

Office of the Executive Director and the Management Board

39th Meeting of the EFSA Management Board
Minutes of the Public Session
Rome, 29th January 2009, 09.00 h

Members of the Management Board present

Diána Bánáti (Chair)	Sue Davies
Bart Sangster (Vice-Chair)	Marion Guillou
Peter Gaemelke	Roland Vaxelaire
Bernhard Url	Jiri Ruprich
Piergiuseppe Facelli	Konstantinos Yazitzoglou
Robert Madelin	Matthias Horst

Staff of the European Food Safety Authority present

Catherine Geslain-Lanéelle	Hubert Deluyker
Alexandrine Maviel-Sonet	Anne-Laure Gassin
Riitta Majjala	Christine Majewski
Djien Liem	Gisèle Gizzi
David Caira	

Others present

Vittorio Silano	Valerie Baduel
Andreas Hensel	Alan Reilly
Evert Schouten	

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SUMMARY OF DECISIONS

The Management Board:

- Adopted the agenda with two additions: venues for Board meetings and the Board Awayday in 2009 under AOB.
- Adopted the minutes from the 18 December 2008 meeting.
- Noted the address of the Italian Minister for Health, Mr. Sacconi.
- Noted the presentation of the Members of the Advisory Forum.
- Adopted EFSA's Annual Activity Report 2008.
- Adopted EFSA's Strategic Approach to International Activities.
- Postponed adoption of EFSA's Staff Policy Plan 2010-2012 until receipt of comments from the European Commission.
- Adopted the Supplementary and Amending Budget Pre-accession Programme 2009 subject to signature of agreement
- Noted the budget execution 2008 and transfers in the EFSA budget.

The Management Board also:

- Took note of the Executive Director's Progress Report and congratulated EFSA on the many activities undertaken.
- Noted the presentation of the Audit Committee.
- Noted the suggestions for venues for meetings of the Management Board in 2009 and agreed that the March 2009 meeting would be held in Prague.

Items 1 and 3: Welcome and adoption of the draft agenda

1. The Chair opened the Public Session of the first EFSA Management Board meeting of 2009 by acknowledging the apologies received from Marianne Elvander, Sinikka Turunen and Milan Pogačnik. She welcomed four members of EFSA's Advisory Forum Valerie Baduel, Andreas Hensel, Alan Reilly and Evert Schouten and announced that they would provide a presentation to the meeting. She also welcomed the Chair of the Scientific Committee, Vittorio Silano.
2. The Chair announced that the Italian Minister for Health, Mr Sacconi, would address the meeting.
3. Following the Chair's request for any declarations of interest (DOIs), none were declared.
4. The Chair suggested adding to the agenda under Any Other Business a discussion on venues for Management Board Meetings 2009 and suggestions for the Management Board Away Day in Spring.
5. The draft agenda was adopted.

Item 2: Address of Italian Minister for Health, Mr. Sacconi

6. Mr. Sacconi welcomed Board members and expressed his gratitude for the opportunity to host the meeting in Rome. The Italian government was fully committed to EFSA and in light of the globalisation of food trade he emphasised the need for an agency that provided scientific advice to support decision makers in protecting citizens. The Italian authorities closely monitored EFSA's activities and also provided expertise to the Authority from institutes and universities. The government is committed to integrating EFSA in Parma and the Minister noted the particular issues related to the new headquarters, transport links and English mother tongue teachers in the European School. He added that the authorities would soon be able to complete the integration process and that extra resources would be deployed in Parma to do so. In relation to Milan Expo 2015, an agreement between EFSA and the government was being considered. In relation to the current financial crisis, the Minister noted that the right priorities and values, of which EFSA was an important part, were required to tackle the problem and he expressed his best wishes to EFSA in its activities.
7. The Chair thanked the Minister for his address. She noted that there were important outstanding issues related to EFSA's settlement in Parma that needed attention and she looked forward to the high-level meeting with the Italian authorities in February.

