

Legal foundations for the work of the Federal Institute for Risk Assessment (BfR)

Status September 2008

I. Statutory tasks

The work of BfR is based more particularly on the following statutory tasks. The wording of the provisions indicated applies in individual cases:

1. § 2 para 1, No. 1 BfRG (Act establishing the Federal Institute for Risk Assessment)

Preparation of expert scientific opinions on food safety and consumer protection from the angle of human safety

2. § 2 para 1, No. 2 BfRG:

Scientific advice to the federal ministries and the Federal Office of Consumer Protection and Food Safety

3. § 2 para 1, No. 3 BfRG:

- Cooperation with the services of the European Union, in particular the European Food Safety Authority
- Cooperation with other scientific institutions on the national and international levels
- Co-ordination of the exchange of scientific information in the fields of food safety and consumer protection

4. § 2 para 1, No. 4 BfRG:

Scientific research that is closely linked to the activities of BfR

5. § 2 para 1, No. 5 BfRG:

- Assessment of the threat to health from chemicals
- Documentation and information on intoxication incidents

6. § 2 para 1, No. 6 BfRG:

Recording and assessment of alternatives to animal experiments

7. § 2 para 1, No. 7 BfRG:

Risk assessment of genetically modified animals, plants and micro-organisms and of genetically modified animal feed and animal feed additives

8. § 2 para 1, No. 8 BfRG:

Dealing with health issues related to the transport of dangerous goods

9. § 2 para 1, No. 9 BfRG:

Participation in food monitoring and other surveys

10. § 2 para 1, Nos. 10, 11 BfRG:

Assumption of role as Community or national reference laboratories

11. § 2 para 1, No. 12 BfRG:

Informing the public at large about health risks, other findings and work results

12. § 11 para 2, No. 3 Pesticides Act:

Issuing of consent to the Federal Office of Consumer Protection and Food Safety (BVL) concerning approval for the placing on the market or the import of non-approved pesticides

13. § 15 para 3, sentence 1, No. 2 Pesticides Act:

Issuing of consent to the Federal Office of Consumer Protection and Food Safety (BVL) concerning the approval of pesticides

14. § 15 b para 4, No. 2 Pesticides Act:

Issuing of consent to the Federal Office of Consumer Protection and Food Safety (BVL) concerning the approval of pesticides approved in other EU Member States

15. § 15 c para 2, No. 2 Pesticides Act:

Issuing of consent to the Federal Office of Consumer Protection and Food Safety (BVL) concerning the (provisional) approval of pesticides where a decision has not yet been taken about their active substances pursuant to the relevant EC directive

16. § 18 para 3, No. 2 Pesticides Act:

Issuing of consent to the Federal Office of Consumer Protection and Food Safety (BVL) concerning approval for the use of a pesticide

17. § 31 a para 3, No. 1 Pesticides Act:

Issuing of consent to the Federal Office of Consumer Protection and Food Safety (BVL) concerning the listing of plant health-enhancing agents

18. § 2 para 1, sentence 2 of the Pesticides Ordinance:

Advice on pesticides

19. § 4 para 1, No. 3 Chemicals Act

Participation in the registration, evaluation, authorisation and restriction of chemical substances in its capacity as the evaluation office for health and consumer protection

20. § 12 j para 2, sentence 1, No. 1 Chemicals Act:

Issuing of consent to the Federal Institute for Occupational Safety and Health concerning the approval of biocide products

21. § 16 e para 1, No. 5, para 2, para 3 Chemicals Act, § 2 para 1, No. 2 Poison Information Ordinance (ChemGiftInfoV):

- Receival of notifications from manufacturers, distributors and importers of dangerous preparations and biocide products concerning their composition, use, precautionary measures and health risks as well as the passing on of information to the poison control and treatment centres of the federal states
- Receival of notifications from doctors about the health effects of dangerous substances, preparations and biocide products in man, including suspected cases
- Exchange of information with the poison control and treatment centres of the federal states

22. §§ 19 b para 2, No. 3, 19 d Chemicals Act

Duties of the Federal Bureau for Good Laboratory Practice

23. § 16 para 4 Genetic Engineering Act

Issuing of consent to the Federal Office of Consumer Protection and Food Safety (BVL) concerning the decision on the release and the decision on approval for the placing on the market of genetically modified organisms

