

**48<sup>th</sup> Meeting of the EFSA Management Board  
Minutes of the Public Session  
Parma, 17 March 2011, 09.00 h**

**Members of the Management Board present**

Diána Bánáti (Chair)	Jan Mousing
Sue Davies (Vice-Chair)	Milan Pogačnik
Piergiuseppe Facelli (Vice-Chair)	Jiri Ruprich
Stella Michaelidou-Canna	Sinikka Turunen
Manuel Barreto Dias	Bernhard Url
Marianne Elvander	Matthias Horst
Milan Kováč	Robert Vanhoorde (observer DG Health and Consumers)

**Apologies:** Pieter Vanthemsche

**Staff of the European Food Safety Authority present**

Catherine Geslain-Lanéelle	Anne-Laure Gassin
Olivier Ramsayer	Gisèle Gizzi
Hubert Deluyker	Djien Liem
David Caira	

**Also attending:**

Vittorio Silano, Chair of EFSA's Scientific Committee

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## SUMMARY OF DECISIONS

### The Management Board:

- Adopted the agenda unchanged
- Adopted EFSA's Annual Activity Report 2010 subject to the changes agreed during the discussion
- Adopted EFSA's Preliminary Management Plan 2012 subject to the changes agreed during the discussion
- Adopted EFSA's Preliminary Budget and Establishment Plan 2012
- Informed on the adoption, in private session on 16 March, of the lists of scientific experts appointed as members of the Panels on Food additives and nutrient sources added to food (ANS) and Food contact materials, enzymes, flavouring and processing aids (CEF)
- Informed on the adoption, in private session on 16 March, of the reserve list of scientific experts for all Scientific Panels and the Scientific Committee
- Informed on the adoption, in private session on 16 March, of the replacement of some members of the BIOHAZ, CONTAM, FEEDAP and PPR Panels and the Scientific Committee, due to the resignation of former members
- Adopted the amended list of Art. 36 organisations subject to the follow up on the eligibility of a couple of organisations

### The Management Board also:

- Took note of the EFSA's "e<sup>3</sup>" programme and the changes in the organisation
- Took note of the Executive Director's Progress Report and congratulated the EFSA executive and staff on their achievements
- Noted EFSA's reflection paper on an integrated independence policy and agreed on the proposed follow up activities and timelines
- Noted the budget execution 2010
- Noted the report on the transfers in the budget 2010
- Noted the proposed dates of the Board meetings in 2012 and reported a decision to the June meeting

Item 1: Welcome by the Chair

1. The Chair opened the Public Session of the 48<sup>th</sup> Management Board meeting by welcoming the Board members, EFSA Executive Director and Directors, Chair of the Scientific Committee, audience in Parma and online, stakeholders, Member State authorities, experts and staff members. She addressed special wishes to the Italian audience for the celebration of the 150<sup>th</sup> anniversary of the Unity of Italy.
2. Apologies were received from Pieter Vanthemsche. Robert Vanhoorde, DG Health and Consumers, participated in the meeting on behalf of the European Commission with the status of observer.
3. New interests were declared by Milan Kováč, who became a member of the ILSI Board of Trustees in January and was appointed a member of the Scientific Board of the Biotechnology and Food Sciences' faculty of the Agricultural University in Nitra (Slovak Republic). Jiri Ruprich declared his appointment as Professor at the Veterinary and Pharmaceutical University in Brno.

