



EXECUTIVE OFFICE

Management Board
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EXECUTIVE OFFICE

49th Meeting of the EFSA Management Board
Minutes of the Public Session
Budapest, 16 June 2011, 09.00 h

Members of the Management Board present

Diána Bánáti (Chair)	Stella Michaelidou-Canna
Sue Davies (Vice-Chair)	Jan Mousing
Piergiuseppe Facelli (Vice-Chair)	Milan Pogačnik
Manuel Barreto Dias	Sinikka Turunen
Marianne Elvander	Bernhard Url
Matthias Horst	Pieter Vanthemsche
Milan Kováč	Ladislav Miko (DG Health and Consumers)

Apologies: Jiří Ruprich

Staff of the European Food Safety Authority present

Catherine Geslain-Lanéelle	Anne-Laure Gassin
Olivier Ramsayer	Riitta Majjala
Christine Majewski	Pedro Pinhal
David Caira	Dirk Detken
Gislèle Gizzi	Gian Luca Bonduri

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 multiannual Staff Policy Plan 2012-2014
- Adopted the adaptation to the 2011 Establishment Plan
- Adopted the opinion on EFSA's annual accounts for the financial year 2010
- Endorsed the draft Policy on Independence and Quality of Scientific Decision Making Processes for public consultation
- Adopted the Code of Conduct of the EFSA Management Board subject to the changes discussed during the meeting
- Adopted the 2012 annual work programme for grants
- Adopted the amended Article 36 list of organisations
- Adopted the dates of the Board meetings in 2012

The Management Board also:

- Took note of the EFSA's Executive Director progress report and congratulated the EFSA executive and staff on their achievements and for the active role played in addressing the *Escherichia coli* outbreak
- Noted EFSA's progress report on impact indicators
- Noted the update on EFSA's Science Strategy
- Noted the update of the Audit Committee
- Noted the report on EFSA's budget execution
- Noted the report on the transfers in the budget 2011
- Noted the update on the external evaluation of EFSA
- Noted the update on EFSA's final seat

Item 1: Welcome by the Chair

1. The Chair opened the 49th Management Board meeting by welcoming the Board members, EFSA Executive Director and Directors, Chair of the Scientific Committee, audience in Budapest and online, stakeholders, Member State authorities, experts and staff members. Giving the floor to Mr Lajos Bognár, Deputy State Secretary at the Hungarian Ministry of Rural Development, she thanked the Hungarian Presidency of the European Union for having invited the Board to meet in Budapest.

Item 2: Welcome by the Hungarian Presidency to the EU

2. Mr Lajos Bognár welcomed the members of the EFSA Management Board to Budapest. Highlighting EFSA's contribution to the functioning of the European food safety system and protection of the European consumers' health, he stressed that EU institutions and Member States must closely cooperate if they want to ensure the safety of the European food chain. Founded in 2003, the Hungarian Food Safety Office (MEBiH) collaborates with the most important institutions operating in the food and feed safety sector in Europe and beyond, and acts as an EFSA National Focal Point in Hungary. Lajos Bognár commented that the controls on the food chain need to be complemented by the responsible behaviour of consumers, and he appreciated EFSA's activities in risk communication which, he said, outstandingly complement its work on risk assessment. He concluded by thanking the Board members for their presence in Budapest and wished them a fruitful meeting.

Item 3: Adoption of the draft agenda

3. The agenda was adopted unchanged.
4. Declarations of interest: Milan Pogačnik declared his appointment as senior expert of the Asian-Pacific Chief Executive Officer Association (APCEO); Diána Bánáti declared her appointment as Ministerial Commissioner in the field of food safety and international scientific cooperation.

