



# European Food Safety Authority

## INSTITUTIONAL AND INTERNATIONAL RELATIONS

### EFSA STAKEHOLDER CONSULTATIVE PLATFORM

9<sup>th</sup> and 10<sup>th</sup> March 2006

#### Minutes

##### Participants:

Members of the Platform: Sue Davies (Chair), BEUC, CEFIC, CELCAA, COPA-COGECA, ECPA, EFFA, EMRA, EPHA, ESA, EUFIC, EURO COOP, EUROCOMMERCE, FEFAC, ILSI-Europe, UEAPME

Observers: IFAH-Europe, Unione Parmense degli Industriali, ELC, Eurochambres

EFSA: Christine Majewski, Herman Koëter, Victoria Villamar, Irene Van Geest, Matilde García Gómez, Carola Sonderman, Alun Jones.

Apologies: CIAA, EFFAT, Eurogroup for animal welfare, FEFANA, Freshfel Europe Friends of the Earth, Greenpeace, Europabio, European Commission (DG SANCO)

#### 1. Welcome and introduction by Chair

Sue Davies, Chair of the EFSA's Stakeholder Consultative Platform (hereafter referred as "the Platform") opened the meeting by welcoming members of the Platform and observers. She thanked the Platform for having elected her as Chair and underlined that she was looking forward to having fruitful discussions within the Platform and that she hoped that the Platform will provide helpful advice to EFSA 's Management Board and Executive Director<sup>1</sup>.

After her intervention, Herman Koëter, Acting Executive Director, welcomed participants to the real first meeting of the Platform as the meeting in October was an inaugural meeting where mainly procedural issues were discussed. He reminded the Platform that after 1 year of operation the Platform will be reviewed by the Management Board and that it was important to demonstrate that the platform provides a forum for discussion, exchanges of information and input to EFSA, and therefore that it is worthwhile continuing with this Platform after the pilot phase.

The Chair informed the Platform that after her election several meetings took place with EFSA's representatives, and in particular with Stuart Slorach, chair of EFSA's Management Board, and Herman Koëter, Acting Executive Director, in January 2006 at the occasion of the meeting of the Management Board that she attended as Observer. At that meeting, Sue Davies was invited to attend the Away Day of the Management Board in March to provide the Board with the views of the Platform on EFSA's Evaluation report and recommendations by the independent evaluators.

She briefly introduced the agenda for the meeting by stressing the fact that most of the meeting will be confined to discuss EFSA's evaluation report with the purpose of providing the Management Board of EFSA with the views of the Platform on the Evaluation report. She

<sup>1</sup> This was the first meeting of the Platform chaired by Sue Davies (BEUC) who was elected Chair by the members of the Platform. The elected Vice-Chairs are Annette Toft (Copa-Cogeca) and John Wood (CIAA).



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asked for volunteers to act as rapporteurs for the different sections on the agenda. She also asked participants for any issues they might wish to add to the agenda of the meeting, but there were no other issues.

### *Draft Minutes from previous meeting*

Before starting with the main topic of discussion, she asked members for comments on the minutes from the last meeting of the Platform (October 2005). There were no comments from the audience on the minutes<sup>2</sup>.

## 2. Discussion of EFSA Evaluation report

Christine Majewski, Director of International and Institutional Relations, started her presentation on EFSA's evaluation report by reminding the Platform about the context of this evaluation and in particular Article 61 of EFSA's founding Regulation. The terms of reference for the evaluation that was carried out by an independent consultant were agreed by EFSA's Management Board in agreement with the European Commission. On the basis of the evaluation report the Management board will issue recommendations that will be forwarded to the EU institutions and interested parties. Therefore, she stressed the importance of the views from stakeholder organisations, some of them also interviewed by the independent consultant during the process.

The presentation of Christine Majewski that outlines the main highlights of the consultation as well as the recommendations put forward by the independent evaluators is enclosed to the minutes.

The Chair invited comments from the Platform and the following points were raised:

**ILSI Europe** pointed out that it was a good review and a positive outcome for EFSA. However, he underlined that EFSA should address the issues of cost-savings that the existence of EFSA brings to the EU Member States and in particular in the context of the budget negotiations.

Replying to this comment Herman Koëter mentioned that EFSA is currently looking at time management systems that will help to quantify the work undertaken and that in the future might help to calculate costs of activities.

**Eurocommerce** pointed out that the Evaluation report did not put enough emphasis on emerging risks as this area is not identified in the report as a priority area. However; in this area stakeholders can and should play a role. Equally the input from stakeholders into the scientific work was not emphasized enough in the report.