Item 2: Adoption of the draft agenda

4. The agenda was adopted unchanged.

Item 3: Executive Director's Progress Report

5. The Chair informed the Board that EFSA had prepared two presentations: on the authority's progress in the period December 2010 to mid-March 2011, and on the EFSA's efficiency programme (e<sup>3</sup>), both available online. The Chair invited the Executive Director to update the Board on the e<sup>3</sup> programme anticipating that possible questions on the progress report would also be addressed at the end of the presentation.
6. The Executive Director presented the Board with an overview of the e<sup>3</sup> programme (efsa, efficient and effective) and the reorganisation of EFSA's structure. The new organisational structure would better reflect the increased workload on applications, further optimise the use of resources and enhance the attractiveness of EFSA for the best scientific experts. A separate PowerPoint presentation is available for a detailed description.
7. Questions/comments were received on: relations between the implementation of the new structure and the forthcoming external evaluation of EFSA; the role of the Application Desk in supporting the scientific Panels; and the need to ensure that EFSA will maintain focus on its core scientific activities in spite of the workload with applications. Reflections were also made on the strict scientific cooperation between the Scientific Committee and the Emerging Risks unit.
8. The Executive Director thanked the Board for the support and stressed that the reflections shared with them were the outcome of a wide consultation process involving EFSA's staff and stakeholders for more than a year. She added that the e<sup>3</sup> programme would include changes in the organisational chart, but also initiatives on the IT and financial working processes, the business procedures and the human capital. These initiatives would be gradually implemented until 2014. The Executive Director commented that the reorganisation of EFSA and its external evaluation will run in parallel, and the recommendations of the external evaluator will be considered for implementing possible adjustments of the new organisational structure. She added that the new structure would not be based on a fee-system assumption, but would principally focus on increasing the Authority's efficiency and effectiveness, while preparing EFSA to face the likely circumstance that fees will be applied to the assessment of regulated products. Regarding the role of the Applications Desk, the Executive Director said that EFSA aims to enhance the interaction with the applicants, Member States and stakeholders in general in order to provide them with a better service and the Scientific Panels with a stronger support by ensuring that they receive better quality dossiers.
9. Regarding the external evaluation, the Chair reminded the meeting that a Management Board Steering Committee was created and will report to the Board on the activities carried out by the external evaluator. Further questions/comments were received on: the possible need for changes in the budget in order to match the new organisational structure; the resources deployed to scientific activities not related to applications; communications on the new organisational chart inside and outside the authority; and the migration plan.

10. In response, the Executive Director noted that EFSA might need to adjust the activity-based budget to reflect the new organisational chart. She commented that the achievement of a higher degree of efficiency would decrease the present administrative burden on EFSA scientific staff, thereby increasing the amount of time they would devote to scientific tasks. Finally, she commented on the migration plan saying that it not only refers to the redeployment of staff between directorates and units, but also to changes in the workflows, delegations, adjustments of IT tools, etc. EFSA has consulted the staff during the period of elaboration of the new organisational chart and will engage in dialogue with them on all issues related to the migration plan in order to ensure the smoothest possible transition to the new organisation. A coordinator has been appointed to work on this project in collaboration with the Directors, and a detailed migration plan is expected to be communicated to all staff by mid-April.
11. The Chair opened the discussion on the Executive Director's Progress Report. Questions/comments were received on: the outcomes of the public consultation on the Guidance on nanoscience and nanotechnologies applied to food and feed; EFSA's activities and priorities in the field of emerging risks; updates on the EU Menu project; EFSA's activities in response to the allegations of lack of independence; and the data collection activities with regard to children and infants.
12. The Chair of the EFSA's Scientific Committee reported on the results of the public consultation on the Guidance on nanotechnologies and informed the Board that the dedicated working group will incorporate the relevant comments in the document. The Guidance is expected to be submitted for endorsement by the Scientific Committee in April.
13. With reference to the EU Menu project, the Director of Scientific Cooperation and Assistance commented that many pilot projects on adults and adolescents are progressing. EFSA supports the project on the harmonisation of food consumption data collection and had investigated unsuccessfully whether DG Research and Eurostat could contribute to the financing of the project. Member States are progressing with the national surveys and are ready to cooperate with EFSA to establish the harmonised food consumption database.
14. Regarding independence, the Executive Director made reference to the section of the Progress Report on communications activities and anticipated that the issue was more widely reported in the Annual Activity Report 2010. She agreed that information on this issue could be expanded in the next progress reports and possibly also in the EFSA's Annual Activity Report 2010.
15. In relation to emerging risks, the Director of Scientific Cooperation and Assistance informed the meeting that the network comprising experts from the Member States has been put in place and that representatives from other international organisations could be invited to join. The Chair of the Scientific Committee commented on the work carried out by EFSA in the field of emerging risks since its inception and noted that the Scientific Committee invested substantial energy and resources in the elaboration of a definition of emerging risk. He recommended EFSA to reflect on its future priorities in the area of emerging risks. Members of the Board proposed to further discuss this issue at the Board meeting in June.
16. In summing, the Chair remarked that the Board supported the reorganisation of the Authority and asked the Executive Director to regularly report on the implementation of the new organisational chart and the migration plan. She commented on the inclusion in the Progress Report of the activities performed in support of EFSA's independence and the need for the Annual Activity Report 2010 to highlight the activities of EFSA in this respect.

