

# RISK ASSESSMENT CENTRE OF THE BULGARIAN FOOD SAFETY AGENCY – LEGISLATIVE BASIS AND FUNCTIONS

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## Abstract

The aim of the present study is related to the analysis of the legislative basis for establishment and main functions of the Risk Assessment Centre (RAC) of the Bulgarian Food Safety Agency (BFSA). The structure of RAC is analyzed. The main objectives and tasks of RAC are pointed out and some conclusions are made about the effectiveness of its functions regarding food safety for consumers throughout the food chain.

The importance of RAC is clarified for carrying out an effective and total control and co-ordination with the food safety authorities of the other member states in the EEC and with the European Food Safety Agency (EFSA), as well.

**Key words:** RAC (*Risk Assessment Centre*); BFSA (*Bulgarian Food Safety Agency*); EFSA (*European Food Safety Agency*).

## 1. Introduction

The globalization of trade and free movement of people and goods have increased extremely the responsibilities of national competent authorities of countries in order to guarantee the food safety and protection of consumers' health. The requirements of the Terrestrial Animal Health Code of OIE (Section Risk assessment during import of animals) (OIE [4]) and Regulation (EC) 178/2002 [6] laying down the common principles and requirements for legislation on food issues and establishment of the European Food Safety Agency (EFSA), have resulted into the necessity of implementation of new European policy and relevant national legislative amendments in the Member states. Taking into account that Bulgaria appeared to be an external border of the European Union, a certain necessity have arisen for establishment of a single national competent body in charge of the official food chain control.

Regarding the above facts and for the purpose of eliminating some organizational disadvantages in the control of food and feed safety and animal and plant health, in the Republic of Bulgaria the Bulgarian Food Safety Agency (BFSA) was established together with Risk Assessment Centre (RAC) as a separate juridical body in its structure.

## 2. Materials and Methods

With the present work we set the aim to analyze the structure and main functions of RAC at BFSA and to define the influence of such kind of organization of the control activities on the crucial for the food safety, animal health and plant health risk factors. In order to complete the task we did the following survey of: legislative basis on establishment of BFSA and the previous reforms, aim, tasks and main functions of RAC and structure of RAC and its capacity to act adequately in emerging situations with increased degree of risk.

In the course of the survey we analyzed the organization of RAC as a structural part of BFSA, respectively the legislative basis on its establishment, using the descriptive - analytical method and the method of representative study. We used the methodology of the empiric sociological survey for studying data from official written documents (Mihaylov [3]).

## 3. Results and Discussion

The establishment of BFSA was conducted by many discussions for more than 5 years and is a part of the Plan for implementation of measures for optimization of the state administration 2010-2011 in Republic of Bulgaria [5]. Till the beginning of functioning of the Agency in the country the control of safety of food and feed, animal health and welfare and plant health was performed by officials from 4 state institutions within two ministries - Ministry of agriculture and food (MAF)

and Ministry of health (MH):

- National veterinary service (NVS);
- National grain and feed service (NGFS);
- National plant protection service (NPPS);
- Regional protection and public health control inspectorates (RPPHCI).

The survey shows that till the establishment of BFSA a range of disadvantages and difficulties existed in performance of the routine activities of officials from those services (Table 1).

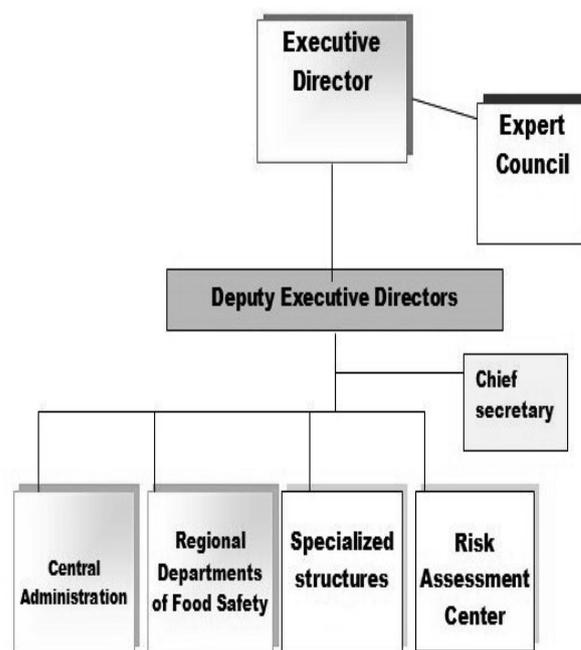
**Table 1. Main disadvantages of the previous system for control before BFSA establishment**

