

EXECUTIVE DIRECTORATE

**Adopted Minutes of the
Management Board Meeting
Public Session, 25 June, 2008
Ljubljana**

Members of the Management Board present

Diána Bánáti (Vice-Chair)	Milan Pogačnik
Marianne Elvander	Pirkko Raunemaa
Matthias Horst	Bart Sangster (Vice-Chair)
Deirdre Hutton	Roland Vaxelaire
Peter Gæmelke	Patrick Wall (Chair)
Robert Madelin	Konstantinos Yazitzoglou

Observers and Invitees of the Executive Director

Matjaž Kočar, Director General Food Safety, Ministry of Agriculture, Slovenia	Professor John D. Collins, Chair Biohaz Panel
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Staff of the European Food Safety Authority present

Catherine Geslain-Lanéelle	Riitta Maijala
Alexandrine Maviel-Sonet	Hubert Deluyker
Anne-Laure Gassin	Gisèle Gizzi
Marta Hugas	Pedro Pinhal
Christine Majewski	

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SUMMARY OF DECISIONS

The Management Board:

- Adopted the agenda with one addition: an update of the Article 36 list of competent organisations under AOB.
- Adopted the minutes from the 27 March 2008.
- Noted the matters arising from the previous meeting.
- Noted that a paper on risk assessment of new and emerging risks would be available in late 2008/early 2009.
- Noted the presentation of Matjaž Kočar, Director General Food Safety, Ministry of Agriculture, Slovenia, thanked the Slovenian authorities for hosting the Board meeting and congratulated them on their Presidency.
- Noted the 2007 Financial Statements Accounts
- Noted the update on budget execution and forecast for 2008 and transfers in the EFSA budget.
- Agreed dates for meetings of the Management Board in 2009.
- Noted the retirement of 7 Members of the Management Board and the appointment of 7 Members to the newly constituted Board.

The Management Board also:

- Took note of the Executive Director's Progress Report and congratulated EFSA on the many activities undertaken since the last meeting.
- Noted the presentation of Prof. John Collins and thanked him and members of the Biohaz Panel for their contribution to EFSA.
- Took note of the update from the Chair of the Audit Committee, Mr Vaxelaire.

Opening and welcome by the Chair

1. The Chair opened the meeting by welcoming Matjaž Kočar, Director General of Food Safety at the Slovenian Ministry of Agriculture, Prof. John D. Collins, Chair of the Biohaz Panel, the Board Members, EFSA staff, members of the public and the viewers on the web. Apologies had been received from Giorgio Calabrese, Marion Guillou, and João Pedro Machado.
2. The Chair thanked the Slovenian authorities for their hospitality in hosting the meeting and congratulated the Slovenian authorities on the work they carried out during the Presidency.
3. The Chair asked if members wished to make any declarations of interest. None were declared.

Address of Matjaž Kočar, Director General of Food Safety at the Slovenian Ministry of Agriculture

4. Mr. Kočar, Director General of Food Safety at the Slovenian Ministry of Agriculture welcomed all participants to Ljubljana on his own behalf and on behalf of Mr. Jarc, Minister for Agriculture, Forestry and Food. From a Slovenian perspective, communication of food safety issues was a major challenge and working with EFSA and other agencies was important in providing responses to public concerns. This was particularly true in the case of GMOs. Cooperation in food safety was essential to cover all the food chain, farm to fork. It was important to shape the Common Agricultural Policy to take consumer protection into consideration as citizens did not feel that was being addressed at present. Mr. Kočar also emphasised the importance of understanding consumer behaviour. Other challenges were also important to Slovenia including globalisation, the global food price crisis, water security and the relationship between food security and food safety. A question had recently arisen in Slovenia in which public concern had been raised over registration procedures for some insecticides. Standards for protein content of feeds should also be improved in the EU. In relation to expectations of EFSA, Slovenia expects the Authority to respond promptly to global issues and advise on the cumulative and long-term effects of consuming certain foodstuffs. Mr. Kočar emphasised that Slovenia trusts EFSA's opinions and views and will continue to cooperate closely with the Authority.
5. The Chair thanked Mr. Kočar for his address and emphasised that EFSA was a pan-European resource for all EU citizens but depended on cooperation with national agencies to exercise its mandate.
6. The Executive Director thanked Mr. Kočar, Mr. Jarc and Milan Pogačnik for the excellent cooperation EFSA had with Slovenia in preparation for and during the Presidency. As a result, EFSA's Director of Risk Assessment had participated in the meeting of Chief Veterinary Officers to describe the Authority's activities in animal health, an important event for EFSA as it prepared a position paper in this area. In addition, EFSA had participated in the meeting of Chief Plant Officers where it presented its objectives, in particular in science-based peer review and pest risk assessment and the use of Article 36 to implement its plans.

