

**Adopted Minutes of the
Management Board Meeting**

27 March 2007

Bundesinstitut für Risikobewertung, Berlin

Members of the Management Board present

- Diána Bánáti
- Marianne Elvander
- Matthias Horst
- Deirdre Hutton
- Robert Madelin
- Pirkko Raunemaa
- Bart Sangster
- Roland Vaxelaire
- Patrick Wall
- Konstantinos Yazitzoglou

Professor Vittorio Silano, Chair of the Scientific Committee of EFSA

Dr Susan Barlow, the Chair of the food additives, flavourings, processing aids and materials in contact with food (AFC) Panel

Staff of the European Food Safety Authority present

- Anne-Laure Gassin
- Catherine Geslain Lanéelle
- Torben Hallas-Møller
- Herman Koeter
- Djien Liem
- Christine Majewski
- Alexandrine Maviel-Sonet
- Ingela Soderlund

PUBLIC SESSION

Preliminary Formalities

Patrick Wall opened the meeting by welcoming the Board Members, Professor Silano, Dr Barlow, the Authority's staff and the viewers on the web. He thanked the Bundesinstitut für Risikobewertung (BfR) for kindly making their premises available and asked Andreas Hensel, the Director of the BfR to address the Board. Andreas Hensel welcomed the Board to Berlin and the BfR. The Board was informed that Mr Gert Lindemann, Secretary of State from the Federal Ministry of Food, Agriculture and Consumer Protection would make a presentation at 13.30. Apologies had been received from Marion Guillou, João Machado, Peter Gaemelke and Giorgio Calabrese.

1. Adoption of Agenda (Document MB 27.03.2007 -1)

- 1.1 The Chair asked the Members of the Management Board if there were any changes or additions they would like to make.
- 1.2 No items were added to the agenda. The agenda was adopted.

2. Adoption of draft minutes of the previous meeting and matter arising from the minutes (Document MB MB 27.03.2007 - 2)

- 2.1 The minutes of 23 January 2007 were adopted and would be published on the Authority's website.
- 2.2 There were several matters arising from the January Board meeting. The decision on financing for grants had been adopted by written procedure and this would enable EFSA to offer financial support for tasks entrusted to organisations on the Article 36 list. The Board would come back to the Annual Activity report to discuss it in detail at this meeting.
- 2.3 The Chair announced that EFSA had received and accepted an invitation from Romania to host a Management Board meeting.

3. For information: Progress Report (Document MB 27.03.2007 – 3 and power point presentation)

- 3.1 The Chair invited the Executive Director to update the Board on progress made at EFSA since the last Board meeting. The Executive Director informed the Board that in the area of temporary Maximum Residue Levels (MRL's) for pesticides the first step of EFSA's contribution to the EU harmonization of temporary MRL's had been concluded. The Commission had started the process of harmonising national maximum residue levels for pesticides in Member States and EFSA had made a first risk assessment of 236 substances.. Of these substances 92 were considered unlikely to pose risk and 144 would need further consideration. In the field of contaminants, EFSA had given scientific support to the Commission in the context of the Codex activities on aflatoxins. On Bluetongue EFSA had collected epidemiological data from Member States and carried out an analysis on the basis of these data. A report would be presented to the Commission in the coming days. The AHAW panel was working on preparing an opinion on the possible uses of vaccines for Bluetongue. On GMO work had started to assess the safeguard clause from Austria and Hungary. On the Monsanto 863 maize, the European Commission has requested that EFSA examine the recently published CRIIGEN study on GM maize MON 863 to identify any consequences for EFSA's existing opinion. A first discussion had taken place in the GMO Panel on 23 March. The BIOHAZ Panel had made a risk assessment of batch testing of a TSE rapid test kit and updated the EFSA opinion on scrapie in sheep and in that context thoroughly considered the opinion of the French agency, AFSSA, in relation to the same issue. In the area of nutrition the panel on nutrition received 2 mandates from the Commission. The first related to a guidance document for application to authorisation on health claims which was expected to be ready in July and the second mandate related to nutrient profiles. The plant health panel had produced its first