Legislative difficulties	<ul style="list-style-type: none"> <li>- necessity of double registration of food business operators;</li> <li>- issue by one institution of certificates for export of foodstuffs produced in an enterprise under the control of other institution;</li> <li>- different interpretation of legislation at its implementation by different institutions;</li> <li>- obstacles in development of single multi-annual national control plan (2007).</li> </ul>
Functional difficulties	<ul style="list-style-type: none"> <li>- coincidence of functions and activities between some services;</li> <li>- difficult coordination between institutions for joint activities;</li> <li>- necessity of re-sending documents and stakeholders between different institutions;</li> <li>- difficulties in collecting summarized information for planned and effective control.</li> </ul>
Financial difficulties	<ul style="list-style-type: none"> <li>- maintenance of identical serving administrative structures in several institutions;</li> <li>- maintenance of research laboratories at each institution, performing identical analyses;</li> <li>- double registration of business operators (financial burden for them);</li> <li>- establishment of National Council on Food Safety and Council for control coordination between the stakeholders and the services.</li> </ul>

The disadvantages noted above led to the obviously necessity of coordinated, effective, thorough and unified control of the whole food chain. Its realization started with development of Strategy for establishment of BFSA and RAC after conducting a survey among the rest 26 Member states for the purpose of choosing the most appropriate model of organization. The BFSA project was accomplished in 16 months. Amendments of 23 legislative acts were made which resulted in necessity of amending the correspondent sub-legislative basis.

The official start of BFSA was on 10.02.2011 legally regulated by the *Act of Bulgarian Food Safety Agency*

(ABFSA) [1] and *Decree 35/2011 for adoption of the Rules for organization of BFSA* [2] as a single competent state authority in charge of food safety and quality at every stage of the food chain, whatever the foodstuffs are derived from. The Agency is under the control of the Minister of agriculture and food and is divided into Central administration, Regional departments of food safety (RDFS), Risk assessment centre (RAC) and specialized structures for research and laboratory and diagnostic activities. The structure of BFSA is defined by the *Rules for organization of Bulgarian Food Safety Agency* [2] (Fig. 1).



**Figure 1. Organizational structure of BFSA**

BFSA includes the previous structures NVS, RPPHCI, NPPS and NGFS and unites them under the management of MAF. Within the new agency 16 laboratories function in total as the number of those with identical activities was reduced after inspection and analysis of the operating laboratories at the previous services.

The control of food quality which till the present moment has not been legally directly defined as a responsibility of the control bodies now is included in the texts regulating the activities of BFSA.

The Agency is a single authority executing the state policy of control of food safety, animal health and welfare and plant health, representing thus the state at all competent international and European organizations. It is managed by executive director who is appointed to the post by the prime-minister after official offer by the minister of agriculture and food (Official gazette 8/25 [1] and Official gazette 15/2011 [2]).

