



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

21 NOVEMBER 2019

Summary Record

**1. WELCOME AND OPENING BY MR MATTHEW HUDSON, ACTING DIRECTOR,
DIRECTORATE FOOD CHAIN: STAKEHOLDER AND INTERNATIONAL RELATIONS**

SANTE Acting Director of Directorate D (Food Chain: stakeholder and international relations) opened the meeting and welcomed the participants. The Chair stressed the importance of the Advisory Group for DG SANTE and informed participants that, despite the change of Commission, there are no significant organisational changes foreseen within DG SANTE. Chair then presented the agenda, highlighting the slightly different structure. He assured stakeholders that DG SANTE does its utmost best to accommodate to the maximum the different stakeholder requests.

Chair further gave a brief overview of the timeline and reminded participants that the meeting is recorded. He also informed participants that colleagues of Directorate F, located in Grange, would follow the proceedings via videoconference. Chair then introduced the first item on the agenda, namely Green Deal and Farm-to-fork, which is one of the key items within the mission of DG SANTE under the new Commission. He concluded by expressing his pleasure at the opportunity for DG SANTE to share the current thinking on this topic and to receive feedback from the participants.

2. GREEN DEAL AND FARM-TO FORK

COM started by thanking stakeholders for their interest in this topic and for the possibility to have this exchange on Green Deal and the Farm-to-fork approach for the transition to food sustainable systems in the Advisory Group at this early stage. COM reminded participants that this is the point of departure for COM's future strategy and that it is widely recognised that in the last two decades COM developed a comprehensive acquis of legislation in the area of food with the key priority to ensure a high level of food safety. In addition, EU food safety standards are internationally recognised in international fora, third countries and Codex Alimentarius and COM's scientific advice is considered an example in third countries.

COM highlighted that the EU had a leading role in the development of the Sustainable Development Agenda and that food is a factor in at least 17 SDGs. COM referred to the Reflection Paper on Sustainable Europe¹ in which COM already

¹ https://ec.europa.eu/commission/sites/beta-political/files/rp_sustainable_europe_30-01_en_web.pdf

addressed concerns related to sustainability. COM is in the process of devising a strategy, but the issue is not entirely new. COM stressed that it is the first time that sustainability of food systems is part of the political agenda and the priorities of the Commission.

This is explicitly mentioned in the political guidelines of the President-elect and in the mission letters. It was announced that the European Green Deal would be proposed in the first 100 days and the President-elect acknowledged that there has been an urgent need to preserve the vital work of the farming sector in order to provide Europeans with nutritious, affordable and safe food, whilst ensuring a decent living for farmers and their families. Consequently, a new farm-to-fork strategy would have to be proposed on sustainable food along the whole value chain. One of the assigned tasks of the new Commissioner-designate for Health and Food Safety is to lead on the new Farm-to-fork strategy, which would cover every step of the food chain, from production to consumption as well as serve the objectives of the circular economy. The strategy should be a combination of regulatory actions and non-regulatory actions.

COM stressed that the success of this strategy would depend on the engagement and commitment of all relevant actors, both private and public at all levels – the process must be very inclusive. COM also reminded participants that - as part of the farm-to-fork strategy – DG SANTE also needs to work on Plant Protection Products, reducing pesticides, endocrine disruptors and improving consumer information in order to empower consumers to make choices that are healthy and sustainable.

COM further elaborated on the main challenges and trends in the area of food systems. It highlighted challenges at farm, distribution and consumer level, which at times can be conflicting and paradoxical. It also elaborated on a graphic which aim is to clarify the meaning of ‘food systems’. The current discussions were taking place on the basis of the concept of ‘food systems’, looking into their environmental, social/health and economic dimensions.

FAO defines sustainability as follows: “a sustainable food system is a system that can ensure healthy food that comes from a healthy planet as well as food security and a healthy diet that is affordable to everyone”. The best way to achieve these goals is through a transition period. COM explained that internal discussions within the Commission were currently ongoing - MSs and stakeholders would also be consulted in the near future – on which tools to use to enable the transition. COM then listed the horizontal enablers. In terms of more specific actions, COM stressed that presently it was not in a position to announce what the strategy and accompanying action plan would contain. Nevertheless, actions will be discussed to identify what initiatives to undertake across the food chain.

As regards the timeline, COM informed the stakeholders that the Green Deal will be published shortly after the appointment of the new Commission and will consist of different working strands, more specifically the EU Climate Pact, Biodiversity 2030, Circular Economy, Zero Pollution and Farm-to-fork. Farm-to-fork is not one of the deliverables of the first hundred days, but COM expected it to be delivered in the second quarter of 2020. As regards discussions, an opinion from the SAM is expected in March 2020, preceded by a stakeholder consultation in February. In the second half of January 2020, COM will hold a workshop with MSs to discuss the big building blocks of the strategy.

The Chair emphasised the timeliness of the presentation of this fast-moving topic.

Comments and questions raised

FVE expressed thanks for COM's overview and commented that as it is very focussed on Circular Economy. FVE also stressed that COM has put emphasis on welfare, but that, in its opinion, health and welfare of livestock are interconnected and imply a reduction of AMR. FVE further enquired whether Farm-to-fork is considered one of the Green Deal pillars.

FESASS supported FVE's view on the link between animal welfare and animal health, but did not consider animal welfare to be directly linked to sustainability. FESASS expressed disappointment at the fact that animal health is not more included in HorizonEurope, even though it was a factor in the climate change. FESASS asked how COM envisaged the place of animal health within research.

AVEC thanked COM for the comprehensive overview and commented that, in comparison with the rest of the world, the EU is already very sustainable. AVEC also emphasised the importance of defining the meaning of sustainability from the start, as it can mean different things to different people, e.g. organic production is generally considered sustainable even though more land and water is needed. It further highlighted the role of consumers' empowerment and the importance of both politicians and consumers making decisions on a more informed basis, and urged COM to base its work on science.

In response, the Chair invited stakeholders to share their views on the definition of sustainability. The presentation clearly showed that there are tensions between different aspects. In the past, the discussions concerning food safety involved certain trade-offs, but the difference at present - evident in the mission letter and ambitions of the von der Leyen Commission - was the broadened scope and consequently the heightened number of factors to take into account.

AVEC recognised that COM is facing a substantive work of creating the secondary legislation. It commented that sustainability is also included in the trade legislation and stressed the importance of a comprehensive understanding. AVEC added that the poultry sector has legislation related to welfare and that COM should be careful not to impose too many requirements that are not viable to achieve, as this could put the European poultry sector at risk of going out of business. Nevertheless, AVEC stressed their willingness to cooperate with COM and referred to the European poultry sector as a good example of Farm-to-fork.

