

COMMISSION IMPLEMENTING DECISION

of 3 May 2012

on financing the 2012 work programme on training in the field of food and feed safety, animal health, animal welfare and plant health in the framework of the 'Better training for safer food' programme

(2012/C 129/03)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities ⁽¹⁾ (hereinafter referred to as the 'Financial Regulation'), and in particular Article 75,

Having regard to Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities ⁽²⁾ (hereinafter referred to as the 'Implementing Rules'), and in particular Article 90 thereof,

Having regard to Council Regulation (EC) No 58/2003 of 19 December 2002 laying down the statute for executive agencies to be entrusted with certain tasks in the management of Community programmes ⁽³⁾, and in particular Article 12(3) thereof,

Having regard to Council Directive 2000/29/EC on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community ⁽⁴⁾, and in particular Article 2(1)(i) thereof,

Having regard to 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 ⁽⁵⁾, and in particular Article 66(1)(b) and (c) thereof,

Whereas:

(1) Regulation (EC) No 882/2004 lays down general rules for the performance of official controls to verify compliance with rules aiming, in particular, at preventing, eliminating or reducing to acceptable levels risks to humans and animals and guaranteeing fair practices in feed and food trade and protecting

consumer interests. Article 51 of that Regulation provides that the Commission may organise training courses for the staff of the competent authorities of Member States responsible for the official controls referred to in that Regulation, which may be opened to participants from third countries, in particular developing countries. Those courses may include in particular training on Community feed and food law and animal health and animal welfare rules.

(2) Article 2(1)(i) of Council Directive 2000/29/EC on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community provides the legal instrument for organising courses in the field of plant health.

(3) The 'Better training for safer food' programme has been established by the Commission in order to achieve the aims set out in Regulation (EC) No 882/2004. The Commission Communication COM(2006) 519 final ⁽⁶⁾ explores options for future organisation of training.

(4) The 2012 work programme for the implementation of 'Better training for safer food' Programme should therefore be adopted.

(5) Commission Decision 2008/544/EC ⁽⁷⁾ of 20 June 2008 transformed the 'Executive Agency for the Public Health Programme' into the 'Executive Agency for Health and Consumers' (hereafter 'the Agency'). Commission Decision C(2008) 4943 of 9 September 2008 delegated to the Agency certain management and programme implementation tasks pertaining to the food safety training measures performed pursuant to Regulation (EC) No 882/2004 and Directive 2000/29/EC. A subsidy should therefore be granted to the Agency in 2012 for financing the operating costs of the activities related to the 'Better training for safer food' programme.

(6) In accordance with Article 75 of the Financial Regulation and Article 90(1) of the Implementing Rules, the commitment of expenditure from the budget of the European Union shall be preceded by a financing decision setting out the essential elements of the action involving expenditure and adopted by the institution or the authorities to which powers have been delegated by the institution.

⁽¹⁾ OJ L 248, 16.9.2002, p. 1.

⁽²⁾ OJ L 357, 31.12.2002, p. 1.

⁽³⁾ OJ L 11, 16.1.2003, p. 1.

⁽⁴⁾ OJ L 169, 10.7.2000, p. 1.

⁽⁵⁾ OJ L 165, 30.4.2004, p. 1.

⁽⁶⁾ SEC(2006) 1163 and SEC(2006) 1164, 20.9.2006.

⁽⁷⁾ OJ L 173, 3.7.2008, p. 27.

- (7) The 2012 work programme being a sufficiently detailed framework, the present decision constitutes a financing decision within the meaning of Article 90(2) and (3) of the Implementing Rules.
- (8) For the application of this Decision, it is appropriate to define the term 'substantial change', within the meaning of Article 90(4) of the Implementing Rules.
- (9) Pursuant to Article 83 of the Financial Regulation, the validation, authorisation and payment of expenditure must be completed within the time limits laid down in the implementing rules. Those rules are also to specify the circumstances in which creditors paid late are entitled to receive default interest charged to the line from which the principal was paid.
- (10) This Decision should therefore provide rules on the payment of default interest due for late payments related to actions included in the 2012 work programme,

HAS DECIDED AS FOLLOWS:

Article 1

The work programme for the implementation in 2012 of the 'Better training for safer food' programme as set out in the Annex is hereby adopted. It constitutes a financing decision in the meaning of Article 75 of the Financial Regulation.

Article 2

1. The total amount of the financial contribution for the implementation of the work programme shall be EUR 16 170 000, to be financed from the following budget lines of the general budget of the European Union for 2012:

- (a) budget line No 17.04.07.01: EUR 14 090 000;

(b) budget line No 17.04.04.01: EUR 660 000;

(c) budget line No 17.01.04.05: EUR 250 000;

(d) budget line No 17.01.04.31: EUR 1 170 000.

2. The amount provided for in paragraph 1(d) shall be paid to the Executive Agency for Health and Consumers and shall constitute an operating subsidy.

3. Default interest due for late payment may also be paid from the budget lines referred to in point 1(a) and (b), in accordance with Article 83 of the Financial Regulation.

Article 3

Cumulated changes of the allocations to the specific actions covered by the work programme not exceeding 20 % of the maximum financial contribution provided for in Article 2(1) shall not be considered to be substantial within the meaning of Article 90(4) of the Implementing Rules, provided that they do not significantly affect the nature and objective of the work programme.

