



EUROPEAN COMMISSION
HEALTH AND FOOD SAFETY DIRECTORATE-GENERAL

Food chain science and stakeholder relations

**PLENARY MEETING OF THE ADVISORY GROUP ON THE FOOD CHAIN AND ANIMAL AND PLANT
HEALTH**

8 MAY 2020

Summary Record

**1. WELCOME AND OPENING BY MR PÉTER BOKOR, HEAD OF UNIT, SANTE, FOOD CHAIN
SCIENCE AND STAKEHOLDER RELATIONS**

SANTE Head of Unit Péter Bokor (Food chain science and stakeholder relations) opened the virtual meeting and welcomed the participants. Chair reminded participants that the meeting is recorded. Chair presented the agenda, highlighting the relevance of the points on Farm-to-fork, Covid-19, Brexit and the Transparency Regulation. Chair further previewed the other topics on the agenda and stressed that the fact that the plenary meeting is organised virtually, demonstrates the importance COM attaches to exchanging views and receiving stakeholder feedback on key issues. Chair concluded by introducing the first item on the agenda, the Farm-to-fork Strategy.

2. FARM-TO FORK STRATEGY

First of all, COM thanked the stakeholders for their valuable feedback and their ongoing engagement and commitment. COM then gave a comprehensive presentation on the Farm-to-Fork Strategy.

COM reiterated that the Farm-to-Fork Strategy is an important part of the Green Deal with the aim to design a fair, healthy and environmentally friendly food system. This initiative goes hand in hand with the Biodiversity Strategy. The adoption of both Strategies – initially foreseen for 5 March 2020 – was postponed and is scheduled for 20 May 2020. COM reminded participants that the aim is to respond positively to the aspirations of the citizens by shifting the European food systems towards a global standard for sustainability, while preserving food safety and food security. The Strategy will put forward both regulatory and non-regulatory measures and will in particular include targets for the use and reduction of chemical pesticides, the use of fertilisers and antibiotics. COM outlined the main aspects of the Farm-to-Fork Strategy, namely to increase organic farming, reduce food waste, stimulate food consumption, aid consumers to choose healthy and sustainable diets and promote affordable healthy food accessible to all.

COM further elaborated on the impact of the Covid-19 crisis on the Farm-to-Fork Strategy and underlined that the current crisis emphasises the importance of a robust and resilient food system, capable of ensuring access to a sufficient supply of affordable food for all citizens, as well as the importance of good health.

COM had various exchanges with the Parliament, Member States and Stakeholders to decide whether to maintain or postpone the adoption of the F2F Strategy in light

of the pandemic. However, it is COM's position that the F2F Strategy remains relevant and is even more important in the current crisis as no food system can be resilient in the long term if it is not sustainable. COM further referred to the three Pillars of Sustainable Food Systems, i.e. the social and health dimension, the environmental dimension and the economic dimension.

COM further gave a short update on the Feedback mechanism on the F2F Roadmap, for which it received 654 contributions and listed the main points of interest.

COM further informed participants of the main conclusions of the independent scientific opinion of the Group of Chief Scientific Advisors, which was adopted end of March and published in April 2020.

Finally, COM gave an overview of the expected timeline and confirmed that the adoption of the F2F Strategy is foreseen for 20 May. Furthermore, COM underlined the importance of continuous stakeholder engagement and close collaboration in the coming years.

Comments and questions raised

FESASS thanked COM for the interesting presentation and welcomed the initiative. FESASS – as an organisation involved in animal health – offered to share documentation of the specific work of their members with COM. FESASS further informed COM of the organisation of its technical days, which were to take place in Napoli in June 2020, but which have been postponed to a later date yet to be determined. Finally, FESASS asked if the scientific opinion of the Group of Chief Scientific Advisors is available to the public.

COM confirmed this and informed stakeholders that it can be found on the website of DG RTD.

FEFANA thanked COM for the work on the F2F Strategy and asked how the key learning of the Covid-19 crisis, namely the need for a robust and resilient food system, has impacted on the work on the F2F Strategy, taking into account that the public consultation and the scientific opinion of the Group of Chief Scientific Advisors were already closed by then.

COCERAL enquired about new developments with regard to the harmonised risk indicators, which were a vital part of the F2F target reduction for PPPs and pesticides. COCERAL referred to the report of the Court of Auditors of the previous month, which indicates that a second batch of harmonised risk indicators will be in place to have clearer goals in terms of reduction. COCERAL expressed concern about the lack of clarification regarding synthetic pesticides. Finally, COCERAL asked if the Commission Implementing Decision (EU) 2019/300 of 19 February 2019 establishing a general plan for crisis management in the field of the safety of food and feed¹ will be further integrated in the F2F Strategy, in order to take into account also crises due to non strictly food-borne incidents, but nonetheless having an impact on the overall food chain, as from the COVID19 lesson.

EU Specialty Ingredients thanked COM and welcomed the imminent adoption and release of the Communications and Action Plan. EU Specialty Food Ingredients

¹ <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX:32019D0300>

supported the focus on R&I - important to its sector - and enquired whether the acceptance of potential innovative solutions is included.

With regard to the Covid-19 crisis, FoodDrinkEurope commented that the lessons learned will have to be integrated in the F2F Strategy and stated that Europe's food supply chain has shown exceptional resilience by ensuring continued supply of food and drinks. However, currently the food supply chain is still under pressure and continues to require support from all sides to ensure that the health crisis does not convert into a food crisis. FoodDrinkEurope further commented that it believes it can contribute to more sustainable food systems and stressed the necessity for food systems to become even more resilient for future crisis and climate change. Finally, FoodDrinkEurope informed COM that it published a short statement with five criteria for the F2F Strategy, more specifically climate neutrality, economic recovery with immediate support for farmers and food companies, single market, stimulation of green innovations and capitalisation of the renewed interest of EU citizens in food. FoodDrinkEurope highlighted the importance of building the basis of political decisions on the F2F Strategy on evidence and science. Finally, it requested a holistic impact assessment and a continued dialogue to work together to make Europe the global standard for sustainable production and consumption.