#### Item 4: Draft Annual Activity Report 2010

17. The Executive Director described the main results achieved in 2010, which include the finalisation of 565 scientific outputs; the execution of 99% of the budget; the renewal of the composition of the ANS and CEF Panels; the enhanced relations with the EU institutions and international organisations; the strengthened scientific cooperation with the Member States and the dialogue with the risk managers; the initiation of the e<sup>3</sup> programme; the review of the DoI policy; and the progress with the construction of the new Seat building and the European school. She referred to some difficulties encountered during the year, which occasionally caused a partial achievement of the set objectives. A separate PowerPoint presentation is available for a detailed description.

18. The Board congratulated the EFSA executive, experts and staff members for the quality and quantity of work carried out in 2010. Questions/comments were received on: the cost of scientific outputs and the capacity of EFSA to redistribute financial resources between Panels in case of need; quality assurance in relation to data collection; the degree of satisfaction of scientific experts engaged in tele-meetings; the scope of the glossary on food safety related terms; budget execution in data collection and networking; and relations with the non-EU countries and in particular with the Russian Federation.
19. The Executive Director thanked the Board for the support and appreciation on the work done in 2010 and thanked her staff and the experts working with EFSA for their contribution and commitment. With regard to the cost of the scientific outputs, she clarified that they are subject to the scientific area of pertaining, the complexity of the risk assessment to perform, the need to access and collect data through outsourcing, etc. She clarified that the cost of outputs includes the costs of their preparatory work. In the future EFSA would aim to separate the costs directly related to the production of the outputs from the costs related to their preparatory work. Through the reinforcement of its planning capacities EFSA would expect to improve the ability to predict the financial needs of the units and Panels and be better prepared in reallocating resources when deemed necessary. Regular satisfaction surveys would allow the assessment of experts' satisfaction with regard to the use of tele-meetings. The percentage of working hours via tele-meetings increased gradually in 2010 and it is expected to further increase in 2011. Acknowledging the importance of the Russian Federation as a trade partner of the EU, the Executive Director commented that international relations remain a key strategic element for EFSA and that the new Directorate of Scientific Strategy and Coordination will further reinforce them.
20. The Director of Scientific Cooperation and Assistance referred to the signature of several framework contracts, which will support EFSA in executing the grant and procurement programme. In addition, he anticipated the forthcoming publication of a report on the evaluation of quality assurance for data collection, which would provide the basis for dialogue with Member States on the quality of the data provided. Finally, he informed that the Annual Activity Report 2010 will be updated to include the colloquium on food classification. The Director of Communications commented on the glossary on food safety related terms explaining that with this project the Advisory Forum Working Group on Communications aims to find agreement and consensus on the definition and translation of key terms widely used in risk communications.
21. Further questions/comments were received on: the declaration of assurance of the Executive Director and the delivery of the new Seat building by the competent authorities; the governance costs of EFSA; and the procurement negotiated procedures in the IT field.
22. The Director of Administration explained that the expense for consultant services in 2010 was mainly related to the development of IT systems. He acknowledged the need for EFSA to improve its capabilities in predicting the IT needs in the medium- long term.
23. The Executive Director explained that the precautionary statement in her declaration of assurance was based on the interpretation of the agreement with the Italian authorities that the new Seat building should have been delivered in 2010. On EFSA's governance costs, she commented that in 2010 the level was at 15% of the budget, which would not be high compared to other EU agencies. However, efforts will be made to possibly reduce these costs. Finally, the Executive Director agreed with the suggestion to give more visibility to the activities carried out in 2010 to ensure EFSA's independence.
24. The Board adopted EFSA's Draft Annual Activity Report 2010 subject to the changes mentioned in the discussion.