FEFAC expressed their pleasure that DG SANTE holds the leadership position on sustainable food systems and said it would welcome an in-depth investigation of core elements of sustainable nutrition through stakeholder and MS activity. It asked how to set up a framework to identify robust indicators of sustainable food systems. Sustainability is a journey, which means continuous improvement. FEFAC enquired about the interconnection with DG ENV, which plays a key role in sustainability, and about DG SANTE's view on the articulation of coherencies between different policies. FEFAC further expressed their support for DG SANTE in this endeavour and said that as a sector it is committed towards carbon neutrality. In terms of the initial steps COM is building on, FEFAC believed that the resource efficiency agenda was extremely useful and wondered whether this can be further exploited. Finally, FEFAC asked COM whether, following the recent success of the one health approach, it has considered a one nutrition approach. FEFAC felt that it would be beneficial to create a platform to bring nutritionists and scientists from different sectors (animal, plant and human nutrition) together for debate.

The Chair commented that it is important to understand that even though DG SANTE is the lead DG for Farm-to-fork, it will draw together actions from across the Commission, involving a number of other DGs.

FEFANA endorsed FEFAC's comments and underlined that the feed industry is making a great contribution to sustainability in terms of increasing feed efficiency, reducing emissions, strengthening animal health and maintaining animal welfare. Results of a survey held the previous year amongst their members, showed on average member companies invest 10 to 20% of their annual turnover in R&I. FEFANA expressed concern that due to prolonged authorisation periods for innovative products, an increasing number of members is moving R&I into third countries, where market access is faster and location more convenient to cover different parts of the world. Therefore, FEFANA asked COM to look more deeply into this issue and investigate what it can do to help the industry bring innovative products that contribute to the strategy, on the market faster.

The Chair took good note of this concern and said COM would welcome input from FEFANA on how it envisages achieving this.

ENA commented that the Green Deal is a good opportunity for the EU, but stressed that primary production does not only concern food, but also plants. Nurseries produce many different species of plants, which contributes to biodiversity as well as climate change mitigation. Therefore, ENA asked COM to take nurseries into consideration in the Green Deal.

COPA referred to the mission letter to Commissioner Kyriakides while answering the statement from Ms Nikolakopoulos, more specifically to the work on PPPs and consumers' empowerment to make sustainable and safe choices. As regards sustainability, COPA stated that farmers are already applying Integrated Pest Management, as set out in the Sustainable Use Directive, with the use of chemicals as a last resort. However, it remarked that some alternatives, especially low risk substances and biocontrol, are stuck in the authorisation process, due to MSs blocking the quick authorisation process. COPA ensured that it is fully committed to sustainability, but needs the necessary tools. As regards safety, COPA emphasises the importance of DG SANTE's support to EFSA by allocating as much resources as possible, as its work is highly valuable to all stakeholders in the fields of pesticides and food safety. Finally, COPA reminded COM to do adequate risk assessment and to ensure to include all risk concepts, i.e. both hazard and exposure, not only hazard. On the international side, COPA said that even though the EU has one of the safest food systems in the world, third countries do not necessarily have the same standards and use active substances that are not authorised in the EU. This is important to consider in international trade as it can hamper the competitiveness of EU farmers.

FoEE welcomed the fact that COM was looking more systematically on how to make the food and farming sector more environmentally friendly and how to identify the synergies and links between the different pillars. Presently, the CAP reform includes some criteria for the improvement of biodiversity, but in parallel, there is the ongoing biodiversity legislation. FoEE further stated that it would be happy to contribute in the consultation and that, in their opinion and after having reviewed the first SAM report, it goes in an interesting direction. Nevertheless, FoEE did not agree with previous comments that the European food system is sustainable. There is international evidence that farming and food production is contributing to the climate crisis and current responses are not sufficient. For this reason, FoEE

stressed its interest in contributing to COM's initiative. As regards Farm-to fork, FoEE said that it expected clear indicators from the COM side. FoEE further asked to clarify the process of the upcoming Farm-to-fork consultation.

The Chair clarified that the consultation would cover all aspects. The Green Deal will be published in the first 100 days. As regards Farm-to-fork, it is an ongoing process of which some of the steps are outlined in the presentation. He confirmed that it is a comprehensive document and will include actions. The Chair further reiterated the importance of stakeholder input.

ARCHE NOAH welcomed the Farm-to-fork strategy and expected it to address not only existing difficulties, but also traditional and locally adapted varieties to access the seed market. It should also address the systemic problems that have led to the decline of biodiversity. ARCHE NOAH further stated that there are systemic problems that create roadblocks for seed savers in general. It also believed that the strategy should address complexity through the systems approach and not rely on uncertain technological fixes. ARCHE NOAH stressed that, in their opinion, the strategy should support biodiversity farmers, whose innovation is not recognised enough by currently applicable laws and regulations. To that end, ARCHE NOAH would welcome if the new terminology adopted (pathways, transitions, systems approach) will lead to more support in transdisciplinary research projects in the R&I pillar.

PAN Europe endorsed FoEE's comment on indicators and asked if there will be a reduction target for pesticides and the inclusion of alternatives and modified agronomic practices in the Farm-to-fork strategy. PAN Europe stressed the urgency of the issue and the need for a strong commitment.

The Chair replied that at present, COM is not yet in a position to confirm what will be included in the strategy. Nevertheless, he stressed that all input is welcome and invited the stakeholder to share their ideas in writing.

FRESHFEL expressed its commitment and that this topic had already been high on their agenda. It confirmed that it will send in a written contribution. It also expressed support for COPA's comment regarding COM's zero pollution ambition. FRESHFEL stated that it supports COM's strategy to remove all active substances from the EU market. Nevertheless, FRESHFEL stressed that alternative solutions are necessary, e.g. new breeding techniques, and that other parts of the legislation can be improved to achieve more sustainable goals. FRESHFEL further stated that it supports all points of the mission letter. In reaction to COPA's comment on the use of active substances by third countries, FRESHFEL highlighted that even though these substances might not always be authorised in the EU, they fulfil MRL requirements and reminded that we should not only look at import, but also at the export of EU products to third countries.

EUROCOMMERCE welcomed DG SANTE as the lead on this important file and expressed its willingness to be involved in the development of a strategy. It expressed support for AVEC's comment about informed decisions. EUROCOMMERCE further referred to the food waste platform as a good example of positive dialogue, in part due to the identification of regulatory bottlenecks and stressed that this is an important aspect to make the transition towards sustainable food systems. On R&D, EUROCOMMERCE commented that it is important to have a broader view and that from a consumer point of view, it supports further research on social science and behavioural changes. EUROCOMMERCE concluded by highlighting the importance of the digitalisation agenda.

ECPA said to be pleased that COM is committed to work on the issue of sustainable food production and underlined the necessity for a holistic approach.

Europabio expressed concern that the potential of biotechnology was not addressed in COM's presentation and enquired whether COM will do its utmost best to facilitate and enable a proper adoption of biotechnology in Europe.

EU Specialty Food Ingredients enquired whether, besides close cooperation with other DGs and units, COM also considers the involvement of the European Parliament, more specifically the Science and Technology Options Assessment (STOA) system, which in 2014 published an interesting report on technology options for sustainable food processing. EU Specialty Food Ingredients recommended considering this report when starting reflections on sustainable food systems and innovations.

