ The inter-service group included globally: Directorate Generals for Agriculture and Rural Development, Enterprise and Industry, Fisheries and Maritime Affairs, Internal Market and Services, Research, Taxation and customs, Development, Enlargement, External Relations, Trade, Budget, Legal Service, General Secretariat.

⁶ Commission Decision of 6 August 2004 concerning the creation of an advisory group on the food chain and animal health and plant health (OJ L 275, 25.8.2004, p. 17).

2. PROBLEM DEFINITION

2.1. Issues at stake

Food safety is an important concern of EU citizens due to a number of factors such as the consequences of food emergencies, increased consumer awareness, the global trade in food with many operators involved handling food and food ingredients originating in different parts of the world and the alleged lack of transparency of food law and official controls. In addition, the consumer has to rely on the correct and honest attitude of food business operators with regard to producing and placing on the market safe and wholesome food.

All these factors have led the EU to undertake a complete overhaul of its food law and of the control systems in the Member States, to such an extent that rules on food safety, feed safety, animal health, animal welfare and plant health are now almost entirely based on EU law.

It is important that this complex body of law is properly implemented in the Member States so as to ensure that consumers receive the same level of protection and that food business operators can expect equal treatment across the EU.

2.2. Non-compliance and infringements

In July 2006, 79 cases were under investigation by the Commission for complaints and non compliance for the areas of concern, and 35 cases related to for infringements and failure to notify the transposition of measures. These cases demonstrate that the implementation of EU law fails in a number of cases, with a possible risk of impairing our level of protection.

- Cases under investigation for:**
- a. Failure to notify national implementing measures;**
 - b. Non-compliance of national implementing;**
 - c. Incorrect application of Directives;**
 - d. Infringements of the Treaties, regulations and decisions**

reference date: 13 July 2006

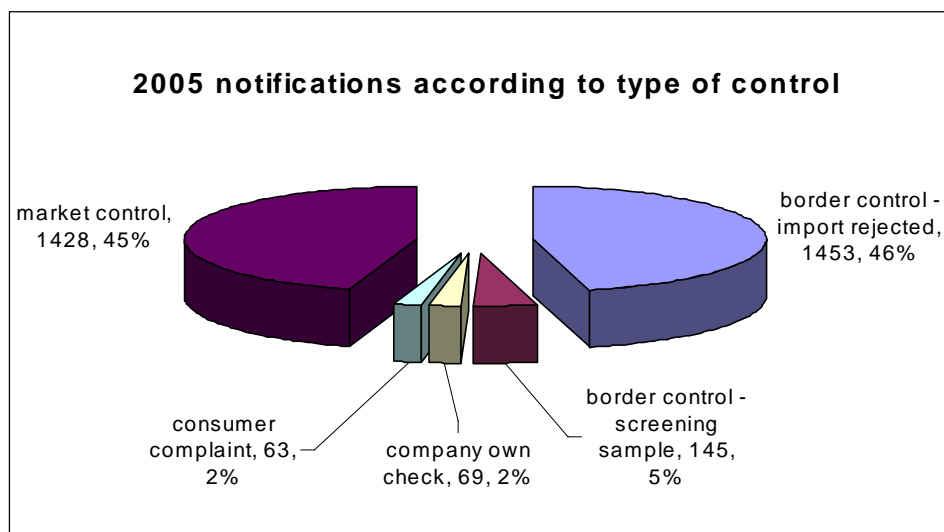
Sector	Complaints/Non Compliance (b.; c.;d.)	Infringements failure to notify transposal measures (a.)	<i>Total</i>
Veterinary	41	15	56
Food	17	6	23
Feed	9	7	16
Phytosanitary	8	6	14
Seeds	4	1	5
Total	79	35	130

2.3. Institutional and legal context

Experience has shown that food consignments from third countries do not always comply with EU Food Law. The Rapid Alert System for Food and Feed, based on Article 50 of Regulation (EC) No 178/2002⁷, demonstrates that in 2005, 46% of all notifications follow from controls on imported food at Border Inspection Posts. This resulted in 1453 consignments being rejected for import. In addition, another 5% of consignments from third countries that were already released were the subject of a notification. The main products concerned are nut and nut products followed by fishery products and fruit and vegetables. The problems most frequently detected are contamination with mycotoxins, the presence of pathogenic micro-organisms and the use of illegal substances such as Sudan dyes.

Meeting EU standards is a condition for importing food, feed, animals and plants from third countries. The respect of these standards is necessary to prevent the introduction into the EC of diseases of animals and plants, guarantee a high level of food safety and a supply of safe feed for animals. It is essential that third countries are informed about these standards so as to allow better compliance and subsequently a reduction of the number of consignments rejected at the EU borders.

⁷ 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 (OJ L 31, 1.2.2002, p. 1), as amended by Regulation (EC) No 1642/2003 (OJ L 245, 29.9.2003, p. 4).



