

EXECUTIVE OFFICE

**55th Meeting of EFSA's Management Board
Minutes of the Public Session
Parma, 12 December 2012, 09.00 – 15.30h**

Members of the Management Board present

Sue Davies (Chair)	Ladislav Miko
Piergiuseppe Facelli (Vice-Chair)	Jan Mousing
Marianne Elvander (Vice-Chair)	Radu Roatiş-Cheţan
Manuel Barreto Dias	Jiri Ruprich
Jaana Husu-Kallio	Piet Vanthemsche
Milan Kováč	Tadeusz Wijaszka
Stella Michaelidou-Canna	

Apologies: Valérie Baduel

Staff of the European Food Safety Authority present

Catherine Geslain-Lanéelle (Executive Director)	Dirk Detken
Per Bergman	Anne-Laure Gassin
Gian Luca Bonduri	Olivier Ramsayer
Hubert Deluyker	Alberto Spagnoli
David Caira	Bernhard Url

Also attending:

Anthony Hardy, Chair of EFSA's Scientific Committee

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SUMMARY OF DECISIONS

The Management Board:

- Adopted the agenda with the repositioning of items 8 and 7 before item 6;
- Adopted its recommendations on EFSA's external evaluation;
- Adopted the Annual Management Plan 2013 subject to the changes discussed during the meeting;
- Adopted the Budget and Establishment Plan 2013;
- Appointed two new members of the Panel on Food additives and nutrient sources added to food (ANS), and three new members of the Panel on Food contact materials, enzymes, flavourings and processing aids (CEF).

The Management Board also:

- Noted EFSA's Executive Director's progress report and congratulated the EFSA Executive and staff on their achievements;
- Noted the presentation on the research programme "Horizon 2020";
- Noted the report on EFSA's impact indicators;
- Noted the execution and transfers in EFSA's 2012 budget;
- Noted the feedback from the Audit Committee;
- Noted the information on the new EU financial regulation and the application in EFSA of the revised rules on grants and procurement as of 1st January, 2013.

Item 1: Welcome by the Chair

1. The Chair opened the Public Session of the 55th Management Board meeting by welcoming the Board members, EFSA Executive Director, EFSA Management Team members, Chair of the Scientific Committee, audience in Parma, stakeholders, experts and staff members.
2. Apologies were received from Valérie Baduel.
3. The Chair invited the Board to declare possible interests. Marianne Elvander said that she would abstain from voting on the appointment of a new member of the ANS Scientific Panel because she works in the same institution (Campus) as that expert.

Item 2: Adoption of the agenda

4. The agenda was adopted with the repositioning of items 8 (Horizon 2020) and 7 (Appointment of new members of the ANS and CEF Panels) before item 6 (Impact indicators).