- opinion, on citrus canker. The AFC panel adopted 8 opinions covering 12 different substances. The Executive Director thanked the Chair of the AFC panel who had kindly agreed to come to the Board to give a presentation of the work of the panel.
- 3.2 The Scientific Committee had held 2 working group meetings on the review of the quality of EFSA's scientific work and met with DG Research to give an update of EFSA's activities and to explore areas where cooperation might be possible.
 - 3.3 There had been a lot of activity in the area of External Relations, notably with the appearance of the Executive Director before the ENVI and COBU committees of the European Parliament, bilateral meetings with Commissioners Kyprianou and Dimas and a meeting of the Italian Liaison Committee. EFSA had cooperated closely with the German Presidency and in particular met with State Secretary Lindemann and the Minister of Agriculture, Mr Seehofer.
 - 3.4 The Chair raised the issue of the GM Monsanto 863 and enquired about the implications of the recently published CRIIGEN study. The Executive Director said that EFSA was considering the data as requested by the Commission and would work closely with Member States to receive their input and would provide the Commission with a report. The recent study presented a different statistical approach than that EFSA had used. The Chair asked for a clarification of whether the new study was a new statistical model based on the existing data or if new data had actually been produced based on feeding trials. The Director of Science stated that the data were the same but that a different approach had been applied to some parts of the data.
 - 3.5 Recruitment efforts were ongoing and 20 staff had been recruited since the beginning of the year. There were some 70 open calls and another 38 would be launched before the end of May.
 - 3.6 The Communications Directorate had seen considerable activity with press releases made on bisphenol A, rabies vaccinations for pets, citrus canker and temporary EU MRL's for pesticides. Web news stories had been published on the UK FSA/EFSA workshop on emerging risks, aflatoxins in food, Quantitative Risk Assessment on the residual BSE risk in sheep meat and a new mandate on cloning.

4. EFSA announces its 5th Anniversary (Power point presentation)

- 4.1 The Executive Director announced that a series of events would be organized, in Parma and in Brussels, to celebrate the 5 year anniversary of EFSA. A scientific forum and a summit would be organized in Brussels and dates had been set. EFSA's stakeholders and partners would be involved in the celebrations and the event would be used to communicate what EFSA had achieved during its 5 years.
- 4.2 The Board congratulated the Executive Director on the plans to celebrate the anniversary and supported the programme. The Board stressed the need to continue with raising EFSA's profile on a continuous basis. The Executive Director agreed and stated that the process was indeed continuous.

**5. For adoption: Approval of the Annual Activity Report on the Authority's activities for the previous year.
(Document MB 27.03.2007 - 4)**

- 5.1 The Chair introduced the point by explaining that in the past EFSA had produced one annual report. The founding regulation stated the need to produce an activity based report outlining how the budget had been spent. Therefore EFSA had decided to produce two separate documents: an Annual Report which would highlight EFSA's achievements and activities during 2006 and could be utilised to support awareness raising regarding EFSA's work amongst diverse audiences with an interest in EFSA's work. In addition to that an Annual Activity Report had been drafted to respond to the legal obligation of the regulation. He added that the Annual Activity Report had to be adopted by the Board .
- 5.2 The Board congratulated EFSA on the work done on the Annual report and asked to be sent copies when it would be ready for distribution. The Director of Communications said that the printed version would be available, subject to any further amendments requested by the Board, in the English version by mid-April and in Italian, French and German by the end of May.
- 5.3 A Board member suggested that names of Panel and Scientific Committee members should be added to the Annual report, thereby acknowledging the work of the Panels and the Scientific Committee.
- 5.4 The Executive Director presented the highlights from 2006, the first full year of EFSA in Parma. New panels members had been appointed or re-appointed in 2006, the Management Board had been partially replaced and a new Executive Director had been appointed. The Management Board had adopted strategic guidelines following the EFSA evaluation at the end of June which would serve to provide guidance and indication to EFSA management for the development of the future EFSA. EFSA's responsiveness had been improved, cooperation and networking with Member States had been increased via a number of initiatives including the signing of a Declaration of Intent for the exchange of data between EFSA and national agencies.
- 5.5 The Board suggested that the full list of opinions could be left out from the Annual Report and added to the Annual Activity Report. The Board considered that the Annual Activity Report could benefit from being shortened and one Board member suggested that the Report should highlight that EFSA had been at the cutting edge of emerging issues and that also EFSA's role in the networking around risk assessment, together with other risk assessment bodies should be given more prominence. He welcomed the leadership of EFSA in the discussion of what risk is.
- 5.6 The Chair asked the Board whether it could accept the Report as an accurate account of progress in 2006. The Board adopted the paper.

6. Discussion and provisional adoption: Draft Management Plan 2008 (MB 27.3.2007-5)

- 6.1 The Chair introduced the draft 2008 Management Plan and reminded the Board that it had to adopt the Plan provisionally at the meeting. The Management Plan was dependent on the adoption by the

Budgetary Authorities of the EFSA budget so the Board needed to take this into consideration. He invited the Executive Director and other EFSA management to introduce the document to the Board.