In reply to FEFANA, COM confirmed that the Covid-19 was not taken into account by the Group of Chief Scientific Advisors, but that it was nevertheless important to consider implications of this crisis affecting food systems in the F2F Strategy. In COM's opinion, it was impossible to rethink food systems without integrating the key learnings of the Covid-19 situation. COM stressed the importance of a contingency plan for future crisis of any nature and the necessity to reinforce crisis management.

COM said that further discussions will need to take place on political level on the tools and responses of the EU in the context of the F2F Strategy to reinforce the resilience of the food system.

In relation to EU Specialty Food ingredients question on innovation and the acceptance of the new innovative techniques by consumers, COM replied that it did not address the issue of consumer acceptance as such in the F2F Strategy. If there are innovative solutions that can support the transition to sustainability, they will surely be part of the implementation and of the different projects developed in the context of HorizonEurope.

Concerning COCERAL's question, COM replied that the Court of Auditors recommended to refine and further develop the harmonised risk indicators under the Sustainable Use Directive and that this will be part of the work carried out in the context of the Sustainable Use Directive.

UECBV took the floor on behalf of stakeholders in the livestock chain (COPA-COGECA, CLITRAVI, FEFAC, EFFAB, AnimalHealthEurope, AVEC, FEFANA, COTANCE, Fur Europe and EDA) to highlight some elements that they deem essential to the success of the F2F Strategy. UECBV welcomed the EU ambition and consequently listed its key messages about the Communication on the F2F Strategy:

- ✓ UECBV reminded COM that the EU does not start from the beginning and benefits of a strong system with high-level. The legislation should become more efficient and better implemented, not completely reviewed.
- ✓ The EU legislation must be based on science.

- ✓ As regards animal product consumption, UECEBV stated that animal products are highly nutritious and have a place in a balanced diet.
- ✓ The Covid-19 crisis demonstrated the fragility and necessity of food security. The CAP was the first common agricultural policy and its goals are still valid and need to be protected. Therefore, F2F must be a growth strategy for EU companies, representing all actors of the food chain with EU support for consistent common EU food policies.

EUROCOMMERCE acknowledged the work of all sectors in the food supply chain, which ensured that – in light of the Covid-19 crisis - consumers continued to have access to the food they need. The Covid-19 crisis has been a learning curve and has demonstrated the resilience of the food chain. Furthermore, it has shown the importance of the single market and underlined the need for a European food strategy. EUROCOMMERCE stressed the higher costs/changes in the supply chain due to the continued uncertainty and volatile demands of consumers and questioned whether the situation will return to normal after the crisis or whether these changes will become permanent. EUROCOMMERCE further agreed that there is a need for a sustainable food supply chain, but expressed concern about the current mindset. The Covid-19 learnings will have to be fully integrated in the F2F Strategy. Finally, EUROCOMMERCE stressed the importance of the conclusions of the Scientific Advisory Mechanism to have an early and frequent evaluation to re-assess the relevant new policies and enquired how COM envisages the stakeholder consultation.

BEUC welcomed the adoption of the F2F Strategy on 20 May and the increase in recognition - because of Covid-19 - of the importance of a good health status of all citizens. It expressed hope that this will put the fight against obesity even higher on the EU policy agenda and stressed that providing consumers with a healthy choice is more urgent than ever. BEUC expressed concern that some actions planned to deliver on this goal would come later than expected and it endorsed EUROCOMMERCE's comment on the increase in consumer demand for organic food and food from local short chains as a consequence of the Covid-19 crisis. BEUC enquired to what extent the SAM opinion was taken into account in the drafting of the F2F Strategy and if COM did any rebalancing in favour of more action on the food environment instead of relying on consumer choice. Finally, BEUC asked COM to elaborate on the Framework of Sustainable Food Systems.

PFPE endorsed the previous comments on the importance of a resilient and robust food system and enquired whether to expect a report on front-of-pack labelling in the F2F Strategy.

PAN Europe thanked COM for the presentation and highlighted that the F2F Strategy should be as ambitious as possible. It endorsed previous comments requesting a holistic approach. From an ecological perspective, this will require the reduction of the use and risk of pesticides, for which an objective, transparent and independent assessment will be necessary. PAN Europe concluded that it welcomes these ambitions and would like to see this highlighted in the F2F Strategy.

EFFAB commented on the importance of research and enquired how the Horizon Europe Program could benefit the objectives of the F2F Strategy, such as antibiotics or animal breeding.

Euroseeds asked about the economic aspect of the F2F Strategy and referred to Vice-President Timmermans's statement in COMAGRI that he would rely on higher

food prices and more investment from farmers to cope with F2F. Euroseeds asked to clarify how these objectives would align with the statement in the F2F Strategy Communication to provide enough affordable food for all citizens.

COGECA acknowledged the importance of COM's focus on healthy nutrition and nutrition labelling for consumers, especially in light of Covid-19, which has shown that people with health problems are more at risk. COGECA said it would also welcome EU dietary guidelines, on the condition that these would be science-based.

ESGP asked to clarify the timeline for the outcome of the Evaluation of the Nutritional Health Claims Regulation.

FVE endorsed the comments of UECEV and the livestock stakeholders. It further enquired about the process and timeline for further consultations.

COPA expressed concern regarding PPPs, the loss of widely-used substances and the lack of alternatives for the farmers. COPA further emphasised the importance of science-based decision-making when setting targets for substances and the necessity for affordable alternatives.

