



TERMS OF REFERENCE

International Consultant in EU approximating Moldovan food safety legislation

Job title:	International Consultant in EU approximating Moldovan food safety legislation for the Ministry of Agriculture and Food Industry (MAFI) and the National Food Safety Agency (NFSA)
Duty station:	Chisinau, Moldova
Reference to the project:	Building Institutional Capacity of the Ministry of Foreign Affairs and European Integration
Contract type:	Individual Contract (IC)
Expected workload:	Up to 30 working days
Starting date:	April 2014

BACKGROUND:

Relations between the Republic of Moldova (RM) and the European Union (EU) formally started with the signing of the Partnership and Cooperation Agreement (PCA) in 1994 that entered into force in 1998. The PCA established the basic principles of cooperation between RM and EU and was designed for a 10 year period.

The Partnership and Cooperation Agreement will soon be replaced by an Association Agreement which includes a Deep and Comprehensive Free Trade Area (DCFTA). The documents provide for political association and economic integration and have been initialed in Vilnius in November 2013.

For the Republic of Moldova the AA represents a reform agenda which is based on a comprehensive program of legal harmonization with EU norms.

Exceeding the classical arrangements of free trade, DCFTA provides not only a mutual opening of markets for most goods and services but requires a gradual rapprochement of norms and standards such as quality standards and rules, sanitary rules, intellectual property rights, trade facilitation, public procurement and competition, energy trade and other.

Except for European Economic Area and EU candidate states, never before has the EU opened its internal market to such an extent to a third country. This reality is possible due to the commitment of the Republic of Moldova to take over the *acquis communautaire*.

In exchange to effective implementation of EU legislation Moldova will gradually become part of the EU internal market.

A deeper economic integration through DCFTA will boost the country's economic growth, will create business opportunities and promote real economic modernization and integration into the EU. The direct result of establishing free trade area with EU is that citizens will benefit from higher quality and safer goods and services while manufacturers will be supported to access international markets.

UNDP and its international partners are committed to assist Moldova, through technical and financial assistance, in promoting costly legal and institutional reforms that DCFTA entails.

The Project "Building Institutional Capacity of the Ministry of Foreign Affairs and European Integration (MFAEI)" aims at strengthening the institutional capacity of the MFAEI as lead institution in the AA negotiation process. In the same context, the Project seeks to contribute to developing EU integration capacities of key line ministries through aligning relevant policies, administrative and institutional arrangements, legislation, procedures and best practices to EU standards and requirements.

Objective

The Project will contract an International Consultant to provide assistance to the Ministry of Agriculture and Food Industry of the Republic of Moldova (further referred as MAFI) and to the National Food Safety Agency (NFSA) in approximating the legislative framework relevant for the food safety in line with EU norms and practices.

This objective should be met through the following activities and through the following deliverables:

Key activities

- Assess and report on key legislation in force, institutional arrangements, and national procedures relevant for the food safety area;
- Develop, together with the beneficiaries, a mission action plan for addressing existing legal and normative gaps and deficiencies in the food safety area;
- Provide support to the beneficiaries in drafting legislative amendments, operational and supporting documentation (e.g. legislative impact analysis) relevant for the food safety area and for the registration, authorization and official control of food chain entities by:
 - a. Critically assessing the duties and responsibilities of the competent authorities in the food safety area and providing advice in the delimitation of competences with a view to avoiding overlap and creating synergies;
 - b. Analysing the food business operators' registration process and offer guidance in setting up clear procedures for registration, authorization and official control.
- Deliver a presentation on the findings and recommendations of the final mission report in a workshop with beneficiaries and key stakeholders (including representatives of the Centre for Legal Approximation).

Deliverables

- Report on the current situation of the legislation in force;

- Mission Action Plan for removing deficiencies;
- Draft legislative amendments, operational and supporting documentation;
- Workshop with beneficiaries including presentation of final mission report.

Result

MAFI and NFSA will be capable of defining and implementing EU compliant system of official control in the food safety area.

Resources

Up to 30 working days (with a minimum of 20 days in Moldova) are envisaged under this assignment with maximum two travel missions.

Mission Schedule:

The mission shall be undertaken, tentatively, in the period April - June 2014 with detailed timetable to be agreed with the Beneficiaries.

The 30 working days allocated for this task should be used approximately as follows:

Deliverable/milestone	Indicative timeframe
Report on the current situation of the legislation in force	10 days
Mission Action Plan for removing deficiencies	3 days
Draft legislative amendments, operational and supporting documentation	15 days
Workshop with beneficiaries including presentation of final mission report.	1 days
Reporting	1 day
Total	30

All deliverables should be agreed with the UNDP, MAFI and NFSA, and be provided in English or Romanian, in hard and electronic copy.

Institutional arrangements:

The International Consultant will work in close collaboration with the UNDP, MAFI and NFSA – for substantive aspects of the assignment, and under the direct supervision of the Project Manager – for administrative aspects.

The International Consultant will be located in the premises of the MAFI and will work closely with the Ministry's and NFSA's staff. MAFI will provide the Consultant working space, access to Internet, printer and telephone line.

Payments shall be made upon certification of deliverables by the beneficiaries and the UNDP representative.

Qualifications Required:

Academic Qualification

- Relevant Bachelor degree in veterinary, hygiene, or food safety or other related field. Relevant Master's Degree or PhD would be an asset.

Experience

- Minimum 5 years of work experience in food safety in one or more EU member or candidate states.
- Minimum 5 years of experience in counselling and/ or implementing legal harmonization processes in the field of food safety.
- Experience on production, handling, processing, packaging and transportation of food under the new "Food Hygiene Package"¹ and relevant Framework Regulations².
- Experience in organizing food safety audits.

Competencies

- Strong analytical and drafting skills.
- Ability to analyse, plan, communicate effectively with stakeholders and present ideas clearly and effectively.
- Demonstrated interpersonal and diplomatic skills.
- Ability to enter new environments, adapt quickly and produce immediate results.
- Computer literacy - competent user of Microsoft Office programs.

Language requirements

- Fluency in written and spoken English. Knowledge of Romanian or Russian would be an asset.

Documents to be included when submitting the proposals:

Interested individual consultants must submit the following documents/information to demonstrate their qualifications:

- Proposal: explaining why they are the most suitable for the work;
- Financial proposal specifying a total lump sum amount;
- Personal CV including past experience in similar projects and **at least 3 references**.

¹ including **Regulation (EC) 852/2004** on the hygiene of foodstuffs; **Regulation (EC) 853/2004** laying down specific hygiene rules for food of animal origin; **Regulation (EC) 854/2004** laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption; **Directive 2002/99/EC** laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption; **Directive 2004/41/EC** Repealing certain Directives concerning food hygiene and health conditions for the production and placing on the market of certain products of animal origin intended for human consumption and amending Council Directives 89/662/EEC and 92/118/EEC and Council decision 95/408/EC

² E.g. **Regulation (EC) 178/2002** of European Parliament and of Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority (EFSA) and laying down procedures in matters of food safety; **Regulation (EC) 882/2004** on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules.