EUROPEAN COMMISSION
HEALTH AND FOOD SAFETY DIRECTORATE-GENERAL

Science, stakeholders, enforcement

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

29 APRIL 2016

Summary Record

1. WELCOME AND OPENING SPEECH BY MR MICHAEL SCANNELL, DIRECTOR, DIRECTORATE FOOD CHAIN: STAKEHOLDER AND INTERNATIONAL RELATIONS

SANTE Director of Directorate D (Food Chain: stakeholder and international relations) opened the meeting and welcomed all participants in the first plenary meeting after the SANTE reorganisation and the creation of the new Directorate on food chain: stakeholder and international relations. He stressed that this change reflects SANTE's commitment to give greater prominence to the engagement with stakeholders. He underlined that a transparent and improved consultation of stakeholders is one of the main priorities of the Juncker Commission and a fundamental part of a better regulation.

He acknowledged the significant role of the Advisory Group on the food chain and animal and plant health (AGFC) in DG SANTE work and stressed that the stakeholders' views and continuous feedback from them is of great importance and should be further fostered. The Director informed participants that SANTE will be reviewing the operation of AGFC, its membership, the rules of procedure, etc. to ensure that it is fit for purpose and highlighted the active role of AGFC itself in this planned process. He shortly presented the agenda as well as other topical issues SANTE is currently working on.

The Head of Unit D1 (Science, stakeholders, enforcement) complemented with a short presentation of the new organisation of SANTE, informed participants on a recent visit of the Commissioner to European Food Safety Authority (EFSA) and highlighted the need of interaction between AGFC and EFSA stakeholder platform.

2. THE EU AS A MULTILATERAL ACTOR: WHAT BENEFITS?

COM gave an overview of the EU as a multilateral actor, its position in global trade as a central pillar of the world economy and underlined that EU represents a huge market with consumers demanding high quality products. COM then summarised the economic, social and political benefits and advantages of international trade, *inter alia* creating new jobs and promoting growth, greater variety of goods for consumers, boosting of competition through specialisation.

COM further briefly presented the World Trade Organisation (WTO) stressing the importance of dispute settlement instrument and transparency. COM highlighted the key principles underpinning multilateral work, namely proportionality, non-

discrimination, predictability and the discouragement of unfair practices. COM stressed that the system is also beneficial for less developed countries.

COM outlined the Sanitary and Phytosanitary Standards (SPS) Agreement that focuses on harmonising standards that are developed by the international standard-setting bodies. In order to achieve the highest levels of harmonisations, members are urged to base their measures on international standards and use a scientific risk assessment as the basis for their SPS. COM explained that governments can maintain their own appropriate level of sanitary protection, however could be required to justify their higher standards if challenged.

COM further presented the different instruments to deal with problems between members as well as how the dispute settlement works as a central pillar of the multilateral trading system and the WTO's unique contribution to the stability of the global economy. Dispute settlement offers an equitable, fast, effective and mutually acceptable possibility at settlement.

COM concluded the presentation by listing benefits of multilateral rules, notably decreasing of living costs and raising living standards, stimulating economic growth and employment, helping countries develop, supporting the environment and health, settling disputes and reducing trade tensions, contributing to peace and stability. COM stressed that the global landscape in the multilateral field is changing and that previous divisions/alliances are constantly shifting.

 View presentation

Comments and questions raised

FEFAC stressed the importance of the SPS Agreement suggesting that for stakeholders it would be beneficial to get more information on the evaluation of SPS, to know what the system has delivered and how to make it more effective. Regarding science FEFAC underlined that especially in the feed sector there are challenges in risk assessment, there are many different approaches and results without any global standards completely agreed. FEFAC pointed out that EFSA is not much involved in risk assessment and global standards discussions. FEFAC asked how the standards developed by private operators are recognised.

COM stressed that the framework of WTO is fundamental and everything happening in bilateral or multilateral trade context is within this framework. COM outlined that one of the weaknesses of the system, in discussing specific trade concerns, is the tendency for answers to be well-choreographed, making it difficult to get to the core of the issue. Several countries are now engaged in a discussion in order to improve it. Regarding private operators' standards COM confirmed that there is little recognition of them but the debate on this topic is ongoing, however difficult since there is no agreement on what private standards are. COM stressed that in the EU private standards have in many cases helped to improve and facilitate trade flows. COM commented that the reports from SANTE F Directorate show the importance of private standards in the feed sector.

Regarding risk assessment, COM stressed the existence of several risk assessors across the globe. EFSA plays a critical role in the EU, however there are other global

actors who provide risk assessment advice to international standard-setting bodies. COM confirmed that EFSA is often present at certain CODEX committees.

FESASS stated that there is a growing pressure on imports from non-EU countries to the EU to follow animal health and animal welfare standards but these standards are according to many non-EU countries too demanding. FESASS pointed out that many countries important from a trade point of view are not market economies but influenced by state companies and that weakens the whole WTO approach.

COM stressed that the imports regime cannot compromise safety. COM mentioned audits carried out in non-EU countries on animal welfare standards. According to their results many of them were able to meet the given requirements.

COM admitted that there are countries in WTO with different development levels which are given an additional time frame to adapt to the agreed mechanism. The benefit of the multilateral system is that all members of the WTO have signed up to a single set of rules that apply to all irrespective of their size, level of development, trade etc. They either follow these rules or can be held to account.

3. **TTIP: STATE OF PLAY**

COM gave an update on the negotiations on chapter on Sanitary and Phytosanitary Standards (SPS). Since the SPS Agreement already exists COM underlined that this is an opportunity to have an improved so called SPS+ Agreement and stressed that EU is ambitious and fully committed to have the negotiations going the right direction.

COM ensured the participants that the food safety standards are not going to be reduced and stressed that the agreement is about increasing cooperation which could be beneficial to both sides.

COM underlined that regarding transparency COM have made significant steps to increase the transparency of the process, mainly establishing a dedicated COM website where all information from the EU side is available to public, and increased dialogue with a wide range of stakeholders. However, as COM pointed out the US side following the legal requirements does not make the information available.

COM presented the key elements relevant to the EU, in particular, importance for the EU to be recognised by US as a single entity in trade and to clarify import conditions. Regarding the acceptance of regionalisation the animal health part is already well advanced, the establishing of a framework that would be embedded into a chapter was discussed. The plant health part is more complicated, the process of approval and authorisation is very timely and it will have to be included. Animal welfare was discussed for the first time; there is an article on animal welfare in the US text, discussion on this topic should continue. COM strongly requested to have an article on antimicrobial resistance (AMR) in the text. Further issues that were also discussed were related to audits and verifications and import checks.

COM stressed the importance of stakeholders' involvements and their input in the negotiation process.

Comments and questions raised

FESASS praised COM for efforts to increase transparency and asked about a different interpretation of precautionary principle.

COM replied that the article on emergency measure proposed by EU is linked to this issue.

ECVC expressed concern regarding the new genetic technologies. The US are apparently putting pressure on the EU not to cover these by EU legislation. COM replied that this topic was not mentioned in officially discussed issues.

On EHPM question whether food supplements are discussed COM replied negatively.

FVE requested more details on animal welfare and AMR and asked when the texts will be published.

COM explained that the negotiation is ongoing including both animal welfare and AMR.

EUROGROUP for ANIMALS would welcome animal welfare not only in the SPS chapter but covered in a broader sense.

COM explained that in the EU the legislation on animal welfare exists but in the US there is a more industry driven approach. The discussion is ongoing.

FEFAC asked about import checks, in particular, what the basis of the US offer is and how it is linked with the new food safety modernisation act (FSMA). FEFAC stressed that FSMA changes fundamentally the way the US check food and feed imports.

COM replied that the negotiation is still ongoing.

4. ANTIMICROBIAL RESISTANCE: OVERVIEW OF THE AMR RELATED ACTIVITIES

COM stressed the importance of the "one-health approach" and a connection between human health, animal health, agriculture and the environment.

COM listed the main aims of the current Action Plan, namely to strengthen the prevention of infections and the control of AMR across all mentioned sectors; to improve prudent use and antibiotic stewardship; to improve surveillance; to find new antimicrobials and new alternative ways of treating infections; international cooperation and communication and education.

As this Action Plan draws closer to its expiry later this year, COM wants to renew and scale-up EU activities on AMR that bring real added value beyond 2016.

COM underlined that for the future the main ambition and first priority is to make the EU a best practice region in the field of AMR. In order to make this possible COM will bring together experts from both the veterinary and human health domains as well as actors from the environmental sector.

The second priority is to give a stronger push to innovation and research for the development of rapid diagnostic tests as well as vaccines and other alternatives to antimicrobials.

The third priority is to enhance EU international action and added-value on AMR.

COM concluded that AMR remains a top priority for COM to lead at the EU and work at global level and stressed the importance of concrete actions by all stakeholders within and outside the EU.