Item 3: Executive Director's progress report

5. The Chair invited the Executive Director to present her progress report.
6. The Executive Director gave an overview of the events carried out in the framework of EFSA's 10th Anniversary: the Scientific Conference "Challenging Boundaries in Risk Assessment – Sharing Experiences" (7-8 November, Parma); the official inauguration of EFSA's new premises (12 November, Parma); the High Level Conference "EFSA@10: ready for the challenges of tomorrow" co-organised with DG Health and Consumers (13 November, Parma); and the activities carried out in cooperation with different national agencies in several Member States. Highlighting the main outcomes achieved by EFSA in the reporting period, among others the Executive Director drew the meeting's attention to: the European Parliament vote on the discharge of EFSA's budget 2010; the full execution of the grants and procurement programme; the second EFSA statement on the Séralini *et al.* study; the receipt of a mandate on endocrine active substances; the first plenary meeting of the renewed Stakeholder Consultative Platform; and EFSA's dialogue with Member States and non-EU food safety institutions. The Executive Director also took the opportunity to reaffirm EFSA's support for its scientific experts, and made a firm statement in favour of the professional and scientific integrity of Prof. Josef Schlatter, member of the Scientific Committee, who had recently been targeted by media with unfounded and unjustified allegations of conflicts of interest. A separate PowerPoint presentation is available online for a detailed description of the activities carried out by EFSA from 1st October to 30th November, 2012.
7. Congratulating the Executive Director on the outcomes achieved in the reporting period, the Board addressed her with comments and questions on: the success and usefulness of the meetings held in the framework of EFSA's 10th Anniversary, which provided important inputs to the Board's reflections on the external evaluation of the Authority; the need to further communicate on EFSA's role in the European food and feed safety system vs. that of other EU and national institutions; the status of the assessment of health claims on botanicals; the public consultation on the draft Opinion on aspartame; and the Séralini *et al.* study. A member commented on the challenging work that EFSA has been called to carry out with regard to the endocrine disruptors and, highlighting the potential effects that those substances can have on children and foetuses, suggested that neuro-developmental or developmental toxicologists, as well as paediatricians and/or embryologists, should be included in the working group on endocrine disruptors. Another member said that the selection of scientists for the working group on endocrine disruptors could provide EFSA with an opportunity to enhance clarity and transparency on the expert selection procedures applied by the Authority.
8. The Executive Director thanked the Board members for their support and appreciation for the work performed by EFSA in the reporting period. She agreed that the establishment of the scientific working group on endocrine disruptors would provide EFSA with the opportunity to further clarify its expert selection procedures and increase public confidence in their strict application. In this respect, she also anticipated that EFSA will reply to the letter from Pesticide Action Network (PAN) Europe which had questioned the composition of the scientific working group on endocrine disruptors. The Chair of the Scientific Committee clarified that EFSA has not received a mandate to carry out a risk assessment of endocrine disruptors, but rather a mandate to provide scientific advice on how to identify endocrine active substances and how to distinguish an adverse affect from the way in which an organism normally overcomes stresses of that nature. He explained that the Committee

have and continue to keep the expertise needed under review as the work evolves. With regard to the assessment of botanical substances, the Commission explained that a consultation with the Member States has been launched, which aims at identifying the legislative framework under which those substances should be evaluated. The Executive Director added information on the activities that the Scientific Committee is carrying out to update the compendium on botanicals and stressed the need for a more structured approach from the Commission in asking EFSA to perform the assessment of single botanical substances. In January 2013 EFSA will publish the draft Opinion on aspartame for public consultation, and the literature used by EFSA's scientists to draft their Opinion will be made available for public reference. Due to the sensitivities and public interest surrounding this topic, EFSA wishes to open a dialogue on its draft Opinion with the widest possible number of scientists, stakeholders and consumers. In relation to the Séralini et al. study, the Executive Director made reference to EFSA's statement recently published online and commented on the need to reflect with the Commission on the ways to support longer-term studies in the field of GMO.

9. The Board noted the Executive Director's progress report and asked her to convey their gratitude to EFSA's scientific experts and staff for the excellent work they performed.

Item 4: EFSA's external evaluation and recommendations from the Management Board

10. The Chair invited Alberto Spagnolli (Executive Office) to introduce the subject.
11. Alberto Spagnolli reminded the meeting that the document tabled for discussion had been based on Ernst and Young's external evaluation, the consultation with EFSA's staff, Advisory Forum, Scientific Committee and Stakeholders, the inputs received from the participants at the High Level Conference on 13 November, the discussions that the Board held in its meetings on 18 October and 14 November, as well as the comments that the Board addressed to EFSA following the November meeting. The document had been conceived following the Board's indication to formulate its recommendations at a strategic level, leaving the identification of specific actions with the adoption of EFSA's Multi-Annual Plan (March 2013). The Board's recommendations will provide EFSA with guidance for the review of its strategic documents (e.g. Strategic Plan, Communication Strategy, Science Strategy, etc.) and the Multi-Annual Plan will include operational activities and key performance indicators allowing the Board to monitor EFSA's progresses in addressing its recommendations.
12. The Board members reviewed the recommendations. Comments were made on: the need to make a clearer reference to EFSA's commitment to continue ensuring its independence; the necessity to emphasise the need for EFSA to make use of its resources in the most efficient manner while clarifying that, in line with EFSA's financial regulation, the allocation of new tasks shall be properly covered from a financial perspective; the importance of public consultations, as well as a wider dialogue with stakeholders beyond the Stakeholder Consultative Platform; the opportunity of pursuing coordination with the national authorities not exclusively through the Advisory Forum; the necessity to improve, along with accessibility, the usability of the information in EFSA's portfolio of communication tools; and the need to clearly communicate on EFSA's exclusive risk assessment role in support of the European or national institutions responsible for food and feed risk management.
13. Making reference to the recommendations in Ernst and Young's report, the Commission said that they would need to be prioritised, as not all of them have the same level of importance. The Board asked EFSA to prioritise Ernst and Young's recommendations.
14. The Chair suspended the discussion and asked EFSA to revise the Board recommendations in line with the comments provided. After the break, the discussion was resumed reviewing the revised recommendations.
15. With the addition of a new recommendation addressed to EU Institutions, Member States and Stakeholders on the need to support EFSA in communicating to the public its role within the European food safety system, the Board adopted its recommendations on EFSA's external evaluation.