FOODDRINKEUROPE welcomed DG SANTE's leadership and the comprehensive overview and confirmed that it will share input on sustainable food systems with DG SANTE in the coming months. It further asked how DG SANTE sees the inclusiveness and broadening of the dialogue, mentioned in the presentation, and whether there are some forums/platforms foreseen for these discussions. As regards the strategy, does COM foresee consultations in a more structured way?

Eurogroup for Animals supported FoEE's comment that the current food system is not sustainable and underlined it is necessary to change the way food is produced and consumed. It further enquired about the interaction between Farm-to-fork and the Circular Economy. Eurogroup for Animals mentioned that, in its opinion, one potential solution is to make the food production and consumption more circular.

UECBV supported previous stakeholder comments about the importance of resource preservation and keeping nutrients in the food chain. It also mentioned food waste and animal by-products and how to use these better and in a safe manner, taking into account risk assessment and innovation. UECBV also endorsed FEFAC's comment on the creation of a platform to bring experts from different sectors together.

IFOAM EU Group underlined the importance of a holistic approach. It further commented on the true cost of producing food, e.g. an agricultural practice may use more water, but if the benefits are tangible, it is important to consider it in that context. IFOAM EU Group supported FoEE and Eurogroup for Animals's comments that the EU is not sustainable. It further emphasised that indicators and targets are extremely important to develop a strategy.

Euroseeds welcomed the initiative and expressed its willingness to contribute. It highlighted that there are currently several EU technology platforms as well as a newly created group, which could provide valuable input.

PFP said it will send their written contribution as soon as possible and asked COM to elaborate on how it sees the Farm-to-fork strategy fit in with the common agricultural policy. (CAP).

EFPRA endorsed the comments made by AVEC and UECBV that the process of developing a strategy should be science-driven and suggested that this could be included in the presentation. In the presentation, COM referred to a report of the Scientific Advisory Mechanism, to be released in March 2020. EFPRA ask to clarify who is involved in this and what the link is with EFSA.

COM thanked stakeholders for their constructive contributions.

As regards the consistency with the other work strands such as the Circular Economy, Green Deal and Biodiversity, COM said it is looking with the concerned colleagues to ensure that the right issue is addressed in the appropriate work strand. There are overlapping issues and inconsistencies should be avoided, but COM ensured that every issue related to food will be included in the Farm-to-fork.

On the topic of the CAP, COM said that it is an important part of the Farm-to-fork and that timing is an important factor. There are elements/instruments of the CAP that fit in well with the Farm-to-fork. For COM, the difficulty is what happens in the Council: MSs are watering down elements of sustainability included in the Commission proposal. In the context of the negotiations, COM will discuss with MSs and the Parliament how to better integrate the Farm-to-fork in the CAP and once adopted, the national action plans should seek to achieve sustainability.

In reply to EFRA's question, COM explained that the SAM is a scientific advisory mechanism at EU level (managed by DG RTD) and is not limited to the area of food, but provides any kind of scientific advice. The SAM's mandate does not overlap with food safety. EFSA remains the scientific European body that DG SANTE uses to deliver legislation in the area of food safety.

On a general note, COM said that its impression of the discussion was good and reiterated that this is a big challenge for DG SANTE. The way of working and thinking constantly evolves and SANTE encounters both different mind-sets and shared visions in its discussions with other DGs. COM emphasised the importance of stakeholder support for its vision during the discussion – it is a big achievement – and said all comments and/or bilateral discussions are welcome.

The Chair stressed the tight timetable and the importance of concrete feedback.

3. FOOD FRAUD

COM gave a comprehensive presentation on food fraud and DG SANTE's ongoing work and outlined the basic principles and the legal framework of food fraud (as listed in the presentation).

COM explained its new scope of action deriving from the Official Control Regulation (e.g. food and feed, GMO, animal health, organic products, plant products, pesticides, animal welfare ...) and informed about the administrative definition of food fraud now included within the IMSOC Regulation (violation of EU rules, intention, economic gain and deception of customers). This new framework will help MSs to share information and strengthen cooperation on non-compliances as well as on food fraud related issues.

COM further elaborated on its current work and explained how it gathers information through different sources such as IMSOC (TRACES, RASFF and AAC), stakeholders, industry or consumers to identify trends, emerging issues and assist MSs in their duties. In case of suspicion of a cross-border event or in case of involvement of a third country, COM can step in to help the MS and assist in the investigation.

Also, the EU Food Fraud Network (FFN) created in the aftermath of the horsemeat scandal - consisting of the 28 MSs, EFTA states, Europol, JRC, OLAF and Interpol - now meets four times per year to discuss food fraud issues: (two plenary meetings + two webinars). Finally, COM remains engaged (since 2013) with MSs in OPSON operations, a Europol and Interpol joint initiative to target fake and substandard food and beverages.

In conclusion, COM presented a list of possible actions that could help continuing to prevent and combat food fraud (see presentation).

Comments and questions raised

The Chair commented that the work on food fraud, even though not very visible, is necessary to ensure that the regulatory systems put in place by COM, perform adequately. He further remarked that when developing the Farm-to-fork strategy, it is equally important to ensure that the rules and regulations that will be put in place are enforceable and leave no room to facilitate fraud.

In view of the OCR, COCERAL enquired if a legislative framework will be put in place regarding food fraud. It also raised a concern about the use of plant protection products in third countries, which could lead to an exceedance in MRLs and the risk that substances used in third countries could fall under the food fraud definition. A flexible approach and discussions with the competent services are necessary to address this gap in the legislation. Finally, COCERAL asked if in the future COM would work on a framework regarding bioterrorism.

FVE enquired if COM can provide statistics on the trends and the number of notifications received in the last ten years.

FESASS asked if the new OCR would try to improve the harmonisation of penalties between MSs. It further raised a concern regarding food fraud/bioterrorism via internet and the management of this risk. Finally, FESASS asked if, in order to tackle the problem of the motivation of police services to fight food fraud, COM works with national institutions.

AVEC agreed that there should not be any flexibility in the interpretation of the EU legislation and stressed the importance of compliance. It further asked COM to elaborate on the development for tools for the rapid alert system for food business operators.

EUROCOMMERCE asked about the timeline to give feedback on the food fraud strategy. It commented that it is important to fight the criminals and not to overburden law-abiding food businesses in the process. EUROCOMMERCE emphasised their request for timely information and inclusion in the debate.

On the timeline, COM said that a stakeholder consultation will take place, but how remains to be seen with the new Commissioner.

In reply to AVEC, COM said that food fraud does not only concern criminals, but also normal businesses who use prohibited substances without realising that these are prohibited in the EU. COM systematically writes to third countries to request investigation of suspicious cases.

As regards the definition, COM said that, in its view, administrative reporting should be widened to the industries and this will be part of the discussion on the strategy. COM emphasised that collaboration is a key element and said that it already shares information with stakeholders, especially concerning new food fraud trends.

For COM, 'bioterrorism' or 'food defence' is not to be confused with 'food fraud' where there is needs to have some sort of economic gain/advantage. COM assured stakeholders that it is working on 'bioterrorism' it in collaboration with other DGs, but that DG SANTE is not the lead on this topic.

As regards the question on e-commerce, COM said that it is one element in the fight against certain forms of food fraud. There are already specific actions, which are increasingly coordinated. MSs requested COM to take the lead on the e-commerce

group concerning concrete operations to fight internet food fraud. DG SANTE and DG JUST are working closely on this issue.

On FESASS's question about the harmonisation of penalties in MSs, COM replied that it made different attempts to collect information from the MSs, but that it remains a difficult topic. COM further said that the next step of the strategy is to create a public database concerning the sanctions, applied in different MSs. The work is ongoing and preliminary results will be presented in the next EU food fraud meeting on 25 November.

Concerning cooperation with police, COM said that it is the core business of unit G5. Trainings are organised in cooperation with Europol and institutes are being more involved. JRC provides scientific support to build the network with the laboratories and its objective concerning the early warning system is to share this information with the stakeholders.

4. UPDATE ON THE TRANSPARENCY REGULATION

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

In view of its publication on 6 September 2019, there is now a clear deadline for the entry in application, namely 27 March 2021, for all items that are of main concern to the stakeholders. The only exception is the new EFSA MB, which will take over as of 1 July 2022. COM further reminded participants that will be transitional measures to take into account.

COM informed stakeholders that, as regards the budget, there is no progress. Budget negotiations are still ongoing in the context of the new Multi-Financial Framework programme (MFF). However, there is no separate budget line in the MFF for EFSA, only a global one for agencies and it remains to be seen how this global envelope – once agreed – will be distributed among the different political priorities. EFSA will receive a first tranche of 20 million EUR to start preparations in the course of next year (2020) and the rest of the allocated resources will follow in the consecutive years.

COM emphasised the close cooperation between COM and EFSA and outlined the next steps for both parties.

From COM's side:

- ✓ Administrative and legal work to align existing COM guidance/implementing acts in sectoral legislation to the new rules
- ✓ Adoption of the general plan on risk communication (IA): no deadline, but COM aims for adoption in 2023
- ✓ Adoption of standard data formats for applications (IA): very technical work for which COM waits for EFSA input – no deadline
- ✓ Carrying out the fact-finding missions (within 4 years of entry in application, i.e. 2021-2025): due to limited resources, it is important to develop a risk profile of the laboratories and a method to select those most likely to be non-compliant
- ✓ Ensuring a smooth transition to the new EFSA MB: COM asked stakeholders to consider participating in the Call for Membership of the new MB to represent their interests, when launched.

From EFSA's side:

- ✓ Drafting standard data formats
- ✓ Working on guidance documents in close cooperation with COM and in conformity with the new transparency rules
- ✓ Preparing a smooth transition and ensuring a sufficient number of experts for the panels: MSs need to motivate national experts to come forward as candidates for the panels.

COM stressed that there is a lot of preparatory work ongoing, which will be presented to stakeholders for input in due course, and further invited participants to send in written comments, questions and/or concrete proposals.

COM explained that its main political priority is to meet the deadline of March 2021. Once it has reached this objective, it can look at improving the systems and speed up the procedures.

Comments and questions raised

FOODDRINKEUROPE asked if there is a concrete timeline for the sounding board with stakeholders, which was announced earlier in the year.

CEFIC enquired whether COM and EFSA are talking to ECHA, who has a system in place for electronic submissions, about their working methods.

EU Specialty Food Ingredients asked about the Risk Communication Working Group, set up by EFSA to collect scientific evidence in support of the objectives and principles of RC, and its plan to present the results of its review of existing literature of case studies related to risk perceptions, and enquired if COM is involved in the coordination.

FEFANA asked for clarity on the timeline and the working of the sounding board and the technical groups between EFSA/individual stakeholders.

FVE enquired whether the selection process to replace EFSA MB members has already started and when it will finish.

In reply to FOODDRINKEUROPE and FEFANA's questions, COM said that it is cooperating with EFSA on a joint stakeholder engagement strategy. As regards the EFSA's sounding board and the establishment of technical groups, EFSA is taking the lead and is in the process of finalising it, but COM expects to come forward with exact timelines for stakeholder engagement in the first quarter of 2020. COM also informed participants that it is exploring the idea of creating a WG of the AG for early stakeholder engagement.

Concerning CEFIC's question, COM replied that EFSA is currently working on a pilot project with IUCLID, especially as regards to pesticides, but that the timeline for this project is not necessarily in line with the deadline of 27 March 2021. COM further added that, even though testing IUCLID, it is also exploring other existing systems to find the system that best meets the legal obligation. This could potentially mean the use of different systems for different sectors.

As regards risk communication, COM confirmed a close cooperation with EFSA. The WG that EFSA has established was part of its social science strategy and focussed on increased engagement of social science in RC within the remit of EFSA. Nevertheless, the work of this WG could be valuable in developing the general plan of RC.

In answer to FVE on the MB selection, COM explained that the call for the current renewal of 7 MB members for the period 2020-2022 was published and that COM finished the first selection phase. An inter-service consultation is currently ongoing and consequently a list of candidates will be presented to the Council, who is the Appointing Authority.

The Chair commented that DG SANTE works towards facilitating contacts between decentralised agencies.

5. UPDATE ON OCR

COM presented an update on the Official Controls Regulation, starting with a brief reminder of the EU legal framework on OCR, which contains two important pillars, namely the legislation on food hygiene (for Food Business Operators) and the legislation on official controls (for Competent Authorities).

COM explained why the new OCR was created. In 2009, it was determined that adjustments of Regulation 882/2004 were necessary:

- ✓ Simplification of the legal framework
- ✓ Clarification
- ✓ Consolidation of the integrated approach
- ✓ Expansion of the scope

The OCR has been adopted and published in 2017, but the main date of application is 14 December.

COM further gave a brief comparison between the current regime and the new OCR. The new OCR repeals 10 current EU acts, most importantly 882/2004 and 854/2004, and will modify 15 other acts. It is a single, harmonised, simplified and broadened legislative framework, even though it largely reiterates existing rules. COM highlighted the scope of the new OCR, which includes ten sectors instead of only four (in 882/2004).

COM listed the objectives of the OCR and gave a short state-of-play, highlighting the series of BTSF trainings that COM organised and will organise for the Competent Authorities.

COM gave an overview of the main principles of the OCR and outlined the structure of the new Regulation. It further elaborated on the state-of play of the list of adopted/published Delegated acts and Implementing acts under the OCR.

As regards the OCR versus Regulation 2018/848 on organic production and products, COM clarified that rules on OCR set out in Regulation 2018/848, apply in addition to (and not instead of) the OCR and explained that DG SANTE and DG AGRI work closely together to have a clear complement between DA and IA on OCR and the organic Regulation.