Item 4: Adoption of draft minutes of the previous meeting

8. The draft minutes of the previous meeting were adopted with one editorial amendment.
9. The Executive Director summarised matters arising including the publication of the Article 13 list, preliminary findings of the experts' survey, publication and distribution of Strategic Plan 2009-2013 and Management Plan 2009, the IT tool for updating DOIs and the presentation by the Audit Committee.

Item 5: Executive Director's Progress Report

10. The Chair invited the Executive Director to present the progress report, noting the recent incident on dioxins in pigmeat from Ireland. She thanked EFSA staff and Panel experts involved in providing scientific advice and suggested the preparation of a case study on lessons learned from the incident.

11. The Executive Director updated the Board on progress from December to mid-January. A separate PowerPoint presentation is available for a detailed description.
12. The Chair congratulated the Executive Director for the very impressive achievements during the reporting period and thanked her for following up on issues raised previously such as the crisis plan and the prioritisation of work. .
13. A Board Member reiterated the importance of EFSA's quick response to the dioxin incident and emphasised the importance of the roadmap for managing priorities. He suggested adding the point on the prioritisation of work and the road map with DG SANCO made in the Progress Report to the Annual Activity Report.
14. Further questions were asked on progress on the opinion on transparency in risk assessment and the opinions on taurine and D-glucuronolactone. A glossary of acronyms was suggested for the Progress Report.
15. A Member enquired whether the number of experts in the expert database would be adequate and suggested her institution could assist with the work of the Scientific Committee and Panels. She commented that transparency was particularly important in relation to nanotechnologies.
16. Clarification on the wording of one of the questions on motivation in the expert survey was sought.
17. The Chair mentioned the concerns of experts in relation to tele-conferencing in the survey results.
18. The Executive Director replied that EFSA was working on video- and web-conferencing since 2008 and intended to extend its use. The Annual Activity Report would be amended as requested. She added that cooperation with Member States is high on EFSA's agenda and would be further discussed at the meeting. The opinion on taurine was published the previous week and communication on the opinion was being prepared. She thanked the Member who offered the assistance of her institution. She suggested the Chair on the Scientific Committee add some comments on nanotechnology and reiterated EFSA's commitment to transparency. She clarified the question on the expert survey noting that the survey will be annual and that further questions in relation to satisfaction could be added to the 2009 survey.
19. The Director of Scientific Cooperation & Assistance noted that the 500 entries on the expert database were validated and that many more applications had been received and would be shortly validated.
20. In response to a question on quality management, the Director of Risk Assessment outlined the INEX (internal and external review) process.
21. The Chair of the Scientific Committee described the consultation process involved in the opinion on transparency and in relation to nanotechnologies emphasized the need for supervision of the science.

Item 6: Annual Activity Report 2008

22. The Executive Director summarised the main achievements of EFSA in 2008, with EFSA Directors presenting the achievements for their areas of responsibility. A separate PowerPoint presentation is available for a detailed description.
23. Questions were received from a Member on the nature of activities that were outsourced in 2008 and the need for a Declaration of Assurance from the Executive Director.
24. A Member commented that addition of page references in the Highlights section would be useful.
25. Addition of a Declaration of Value was suggested to emphasise the principles of the Strategic Plan.

26. The Chair asked for clarification of the status of the opinion on cloning and final staff numbers for 2008.
27. A Member noted that it was unlikely that the doubling of outputs at EFSA could be maintained.
28. The Executive Director agreed to amend the document in relation to the roadmap agreed with the Commission, to add page numbers to the highlights section, to clarify the opinion on cloning which had been adopted and the final staff numbers which she confirmed as 395. She indicated that the Declaration of Assurance was a legal requirement and noted that there would still be a significant increase in output in 2009 followed by a period of stabilisation.
29. The Annual Activity Report was adopted.
30. The Chair informed the Board of a letter received from Mr. Letta that conveyed his commitment to the smooth functioning of EFSA in Italy.

