European Food Safety Authority

Draft Minutes

SIXTH MEETING OF THE ADVISORY FORUM

DEN HAAG, VOEDSEL EN WAREN AUTORITEIT

11 DECEMBER 2003

Members of the Advisory Forum

Chair: Geoffrey Podger, Executive Director, EFSA

Austria	Roland Grossgut	Italy	Laura Toti
Belgium	Gil Houins	Luxembourg	Patrick Hau
Denmark	Hans Peter Jensen	Netherlands	Willem De Wit
Finland	Jorma Hirn		Johan De Leeuw
France	Martin Hirsch	Portugal	Isabel Maria Meirelles Teixeira
Germany	Andreas Hensel	Spain	Maria Neira
Greece	Christina Papanikolaou	Sweden	Leif Busk
Ireland	Alan Reilly	UK	Nick Tomlinson

Observers and Invitees of the Executive Director

Czech Republic	Klara Zuzankova	Poland	Krzysztof Pajączek
Hungary	Peter Biacs	Slovak Republic	Jan Stulc
Iceland	Elin Gudmunsdóttir	Slovania	Marusa Adamic
Norway	Kristin Farden	Switzerland	Michael Beer
		EU Commission	Jeannie Vergnettes

Staff of the European Food Safety Authority

Anne-Laure Gassin	Ingela Soderlund
Herman Koeter	Anja Van Impe
Christine Majewski	Katty Verhelst

1. Welcome by Johan De Leeuw, Dutch Food Authority

1.1 Johan De Leeuw from the Dutch Food and Consumer Product Safety Authority (VWA) welcomed members and observers to Den Haag and in also to their new building.

1.2 Mr De Leeuw introduced the VWA as a new organisation which combines traditional supervisory tasks in the area of food safety with the complementary fields of risk assessment and risk communication.

2. Introduction by Geoffrey Podger and the adoption of the agenda (Doc AF 11.12.2003 – 1)

2.1 The Chair welcomed the Advisory Forum members and observers and thanked the Dutch Food Authority for the hospitality, the dinner and the organisation of the meeting.

2.2 The agenda was adopted.

3. Minutes of the meeting 4 November in Brussels and matters arising (Doc AF11.12.2003 – 2)

3.1 The minutes of the last Advisory Forum meeting were approved, subject to a change made in the presence list. The document will be published on the Authority's website.

3.2 Following a concern raised by Ireland regarding the publication of the minutes prior to having been agreed at the meeting, it was decided that, if an issue in the minutes could cause a potential problem, the appropriate national authority will be contacted by the Authority to consult the sensitivity in the reporting of the remarks. In addition the minutes will be shared with all members in good time before the meeting.

4. Update by Geoffrey Podger on progress at EFSA/ Report from the Executive Director concerning his participation at the Chief Veterinary Officers' November meeting

4.1 Report of meeting with Chief Veterinary Officers

4.1.1 The Chief Veterinary Officers had expressed their concern regarding large demands by the Authority on national authorities for providing information to the Authority. The Advisory Forum, however, did not see any problems in terms of providing information. The Chair stressed that the national authorities are welcome to use the Advisory Forum to exchange information but that they can equally contact the scientific coordinators at the Authority directly

4.1.2 The Chief Veterinary Officers had stated that they were concerned that the Authority should not become involved in risk management and cited the SEM case. Those comments, however, were not supported by the Advisory Forum. Both the Authority's Management Board and the European Commission stated previously that the Authority acted correctly and that there had been and remains a clear separation of what the Authority and the European Commission roles are.

4.1.3 Spain clarified that there were misunderstandings regarding the separation

of the risk assessment, risk management and risk communication and that it is sometimes difficult to see where one begins and one stops, especially in the case of SEM where the Commission decided not to take immediate risk management measures yet there were difficult messages to communicate concerning a potential risk.

4.2 The Chair informed the Forum that the Management Board discussed the Authority's Management Plan for 2004 and voted on the budget 2004.

4.3 The Chair reported on the outcome of the colloque, held in Oostende on 24 and 25 October and the position of the Management Board which had discussed the outcome of the Colloque at its meeting on 3 December. The Board had agreed in principle to recommendations and proposals such as (1) the possibility to have members of the public physically present as observers at Management Board meetings, (2) the chairman of the Scientific Committee and Panels to employ, as appropriate, additional procedures (e.g. public hearings, evaluations of reports in draft), (3) the Authority's staff to involve stakeholders, where appropriate, in the risk communication process, (4) to continue its policy of providing adequate space in the Authority's work programmes to allow for the consideration of wider scientific issues, (5) the Executive Director to bring forward proposals, after discussion with interested parties, such as industry, academic community, consumers, for an EFSA stakeholders consultative forum, (6) to issue a newsletter ("e-zine") from March 2004 to proactively publicize the Authority's activities. The Chair informed the Forum that the Board would look at this again at some of these aspects in detail during its meeting in January 2004.

