

EXECUTIVE DIRECTORATE

**Minutes of the
Management Board Meeting
Public Session, 13 December 2007
Centro de Belem, Lisbon**

Members of the Management Board present

Diána Bánáti	Bart Sangster
Marianne Elvander	Roland Vaxelaire
Peter Gaemelke	Patrick Wall
João Pedro Machado	Konstantinos Yazitzoglou
Milan Pogačnik	

Observers and Invitees of the Executive Director

Portuguese Minister of Agriculture, Jaime Silva	Professor Anthony Hardy, Chair Panel on Plant Protection Products and their Residues
---	--

Staff of the European Food Safety Authority present

Catherine Geslain-Lanéelle	Christine Majewski
Anne-Laure Gassin	Alexandrine Maviel-Sonet
Herman Koëter	Hubert Deluyker
Djien Liem	Riitta Maijala
Gisèle Gizzi	

Table of Contents

Summary of decisions.....	3
Opening and welcome by Chair.....	4
Adoption of Agenda.....	4
Adoption of draft minutes from the previous meeting and matters arising.....	4
Executive Director's Progress Report.....	5
Management Plan 2008.....	7
Presentation by Minister Jaime Silva.....	7
Presentation of the PPR Panel by its Chair, Prof. Anthony Hardy.....	8
Budget Execution 2007 and Budget Transfers.....	9
Update from Audit Committee.....	9
Any other business.....	9
Concluding remarks.....	10

SUMMARY OF DECISIONS

The Management Board:

- Adopted the agenda with one addition under AOB.
- Adopted the minutes from the 11 September 2007 meeting without changes
- Agreed that following the incorporation of the comments from the Board, to adopt the Management Plan 2008, Budget and Establishment Plan 2008 by written procedure.
- Agreed to endorse the list of Art. 36 organisations for Romania and Bulgaria by written procedure by Monday Dec 17 to allow both countries to participate in Art. 36 activities.
- Due to time constraints it was agreed to postpone discussion and adoption of the Staff Policy Plan until the next Board meeting.

The Management Board also:

- Announced a Declaration of Interest from Milan Pogačnik.
- Asked the Secretariat to circulate the 2008 meeting dates and venues.
- Took note of the Executive Director's Progress Report and congratulated EFSA on the many activities undertaken since the last meeting.
- Took note of Executive Director's Management Plan 2008, Budget 2008 and Establishment Plan and agreed to adopt them by written procedure.
- Noted the progress on the Declarations of Interest.
- Noted the presentation of Prof. Anthony Hardy and his comments on Art. 36 and the need for "smarter" working.
- Took note of the update from the Chair of the Audit Committee, Mr Vaxelaire.
- Took note of the transfers in the EFSA budget.

Opening and welcome by the Chair

1. The Chair opened the meeting by welcoming the Board Members, Professor Anthony Hardy, Chair of the PPR Panel, the Authority's staff and the viewers on the web and thanked the Portuguese authorities for hosting the meeting. Apologies had been received from Giorgio Calabrese, Deirdre Hutton, Marion Guillou, Matthias Horst, Robert Madelin and Pirkko Raunemaa. The Chair informed the Board Members that Minister Silva would address the meeting during a break in the agenda.
2. The Chair asked if members wished to make any declarations of interest. Milan Pogačnik declared that he had received an honorary doctorate from the University of Skopje.
3. Under any other business, a member requested an update on GMO approval at EFSA. A Member congratulated the Executive Director and her staff on the success of the Scientific Forum and European Food Safety Summit held in Brussels as part of the Fifth Anniversary celebrations. She commented that, as it was not possible to attend all the parallel sessions, it would be convenient if the proceedings could be made available on the EFSA website. The Chair congratulated EFSA on the Fifth Anniversary events on behalf of the Board.

Adoption of Agenda (Document MB 13.12.2007 -1)

4. The Chair asked the Members of the Management Board if there were any changes or additions they would like to make.
5. One item was added to the agenda on Art. 36 lists for Romania and Bulgaria under AOB. The agenda was adopted.