Item 5: Draft Preliminary Management Plan 2012

Item 6: Draft Preliminary Budget and Establishment Plan 2012

25. The Executive Director introduced the presentation of the Draft Preliminary Management Plan commenting that 2012 will mark EFSA's 10<sup>th</sup> anniversary and its installation in the new Seat building. 2012's priorities will principally focus on the strengthening of the risk assessment capacities, the implementation of the thematic approach for communications, and the further optimisation in the use of resources. *Inter alia*, EFSA will continue working on the revision of the meat inspection system, and an important workload is expected in the area of applicatons (food contact materials, feed additives, GM micro-organisms, enzymes and, possibly, novel

- food). It is expected that in 2012 EFSA will deliver over 700 scientific outputs. A separate PowerPoint presentation is available for a detailed description.
26. Questions/comments were received on: the predicted increase in reasoned opinions compared to 2010; the increased target for the timely delivery of the scientific outputs and the use of the stop-the-clock mechanism; the need for reference to the EFSA international strategy and the recommendation to review the methods and tools for collaboration with Member States; EFSA's vision towards an independent, transparent and high quality risk assessment; qualitative performance indicators for risk communications; the concept of knowledge management; its relations beyond the European Union; and the role of the Scientific Committee in promoting a harmonised approach among Panels in dealing with scientific uncertainties.
  27. The Executive Director noted that the stop-the-clock mechanism allowing EFSA to request additional information and data on dossiers is embedded in the regulatory framework and is generally favourably perceived by the applicants, who appreciate the opportunity to submit additional data to EFSA. With reference to the scientific cooperation with Member States, the Executive Director agreed with the proposal to review the methods and tools in place and suggested that in the context of the external evaluation the consultants focus on this aspect too. In addition, she proposed that the final Management Plan 2012 will give more visibility to the EFSA's international strategy. Commenting on EFSA's vision, she thanked the Board for its support and mentioned that the elaboration of EFSA's strategic plan beyond 2013 could provide the opportunity to reflect on its possible revision. She also informed the Board on the establishment of a Scientific Committee working group with the mandate to promote a harmonised approach in addressing and communicating more clearly on scientific uncertainties.
  28. On the increase in reasoned opinions in 2012, the Director of Scientific Cooperation and Assistance referred to the re-prioritisation of the activities in the field of pesticide peer-review in order to respond to the Commission's requests. The Director of Communications agreed on the relevance of qualitative indicators and highlighted the EFSA's activities in monitoring the media and checking that they factually report the message generated by EFSA. Building on the experience from the project on target audience research, in 2012 EFSA would like to implement a project on quantitative indicators to also get feedback on the clarity of EFSA's communications and outputs. Finally, the Director of Administration clarified that in promoting knowledge management EFSA aims to optimise the use and sharing of the broad range of competencies possessed by the staff and experts in the various scientific disciplines. EFSA aims to develop a policy, tools and guidelines to embed this knowledge into an institutionalised framework.
  29. Additional comments were received on: the need for EFSA's Management Board to be prepared to contribute to a possible discussion at EU level on the recast of EFSA's Founding Regulation; and the suggestion to give more emphasis to the activities planned to be carried out to manage actual and potential conflicts of interest and safeguard EFSA's independence.
  30. The Executive Director commented that the Management Plan 2012 would be amended including clearer reference to EFSA's activities in managing conflicts of interest and assuring EFSA's independence. In relation to the possible recast of EFSA's Founding Regulation, the Executive Director noted that the Board might wish to discuss this issue in view of the outcomes of EFSA's external evaluation.
  31. The Chair gave the floor to the Director of Administration to present the Draft Preliminary Budget and Establishment Plan 2012.
  32. In introducing the subject, the Director of Administration stated that a decision from the Budgetary Authority on EFSA's budget is expected around mid-November. Indicating that the budget proposal is in line with the multi-annual financial framework, he informed that the total budget amount for 2012 was €79.32 million, an increase of 2.6% compared to 2011. In order to comply with the Commission's zero growth policy, the proposed establishment plan suggests to maintain the number of staff to the level of 2011. The budget allocated to the grant and procurement programme would increase from €8.3 million in 2011 to €11.3 million in 2012. A separate PowerPoint presentation is available for a detailed description.
  33. Comments/questions were received on: the allocations for IT activities and the substantial decrease of allocation for the purchase of IT equipment; the balance of allocations between application-related activities and