5. Discussion EFSA's Crisis document (Doc. AF. 11.12.2003 – 3 and AF. 11.12.2003 – 4)

5.1 The Chair introduced the EFSA's in house Crisis procedures explaining that the document is meant to complement the Crisis Management Plan produced by the Commission which at the time of the meeting following a consultation procedure with the Member States. The document should be considered as an introduction to the subject and needs to be further developed.

5.2 Following a discussion, the Forum agreed on the following :

5.2.1 A discussion will take place as to how the Authority will interact with the Member States, how to define these interactions, and how to know when a situation is developing into a crisis. This will be the subject of further discussion in the Advisory Forum.

5.2.2 The issue of perception will be dealt with by the Working Group on Communications.

5.2.3 The Authority has an essential role to play in a crisis, it is imperative for the Authority to be fully engaged in a crisis particularly where scientific advise is needed quickly at Community level to aid risk management decisions.

5.2.4 Although the authorities at national level have different responsibilities in terms of risk assessment and/or risk management, the Authority and the national authorities need to work out a process which is logical and consistent so that messages are not duplicated/ contradictory at various levels.

5.2.5 The Working Group on IT will be requested to develop quick communication methods.

5.2.6 The Authority will propose scenarios to the Forum in order to start a discussion on how each Member State would react in times of crises while respecting each other's independence. A meeting will be held in the future to play out some scenarios. The Advisory Forum was welcomed to suggest topics for this. The Authority would develop a paper with proposals on how to interface with the national authorities. Before this is presented to the Forum members were requested to provide the Authority with suggestions on how they wish this to be tackled. The Advisory Forum is convinced that it can be most effective in a crisis if the Member States can work well together with the Authority.

5.2.7 In a crisis situation it would be up to the Authority's Scientific Panel or ad hoc task force to decide on whether or not it had sufficient information and data on which to reach a view.

5.2.8 The Advisory Forum agreed with the Chair that that would be certain potential food crises, such as failure of control systems, bioterrorism, in which the Authority would not play a role unless specifically required to do so on matters within its remit.

6. Discussion Work Programme / Management Plan of the Authority 2004. (Document MB 03.12.2003 – 3 plus excel annex)

6.1 The Chair introduced the Authority's Management Plan for 2004. The Work Programme element consisted of work requested by the European Commission and some items as a means of self-tasking.

6.2 In its meeting of 3 December, the Authority's Management Board adopted the draft management plan 2004 on a provisional basis, subject to the amendments being made during that meeting and subject to any changes to be made in January 2004 as a result of information received from interested sources, such as the Parliament's Budget Committee, the Commission and the Advisory Forum. The final version of the document would be proposed for adoption at the Board meeting of 20 January 2004.

6.3 In order to complete the anticipated workload, the Authority as planning to increase its staff members from 60 to 150 in the course of 2004.

6.4 The members expressed their concern that the Authority should not duplicate or overlap with work that could be done elsewhere. The Authority and the Member States would need to work together to identify issues that could either

be done together or by one or more Member States. Ways to develop the sharing of work and the networking on projects identified as being of common interest shall be explored.

6.5 While it was the responsibility of the Authority's scientific coordinators to provide the Panel experts with appropriate information and data, the Panels were to consider what work had previously been done. In this respect, the Member States were invited to provide the Authority with any relevant information and data and share the work done at national level.

6.6 In addition, the Forum identified a need for defining the procedural steps for the Member States' input of documents and/or contributing to risk assessments and other scientific activities in the remit of the Authority. The Authority would provide the Forum with a process for contributing to the work of the Scientific Committee and the Panels.

6.7 Following the request of the Forum, the Chair agreed to include a timeframe in the listing of the scientific activities and the publication of opinions, if such details are known.

6.8 The Chair would report to the Management Board that the Advisory Forum had noted that much of the work in the Management Plan was routine and that there was a desire for some collective projects which could address more far reaching questions, such as in the area of pesticides and microbiological risks.

7. Further development of the structure, organisation and schedule of scientific activities – discussion - Herman Koëter

7.1 Herman Koeter introduced the scientific activities for 2004, highlighting that there were still a lot of uncertainties about the nature and the number of scientific questions to be expected. There were 4 main areas : (1) the provision of answers to scientific questions requested by the European Commission, and in the future other sources(Member Sttaes, and European Parliament) (2) the assessment of risks of specific chemicals, such as existing and new pesticides, MRLs, GMO applications and food flavourings, (3) the monitoring of defined risks, such as BSE/TSE, new tools for eradication of animal diseases, zoonoses, and (4) a pro-active approach in hazard and risk assessment.

7.2 At the request of the Management Board at its meeting of 3 December, the Authority would reserve a part of its resources to spend on scientific activities other than the provision of scientific advice.

7.3 Herman Koeter informed the Forum that feedback would be sought to develop ideas on networks of experts, especially in relation to the Scientific Committee and the Panels which have the right to seek external advice. The Authority would like to establish networks of experts with a key role for national authorities and institutes.

7.4 Since a number of areas had been identified where more resources were needed and which cover various Panels, the Authority would recruit internal experts.

They would deal with the scouting of what is going on in the scientific activities which are in the Authority's remit, and have close links with other European agencies, such as EMEA. The Authority would seek the Forum's feedback regarding the priorities of these activities.