**FEFAC** underlined that in the context of the nutrition debate the possible increase of EFSA's tasks in this area should not be in detriment of food safety issues.

**CELCAA** mentioned the need to support EFSA in its demands for increases in the budget to guarantee that the activities allocated to the Authority are fully undertaken.

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<sup>2</sup>[http://www.efsa.eu.int/stakeholder\\_stakeholder\\_consultative\\_platform/consultative\\_platform/october\\_2005/catindex\\_en.html](http://www.efsa.eu.int/stakeholder_stakeholder_consultative_platform/consultative_platform/october_2005/catindex_en.html)



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### ***“Fees for EFSA”***

The Chair asked the Platform whether the worries with regards to a possible system of fees for EFSA still exist.

**ESA** underlined that a system of fees might be acceptable if something can be got out of it. Therefore the final decision – authorisation of a substance – should come from the body that is getting the financial contribution.

**BEUC** was worried about EFSA's independence and the perception of reduction of independence by the consumer. In addition, they stressed caution with regards to involve scientists from industry. Better declarations of interests should be demanded by EFSA and a review of independent experts should be carried out. Conflicts of interests might occur without experts realizing it.

**Copa-Cogeca** disagreed with BEUC on the issue of scientists from industry as they are experts in their areas of competence and have the expertise needed.

**EPHA** added that there are experts in the public health sector that should be more involved in areas of food safety and protection of consumers' health. They were worried about fees and if there where to be collected there should be measures in place to indicate how, on what dossiers and on what the money received is spent on.

### **3. Provision of scientific advice**

Herman Koëter presented EFSA 's activities related to transparency in risk assessment, and in particular covered the issue of transparency in scientific opinions, selection of experts, communication of uncertainties, assumptions and limitations of data. His presentation is enclosed to the Minutes.

The Chair invited comments from the Platform on the presentation.

**FEFAC** asked whether the selection of experts and in particular the procedure followed could be improved to ensure diversity of scientific opinion. He was particularly interested in the criteria to select the “wise men” committee.

Herman Koëter responded saying that a call of expressions of interest is published in the Official Journal and further disseminated via EFSA's website and scientific circles. The “wise man” committee is composed of external experts with recognized scientific competence. They look at how the selection procedure was run and consider the short-list of experts.

With regards to the declarations of interests EPHA suggested to have a systematic control of the declarations of interests.

**BEUC** added that experts need advice on declaration of interests and need help from EFSA staff to duly fill in their declarations of interests.

**ESA** agreed with previous comments and added that in any case experts will be confronted to criticisms for many or little interests declared.

**CEFIC** underlined that there should be less attention paid to declarations of interests.



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To summarize the discussion the Chair pointed out that the Platform felt it was important to ensure that there was a diversity of scientific opinion and care needed to be taken not to exclude scientists who were not part of established networks. It was agreed that clear guidance was needed on the way that Panels work. On declaration of interests, two views were clearly identified. Declarations of interests are key issue for consumer and other NGOs, and less important issue for some sectors of industry.

#### ***Input and Access to documents***

The Platform was asked how they felt about access to data and the basis for the decisions to grant or deny access. Furthermore they were asked whether they felt that uncertainties and assumptions are well explained or if improvements could be made.

**BEUC** underlined that practical tools should be provided to be able to give input to Panels. Furthermore, a coherent and harmonized approach across Panels should be in place.

**FEFAC** raised the question of the data provided to Panels and the quality and validity of such data.

**CELCAA** underlined that it is hard to most of people to understand how the risk assessments are carried out and that the communications on risks should be done in a clear and understandable manner to the consumer.

Related to the issue of transparency **Copa-Cogeca** and **BEUC** raised the issue of how questions put to EFSA were chosen and framed. Responding to this question, Herman Koëter explained the procedure to receive questions and the exchanges between the originator of the question and EFSA.

On the issue of openness the Chair asked the Platform about the format meetings of Panels have, i.e. closed meetings and deliberations.

On the issues of divergent opinion, **Copa-Cogeca** reminded EFSA of the obligation under its founding Regulation to avoid divergent opinions.

**CELCAA** suggested an arbitration procedure to set up any difference and find a solution. Christine Majewski explained the procedure under Article 30 of the founding Regulation and the role of the Advisory Forum on these situations.

**CEFIC** pointed out that better and closer co-ordination should help to avoid divergent opinions and therefore tackle any divergence at an early stage.

**ESA** mentioned that the process should be transparent and that all information needs to be available.

The Platform showed a great interest on the possibility to provide EFSA with scientific contributions via the website and as supporting information on a given question.

#### ***Setting of Priorities***

With regards to priorities set up by EFSA, several participants pointed out the issue of emerging risks seemed to be low priority for EFSA. They showed an interest to have this as a standing matter for any Platform meetings. The Platform could play an active role in this area.



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**Copa-Cogeca** raised the issues of health claims and nutrient profiling and how these fitted with budgetary concerns.

**BEUC** stressed that better networking could reduce duplication of efforts by EFSA and others.

**ESA** stressed the need to look to organisations beyond the EU and for better networking with member states.

To summarize the Chair underlined the following issues:

- Formalize the procedure to set up priorities;
- Emerging risks as a standing matter in Platform meetings
- Networking with international organisations.

With regards to criteria for public consultation, **FEFAC** invited EFSA to look more carefully at the quality-assurance of its opinions and data provided. A process, i.e. public consultation, should be developed to avoid factual errors (quality-control procedures).

Christine Majewski informed the Platform about the SC Working Group on Transparency in RA. The “when, how, on what and to whom” consult needs to be properly addressed and will be developed by EFSA.

**EPHA** strongly supported improved consultation.

As an additional comment and regarding EFSA's opinions, **Copa-Cogeca** mentioned the possibility of a system for periodically reviewing scientific opinions by a third party.

**CEFIC** raised concern about how this would work.

**BEUC** said that this would be a peer review of a peer review. EFSA's opinions should be “the reference”.

### ***Communications' issues***

The Chair reminded the Platform about the findings of the independent evaluators in the context of EFSA's review. Two questions were asked: i) whether EFSA should do more in the area of communication; and ii) to what extent EFSA should communicate to the public.

**BEUC** said that how to address inconsistent messages should be addressed by the Platform.

**ESA** pointed out the need to communicate in a clear and understandable language. Moreover, it should avoid inconsistent messages. In addition the representative from **ESA** underlined that the visibility of EFSA should improved.

**CELCAA** stressed the need to communicate in a timely way and for communications to explain in a clear language that “zero risk” does not exist.

**ILSI Europe** underlined that EFSA's reputation in its risk assessments are widely recognized, however, when it comes to communicating risks there is still large room for improvement.

**Several organisations** raised the question of to whom EFSA communicates. Those organisations underlined that channels should be established for communications and for spreading messages. In most cases EFSA's communications do not reach the final consumer nor are they translated into the national language and environment. Therefore efforts should be put to strengthen co-operation with national authorities.



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As summarized by the Chair, there were two main messages from the discussion: the need to be careful about giving inconsistent messages and the importance of timely information. It was felt that EFSA needed to work closely with member states and there was some disagreement over whether or not EFSA should enhance its direct communication with the public.

### 4. Risk communication and Risk perception

Irene van Geest replaced Anne-Laure Gassin, Director of Communications, at the meeting and presented the results of a Eurobarometer on risks associated to food. Her presentation is enclosed to the minutes.

Several organizations expressed their wish to have Risk Communication as a standing matter for future meetings of the Platform. It was agreed that the Risk Communication Strategy recently developed by EFSA and under the Management Board's consideration will be discussed at the next meeting.

### 5. Nutrition

Dr Djien Liem, Acting Director of Science, presented an overview on EFSA's activities in the nutrition area. He referred to EFSA's Management Plan for 2007, to current activities in the area of nutrition, i.e. development of nutritional profiles under the proposed Regulation on nutrition and health claims, the scientific colloquium on dietary guidelines, EFSA's publications on tolerable upper intake levels for vitamins and minerals.

The Chair referred to the Evaluation report where it is underlined that EFSA should expand its role in nutrition.

While agreeing that EFSA should work on nutrition, **Copa-Cogeca** mentioned that a shift from food safety areas to nutrition areas should be avoided. EFSA's main scope of competence is food safety. This position was shared by other organisations, such as **ESA**, **EMRA**, **Eurocommerce**. However, the consumer representatives from **BEUC** pointed out that there is a role for EFSA in developing expertise on nutrition. There was strong support from **BEUC** and other NGOs including **EPHA** to expand EFSA's role in nutrition. Concerns over the budget constraints should not limit the role of EFSA in nutrition.

The question of how manageable would be for EFSA to extend its mandate on nutrition was raised. Equally, organisations underlined the need for EFSA to prioritise.

Djen Liem responded that the workflow of EFSA in this area will increase. However, setting the right priorities should help to manage it.

BEUC stressed the importance of work on risk-benefit analysis and considering when food safety advice impacted on nutritional considerations. **EMRA** raised the issues of GDAs and nutrient profiling.