EFRA asked if the Green Deal considers the export markets as part of the Circular Economy and if valorisation of nutrients will be taken into account.

COM explained that the document on the Evaluation of the Nutritional Health Claims Regulation and the Report on the Front-of-pack labelling will both be adopted on the same day as the F2F Strategy (20 May 2020).

COM provided more information on the future legislative framework for sustainable food systems, which is still under discussion. The idea is to create an umbrella legislation - possibly combined with a sustainable food logo - which will clarify the basic principles of sustainability when it comes to food and food systems' actors.

As regards science-based decision-making, COM confirmed that it is taking a science-based approach and that all figures put forward in the F2F Strategy will be referenced. COM will continue to look at EFSA as the main body for scientific advice.

In reply to COGECA's enquiry about possible EU Dietary Guidelines, COM said that even though currently not included in the draft, if considered in the future, it would be preceded by the relevant scientific advice from EFSA.

COM acknowledged the different views on the sustainability of the current food system and stressed that it will be a progressive transition, which will be accelerated in the coming years.

On FVE's question, COM replied that there will be no further consultations on the F2F Strategy. Nevertheless, stakeholders will be consulted on the individual initiatives that will form part of the Action Plan. COM wants to ensure a structured dialogue with stakeholders and would like to organise an annual event on the F2F Strategy with stakeholders and MSs. The event was provisionally foreseen on 16 October, but it remains to be seen whether this date can be maintained in light of the current situation.

COM declined to comment on Vice-President Timmermans's statements on higher food prices, since this is not part of the F2F strategy document. COM explained it may consider a separate study on the impact on food prices, in addition to the policy initiatives included in the Action plan of the F2F Strategy.

COM further underlined that the timeline for the adoption of the initiatives of the Action Plan is highly ambitious, but that it will do its best to advance and respect it.

In conclusion, COM acknowledged the impact of Covid-19 on the current working methods and priorities, but underlined the importance of focussing on the long-term vision of the F2F project and the need for advancement and a proactive approach.

ECCA enquired if the presentation of the F2F Strategy is scheduled to be synchronised with the presentation of the Plan Protection Products Refit Report and COM confirmed this.

3. COVID-19

DG SANTE initiatives

COM gave a short presentation outlining the DG SANTE initiatives concerning food safety in light of Covid-19.

COM started with the questions and answers on Covid-19 and food safety and thanked stakeholders for their input and comments.

Concerning food labelling, COM received demands from operators and MSs for flexibility on certain food labelling provisions. COM acknowledged potential need for flexibility, however, stressed that no flexibility should be allowed on safety-related aspects and said it relied on operators and MSs authorities to ensure that food safety standards are not jeopardised.

COM further informed stakeholders that advice/good practices on food waste were communicated via the newsletter of the EU Platform on Food Losses and Food Waste.

As regards application files, COM developed a tool for online data submission/registration for food additives, enzymes and flavourings, which – when relevant – are automatically transmitted to EFSA.

Finally, in order to limit the impact on international trade and imports, COM sent letters to the Ambassadors of countries exporting to the EU, requesting to accept scanned copies of certificates.

Comments and questions raised

AVEC thanked COM for their support to food operators, but stated that – with increasingly volatile markets due to the ongoing crisis - there is a need for EU market management. It further urged COM to ensure that EU actions are based on trustable information and sound science.

FoodDrinkEurope acknowledged COM's actions in response to the crisis and expressed appreciation for COM's endorsement of flexibility regarding the food labelling rules as a temporary contingency measure to ease the pressure on the supply chain and to avoid food losses/waste. It further stated that it would be useful if COM could provide the points listed in presentation in writing for referencing purposes. Even though COM will not postpone the application of Regulation (EU)2018/775 on origin indication of primary ingredients, FoodDrinkEurope stressed the importance for MSs of applying the rules with a degree of flexibility.

EU Specialty Food Ingredients endorsed previous comments regarding actions taken by COM and thanked COM for its pragmatism in setting up the system for online data transmissions for food additives and food enzymes, which it hoped will continue in the future. EU Specialty Food Ingredients further expressed the wish for

the same level of pragmatism and flexibility in future calls for data COM might issue in collaboration with EFSA.

Regarding the online data transmissions, COM will communicate to the competent colleagues the request to continue this working method in the future.

Challenges for Official Controls

COM presented its reflections and temporary solutions to face the particular challenges related to Official Controls due to Covid-19.

COM started by giving a situational analysis of the second half of March 2020 and listed the specific challenges it faced in the area of the agri-food chain and the relevant legislation under the responsibility of DG SANTE and DG AGRI. COM took some actions on an informal basis, e.g. contact with third countries on facilitating the document flow for checks. However, as the crisis evolved, the need for a proper legal basis became evident.

Consequently, COM developed a temporary solution to help MSs, namely Commission Implementing Regulation (EU) 2020/466, which is a safeguard measure under the Official Controls Regulation to address shortcomings in the implementation of EU legislation in the area of OCR in particular MSs. The situation required a specific response and COM therefore developed a time-limited solution (1 June), which presented an option for MSs to use certain specific tools for all areas within the scope of the OCR. Nevertheless, the use of these tools is not obligatory for MSs. At present, 16 MSs are using this option, but to a varied extent and in different areas.

COM elaborated on the specific provisions of this temporary solution, but stressed that aside from these additional tools, the Official Controls Regulation as such remains applicable.

Finally, COM reiterated that the specific tools are time-limited and currently in place until 1 June. However, discussions will take place with MSs about a possible extension until 1 August. In addition, COM emphasised that this measure did not modify the substantial EU legislation on food.