24. § 3 para 1 EC Genetic Engineering Enforcement Act

Issuing of consent for the safety of a food or feed to the Federal Office of Consumer Protection and Food Safety (BVL) for the purposes of informing the European Food Safety Authority

25. § 3 para 2 EC Genetic Engineering Enforcement Act

Expert opinion on environmentally-related safety requirements to be met by food or feed on behalf of the Federal Office of Consumer Protection and Food Safety (BVL) for the purposes of informing the European Food Safety Authority

26. § 51 para 5 Food and Feed Code

Assessment of the data collected during food monitoring

27. § 1 para 2 Novel Foods and Food Ingredients Ordinance

Issuing of consent to the Federal Office of Consumer Protection and Food Safety (BVL) concerning the essential equivalence of novel foods

28. § 35 para 4, No. 3 Wine Monitoring Ordinance (WeinÜv):

Duties of a Senior Expert Office

29. Reference Laboratory Appointment Ordinance (RZV):

Assumption of the functions of 16 National Reference Laboratories to monitor compliance with food and feed legislation

30. § 4 para 1, sentence 3 Protection against Infection Act:

Participation in the development of concepts for protection against infection by the Robert Koch Institute in the field of the control of zoonoses and microbial food intoxications

31. § 18 para 2, sentence 1, No. 2 a Protection against Infection Act

Issuing of consent to the Federal Office of Consumer Protection and Food Safety (BVL) concerning the official listing of disinfectants and other insecticides

32. § 10 Detergents and Cleaning Agents Act

Receival of safety data sheets from the manufacturers of detergents and cleaning agents as well as the passing on of this information

33. § 14 para 2 Detergents and Cleaning Agents Act

Issuing of consent to the Federal Environmental Agency concerning safety measures in conjunction with detergents and cleaning agents

34. § 5 para 2 Federal Maritime Responsibilities Act

Supporting measures by the Federal Maritime Agency to prevent the spread of foreign organisms by ships as well as preparatory measures and international authorisation procedures

35. § 9 para 12, Annex III, 5.2 Dangerous Substances Ordinance

Testing of fumigants

36. § 6 para 8 Dangerous Substances Ordinance Road and Rail

Execution of the Ordinance with regard to setting out the conditions for the transport of genetically modified organisms

37. § 6 para 7 Dangerous Substances Ordinance Sea

Execution of the Ordinance with regard to toxicological assessment issues relating to the transport of dangerous goods, marine pollutants and genetically modified micro-organisms and organisms

38. § 6 para 8 Dangerous Substances Ordinance Inland Waterways

Execution of the Ordinance with regard to setting out the conditions for the transport of genetically modified organisms

II. Administrative provisions

The work of BfR is also based on the following administrative provisions. In individual cases the wording of the indicated provisions applies.

1. § 6 paras 1, 4 General administrative provision Zoonoses Food Chain

Annual elaboration of a proposal for the draft zoonoses random sampling plan

2. § 9 para 3 General administrative provision Zoonoses Food Chain

Issuing of consent to the Federal Office of Consumer Protection and Food Safety concerning a data transfer system

3. § 10 para 2 General administrative provisions Zoonoses Food Chain

Evaluation of the data collected during zoonosis monitoring

4. § 11 paras 1, 2 General administrative provision Zoonoses Food Chain

Annual nationwide recording of data on foods involved in foodborne disease outbreaks

5. § 11 para 5 General administrative provisions Zoonoses Food Chain

Advising the competent *Land* authorities within the framework of the epidemiological examination of foodborne disease outbreaks

6. § 11 para 6 General administrative provision Zoonoses Food Chain

Staging of training courses

7. § 12 General administrative provision Zoonoses Food Chain

Annual report on foodborne disease outbreaks

8. § 7 para 4 General administrative provision Rapid alert system (AVV SWS)

Drawing up of notification criteria for foods with residues

9. § 7 para 5 General administrative provision Rapid alert system

Preparation of a catalogue of criteria for the assessment of foods concerning bacteria, toxins, viruses, etc.

10. § 8 para 3 General administrative provision Rapid alert system

Preparation of a catalogue of criteria for undesirable substances in feed