2.4. Legal background

The European Parliament and the Council, on 29 April 2004, adopted Regulation (EC) No. 882/2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules. The Regulation identifies training as a key issue to ensure a more harmonised approach in building and developing national control systems.

Article 51 of the Regulation empowers the Commission to develop training programmes for staff of competent authorities of the Member States. These programmes may be open to participants of third countries, in particular developing countries, with a view to boosting international cooperation and dialogue with EU trade partners.

2.5. Training activities in Member States at present

With the adoption of Regulation (EC) No 882/2004, such training has also become mandatory for all Member States. Certain Member States have a tradition of organising training courses for their control staff, and some have excellent training centres that are often specialised in giving training on a particular subject such as meat inspection and animal welfare.

It seems however to the Commission that national training is not fully developed throughout the Community. This heterogeneity may prejudice the level of expertise necessary to ensure general compliance with the relevant requirements, and the need to ensure a high level of protection.

2.6. Experience from training organised in 2006

During 2005-2006, an initial training programme was developed through the launching of a set of calls for tenders aimed at concluding contracts for the organisation of training courses on the HACCP system, Highly Pathogenic Avian Influenza, veterinary checks at border inspection posts, workshops in third countries on EU requirements for fishery and aquaculture products as well as fruit and vegetables, animal welfare and animal by-products.

During that phase, around 1500 trainees have participated in 34 courses spread over 120 training days for a total amount of €2.849.717.

The initial training was a mixture of intensive training on a particular subject (e.g. HACCP) addressing a limited audience (20 trainees), and more general training in conference format (e.g. on animal by-products) addressing a wider audience (up to 120 trainees).

The length of the courses varied between 1 and 5 days with a weighted average of 4 days⁸. That variation is normal and depends on the type of course that is given (intensive format of conference format).

An average number of 3 tutors were present at each course with an average of 44 participants per course.

The reactions of participants, both from the EU and developing countries, were very positive about the initiative and the quality of training given.

3. WHAT ARE THE OBJECTIVES

3.1. Strategic objectives

From a general point of view, improving training opportunities is an important element of investing in people, one of the key elements of the Lisbon Strategy. In addition, improving safety of the food chain was a key objective of the Commission's White Paper on Food Safety⁹.

3.2. General objectives

The training activities that are envisaged by the Commission must be seen in the wider context of achieving the objectives pursued by Community law related to food safety, feed safety, animal health, animal welfare and plant health. Community food and feed law is based on Articles 152(4)(b) and 95 of the Treaty establishing the European Community. These express the need to pursue a **high level of protection of human life and health** as one of the fundamental objectives of food law, and the aim to achieve **free movement** within the Community. Other parts of Community law related to the areas of concern (animal health, animal welfare and plant health) contribute to the creation of the common agricultural policy and are based on Article 37 of the Treaty. With these rules, the Community also undertook to pursue a high level of protection.

3.3. Specific/operational objectives

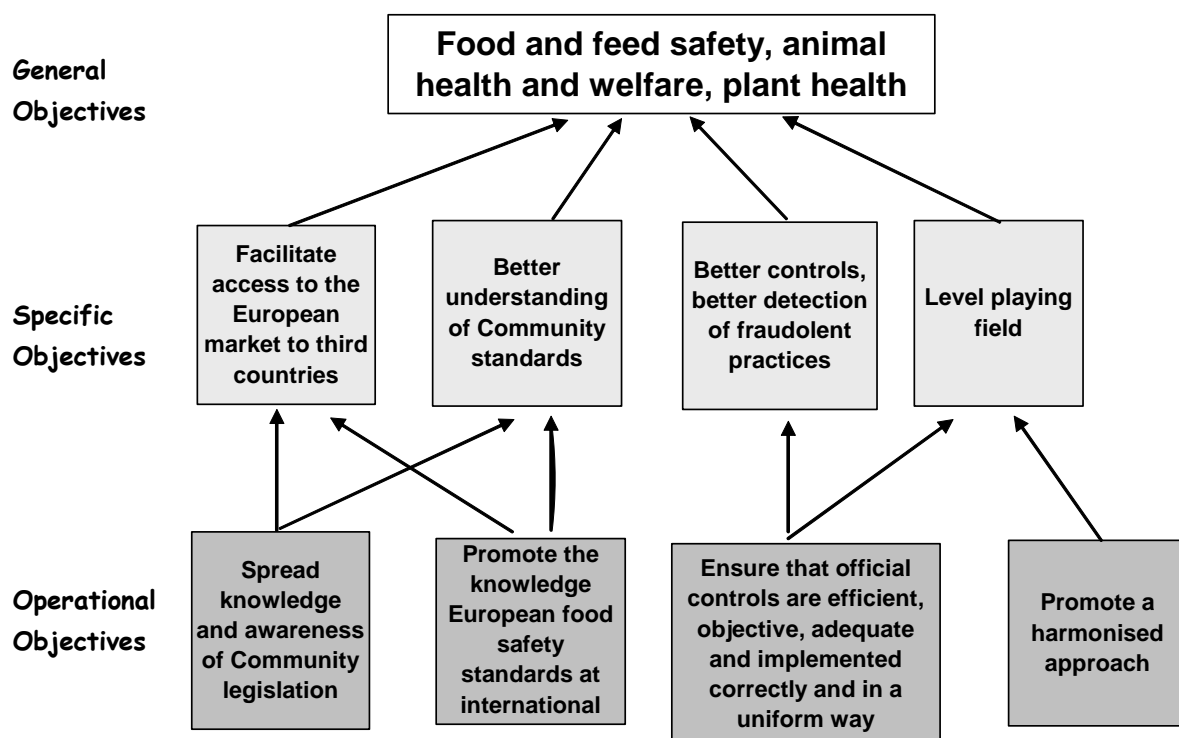
Training aims in particular to improve the spreading of knowledge and awareness of Community legislation in the areas of food and feed, animal health, animal welfare and plant health, and promoting a harmonised approach to the operation of