Item 4: Executive Director's progress report

5. The Chair invited the Executive Director to present the progress report anticipating that focus would primarily be on the outbreak of *Escherichia coli* (STEC) and the role played by EFSA in addressing this crisis. She added that possible questions on other subjects covered by the progress report would also be addressed at the end of the presentation.
6. The Executive Director informed the Board that, in relation to the *E. coli* outbreak, the European Commission asked EFSA to provide scientific assistance in close cooperation with the European Centre for Disease Prevention and Control (ECDC). EFSA and ECDC issued two joint scientific advices and EFSA delivered an urgent scientific report and advice on STEC in vegetables, which are all published on EFSA's website. On 4 June the German authorities asked EFSA to provide on site scientific assistance and in response EFSA sent three senior scientific staff to Berlin, who worked as members of an international task force composed of experts from the German institutions of risk assessment and risk management, the European Commission, the EU Reference Laboratory and the ECDC. Summarising the elements featuring the *E. coli* outbreak, the Executive Director highlighted the importance of cooperation and good coordination between risk assessors and risk managers in crisis situations.
7. On other subjects, the Executive Director also informed the Board on the updated number of scientific outputs in 2011; provided information on the scientific expert satisfaction survey 2011; and reported on the main scientific, communications and institutional activities carried out in the report's reference period. She informed that the activities for the construction of the new EFSA building are on track and that the staff is expected to move to the new seat at the end of 2011. A separate PowerPoint presentation is available online for a detailed description.
8. Thanking EFSA's staff for their work and the results achieved in the reporting period, the Chair opened the floor to the Board members' questions and comments, which were received on: the nature of the contribution provided by the EFSA scientific staff to the German authorities; and the possible role of EFSA in further investigations on the origin of the *E.coli* outbreak. In addition, the Board members emphasised that the

European Commission and the German authorities expressed their gratitude and appreciation to EFSA for the effective scientific support it provided in the context of the *E.coli* crisis. They also reflected on the need to draw lessons from this outbreak both from the scientific and communication point of view. In particular, on the latter, on managing interfaces when many institutional actors are involved. On other subjects, questions were received on: the implications on EFSA's workload and resources for the potential resubmission of health claims previously rejected because of a lack of scientific substantiation; the scientific approach and degree of transparency that EFSA will adopt in responding to the Commission's mandate on aspartame, including the possibility to open meetings of the Panels; the contents of the programme for the training of risk assessors; the content of the mandate received by the CONTAM Panel on bottled clean seawater; and the level of satisfaction expressed by the experts in working in the different scientific fields under EFSA's remit. Additionally, the Board commented on the scientific relevance of the guidance documents on "nanotechnologies in the food and feed chain", "90-day feeding study protocols", GM plants and GM microorganisms; the importance of EFSA's publications for scientists, risk managers and stakeholders; and the opportunity to draw lessons from the way in which the *E.-coli* crisis was addressed and managed.

9. The Executive Director thanked the Board for the supportive and encouraging words, which she will convey to the EFSA staff. She informed the meeting that the German authorities were still working on the identification of the source of the outbreak and that the Authority will update its online communications as soon as updated information is received. She commented that the presence of EFSA's scientific staff in Berlin was the outcome of EFSA's response to the specific request of the German authorities, and that the EFSA staff provided scientific support to the Commission and the Member State as foreseen in EFSA's mandate. The Commission representative added to the Executive Director's statement saying that the EFSA staff was never engaged in risk management activities, which remains the exclusive responsibility of the Commission and the Member States. Finally, the Executive Director agreed with the comments on lessons to be learned from the experience with the *E.coli* outbreak and suggested that the opportunity be taken to draft a guidance for EFSA and Member States on how to address similar emergency situations.
10. With reference to the Commission's mandate on aspartame, the Executive Director informed the meeting that a full re-evaluation of this food additive will be carried out until September 2012. A call for data has been already published online and EFSA would plan to actively engage stakeholders in the scientific discussion on this controversial subject. Concerning the training on risk assessment, the Executive Director informed the meeting that the programme agreed with the Commission would aim to complement those already implemented at national and Commission levels and will mainly focus on the principles of risk assessment. On health claims, the Director of Scientific Evaluation of Regulated Products commented that the workload of the NDA Panel would depend on the quality of the submitted applications. The NDA Panel is working hard to finalise the assessment of the article 13.1 claims and EFSA is confident that this result would be achieved before the renewal of the Panel in 2012.
11. In summing, the Chair reiterated the appreciation of the Board for the remarkable work carried out by EFSA in the context of the *E. coli* outbreak and stressed the importance of the cooperation between EFSA, the Commission, the Member States and the other European agencies. She highlighted EFSA's flexibility and its capacity to provide quick responses in emergency cases: not only through written opinions, but also providing scientific support on the spot. She reflected on the suggestion to draft a guidance for Member States on the collaboration with EFSA in crisis situations like that on *E.-coli*. To conclude, she asked the Executive Director to convey the Board's gratitude to her staff in EFSA for the outstanding work performed in addressing the Commission and Member States' urgent requests for scientific assistance.