The authorising officer may adopt such changes in accordance with the principles of sound financial management and of proportionality.

Done at Brussels, 3 May 2012.

For the Commission

John DALLI

Member of the Commission

ANNEX

2012 work programme on training in the field of food and feed safety, animal health, animal welfare and plant health in the framework of the 'Better training for safer food' programme

1.1. Introduction

This work programme contains three implementing measures for 2012. On the basis of the objectives laid down in Regulation (EC) No 882/2004 and Directive 2000/29/EC, the distribution of budget and the main actions are the following:

1.2. Procurement (implemented in indirect centralised management):	
1.2.1. Training: external contracts for the execution of the training programme	EUR 14 750 000
1.2.2. Training: IT equipment, tools and support, promotional material, information and communication support and conferences	EUR 250 000
1.3. Other actions: operating subsidy for the Executive Agency for Health and Consumers	EUR 1 170 000
TOTAL	EUR 16 170 000

1.2. Procurement

The global budgetary envelope reserved in 2012 for the procurement contracts amounts to EUR 15 000 000.

1.2.1. Training: external contract for the execution of the training programme

LEGAL BASIS

Regulation (EC) No 882/2004, Article 51 and Article 66(1)(b)
 Directive 2000/29/EC, Article 2(1)(i)

BUDGETARY LINE

Budget lines: 17.04.07.01 and 17.04.04.01

INDICATIVE NUMBER AND TYPE OF CONTRACTS ENVISAGED

For each of the technical issues referred to below, one or more service contracts will be signed. It is estimated that around 18 service contracts will be signed. External contractors are mainly involved in the organisational and logistical aspects of the training activities.

SUBJECT OF THE CONTRACTS ENVISAGED (IF POSSIBLE)

For 2012, the training action will concern the following subjects:

Activities	Amount in EUR
Animal by-products	880 000
Animal welfare	1 400 000
Control checks at border inspection posts	860 000
Feed law	1 000 000
Import controls on food of non-animal origin	930 000
Internal auditing of official control systems	900 000
Quality schemes (organic farming and geographical indications)	1 000 000
Microbiological criteria in foodstuffs	750 000

Activities	Amount in EUR
TRACES (sanitary and phytosanitary aspects)	650 000
Food-borne outbreaks investigation	1 500 000
Food labelling and claims	1 500 000
GMO analysis	420 000
Control of commercial and non-commercial movements of dogs and cats	630 000
Control of contaminants	1 000 000
Support to enforcement in sanitary and phytosanitary fields	800 000
Other animal health and welfare, plant health and food safety issues and studies, conferences, assistance, learning tools and assessments	530 000
TOTAL	14 750 000

IMPLEMENTATION

EUR 14 120 000 (financing of food safety measures under Regulation (EC) No 882/2004 and Directive 2000/29/EC) will be managed and implemented by the Executive Agency for Health and Consumers (Commission Decision 2008/544/EC). The remaining EUR 630 000 will be used by the Commission to cover the programme on GMO (EUR 420 000) and studies, conferences and assessments (EUR 210 000, out of the item 'other').

INDICATIVE TIME-FRAME FOR LAUNCHING THE PROCUREMENT PROCEDURE

Approximately between April and June in order to have the contracts signed during 2012.

INDICATIVE AMOUNT OF THE CALL FOR TENDERS

EUR 14 750 000

1.2.2. Training: IT equipment, tools and support, promotional material, information and communication support and conferences

LEGAL BASIS

Regulation (EC) No 882/2004, Article 66(1)(c)

BUDGETARY LINE

Budget line: 17.01.04.05

INDICATIVE NUMBER AND TYPE OF CONTRACTS ENVISAGED

It is estimated that around three specific contracts will be signed on existing framework contracts.

SUBJECT OF THE CONTRACTS ENVISAGED (IF POSSIBLE)

The actions to be financed under this budget are aimed at arranging the training programmes, IT and e-learning equipment, tools and support, promotional material, information and communication supports as well as conferences.

IMPLEMENTATION

This action will be implemented directly by Health and Consumers DG.

INDICATIVE TIME-FRAME FOR LAUNCHING THE PROCUREMENT PROCEDURE

Approximately between April and October.

INDICATIVE AMOUNT OF THE CALL FOR TENDERS

EUR 250 000

1.3. Other actions: operating subsidy for the Executive Agency for Health and Consumers

LEGAL BASIS

Council Regulation (EC) No 58/2003, in particular Article 12(3)

BUDGETARY LINE

Budget line: 17.01.04.31

AMOUNT

EUR 1 170 000

DESCRIPTION AND OBJECTIVE OF THE IMPLEMENTING MEASURE

This budget finances the Agency's operating subsidy for 2012 related to the programmes under 'FP Heading 2'. Budget line 17.01.04.31 finances the Agency's 2012 operating subsidy for the part related to the 'Better training for safer food' programme. According to Article 12(3) of Council Regulation (EC) No 58/2003, the operating subsidy is to be drawn from the financial allocation to the Union programmes managed by the Agency. Two separate budget lines have been created in the 2012 budget for the subsidy to be paid to the Agency, one for programmes under heading 2 and another for programmes under heading 3b of the Financial Perspectives.