⁸ An average that takes into account the proportional relevance of each component (in this case the number of the courses with the same duration), rather than treating each component equally.

⁹ COM(1999) 719, 12.1.2000.

Community and national control systems in these areas thus ensuring that official controls are implemented correctly and in a uniform way across the EU, creating an equal level playing field for all food/feed businesses, and ensuring that official controls are efficient, objective and adequate.

An aim is also to improve the understanding of Community standards in third countries, and in particular in developing countries, thus facilitating their access to the European market and promoting European food safety standards at international level.



4. POLICY OPTIONS

Four possible options were considered when developing this impact assessment:

4.1. Option 1: do nothing

With the adoption of Regulation (EC) No 882/2004, training has become mandatory for all Member States. It can therefore be argued that training is already provided for by Member States, and that there is no need to superpose Community training on them. However, whilst it is without doubt that there exist very good training initiatives in the Member States, it is essential to provide a Community training in order to complement the national training systems and to fill in possible gaps. Furthermore, certain elements of Community law require a consistent European training approach e.g. HACCP systems, diagnostic methods and methods of analysis developed at EU level, import procedures etc. so as to avoid that a different interpretation and implementation by the Member States result in weaknesses in the food chain, animal health, animal welfare or plant health.

In addition, it seems essential to the Commission that training of third countries is based on an approach developed at European level. It seems unlikely that such training can be consistently provided by individual approaches by different Member States.

It must therefore be considered that a lack of a harmonised approach at EU level may have a negative impact on the internal market, on businesses and on the European level of protection in general and food safety in particular. The quality and consistency of import control procedures may be negatively affected and have an impact on trade with third countries.

That the “do nothing” option is not a solution has been implicitly recognised by the European Parliament and the Council which, with the adoption of Regulation (EC) No. 882/2004 on official controls, have identified training as a key issue to ensure a more harmonised approach in building and developing national control systems.

From the consultation round with the Member States it appears clearly that there is a demand to have training organised at EU level. Such training could reinforce mutual confidence in each other’s control systems and provide reassurance that goods in intra-Community trade comply better with EU law.

4.2. Option 2: making use of the experience of national training bodies

Certain Member States have a tradition of organising training courses for their control staff.

Whilst training is not developed to the same level in all Member States, it appears that some Member States have one or more training bodies with highly qualified training staff. These centres are often specialised in a particular area (e.g. animal welfare, veterinary controls) with professional tutors, have access to fully equipped infrastructures and have learning material developed for training purposes. It seems to the Commission that where Member States have good training provisions, ways should be sought to integrate them into a European training system. Such requires in any case a Community approach which classifies this possibility under options 3 or 4.

Training could be considered as an exchange of experience between national training initiatives. However, exchanging experience between control authorities entails a risk of exchanging national experience rather than developing a common approach at European level.

4.3. Option 3: to organize and develop a Community training strategy for safer food.

Whilst there is no reason to doubt about the appropriateness of training carried out at national level, there are strong arguments to organise training at EU level.

There is a unanimous agreement amongst Member States that training at EU level is essential. This attitude is inspired by the need to have a common approach to certain issues that require a common and equal understanding by all, all the more since the complete overhaul of food law after the adoption of the White Paper on Food Safety. This is not a surprise since the high level of protection and free movement of goods depends fully on a correct and uniform application of EU law. At the same time,

Member States insist that such training should not interfere with initiatives that can be better organised at national level. A management group with the Member States to discuss priorities for training at EU level should therefore be organised.

There is also the need to provide training for third countries, and in particular for developing countries. This training is an important part of the ad hoc training initiatives organised in 2006. The feed back from third countries was very positive, and the experience shows that there is a very important need to improve knowledge. It seems logic that such training be organised in a coordinated way at EU level.

In addition, when taking the benefit of training efforts organised by the Member States, this can most efficiently be done by a system of grants and the cooperation with training bodies in the Member States. This would result in a number of centres of excellence that can provide training in a particular subject, e.g. meat inspection, animal welfare etc. It must be taken into account that such a system cannot provide for the full range of training needs, and that it must be supplemented with other initiatives at EU level.