Item 5: Progress report on impact indicators

12. The Chair invited Christine Majewski to present the progress report on impact indicators.
13. Christine Majewski introduced her presentation by saying that, following the decision taken at its March 2010 meeting, the Board asked EFSA to conduct a two-year pilot study on impact assessment methodologies and agreed to initially focus on five key impact indicators. The progress report aimed to provide the Board with an update on the implementation of the project at the end of the first year, and a final report, which would make recommendations to the Board to consider, is planned to be submitted at the end of 2012. Christine Majewski

described how EFSA has set up the necessary data and information gathering and analysis activities to provide the data for each indicator. In addition, with reference to the first impact indicator, she commented that a case-study report, produced by external consultants in full collaboration with the European Commission, had looked at the utility and quality of 12 EFSA opinions revealing that all of them were used by the Commission and that in three cases (related to novel issues) they did not fully fit the risk management needs. That study also indicated how to further improve the utility of opinions: harmonising the terminology used to qualify the magnitude of risk; maintaining the use of highly specialised language avoiding oversimplifications in the main text for communication purposes; and better highlighting the key lines of reasoning. A separate PowerPoint presentation is available online for a detailed description.

14. The Board members commented on: the need for EFSA to strengthen its autonomous data gathering capacities; the need to identify more specific and quantitative information for the indicators; the opportunity to consider data coming from unofficial sources of information; the need for the development of a harmonised risk assessment terminology, and the importance of the cooperation between EFSA and the Member States through the Information Exchange Platform as a source of information. While monitoring the frequency with which EFSA's opinions are quoted in the international scientific literature, it was suggested to also verify whether EFSA's opinions are consistent with those of other organisations, particularly international bodies. It was suggested that the activities of this project be related with the EFSA external evaluation. The Board also reflected on the opportunity to open the risk assessment process to the public, and commented on the need to fully explain uncertainties in opinions.
15. Thanking the Board for their comments and suggestions, Christine Majewski stated that their input would be used to help tailor the implementation of the second phase of the project and that overall the first half of the pilot phase had provided insights on which data and information was needed and most useful. The objective of this phase had been to use existing data which EFSA already collects and fine tuning was still needed. She shared the view that some indicators could be more precise, and commented that in the coming year these will be adjusted to make them clearer and more specific. Concluding, she mentioned that on the first indicator EFSA will coordinate with the Commission the follow-up activities on the external case-study report. The Executive Director commented on the importance of having measurable indicators, and added that with the progress report EFSA aimed to share with the Board the information on the tools used to measure them and receive feedback on the outcomes achieved so far with the pilot project. She thanked the Board for their comments and anticipated that with the final report in 2012 EFSA will adjust the indicators as requested.
16. The Chair closed the discussion on this agenda item highlighting the complexity of the project and thanking Christine Majewski for the results achieved so far. In summing, she asked EFSA to continue working on the five identified indicators, making them more specific in view of the final report in 2012.

Item 6: Draft Multiannual staff policy plan 2012-2014

17. The Chair invited EFSA's Director of Resources and Support, Olivier Ramsayer, to introduce the document on EFSA's Multiannual Staff Policy Plan 2012-2014.
18. Olivier Ramsayer informed the Board that the Multiannual Staff Policy Plan is a document that all EU agencies are required to submit to the budgetary authority every year, aiming to provide an overview on the agency's mid-term investment plan in human resources. He explained that the document submitted to the Board incorporated the comments received from the Commission in May and it was aligned to the "zero growth" approach defined by the Commission for the period concerned. As until 2014 the overall number of EFSA staff members is not envisaged to increase, with the e³ programme and the reorganisation of its structure EFSA will implement actions aimed to gain efficiency on the use of its human resources. In the coming years the plan would see a gradual increase of the number of staff with scientific expertise and a progressive decrease of the number of administrative workers. This result would be achieved building on the natural turnover of staff, which in EFSA is between 6 and 8% per year. A separate PowerPoint presentation is available online for a detailed description.
19. Questions and comments were received on: the activities carried out by EFSA to ensure that the scientific staff keeps up-to-date with the latest scientific developments; the impact that the possible introduction of a fee-based system would have on the staff policy plan; the need to envisage some flexibility with regard to the number of

staff members employed in the various job categories; the proportion of employees belonging to the different contract types and the recruitment of seconded national experts; and the possible reduction of staff working for the governance of EFSA. The Commission commented on the “zero growth” approach, highlighting that in the contingent European financial situation that policy is deemed necessary.