Comments and questions raised

ENA thanked COM for the Q&A on Covid-19, and more specifically asked COM to indicate that there is no scientific evidence that live plants are carriers of the Covid-19 virus. ENA further expressed concern that – despite having been informed by COM – certain third countries do not accept the electronic certificates and ENA asked for advice on how to handle this situation.

Europabio referred to the impact of Covid-19 on international trade and in particular the continuity of the authorisation process of food and feed stuffs. In this context, Europabio questioned why certain Committees moved to virtual meetings and written procedures, while others did not and asked if COM envisages organising remote meetings for all Committees in the future.

On the Standing Committees, COM acknowledged that in April not all Committees were ready to organise the meetings virtually. Nevertheless, many more meetings are scheduled to take place remotely in May and follow the following principle: discussions with MSs during the meeting and voting via written procedure.

In reply to ENA's question, COM explained that in parallel with the exceptional flexibility regarding import certification from EU side, COM contacted its major trading partners to request a similar flexibility relating to the presence of original

certificates at the moment of entry into third countries. COM said it closely monitors the third country reactions in TRACES but also referred to the Market Access Database where stakeholders can consult a table with the responses of the third countries regarding the provided flexibility. COM explained it was aware of temporary bans imposed by third countries early on and reacted quickly to ensure these bans were rapidly lifted. Nevertheless, COM stressed the importance of informing the Commission of any problems/restrictions exporters may experience at the BCPs due to Covid-19 in order to take action through the appropriate channels.

COM explained that it was informed by stakeholders of problems which could affect the correct labelling of food products. Consequently, COM consulted MSs to verify if they were aware of the problems, how they dealt with them and whether they see the need for a harmonised approach on EU level to tackle the matter. The outcome showed that the situation differs in the various MSs requiring a case-by-case approach. Some MSs proactively provided guidance documents or published statements on the website of their Ministry, allowing for flexibility regarding food labelling. While acknowledging the need for such flexibility, COM reiterated that they should be limited to cases closely linked to Covid-19 and that food safety cannot be undermined. Furthermore, COM informed stakeholders that it will not postpone the date of application of Implementing Regulation (EU) 2018/775.

FRESHFEL enquired whether COM envisages a possible prolongation of the acceptance of scanned certificates and when a decision will be taken.

As regards the flexibility on food labelling provisions, BEUC asked how COM will ensure that consumers across the different MSs are informed if a certain product's composition does not match the listed ingredients due to this flexibility.

FVE asked when the Questions and answers on Covid-19 in relation to animals will be published.

CLITRAVI thanked COM for the quick response and measures put in place, but asked COM to be vigilant for the circulation of fake news and information linking foodstuffs to the spread of Covid-19.

COGECA endorsed BEUC's comment and requested an overview of the situation in each MS regarding the flexibility on food labelling. It further emphasised the need to correct the misinformation that is circulating about a link between Covid-19 and livestock farming.

FESASS endorsed COGECA's comment. It further supported a possible extension of Commission Implementing Regulation (EU) 2020/466 until August and stressed the importance to maintain flexibility in the MSs. FESASS also enquired if COM had information on the viability of veterinary diagnostic clubs.

FEFAC asked how COM plans to ensure that the green lanes agreement will continue to function during the deconfinement phase and how it foresees to have an overview of the different deconfinement measures in the MSs. FEFAC further enquired if COM considered a process to collect best practices in the different sectors in order to reinforce the already existing practical guidance documents for food chain operators in the context of biosecurity.

EFFAB supported BEUC's comment on flexibility.

As regards flexibility, COM replied to keep in mind that the measure taken as a specific response to a specific situation and that the SANTE response needs to be coherent with the overall response of COM to the Covid-19 crisis.

Concerning a possible prolongation and consistency of the easing of restrictions in the different MSs, COM will discuss a possible two-month prolongation with the MSs in the Standing Committee. COM further stated that it wants to contribute to a coherent response to the crisis and invited stakeholders to contact SANTE in case of problems.

To COGECA's question for an overview, COM replied that currently 16 MSs are making use of the measures put in place and that it receives daily updates from MSs regarding modifications/expansion of the measures. Therefore, it would be difficult for COM to publish an overview with up-to-date information. Nevertheless, COM ensures that MSs are aware of the situation as regards the other MSs and this transparency provides a sufficient level of guarantee between MSs.

In answer to BEUC, COM said it is difficult to strictly enforce measures because the responsibility to enforce labelling requirements falls within the remit of the MSs. Nevertheless, MSs are in favour of a harmonised approach and are liaising with each other, but it is difficult to implement a harmonised approach due to the constantly changing situation. MSs adopt the flexibility in function of the problems they are facing in their country. COM stressed that consumers have the right to correct labelling information and that even with the flexibility measures, the manufacturers should try to provide as much information as possible. As regards the situation in the different MSs, COM said that due to the continuously changing situation, it would be difficult to provide an accurate and up-to-date written overview.

Concerning FoodDrinkEurope's request to publish the points discussed in the presentation, COM reiterated that food labelling is within the remit of the MSs and that COM is only cooperating with MSs on a harmonised approach in order to deal with the current situation. Nevertheless, COM said it would look into how to officialise its position and advised stakeholders to use – for the moment - the presentation and minutes of the AG plenary meeting as a reference.

COM informed stakeholders that the Q&A on Covid-19 in animals is still in the process of internal validation, but would most likely be available in the coming weeks.

On fake news, COM supported the comments raised that this is not acceptable.

Concerning availability of national reference laboratories, COM stated that – following feedback from the EURLs – it is not aware of any problems.

On FEFAC's question on lessons learned and biosecurity, COM will relate the question to colleagues in charge of biosecurity on the farm and to experts in MSs in order to determine what improvements to make for the future.