EU training will also enable to react quickly upon emergencies when unforeseen circumstances occur (e.g. the outbreak of an enzootic disease, an emerging food borne disease etc.) that require urgent training.

4.4. Option 4: to improve the legislative framework.

As a follow up of the White Paper on Food Safety, EU food law has undergone important improvements between 2000 and 2004. The eighty four initiatives that were announced in the White Paper have almost been completed. These include major events such as the adoption of the General Food Law¹⁰, a complete overhaul of the food hygiene legislation, and the adoption of a Regulation on Official Controls¹¹. In achieving this, the EU availed itself of a modern and largely simplified set of rules, based on the latest scientific advice and taking into account its international obligations. It offers a high level of consumer protection.

The broad objectives of the White Paper on Food Safety have been achieved. Experience in the coming years with the new rules will show whether there is room for further improvement. If further improvements are needed, these will concern amendments to detail without there being a need for major new legislative initiatives.

It is clear that the problem identified in section 2 can be best solved with a Community training strategy rather than with a new piece of legislation.

¹⁰ 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 (OJ L 31, 1.2.2002, p. 1).

¹¹ Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules (OJ L 191, 28.5.2004, p. 1).

5. EXPECTED ECONOMIC, SOCIAL AND ENVIRONMENTAL IMPACTS

This section analyses the expected economic, social and environmental impacts of the above identified options. The main focus is on human health, animal health, animal welfare and plant health, businesses, consumers, public authorities and developing countries.

This impact analysis mainly refers to option 3 (organizing and developing a Community training strategy for safer food). The positive and negative impacts identified for this option, will be lost when option 1 (do nothing) would be the option of choice.

Some of the positive effects of organizing and developing a Community training are also valid for training organised at a national level (option 2). However, certain benefits such as creating a level playing field or facilitating access for developing countries will not be exploited in an appropriate way.

As stated above, to improve the legislative framework (option 4) can certainly not replace the need for training activities. It is therefore not an option to be considered as a solution to the problem.

5.1. Training for safer food, healthier animals and plants

The ability to detect fraud and non-compliance are crucial in the process of ensuring that the level of protection that is established in food law, feed law, animal health rules, animal welfare rules and plant health requirements is maintained. Increasing abilities to detect fraud and non-compliance will lead therefore to a better protection of human health, animal health, animal welfare and plant health. Training should thus not only focus on becoming familiar with legal requirements, but also on acquiring skills with regard to control techniques that must allow, in an efficient way, detection of fraudulent practices and non-compliance that may have adverse effects on our level of protection.

Better awareness of the staff of controlling authorities will also enable them to give better advice to food business operators on the correct implements of EU law. That in turn should have a beneficial effect on the implementation of such law and on maintaining the high level of protection fixed in the Community.

Whilst training in control techniques can be better organised at national level, it seems to the Commission that with regard to assessing compliance with EU law there is room for a training input at EU level, organised by the Commission acting in accordance with option 3.

5.2. Impact on businesses

Training contributes to a good level of uniformity of the controls carried out and of the decisions taken by the controlling authorities pursuant to such controls, thus giving more certainty to food businesses and to the development of fair trade. This should benefit all food businesses.

Due to its characteristics, training can be a costly input on a small scale; however, on a large scale, economies of scale can be achieved that lower the average cost per unit.

Compared to the ‘do nothing’ option, the possibility to manage training activities on a larger scale at EU level (option 3), could give rise to this positive effect. Training at EU level could also give rise to cascade effects, in the form of training trainers that could also contribute towards lowering the cost of this important input.

5.3. Impact on public authorities

Although much of the responsibility for information and training of staff performing official controls rests with the national competent authorities (Article 6 of Regulation 882/2004), the development of a Community training strategy in accordance with option 3 is important to pursue efforts towards a better functioning of national control systems enabling a better detection of non-compliance with EU law, and to provide safer food.

The development of a Community training strategy would enable Member States to concentrate their national training efforts to matters that relate to national control issues such as national control procedures that must be developed under Regulation (EC) No 882/2004 and complying with other obligations under that Regulation (e.g. the establishment and maintenance of a multi-annual control plan, the preparation of annual reports on the results of the official controls, the approval procedures of food and feed businesses). They could save efforts and resources on matters that could be handled at a Community level such as training in a proper understanding and implementation of EU law with regard to food, feed, animal health, animal welfare and plant health.

5.4. Impact on developing countries

Participation of staff from third countries in Community training programmes will play an important role in promoting awareness of Community standards at international level, thus enhancing international trade of safe food and providing EU businesses with easier access to safe goods from third countries.

Better compliance with EU food standards may also result in a reduction of the number of rejections at the EU borders, and to a reduction of the level of controls at these borders.