Item 5: Draft Management Plan 2013 and draft Budget and Establishment Plan 2013

16. The Chair invited the Executive Director to introduce the draft Management Plan 2013 and Olivier Ramsayer (Resources and Support) to comment the draft Budget and Establishment Plan.

17. Making reference to EFSA's operating environment in 2013, the Executive Director highlighted: the difficult European economic context and the likelihood of flat resources for EFSA for the foreseeable future; EFSA's high workload in the fields of regulated products and general public health; the uncertainties on the EU Multiannual Financial Framework 2014-2020; and the EU research programme "Horizon 2020". She also recalled the Board's recommendations on EFSA's external evaluation and the work that EFSA will carry out to address them. Among the Authority's priorities in 2013, the Executive Director included: 1) The further implementation of the Science Strategy through, among others, the reinforcement of the risk assessment community, the enhancement of openness and transparency of the risk assessment processes, the provision of better services to applicants, and the contribution to developing new risk assessment methodologies and approaches; 2) The definition of EFSA's Information Technology (IT) Strategy which, by 2016, aims at making EFSA the EU hub for scientific information on risks related to food and feed; 3) The further development of an effective communication to highlight EFSA's independence and its role in the EU food safety system; and 4) The progressive improvement of EFSA's efficiency and effectiveness. Olivier Ramsayer presented the draft Budget and Establishment Plan, which built on the preliminary draft endorsed by the Board in March 2012 and the subsequent decision of the EU Budgetary Authority in December. EFSA's budget in 2013 will be € 78.05 million, which is 0.3% lower than the 2012 one. In line with the requirements of the European Commission, the number of Temporary Agents will be reduced by four compared to 2012 to give a total of 481 staff members in 2013. Regarding the distribution of financial resources between titles, Olivier Ramsayer stressed the contraction of expenditures for EFSA's infrastructure by 15% compared to 2012, and the increased allocations to operational expenditures (+2.2% compared to 2012). In particular, he highlighted the increased allocations to the scientific cooperation programme (grants and procurement: + 10.3% compared to 2012), and the decrease of expenditures for communication activities and the organisation of scientific meetings (more tele-meetings are planned in 2013). A separate PowerPoint presentation is available online for a detailed description.
18. Questions and comments were received on: the successful reorganisation of EFSA's structure which had allowed savings in the fields of communication and governance; the need for more effective strategies to address EFSA's backlogs of pending evaluations; the request to clarify how data collection supports the implementation of work in the field of regulated products; the possible need to allocate additional financial resources to staff costs in 2013 pending the resolution of a case at the Court of Justice that is expected to affect salaries; the request of more information on the project management approach; the need to develop a comprehensive EFSA IT strategy; the request to give more visibility to EFSA's international scientific cooperation activities, especially in view of the increased allocation by more than 10% compared to the previous year; clarifications on EFSA's seat energy costs; the difference between "0" and "not applicable" in the tables of the Budget and Establishment Plan; further information on the implementation of the Quality Management System; and the need to specify what are EFSA's plans regarding self-tasking activities.
19. Thanking the Board for their positive comments, the Executive Director explained that the Management Plan 2013 aims to increase transparency in allocating resources to the different activities carried out by EFSA and, resources had been specifically allocated in anticipation of any urgent requests which usually number between five and ten every year. She acknowledged the request to specify better the self-tasking activities in the Management Plan and informed the Board that a number of self-tasking mandates have already been planned in 2013. She clarified that a significant part of work carried out with data collection (Activity 3) is aimed to support the activities performed on regulated products (Activity 2) and agreed that the relation between Activity 2 and Activity 3 could be clarified better in the Management Plan. She also added that, in the context of the 2013 scientific cooperation programme, EFSA plans to conclude a number of framework contracts with external suppliers which will provide support in carrying out preparatory activities for the assessment of regulated products. With reference to EFSA's backlogs of pending evaluations, the Executive Director called for a more efficient use of the stop-the-clock mechanism and anticipated that the Authority is working on a proposal aimed to enhance EFSA's performance in assessing the products for which additional scientific information had been required to industry. She explained that EFSA plans to fully deploy a project management approach from 2014 onwards, but already in 2013 this approach will be gradually introduced and tested. Building on the outcomes achieved in the previous years with the reorganisation of the Authority, the Executive Director said that the Management Team is reflecting on the possibility of further enhancing EFSA's efficiency through the adoption of measures that will be discussed with the Board and the staff in the coming months. Regarding the Quality Management System, she said that in 2013 EFSA plans to complete the module covering scientific activities,