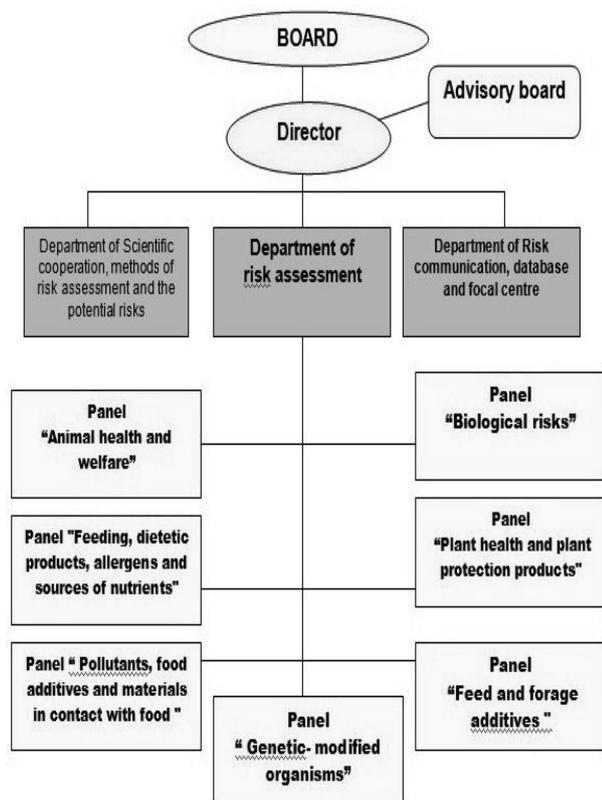
As a separate juridical body in the structure of BFSa the Risk Assessment Centre (RAC) was established.

Among the *main functions* of RAC are collection and analysis of scientific information from all fields of competencies of the Agency, ensuring diagnostics, definition and monitoring on direct and indirect risks for animal health and welfare, food and feed safety, plant health (Official gazette 8/25 [1] and Official gazette 15/2011 [2]) and maintenance of regular connections with EFSA and food safety competent authorities in the other Member states. RAC performs independent scientific assessment on request directly by EFSA or state institutions, physical and juridical bodies.

*Tasks* of RAC are independent, quick, adequate and scientific analyses of risk factors related to safety of foodstuffs, health and welfare of animals and plant health.

*The aim* of RAC and main motive for its establishment is to provide the BFSa directors with scientific-based expert opinions used for development of adequate administrative decisions for reducing or eliminating the influence of risk factors within the agency competencies.

The structure of RAC is regulated by the Act of BFSa and the Rules for organization of BFSa, enforced by Decree 35/2011 of the Council of Ministers (Fig. 2).



**Figure 2. Structure of the Risk Assessment Centre at BFSa**

The staff of RAC numbers 34 employees, all of them experts with profound knowledge in safety of foodstuffs and feed, plant and animal health. Within RAC three departments operate and one of them – Department “Risk assessment” includes 7 panels with different fields of activity within the competences of the Agency. In the Board of managers the executive director of BFSa participates, as well as a representative of the Ministry of agriculture and food and a representative of the Ministry of health, both nominated by the ministers. An Advisory Board is established to the Director of RAC, which consists of 15 permanent members, representing different organizations from the list of RAC, in compliance with Regulation 2230/2004/EC.

One of the first challenges before the newly founded BFSa and RAC is the emerged foot-and-mouth disease (FMD) in the country and the necessity of taking quick and adequate measures by all its structures.

#### 4. Conclusions

1. The comparatively simplified structure and small numerical staff of RAC, as well as the integration of the operative panels in one department, facilitates the easy communication and effective joint activities of the officials together with adequate and quick reaction in high risk situation.
2. The membership of the executive director of BFSa in the Board of managers of RAC gives the opportunity for direct participation of the administration of the Agency in the work of the Centre. However, there is a possibility for conflict of interests regarding the independence of the expert evaluation of emerged risk situations by the Centre.
3. The representatives of the Ministry of agriculture and food and the Ministry of health in the Advisory board of RAC facilitate the coordination of activities of the ministries and ease the dialogue between them in relation to the work of RAC and BFSa.
4. The FMD situation in the country and the emergence of new, unfamiliar disease with great health and economic importance (bovine spongiform encephalopathy, African swine fever, etc.) set up the issue of legislative regulation of requirements for occupation of certain posts at the Agency by specialists with higher veterinary education, which now is not laid down by the Act of BFSa and the Rules for organization of BFSa.

At last it could be summarized that the Risk Assessment Centre as a structural part of BFSa is adequate to the current requirements of the European legislation regarding the quality and safety of foodstuffs, plant and animal health.

## 5. References

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