



EUROPEAN COMMISSION  
IMPACT ASSESSMENT BOARD

Brussels, 11 April 2007

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## Opinion

### Title

**Impact Assessment on: Strategy on nutrition and physical activity (draft version of 9 March 2007)**

### Lead DG

**DG SANCO**

## **1) Impact Assessment Board Opinion**

### **(A) Context**

The Commission published a Green Paper "*Promoting healthy diets and physical activity: Towards a European strategy for the prevention of obesity and chronic diseases*" in December 2005, which was followed by a variety of consultations, public debates and expert advice. The proposed White Paper is following up on this.

### **(B) Positive aspects**

The evidence base reflected in the problem definition is solid and convincing in arguing that the issue of obesity presents a problem to society. However, the problem definition is excessively long and detailed, and the importance of obesity and its multi-factorial causes and effects could be made equally forcefully in a more concise way.

### **(C) Main recommendations for improvements**

*The recommendations below are listed in order of descending importance. Some more technical comments will be transmitted directly to the author DG.*

**General recommendation: The IA report needs fundamental improvements in the structure and logic of argumentation. This concerns the link between problem definition, objective setting, subsidiarity analysis and options, as well as the definition and assessment of the options. As this has a bearing on the entire IA, the Board would welcome resubmission of a revised draft IA report but - considering the scope of the initiative - the Board leaves it to DG SANCO whether to make use of that opportunity.**

**(1) The definition of objectives and options needs to be improved.** The definition of objectives needs to be reconceived and identify more clearly concrete obstacles in combating obesity. Possible actions should not be mixed up with the definition of objectives. In turn, it should be clarified which concrete measures each option entails,

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how the options are different from each other and from the status quo, and how they relate to Community competences. In particular, the IA report should clarify more precisely the difference between the options A and B and between options B and C, remove inconsistencies between options C and D (cumulative or not), and clarify whether option C entails no regulation at all and whether option D entails only regulation and abandons the partnership approach. The IA report should bring out more clearly the actions envisaged under preferred option C and that this option goes beyond improving internal Commission coordination and avoid that this option is given disproportionate emphasis by comparing it against extreme or unrealistic alternatives.

**(2) The impacts of the options need to be better assessed and compared.** The IA report should analyse what contribution each of the identified options will make towards achieving the set objectives, as well as analyse the other economic, social, or environmental impacts each option might have. This overview of impacts should then provide the basis for a comparison of the options and, if relevant, a reasoned choice. The analysis of economic impacts would benefit from complementing the analysis of industry impacts with more focus on public health impacts. It is also recommended to be more careful as regards the link between obesity and competitiveness, notably productivity. Equally or more relevant links with other Lisbon agenda objectives such as promoting sustainable and adequate social protection and social inclusion could be further developed.

**(3) The chapter on subsidiarity needs to be better articulated.** The large number of considerations cited to demonstrate necessity and value added of EU action are not all relevant and do not always relate correctly to necessity or value added. This section should also be more focused on the directly relevant aspects notably in areas where EU competency exists. The section on the 'boundary test' requires significant further elaboration.

#### **(D) Procedure and presentation**

All procedural requirements appear to be complied with but the Impact Assessment Guideline recommendation of a maximum of 30 pages for an IA report (excluding annexes) should be taken into account.

## **2) IAB scrutiny process**

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|-----------------------------|---|
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| Author DG                   | SANCO-C-4                                     |
| External expertise used     | No  |
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| Date of adoption of Opinion | 11 April 2007                                 |