EUROPEAN COMMISSION
Regulatory Scrutiny Board

Brussels,
RSB

Opinion

Title: Evaluation of the Feed Additives Regulation

Overall opinion: POSITIVE

(A) Policy context

The 2003 Feed Additives Regulation replaced Council Directive 70/524/EEC concerning additives in feed-stuffs. It lays down the conditions and procedures for the authorisation of feed additives and their placing on the market. Risk assessment of feed additives is centralised at the European Food Safety Authority (EFSA), while risk management is under the responsibility of the Commission. The aim is to place effective feed additives on the market and at the same time protect human and animal health, animal welfare and the environment. The Regulation also lays down rules for labelling and packaging of these additives, together with enforcement measures based on methods validated by the European Union Reference Laboratory for Feed Additives.

The results of this evaluation will be used in the impact assessment for the revision of this Regulation.

(B) Summary of findings

The Board notes the useful additional information provided in advance of the meeting and commitments to make changes to the report.

The Board gives a positive opinion. The Board also considers that the report should further improve with respect to the following aspects:

(1) The report does not clearly present the available evidence in order to analyse the costs and benefits. It is not clear what data exactly underpins the conclusions of the evaluation and how the commitment to provide further available evidence affects this.

(2) The notion of innovative versus sustainable feed additives is not clear and the obstacles related to these types of additives are not well differentiated. The trade-offs behind extending the length of authorisation for some products are not clearly assessed.

This opinion concerns a draft evaluation which may differ from the final version.

(C) What to improve

(1) The report should improve the data and information used to support the conclusions of the evaluation, e.g. in relation to the evaluated time period, the costs and benefits, and the potential for burden reduction. It should better justify the use of relatively old data (2004-2017) and how this is still representative. Where new data is added, it should be clarified if this data is supporting or contradicting the conclusions, and to what extent. In the absence of more quantitative data, the report should provide a more robust qualitative analysis, in particular in support of the benefit assessment, clearly outlining the limitations and uncertainties.

(2) The report should ensure coherence between the data and conclusions in Annex III and in the main text, outlining the difficulties related to isolating specific causal relationships and, consequently, better calibrating the conclusions that can be drawn from the available evidence. The evaluation matrix in Annex III should be completed, making clear the difference between formal compliance and verifiable or verified outcomes. It should be clear where the answers to the evaluation questions can be found in the report.

(3) The report should distinguish between innovative and sustainable feed additives and clarify the different bottlenecks encountered for these types of additives. It should clarify how different aspects influence the rate of innovation, e.g. the trade-off behind extension of the length of the authorisation period or the differences between holder and non-holder authorisations.

(4) The report should analyse the reasons for delays in the authorisation process (at industry, Commission and EFSA side) more comprehensively. It should clarify if the EU authorisation process works well in comparison with third country approaches and how it possibly affects competitiveness vis-à-vis third countries.

Some more technical comments have been sent directly to the author DG.

(D) Conclusion

The DG must take these recommendations into account before launching the interservice consultation.

Full title	Evaluation of Regulation (EC) No 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition
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