20. Olivier Ramsayer referred to the e³ programme, which foresees the creation of the Human Capital and Knowledge Management Unit in replacement of the current Human Resource Unit. With the new Unit, which should become operational at the beginning of 2012, EFSA aims to promote a strategy for knowledge management and human capital development which would optimise the use and sharing of the broad range of competencies possessed by the staff and experts in the various scientific disciplines. In the framework of the e³ programme, EFSA is carrying out with the external consultants a “right-sizing exercise”, which is aimed at defining the dimension and competences needed in terms of human resources for the achievement of the various Directorates’ and Units’ missions. The right-sizing exercise will be finalised over the summer, and for the October meeting of the Board EFSA would be able to provide the projection on the distribution of workers in the different job categories. On fees, Olivier Ramsayer mentioned that the Commission is presently carrying out an impact assessment study on the application of a fee-based system to EFSA, and that reflections on the possible impact that this system would have on the management of EFSA’s human resources should initially build on the outcomes of that study. Finally, he informed the Board that the proportion of civil servants and temporary agents employed in EFSA is in line with the other European agencies. He concluded by saying that a permanent recruitment call for seconded national experts is published on EFSA’s website, and that EFSA very much encourages the application of experts from all Member States.
21. The Executive Director added that it is of paramount importance for EFSA to invest in the development of the scientific expertise of its staff and experts and postponed the discussion on this issue until the agenda item number 9, where the subject is included among the key strategic objectives of EFSA’s scientific strategy. She stressed the important role that the new Human Capital and Knowledge Management Unit will have in implementing the knowledge development strategy, and commented on the future opportunities to recruit staff with the required scientific expertise thanks to the above-mentioned gradual increase of the number of knowledge workers and despite the constraints of the Establishment Plan and the application of the “zero growth” approach.
22. Before closing the discussion on the agenda item and asking the Board to vote for the adoption of the document, the Chair asked to the Commission representative whether at the October meeting the Board could be updated on the impact assessment study that is being conducted on the possible fee-based system in EFSA.
23. The Board adopted the Multiannual Staff Policy Plan 2012-2014.

Item 7: Adaptation to the 2011 Establishment Plan

24. The Chair invited Olivier Ramsayer to introduce the document on the adaptation of the 2011 Establishment Plan.
25. Referring to the discussion just held on the gradual increase of scientific staff, Olivier Ramsayer presented to the Board the proposal to convert six temporary positions allocated to supporting staff (AST) into six temporary positions for the recruitment of scientific staff (AD). He clarified that within certain limits the financial regulations allow EFSA’s Board to decide on the conversion of posts from AST to AD, and that EFSA proposal fully respected those limits.
26. The Board asked what kind of impact such a conversion would have on EFSA’s budget, and Olivier Ramsayer replied that the conversion of the six posts from AST to AD would not affect EFSA’s 2011 budget, as no additional financial resources would be requested to the budgetary authority and the overall expenditure for staff would remain below the 50% limit of EFSA’s 2011 revenues.
27. The Board adopted the adaptation to the 2011 Establishment Plan.

Item 8: Accounts 2010 financial statement

28. The Chair invited EFSA’s accountant, Pedro Pinhal, to brief the Board on EFSA’s final accounts 2010.

29. Pedro Pinhal informed that the day before the Management Board Audit Committee had a thorough discussion on EFSA's 2010 accounts. While summarising the procedural steps aimed to the eventual discharge of the budget from the European Parliament, he said that by the 1st of July EFSA shall send the 2010 account report and the Board's opinion on it to the EU budgetary authorities, the Court of Auditors and the Commission. Finally, he briefly commented on the main figures of the account report. A separate PowerPoint presentation is available online for a detailed description.
30. The Chair of the Management Board Audit Committee, Pieter Vanthemsche, informed the Board that the Committee expressed an overall positive opinion on the financial statement report. He also said that the Committee discussed the preliminary observations of the Court of Auditors on EFSA's annual accounts 2010, and the members were pleased to note that the Court was of the opinion that EFSA's accounts are legal and regular. However, the Court preliminary report includes comments on the declarations of interest of the members of the Management Board and noted some weaknesses in EFSA's recruitment procedures.
31. The Board requested further information on the comments of the Court of Auditors. Whilst postponing the discussion on the declaration of interest until a later point in the agenda, the Executive Director highlighted that before issuing the declaration of assurance on EFSA's accounts the Court of Auditors notifies its preliminary observations, to which EFSA is expected to respond addressing the Court's comments. Concluding, she said that EFSA had already provided the Court with additional information and clarifications on its recruitment procedures and that the final declaration of the Court could not make any reference to this subject.
32. The Board adopted the opinion on EFSA's annual accounts for the financial year 2010.