the other scientific activities; the rationale for the reallocation of staff in scientific cooperation; and the appropriateness of proposing to the Budgetary Authority an increase of 2.6% compared to 2011.

34. Backed by the Commission representative, the Director of Administration commented that the proposed provisional budget was in line with the multi-annual financial framework and the feedback received from DG Budget. Adding that the Commission's zero growth policy relates to the staff level and not to the budget *per se*, he explained that an absolute zero growth policy would *de facto* diminish the resources available to the organisation, as the EU staff regulations would nonetheless require an evolution of the salary levels. He reminded the meeting that the allocations for IT developments were included under Title 3 (Operations), and that the decrease of allocations under Title 2 (Infrastructure) was mainly due to the expected decrease of investments in the new Seat building.
35. The Executive Director commented that the plan was drafted taking into consideration the Commission's work-plan and priorities for 2012. The balance of allocations between application-related activities and the other scientific activities would reflect an evolution in EFSA's budget which would be in line with those noted in the previous years. In addition, she clarified that in the coming months EFSA may wish to possibly revise the definition of some activities in order to reflect the changes in the organisational structure.
36. The Board adopted the Draft Preliminary Management Plan 2012 subject to the changes mentioned in the discussion.
37. Some members expressed a position not in favour of the proposed draft budget. Asking the members of the Board to express their vote, the Chair declared the Draft Preliminary Budget and Establishment Plan adopted with a majority vote (nine in favour, three contrary and one abstention).

#### Item 7: Update on the external evaluation of EFSA

38. The Chair invited Sue Davies, Chair of the Management Board Steering Committee on EFSA's 2011 external evaluation, to update the Board on the first meeting of the Committee.
39. Sue Davies informed the Board that the Committee had the first meeting on 16 March, 2011. Members are: Sue Davies, Manuel Barreto Dias, Stella Michaelidou-Canna, Piergiuseppe Facelli, Robert Vanhoorde (DG Health and Consumers), EFSA's Executive Director, Director of Administration and Internal Auditor. The Committee adopted its terms of reference and agreed that its role would be to feed into the evaluation process and have a challenging role for the evaluation. The Committee felt it would be useful to have a member as an observer at the meeting of the Evaluation Committee, which would be evaluating the tenders. The Committee would meet with the evaluator at the margin of the coming Management Board meetings, providing input at the key stages of the evaluation process, and providing the Board with regular updates. The evaluation is intended to be finalised by April/May 2012, when the Committee will analyse the recommendations of the external evaluator and report to the Management Board.
40. The Board commented on the parallel implementation of the EFSA's evaluation and reorganisation processes, and recommended that the external evaluator include in the recommendations also possible reflections on the new organisational structure of EFSA.
41. The Committee's Chair highlighted that the Committee will ensure that the evaluator focuses on the criteria specified in the Tender Specifications, and agreed that it would be useful if in their recommendations they take into account the implications of the new organisational structure.
42. Finally, Robert Vanhoorde informed the Board of his withdrawal from the Steering Committee and his membership in the Technical Group, which will support the Steering Committee in performing the activities. The Commission will be represented in the Steering Committee by the Director-General or Deputy Director-General of DG Health and Consumers.