 View presentation

Comments and questions raised

With regards to the UECBV question on the follow-up of the AMR conference under Dutch presidency COM replied that the Dutch Presidency organised working group follow up meetings to prepare Council conclusions.

BEUC asked more details on the support to MS and stated that it would be helpful to have databases on national levels to monitor the use of antibiotics and to use EU funds for it. BEUC welcomed the collaboration among SANTE regulatory agencies on AMR and publishing of the joint report.

COM confirmed the importance of harmonised data. COM stated that on animal health side the EU is already co-financing the harmonised monitoring of AMR in animals and food carried out by Member States and is also funding the EU Reference Laboratory for AMR.

FVE expressed concerns that the monitoring focuses on samples from slaughterhouses and retail only but not much monitoring is done on the farms or for companion animals.

COM agreed on the importance of a good monitoring system.

FEFAC stressed the importance of the prevention strategy and the key role of animal nutrition in reducing the use of antibiotics and asked about the state of play regarding legislative proposals on Veterinary Medicinal Products (VMPs) and Medicated Feed and the preventative use of antimicrobials.

COM replied that the VMPs and Medicated Feed proposals are currently undergoing the ordinary legislative procedure.

FESASS asked more details on the evaluation timetable.

COM explained that the evaluation is ongoing, the final report should be ready before summer 2016 and will probably be publicly available in the second half of 2016.

FESASS and the EUROGROUP for ANIMALS wanted to know how the issue of AMR will be dealt with in the delegated and implemented acts of the new Animal Health Law (AHL).

COM directed the stakeholders to the relevant colleagues for further details regarding the delegated and implemented acts of the AHL.

5. FOOD WASTE PREVENTION IN THE CIRCULAR ECONOMY ACTION PLAN: KEY INITIATIVES

COM gave an update on the Commission's work in the area of food waste prevention after the adoption of the Commission Communication on circular economy and the related waste legislation proposal[1].

COM stressed the EU's commitment to meet Sustainable Development Goals adopted in September 2015 by all global actors including a target to halve per capita food waste at the retail and consumer level by 2030, and reduce food losses along the food production and supply chains.

This commitment is reflected in the COM proposal to revise the Waste Framework Directive where food waste is integrated in overall waste prevention policy. The proposal includes legal obligations for MS to reduce food waste at each stage of the food supply chain including household, to monitor food waste levels and report to the COM on a biennial basis.

COM underlined the importance of cooperation between all relevant actors in order to implement effective food waste prevention strategies. To achieve this, COM is establishing an EU Platform dedicated to food waste prevention, bringing together all relevant actors: national administrations in the EU-28 and EFTA countries, EU bodies, international organisations and actors in the food chain including consumer and other non-governmental organisations. The EU Platform on Food Losses and Food Waste (FLW)[2] aims to support all actors in: defining measures needed to prevent food waste; sharing best practice; and evaluating progress made over time. The Call for applications has been published with the deadline of 27 May 2016. The first meeting of the newly established platform is to be held in October 2016.

COM further explained that the waste legislation proposal confers a legal obligation for the COM to adopt, by an implementing act, a common methodology for the measurement of food waste. This will allow consistent quantification of food waste at each stage of the supply chain in the EU MS. The methodology will be based on work carried out by MS as well as a quantification manual developed by the FP7 project FUSIONS.

COM also pointed out that the Circular Economy action plan related to food waste prevention includes initiatives to clarity existing EU legislation in the area of food as well as other relevant policy areas, in order to facilitate food donation. For this purpose COM will develop EU guidelines to be proposed for adoption in 2017. The drafting of guidance will be preceded by discussion in a joint working group (MS and stakeholders) in order to identify different regulatory as well as non-regulatory obstacles to food donation which could be addressed in such EU guidelines.

[1] COM(2015)595 final

[2] http://ec.europa.eu/food/safety/food_waste/eu_actions/eu-platform/index_en.htm

In a similar fashion, COM will develop guidelines to facilitate common interpretation in the EU regarding the non-waste status of former foodstuffs. The waste legislation proposal excludes feed materials from its scope in order to formally clarify the non-waste status of former foodstuffs diverted to feed production.

COM further mentioned the issue of date marking which can influence food waste due to confusion and inconsistent interpretation regarding the meaning of "best before" and "use by" and the use of such date marking by consumers as well as other actors (food business operators and control authorities). With respect to EU rules on date marking, several options have been discussed and explored. COM stressed that any proposed change to date marking rules must not lower consumers' information and protection and must have a real added value in preventing food waste. In order to explore these issues deeper, a study will be launched on date marking practices.