**Copa-Cogeca** thought that EFSA should work with member states on dietary guidelines.



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**ILSI Europe** asked about the Article 36 network and the possibility to outsource some work to organisations within the network. Djien Liem informed the audience on the process of setting up this network – developing financial arrangements and preparing the list of suitable organisations to be adopted by the Management Board.

**BEUC** suggested that EFSA should be involved in on-going projects in the area of nutrition, especially those under DG Research responsibility. It also referred to the questions that had been raised in the Commission's Green Paper that were relevant to EFSA including the issue of simplified labelling. Concerns about the budget should not detract from this.

Christine Majewski reminded the Platform the remit of EFSA in nutrition issues under the founding regulation (restrict role). Since the political and regulatory environment is changing this should be reflected on EFSA's responsibilities as well. There is a strong message out of the Evaluation for EFSA to work more on nutrition. It was a clear message with regards to the development of dietary advice but what about on communications' issues in the area of nutrition?

**BEUC** and **EUFIC** pointed out that communicating in this area is difficult task and should not confuse consumers. Internal capability should be developed and the co-ordination with national authorities is key. Consistency is also a key factor. EUFIC suggested that EFSA's communications working group be widened to include nutrition expertise.

Irene van Geest explained EFSA's relations with national authorities, and in particular the working group on risk communications of the Advisory Forum.

**CELCAA** raised the question of risk perception and how important this is to EFSA.

**Copa-Cogeca** asked whether EFSA is considering the issue of cost-effectiveness in risk assessment and risk communication.

Christine Majewski explained that this is an area where there is little information and in principle falls into the risk management remit.

To conclude this chapter, the Chair underlined the main messages out of the discussion and that can be summarized as follows:

- Overall agreement for EFSA to work more in nutrition
- Some organisations thought food safety should take priority, others thought nutrition and food safety should have equal weighting
- Specific issues that members had raised included developing dietary guidelines, nutrient profiling, a dietary intake/consumption database, scientific basis for simplified labelling schemes, claims and how food safety and nutrition considerations overlapped (eg oily fish)..
- EFSA needs to fill the gap in the debate in nutrition at national and EU level
- The importance of clarifying the role of EFSA, the Commission and Member States in risk communications



## 6. Feedback from Rapporteurs on each of the previous sessions

**Copa-Cogeca** presented the main conclusions as general comments from the Platform:

- More importance for Emerging Risks – standing matter for future meetings of the Platform
- Better prioritization of the work – procedure to set up priorities
- Nutrition versus food safety – need to find a balance
- Avoid duplication of work
- Fees – careful consideration to avoid the perception of an EFSA less independent
- Feedback from risk managers on EFSA 's advice
- Strengthening EFSA 's presence in the international arena – International strategy

**BEUC** summarized the discussion on the provision of scientific advice:

- Transparency is a process and covers different aspects
- Selection of experts: danger of overlooking experts not part of the "wise group", doubts about the selection of the "wise committee". A database of experts was suggested.
- Declarations of interests: concerns on the management and control of the declaration of interests. Need for a systematic review and clear guidance to experts.
- Uncertainties and assumptions: improvements need to be made but should be done in a coherent approach. Need to address the framing of the questions.
- Diversity of scientific opinions: comprehensive list of experts, exchange of information. Possibility for third parties to provide data. An "arbitration" procedure in case of divergent opinions was suggested.
- Consultation: criteria for consultation to be developed

**EUFIC** summarized the discussions with regards Communications:

- Risk communication – standing matter for future meetings
- More co-ordinated actions between the Commission and EFSA
- EFSA is established in risk Assessment but EFSA is not still there with regards to risk communication
- 2 areas to explore: i) risk communication among variety of consumers; ii) risk communications towards the "layman consumer"
- Better co-ordination with member states as EFSA should not embark alone in RC

**Copa-Cogeca** summarized the main discussions on nutrition:

- Increased role for EFSA on nutrition
- Need to allocated specific tasks and to fill the gap in the national debate
- Close co-operation with national authorities with regards to communication on nutrition issues
- Effectiveness of EFSA 's intervention

In addition to these items, the issue of cost-benefits was raised. EFSA's representatives pointed out that this issue is closer to risk management remit and therefore EFSA delivers pure scientific advice. Discussions are taking place on risk-benefits, but this area is different from cost-benefit.

**FEFAC** pointed out that cost-benefit is very linked to public health objectives and therefore suggested that the Management Board looks at this issue.



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#### 7. Additional issues missed by the Evaluation

The Chair asked the Platform about any issues missing in the Evaluation report. Several participants mentioned the issue of emerging risks and the need for an international strategy. On the latter some participants, and in particular **ESA**, underlined the crucial role of liaising with international organisations as we are in a global market.