Adoption of draft minutes of the previous meeting and matters arising from the minutes (Document MB 13.12.2007 - 2)

6. The minutes of the 11 September 2007 meeting were adopted and would be published on the Authority's website.
7. Matters arising from the September Board meeting. Catherine Geslain-Lanéelle provided updates on the Advisory Forum, progress of the opinion on Nanotechnology, Declarations of Interest (DOIs) of Management Board Members, and the split of the AFC Panel.
8. Two members of the Advisory Forum would give a presentation at the January 2008 Management Board meeting. This would also provide an opportunity to review the rules of procedure for the Forum which needed updating.
9. EFSA had finalised and agreed a mandate with the Commission on the risk assessment methodology for nanotechnology and should be able to provide the Commission with a first opinion by summer 2008.

10. EFSA had received almost all the DOI's of Management Board and these would be made publicly available by the end of 2007.
11. The existing AFC Panel would be replaced by two new Panels in 2008, thanks to the support of the Commission Services, with first meetings expected in Spring 2008. A call for interest would be published in early January 2008 in the Official Journal, selection would take place in February, and candidates would be presented to the Board in Spring 2008.
12. The Executive Director noted that more than 170 opinions and guidance documents and 35 scientific reports would have been adopted in 2007, significantly more than 2006; more accurate figures would be available in January 2008.

Executive Director's Progress Report (Document MB 13.12.2007 – 3 and power point presentation)

13. The Chair invited the Executive Director to update the Board on progress made at EFSA since the last Management Board meeting. The Executive Director updated the Board on the progress of ongoing work in the Panels, Scientific Committee, Advisory Forum, Scientific Cooperation & Assistance, Communications, External Relations and Administration.
14. The Executive Director also welcomed the Chair of the PPR Panel who would make a presentation later in the meeting.
15. The Executive Director presented the new head of EFSA's Risk Assessment Directorate, Riitta Maijala, who later contributed to the presentation on the 2008 Management Plan.
16. Several opinions had been adopted by AHAW related to, among other topics, pig welfare and seal killing.
17. The Biohaz Panel had adopted a number of opinions including feeding animal protein to farm animals, and work on TSE and BSE is ongoing.
18. The First Scientific Colloquium on Plant Health had been held, an important event in the development of risk assessment methodologies in collaboration with other European organisations.
19. The new Head of the Scientific Cooperation Unit, Bernard Berger, had been appointed and activities such as the database of European experts were in progress.
20. The Advisory Forum had met EU GMO experts on 13 November to gain an understanding of risk assessment of GMOs in Member States and identify common approaches. In addition, the meeting had been used to identify GMO-related areas that needed strengthening at EFSA and to receive input on risk/benefit analysis of GMOs.
21. A total of 18 Focal Point agreements had been signed and all Members State agreements are expected to be in place by summer 2008.
22. An opinion on qualified presumption of safety (QPS) had been adopted and discussions with the Commission had taken place on its use in risk assessment. Public consultation on EFSA's guidance

document on botanicals was expected to start before the end of 2007 and a draft opinion on cloning was expected to be adopted on 19 December.

23. In the area of external relations, EFSA had been active in Council, had met with Minister Silva, and had participated in meetings of Chief Veterinary Officers and Chief Officers of the Plant Health Services as well as with representatives of Slovenia and France in relation to their forthcoming Council Presidencies. As well as regular meetings with DG SANCO Commissioner Kyprianou, contact had been made with DGs ENVI and Agriculture. Commissioner Dimas of DG Environment and Commissioner Fischer Boel (Agriculture) would visit EFSA in 2008.
24. The Human Resources department had made significant progress in recruitment and, by the end of 2007, more than 300 temporary agents would be employed. The implications of the increase in staff numbers for internal communication were stressed.
25. Budget execution for 2007 would be in the region of 94 %, a significant improvement on 2006.
26. A new newsletter, *Moving Together*, on European cooperation in food safety, had been produced by Communications and feedback from Board members was invited, as was feedback on the new EFSA website.
27. The Executive Director outlined the highlights of EFSA's Fifth Anniversary celebrations and their impact in Parma and Brussels.
28. The Board thanked the Executive Director for her presentation and congratulated her on the many achievements in the reporting period. The Board asked for information on the structure of ESCO groups and the DATEX unit. The Board asked for clarification on the output of reports for working groups. The Board indicated that the outcomes of meetings between the Executive Director and DG SANCO should be more openly reported. One Board member also asked that EFSA's responsibility for GMO's be defined as any delays in the overall time needed for approvals which includes also the risk management steps might result in a future shortage of protein for animal feeding in Europe.
29. The Board emphasised the need to ensure that EFSA was given the independence and resources to balance outputs and deadlines against the scientific quality of opinions. The Chair emphasised that EFSA should never compromise the quality of its outputs.
30. In response to the Member's request, the Executive Director updated the Board on EFSA's role in the GMO approvals process and outlined that a favourable EFSA risk assessment is a prerequisite to a GMO proceeding to the next stage of the authorisation process in the Commission. She agreed that EFSA would continue to clarify its role with GMOs.
31. Herman Koëter described the role of ESCO working groups.
32. The Executive Director thanked the Board Members for their encouraging words and stressed that new performance indicators would be included in 2008 progress reports.