4. UPDATE ON BREXIT

COM gave a brief update on the ongoing work, which consists of three work strands:

- 1) The implementation of the withdrawal agreement, particularly relating to the protocol of Ireland and Northern Ireland.

In the field of SPS, Northern Ireland will continue to be considered part of the EU and all EU rules relating to SPS will remain applicable.

- 2) Preparedness for the end of the transitional period

Regardless of the outcome of the negotiations, the EU will need to be ready for import and export to the UK as a third country.

- 3) Negotiations

Negotiations were launched on 2 March and are guided by a mandate, received by the MSs and agreed upon on 25 February. This mandate was followed by the UK position on 27 February.

The first round of negotiations focussed mainly on explaining the mandate and allowed to identify areas of convergence and divergence. The general principle in the EU negotiation text is to adhere to and reaffirm obligations under the WTO-SPS, but to include additional elements aiming to go beyond the WTO-SPS agreement (SPS plus elements).

COM listed the main elements of the draft negotiation text:

- ✓ Single entity
This element is very important and linked to different fields, most importantly export authorisation processes across the whole of the EU.
- ✓ List of approved establishments
The EU would like to continue with the current existing list, but simultaneously would like to include and agree on pre-listing, meaning that the list of approved establishments would be based on guarantees provided by the exporting party. The EU already applies this concept to imports.
- ✓ Transparency
There are specific provisions regarding controls, audit, certification, import checks and emergency measures.
- ✓ Precaution principle
It is important to continue to apply and uphold this possibility, which is foreseen in the Treaty of the functioning of the EU (Treaty of Rome).
- ✓ Cooperation
Some articles are linked to cooperation, more specifically cooperation on animal welfare, AMR, multi-lateral SPS for sustainable food systems and electronic certification.

The draft text was available for the second round of negotiations, which took place between 21-24 April via videoconference due to the Covid-19 outbreak. The goal of this second round was to further determine convergence and divergence and to request clarification on the wording, scope and intentions. Both parties submitted a draft text, but at specific request of the UK, their text is not in the public domain.

The next rounds of negotiations are foreseen for the second week of May and the first week of June.

5. SHORT UPDATE ON THE TRANSPARENCY REGULATION

COM gave a brief update on the implementation of the Transparency Regulation.

The Transparency Regulation will enter into application on 27 March 2021. EFSA and COM are working closely together to ensure a timely and proper implementation.

COM is currently updating certain IAs in the areas of plant protection products, food additives, feed additives, novel foods and foods with added vitamins, minerals and other substances. Furthermore, COM is updating existing COM guidance documents in order to ensure alignment and is preparing to carry out fact-finding missions.

From their side, EFSA is working on different sets of practical arrangements as laid down in the TR. The first deliverable has been achieved: the practical arrangements

regarding access to documents and Aarhus have been adopted by EFSA in March and are available on the website.

EFSA is currently working on the remaining sets:

- ✓ articles 38 and 39, Transparency and Confidentiality
- ✓ articles 32 (a), 32 (b), 32 (c) covering pre-submission advice, notification of COM studies and public consultations
- ✓ specific practical arrangements regarding the consistency of confidentiality assessment in the area of PPPs

In addition, EFSA is updating its guidance documents in close cooperation with COM in order to ensure consistency.

EFSA and COM are also working together to ensure that the new provisions and IAs are supported by an appropriate IT infrastructure.

The Covid-19 crisis caused delays, but COM emphasised that the proper and timely implementation of the new provisions is absolute priority.

As regards stakeholder engagement, COM informed stakeholders that a special Ad hoc Advisory Group meeting will be held on June 5 with EFSA participation. The purpose of this meeting is to provide a full overview of the progress and to have a first, fully transparent exchange with stakeholders. If necessary, a second Ad hoc meeting could be organised in autumn. EFSA – from their side – also engaged with stakeholders through the establishment of the sounding board. The first meeting took place on 23 March and further meetings will be organised in July and September.

Comments and questions raised

FEFANA informed COM that the sounding board stakeholder category “business and food industry” addressed a letter to SANTE and EFSA in April, calling for a higher stakeholder engagement in the implementation process of the Transparency Regulation. FEFANA expressed concern that the level of interaction and exchange on critically important elements is insufficient and that the overall approach is lacking fundamental engagement on the practical measures with sectors that are directly impacted. It further raised concern about the lack of response to several of its questions and the impact of the lack of clarity on business operators. FEFANA called on EFSA and COM to ensure a higher level of stakeholder involvement in an evidence-based implementation plan, for example by establishing additional technical or consultation groups to maximise the involvement of technical experts in the process. Finally, FEFANA hoped to get more clarity on their questions during the meeting on 5 June.

EUROPABIO echoed FEFANA’s comment and emphasised the importance of clear and workable arrangements, which requires input from stakeholders with expertise and experience. It further welcomed the organisation of and Ad hoc Advisory Group meeting, but stressed the need for additional technical groups.

FoodDrinkEurope supported the comments of FEFANA and EUROPABIO.

EU Specialty Food Ingredients also supported the previous comments. In addition, it expressed concern that without the practical experience and views from applicants, the system may not be workable and stressed the importance of further consultation from COM side.

COM replied it would not have made sense to organise a meeting sooner. COM acknowledged awareness of the questions raised by stakeholders and informed the

group that the questions are published on COM's website and are taken into account by EFSA and COM. It further informed stakeholders of its aim to have the full package ready by October/November 2020, allowing applicants time to prepare.

COM stated it strongly believes that the Ad hoc Advisory Group meeting on 5 June will allow for a detailed first exchange of views on the different actions and that a lot of questions will be addressed during the meeting. In addition - if necessary - a follow-up meeting will be organised. COM emphasised its aim for workable arrangements, whilst ensuring the effectiveness of the provisions of the TR.