#### Item 8: Review of the Policy on Declaration of Interest (DoI) – initial discussion

43. Stressing that EFSA's independence is of critical importance not only for the Authority, but for the Commission, the stakeholders and the public at large, the Executive Director introduced the reflection paper on EFSA's



Policy on DoI, which would propose the elaboration of an Integrated Policy on Independence drawing together the various strands of EFSA's policies and scientific decision-making processes. Commenting on the need to receive input from the stakeholders and the public at large, the Executive Director proposed to call a public consultation on the reflection paper. Based on its outcomes, at the June meeting of the Board EFSA would submit the draft Integrated Policy on Independence for adoption and public consultation before its finalisation. A separate PowerPoint presentation is available for a detailed description.

44. The Board expressed support for EFSA's initiative and commented on the elaboration of a comprehensive definition of "conflict of interest". The publication of a flowchart was suggested detailing what interests are taken into account, how decisions are made at the various stages depending on the nature of the interest, and at what stage a decision is taken on the inappropriateness of participation in a certain activity. The Board further commented on the need to effectively handle interests. It was noted that the work experience in industry is often a career-promoting element for scientists, and that in the future the exclusion of scientists with experience in the private sector could become unsustainable. On this, it was further commented that the collegial decision-making process reduced the risk of conflict of interest of a single expert, and the opening in public of the scientific discussions could also contribute to the mitigation of that risk and raise the public awareness on EFSA's independence. The Board agreed on the importance of involving the public in the reflections over the elaboration of the Integrated Policy on Independence.
45. The Commission contributed highlighting that EFSA's independence is a key priority for the Commissioner, and therefore supports EFSA's initiative to strengthen its independence policy. In addition, the Board was informed that on the 2<sup>nd</sup> of March a task force met at DG Health and Consumers to explore ways to strengthen the independence policies of the EU agencies and communicate more effectively on this issue. The report from the task-force would be available before summer.
46. In summing the elements raised during the discussion, the Chair remarked the strategic importance of EFSA's Policy on DoI and reminded the meeting that in June the Board will have a thorough discussion on this issue. The Board agreed with the process and timeline proposed by EFSA, and asked the Authority to prepare the draft document on the Integrated Policy on Independence to be discussed and approved for public consultation at the June meeting.

Item 9: Appointment of the ANS and CEF Panel members and replacement of some members of the BIOHAZ, CONTAM, FEEDAP, PPR and Scientific Committee

47. The Director of Scientific Cooperation and Assistance introduced the subject recalling the regulatory framework for the procedure on the renewal of the Scientific Panels and Scientific Committee, which would require the decision of the Management Board on a proposal of the Executive Director. He explained that an EFSA Evaluation Team (EET) carried out the evaluation activities strictly applying the criteria for the validity and eligibility of the applications and the evaluation of the eligible candidates. He also informed the Board on the review of the EET work by external experts, and specified that the selection procedure included the application of the policy on the screening of Dols. For the call on the renewal of the ANS and CEF Panels: 142 experts applied; 119 were considered eligible; 52 were shortlisted and 37 proposed for appointment as Panel members. For the call on the reserve list for all Scientific Panels and the Scientific Committee: 409 experts applied; 327 were considered eligible; and 104 were shortlisted. A separate PowerPoint presentation is available for a detailed description.
48. As an observer on behalf of the Board, Piergiuseppe Facelli shared his positive feedback on the objective compliance of the EFSA Evaluation Team and the external evaluators with the selection procedure.
49. Comments/questions were received on: the number of experts appointed for the first time, noting that for the continuity of the Panel activities each renewal should ideally include 30% of newly appointed experts, as their mandate can be renewed twice maximum; the nationality of the experts, recommending EFSA to adopt all possible measures to balance the national representation in Panels' composition; and the criteria adopted to assess the experts' scientific excellence. For future renewals, it was suggested to set explicit and transparent criteria for the assessment of general and/or specific conflicts of interest and for more detail to be provided to the Board on this aspect.