Management Plan 2008 (MB 13.12.07 – 4 and 5 and PowerPoint presentation)

33. The Executive Director introduced the Plan and the process behind its construction. EFSA Directors and Heads of Unit presented the individual parts of the Plan within their remit: Riitta Maijala on Risk Assessment, Djien Liem on the Scientific Committee and Advisory Forum; Anne-Laure Gassin on Communications; Hubert Deluyker on Scientific Cooperation & Assistance; Christine Majewski on External Relations and Alexandrine Mavel-Sonet on Resource Allocation.
34. Board Members congratulated the Executive Director and her staff for producing a comprehensive plan and for incorporating their comments. Some minor inconsistencies in the plan were pointed out that needed attention.
35. Additional changes were suggested including: cooperation with DG Research, output indicators for working groups, clarification of priorities, the provision of a longer executive summary, and communications crisis management.
36. The Executive Director thanked the Board for their input and stressed that the Plan was put together based on activities in line with the new presentation of the budget which is also activity based and to maximise readability. She informed the Board that a more extensive Executive Summary was in preparation for communication with stakeholders. **The Executive Director informed the meeting that a crisis exercise would be undertaken at EFSA.** She suggested an amended version of the Plan to incorporate the Board's feedback for possible adoption.
37. The Chair agreed and suggested that the amended version be sent to Members within a few days for adoption by written procedure.

Presentation by Minister Jaime Silva

38. The Portuguese Minister of Agriculture, Jaime Silva, welcomed the EFSA Management Board Meeting to Lisbon and paid tribute to the Authority for its work in food safety.
39. Minister Silva mentioned the food crises of the 1990s and the guiding principles on which EFSA is founded, referring also to the precautionary principle and the separation of risk assessment and risk management.
40. The Minister stressed the need for the Commission to protect the European treaties and for EFSA to strengthen its proximity to European consumers. In addition, he mentioned the importance of public opinion and informed consumers.
41. Finally Minister Silva congratulated EFSA on its Fifth Anniversary.
42. The Chair thanked Minister Silva for his contribution and support and assured him that EFSA would deliver risk assessments to the highest scientific standards in an open and transparent manner. He stressed the importance for policy makers and politicians to also operate in an open and transparent

manner when they are taking risk management decisions on contentious issues and to consider issues in addition to science when drawing their conclusions.

43. The Executive Director also thanked Minister Silva, not just for his contribution to the meeting, but also to EFSA's Fifth Anniversary celebrations and the activities at the Council, in particular in the areas of food improvement agents and pesticides.