Item 9: Update on EFSA's Science Strategy

33. The Chair invited EFSA's Director of Scientific Evaluation of Regulated Products, Riitta Maijala, to present to the Board the discussion paper on EFSA's Science Strategy.
34. Riitta Maijala introduced the subject saying that EFSA's Science Strategy would describe how EFSA will use science and advice to meet the challenge as Europe's risk assessor for food and feed and associated fields to deliver independent, high-quality and timely scientific advice with the ultimate goal to protect public health and strengthen consumer confidence in the European food supply. Describing the main elements featuring EFSA's Science Strategy, she provided the Board with a projection on the expected workload in the coming five years and highlighted the crucial aspects influencing trust in EFSA's work. Among them, Riitta Maijala mentioned independence, quality of scientific outputs, openness and transparency, dialogue with stakeholders, access to scientific data and responsiveness to emerging questions. She commented on the key strategic objectives of the Science Strategy: extending and improving the evidence base for risk assessment and risk monitoring; ensuring that risk assessment capacity in the EU is adequate to meet needs; taking the lead in the development and harmonisation of methodologies and approaches to assess risk associated with the food chain; and strengthen relevance and support of EFSA's scientific outputs for EU decision makers and stakeholders. She concluded saying that following the discussion with the Board, EFSA would submit the draft Science Strategy for adoption at the Board's October meeting, which would also include the inputs from the Scientific Committee and Advisory Forum. A separate PowerPoint presentation is available online for a detailed description.
35. The Board commented on: whether an alternative to the Panel system could be envisaged; the maintenance of balance between the activities carried out in the fields of public health and evaluation of regulated products; the collection of data related to vulnerable groups of consumers like children; the harmonisation of risk assessment methodologies in presence of scientific uncertainties and the need for clarity when communicating with risk managers on cases where these raise; the strengthening of EFSA's data collection capacities in collaboration with the Member States and the further promotion of the scientific cooperation with the national institutions; the inclusion in the Science Strategy document of clear objectives, key initiatives, milestones, performance indicators and resources, as well as information on its complementarity with EFSA's Strategic Plan and other strategies; the engagement of Panels in routine tasks and EFSA's capacity to attract the best European scientific experts; whether EFSA's scientific activities, which partially changed over the time, still comply with the mandate that the European legislator gave to the Authority with the Founding Regulation; and the capacity of EFSA to sustain the constant increase of demand for scientific outputs. The Board also commented on the

need to provide all EFSA strategies with a similar format (including milestones, etc.) and to ensure coherence and consistency between them.

36. Riitta Maijala thanked the Board for their comments and said that they will be considered while drafting the strategy document. She commented that EFSA's Founding Regulation describes the Panels' role in EFSA's risk assessment activities quite precisely. Among the challenges EFSA is confronted with is the identification of the most effective tools to assist the Panel experts in performing their tasks without overloading them with routine application-related work in order to maintain EFSA's attractiveness for the best European scientific expertise.
37. The Executive Director also thanked the Board for their comments, which will guide EFSA in adjusting the objectives and initiatives described in the discussion paper. She agreed with the proposal to structure the Science Strategy document with the inclusion of objectives, milestones, performance indicators and resources, and said that it will make clear what the complementarities between the Science Strategy, EFSA's Strategic Plan and the other strategies are. She added that since its inception EFSA's activities have changed to address the changing needs of the risk managers and the evolving regulatory framework within which the Authority operates. Therefore, she would expect that the ongoing external evaluation will eventually inform EFSA on its actual capacity to effectively address the changing needs of its stakeholders and whether its structure and resources are adequate to address the challenges ahead of it.
38. Closing the discussion, the Chair summarised the comments above and requested that EFSA prepare a revised version of the discussion paper for the beginning of September, which would include the comments from the Board.