50. The Director of Scientific Cooperation and Assistance agreed on the positive impact that the inclusion of one third of new members would bring to the sustainability and continuity of the Panels' work, and noted that other experts would be added to the ANS and CEF Panels, who would increase the number of newly appointed members. He also agreed on the importance of maintaining the national balance in the composition of the Panels, but also stressed the need to primarily guarantee the scientific excellence of the Panel members. Concluding, he commented that the EET developed an evaluation guidance to ensure the objective application of the criteria identified for the scoring of the applicants.
51. In summing, the Chair commented that the Board may wish to discuss with EFSA on the criteria and selection procedures applied for the future renewal of the Scientific Panels and the Scientific Committee and reiterated the need to safeguard the sustainability and continuity of the Panels' work through the regular inclusion of new members.
52. Finally, the Chair announced that during the private session, the Board adopted the lists proposed by the Executive Director for the renewal of the ANS and CEF Panels and the reserve list for all Scientific Panels and the Scientific Committee. In addition, the Board adopted a decision on the appointment of some members of the BIOHAZ, CONTAM, FEEDAP and PPR Panels and the Scientific Committee, due to the resignation of some former experts. Following up on the procedures, EFSA will contact the experts to notify their appointment as members, as well as notifies the experts on the reserve list and the unsuccessful candidates. The names of the members will be disclosed upon receipt by EFSA of their acceptance (approximately mid-April).

Item 10: Amendments to the Art. 36 list of organisations

53. The Chair invited the Director of Scientific Cooperation and Assistance to brief the Board on the proposed amendments to the Art. 36 list of organisations. The Director said that Iceland and Norway had joined the EU Member States in submitting their lists of national organisations that may assist EFSA with its mission. In addition, the Czech Republic, Finland and the Netherlands submitted proposals for the revision of their national lists. The Director commented that feedback was received from the Advisory Forum on a couple of institutions for which EFSA will require further information to verify whether these fully comply with the criteria set by the Management Board.
54. The Board adopted the amended Art. 36 list of organisations subject to the follow up on the eligibility of the mentioned organisations.

Item 11: Budget execution 2010

55. Anticipating that in June the Board will receive the financial statement with the opinion of the European Court of Auditors, the Director of Administration commented that the commitment appropriations reached 98.8% (which was very close to the target of 99%), whilst the payment appropriations reached 85% (below the target of 93%). The low performance with the payment appropriations was mainly related to delayed procurement procedures in the scientific cooperation area. A separate PowerPoint presentation is available online.
56. The Board took note of the document.

Item 12: Transfers in the EFSA Budget 2010

57. Recalling from the Financial Regulations that the Executive Director has the capacity to transfer amounts between chapters within the limit of 10% of the appropriations of each chapter, the Director of Administration reported that the cumulative transfer in 2010 was 4.68%.
58. In response to a query on the increase in IT appropriations, the Director of Administration replied that EFSA partly anticipated the purchase of hardware and IT equipment for the new Seat building, and had to invest in a number of IT developments which were not identified at the budget planning stage.
59. Further comments were received on the need to better anticipate EFSA's IT needs and to develop a multi-annual IT strategy. The Director of Administration replied that the new organisational structure would foresee

the creation of a dedicated IT Unit, which would possibly improve EFSA's IT planning capacities shifting from a "reactive approach" to short-term needs, to a "pro-active approach" to the medium to long-term needs.