Finally, COM stressed that this is not a co—creating phase, but a phase in which comments are taken into account, and invited stakeholders to send possible questions for the meeting of 5 June, indicating if the question can be made public. COM concluded by reiterating its commitment to full transparency.

6. UPDATE ON PLANT HEALTH

COM presented the progress on the legal implementation of the new Plant Health Regulation and on the plant health specific aspect of the OCR and gave a brief update on the seed legislation.

Plant Health Regulation

The Plant Health Regulation entered into force at the end of 2016. Within the three-year transitional period, COM adopted the most important IAs.

COM presented a brief overview of the ongoing work and timeline for the following IAs:

- ✓ Plant passports – other provisions
- ✓ High risk plants and plants exempted from PC
- ✓ Update of pests and measures
- ✓ Release of material from quarantine stations
- ✓ Information to be provided to travellers and clients of postal services
- ✓ Format for surveillance reports and for multi-annual programs

COM further elaborated on the new DA and IA that are programmed, namely a DA for content for surveillance for protected zones and the modification of the potato control Directives with a deadline of 1 January 2022.

In addition, COM plans to update a number of existing emergency measures on particular pests or to introduce new measures, with the purpose of adding containment measures to eradication measures.

Finally, COM highlighted two reports to be submitted by the end of 2021 to the European Parliament, more specifically on imports and the functioning of the Plant Passport system.

Official Controls Regulation

COM gave a brief update listing the Implementing and Delegated Regulations related to the plant health sector, which have been published in December 2019 under the Official Controls Regulation (see presentation).

Seed Legislation

COM presented a short update on plant reproductive material and on seed for organic farming.

COM elaborated on the ongoing work on a study on options to update the seed marketing legislation, which was launched at the request of the Council.

COM further explained that there are two acts related to the new organic regulation and gave an update on the advancement and timeline for the DA on organic heterogeneous material. In addition, a temporary experiment on a testing regime for organic varieties is in its early stages. Discussions with MSs took place and priority species were identified by stakeholders. A list will be established and work on testing protocols will start later in the year.

Comments and questions raised

ENA commented that there are difficulties to implement the plant passport regulation due to lack of proper information received from each MS. It asked COM to provide guidelines for the pest risk management plans in order to prevent different interpretations in different MSs. In addition, ENA stated that it fully supports COM's position against the extra plant health requirements imposed by the UK. Nevertheless, ENA asked what actions COM will undertake to help exporters.

Regarding the Seed Marketing Directive, Euroseeds enquired when COM estimates to choose between the offers of the contractors and when interviews will take place. Concerning organic heterogeneous material, Euroseeds heard that the entry into force of the organic regulation may be delayed to January 2022 and asked if this will affect the process. Euroseeds further asked when the list of species will be available and which MSs have participated. Finally, Euroseeds enquired if COM intends to harmonise VCU trials at EU level.

Europatat expressed readiness to collaborate and provide input to COM concerning the Potato Control Directive.

As regards the risk management plans for the issuance of plant passports and authorised operators, COM reminded ENA that – according to Article 91 of Regulation (EU) 2016/2031 - there is a list of requirements for the content of the risk management plan. COM has no empowerment to specify further and does not wish to do so even with general guidelines, because the competent authorities would like to maintain control in this area. MSs should adapt the content of the risk management plans to their needs.

On recent UK measures and export to the UK, COM has communicated to the MSs that – according to the basic Plant Health Legislation – only plant passports are required for the internal movement of products within the EU. This is also applicable for the UK during the transition period, i.e. until the end of 2020. COM acknowledged the difficulties for exporters, but replied that the requirements the UK imposed on 1 April, will be discussed internally and with the MSs in the PAFF Committee, before COM communicates its position and measures to be taken.

On the selection of contractors and the start of the interviews, COM replied it hoped to select contractors in the third week of May and start interviews with stakeholders in the second half of June.

On a possible delay of application of the Organic Regulation, COM replied that no decision has been made as regards the date of entry in application, but the adoption procedure of the delegated act will go ahead.

As regards, the temporary experiment, COM expected to finalise the list by mid-May and to consult MSs for approval.

Concerning the VCU trials, COM replied that this issue is still pending and that additional discussion is needed to determine an approach and to decide how much harmonisation is possible/necessary.

7. STATE OF PLAY ON THE REVISION OF THE FEED BAN FOR NON-RUMINANTS

COM presented a brief state-of-play of the feed ban, focussing on current situation and possibilities for future flexibility.

COM highlighted that, at present, ruminant proteins are still largely prohibited in farmed animals, non-ruminant PAP is allowed in fish feed only. COM further listed products that can also be used in feed for non-ruminants and finally in feed for ruminants.

Two new flexibilities were introduced in the past seven years:

In 2013: the possibility to use PAP from poultry and pigs in fish feed

In 2017: authorisation of the use of insect PAP in fish feed

COM further listed the conditions necessary to consider a further relaxation of the feed ban (see presentation).

Taking into account these conditions, COM envisages a possibility to relax the feed ban for non-ruminant PAP intended for the feeding of non-ruminants. However, it still does not envisage relaxation for ruminant PAP or any other protein to be included in the feed for ruminants.

COM is focussing on non-ruminant PAP and insect PAP for non-ruminant feed. DG SANTE is currently considering the reintroduction of pig PAP into poultry feed, of insect PAP into both poultry feed and pig feed and of poultry PAP into pig feed.

COM consequently examined the three options with regard to the aforementioned conditions (see presentation).

Comments and questions raised

On the question marks and hesitation of certain MSs regarding intraspecies recycling, EFRA commented that – in their opinion – this is possible without cross-contamination and would like to discuss the subject with COM. EFRA further enquired about the issue of technical zero for ruminants.