Training is therefore a powerful instrument to assist developing countries, in particular ACP countries, to gain access for their products to the EU market. Apart from the positive economic effect on trade, this action would also have a political benefit, both in its support of the commitments taken by the EU at international level (e.g. under the WTO SPS Agreement in terms of technical assistance) and in enhancing the EU’s relationship with supplying countries.

From the experience gained with the training events in 2006 it seems that there is an important need to have training of developing countries organised at EU level. This was particularly obvious when participants directly addressed their questions on the implementation of the EU import requirements to staff of the Commission present at the courses. Option 3 should therefore be withheld.

5.5. Impact on consumers

In addition to becoming familiar with legal requirements, training also enables trainees to acquire skills with regard to control techniques that must allow, in a most efficient way, the detection of fraudulent practices and non-compliance that may have adverse effects on our level of protection. Increasing abilities to detect fraud and non-compliance with EU law will lead to a better protection of human health, animal health, animal welfare and plant health, and to better consumer protection in general. Where such training can be organised at national level, there is certainly room to organise training at EU level so as to underline the European aspects related to ensuring a high level of protection in a uniform and consistent way.

5.6. Impact on legislation

Better training will make control staff more familiar with EU rules and lead to a better understanding of the background and objectives of, and the reasons for, these rules. Training is expected therefore to reduce the need for new legislative initiatives, be it in the form of legally binding texts or as explanatory notes and interpretative documents. Training may thus contribute to achieve the general objective of the Commission to have less but better legislation. Training at EU level would allow to assess the impact on legislation and to decide on a possible further streamlining of EU law or the need to develop interpretative documents that can be used as training material of EU courses.

5.7. Conclusion

Based on the above, the option of developing a Community training (option 3) is most likely to solve the problem identified in section 2 and has a number of positive impacts that cannot be reached with other options. The “do nothing” option (option 1) is clearly insufficient to solve the problem at stake. Option 2 could contribute to the solution of the problem by exploiting positive experiences in the Member States but it is considered not sufficient for the reasons explained above. These national experiences could be usefully integrated in a European training system, rather than choosing this option as a stand alone training activity. The Commission therefore believes that there is a strong justification for organising training activities at European level.

6. ESTIMATE OF TRAINING NEEDS BEYOND 2006

Bearing in mind the above conclusion, and based on the ad hoc training activities organised in 2006, this section provides an estimate of the training needs beyond 2006.

6.1. Training capacity beyond 2006

Any future training programme at EU level would consist of a mixture of intensive and conference type courses. An estimate of the future training and its consequences can therefore be based on the experience of the initial training phase.

Based on data from the Member States, currently available to the Commission, the number of potential Member State officials that are eligible for training is estimated

at around 40.000 – 45.000. Since the Commission is not in possession of a complete set of data from all Member States, a range of flexibility is applied in the present evaluation, using an average value of 42.500 officials with a confidence interval (+/- 250).

There is great potential for participation of trainees from third countries, in particular developing countries, and acceding, candidate and potential candidate countries. In the initial training programme the number of participants coming from non EU Member States, for each training course, is on average 20% of the total number of participants. This corresponds to 8500 trainees from third countries ($42.500 \times 20\% = 8.500$).

The total population of potential trainees (from Member States and third countries) is thus estimated at 51.000.

An increase of the training activities up to 6.000 trainees, would reach more than 10% of the potential trainees in Member States and third countries. It seems to the Commission that such level of training is technically feasible and offers a fair basis for ensuring training to address “a representative number of the target population”¹², taking into account:

- The evolution of the Community legislation in the areas of food and feed, animal health, animal welfare and plant health and other changes that may occur due to new scientific evidence and advice, better management of risks, new emerging diseases, increase in trade, new trade partners, new products and technologies, etc. requiring the target population to be continuously updated and to trained;
- The changes in the target population due to the replacement effect, new needs and new actors¹³.

6.2. Consequences of increasing the number of participants

It can be expected that an increase in the number of participants will necessitate a corresponding increase in the number of courses to be given and in the number of training days that are needed. The experience from the initial training phase offers a useful tool to make a rough estimate of the impact of future training initiatives.

An increase of the number of participants up to 6.000 would thus result in the need to organise 136 courses per year.

Corrective elements

The figures given above may require correction taking into account the following elements:

¹² The target population is the sum of the number of Member State officials that are eligible for training and the number of participants coming from non EU Member States.

¹³ Also the size of the target population can change, especially in the long term.

- (a) It is likely that there is a need to have a more intensive training of an increased number of participants in an initial phase in order:
- to achieve an immediate relevant impact of the activity;
 - to include trainers in the initial training programme (“train the trainers”); once trained, these trainers in the Member States will reduce the need for Community training;
 - to take into account the high need for training of participants from developing countries.
- (b) During the initial training programme, the duration of the courses varies from 1 day to 5 days with the number of participants varying from 20 to 120. It is the experience of the Commission that in order to achieve a maximum effect of training, more emphasis should be placed on intensive training of a limited number of participants over a longer period. It is likely therefore that in future the emphasis will be on intensive training over 4-4.5 days for 20 to 25 trainees rather than on conferences, the net result being an increase in the number of courses to be organised.