8. Rapid Alert System for food and feed – discussion

8.1 Germany introduced the question as to what extent the Rapid Alert System for Food and Feed (RASFF) plays a role in risk assessment. Considering that, according to Germany, the data from the RASFF is unclear, not sufficiently defined and with an unclear legal basis, Germany suggested to set up a multilingual database which could function as a catalogue for food, feed stuffs and food requirements, as well as for material in contact with food and biological hazards.

8.2 The European Commission, who manages and coordinates the RASFF, clarified that the legislation required Member States to notify restrictive measures taken with regard to a food or feed, including rejection at the border of the EU. The RASFF is not a network based on risk assessment, but on concrete measures taken with regard to a food or feed.

8.3 The Commission offered to have an informal meeting at the Commission with the involvement of the Authority and the Forum in order to clarify the objectives and the functioning of the RASFF. The Authority would circulate the appropriate information regarding the meeting to the Advisory Forum when the Commission has set a date.

9. Discussion on the development and status of guideline documents – request from Germany (Doc. AF 11.12.2003 – 6)

9.1 Germany introduced this agenda item by highlighting the importance of guideline documents for a number of substances. However, since the legal binding effect of these documents is unclear, many questions arise regarding the updating of the documents, the geographical boundaries of the legality of the documents (international vs European), etc.

9.2 The Chair explained that, following legal advice in the Authority, in general depending on the founding regulation on which the guideline has been developed, the guidance documents may have some soft legal force, but it was agreed that this was not wholly decisive.

9.3 In certain areas in the future it would be the responsibility of the Authority to take over the development and updating of several of these documents especially those relating to scientific data and risk assessment procedures. The Authority would develop appropriate procedural steps for these depending on the founding Regulatory base.

10. Standing Matters

10.1 Anne-Laure Gassin informed the Forum that the Working Group on Communication, which had met for the first time on 24 November. The group seeks to work closely together with the communication focal points in the Member States. She reported that during its first meeting, the members had discussed the following subjects :

- agreement on the terms of reference of the Working Group
- agreement on the overall objectives
- the role of the Authority in communication
- the role of the Members States and the national authorities in translating risk communication into communication at national and regional level
- the draft communication plan with its key objectives
- the need for a clear vision on what is expected to come in the next few months
- how to share practices and lessons learned that are mutually faced in the Member States, such as available information on risk perception, consumer perception and stakeholder relations
- the organisation of national authorities and how communication fits in
- how to interface with the Working Group on IT.

The Working Group members would identify in the next meeting the two subjects that the group would like to test itself on. The Working Group would meet four times a year.

10.2 Greece expressed its concern regarding the four assessed GM varieties, particularly in relation to the recently adopted opinion on GM maize and the publicity given to the opinion. It felt that there should be consideration given to ethical, and socio-economic impact considering the quantity of maize used in Europe. Greece was concerned that it would not have any natural maize left on the market. While the Authority is sympathetic to the difficulties, the Chair explained that the Authority is not in a position to look at such matters, and that, if the Authority were to take on such questions, this would be outside of its existing remit. The Chair further explained that the Authority was limited by the EU legislation on GM to scientific matters and the issue of whether or not to accept the GM crops was a matter for the risk managers.

10.3 Spain expressed similar concerns about the publicity given to the recent opinions. The Chair further informed the Forum that the Authority had evidence that the press conference on the GMO opinions had been helpful in getting the message across. Not all publications of opinions are accompanied by a press conference and the organisation of such a press conference would be a matter for the Authority to look at on a case by case basis.

10.4 France raised the problem regarding the Commission recommendation saying that Member States should retain certain testing prescribed for BSE, and especially for

sheep TSE monitoring. Since the results could vary from test to test, measures might be imposed which were contrary to public health. The Chair informed the Forum that the Authority is working on further opinions on BSE in sheep which may bear on this matter. The Commission would give appropriate information to France on this matter and if necessary and appropriate it would be raised at the next meeting of the Forum.

10.5 The Advisory Forum members and observers were informed that there were still 17 vacant places in the Scientific Panels of which approximately 10 would be filled in the near future. The other spaces would need to be kept open should there be a need for a specific expertise. The posts had been narrowly defined and the call would be published in the course of December with a deadline for application of 15 March 2004. Applicants would need to nominate themselves and the Advisory Forum was requested to distribute the appropriate information to its national experts (http://www.efsa.eu.int/science_en.html)

10.6 Ireland reported on its successful meeting on SEM and thanked Anne-Laure Gassin for presenting the Authority at this meeting. Following Ireland's concern regarding this and other similar chemicals which had been approved but where the approval does not consider all uses, the Chair agreed to consider the issue of what to do with compounds, materials and substances that have been approved for contact with food but not with respect to commercial processing conditions, and to discuss the matter at a later stage.

11. Close of meeting

11.1 The Chair closed the meeting by thanking the members and observers for their positive and constructive approach, the interpreters, the Authority's team and the Dutch Food Authority for having organised the meeting.