COM gave information on the OCR conference “Smarter rules for safer food and plant health”, which will take place on 13 December.

Comments and questions raised

FVE informed COM that it has a specialised WG, consisting of official veterinarians and auxiliaries of Competent Authorities, working on OCR and this group raised a concern regarding the current situation in MSs. A report by BEUC demonstrated that food checks are not performed well and that Competent Authorities are

understaffed. FVE expressed concern about the timeframe to transpose the new OCR Regulation and the capacity of Competent Authorities to train staff.

UECBV raised a technical question regarding the emergency slaughter of a bovine. Commission Delegated Regulation 2019/624, article 4 states that the ante-mortem inspection of the animal must be performed by an official veterinarian, as opposed to 854, which states that a veterinarian (e.g. the veterinary normally attending the farm) can perform the ante-mortem inspection. But in the OCR, Article 3, point 32), an “official veterinarian” is a veterinarian appointed by a competent authority, either as staff or otherwise, and appropriately qualified to perform official controls and other official activities in accordance with this Regulation.....”. Does this mean that the veterinarian normally attending the farm, also would be able to perform the AM inspection in the future? UECBV requested clarification on this matter.

FESASS supported FVE’s concern and enquired whether, in light of Brexit, and asked that COM be flexible with the MSs concerning the application of the OCR, because MSs will have difficulties to fulfil all the requirements. It further enquired if members of its organisation are allowed to participate in BTSF trainings.

ATA endorsed FVE and FESASS’s concerns about the readiness of veterinarians of Competent Authorities and added that it has the same concern regarding operators and the program TRACES that they will have to use. ATA asked if, in the future, COM will also organise BTSF training sessions for operators.

Chair informed participants that there is a separate point on IMSOC on the agenda and that any questions regarding TRACES can be raised at that time.

AVEC commented on difficulty for stakeholders to follow the process of the work.

UECBV enquired about the article on fees and transparency and whether COM will have a dedicated meeting and/or guidance on this issue.

Chair stressed that there is no transposition and reiterated that the vast majority of provisions remains the same: only the legal form has been broadened.

Regarding the concern raised by FVE, COM replied that it is aware of the issue and that COM organised specific audits in MSs. Following audits, Directorate F pointed out some cases of non-compliance and asked MSs to undertake corrective actions.

BTSF is the participation of COM in order to have the same harmonised high level of competence regarding official inspectors. BTSF are dedicated for experts from competent authorities, which can then communicate to other actors.

As regards flexibility due to Brexit, COM said that the date of application of the OCR (i.e. 14 December 2019) will not be postponed.

On transparency and cooperation, COM acknowledged that there is room for improvement regarding the relationship with the stakeholders. COM said it organised several bilateral meetings with stakeholders to give a state-of-play. COM referred to the Conference on 13 December and also reminded participants that COM has a specific obligation to share the draft act via the website ‘Have your say’ for stakeholder and public feedback.

Concerning BTSF, COM said that these trainings are organised by the European Commission for experts of national Competent Authorities, which can, in turn, disseminate the information to and train private vets.

COM said that it took good note of AVEC’s request for advance notice and more cooperation.

On fees and transparency, COM replied that there will be ample opportunity to ask specific questions during the panel discussions at the conference on 13 December. It said that there are no plans for a dedicated meeting, but that it can share a presentation on this issue with participants.

Chair reiterated that the purpose of the BTSF program is to train official services, whether in MSs or third countries, following the concept “Train the trainer”. Due to budget limitations, it is impossible for COM to train even all official services.

6. STATE OF PLAY 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.

Starting with the Plant Health Regulation, COM recapitulated the implementing and delegated acts that have already been adopted and those, which are still to be adopted before 14 December or after the entry into force of the OCR (see presentation).

COM 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 is revising a number of existing measures, with the purpose of adding containment measures to eradication measures.

COM further highlighted the new aspects of the OCR that will affect the plant health sector.

- ✓ Establishment of 5 new EURLs (DA)
- ✓ Designation of 5 EURLs (IA)
- ✓ Internal movements (IA)
- ✓ Import controls

COM described some novelties under the new OCR, starting with the empowerment under Art. 52 of the OCR, used to draft an IA, establishing general and horizontal rules for all the sectors on how to carry out the checks. The act has three annexes, namely for animals, goods of animal origin and for plant products and other object. For the first time, there are harmonised rules for the physical checks of plants at BCPs. COM informed participants that the frequency of import checks will be included in another IA under Art. 54.3, but presently plant health is not included. COM briefly mentioned the IMSOC IA under Art. 131-134. Another novelty are the minimum requirements of BCPs.

COM further gave an overview of DAs.

COM concluded with an update on new emergency measures or extended emergency measures.

Comments and questions raised

ENA expressed concern on the technical rules on the traceability code for plant passports, which will be published after December 14 and asked if the operators can issue plant passports with a blank traceability code. It further asked for a delay in the application of the technical rules of traceability, in order to allow operators to adjust their systems to the new requirements. ENA also enquired if, concerning the issuing of plant passports for final users in protected zones, COM will create a piece

of legislation. ENA further asked if the EPPO code needs to be written on the plant passport. Finally, ENA enquired about the aim of the new implementing decision on *Xylella fastidiosa*.

FRESHFEL asked about the timeline – will the new plant health regulation be published in the OJ before 14 December?

On *Xylella fastidiosa*, COM replied that it envisages a possible revision, because of outbreaks in MSs in the past few years and an updated EFSA opinion. Discussions are ongoing and COM does not have a finalised position. The objective of this revision is a more rapid response in the case of outbreaks.

As regards the traceability codes, they are part of an IA for which discussions are ongoing. In the absence of this act, the normal rule will apply. There is no legislation available on plant passports for final users in protected zones – the text as it stands without derogation will apply from 14 December onwards.

In reply to FRESHFEL's question, COM confirmed that the text will be published before 14 December.

On ENA's question about traceability codes, COM replied that, according to the new regulation, the traceability code will not be required in the final stage of trading between professional operators, if the plants are prepacked for sale to the final user. Nevertheless, COM might determine in an IA that the traceability code will be required, even at this stage for certain plants for planting. This is currently being discussed in the Standing Committee and this regulation will be adopted shortly.

7. UPDATE ON IMSOC AND AAC

COM gave a comprehensive presentation on IMSOC, which will implement electronically most of the provisions of the new OCR.

Nevertheless, COM stressed that IMSOC is not a new IT application, but an evolution of the existing application. This proved also a good opportunity to phase in the new TRACES-NT with the new OCR, because there were changes that could not be supported by TRACES Classic. It will not add further burden to stakeholder activities: people that have been trained found the system more efficient than before. The most important change in terms of architecture is the iRASFF/AAC integration. It is more convenient to use the same platform for the different systems - it will reduce the burden on MSs and ease the flow of information. In addition, it will give COM a better overview between non-compliant issues and the impact on the public health. The purpose of IMSOC is to make border controls more efficient.