The figures referred to in point 6.1 should therefore be considered as minimum figures, which may increase in accordance with the type of training provided.

6.3. Expected evolution of training activities

Bearing in mind the above, the following estimates can be made as regards future training needs:

Year	Estimated number of participants <i>(a)</i>	Estimated number of courses per year <i>(b) = (a)/25*</i>	Estimated number of training days <i>(c) = (b)x4**</i>	Average courses per day <i>(d)=(c)/210***</i>
2007	3.000	120	480	2
2008	7.000	280	1120	5
2009	9.000	360	1440	7
2010	8.000	320	1280	6
2011	6.000	240	960	5
2012	6.000	240	960	5
2013	6.000	240	960	5

* Estimated participants for each course

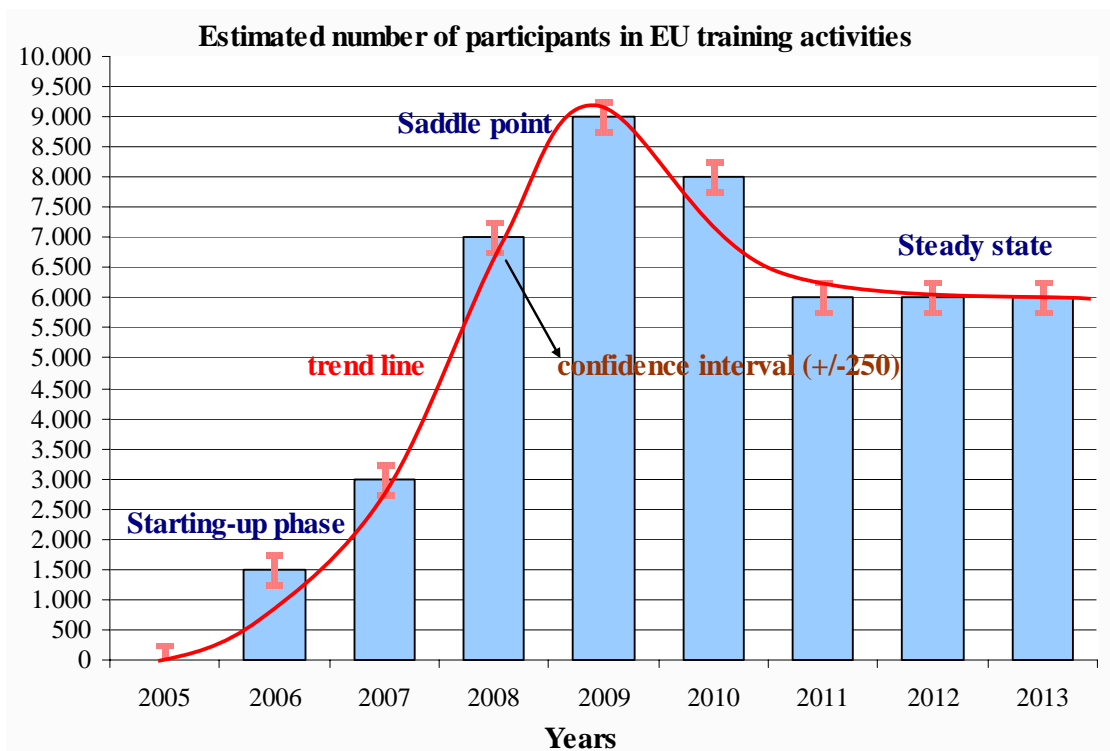
** Average duration of courses (days)

*** Average working days per year

The capacity of a future training structure is expected to enable training of an average of 6000 officials per year, with a peak of 9.000 participants in 2009.

A range of flexibility has been applied to the estimation, using a confidence interval (+/- 250 participants around the average value) for each year.

The graph below highlights the expected evolution of the training activities during the period 2006-2013.



7. OPTIONS FOR THE ORGANISATION OF COMMUNITY TRAINING

This section assesses 4 policy sub-options for the organisation of a Community training that meets the needs identified in the preceding section. It is suggested that the preferred sub-policy option would be the execution of a training programme by an existing Executive Agency.

Contracts for the organisation of training

The issuing of one or more **contracts by the Commission** establishing the terms of reference for the organisation of the different elements of training, (e.g. the delivery of training, the establishment of learning material, the programme management, the logistic aspects, the development of an e-learning programme) can be considered as a valuable option for the organisation of Community training. Such a method is flexible: it allows describing the characteristics of the training needs in accordance with the priorities set by the Commission. Contracts can also cover a given period during which it can be expected that a given training project can be finalised. Depending on the type of contract, it is also possible to handle more urgent needs for the delivery of a particular training project.

A specialised Commission service

The possibility to create a training centre with permanent facilities and infrastructures could be envisaged as a **specialised service of the Commission**. The practical consequences for the Commission would be important: fully equipped infrastructures, need for sufficient staff to be permanently available including tutors, staff for the daily management, the management of the training programme, the development of training materials, the invitation of trainees etc.

