

Commission Decision of 5 September 2008 setting up an advisory structure of Scientific Committees and experts in the field of consumer safety, public health and the environment and repealing Decision 2004/210/EC (Text with EEA relevance) (2008/721/EC)

COMMISSION DECISION

of [^X15 September 2008]

setting up an advisory structure of Scientific Committees and experts in the field of consumer safety, public health and the environment and repealing Decision 2004/210/EC

(Text with EEA relevance)

(2008/721/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community, and in particular Articles 152 and 153 thereof,

Whereas:

- (1) Three Scientific Committees were established by Commission Decision 2004/210/EC⁽¹⁾, as amended by Commission Decision 2007/263/EC⁽²⁾: the Scientific Committee on Consumer Products (SCCP), the Scientific Committee on Health and Environmental Risks (SCHER), the Scientific Committee on Emerging and Newly Identified Health Risks (SCENIHR).
- (2) Certain tasks of the SCHER have been transferred to the European Chemical Agency (ECHA) established by Regulation (EC) No 1907/2006 of the European Parliament and of the Council⁽³⁾, and therefore the fields of competence of that Committee should be revised.
- (3) The experience with the functioning of the three Scientific Committees shows the need to introduce modifications and improvements in the structure and working procedures of the Committees.
- (4) The terms of office of the members of three Scientific Committees established by Commission Decision 2004/210/EC was prolonged by Commission Decision 2007/708/EC⁽⁴⁾ and come to an end on 31 December 2008. Members of those committees remain in office until they are replaced or their appointments are renewed.
- (5) Therefore, and for the sake of clarity, it is necessary to replace Decision 2004/210/EC with a new Decision.
- (6) Sound and timely scientific advice is an essential requirement for Commission proposals, decisions and policy relating to consumer safety, public health and the

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environment. A flexible advisory structure is necessary in that respect, in order to ensure easier access to highly qualified scientific expertise in a wide range of fields.

- (7) The scientific advice on matters relating to consumer safety, public health and the environment must be based on the principles of excellence, independence and impartiality, and transparency, as developed in the Commission Communication on ‘The collection and use of expertise by the Commission: principles and guidelines. Improving the knowledge for better policies’⁽⁵⁾, and it must be organised in conformity with best practice principles of risk assessment.
- (8) It is essential that the Scientific Committees make best use of scientific expertise in the EU and beyond as may be necessary for a specific question. To that aim a pool of Scientific Advisors should be established adequately covering the fields of competence of the Committees.
- (9) The reorganisation of the advisory structure must provide increased flexibility to allow it to advise the Commission on matters falling under established areas of competence as well as on emerging and newly identified health risks and matters not within the competence of other Community risk assessment bodies, and must be able to provide rapid advice when needed, ensure full transparency and a high level of consistency and collaboration with other Community bodies and relevant scientific organisations.
- (10) The need for independent scientific advice both in established and new areas of Community responsibilities falling within the competence of the Scientific Committees is likely to continue to increase. The scientific advice structure on risk assessment needs therefore to be reinforced, in its composition as well as by more effective working practices.
- (11) Various Community bodies have been established which have among their tasks the assessment of risks in various domains. It is necessary to ensure consistency and promote coordination between the Scientific Committees and such bodies. The Scientific Committees need to reinforce their effectiveness also by appropriate exchanges of information and expertise and through collaboration with other scientific bodies and organisation at national and international level.
- (12) The working practices of the Scientific Committees should be improved by including, in addition to the internal work, the organisation of scientific meetings and workshops and the establishment of networks.
- (13) While preserving full independence, it is important to ensure openness and transparency of the work of the Scientific Committees by establishing appropriate stakeholder dialogue procedures.
- (14) The openness and transparency sought in the implementation of this Decision should be ensured while fully respecting the requirements laid down in the Community legislation with regard to the protection of personal data and to the access of the public to documents, including the protection of commercial confidentiality,

HAS DECIDED AS FOLLOWS:

Changes to legislation: *There are currently no known outstanding effects for the Commission Decision of 5 September 2008 setting up an advisory structure of Scientific Committees and experts in the field of consumer safety, public health and the environment and repealing Decision 2004/210/EC (Text with EEA relevance) (2008/721/EC), Introductory Text. (See end of Document for details)*

Editorial Information

- X1** Substituted by [Corrigendum to the Commission Decision 2008/721/EC of 5 August 2008 setting up an advisory structure of Scientific Committees and experts in the field of consumer safety, public health and the environment and repealing Decision 2004/210/EC \(Official Journal of the European Union L 241 of 10 September 2008\)](#).

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- (1) OJ L 66, 4.3.2004, p. 45.
- (2) OJ L 114, 1.5.2007, p. 14.
- (3) OJ L 396, 30.12.2006, p. 1. Corrected by OJ L 136, 29.5.2007, p. 3.
- (4) OJ L 287, 1.11.2007, p. 25.
- (5) COM(2002) 713 final of 11 December 2002.

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