Comments and questions raised:

COPA-COGECA expressed concerns that the food waste definition proposed by FUSIONS is very theoretical and does not reflect reality because it includes inedible part of foods and without taking specificities of the sector into account (e.g. on-farm use of food resources, weather conditions affecting harvest etc.).

COM replied that the definition proposed by FUSIONS and utilised to carry out updated quantification of food waste levels in the EU is a useful reference but does not constitute a legal definition of the term. When proposing methodology to quantify food waste, COM will ensure that the approach is consistent with the definitions of "food" and "waste" in EU legislation as well as the scope of the relevant regulatory frameworks (e.g. General Food Law, Waste Framework Directive).

COM confirmed CLITRAVI's understanding that the scope of activities of the Platform will focus not only on food waste in households but throughout the food supply chain, i.e. business-to-business.

ECPA expressed support to the COM's initiative to address both food losses and food waste in the food supply chain, highlighting the role of plant protection products in improving crop yields.

UECBV asked whether the COM would consider the impact of food waste on climate. COM stated that food waste prevention is needed to reduce pressure on the environment; according to UN food waste contributes globally up to 8% of total Greenhouse Gas Emissions.

UECBV further asked on possibilities for MS to apply for funding through European Structural and Investment Funds (ESIF). This will be checked by COM.

UECBV asked how the progress in different MS will be controlled and whether SANTE Directorate F (former FVO) will play a role.

COM replied that, whilst there are no legally binding food waste reduction targets in the waste legislation proposal, there are legal obligations for MS to measure and

monitor food waste levels and report on them every 2 years. The main aim of the Platform will be to support MS and all actors in monitoring progress made towards Sustainable Development Goal 12.3 to halve per capita food waste at the retail and consumer level by 2030, and reduce food losses along the food production and supply chains.

In regard to FOODDRINK EUROPE's question on food donation, COM confirmed that issues related to food donation and how to facilitate safe redistribution of surplus food according to the EU regulatory framework will be clarified in EU guidelines. These guidelines will be developed in consultation with MS and stakeholders, and reviewed by the Platform.

FEFAC informed participants about the common platform that the feed sector created together with food sector and primary food processors to discuss and develop ideas and solutions as to how and under which conditions food not suited for human consumption and for donation could be safely used in the feed chain. FEFAC stressed that use of food resources for production of animal feed must be done cautiously, in order to protect both feed safety and animal health, in line with EU rules. FEFAC stressed that we must avoid animal disease outbreaks and learn from our past mistakes.

COM ensured participants that food waste prevention can in no way undermine the protection of human and animal health, food and feed safety. We must ensure both a safe and sustainable food supply chain.

6. **SHORT INFORMATION ON POINTS RAISED BY STAKEHOLDERS:**

Update on official controls

COM briefly outlined the state of play of the negotiations on the official control proposal that is presently at the Council. Since October 2015, the co-legislators held eight trilogue meetings, recently on 19 and 27 April 2016, the next one is scheduled for May.

COM informed participants that the trilogue discussions have been constructive and that the European Parliament (EP) and the Council have achieved a number of initial compromise solutions. It is envisaged that a political agreement could be reached at the early second reading during the Dutch Presidency.

Discussion continues on several major issues, notably the training requirements for competent authority staff, the role of the official veterinarians, import controls, fees for official controls. Debate is ongoing regarding the empowerments for delegated acts (preferred by the EP) or implementing acts (preferred by the Council) and whether organic farming would remain in a total control package.

COM stated that one of the parts going well is the enforcement actions on fraud and the role of the EU Reference Laboratories.

COM highlighted the commitment of COM to facilitate the achievement of a political agreement on the proposal. The next trilogue is planned for 24 May, where the Dutch Presidency hopes to wrap up discussions and secure an agreement.

COM stressed the significant importance of the stakeholders in the follow up process.

 View presentation

Comments and questions raised

UECBV expressed some frustration because only a single meeting is devoted to such an important political issue. UECBV expressed concerns and asked why fees for the meat sector are maintained although previously it was removed from the list.

COM explained that the discussion has been taking place in a series of different meetings preceded by several analyses of the proposal. COM underlined that the position of the Council is the negotiation position of today. COM stressed that the real item of discussion and political agreement is the question of the subsidiarity principle in the application of fees.