Adoption of Agenda (Document MB 25.06.2008-1; MS Word)

7. The Chair asked the Members if they had any addition to the agenda; one item on the Article 36 list of organisations was added.
8. The agenda was adopted.

Adoption of draft minutes of the previous meeting and matters arising from the minutes (Document MB 25.06.2008-2; MS Word)

9. The minutes of the 27 March 2008 meeting were adopted and would be published on the Authority's website.
10. A Member requested that a date be agreed to discuss risk assessment related to new and emerging technologies. The Executive Director informed that the new and emerging technologies would be included in the Strategic Plan 2009-2013 that was in preparation and would be discussed at the October meeting of the Board. It was expected that EFSA would be in a position to present a paper to the Board in late 2008/early 2009.
11. A Member asked for clarification on Members attending the Advisory Board as observers. The Chair commented that the idea was for Members to attend as observers, interact with heads of national agencies and enhance their understanding of the challenges that national agencies face.
12. Under matters arising, the Executive Director informed the Board that a first draft of the Strategic Plan would be available for discussion at the October Board meeting and that she would present an update on quality assurance of EFSA scientific outputs in her progress report. An interim review of cooperation with Member States, prepared in cooperation with the Advisory Forum, would be discussed with the Board before the end of the year. In relation to the visibility of EFSA and cooperation with national experts, regional workshops on methodologies and best practices would be organised in Budapest in mid-October and in Poland at the end of November.

For information: Executive Director's Progress Report (Document MB 25.06.2008-3; MS Word and PowerPoint presentation)

13. The Chair invited the Executive Director to update the Board on progress made at EFSA since the last Management Board meeting covering the period mid-March to mid-June. The Executive Director updated the Board on the progress and ongoing work in the Panels, Scientific Committee, Advisory Forum, Scientific Cooperation & Assistance, Communications, and institutional, international and stakeholder relations, and presented the quarterly monitoring report. A separate PowerPoint presentation is available for a detailed description
14. The Chair thanked the Executive Director for her presentation and congratulated EFSA staff and Panel members on the achievements in the reporting period. He enquired on progress with the European School. Another Member also requested an update on the Final Seat and accreditation for the Baccalaureate at the European School in Parma. The Executive Director replied that the school was essential for attracting and retaining staff. It was accredited up to 5th year and had been recently audited for accreditation of 6th and 7th years and for the Baccalaureate. The school was currently funded by the Italian authorities, the first and only school in the European system to be funded in this manner, and EFSA will investigate whether European funding can be made available to support the school and in particular to make teaching positions more attractive.
15. A Member emphasised that EFSA should respond to unwarranted criticisms by clearly indicating that that its mandate is entirely scientific and that political aspects have to be addressed by the Commission and other risk managers.
16. The Board was informed by a Member that a significant meeting of stakeholders and producers would take place in Slovenia in August and the Executive Director would present the keynote address. In addition, the Focal Point agreement between Slovenia and EFSA would be signed on that occasion.