FEFAC commented that communication on this topic is key for the success of further lifting the feed ban. It further stressed the importance of political support and enquired what steps COM intends to take to communicate with the European Parliament regarding relaxing the feed ban and to achieve its political support. Finally, FEFAC asked if COM plans to train control authorities on how to interpret control results.

UECBV enquired about the timeline.

FESASS supported FEFAC's position on communication and asked if COM has economic data regarding the interest of the evolution of the regulation, because this will be a key point for discussion with political representatives.

On intraspecies recycling, COM explained that it had a preliminary discussion with the MSs during a TSE working group on 25 February 2020. There are two mind-sets amongst MSs: those in favour of flexibility regarding dedicated lines for the production of compound feed intended for poultry and pig, and those who are in

favour of a strict separation in order to avoid any cross-contamination. COM will continue the discussions on this technical issue with input from stakeholders.

As regards the technical zero, COM replied that it is an ongoing discussion and that it is reflecting on the possibility to include an action limit, possibly together with the possible reintroduction of pig and poultry PAP in the feed of poultry and pigs. This proposal is still on the table and was part of the package that was submitted for the Commissioner's approval.

COM acknowledged the importance of communication, but informed FEFAC and FESASS that, at present, it has not yet received a green light internally and it has therefore not yet been able to approach the European Parliament. Nevertheless, COM plans to do so in the future once the decision has been taken to move forward.

Regarding FEFAC's question on control authorities, COM replied that it is confident that the system in place can address difficulties that might arise as a result of a relaxation of the feed ban. Nevertheless, COM is conscious of the fact that the risk of cross-contamination cannot be ruled out in advance and plans to address this risk by an appropriate level of separation of the lines and the introduction of an action limit.

Regarding the timeline, DG SANTE has submitted the proposals and is waiting for endorsement by the Cabinet and Commissioner.

On FESASS's question on economic data, COM confirmed that the sector has already provided figures and data. The outcome shows that there is definitely interest in the flexibilities. However, some federations indicated that the level of use of these flexibilities would strongly depend on the level of separation that will be required from the production sector and the risk of positive controls.

8. EVALUATION OF IRRADIATION LEGISLATION

COM gave a short presentation on the current evaluation of EU legislation on food radiation, first presenting a state-of play of the present situation and legislation. Consequently, COM presented the preliminary findings of the evaluation and the next steps.

Current situation and legislation

COM elaborated on the food irradiation technology, as well as on the uses of food irradiation.

COM further explained that the EU legal framework consists of two Directives (1999/2/EC and 1999/3/EC) and listed their provisions.

COM also gave a quick overview of the current situation, underlining that EU consumers have a very negative perception of irradiation technology. Their main concerns are excessive denaturation of nutrients, generation of toxic substances and food becoming radioactive. COM stressed that this is not the case.

COM elaborated on the evaluation of the legislation, carried out under the Better Regulation Policy, highlighting the independent, evidence-based study that has been carried out by an external contractor. As part of this study, there is an open public consultation, which is still ongoing.

Preliminary findings

COM shared some of the preliminary findings of the study conducted to support the evaluation, which is carried out according to four criteria:

- ✓ Relevance

- ✓ Effectiveness
- ✓ Efficiency
- ✓ EU added value

COM provided some initial input for each of the four criteria (see presentation). The fifth criteria, “Coherence”, will be evaluated by COM itself.

Next steps

The study was supposed to finish in May, however, COM decided to extend the open public consultation until 6 June 2020 due to Covid-19. A second workshop planned for July will also be postponed until after the summer break and will most likely be organised virtually. COM expects to conclude the study before December 2020. Finally, COM informed stakeholders that the contractor still has to carry out interviews with food operators and invited stakeholders to email should they be interested to do so.

Comments and questions raised

COCERAL asked if irradiation techniques are allowed in organic farming.

COM said it would have to check and will contact COCERAL to provide an answer.

9. OFFICIAL CONTROLS – STATE OF PLAY OF THE IMPLEMENTATION OF ELECTRONIC SIGNATURES BY MEMBER STATES

COM presented an update on the state of play of the implementation of the electronic certification in TRACES by MSs.

COM started with a brief explanation of the benefits of electronic certification, focussing on objectives, advantages and strategy. As regards strategy, COM highlighted that it concentrates its efforts on MSs and said that most MSs are in favour of electronic signatures.

COM further elaborated on the legal background for the electronic certification, namely Regulation (EU) 2019/1715 (which is based on the Official Controls Regulation) and on the operational aspects of the migration to TRACES-NT.

COM shared statistical data on the number of CHED-PP and CHED-D issued. It did not share similar data on CHED-A and CHED-P, because the statistics are not yet representative.

COM also gave an overview of the status of e-signature enrolment by MS. There are currently 13 MSs actively issuing e-CHEDs in TRACES.

COM further provided statistics on the number of e-CHED-PPs issued in MSs, with Latvia as the most advanced user. It also shared similar data on e-CHED-A, e-CHED-D and e-CHED-P.

COM also presented a short state-of-play of e-certification in third countries and on the use of the phyto module, highlighting the connection of TRACES to the IPPC e-phyto Hub and the availability of the e-EU IMPORT module in TRACES as of the next release 5.2.0 due on 12 May 2020.

Finally, COM presented some data on phytosanitary certificates prepared in TRACES, including e-certificates.

Comments and questions raised

FRESHFEL welcomed the fact that TRACES will be used to electronically transmit phytosanitary certification for export in the future, especially in light of Brexit, and asked COM for more detailed information on this subject.

ENA endorsed FRESHFEL's comment.