Item 7: Advisory Forum

31. In a joint presentation, the four members of EFSA's Advisory Forum present, Valerie Baduel (France), Andreas Hensel (Germany), Alan Reilly (Ireland) and Evert Schouten (Netherlands), outlined the activities of the Forum. A separate detailed PowerPoint presentation is available.
32. On invitation of the Chair, the Dutch Forum member mentioned that the Forum members had discussed working models for the future, such as the EMEA model, or more work-sharing. The German Forum member addressed EFSA's role in European food safety and also mentioned the sharing of EFSA's workload in relation to Member States, noting that smaller states had few resources and hence risk assessment activities were difficult. He also addressed EFSA's cooperation with national authorities and the potential duplication of work between EFSA and the national agencies. The Irish Forum member contrasted the handling of the two dioxin incidents in 1999 and 2008 and the difference EFSA had made in the latter situation in producing an independent assessment of risk. He noted the importance of EFSA's communication activities in the Irish pork contamination incident and the role of the Forum in networking. He described the activities of the ESCO Working Group on Folic Acid and the relevance of its work across Europe.
33. A Board Member commented that he did not agree with the vision suggested in the presentation of the Forum Members as it was too restrictive. He emphasised the importance of the Advisory Forum as an advisory body and the success of this model which was different to other agencies. As a risk manager he was aware of the different range of experiences within the EU but noted that re-nationalisation of risk management decisions would lose one of the goals of the food law. While the EMEA model was effective for cooperation, the mandate of EFSA could not be reviewed. He queried what the success criteria were for the Forum.
34. A Member challenged the Forum to address the issue of the respective roles of EFSA and the national agencies and the optimal use of resources. This was supported by another Board Member who noted that EFSA had reached an appropriate level of maturity to enable this to be done.
35. The need for the Forum to ensure there was minimal duplication between the work programmes of EFSA and the national authorities was stressed.
36. A Board Member remarked that giving added risk assessment responsibility to national agencies would promote the duplication of work and would have implications for transparency, independence and credibility. She asked for clarification on a comment related to the professionalism of Panel members. She mentioned the value of characterising risk at the European level.
37. The French Forum member responded that she did not want to promote a model that reduced the remit of EFSA but rather that EFSA includes all national risk assessment agencies in the EU and that it was important

from the perspective of transparency, independence and credibility that all Member States participate. She emphasised the importance of EFSA sharing work with agencies and for EFSA to form its own opinions.

38. The German Forum member emphasised that in terms of communication it was the European level that must give credibility. Noting that 54% of EFSA experts come from national agencies, conflicts of interest are possible and this is an issue that must be addressed. He agreed with the French Forum member on the need for a collective assessment of risk.
39. In relation to risk communication, the Irish Forum member saw the role of the national authorities as interpreting the information from EFSA for national audiences. In relation to success criteria for the Forum, harmonised risk assessment methodologies would be a significant achievement.
40. A Board Member mentioned that in relation to transparency in opinions, differences of opinion between countries were usually politically motivated and that science-based opinions from Panels were the most critical factor. He noted that in the expert survey, cooperation with Member States was listed as requiring enhancement.
41. Forum members were not suggesting re-nationalisation of risk assessment, a Board Member remarked, but rather the intensification of cooperation between EFSA and the national authorities. He emphasised the need for science-based risk assessment and avoidance of duplication of work.
42. The Chair emphasised that there were no national representatives on the Management Board but rather independent experts.
43. The Executive Director said that EFSA operates according to the legislative framework laid down in its Founding Regulation and other vertical regulations. EFSA had a particular method of working in pesticides due to vertical legislation in that field however in other areas, e.g. GMOs, other working methods had to be applied. Noting the Strategy on Cooperation and Networking which had been drawn up by the Advisory Forum, she added that EFSA wants to pool resources not compete for them. EFSA will continue to involve Member States as much as possible in its work.
44. In summarising the Chair noted that the renewal of the Panels and Scientific Committee in 2009 reminded one of the crucial role of institutions in allowing their experts to work with EFSA and the time devoted by experts to this work. She also pointed to the expanded Article 36 list adopted by the Board in December and the different working methods across the EU agencies. She emphasised two areas: the needs for feedback on cooperation and risk communication. She concluded with the agreement of the Board to return to the issue of cooperation with Member States at a later stage.