17. The work on horizontal quality assurance was welcomed by the Commission and would facilitate the provision of mandates but also help identify which European or national agencies with which to work to execute mandates. A mapping of EFSA cooperation activities would be very useful. In relation to GMOs, the Commission is in favour of pursuing the process of joint meetings with EFSA and applicants to accelerate the process for applications.
18. A Member congratulated the Executive Director on the work on quality assurance of outputs, good opinion practices (GOP) and mandate review. He requested a flow chart on the risk assessment process within EFSA to enhance the transparency of the process.
19. The initiation of the Mandate Committee was welcomed by a Member who stated that, if successful, would represent a step change in improving the efficacy of the organisation. The member enquired whether the GOP would be a formalised system that allowed future evaluation and validation.
20. A Member enquired about how the significant amount of work involved in consolidating the list of functional claims would be managed.
21. The role of the Management Board in enhancing cooperation with Member States and acting as ambassadors for EFSA's work was highlighted by a Member and further information on the activities and benefits of the Focal Points at the institutional level was requested.
22. Unfair and unsubstantiated criticisms of EFSA were mentioned by another Member, quoting the opinions on the antimicrobial treatment of poultry carcasses and contamination of sunflower oil as examples. The need for clear, simple messages for consumers was underscored and EFSA was asked to consider integrating summaries of opinions into press releases. The Member commented that the Board could apply pressure in relation to the non-scientific obstacles that hinder EFSA's work such as transport links with Parma, the European school and the Final Seat.
23. In relation to the questions and comments raised in points 15, 19, 20, 21 and 22, the Executive Director noted that in responding to criticism EFSA has significant media contacts and dialogue with stakeholders but that it could develop new mechanisms, in particular IT tools, to facilitate more open dialogue and explain EFSA's role. The Authority was sometimes faced with unrealistic expectations to deliver risk management decisions or to provide simplistic yes or no answers to complex scientific problems and any input from Members on how EFSA can respond more effectively was welcomed.
24. On cooperation with Member States, the Executive Director agreed that the activities can be more clearly described and communicated. She noted that EFSA is a unique organisation in bringing together expertise at the European level and that, with the increase in the numbers and complexity of questions, the Authority needed to ensure it had access to expertise in Member States. Through a variety of mechanisms, Member State representatives were playing an increasing role in EFSA's activities and this would be further developed.
25. Formalisation of the GOP was being developed by Directors of Risk Assessment and Scientific Cooperation & Assistance with input from the Quality Manager. In relation to health claims, additional working groups and networks of working groups had been put in place in preparation for the work. The Executive Director outlined the role of the Focal Points in fostering cooperation with Member States, supporting the Advisory Forum and helping EFSA to access expertise in Member States. Regarding non-scientific obstacles to work, the Executive Director would visit the relevant Italian Ministries in Rome in July to discuss EFSA's requirements in relation to transport, education and infrastructure. Regarding the final seat, a procurement procedure for the selection of the bank had been launched by the Comune. The construction is planned to start in early 2009 and possible completion in 2011. Implementation contracts would be drawn up with the support of the Commission and closely monitored, with financial penalties applied in the case of delays. In relation to a flow chart

to explain EFSA's internal risk assessment procedures, this would be available on the Authority's website in mid-July.

26. The Board approved the appointment of Sue Barlow to the Scientific Committee to replace Eric Dybing and Patrick du Jardin to replace Marc de Loose on the GMO Panel
27. A Member commented that EFSA is a very transparent organisation in communicating decisions but could enhance the transparency of the decision-making process itself.
28. EFSA was encouraged to insist on a completion date for the delivery of the Final Seat and that financial penalties were enforced after that date. The Executive Director confirmed the intention to proceed on that basis and to provide regular updates for the Board.

Update from the Audit Committee

29. The Audit Committee had met the previous afternoon and discussed the audit plan for 2008-2010 which had been drawn up in collaboration with the Internal Audit Service. A new head of internal audit would join EFSA in September 2008. The preliminary Court of Auditors report for the financial statement for 2007 reported that there were no significant concerns. Some improvements were requested on the execution of the budget during the year and on EFSA's procurement procedures. A presentation of the audit plans 2008-2010 was planned for the next meeting of the Board.

Presentation on the Activities of the Panel on Biological Hazards by the Panel Chair, Prof. John Collins (Document MB 25.06.2008-4; PowerPoint presentation)

30. Prof. Collins' presentation covered: the composition and activities of the Biohaz Panel; examples of opinions; other outputs; interaction with other bodies; impact of work including examples; current activities; and self-assessment – SWOT analysis. He emphasised the multidisciplinary nature of the Panel and the holistic approach to food safety that it adopts. Support from the secretariat had increased and it played an important role in the interface between EFSA and the Commission in clarifying mandates. Prof. Collins outlined the workflow in processing mandates and he felt there was a mutual understanding of the complementary roles of risk assessors and risk managers. As with other Panels, the biggest challenge for Biohaz is associated with emerging risks. Other concerns included mandate deadlines which for some TSE-related questions were less than 4 months. This put considerable pressure on experts and an expression of appreciation by risk managers would be valuable in maintaining the morale of the Panel. Prof. Collins saw the professional status of the Panel experts as its major strengths, although conversely the availability of experts to undertake work at certain times could be considered a weakness. Interpretation of mandates and communication to both the public and risk managers were challenging. The Panel's ability to deal with coincidental priorities associated with short-term mandates, particularly in regard to TSEs, could be seen as a weakness as could the Panel's preparedness for emerging risks, although the latter was being addressed by an ESCO working group. Opportunities included the ability of the Panel to offer guidance to decision makers on risk-based criteria for food safety, encouragement of uniform approaches to data collection and analysis and consolidate food safety as a multidisciplinary specialisation. Prof. Collins envisaged the major threats to be loss of morale in Panel experts and loss of staff and resources. He conveyed the gratitude of Panel members to the Board for their support. A separate PowerPoint presentation is available for further detail.
31. The Chair thanked Prof. Collins for his presentation and his commitment to the Panel, and on behalf of the Board, expressed his gratitude to the panel members, working groups and the staff of the Biohaz Unit.