and to extend the system to cover all of EFSA's activities by the end of 2016. Addressing the request for more visibility of EFSA's international scientific cooperation activities, the Executive Director suggested emphasising it in the Multi-Annual Plan, where the Board recommendations in this area will be followed up with the support of specific progress indicators. Olivier Ramsayer (Resources and Support) clarified that, should the EU Court of Justice decide in favour of the increase of salaries, EFSA had already identified some solutions to bear the extra costs, which is ready to discuss with the European Commission at the proper time. Regarding EFSA's energy costs, he informed the Board that the costs per square meter have considerably decreased compared with the old premises, and explained that the increase of energy costs in 2012 is only apparent, as in the previous years part of them was covered with the rent of the premises. He agreed on the need to harmonise the figures in the tables of the Budget and Establishment Plan, where "0" and "not applicable" have the same meaning. Finally, he clarified that the costs indicated next to each activity include all but staff costs.

20. The Chair summarised the main items of discussion and asked the Board if they agreed to adopt the Annual Management Plan 2013 and the Budget and Establishment Plan 2013. The Board adopted the Budget and Establishment Plan unchanged, and adopted the Annual Management Plan subject to the changes discussed at the meeting.

Item 8: Horizon 2020

21. The Chair invited Hubert Deluyker (Science Strategy and Coordination) to introduce the agenda item.
22. Outlining the activities that EFSA had carried out in the previous years in collaboration with DG Research in the context of the Framework Programme n. 7 (FP7), Hubert Deluyker introduced the main elements characterising the programme "Horizon 2020", which in 2014 will replace the FP7. "Horizon 2020" is linked to the EU 2020 Strategy for smart, sustainable and inclusive growth and is organised in three parts: excellent science, industrial leadership and societal challenges. Within the latter part lie the sections related to food: food security, sustainable agriculture, marine and maritime research, and the bio-economy. Among the main differences between "Horizon 2020" and the FP7, Hubert Deluyker highlighted: the fewer number of calls, the cross-cutting nature of projects, the involvement of DG AGRI in the management of the programme, the three-year rolling plan and the possibility of multi-annual budgeting. He said that in June 2012 EFSA had met with DG Research to discuss how best the Authority could input its priorities into the new programme, and in autumn EFSA submitted a report developed along the strategic lines of its Science Strategy. Concluding, Hubert Deluyker proposed to the Board that in 2013 EFSA increase the occasions of strategic discussion with DG Research and DG AGRI and organise further consultations with the Advisory Forum, Scientific Committee, Scientific Panels and Units to identify specific priority projects to feed into the "Horizon 2020" agenda. A separate PowerPoint presentation is available online for a detailed description.
23. A member asked information on the role of DG AGRI in the management of "Horizon 2020". Stressing that the discussion on the management of "Horizon 2020" was still ongoing at Commission level, Hubert Deluyker said that DG AGRI will probably hold important responsibilities for the scientific areas falling under EFSA's remit. For that reason, he recommended enhancing the dialogue with both DG Research and DG AGRI with the possible support of DG SANCO. Another member stressed the importance of including the development of methodologies for the assessment of nanotechnology among the research priorities of "Horizon 2020". The European Commission confirmed high interest in scientific research in the field of nanotechnology, and the Chair of EFSA's Scientific Committee said that the Committee had already expressed the need for research in assessment methodologies in the nanotechnology area. Another member suggested organising a meeting between the Board and representatives of DG Research and DG AGRI in order to receive more information on the functioning of "Horizon 2020" and to strengthen the dialogue with the Commission on the issue of scientific research in the food and feed areas.
24. The Board noted the presentation on the research programme "Horizon 2020".