EUROGROUP for ANIMALS asked whether the issue of live transportation of animals will be discussed in the last trilogue, in particular how the article on repeal of the random checks should be read.

COM explained that the final wording has to still be validated.

FVE asked about the secondary legislation and whether COM is willing to consult the stakeholders in the drafting.

COM confirmed that the involvement of the stakeholders is very important.

EUROCOMMERCE stated that according to the position of the EP, MS will be obliged to consult the stakeholders.

COM stated that this part has not yet been analysed.

Update on impact assessment on criteria to identify endocrine disruptors

COM gave a short update on the impact assessment (IA) on criteria to identify endocrine disruptors and on key events that took place regarding this issue.

COM committed in its work programme for 2016 to finalise the IA this year. COM informed participants that, as a follow up to the court case with the judgment that COM failed to act regarding the setting of criteria to identify endocrine disruptors under the Biocidal Products Regulation, the already ongoing impact assessment was further sped up. The criteria are intended to be presented before the summer for their subsequent adoption by the Commission under the relevant procedures. COM ensured the stakeholders that they will be kept informed.

Comments and questions raised

COPA-COGECA wanted to know what the social economic impact would be on losing some substances in plant protection products.

COM confirmed that this issue has been considered.

New Plant Breeding Techniques – state of play

COM informed participants that work is in progress and that COM is considering different aspects.

Comments and questions raised

ESA expressed dissatisfaction that it takes extremely long to provide guidance although COM committed to present the document in the first quarter of 2016. ESA asked for an update on timing.

EUROPABIO stated that it is incomprehensible that the interpretation has not been provided yet.

COM confirmed that in the course of 2016 the document should be available.

Further to stakeholders questions as to when the document should be available COM noted stakeholders' dissatisfaction regarding the considerable delay and said that hierarchy would be informed of the stakeholders' concerns.

ECVC stated that COM should consider the opinions of bodies like ECVC or Greenpeace when interpreting legislation on GMO. ECVC invited COM to look at different studies before making a decision that might impact human health, plant health and environment.

COCERAL expressed concerns on possible impact that the outcome of the decision could have on trade, especially considering that it is currently not possible to distinguish products in some cases depending on the breeding methods.

FESASS asked how the upcoming decision on new breeding techniques in plants would impact the animal side.

COM noted all the comments and confirmed that the GM legislation applies to animals and plants, so COM work is general, but since the new breeding techniques are more advanced in plants, the majority of comments were focused on them.

Update on the ongoing legislative process on the cloning proposal

COM informed participants on the latest report from the EP. COM stated that the Study on the labelling of products from cloned animals and their offspring by DG AGRI should steer the discussion in the Council and help MS to form an opinion. COM invited stakeholders to send comments in writing.

Comments and questions raised

On UECBV question regarding deadline for comments COM confirmed that it is mid-July.

EUROGROUP for ANIMALS asked on possible implications of no agreement in the Council since it seems that the MS opinions are far from each other.

COM underlined that the mentioned study should bring clarity and steer the discussion. COM stressed the importance of stakeholders' views on the study.

Study on the labelling of products from cloned animals and their offspring

COM stated that the study was carried out by an external contractor (ICF international) in 2015.

COM outlined the implications of the study results for livestock breeding and reproduction and presented four core components of a system capable of supporting the labelling of food products derived from clone offspring, notably ancestry recording in livestock breeding, individual animal identification, information on cloning status passed forward through the supply chain and verification mechanism.

COM summarised that for the livestock sector additional operating costs imposed on EU livestock production could be €800 million per year with the figure rising to more than €10 billion a year if a verification system based on DNA profiles was introduced. Pig sector and, to a lesser extent, sheep production, would be most affected. Additional costs would be incurred in EU food processing and manufacture. Trading partners would also face significant costs in meeting EU requirements and upgrades information systems would also be needed – costs that would mostly fall on public authorities. As regards the implications for the food supply chain, considerable investments in traceability and/or segregated supply chains would be necessary.

 View presentation

 View report

Comments and questions raised

UECBV stated that the cloning technique is not used for producing meat so the meat sector is not concerned.

BEUC asked why this specific study only takes the negative scenario considering the high costs for all sectors if in fact given the limited market only the small sector would be considered. BEUC stressed the consumers' right to get the correct and complete information and suggested to have a study focused on implementing system for labelling of offspring at least for cattle for which the individual identification is in place already.

COM stated that study has been finalised and cannot be modified at this stage; but all observations and comments are welcome.