Item 10: Draft Policy on Independence and Quality of Scientific Decision Making Processes

39. The Chair invited EFSA's Head of the Legal and Regulatory Affairs Unit, Dirk Detken, to introduce the draft document on "Policy on Independence and Quality of Scientific Decision Making Processes" to the Board.
40. Anticipating that it reflected the discussion that the Board held in March on the "Reflection paper on the review of EFSA's declaration of interest", Dirk Detken informed the Board that the draft document in object aimed at structuring the complementarities of all the actions put in place by EFSA to ensure its independence. He explained that whilst the policy on declaration of interests, which the Board adopted in 2007, principally focuses on the individual independence of EFSA's experts, the proposed overarching policy on independence would ensure the continued and visible implementation of EFSA's core values in its scientific outputs and decision making processes in line with article 22 and 37 of EFSA's Founding Regulation. He explained that the new Policy would emphasise the institutional independence of EFSA with regard to the individual independence of the experts. Highlighting the main elements (policies, procedures and rules) contributing to EFSA's independence and quality of its decision making process, Dirk Detken commented on the sequence of actions which would lead to the eventual adoption of the policy: inclusion of the comments received by the Board, public consultation on the draft document, meeting with the stakeholders to complement the public consultation, and possible adoption of the policy by EFSA's Management Board at the meeting of December 2011. A separate PowerPoint presentation is available online for a detailed description.
41. The Board commented on the good quality of the draft document and suggested to: clarify which institutions are involved in risk assessment and risk management; make clearer when an interest becomes a conflict and that conflict prevents the expert from participating in EFSA's activities; extend the public consultation over the summer period; and ensure that the policy on independence is consistent with the terms of the Code of Conduct of the members of the Management Board. In addition, the Board commented on: the opportunity to implement processes allowing a wider consultation with the stakeholders; the need for EFSA to rely on the widest possible set of data coming not only from the business sector; the full compliance of the obligations of the staff leaving EFSA with the EC Staff Regulations; and the publication online of the DoI of EFSA's senior staff members.
42. Dirk Detken thanked the Board for their encouragement and suggestions and commented that they would all be incorporated either in the policy document or in the following implementing act. He told that the Executive Director decision on the obligations of the staff leaving EFSA is in line with the provisions of article 16 of the EC Staff Regulations, and added that particular attention will be paid to ensure consistency between the policy on independence and the other policies and procedures it relates with. He added that the public consultation will

allow EFSA to gather the stakeholders' suggestions on the elements that should be included in the policy, and that, following this consultation, reflections will be possible on the level of details to be included in the policy or in its implementing acts. Concluding, Dirk Detken confirmed that also EFSA's Scientific Committee and Advisory Forum will be involved in the discussion on EFSA's independence policy.

43. Adding on the timeframe of the public consultation, the Executive Director told that this would be launched early July, allowing stakeholders to submit their comments until mid-September. In addition, they would have the opportunity to further contribute to the discussion at the stakeholders meeting scheduled in autumn. She also informed the Board on the publication on EFSA's website of EFSA's management team member's DoI and explained that executive staff members in EFSA are called to review annually their DoI, which is screened by their line managers in order to prevent potential conflicts of interest in the context of their activities.
44. Additional comments were received on the need to emphasise that the involvement of scientific experts having declared interests in different scientific fields does not necessarily mean that these put at risk EFSA's independence; the opportunity to revise the procedure on the screening of the Board members' DoI through the introduction of an external check; and whether a Declaration of Interest or a Declaration of Independence would be more appropriate.
45. To conclude, the Chair asked EFSA to revise the draft document on independence policy addressing the Board's comments before publishing it for public consultation.