32. A Member noted the usefulness of public consultations for the Biohaz Panel and enquired whether they could be utilised more often. He also asked whether there was a noticeable increase in support from EFSA staff.
33. Prof. Collins was asked whether the Panel had assessed the value of removing spinal cord from sheep by suction or splitting of the carcass and whether, in general, the Panel felt it was asked the right questions, i.e., those that concern food scientists.
34. In terms of the utilisation of the work of risk assessors, a Member noted that the TSE field is very sensitive and that risk managers may not be able to implement adjustments to risk management strategies as quickly as some might wish. It was because of the quality of EFSA's work that more Member States were taking some steps in the TSE roadmap. In terms of emerging risks, the quantitative work undertaken by the Biohaz Panel requires a multidisciplinary approach and the strategic work undertaken by EFSA is not always acknowledged externally.
35. A Member commented that experts need sufficient time to formulate opinions and that must be recognised by risk managers. Prof. Collins was queried on the future direction of quantitative microbiological risk assessment (QMRA) and the advantages it would bring to risk managers.
36. Prof. Collins responded that public consultations are useful for some – but not all – opinions and tended to delay their publication. He noted that support from EFSA staff had increased significantly in the past year and requested that it continue to increase. With regard to TSE in small ruminants, the view of the Panel was that there was no indication that scrapie was a risk and that no further controls were needed. In relation to being asked the “right questions”, Prof. Collins noted that sometimes questions existed which the experts would have liked to address. He said that QMRA would be included in the Panel's activities and but it was reliant on the quality of the data available.

For opinion: 2007 Financial Statements Accounts (Documents MB 25.06.2008-5A and -5B; MS Word and PowerPoint)

37. The EFSA Accountant summarised the financial statements. There was no change in accounting rules or procedures from the previous year and provisional accounts had already been sent to the European Court of Auditors. The Court had executed an audit in EFSA's premises, although the final report of the Court was not yet published, no reserve was expected on the EFSA accounts. EFSA had executed more than 17,000 payments in 2007, a 30% increase on 2006.

For information: Budget Execution and Forecast 2008 (Documents MB 25.06.2008-6; MS Word)

38. The Director of Administration reported that budget execution at 43% was on track to the end of May 2008. Activities 1 (provision of scientific advice) and 2 (enhancement of risk assessment methodologies) had used 69% of the budget with the remainder spent on activities 3 (dialogue and communication) and 4 (administration and management). Different levels of progress were seen among the four activities. Activity 1 personnel expenditure had 38% execution reflecting slight delays in recruitment which should be resolved before the end of 2008 when the risk assessment directorate would have about 150 staff. Activity 2 had an execution of 41%, an increase of 66% or €2 M on 2007. Execution for activity 3 was generally on track with some delay caused by the launch of a Eurobarometer survey.
39. In terms of forecast, EFSA overall was expected to spend more than 35% more in 2008 compared with 2007. A total of €44 M would be spent on activities 1 and 2, an increase of 43% on 2007. There are some recruitment delays and end-of-year execution was likely to be in the region of 96%.

For information: Transfers in the EFSA Budget (Document MB 25.06.2008-7; MS Word)

40. Transfers amounted to €1.7 M, which is less than 2.5% of the total budget and within the limits of the financial regulation threshold.

For information: MB Meeting Dates for 2009 (Document MB 25.06.2008-8; MS Word)

41. A proposed list of meeting dates were presented to the meeting and no objections were recorded.

Any Other Business

42. The Executive Director informed the meeting that because of institutional reorganisation in Belgium, Denmark, Finland, Germany and Hungary, some risk assessment institutions had changed name or merged and, because of this, they were prevented from participation in Article 36 activities. Therefore, the Article 36 list needed to be updated to enable those institutions to continue to participate. The Board was asked to adopt this technical adjustment to the list and the updated list was adopted. A Member suggested that the Commission lawyers examine whether such minor adjustments to the list could be delegated to the EFSA executive.
43. The Chair outlined the composition of the new Board and thanked the Members and the Executive Director and EFSA staff for their support on his own behalf and on behalf of the Members whose mandates were expiring. The Executive Director thanked the chair and the retiring Members for their contribution to EFSA's development.

Concluding remarks

44. The Chair thanked the Slovenian authorities for their hospitality in hosting the meeting, Matjaž Kočar, Director General Food Safety, Ministry of Agriculture, Slovenia, Prof. Collins, the members of the Board, the audience in Ljubljana and those watching the webstreaming, the Authority's staff, and the interpreters.