Item 7: Appointment of some members of the Panel on Food additives and nutrient sources added to food (ANS) and Food contact materials, enzymes, flavourings and processing aids (CEF)

25. The Chair invited Per Bergman (Scientific Evaluation of Regulated Products) to introduce the agenda item.
26. Per Bergman explained that the ANS Panel needed the inclusion of two experts in toxicology and chemistry to replace two former members who had resigned. Similarly, the CEF Panel needed the inclusion of new experts

in toxicology, genotoxicity, metabolism and dietary exposure assessment to replace a former member and to strengthen the Panel, which was composed of only 19 members. The candidates proposed for nomination had been selected from the reserve list approved by the Management Board on 18 October 2012. Their updated Declaration of Interests had been screened and no conflict had been detected.

27. The Board appointed the two experts proposed by EFSA as new members of the Panel on Food additives and nutrient sources added to food (ANS), as well as the three new members of the Panel on Food contact materials, enzymes, flavourings and processing aids (CEF). As declared at the beginning of the meeting (see n. 3 above) Marianne Elvander abstained from voting on the appointment of a new member of the ANS Panel, since that expert works in the same organisation where she is also employed.

Item 6: Report on EFSA' impact indicators

28. The Chair invited Alberto Spagnolli (Executive Office) to introduce the agenda item.
29. Recalling the indicators of the two-year pilot project on EFSA's impact indicators (1. Use of EFSA opinions by the Commission; 2. Awareness of EFSA; 3. EFSA performance in crisis situations; 4. International reference to EFSA; and 5. Use and impact of scientific cooperation), Alberto Spagnolli briefly described the outcomes achieved in their respective areas. Under Indicator n.1, the project highlighted that 100% of EFSA's sampled Opinions had been taken up by the European Commission. In addition, a case study revealed the overall usefulness of EFSA's opinions, although in certain contexts it was suggested to adopt leaner processes and better fit the opinions to their purpose. EFSA would suggest to further develop the work on Indicator n.1 drawing from the quality management approach in order to measure: a. Customer satisfaction on EFSA's work (Commission, scientific experts, stakeholders, etc.), and b. The impact of EFSA's work on health by developing indicators on selected topics. The latter shall be developed in close collaboration with the risk managers, and the European Commission in particular. Indicator n.2 showed that public trust in the European food safety system is high and, when compared to the past, it indicates an increasing public confidence. EFSA would recommend continuing monitoring this indicator as it was done during the pilot phase of the project. In addition,, EFSA would recommend continuing the work carried out with Indicators n.3 and n.4, which respectively highlighted EFSA's timely response to urgent requests and a constant increase of citations of EFSA's opinions in the major scientific journals. Commenting on Indicator n.5, Alberto Spagnolli said that the pilot project had mostly focused on the extent of EFSA's scientific cooperation, whilst for the future EFSA would recommend developing indicators that could measure the usefulness and impact of its scientific cooperation. In this regard, EFSA would suggest focusing attention in particular on data collection and harmonisation of risk assessment methodologies. Concluding, Alberto Spagnolli informed the Board that the impact indicators will be integrated in the Multi-Annual Plan in order to include EFSA's impact assessment in a longer term planning and monitoring cycle.
30. Overall, the Board members appreciated the outcomes of the pilot project on EFSA's impact indicators. However, some members commented that it would be difficult to measure EFSA's impact on consumer health as it was not feasible to distinguish EFSA's specific contribution to the European food safety system (as a scientific advisor) from those of the European and national legislators, as well as of the institutions called to implement and enforce the legislation. Therefore, the Board asked EFSA to further reflect on the possibility of developing such an indicator. A Board member suggested that it would be more convenient to develop an indicator to measure EFSA's impact in minimising the risks related to the assessment of food and feed safety.
31. Noting the report on EFSA's impact indicators, the Board agreed on the need to take these forward as integral parts of EFSA's general plan and management process.