#### 8. Update from EFSA on issues of interest to the Platform

##### ***Appointment of Executive Director***

Herman Koëter, Acting Executive Director, informed the Platform on the status of the procedure to appoint a new Executive Director for EFSA. Threes candidates were interviewed by the Management Board on the basis on a short listed of 3 names presented by the Commission. The Management Board nominated Catherine Geslain-Lanéelle as Executive Director. The hearing in the European Parliament took place in February and her appointment will follow after reception of the views of the EP on her candidature.

##### ***EFSA and its budgetary situation***

Herman Koëter introduced the budgetary situation EFSA was facing in relation to its budget for the 2007-2013 period<sup>3</sup>.

**BEUC** had sympathy with EFSA's actions and offered to support EFSA's demands but not in isolation. Bearing in mind the different activities falling into the same budget line they suggested a common approach to defend permanent and sufficient resources for public health and related areas, i.e. consumer protection, food safety.

**ESA** underlined that the main focus should be on EFSA's being ale to fulfil all tasks allocated to the Authority. If the budget deems to be insufficient EFSA has to set up core tasks and priorities and make sure that food safety issues are adequately covered.

**EPHA** suggested to approach national authorities to get the support vis-à-vis the budgetary authorities.

**CELCAA** added that the Authority should not only allocate enough resources to risk assessment activities but also to risk communication activities.

Christine Majewski briefed the Platform on four major areas of interest for the Platform: i) the technical meeting with NGOs on GMOs; ii) the launch of the AF Extranet; iii) the 5<sup>th</sup> scientific colloquium; iv) the partial renewal of EFSA's Management Board.

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<sup>3</sup> Power point presentation is enclosed to the Minutes.



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#### ***Technical meeting with NGOs on GMOs***

Herman Koëter explained that EFSA is neutral with regards to GMOs. Main issues discussed in a friendly environment were, among others, uncertainties, access to documents, long-term effects, allergenicity, independence, declarations of interests.<sup>4</sup>

Christine Majewski emphasized the importance of the dialogue, although there are outstanding issues where agreement was not reached.

#### ***Launch of the Advisory Forum Extranet***

EFSA launched an Extranet with national authorities with the purpose of strengthening co-operation, exchanging information and data. Different levels of access will exist.

**BEUC** asked whether it was envisaged to extend access to stakeholders, and whether EFSA was translating documents from member states. Christine Majewski replied saying that the Extranet is intended at this stage to be for national authorities only.

#### ***EFSA 'scientific colloquium on Development of Food-based Dietary Guidelines in 21-22 March 2006***

Christine Majewski informed about the objective of the colloquium, this is to say, to have an open debate on the state-of-the-art of scientific approaches being the basis for the development of food-based dietary guidelines. EFSA will use the outcome of the debates as input in its development of the EFSA guidance on the translation of nutrient based recommendations for healthy diet into food based recommendations.

#### ***Partial renewal of Management Board***

In accordance to EFSA 's founding Regulation seven members of the Management Board who will be appointed by the Council after consulting the European Parliament and on the basis of a short-list put forwarded by the Commission. The new Board will have its first meeting in September.

#### ***Recent scientific opinions and communications<sup>5</sup>***

Carola Sondermann and Alun Jones, Press Officers – Science, presented the recent scientific opinions and communication activities related to those opinions.

**ILSI Europe** asked why it took so long to get the data from the Ramazzini Fondation. Carola Sondermann explained the difficulties EFSA encountered to get access to the full package of data.

On the ITX issue, it was asked why EFSA and the German food safety agency differed in their communications. Carola Sondermann underlined that communications had a different approach; however, scientists did not have divergent opinions.

Finally, Lucia de Luca, Press Officer – Corporate, informed about recent communications on corporate issues.

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<sup>4</sup> Report of the meeting is available on EFSA 's website.

<sup>5</sup> All presentations are enclosed to the Minutes.



## ***Consultations/Colloques – planning 2006 and feedback***

Finally, Christine Majewski informed the Platform on planned consultations and activities with stakeholders for 2006. Furthermore, the Platform was asked to provide EFSA with feedback on the activities organized by the Authority so far.

## **9. Any other issues that members' want to raise**

The following issues were identified as possible agenda items for next meeting:

- Risk Communication strategy
- Involvement of stakeholders – criteria for public consultation
- Risk-Benefits
- Emerging Risks
- International strategy and stakeholder involvement

Dates for the next meeting will be circulated shortly.

The Chair closed the meeting by thanking everybody for the contributions made at the meeting. She will summarize the main items discussed and will present to the Management Board at its away day at the end of March. Her presentation will be circulated to the Platform.

END