7. SECOND REFERENCE DOCUMENT BY THE EUROPEAN SOCIO ECONOMICS BUREAU (ESEB): FRAMEWORK FOR ASSESSING THE SOCIO-ECONOMIC IMPACTS OF BT MAIZE CULTIVATION

COM (JRC) briefly presented the mission of the European GMO Socio-Economics Bureau (ESEB), its mission and outputs in the form of reference documents

containing topics and indicators along with methods to estimate the impact of GM crop cultivation in all sectors of the EU economy/society.

Further COM (JRC) listed the different steps in the procedure for the Bt maize Reference Document accompanied by a timetable.

COM (JRC) presented the scope of the reference document including the impacts in the EU of cultivation in the EU, methodological guidelines and data sources, and a catalogue of topics, filtered by the following criteria i) measurable indicators, ii) plausible casual impact mechanism, iii) sound methods to assess the impact. Regarding the methodology for assessment, COM (JRC) explained the approach and methods and data sources used on the level of farmers: statistical techniques, farm surveys, field trials, modelling, on the industries level: complex models, primary and secondary data, segregation, on the level of consumers: stated and revealed preferences.

COM (JRC) further explained the various effects on crop farming for adopters and non-adopters as well as outside the crop farming sector including upstream and downstream industries, consumers and government.

COM (JRC) underlined that more than 30 topics and 100 indicators have been identified along with methodological recommendations.

COM (JRC) concluded with examples of evidence already available including adoption rates, typology, income effects, efficiency, as well as crop rotation, crop protection spillovers & opportunity costs for non-adopters, seed industry revenue, imports, animal health, and consumer prices (evidence mostly from Spain and a few other MS as well as the USA).

View presentation

View report

Comments and questions raised

FEFAC underlined that the cultivation of Bt maize, by reducing mycotoxin levels, could have a beneficial effect not only on animal health but also on food safety.

EUROPABIO welcomed the pure scientific approach of the document and stated that it has no regulatory purpose. According to EUROPABIO it would be useful to give more details in the next reference document on the opportunity cost of non-cultivation and lacking authorisation.

COM confirmed that the document has no regulatory purpose but can be used by experts and the administration to assess the impact at European or national level.

8. COMMISSION NOTICE ON FOOD SAFETY MANAGEMENT SYSTEM INCLUDING HACCP

The Commission presented the upcoming Commission notice on the implementation of food safety management systems covering prerequisite programs (PRPs), procedures based on the HACCP principles, including the facilitation/flexibility on the implementation in certain food businesses. The aim of the document is to better explain the link between PRPs and HACCP, to achieve a

more harmonised implementation of PRPs and HACCP and to better clarify the flexibility. The document went through two rounds of consultation of the Member States and all members of the Advisory Group.

In addition the Commission announced the creation of a web platform with links to EU and national guidance on food safety management systems, PRPs and HACCP. It also informed the meeting on a mandate to EFSA for an opinion providing guidance on the hazard analysis (part of HACCP) for certain retailers.

 View presentation

Comments and questions raised

FOODDRINKEUROPE very much welcomed the platform and asked if it would be publicly accessible which was confirmed by COM.

EDA underlined the importance of the Commission notice and referred to some comments sent the day before, mainly related to concerns on the use of the wording "risk" and "hazard" in the Commission notice.

COM referred to its consultation process but indicated to be willing to carefully consider the comments and, where appropriate, to replace the wording.

9. PROCEDURE TO POPULATE ANNEX III OF REGULATION (EC) 1107/2009 WITH UNACCEPTABLE CO-FORMULANTS FOR PLANT PROTECTION PRODUCTS

COM briefly outlined how the Annex III of Regulation (EC) 1107/2009 is set with regards the unacceptable co-formulants for plant protection products (PPP) and provided information on the ongoing discussion between COM, EFSA and MS. COM stressed that at present no final decision has been taken yet.

Regarding PPP these are formulated products based on active substances together with co-formulants that are chemical substances with no biologically active role but improving the formulated products. COM explained that all these components; active substances as well as co-formulants are regulated in the legislation. Formulated products have to be authorised followed by a risk assessment and risk evaluation at zonal level.

COM highlighted that COM was mandated by Art.27 to set a list of unacceptable co-formulants as Annex III to Reg. (EC) 1107/2009. These unacceptable co-formulants, or their residues cause a risk to human or animal health or to the environment, including ground waters.