Item 9: 2012 Budget execution and transfers

32. Olivier Ramsayer (Resources and Support) informed the Board on the execution level of EFSA's 2012 budget. At 7th December, EFSA had committed 96.9% of its budget, whilst in terms of payments EFSA had executed 85% of its appropriations. For the end of 2012 EFSA expects to commit almost 100% of its budget and pay around 89% of its appropriations. Comparing the years from 2009 to 2012, Olivier Ramsayer highlighted the gradual decrease of payable amounts carried over to the following year (22% in 2009 and 14% in 2012), as well as the gradual decrease of payment credits that are ultimately not used in the financial year (3.8% in 2009 and

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1.2% in 2012). The transfers executed by the Executive Director between Titles and Chapters represent 0.7% of EFSA's 2012 budget, which respects the limits imposed by the Financial Regulations.

33. The Board noted the document on EFSA's 2012 budget execution and transfers.

Item 10: Feedback from the Audit Committee

34. The Chair invited the Chair of the Audit Committee to briefly update the Board on the items discussed at the Committee meeting on the previous day. The Audit Committee had discussed EFSA's IT strategy, concluding that it will be submitted to the Management Board possibly in March 2013. The Audit Committee also reviewed the Commission's Internal Audit Service report on EFSA's appraisal and career development system, which highlights the need for further alignment with the EU implementing rules in the field of human resource management. As well, the Audit Committee discussed the European Court of Auditors' report on EFSA management of conflicts of interest and, noting the Court's recommendations, agreed to follow them with EFSA's audit action plan 2013. EFSA's video-surveillance system and the need to comply with EU privacy rules were also among the subjects addressed by the Audit Committee. Concluding, the Chair of the Audit Committee proposed to enhance the interaction between the Board and the Committee itself by providing the former with regular reports on the meetings of the latter.
35. The Board noted the feedback from the Audit Committee and welcomed the proposal to foster the interaction between the Board and the Committee.

Item 11: New Financial Regulation

36. Olivier Ramsayer (Resources and Support) informed the Board that in October the EU budgetary authority had adopted a revised General Financial Regulation. Consequently, the Commission had adopted the revised Rules of Application of that Regulation, which will enter into force on 1st January, 2013. The revised Financial Regulation mainly concerns the EU public procurement procedures. From the 1st of January 2013 EFSA, like any EU institutions and bodies, is required to apply by analogy the revised provisions related to grants and procurement. The formal revision of EFSA's Financial Regulation and Rules of Application is planned in 2014, following the receipt from the Commission of a regulatory document that will be issued in 2013.
37. The Board noted the information on the new EU Financial Regulation and the application by EFSA of the revised rules on grants and procurement as of 1st January, 2013.

Item 12: Any other business

38. No additional item was proposed for discussion under this heading.
39. In closing the meeting, the Chair thanked the Board members, EFSA's Executive Director, Members of her Management Team, the Vice-Chair of the Scientific Committee, EFSA staff, the experts working in EFSA Panels and Scientific Committee, the audience in Parma and the technicians, and took the occasion to extend to all her personal and the Board's seasons greetings and best wishes for the New Year. She reminded the audience that the meeting proceedings will be available online on demand the following day (14 December 2012), and that the next Management Board meeting will be held in Parma on 14 March 2013.

END

Actions Arising

Meeting reference	Action	Deadline	Status
December 13, 2012	EFSA to prioritise Ernst and Young's recommendations.	January 2013	Open
December 13, 2012	EFSA to amend the Annual Management Plan 2013 in accordance with the contributions of the Board as discussed during the meeting.	January 2013	Done