

**TERMS OF REFERENCE**  
**MOLDOVA AGRICULTURAL COMPETITIVENESS PROJECT (MAC-P)**  
**Local consultant for harmonization and transposing to EU acquis of several regulations and**  
**bylaws on vegetal subsector**

**1. BACKGROUND**

The purpose of the Project is to increase the competitiveness of the country's agri-food sector by supporting the modernization of the food safety management system, facilitating the access of agricultural producers to markets and the integration of agricultural and environmental practices and those of sustainable land management.

The Project Development Objective (PDO) will be achieved through activities aimed at:

- a) Strengthening the country's capacity to manage the increasingly complex food safety agenda.
- b) Improving the infrastructure and increasing the level of organization of farmers, and,
- c) Promoting the adoption of sustainable agricultural practices by farmers and a strengthened response of the authorities to the challenges of soil degradation.

On January 25, 2022, the 3<sup>rd</sup> Additional financing between the Republic of Moldova and the International Development Association entered into force to implement "Moldova Agriculture Competitiveness" Project (MAC-P) (Loan no. 6749-MD), signed on October 1, 2020, and ratified by Law 199 of 20.11.2020. The agreement aimed to provide creation of a complex system for the management of animal by-products (ABP) unintended for human consumption, including the construction of a ABP processing unit and the provision of related infrastructure, in accordance with the commitments made in the framework of the Association Agreement/Free Trade Area In-depth and Comprehensive EU - Republic of Moldova.

Currently, in the Republic of Moldova there is no single legislative framework, which would regulate all important aspects of the field of food safety, as well as which would consider the progress made by the Republic of Moldova in all representative sectors of activity. Thus, the basic legislation for guaranteeing food safety is represented by several normative acts developed by separate government institutions, having a non-unitary and fragmented character, which cannot constitute a foundation for achieving the main objective - the establishment and development of a unique system regarding food safety.

The globalization of the food chain causes the constant emergence of new challenges and risks for the health and interests of consumers. In this context, it is necessary to develop a comprehensive legislative framework regarding food safety, which will be constantly updated and adapted according to new developments. It is necessary to take measures for an open and transparent implementation of European food legislation to ensure the confidence of consumers and international commercial partners. Thus, consumers from the Republic of Moldova will enjoy protection, as a result of the facilitation of Moldovan producers' access to high-value markets and compliance with international trade obligations, including SPM (sanitary and phytosanitary measures) and TBT (technical barriers to trade).

According to the Association Agreement between the Republic of Moldova, on the one hand, and the European Union and the European Atomic Energy Community and their member states, the Ministry of Agriculture and Food Industry has the obligation to harmonize national legislation in the field of agriculture, sanitary and phytosanitary measures to the community acquis.

In order to fulfill these tasks, the project will contract a short-term local consultant specializing in the harmonization of legislation, who will provide MAFI support in the part related to the harmonization of legislation in the field of agriculture.

## **OBJECTIVE OF THE ASSIGNMENT**

The main scope of the assignment is to ensure the effective functioning of the ANSA's food safety system based on consulting services in the field of evaluating the current institutional and legislative framework in the field of food safety. This formal recognition of the reliability of the competent authority is a pre-condition for the country to be eligible and authorized for export to the European Union. Legitimate and duly empowered authorities in the exporting country must ensure credible inspections and control along the production chain covering all relevant aspects of animal hygiene, health and welfare. National authorities must also ensure that relevant public health and hygiene requirements are met. Hygiene legislation contains specific requirements regarding the structure of facilities, equipment and operational processes for food storage and handling. These provisions are intended to ensure high standards and prevent any contamination of the product during processing.

The implementation of the legislation listed above will facilitate the access of Moldovan producers to high-value markets and compliance with international trade obligations, including SPM (sanitary and phytosanitary measures) and TBT (technical barriers to trade).

The main goal is to ensure the effective operation of the ANSA's food safety system based on consulting services in the part related to the harmonization of the relevant legislation. All these objectives will lead to the elimination of technical and legislative barriers for export, both on traditional and new European markets, acting in order to obtain equivalence and mutual recognition.

## **2. DUTIES AND RESPONSIBILITIES**

To achieve the objectives set out above, the Consultant has the following tasks:

- 1) To assist MAFI in transposition of EU community legislation into national legislation, namely:
  - a) Commission Delegated Regulation (EU) 2019/2123 of 10 October 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards the rules for the cases in which, and the conditions under which, identity checks and physical checks of certain goods may be carried out at border inspection posts and documentary checks may be carried out at a distance from border inspection posts.
  - b) Commission Implementing Regulation (EU) 2019/1793 of 22 October 2019 on the temporary increase of official controls and emergency measures governing the entry into the Union of certain goods from certain third countries implementing Regulations (EU) 2017/625 and (EC) No 178 /2002 of the European Parliament and of the Council and repealing Commission Regulation (EC) No 669/2009, (I) PLUS GE-II PLUS MD-3 (EU) No 884/2014, (EU) 2015/175, (EU) 2017/186 and (EU) 2018/1660.
  - c) Commission Implementing Regulation (EU) 2019/1014 of 12 June 2019 laying down detailed rules on minimum requirements for border inspection posts, including inspection centers, and for the format, categories, and abbreviations to be used for the listing of border inspection posts and inspection points.
- 2) To help MAFI in elaboration of the draft normative act, which transposes the community acts indicated above, as well as the informative note, the table of divergences, the analysis of the regulatory impact (as appropriate).
- 3) To assist MAFI in elaboration of the concordance table of the draft normative act.

The consultant will perform the specific tasks described above in accordance with the work plans, objectives, quality standards and key indicators, as agreed by MAFI and/or CAPMU, in writing,

throughout the duration of the contract. The monitoring of the Consultant's results and activities will be carried out by MAFI and CAPMU.

### **3. REPORTING**

The consultant will submit for approval the following reports in Romanian, both on paper and in electronic format, to the State Secretary responsible for vegetal subsector and to the Coordinator of the Food Safety Component:

- a) **Report No. 1** will contain the Project of normative acts, which transposes the community acts indicated above, as well as the informative note, the regulatory impact analysis (as applicable).
- b) **Report No. 2** will contain the Concordance Table on the side of the drafted normative act.
- c) **The Final Report** , which will contain the elaborated project package (draft normative act, informative note, as well as regulatory impact analysis (if applicable), concordance table).

### **4. TIMEFRAME**

The consultant will start the activity in April 2023. The consulting services will be provided until September 30, 2023, with the possibility of extending this period upon request of MAFI. The consultant's contractual obligations will be evaluated based on the reports and will be considered acceptable after approval by MAFI coordinator and MAFI State Secretary. It is expected that the estimated effort will not exceed 60 man/days.

### **5. MINIMUM QUALIFICATION REQUIREMENTS:**

The consultant must:

- Have higher education in one of the following fields: veterinary medicine or jurisprudence.
- To have relevant proved experience in the harmonization of legislation in the field of reference and elaboration of the legislative-normative framework.
- To have strong knowledge of the legislative-normative and institutional framework in the field of food safety.
- To speak Romanian and Russian languages (English would be an advantage).