COM stated that to implement the setting of Annex III, a working group on co-formulants was established with MSs, EFSA and COM to discuss criteria, risk assessment scheme and procedure. The working group drafted the working document (tabled before the presentation) with the following key decisions: i) Criteria in line with those provided for Active Substances, ii) Keep Annex III entries proportionate and simple, iii) Take advantage of existing data, iv) Specific products/conditions of use dealt with at zonal level

COM further presented more details on the criteria, a tiered approach with three tiers and a suggested procedure for the identification of unacceptable co-formulants.

COM concluded the presentation with outlining the next steps, namely the consultation of the stakeholders (working document available for stakeholders' comments by 30 May 2016), drafting of an implementing act to set detailed rules for Annex III, setting Annex III (MS to identify the candidates by end of April 2016) followed by a discussion and vote in the standing committee in the last quarter of 2016.

 View presentation

 View discussion paper

Comments and questions raised

ECPA expressed its dissatisfaction about the fact that the working document was not circulated in advance and the time available for comments is rather short. ECPA asked why the focus is on the inclusion of negative co-formulants despite all the difficulties it could bring in the filing in the Annex III although it should be proportionate and simple. ECPA stated that many commercial co-formulants could be impacted with a long time needed to reformulate and resubmit for the authorisation and asked why no impact assessment (IA) has been carried out.

COM agreed that the timeline is very tight but pointed out the fact that this issue is not on the table for the first time. Regarding the entry into force of the implementing act COM ensured that the implementation will take into account all the provisions set down in Reg. (EC) 1107/2009 including the transitional period.

On ECPA' s question on the entries into Annex III, COM replied that the entries will be based on chemical names, not commercial names of co-formulants. COM invited ECPA to discuss further the details bilaterally if needed.

ECCA asked about the element of risk assessment. It stated that COM should avoid extrapolating a mistake made in active substances to co-formulants by having hazard-based criteria. ECCA also asked about the impact assessment not only on the socio economic impact but also on the COM workload since it seems that the work on Annex III would create an enormous workload.

Regarding IA COM stated that the formal IA is not needed since, according to the list of substitute candidates identified by the national experts no huge impact is foreseen. National lists already exist and are being implemented. In case a new unacceptable co-formulant is identified the system will provide the industry with the necessary transitional time.

The Chair encouraged the stakeholders to provide their input and comments in writing within the given deadline.

10. ROADMAP FOR THE FOLLOW-UP OF EFSA SCIENTIFIC OPINIONS ON THE RE-EVALUATION OF PERMITTED FOOD ADDITIVES

COM briefly presented the follow up of the re-evaluation of food additives.

Firstly, COM gave a short overview on the state of play. The re-evaluation programme which was required by the EP and the Council was established by Commission Regulation (EU) No 257/2010, in accordance with Regulation (EC) No 1333/2008. It contains procedures as well as the timeline outlining the re-evaluation of all additives authorised before 20 January 2009 as follows: colours to be re-evaluated by 31.12.2015, sweeteners to be re-evaluated by 31.12.2020 and all other additives to be re-evaluated by 31.12.2018.

The re-evaluation is done by EFSA. With regard to the procedure COM outlined the specific steps EFSA shall follow when re-evaluating an approved food additive, notably a) examine the original opinion and the working documents of the Scientific Committee on Food ('SCF') or EFSA; b) examine, where available, the original dossier; c) examine the data submitted by the interested business operator(s) and/or any other interested party; d) examine any data made available by the Commission and Member States; e) identify any relevant literature published.

COM further explained that EFSA shall make open call(s) for available data and if needed ask for additional information from the interested business operators. Where the requested information has not been submitted to EFSA within the set deadlines, the food additive may be removed.

COM presented the state of play of re-evaluation by means of the recent figures.

COM highlighted that so far EFSA has not identified a major safety concern (such as a proven carcinogenic or genotoxic activity) for any of the re-evaluated food additives and in many cases EFSA re-confirms the safety of the food additive at its currently reported use and use level. However, for some additives EFSA has identified issues that require a follow-up.

COM further detailed specific approaches for the follow up regarding EFSA re-evaluation opinions as well as the approach for communication to, and consultation of, business operators.

COM stressed that most issues raised by EFSA in the re-evaluation are additive-specific and therefore the follow-up should be additive per additive and listed food additives whose re-evaluation follow-up will start first.

COM concluded the presentation by informing the participants that by the end of May the web page dedicated to the follow-up of the re-evaluation programme is expected to go online. It will be linked to the current DG SANTE's Additives (Food Improvement Agents) section, where the follow-up of EFSA's safety re-evaluation of individual food additives will be regularly updated.