An executive agency

An executive agency would allow the Commission to focus on its core activities and functions which cannot be outsourced, without relinquishing control over, or ultimate responsibility for, activities managed by such an executive agency.

The management of such a programme includes technical tasks which do not entail political decision-making and require a high level of technical and financial expertise, such as the delivery of training, the selection of tutors, the production of learning material and the practical organisation of training sessions. Entrusting such tasks, which do not belong to the core tasks of the Commission, to an executive agency could be a way of achieving training in an efficient way.

In view of its direct contact with the Commission, it would also be easier for an executive agency to proceed to cooperation with other international organisations, to establish cooperation with the national training body, and to react quickly to new events such as changes in policy or new circumstances that require immediate training.

A regulatory agency

A European training body assuming all or part of the tasks related to the organisation and delivery of training could also be seen as an organisation independent from the Commission, working in accordance with its founding Regulation to be adopted by the Council and the European Parliament, in the form of a regulatory agency. Its tasks could include the delivery of training, the training and recruitment of tutors, the development of training material, communication and providing publicity so as to attract in a most efficient way the target groups in the Member States and in third countries, and cooperation with national bodies.

However, by its nature, a regulatory agency is a body distinct from the Community Institutions that has its own legal personality and works independently from the Commission. There would therefore be a risk of lack of coordination with the Commission services. From that point of view, the option to create a regulatory agency or to extend the remit of an existing one would not be the most appropriate format for providing EU training.

8. FINANCIAL IMPACT

8.1. General overview of the global cost of a training programme

The current overview of the financial impact of a future Community training programme is based on the assumption that the average training capacity should enable the training of 6.000 participants per year, with a peak of 9.000 participants in 2009.

The global cost of the current training activities during 2006 for all activities was €2.849.717. This includes:

- Costs for the implementation of the training programme: costs for participants (travel and accommodation expenses), tutors, conference facilities, etc. These costs are independent of the operational structure (contracts, Executive Agency or specialised Commission service).
- Operating costs: managerial staff, operational costs (missions, communication, etc), infrastructure (offices etc.). These costs are likely to vary according to the operational structure. The estimation based on the experience of 2006 (working with contracts), must therefore be corrected where another operational structure is chosen.

For the activities carried out in 2006, the cost per day per participant is calculated at € 500. For future activities, this amount is expected to increase in view of the following:

- the average duration of a course will in future be more oriented towards 4 - 4.5 days (instead of the average of 3.9 days in 2006) in view of the need to promote the intensive training format;
- in 2006, training has been given mainly in English and French, and in one case in Spanish. Experience indicates that there is a need for providing training in other languages so as to ensure maximum efficiency. Taking into account the need to have an interpreter available during a 4 day course, this increases the cost per course of with € 2000 (average cost of € 500 per day), or with a presence of 25 trainees per course, with €20 per participant/day. In many case more than one interpreter may be needed.
- the need to develop standard learning material in different languages, so as to ensure uniformity of training in time. The price for a translation per page varies importantly in function of the languages involved, but can be estimated as being comprised between €20-40. In certain cases, an amount in excess of €40 is to be counted. This has to be placed in the context of the estimated number of courses (240 per year).
- the need to develop a wider, more detailed and constant communication activity, due the increasing number of participants and countries involved.

Taking into account the above observations, it is estimated that the cost of one day of training (under the system of contracts) may increase up to €550.

Among the different options for the organisation of community training, a specialised Commission service and a regulatory agency have not been considered in the final part of this financial analysis: both options are expected to require a high level of resources, both human and financial, thus leading to an excessive expenditure.

Based on the above reflections, the following overview of the estimated global cost of contracts, in the case of the options “Contracts by the Commission” and “Executive Agency” can be made:

Year	Cost of contracts in €
2007	6.600.000
2008	15.400.000
2009	19.800.000
2010	17.600.000
2011	13.200.000
2012	13.200.000
2013	13.200.000

This cost has been estimated in the following way:

(Expected number of participants per year) n x 550 € x 4 (estimated average number of days per course).

Summarizing, the increase of the global cost from the level of 2.8 M€ in 2006 to 6.6 M€ in 2007 is due to the increased number of participants (from 1500 to 3000), the increased cost of one day of training per participant and the increased average duration of the courses. Likewise, the cost for training 6000 participants per year will increase to 13.200.000€

For the estimated number of participants for each year (coming from Member States, Candidate Countries, Acceding Countries, Potential Candidate Countries and third countries, in particular developing countries), this estimated budget means the coverage of all costs, above illustrated, to attend the training courses (travel, accommodation and participation costs).

Remark

The peak in the period 2008-2010 is explained by an expected need for intensive training of an increased number of participants in order to:

- include trainers in the Member States in the initial training programme (“train the trainers”); once trained, these trainers will reduce the need for Community training;

- take into account the high need for training of participants from developing countries.

8.2. Operating with an executive agency or with the Contracts by the Commission

Since the cost referred to above only relates to the execution of the training programme through calls for tender, it can be presumed that similar costs will apply when an executive agency or the Commission execute a training programme.

The amounts referred to above **do however not include the cost for preparing the calls for tender, the selection of applicants to calls for tender, for the follow-up of the training courses and for the execution of the budget.** During 2006, these activities were undertaken by Commission staff.

It can be expected that an executive agency would provide these services at a cheaper cost, as indicated in the following overview:

COMPARISON COSTS FOR CONTRACTS MANAGED BY COMMISSION / EXECUTIVE AGENCY

	WORKING WITH CONTRACTS			
	Cost for the Commission		Cost for the Commission	
(1) CORE TASKS (Always managed by the training team of DG SANCO based in Brussels) <i>Fix priorities and work programme</i> <i>Coordination within Commission</i> <i>Coordination with Member States</i> <i>Quality Control</i>				
6 Commission staff¹⁴	648,000	4.3%	648,000	4.4%
Missions ¹⁵	240,000	1.6%	240,000	1.6%
SUB TOTAL A	888,000	5.9%	888,000	6,0%
(2) COST FOR THE CONTRACTS	13,200,000	87.0%	13,200,000	89.4%
SUB TOTAL B	13,200,000	87.0%	13,200,000	89.4%
(3) TASKS <i>Prepare calls for tender/proposal</i> <i>Conclude contracts</i> <i>Follow-up contracts</i> <i>Execution budget</i>				
Staff: 10 officials¹⁶	1,080,000	7.1%	679,000	4,6%
SUB TOTAL C	1,080,000	7.1%	679,000	4.6%
GRAND TOTAL	15,168,000	100.0%	14,767,000	100.0%

NB items 1 and 2 are identical for the Commission and for the executive agency

¹⁴ Average figures applied by the Commission Services to estimate the personnel and administrative expenditure a year per person, on a 12-month basis: Commission official 108.000 €

¹⁵ The cost of staff missions has been estimated at 800 € per day within Europe and 1.200 € per day outside Europe. An average of 1.000 € has been considered also taking into account an average participation at 25% of the courses.

¹⁶ In the case of an executive agency, average figures applied by the Commission Services to estimate the personnel and administrative expenditure a year per person, on a 12-month basis: average Auxiliaries 80.000 €(6); average Contract Agent 54.000 €(3); average Intérimaires 37.000 €(1).

9. MONITORING AND EVALUATION

The monitoring of the training activities should in particular provide information about the relevance, the quality and the efficiency and economy of the training programme and would be mainly based on:

1. Reports from contractors (before and after each activity, interim and final report);
2. Distribution of questionnaire to all participants for the relevant period to evaluate the quality of training as well as organisational and technical aspects;
3. Participation of Commission officials at a number of randomly chosen training activities to check the quality of the training and organisational and technical aspects;
4. Web pages open to participants and stakeholders to receive opinion and comments.

The evaluation of the training programme should assess its results in terms of whether the training specifications have been met, and, specifically the achievement of: a good understanding of Community rules and standards; a fair level of uniformity of the controls carried out by Member States; the decisions taken by the controlling authorities; a better understanding of EU SPS measures and import procedures by developing countries in particular to place goods on the EU market; and better compliance with EU food standards and thus to fewer and more simplified controls at import.

Information for assessing the above may be partially derived from the results of the monitoring activity but mainly from other sources to be identified by the internal or external evaluators to assess the extent to which the results mentioned above have been achieved.

10. CONCLUSION

In this IA the Commission identified a problem related to the need to improve the application and compliance with EU food and feed law, animal health and animal welfare requirements, and with plant health requirements. Four policy options were considered: do nothing, exchanging experience between national training bodies, to organize and develop a Community training strategy for safer food and to improve the legislative framework.

Based on the above impact analysis, the Commission concluded that there is a need to provide training at EU level and to develop a training strategy that is complementary to training efforts that can be better developed at national level. These training activities should also open to participants from third countries and in particular from developing countries.

An average level of training 6.000 trainees has been estimated as an appropriate level of training. To reach this objective, some implementing options have been analysed:

contracts managed by the Commission, a specialised Commission service, an executive agency and a regulatory agency.

Based on the need for the Commission not to relinquish control over the training activities, to ensure that the European dimension of training is guaranteed and based on the results of the financial analysis, the Commission is attracted by “an executive agency” as an appropriate option for organising training.

The Commission will further examine the possibility to entrust the Executive Agency for the Public Health Programme with the execution of a training programme in the areas of food law, feed law, animal health, animal welfare and plant health. This entails the need to commend a cost-benefit analysis to be carried out and other procedures. Where appropriate, the Commission will start the necessary procedures for that purpose, or else establish other appropriate procedures to ensure the training that is referred to in Article 51 of Regulation (EC) No 882/2004.