60. The Board agreed that a multi-annual IT plan will be submitted to the Audit Committee at the meeting in October.

Item 13: Feedback from the Heads of EU Agencies meeting

61. On the Chair's invitation, the Executive Director provided feedback on the meeting in February of the Heads of the EU Agencies. In 2010-2011 the network focused on the future institutional framework of the EU agencies, on budgetary issues, and organised an exhibition at the premises of the European Parliament to raise awareness on their activities and contribution to the Commission's work. In 2011-2012, the network will, *inter alia*, coordinate the Agencies' inputs to the Inter-Institutional working group and follow up on the process leading to the next multi-annual financial framework 2014-2020. A separate PowerPoint presentation is available online.
62. The Chair informed the meeting of the Chairs of EU Agencies, where discussion was held on the evaluation of the EU Agencies. The network agreed to prepare a discussion paper on the role of the EU Agencies' Boards and their Chairs. She also informed of her nomination as Chair of the network, receiving congratulations from the Board's members.

Item 14: Update of the Audit Committee

63. In the absence of the Chair of the Audit Committee, the Chair invited Bernhard Url to update the Board on its latest meeting. Bernhard Url informed that the Audit Committee discussed on: the annual audit plan; potential conflicts of interest of a former Panel member; and the first audit report on the process scientific outputs.
64. With reference to the first subject, he commented that the EFSA's internal audit capacity will focus on three main areas: assurance engagement; coordination engagement; and consulting engagement.
65. Bernhard Url reported on a case of potential conflict of interest which was investigated by the Internal Auditor in January 2011, when EFSA noted that an Expert omitted to mention a potential conflict of interest in his Annual Declaration of Interest (ADoI) and Specific Declaration of Interest (SDoI) since July 2008. Triggering the breach of trust process, on the basis of some preliminary information regarding the nature and extent of the interest, EFSA concluded that the interest should have been declared as it was relevant and potentially leading to a conflict of interest. The procedure was halted when the concerned expert resigned from his role as member of the relevant Panel. The Executive Director asked the Internal Auditor to perform a review of the scientific outputs the expert contributed to since July 2008. Reporting to the Executive Director and the Audit Committee in March 2011, the Internal Auditor told that he was provided with reasonable assurance that the scientific expert under review had no written contribution and/or negligible impact that could have biased the scientific outputs adopted by the Panel.
66. EFSA's Internal Auditor submitted the first report on the process of scientific outputs. The scope includes all the requests for scientific outputs received by EFSA from March to April 2010. Nine recommendations were issued. No critical recommendation was issued and EFSA provided an action plan for all recommendations. Based on the results, the auditor believes that the controls evaluated are adequate, appropriate and effective to provide reasonable assurance that risks are being managed and objectives set up for the process of receipt of requests for scientific advice are being met.

Any Other Business

67. The Chair informed the public of the meeting between EFSA's Management Board and Advisory Forum on 16 March, which provided the opportunity for a fruitful and constructive dialogue on the issue of cooperation in the areas of risk assessment and risk communication. Building on the numerous contributions and suggestions received from Member States, it was agreed to prepare a discussion paper for further comments by the Management Board and the Advisory Forum.

68. Finally, the Chair invited the members to take note of the dates proposed by EFSA for the Board's meetings in 2012, and reported the issue for decision at the following meeting.
69. In closing, the Chair thanked Board members, EFSA's Executive Director and Directors, the Chair of the Scientific Committee, EFSA staff, the experts working in EFSA Panels and Scientific Committee, the audience in Parma and those listening to via webstreaming, the technicians and the interpreters.

END

**Actions Arising**

<b>Meeting reference</b>	<b>Action</b>	<b>Deadline</b>	<b>Status</b>
March 17, 2011	Amend Annual Activity Report 2010 as indicated by the Board before publication	End March 2011	Done
March 17, 2011	Amend Draft Preliminary Management Plan 2012 as indicated by the Board before publication	End March 2011	Done
March 17, 2011	Draft Integrated Policy on Independence and Scientific Decision-Making Process	June 2011	Open
March 17, 2011	Draft multi-annual IT plan for discussion at the Audit Committee	October 2011	Open
March 17, 2011	Revise the proposed calendar of Board's meeting in 2012	June 2011	Open