COM listed the different IMSOC components and explained that iRASFF will merge with AAC and that EUROPHYT interception will be replaced by TRACES. Any rejection at a BCP will be visible by all BCPs and authorities, increasing visibility for any plant product at any point of entry into the EU. The second part of EUROPHYT, which is not in TRACES natively, is the notification of third countries and European Plant Protection Organisation. Some countries, e.g. Germany ask for a moderation between the moment of interception and the notification of third countries. COM said that the implementation of EUROPHYT Interception, foreseen for 10 November, has been extended to the first quarter of 2020. Nevertheless, from 14 December onwards, the visibility of all rejected consignments is available to all BCPs.

COM elaborated on the operational aspects, more specifically CHED-PP module and CHED-D module.

As regards the preparation of MSs (Competent Authorities), COM said that 26 MSs have been trained, with an average of 20 people per country. For the CHED-PP module, COM started training people at the end of 2018 until July 2019, due to the readiness of the system and 25 MSs are currently already using the system.

COM highlighted the readiness of operators and authorities with graphs detailing the number of CHED-PP (since 11/2017) and CHED-D (since 05/2019) issued by Member States.

COM further gave an update on the readiness of the electronic certification from 14 December onwards. It drew attention to the fact that there are two ways to sign certificates: through TRACES and through a system to system connection (for example using ePHYTO).

COM added that it did not present CHED-A and CHED-P, because it has been in pre-production since a month. There was less time to do a transfer between the two and even though currently there are only a limited number of import certificates uploaded, the others will be available by the end of November.

COM chose to use the certificate for fisheries in all trainings for third countries as this is the most widely used one. All third country trainings were organised by BTSF, with approximately 1500 people trained. There are a few hiccups already identified, but so far they are minor and do not block the system. COM stressed that it is ready to tackle any blocking issue, with the support and development team on duty during the Christmas holidays.

Comments and questions raised

ATA enquired about the readiness of TRACES-NT for animals (CHED-A) and animal products (CHED-P). It also asked if in TRACES-NT Competent Authorities of third countries will be able to make TRACES documents that can be cloned in TRACES-NT, and if so, will this be considered as an electronic document; Senegal was given as example. Finally, ATA asked to clarify whether an operator who needs to assign the creation of certificates in TRACES, needs to go through the Competent Authorities, or whether there can be a “superuser” within the company who can do this.

COM replied that Senegal was trained in the first group, as soon as COM added CHED-A and CHED-P, and that they have been given all the possibilities to use the system.

As regards the electronic certification, a third country doing a PHYTO or IMPORT in TRACES, is able to sign it using a token. At present, Senegal has not been equipped. However, COM has a contractor travelling to equip third countries and encourages them to use this system. The veterinary certificate produced in TRACES is a structured pdf signed, which is the authentic document according to eIDAS Regulation. This pdf can be copied multiple times and has to be accepted in all MSs according to EU law.

COM further said that it is pushing for BCPs to use the electronic CHED.

FRESHFEL asked if the integration of EUROPHYT into TRACES will allow an update of the information available to stakeholders. Currently there is a monthly report in pdf version, but it would be helpful if this could be upgraded and include more information in order to better contextualise issues on interception.

COM replied that essentially the report will remain the same with a slightly better visibility, but that it took duly note of FRESHFEL’s remark and invited it to send suggestions for improvement by email.

On the OCR conference taking place on 13 December, COM urged participants to register and as there will be an interesting sub-session on RASSF as well as a panel on transparency. Seating is limited, but the conference will be web streamed.

On RASFF, FRESHFEL enquired if COM will take into account the survey that is ongoing, because they would like to provide clear and effective comments on this.

COM replied that this is the purpose of the survey.

8. UPDATE ON PLANT PROTECTION PRODUCTS

Plant Protection Products

COM presented an update on ongoing horizontal issues regarding the Plant Protection Products Regulation 1107/2009.

✓ Revision on data requirements

1) Micro-organisms

COM informed about the on-going revision and explained the legal framework, the scope and the reason for the revision. COM informed that a BioPesticides WG (WG of the Standing Committee) started discussions and additional experts are consulted on an ad-hoc basis. The procedure for adoption will follow the standard procedures and stakeholders will be consulted. A first draft is expected in the third quarter of 2020. COM further listed the main principles so far.

2) Chemicals

Data requirements for chemicals were updated in 2013 and communications were published, listing guidelines and guidance documents for the RA. COM started working on an update of these Communications in 2018 and launched a stakeholder consultation. COM has received the comments and work will resume shortly.

✓ GFL amendment

COM is starting work on the implementation in the plant protection products sector. The main task is to amend Regulation (EU) N°844/2012 to make it compliant with the GFL amendment. Stakeholders will be consulted on a future draft.

✓ Guidance documents

COM presented the state-of-play and mentioned two well advanced guidance documents: GD on secondary metabolites produced by micro-organisms and the GD on antimicrobial resistance in micro-organisms.

COM further mentioned three guidance documents concerning procedural aspects which were recently updated:

- on zonal assessments and mutual recognition
- on new active substance data post (renewal) of approval
- on data matching

COM also informed stakeholders of GD recently adopted by EFSA, as well as ongoing and new mandates sent to EFSA. Two new mandates have been sent to EFSA: on the impact of water treatment processes on residues of AS and on soil photo-degradates. An additional mandate on exposure to dust is planned.

Regarding the guidance documents related to environmental risk assessment, the clarification of Specific Protection Goal Project is needed.

COM has initiated work to translate generic protection goals set in the legislation into operational specific protection goals. COM started discussions with the PAFF Committee in March 2019 and organised a Workshop with MSs in June and one in September with stakeholders. A joint Workshop is foreseen in February 2020.

✓ REFIT

As regards REFIT, the file is pending. Several workshops and consultation were organised, but COM is presently waiting for instructions of the new Commission on the next steps as regards finalising the report.

Comments and questions raised

FRESHFEL asked when COM is plans to publish the AIR III and IV renewal programmes. It further commented on a letter sent to the COM expressing concern regarding the situation in Italy due to the damages inflicted by the brown marmorated stink bug. Chlorpyrifos is an important active substance to treat the pest before an alternative sustainable solution is available. EFSA was requested to publish an amendment with an updated statement on this substance before 6 December.

ECCA asked several questions regarding particular guidance documents. It commented on the data protection GD, but expressed disappointment the COM did not take its comments into account. In June, ECCA informed COM of another observation, namely the misinterpretation of Art. 59. However, it did not yet receive feedback from COM so far. For the data matching GD, ECCA enquired about the possibility to extend the deadline for comments and whether the final consolidated document will be made available to the public and/or stakeholders. As for Art. 34 in the zonal GD, ECCA commented and is waiting for COM feedback. ECCA said it disagrees with parts of Art. 34 and requested a bilateral discussion, on the basis that this is prejudicial to its sector. Finally, as regards the REFIT, ECCA expressed concern about art. 43, which did not figure strongly in the surveys and consultations.