Item 11: Code of Conduct of the EFSA Management Board

46. The Chair invited EFSA's Head of the Legal and Regulatory Affairs Unit, Dirk Detken, to introduce the contents of the Board's Code of Conduct.
47. Highlighting that the Code of Conduct is based on an initiative of the Board to provide its members with guidance on the respect of certain ethical standards, Dirk Detken summarised the main elements embedded in the Code: the individual commitment of the Board members to comply with the Code's rules; the reference to principles rather than specific cases (i.e. integrity, independence, collegial responsibility, objectivity and commitment to the public interest); the duties of the Board members and their relations with the media; and the commitment to confidentiality and independence, which further elaborates on the provisions of the DoI policy. Dirk Detken concluded saying that the Code addresses the specificities of the mandates assigned to the members having their background in organisations representing consumers or other interests in the food chain.
48. The Chair commented that with the adoption of the Code of Conduct the Board wants to strongly reiterate its commitment to the mentioned ethical standards. She also thanked Mathias Horst for his contribution in designing the structure and content of the Code.
49. Additional comments were received on: the need to specify that the Board members having their background in organisations representing consumers or representing interests in the food chain are nominated in line with article 25(1) of EFSA's Founding Regulation; the importance of the adoption of the Code of Conduct as a positive response to the external criticisms on the independence of the Board members; and the application of article 8 of the Code (independence) in case Board members change job and the nature of their professional activities during the mandate. On the latter point, the Board commented that whilst the Code of Conduct cannot change the status of Board members as decided by the EU institutions, advice from the Commission would be appreciated as regards the compatibility of the possible new professional position of the Board members in relation with their mandate.
50. The Board adopted the Code of Conduct of the EFSA Management Board subject to the changes indicated during the discussion.

Item 12: Grants and procurement programme 2012

51. The Chair invited EFSA's Director of Scientific Evaluation of Regulated Products, Riitta Majjala, to present the 2012 work programme for grants and procurement and the amendments to the Article 36 list of organisations.

52. Describing the main features of the grant and procurement programmes for the year 2012, Riitta Maijala commented that over the years EFSA has constantly increased the funds allocated to grants and procurement for the financing of scientific cooperation projects. She added that the 2012 work programme for grants would propose the allocation of € 3,027,000 for the implementation of Article 36 projects, whilst the amount allocated for procurement activities would be of € 8,270,500. However, she clarified that the actual amount allocated to article 36 projects will have to be necessarily reviewed in December, once the EU budgetary authority has informed EFSA on its budget for the year 2012. A separate PowerPoint presentation is available online for a detailed description.
53. Questions and comments were received on: whether the expertise of the institutions included in the Article 36 list covered all fields of scientific cooperation with EFSA; the need to increase EFSA's capacities to execute the budget allocated to grants; and what are the factors that lead to an increase in the budget allocated to grants and procurement.
54. Thanking the Board for their questions, Riitta Maijala replied that the scientific expertise of the Article 36 organisations continues to expand thanks to the periodical inclusion in the list of additional national institutions. Commenting on EFSA's capacity to execute the budget allocated to grants, she said that the adoption of the work programme for grants six months ahead the beginning of the reference period would support EFSA in better planning the calls for next year. Finally, she stated that grants and procurement programmes are of paramount importance for the achievement of EFSA's scientific objectives as they allow EFSA to access external scientific expertise and share with the competent national organisations the burden of EFSA's workload while promoting scientific cooperation.
55. Lastly, upon the Chair's invitation, Riitta Maijala briefly introduced the amendments to the Article 36 list of organisations, which proposed the inclusion in that list of three new institutions.
56. The Board adopted the 2012 annual work programme for grants, and the amendments to the Article 36 list of organisations.

Item 13: Update from the Audit Committee

57. The Chair invited the Management Board Audit Committee's Chair, Pieter Vanthemsche, to update the Board on the Committee's activities.
58. Pieter Vanthemsche informed the Board that, during the meeting held on the previous day, the Audit Committee discussed: the discharge granted by the European Parliament for EFSA's financial year 2009 with minor observations on performance, budgetary and financial management and Internal Audit; EFSA's financial statement 2010 (discussed under item 8 above); the preliminary opinion from the European Court of Auditors on the annual accounts for the year 2010 stating that the accounts are found legal and regular; EFSA's internal audit report 2010 for the European Parliament, where EFSA provides an overview of the recommendations of the Internal Audit Capabilities and their action plan; and the regular follow up of EFSA's audit plan. He drew the attention of the Board on the remark of the European Court of Auditors on the management of the Declarations of Interest and possible conflicts of interests of the Board members. Finally the Audit Committee invited the EFSA management to provide an overview of the financial agreement on the new seat.
59. The Chair thanked the members of the Audit Committee for their regular reports.