Item 8: Strategic Approach to International Activities

45. The Executive Director presented the document.
46. The selectivity of the footnotes on the document was queried by a Board Member who in addition made three requests: to review the strategy in 2-3 years; to monitor the strategic approach and report to the board annually; and to be cautious in developing global risk communication.
47. A Board Member noted that in relation to supporting the Commission in its work, the reference to the OIE (World Organisation for Animal Health) was inappropriate.
48. A Member requested addition of a reference to new and emerging science and technology.

49. The Executive Director summarised the proposed changes indicating that, in relation to item 47 above, there was no need to amend the text as the legislative framework was described adequately in the document and any further amendment risked confusing the reader.
50. The document was adopted.

Item 9: Staff Policy Plan 2010-2012

51. The Director of Administration presented the document indicating that the comments of the Commission were required prior to adoption.
52. The implications of the reserve on EFSA's budget for staffing were queried by a Member who also noted that Cyprus and Estonia were not represented on the EFSA staff.
53. The Director of Administration replied that the budget reserve might result in delays in the recruitment of 20 staff members.
54. The Chair noted that the Plan would be discussed again at the next Board meeting when the comments of the Commission had been received.

Item 10: Supplementary and Amending Budget Pre-accession Programme 2009

55. The Director of Administration presented the document indicating that the agreement for the Pre-accession programme had not yet been signed by the Commission and EFSA. Signing was anticipated within the following 1-2 weeks.
56. The document was adopted subject to signing the agreement.

Item 11: Budget Execution 2008

57. The Director of Administration presented the document noting that 97% of the EFSA Budget had been executed in 2008, representing an increase of 36% over the previous year.
58. Responding to a comment that it is strange to have a high budget execution rate, the Executive Director replied that EFSA was committed to the optimal use of its resources.

Item 12: Activities of the Audit Committee

59. EFSA's Internal Auditor gave the presentation; a separate detailed PowerPoint is available.
60. Board Members asked questions on: why the results of 2008 are not available until mid-2009; the difference between audit as compliance work and audit as consultancy work; and the differences between the various audit services.
61. The Internal Auditor responded that EFSA has to wait until the IAS and the Court of Auditors complete their audits before the results can be published and that integrated audits include both compliance and consultancy aspects.
62. In relation to overlap between the audit services, the Chair of the Audit Committee said that internal audits prepare the work for the Court of Auditors and the IAS and that there is cooperation on some subjects.

63. A Member commented that the Court of Auditors was evolving more towards value for money and thus provides a tool to guide the Executive Director on efficiency and effectiveness.

Item 13: Transfers in the EFSA Budget 2008

64. The Director of Administration presented the transfers indicating that there were no major changes since the previous presentation in November. A total of €4.4 million transfers were completed in 2008 to better allocate budget and offset delays in recruitment by improving IT tools.

Item 14: Any other business

65. Members agreed that there was no need to produce hard copies of slides in future. A Board Member offered to host a Board meeting on his farm in Denmark. The Czech Presidency had offered to host the March meeting, scheduled for March 31 in Prague which the Board was delighted to accept. In October 2008 the Management Board endorsed a new financial regulation and implementing rules, subject to endorsement by the Commission Services. The Chair announced that EFSA has now received comments, mainly editorial changes, from the Commission Services, therefore the Management Board had adopted the financial regulation and implementing rules incorporating the Commission Services comments. On behalf of the Board the Chair thanked the Director of Administration, for whom it was her final Board Meeting, for her contribution to EFSA.
66. In closing, the Chair thanked the Italian authorities for hosting the meeting, Mr. Sacconi for his address, Mr. Letta for his letter, members of Advisory Forum for their presentation, Members of the Board, the Chair of the Scientific Committee, the audience in Parma and those watching via webstreaming, the staff of the Authority and the interpreters.