- 6.2 The Executive Director introduced EFSA's vision and mission and underlined that the 2008 draft Management Plan was presented in a new way. The presentation was activity related which would help to allocate the human and financial resources to each activity and to measure performance with the help of key indicators. The 4 key activities were i) the provision of scientific opinions and advice to EU institutions and Member States; ii) the enhancement of risk assessment methodologies in Europe; iii) communication of scientific advice and dialogue with interested parties and iv) managing and providing support to the above activities.
- 6.3 The Director of Science presented the 2 first activities, the priority areas of work that would be invested in and the objectives to be achieved. Providing answers to questions and answering requests for scientific opinions was the first priority and enhancing methodology was also key. In 2008 work would continue on animal diseases. The Authority hoped to have a comprehensive guidance on risk assessment in the field of animal welfare in a qualitative manner using measurable and non-emotional criteria.
- 6.4 The Director for Communications highlighted the work in the three focal areas; i) continue to build awareness and appreciation for EFSA's work, mission and scientific expertise ii) continued efforts to simplify communications, tailor them to meet the needs of audiences and iii) promote cooperation and coherence of information on risk communications on food and feed safety. The Communications Directorate would continue the work on building cooperation with Member States through the Advisory Forum Working Group on Communications, continue to promote EFSA's work through publications and the web and finally to continue tailoring activities and tools to respond to media needs.
- 6.5 The Head of the External Relations Unit introduced the priorities in EFSA's work to follow up on the Management Board recommendation to strengthen EFSA's relationship with its institutional partners in the EU and internationally. The priorities would be to increase dialogue with Risk Managers to support them in developing food safety legislation where relevant to EFSA. The Authority would strive to be more reactive and to provide scientific advice in a timely manner. Continuous dialogue with EFSA's main customers, above all the Commission, would be crucial to ensure a realistic workload for EFSA. Cooperation with other European agencies such as ECDC and EMEA needed to be strengthened, she added. EFSA hoped to increase collaboration with international organisations; WHO, FAO and the OIE during 2008 and would be implementing the international strategy which would be put to the Board for adoption in 2007.
- 6.6 The Director of Administration presented the main objectives for the directorate, whose main function is to support the other directorates. In this respect the organisation would benefit from the adoption of a Staff Policy Plan, the introduction of IT tools to facilitate the work of staff, improved reporting tools and enhanced performance indicators.

- 6.7 The Chair pointed out that the 2008 work programme should, at this stage, be seen as a continuation of the 2007 work programme and that new elements would be added to the existing multi-annual activities, during the year.
- 6.8 The Board congratulated the Authority on the draft Management Plan. It stressed the need to use performance indicators to measure output and to which extent they were met. Qualitative indicators needed to be introduced to give a better picture of the efficiency with which opinions were delivered. The Board asked for the Plan to be made more comprehensive and made other, editorial suggestions.
- 6.9 The Chair asked whether the Board could adopt the plan provisionally. Taking into account the comments from the Board, it would be sent to the Advisory Forum, Scientific Committee, Stakeholder Platform and Commission for consultation. The Board would then be presented with an amended version at the September 2007 Board meeting and in the light of the decisions on the budget, would be asked to adopt it at the December 13 2007 Board meeting.
- 6.10 The Board adopted the draft 2008 management Plan provisionally.

7. For adoption: Preliminary draft budget 2008 (Document MB 27.03.2007 - 5)

- 7.1 The Director of Administration presented the preliminary draft budget to the Board. The draft budget of 63,5 million € mirrored the needs expressed by the various parts of EFSA during the drafting of the 2008 work programme. An increase of 23 per cent was foreseen in the 2008 budget compared to 2007. The increase reflected the projected increase in mainly personnel and in operating expenses. The 2008 budget had been drafted to reflect EFSA's activities: risk assessment methodology (18%); opinions and advice (45%); communications and dialogue (14%) and management and administration (23 %).
- 7.2 The Board discussed the budget and asked for the underlying assumptions on which the budget was based to be clarified. The Board adopted the draft budget.

8. For discussion: Fees for authorisations (Document MB 27.03.2007 - 7)

- 8.1 The Chair introduced the document on fees for authorisations, a draft response from the Board to the Commission's consultation paper on fees. The Chair explained that the document addressed the concerns of the Board to the subject of fees and added that as the representative from the Commission was the receiver of the draft letter, he could not comment on it himself.
- 8.2 The Board suggested amendments to paragraphs 3 and 7. The draft had been placed on the EFSA website. Following the amendments, the letter would be sent to the Commission.