Item 14: Budget execution and year end forecast

60. The Chair invited EFSA's Director of Resources and Support to introduce the document.
61. Olivier Ramsayer provided the Board with an update on the execution level of EFSA's 2011 budget. At 31 May, EFSA committed 43.49% of its budget, which would mark a significant progress compared to the level reached in the same period in 2010. Nonetheless, the commitment level in the fields of scientific cooperation and communication remained below the target set for the year 2011. In terms of payments, 27.7% of the payment appropriations were executed. Also in this case, there would be a relative improvement compared to 2010. However, the level of payments is one million Euro below the target, mainly due to delays in the construction of

EFSA's final seat, the consequent delay in furnishing it, and delays with scientific cooperation procurement procedures. Concluding, Olivier Ramsayer said that the achievement of a commitment level close to 100% of the appropriations by the end of the financial year remains a feasible target. A separate PowerPoint presentation is available online for a detailed description.

62. The Commission asked EFSA to adopt the necessary measures to improve the performance with regard to the execution of the payment appropriations and encouraged the adoption of a more ambitious target for the level of payments at the end of the financial year.

Item 15: Transfers in the EFSA budget 2011

63. The Chair gave the floor back to EFSA's Director of Resources and Support to introduce the document.
64. Olivier Ramsayer informed the Board that € 0.92 million were transferred from title one to title two in order to cover the expenses for the alignment of the IT infrastructure to EFSA's new organisational structure and for the introduction of a new financial software (ABAC). He commented that the amount represented 2.36% of the budget appropriation, which respects the limits imposed by the Financial Regulations to the Executive Director's capacity to make transfers between titles.
65. The Commission thanked for the clarity of the document and recommended the improvement of EFSA's planning capacity in relation to IT investments through the elaboration of a multiannual IT strategy to be approved by the Board. Olivier Ramsayer replied that EFSA will prepare a presentation on EFSA's IT strategy at the Board meeting in October.

Item 16: Update on the external evaluation of EFSA

66. The Chair invited the Chair of the Management Board Steering Committee, Sue Davies, to update the Board on the latest developments with regard to the EFSA's 2011 external evaluation.
67. Summarising the outcomes of the first meeting with the external evaluators, the Chair of the Steering Committee informed that the discussion touched upon the issues of the methodology and the indicators that will be used in carrying out the evaluation, the role played by the project quality assurance committee, the breadth of organisations that will be consulted, and the relevance of the selected benchmarking organisations. At the end of July 2011 the Steering Committee will comment on the inception report, while by the end of October 2011 the consultants will submit the interim report. The first findings and recommendations would be expected in January 2012, and the final report should be finalised in March 2012.
68. The Chair concluded by asking the Steering Committee to keep the Board updated on the activities of this important project and thanked the Committee members for their work.

Item 17: Update on EFSA's final seat

69. The Chair invited EFSA's Director of Resources and Support to update the Board on the activities related to the construction of EFSA's final seat.
70. Olivier Ramsayer informed the Board that the construction of the building will be finalised in autumn. The construction company agreed to implement the adaptations requested by EFSA in order to address its mid- to long-term needs, and in parallel EFSA launched a number of procurement calls to purchase goods and services for the new building. With Parma's local authorities EFSA is negotiating the purchase agreement, which includes the details on the transfer of property and the financial conditions of the purchase. Some critical elements of that agreement are still object of discussion, but EFSA's management is confident that satisfactory solutions will be adopted in time to allow the move of EFSA's staff to the final seat during the Christmas period. Olivier Ramsayer concluded saying that EFSA will keep the Board regularly updated on all developments.

Any Other Business

71. The Chair informed the public on the dates of the Board meetings in 2012: 25-26 January (optional in case the budget and Establishment Plan 2012 were not adopted earlier); 14-15 March; 13-14 June; 17-18 October; 12-13 December.
72. The Chair commented that at the October meeting the Commission would provide a feedback on the impact assessment study on a possible fee system for EFSA.
73. The Board asked information on the need for interpreters, as none of the members had made use of their service. Based on the fact that the Board meetings are webcasted in English, French and German, the Board agreed to maintain the interpretation service. The Board also requested to obtain feedback on the audio webcast of the meetings.

END

Actions Arising

Meeting reference	Action	Deadline	Status
June 16, 2011	Elaborate more specific impact indicators for the final report in 2012	End 2012	Open
June 16, 2011	Update on the right-sizing exercise and projection on the distribution of workers in the different job categories	October 2011	Open
June 16, 2011	Revision of the draft document on independence policy before the public consultation	July 2011	Done
June 16, 2011	Revision of EFSA's Science Strategy for adoption at the October meeting	October 2011	Open
June 16, 2011	Submission of EFSA's IT strategy for adoption at the October meeting	October 2011	Open