Presentation of the PPR Panel by its Chair, Prof. Anthony Hardy (Power point presentation)

44. The Chair of the PPR Panel introduced the work of the Panel and the legal framework of Directive 91/414 relating to the Registration of Plant Protection Products. He outlined how the Panel deals with questions relating to risk assessments for users and workers, consumers of treated products, and the environment.
45. He described how the Panel's work could be divided into two categories: (1) scientific opinions based on generic issues relating to pesticide risk assessments or on specific active substances referred by the Commission, Member States, European Parliament, risk managers or EFSA itself; and (2) referral of unresolved issues to the Panel by the PRAPeR unit (peer review of pesticide dossiers) for scientific guidance or technical input.
46. The Panel currently had 21 members, comprising 11 toxicologists, 5 environmental fate specialists and 5 eco-toxicologists, supported by ad hoc experts. It held about 6 plenary meetings per annum and about 50 working group meetings were held in 2007. The Panel had 4 standing working groups on residues, toxicology, eco-toxicology and fate and behaviour.
47. Prof. Hardy outlined the number of opinions adopted since 2003 and noted that it had adopted 3 opinions at the plenary meeting in the previous two days, 2 on toxicology and one on Q10 relationships and the modelling of the degradation of pesticides in soil.
48. The revision of annexes 2 and 3 of Directive 91/414 and the request by the Commission for the PPR Panel to review the requirements in those areas were noted. In addition, Prof. Hardy provided examples of the Panels activities in developing opinions in three areas and the adoption of a guidance document for birds and mammals, a new departure for EFSA.
49. Prof. Hardy provided examples of the Panel's activities to protect the consumer, in particular the working group on residues, and setting MRLs for dieldrine in courgettes.
50. In relation to Art. 36., Prof. Hardy outlined the issues and limitations associated with the Art. 36 mechanism and emphasised that it was not a shortcut to achieving increased output. The Panel was working hard to make the Art. 36 system work efficiently.
51. Prof. Hardy mentioned that the Panel had a high workload and stressed the importance of smart working to maximise the efficiency of the Working Groups and Panel. He noted that experts had limited time available and their contribution had to be fully utilised. This included holding meetings at

convenient locations and increased use of communications technology. He also mentioned the importance of appropriate remuneration for the work undertaken.

52. The Chair thanked Prof. Hardy for his informative presentation and for his hard work as the chair of the PPR Panel and acknowledged the comments on Art. 36.
53. The Board asked for clarification on the public consultation process on the Internet and on the mechanisms of verification for Art. 36 calls.
54. Prof. Hardy thanked the Board for its questions. He outlined the Internet consultation process and the mechanisms used by the PPR Panel for Art. 36 calls, pointing out that, for the latter, it was a learning process.
55. The Chair thanked Prof. Hardy again for presenting the work of the PPR Panel to the Board.

Budget Execution 2007 and Budget Transfers (MB13.12.07 – 7 and – 8)

56. The Chair announced both Agenda Items would be taken simultaneously.
57. The Director of Administration introduced the documents and noted that budget execution for 2007 would be approximately 94%. In terms of transfers, the usual level of transfer had taken place, €200,000 in excess of the €1.9 m transferred in September and within the 10% threshold.

Staff Policy Plan

58. The Board was informed that Item 6, Staff Policy Plan 2006-2011, was for information, not adoption and because of time constraints would be dealt with at the next Board Meeting.

Update from the Audit Committee

59. The President of the Audit Committee updated the Board on the audit committee findings. He noted that there was no reserve on the EFSA account, an improvement from last year. The Auditor will visit EFSA in 2008 to cover 3 topics: the planning phase of the agency activities; the setting up of indicators aiming to assess the achievements of the agency objectives; and the agency evaluation and reporting on its annual activities. Two audits had been completed by the Internal Auditor in areas previously identified as needing improvement - HR and finance.
60. The Chair thanked the President for his presentation.

Any other business

61. The Executive Director informed the Board that, as Romania and Bulgaria had joined the EU in 2007, it was important to include organisations from these countries in the list of Art. 36 organisations. On

request of EFSA, both Member States had proposed a list of a total of 10 organisations and the Management Board was asked to agree, subject to confirmation by the Permanent Representative of Bulgaria, the list by written procedure by Monday Dec 17 to allow both countries to participate in Art. 36.

62. The Chair agreed to this request.

Concluding remarks

63. Dates and venues for the 2008 meetings of the Management Board were announced; it was noted that the March 26-27 meeting may involve an away day.
64. The Board requested that dates and venues be circulated as many Members were not present.
65. The Chair thanked the members of the Board, the audience, the Authority's staff, the interpreters, Professor Hardy and wished everyone a safe journey.