9. Presentation by the Chair of the food additives, flavourings, processing aids and materials in contact with food (AFC) Panel, Dr Susan Barlow (Power point presentation).

- 9.1 Dr Susan Barlow presented the work of the food additives, flavourings, processing aids and materials in contact with food (AFC) Panel. She explained that the focus of the Panel was on chemical safety evaluation and risk assessment. Most of the questions the Panel received were originated from the need to have safety evaluation prior to legislative approval of the chemical for use in the EU. Since the start of 2003, the Panel had produced 166 opinions. Dr Barlow explained that the Panel could produce between 45 and 50 opinions a year, however as the amount of questions it received was increasing, the Panel would fall behind with its work. The Panel was already contracting out work and was hoping to use article 36 cooperation although the latter would not necessarily going to alleviate the situation for individual evaluations of single chemicals.
- 9.2 The Panel was hoping that better prioritisation of questions could be achieved prior to the Panel receiving them and in particular recommended that the Commission considered more in detail the type and number of questions it submits to EFSA. However, Dr Barlow perceived reluctance on behalf of the Commission to decide if a legislative sector should have priority over another when the number of questions exceeded the capacity of a Panel to deal with them. Questions could be better defined as some were too broad, she added. Work could also be distributed over several Panels to alleviate the pressure of one. She predicted that the workload of the AFC Panel would increase further and hopes that a change of work methods would help the Panel meet the workload and considered that a change was necessary in order to keep the goodwill of the volunteer experts on the Panel. Dr Barlow concluded on this point by suggesting that changes to the number and responsibilities of Panels would assist with spreading the work loads more evenly.
- 9.3 The Board thanked Dr Barlow for her presentation and asked her to clarify aspects of the Panels work and work load. Dr Barlow explained that the Panel grouped substances together when it could to process them as one and thereby speed up the work. The Panel could not realistically speed up its work much. The focus of the Panel was to deliver good science, she explained, and although 1 page opinions were possible in some areas, such as materials on contact with food where there were smaller data bases and therefore less data to work with, they were an exception.
- 9.4 The Chair thanked Dr Barlow for giving the Board such an insightful presentation and asked her to convey the gratitude of the Board to the scientists on the Panel and Panel working groups.

10. Report back from the EFSA Away Day

- 10.1 The Chair presented the work of the Board during its Away Day, a yearly occurrence when the Board meets to discuss matters of concern to EFSA. The topic of the Away Day had been the increasing work load of Panels and scientists. The Board discussed increasing the support to Panels, reducing travel times, framing the questions better, prioritising work and the importance of EFSA having a good

dialogue with the Commission as it was EFSA's largest client. The proceedings from the Away Day would be posted on the web as soon as they were ready.

10.2 The Chair of the Scientific Committee, Vittorio Silano, suggested that the assessment of the situation should be continuous and that there should be interaction between the Board and the Scientific Committee on one hand and the scientists and panel chairs on the other. This would provide the Board with feedback and suggestions.

10.3 The Chair thanked Professor Silano and informed him that the Board would appreciate feedback from scientists. The Board had discussed using performance indicators to measure the work as this would enable the Board and EFSA management to give a clearer view where to use resources. This would also help to increase efficiency, he added, along with controlling the demand from the Commission.

11. Budget Transfers – for information (Document MB MB 27.03.2007 -8)

11.1 The Director of Administration introduced the paper on budget transfers. Two minor transfers had been made in the 2007 budget, relating to transfers between articles. One transfer of some 25000€ had been made in title 1 and another of 50 000 € under title 3.

12. For adoption: EFSA Staff Policy Plan (MB Document MB 27.3.2007 – 9)

12.1 The Chair explained that a Staff policy plan is a prerequisite to allow for staff policy based on EFSA's tasks and requirements. The staff policy plan provided the information needed to justify the future requests for staff to the budgetary authorities. EFSA followed a model developed by the European Commission for its plan.

12.2 The Board had no questions and adopted the plan.

13. Any other business

13.1 The Board was informed that following a query about an alternative date for the December meeting, the original date of 13 December would be kept. The provisional date in May for a Board meeting would not be kept as there was no need for an extra Board meeting. The 2008 meeting dates would soon be circulated.

14. Concluding remarks

14.1 The Chair thanked the members of the Board, the audience, the Authority's staff for the preparatory work, the interpreters, Professor Silano, Dr Barlow, the BfR and the team responsible for the web streaming and closed the meeting