As regards the renewal programmes, COM already started work on these, because of the amendment to the GFL, it needs to anticipate the renewals. However, presently, COM is not in a position to share more information.

Regarding Chlorpyrifos, COM stressed that it is aware of FRESHFEL's letters, but that the RA results are clear implying no room for manoeuvre. The proposal for a non-renewal is on the agenda of the next standing committee on December 6. However, COM said it needs to wait for the outcome of the discussions before it can be decided how to proceed. COM assured FRESHFEL that if the statement is not yet published, it will be soon.

In answer to ECCA's questions, COM stressed that stakeholders are welcome to send a meeting request, should they want to discuss a certain issue/concern bilaterally.

As regards the request for the extension of the deadline for comments, COM suggested to send an email to the concerned colleagues in DG SANTE.

On the data protection GD, COM replied that surely ECCA's comments were considered and that there is a reason why they were not taken into account. COM suggested to provide more feedback on this issue during a potential bilateral meeting.

On ECCA's question on REFIT, COM acknowledged delays and is not in position to give details on timing but ensured that the report will be published.

COM reiterated that a reply to FRESHFEL's letter is in progress, but that other services and DGs need to be consulted.

Pesticides Residues

COM presented an update on the upcoming issues on the Pesticide Residues Regulation 396/2005.

✓ Chlorpyrifos and chlorpyrifos-methyl

EFSA confirmed serious concerns regarding developmental neurotoxicity in children and potential genotoxicity. Statements were published on 2 August and recently there was an updated version of the statement on chlorpyrifos-methyl. MSs are already in possession of the revised statement. COM will ensure that EFSA publishes the revised statement the following week. However, COM confirmed that in the revised statement for chlorpyrifos-methyl the same concerns apply as for chlorpyrifos. As it is not possible to set safe levels of exposure, COM is currently proposing not to renew the approval of the two active substances. In parallel, COM will present a measure lowering the existing maximum residue levels (MRLs) to 0.01 mg/kg.

As regards chlorpyrifos-methyl and chlorpyrifos, the vote on the non-renewal is scheduled for the PAFF Committee taking place on 6 December 2019. In view of the health concerns identified by EFSA, the draft measures require EU Member States to withdraw authorisations for plant protection products containing chlorpyrifos and chlorpyrifos-methyl within one month from entry into force of the regulations and provide for a short grace period for placing on the market, storage, disposal and use of plant protection products.

Similarly, also the draft measure lowering the MRLs will report a shorter deferred application of three months and no transitional measures. In view of a possible vote on the new MRLs in the PAFF in February 2020 and of the internal procedures, the MRLs will be applicable in the fourth quarter of 2020. COM said that as soon as the non-renewal is approved, food business operators and third countries are encouraged to start preparations to meet the new requirements in order to avoid non-compliance with MRLs.

✓ Chlorpropham

Chlorpropham was non-renewed in 2019 and there is a maximum grace period until 8 October 2020. In the framework of the renewal of the substance, EFSA identified serious concerns regarding the representative use on potatoes, which led to an MRL proposal of 15 mg/kg. COM intends to lower the existing MRLs once the maximum grace period has expired.

In parallel, COM submitted a concern form to the CODEX Committee for Pesticides Residues with a view of withdrawing the CODEX limit of 30 mg/kg.

✓ Temporary MRL for potatoes

Potato trade organisations and manufacturers of chlorpropham informed COM of possible cross-contamination in storage facilities. The issue was discussed at the Standing Committee and MSs were in favour of setting a temporary MRL to address this issue. The next step is for EFSA to deliver a reasoned opinion, to be expected in the beginning of 2020.

✓ Key messages to the potato industry

Despite the grace period until the end of 2020, COM advises against the further use of the substance and urges the potato industry to stop as soon as possible.

The potato industry should apply stringent cleaning practices, such as dry cleaning and high temperature/pressure cleaning, in order to prevent cross-contamination. Some guidelines for best practices are currently under preparation by the potato sector.

The potato sector should develop a study to estimate the decline of residue levels.

✓ Dimethoate

Following concerns identified by EFSA, this substance was not renewed. The non-renewal measure reported two different grace periods: one specific for cherries (17 October 2019) and the other one for all other products (17 July 2020). Presently, COM solely notified WTO of the measure to lower MRLs for cherries, but it will also do so for all other products in the near future. COM is informing all relevant parties in advance and advises against treating crops until the end of the grace period.

Comments and questions raised

COPA expressed concerns about COM's decisions regarding Chlorpyrifos and Chlorpyrifos-methyl and informed COM that it had already sent a letter to DG Anne Bucher regarding this issue. COPA asked to clarify what happened to the peer review, released by EFSA on 21 October 2019 after COM's statements. In its opinion, this peer review should form the base for COM's decision and not only on the statement mandated to EFSA by the COM during summer 2019 which only was a part of the full peer review, still unpublished by that date. COPA further stated to be discouraged that the deferred application of the new MRLs is limited to only three months, which it finds unacceptable and hazardous to food security. In addition, COPA stressed the necessity to differentiate between chlorpyrifos-methyl and chlorpyrifos and to consider these two substances differently.

IFOAM enquired about MRLs for copper.

FRESHFEL said it sent a letter to express concern about the delay for the vote on the proposal for chloride MRLs and urged COM to take a decision in this matter.

FOODDRINKEUROPE supported COPA's comment about the three-month deferred application and expressed concern about the lack of transition period when an MRL is lowered.

In reply to COPA, COM confirmed that, from a regulatory point of view, chlorpyrifos-methyl and chlorpyrifos are two different substances with independent processes. It stressed that it was a coincidence that the peer reviews took place at the same time, but that it makes sense to look at both substances simultaneously. COM further clarified that the statements were in fact the outcome

of the peer review, but that it had asked EFSA to inform in advance on the serious health concerns.

On the difficulties of farmers to adapt, COM stated that, in justified situations, MSs have the possibility to grant emergency authorisations.

On the transitional measures, COM explained that in cases where EFSA identifies concerns, no transitional measures are set for products produced before the entry into force/applicability of the new measure. A shorter deferred application was proposed for chlorpyrifos and chlorpyrifos-methyl to further protect European consumers. COM clarified that the MRL measure is still on a draft stage and comments are relevant and will be considered.

COM replied to IFOAM that is it not debriefed on MRLs for copper. Nevertheless, it will be discussed at the upcoming PAFF meeting on residues and the meeting summary report will be published shortly after.

As regards FRESHFEL's comment on chloride, the issue will be discussed at the PAFF meeting, but COM stressed that it took good note of the concerns raised.

9. GENERAL UPDATES

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

Food contact materials

- ✓ COM is currently evaluating the food contact materials (FCM) legislation. A public consultation has taken place and COM expects to publish a Staff Working Document on the outcome of the evaluation in the first part of 2020. This will be an important basis to help COM decide on possible future steps.
- ✓ COM is also in the process of implementing legislation to ensure that recycled plastic is safe for use as FCM, by amending the applicable legislation to ensure a proper transition procedure for plastics other than PET.
- ✓ Other current ongoing work on FCMs includes an Impact Assessment for heavy metals in ceramics and vitreous FCMs in 2020.

