

RULES OF PROCEDURE

OF THE EU PLATFORM ON FOOD LOSSES AND FOOD WASTE

THE EU PLATFORM ON FOOD LOSSES AND FOOD WASTE,

Having regard to the creation of the Platform by the Commission's Directorate-General for Health and Food Safety (hereafter referred to as 'DG SANTE') in 2016 and re-established in 2021,

Having regard to the standard rules of procedure of expert groups¹,

HAS ADOPTED THE FOLLOWING RULES OF PROCEDURE:

Point 1

Operation of the group

The Platform is chaired by a representative of DG SANTE.

The Platform shall act at the request of its Chair, in compliance with the Commission's horizontal rules on expert groups² ('the horizontal rules').

Point 2

Convening a meeting

1. Meetings of the Platform are convened by the Chair, either on its own initiative, or at the request of a simple majority of members after DG SANTE has given its agreement.
2. Joint meetings of the Platform with other groups may be convened to discuss matters falling within their respective areas of responsibility.
3. In principle, meetings of the Platform shall be held on Commission premises or virtually, depending on the circumstances. Exceptionally, meetings may be held at another venue subject to agreement of the Chair.

Point 3

Agenda

1. The secretariat shall draw up the agenda under the responsibility of the Chair and send it to the members of the Platform.
2. The agenda shall be adopted by the Platform at the start of the meeting.

¹ C(2016) 3301, Annex 3.

² C(2016) 3301.

Point 4

Documentation to be sent to Platform members

1. The secretariat shall send the invitation to the meeting and the draft agenda to Platform members no later than fourteen calendar days before the date of the meeting.
2. The secretariat shall send documents on which the Platform is consulted to Platform members no later than one week before the date of the meeting.
3. In urgent or exceptional cases, the time limits for sending the documentation mentioned in paragraphs 1 and 2 may be reduced to five calendar days before the date of the meeting.

Point 5

Opinions of the group

1. As far as possible, the Platform shall adopt its opinions, recommendations or reports by consensus.
2. In the event of a vote, the outcome of the vote shall be decided by simple majority of the members. The members that have voted against or abstained shall have the right to have a document summarising the reasons for their position annexed to the opinions, recommendations or reports.

Point 6

Sub-groups

1. DG SANTE may set up sub-groups for the purpose of examining specific questions on the basis of terms of reference defined by DG SANTE. Sub-groups shall operate in compliance with the the horizontal rules and shall report to the group. They shall be dissolved as soon as their mandate is fulfilled.
2. Sub-group meetings dedicated to specific topics may be co-chaired by DG SANTE and Platform members, as appointed by DG SANTE based on their expertise and interest expressed³ in coordinating work related to their field of expertise. Co-chairs appointed from among the Platform membership may also request to hold meetings of their respective sub-groups, propose agenda items and topics for discussion. The co-chairs of the sub-group shall report to the Platform and to the secretariat.
3. The members of sub-groups that are not members of the Platform shall be selected via a public call for applications, in compliance with the horizontal rules⁴.

³ Co-chairing will be done through rotation, for those members who have expressed an interest in acting as co-chair in their application form (Annex IV). Expressions of interest in co-chairing may be updated during the course of the Platform's mandate.

⁴ C(2016) 3301, Articles 10 and 14.2.

Point 7

Invited experts

DG SANTE may invite experts (also on the recommendation of Platform members), including representatives from non-EU countries, with specific expertise with respect to a subject matter on the agenda to take part in the work of the Platform or its sub-groups on an *ad hoc* basis.

Depending on the agenda of a given meeting, members may, on an *ad hoc* basis, ask to be accompanied by an expert(s) specialised in a given issue who will provide particular evidence on a subject. DG SANTE shall consider such requests, taking into account the overall balance in the representation of interests and in accordance with the Platform's rules of procedure.

Point 8

Observers

1. Organisations or public entities other than Member States' authorities may be granted an observer status, in compliance with the horizontal rules, by direct invitation.
2. Organisations and public entities appointed as observers shall nominate their representatives.
3. Observers and their representatives may be permitted by the Chair to take part in the discussions of the Platform and its sub-groups and provide expertise. However, they shall not have voting rights and shall not participate in the formulation of recommendations or advice of the Platform and its sub-groups.

Point 9

Written procedure

1. If necessary, the Platform's opinion or recommendation on a specific question may be delivered via a written procedure. To this end, the secretariat shall send Platform members the document(s) on which the Platform is being consulted.
2. However, if a simple majority of Platform members asks for the question to be examined at a meeting of the Platform, the written procedure shall be terminated without result and the Chair shall convene a meeting of the Platform as soon as possible.

Point 10

Secretariat

DG SANTE shall provide secretarial support for the Platform and any sub-groups.

Point 11

Minutes of the meetings

Minutes on the discussion on each point on the agenda and on the opinions delivered by the Platform shall be meaningful and complete. Minutes shall be drafted by the secretariat under the responsibility of the Chair.

Point 12

Attendance list

At each meeting, the secretariat shall draw up, under the responsibility of the Chair, an attendance list also specifying, where appropriate, the organisations, Member States' authorities or other public entities to which the participants belong⁵.

Point 13

Correspondence

1. Correspondence relating to the Platform shall be addressed to DG SANTE, for the attention of the Chair.
2. Correspondence for Platform members shall be sent to the e-mail address which they provide for that purpose.

Point 14

Transparency

1. The Platform and its sub-groups shall be registered on the Register of Commission expert groups and other similar entities ('the Register of expert groups')⁶.
2. As concerns the Platform and its sub-groups' composition, DG SANTE shall publish the following data on the Register of expert groups:
 - (a) the name of Member States' authorities;
 - (b) the name of other public entities other than Member States' authorities;
 - (c) the name of member organisations; the interest represented shall be disclosed;
 - (d) the name of observers.
3. DG SANTE shall make available all relevant documents, including the agendas, the minutes and the participants' submissions, on the Register of expert groups and on the Commission's food waste website⁷. Access to these websites shall not be submitted to user registration or any other restriction. In particular, DG SANTE shall ensure publication of the agenda and other relevant background documents in due time ahead of

⁵ The names of the representatives of organisations, Member States' authorities or other public entities may be included only subject to their prior freely given, specific, informed and unambiguous consent, in compliance with Article 3(15) and Article 7 of Regulation 2018/1725.

⁶ <http://ec.europa.eu/transparency/regexpert/index.cfm>

⁷ https://ec.europa.eu/food/safety/food_waste_en

the meeting, followed by timely publication of minutes. Exceptions to publication shall only be foreseen where it is deemed that disclosure of a document would undermine the protection of a public or private interest as defined in Article 4 of Regulation (EC) N° 1049/2001⁸.

4. Personal data shall be collected, processed and published in accordance with Regulation (EU) No 2018/1725.

Point 15

Access to documents

Applications for access to documents held by the Platform shall be handled in accordance with Regulation (EC) No 1049/2001⁹.

Point 16

Deliberations

In agreement with DG SANTE, the Platform may, by simple majority of its members, decide that deliberations shall be public.

⁸ These exceptions are intended to protect public security, military affairs, international relations, financial, monetary or economic policy, privacy and integrity of the individual, commercial interests, court proceedings and legal advice, inspections/investigations/audits and the institution's decision-making process.

⁹ Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).