View presentation

Comments and questions raised

COM confirmed to CEFIC that the mentioned website will be publicly available but no notification system is foreseen.

On AESGP's question about timing COM explained that after publishing the EFSA opinion, the conclusion of COM will be published as soon as possible but COM cannot give the exact timing.

11. GUIDELINES ON THE LEGAL STATUS OF FORMER FOODSTUFFS FOR FEED USE

COM shortly presented the Circular Economy Package adopted by COM in December 2015 and its parts, Action plan on communication, the list of follow up initiatives and the legislative proposal on waste.

COM explained that under the revision of the Waste Directive in the clarification on scope, former food for feed is no waste. Pending the entry into force of the revised Waste Directive COM is planning to elaborate a guidance for the facilitated feed use of former foodstuff.

COM stressed that the assessment of the respective problems in practice will deliver the options to envisage. COM highlighted that the input from all stakeholders will be crucial to produce a valuable document. With respect to the feed industry, concrete cases from the interface with the food and retail sector would be appreciated.

Based on the stakeholders' contributions, COM would then tackle the issues with the national authorities.

The main issues for which COM would like to receive input from the stakeholders are: What are the obstacles for the food industry to send more by-products and former food to the feed chain? How can the retail sector be encouraged to divert more into the feed chain? Dissemination of best practices? Knowledge gaps in the food industry/food retail sector and need for training/information campaign?

COM further presented the timeline of the initiative and invited the stakeholders to contribute.

 View presentation

Comments and questions raised

FEFAC welcomed the initiative and believes that it would steer a discussion on where the feed chain starts regarding the food feed conversion since this is not clear and differs in EU countries. FEFAC informed participants on the guide on good manufacturing practices the European former foodstuff processors association (EFFPA) is currently working on.

On FEFAC's question whether the first version will be available after summer, COM replied that it would be available in September based on the stakeholders' contribution and discussion with MS.

As to FOODDRINK EUROPE's request whether there is a template to be filled in for input, COM confirmed that it will provide an explanatory email with further details and circulate it to participants after the meeting.

EUROCOMMERCE welcomed the initiative and asked about possibilities to comment on the draft document.

COM stressed the bottom up approach and the importance of the stakeholders' input.

CEFIC welcomed the initiative that would help solving the existing problems on former foodstuff to be used as feed material. CEFIC asked whether the guidelines which will be based on the current legislation will be regularly updated with the legislation revision. CEFIC mentioned that one of the main obstacles to use former foodstuffs is the current feed ban which bans the use of former foodstuffs containing animal protein as a feed.

COM agreed that the guidelines will be a living document and invited CEFIC to provide the mentioned comments in writing.

12. ANY OTHER BUSINESS

EU Guidelines on Good Practice for slaughter hygiene

UECBV presented the work of the working group on slaughter hygiene on the EU guidelines for good practices for prevention of faecal contamination and digestive tract contamination at slaughterhouses.

UECBV informed participants about the timeline, the meetings that took place in 2015 and the ones scheduled for 2016 including the meetings with SANTE F Directorate, and the planned consultation of stakeholders in July-September. The Guideline should be validated by COM before the end of 2016.

UECBV further detailed the general pre-requisites and SOP as well as the trend analysis.

UECBV stressed that the main aim of the guideline is to raise the bottom level and to ensure the practical interpretation of the hygiene package to align the interpretations at local or national level.

UECBV concluded that the focus is on development and sharing good practices.

View presentation

For information

UECBV informed participants about the **Conference "Authenticity and Integrity in the food chain"** scheduled for 24 June 2016. The conference is jointly organised by DG SANTE, CELCAA, EUROCOOP and UECBV. It will be arranged in five sessions focused on Targeting counterfeit and substandard foodstuffs, EU and members States policy, Consumers' expectations, the food authenticity/integrity – analysis techniques, FBOs action plan (Traceability, Transparency, Trust). The participation in the conference is free but the registration is required:
http://ec.europa.eu/dgs/health_food-safety/dyna/meetings/index.cfm

The Chair informed participants on the upcoming meeting of the Advisory Group working group **Animal Health Advisory Committee (AHAC)** scheduled for 17 June 2016 with focus on the new Regulation (EU) 2016/429 on transmissible animal diseases ("Animal Health Law").

The Chair reminded the members that the next **Advisory Group plenary meeting is scheduled for 25 November 2016**, thanked all participants for their constructive contributions and closed the meeting.