Feed ban

There has been no progress on PAP since the AG plenary meeting on 7 May. Nevertheless, COM will bring this issue to the attention of the new College and hopes to restart discussions soon.

Insect PAP

Similarly, there has been no progress on insect PAP either, but COM will bring it to the attention of the new College.

FOP nutritional labelling and nutritional labelling

- ✓ COM has prepared a report on front-of-pack nutrition labelling, taking into account the outcome of the three joint meetings organised by the Commission on the topic and including the members of the Advisory group.
- ✓ The adoption of the report is pending. At this stage, COM cannot provide any further indication when the adoption will take place, but it will be under the new Commission.
- ✓ The conclusions of this report will serve to inform the further debate on how consumers can best be provided with nutrition information.

Health Claims (nutrient profiles and botanicals)

- ✓ The REFIT evaluation of the Claims Regulation was launched in 2016 to collect available evidence and make a fully informed decision on nutrient profiles, and on health claims made on botanicals and the general regulatory framework for their use in foods.
- ✓ The external study feeding into this evaluation was finalised in June 2018, and all interested stakeholders have been consulted
- ✓ The Staff Working Document is planned to be adopted by the end of 2019, and it will allow the Commission to consider a fully informed orientation strategy on these two subject matters.
- ✓ The REFIT evaluation is only one step in the process. There will be further opportunities for stakeholders to express their views.

Status of the draft Commission notice on the application of Article 26(3) of Regulation (EU) N° 1169/2011 related to origin information

- ✓ The 7 national measures on origin labelling of milk and meat and milk used as an ingredient are due to expire progressively, the latest ones in March 2020.
- ✓ The Member States concerned (FR, IT, LT, PT, ES, FIN, GR) committed to submit to the COM, by the end of the temporary national schemes, a report on their functioning and the possible impact on the internal market.
- ✓ Any future discussions on origin labelling will take account of findings of all Member States' reports and will be undertaken by the new Commission.
- ✓ COM's Implementing Regulation on the indication of the primary ingredient will enter into application on 10 April 2020. COM is finalising, at present, the draft Commission's notice providing guidance on the application of its provisions prepared in close collaboration with Member States.
- ✓ The draft Notice was discussed with members of the Advisory Group on 7 May 2019, where the stakeholders were invited to send their written comments until the end of May.
- ✓ The internal discussion between the COM services on the draft Notice is still ongoing.
- ✓ The intention of DG SANTE is to adopt the document as soon as possible. Although it is difficult to give today an exact timing, this should happen before the end of 2019.

Veterinary medicinal products and medicated feed

a) Veterinary Medicinal products:

- ✓ As announced last time, work on the implementation of the Veterinary Medicines Regulation 2019/6 (some 25 acts to be adopted) is divided into packages;
- ✓ EMA provided scientific advices on the first batch of acts at the end of August 2019 (Annex II, Union product database, variations without assessment, collection of data on antimicrobials);
- ✓ The EMA advices were published on COM webpage (https://ec.europa.eu/food/animals/health/veterinary-medicines-and-medicated-feed/imp-regs-2019_en);
- ✓ Targeted stakeholder consultation on the EMA advices finished in October. COM thanked all the stakeholders who provided feedback. The feedback received will be published on COM webpage;

- ✓ Discussions with the Member States on the first drafts for those acts (Annex II, Union product database, variations without assessment, collection of data on antimicrobials) plus an act on the logo for veterinary online retailers (no scientific advice was requested from EMA) scheduled for early December 2019;
- ✓ EMA provided scientific advice on the criteria to reserve certain antimicrobials for human medicine at the end of October 2019. It will be published on COM webpage in the coming days;
- ✓ COM is on track with the work on the implementation.

b) Medicated feed:

- ✓ The new Regulation on medicated feed (2019/4) requires COM to adopt by January 2023 delegated acts with cross-contamination limits for 24 antimicrobials in ordinary feed and methods of analysis for these active substances.
- ✓ The request for an EFSA scientific opinion as regards the cross-contamination limits has been sent out in March 2019 and the work has started (4 working group meetings till now).
- ✓ The request to propose methods of analysis for the 24 antimicrobials had been sent in October 2019 to the EU Reference Laboratory for feed additives, which has directly started to work on it.

Revision of the hygiene package

- ✓ COM is not working on a revision of the hygiene package, but is looking at a number of minor adaptations, that are discussed with MSs, to be possibly brought into some annexes.
- ✓ A substantial revision is not on the agenda, and should it one day be, this should take place only after having followed the different BR steps, starting with an evaluation.

Sub-committees on SPS(related to existing FTA's): Updates on the outcomes of currently held SPS sub-committees

In agreement with the stakeholders and in order to respect the timetable, the Chair decided to skip this point on the grounds that it would take up too much time. However, a summary document will be annexed to the summary report of the meeting.

NBTs developments by EC implementing the ruling of the ECJ regarding GMO's

- ✓ COM continues to discuss with the MSs the implementation of GMO legislation as interpreted by the Court to ensure that MSs enforce the legislation.
- ✓ To help MSs and operators, COM mandated the European Union Reference Laboratory to elaborate a series of reports on the detection of products obtained by new mutagenesis techniques. The first report on plants was delivered in March this year. The work continues on microorganisms and will be followed by animals and animal products.
- ✓ EFSA continues its scientific work on plants developed through certain mutagenesis techniques regarding the adequacy of exiting risk assessment guidelines. Detailed information on this mandate can be found on EFSA's website.

- ✓ The European Group on Ethics in Science and New Technologies is expected to deliver an opinion on ethics of gene editing early next year. The Group organised on 16 October an open round table with stakeholders to discuss the ethical questions on gene editing in the area applications for human health, agriculture, and the environment. This discussion will feed into the report of EGE.
- ✓ On 8 November, the Council adopted a Decision to request COM to submit by 30 April 2021 a study regarding the status of novel genomic techniques, and, if appropriate in view of the outcome of the study, a proposal with an impact assessment, if appropriate or other measures.
- ✓ COM would welcome substantiated views of the stakeholders on this topic.
- ✓ To this end, COM will ask the members of the Advisory Group to provide their contribution in the beginning of 2020.
- ✓ Finally, COM stressed that the actual content of the study is not yet decided. Potential policy action in this field as a follow up to the study will be assessed a later stage by the new Commission.

Upcoming events

- ✓ Animal Health Advisory Committee on Tuesday 3 December 2019
- ✓ Conference “Smarter rules for safer food and plant health” on Friday 13 December 2019

10. ANY OTHER BUSINESS

The Chair expressed appreciation for the level of input and comments and informed participants about the dates for the Advisory Group plenary meetings in 2020, namely Friday 8 May and Monday 23 November. The Chair thanked all speakers and participants for their constructive contributions, and closed the meeting.