COM replied that the e-phytosanitary certificate for export is the next priority and that the work is ongoing.

10. GENERAL UPDATES

The Chair gave short general updates on points requested by the stakeholders.

Commission studies on NGTs

- ✓ Based on the request from the Council, the Commission is preparing "*a study in light of the Court of Justice's judgment in Case C-528/16 regarding the status of novel genomic techniques under Union law*". Despite the current challenging conditions, the Commission will endeavour to deliver the study by 30 April 2021 as requested.
- ✓ To gather information and data for the study, the Commission is carrying out a targeted stakeholder consultation with Member States and with EU-level stakeholders. The consultation for Member States finished end April and for stakeholders it will end on 15 May.
- ✓ In addition, the Joint Research Centre will provide an overview of current and future scientific and technological developments in new genomic techniques as well as of new products that are, or are expected to be marketed. This work is ongoing and expected to be finalised by end September.
- ✓ Furthermore, EFSA will contribute to the study by providing an overview on the risk assessment of plants developed through new genomic techniques, based on its own previous and ongoing work and on work carried out at national level. This work is in progress and should be finalised by end October.
- ✓ Finally, the study will take into account an analysis of the ethical and societal implications of gene editing that is being developed by the European Group on Ethics in Science and New Technologies. The opinion is expected to be published in the second half of 2020.

Horizon Europe

Regarding Horizon Europe:

- ✓ The preparatory work of the Strategic Plan for 2021 to 2024 continues, even though the overall budget for Horizon Europe (proposal EUR 100 billion) as part of the EU MFF, still needs to be ascertained. The input harvested during the different consultations on Horizon Europe held last year and the new initiatives linked to the Green Deal, including the Farm to Fork Strategy, are key references used by the Commission to shape up the draft Strategic Plan. The Commission is consulting Member States via the Horizon Europe shadow Programme Committees (next TC meeting 28 May).
- ✓ The Commission has also started to reflect on potential topics to be included in the calls of the first bi-annual work programmes (2021-2022). Cluster 6 of Horizon Europe on 'Food, bioeconomy, natural resources, agriculture and environment' will be instrumental to engage stakeholders.

- ✓ Two particular type instruments of Horizon Europe will provide significant opportunities for engaging with stakeholders and society at large through research and innovation in order to address major global issues, including under Cluster 6: Missions and Partnerships.
- ✓ As regards 'Missions', a Mission Board of experts continues to work in the definition of the concrete scope for a research and innovation Mission in the area of Soil Health and Food (one of the 5 areas for 'Missions' together with Cancer, Adaptation to climate change including societal transformation, Healthy oceans, seas, coastal and inland waters, and Climate-neutral and smart cities). SANTE has been particularly attentive to the progress of this work, where it clearly offers opportunities to contribute to foster future safe and sustainable food systems. Depending on their level of maturity, missions will be integrated in the Horizon Europe Strategic plans and work programmes and launched in different years throughout Horizon Europe.
- ✓ As regards 'Partnerships', several proposals are being discussed with potential partners, from both the public or the private sector. These proposals include 'Partnerships' in the areas of: Chemical risk assessment, Animal health, and Safe and sustainable food systems. Their level of 'maturity' based on the interest shown by potential partners is different. Thus, like 'Missions', 'Partnerships' would be launched in different years throughout Horizon Europe.

Regarding Horizon 2020:

- ✓ Horizon 2020 is still running, with 2020 being its final year for the launching of open calls for proposals (estimated opening ~September 2020, proposals to be received up to February 2021).
- ✓ A novelty for this last year of Horizon 2020, is the introduction of a new 'Horizon 2020 Green Deal Call', which with a further EUR 1 billion will offer the opportunity for research and innovation to start contributing to deliver on the objectives of the Green Deal and its different initiatives. The Commission has proposed a series of topics, including linked to the Farm to Fork strategy, which are currently being discussed with Member States via the Horizon 2020 strategic and thematic Programme Committees.

EU-Africa partnership in relation to food systems and input

There are three levels in COM's relations with Africa, namely the African Union, the Regional Economic Communities and the African States.

DG SANTE-African Union

- ✓ COM's focus is the development of an operational African free trade agreement, which has a substantial part on SPS aspects. The EU and African Union Commission are already engaged in a dialogue at technical and political level and COM looks forward to engage in concrete support that will conform to AU needs in coming months.
- ✓ The EU and the African Union have common interests in cooperating in the development of international SPS standards.

DG SANTE-African Regional Economic Communities

- ✓ DG SANTE plays a leading role in negotiating SPS chapters in the framework of Economic Partnership Agreements (EPAs).
- ✓ Through the EPAs, DG SANTE and the EU promote and support regional integration and harmonisation on SPS.

- ✓ Currently, the EU is negotiating an EPA with ESA countries (Eastern and Southern Countries) which includes Madagascar, Zimbabwe, Seychelles, Mauritius and Comoros.

DG SANTE – Bilateral relations with African countries

- ✓ DG SANTE pays particular attention to African countries needs and requirement on SPS in the framework of the existing legislation and procedure.
- ✓ DG SANTE is currently reflecting on possible actions with a view to facilitate SPS bilateral relations and trade, taking into account specificities of African countries.

Comments and questions raised

FoodDrinkEurope asked for clarification on the timeline for the planning of the work programme 2021-2024 of Horizon Europe and asked if stakeholders can still provide input.

COGECA requested more information on Horizon Europe and the Green Deal call.

Upcoming events

- ✓ Ad hoc meeting of the Advisory Group on the Implementation of the Transparency Regulation on Friday 5 June 2020
- ✓ Advisory Group plenary meeting on Monday 23 November 2020

11. AOB

The Chair thanked all speakers and participants for their constructive contributions, and closed the meeting.