

Working Party on Feedingstuffs 23 October 2019



### 1. Adoption of the Agenda





# 2. Approval of the minutes of the last Working Party meeting





#### 3. Market situation

Exchange of views on the market situation (including also B2B developments) and national prospects





### 4. Climate change position paper

Presentation by Rauli-Jan Albert

Presentation by Coop-de-France













### Elements for adaptation

- \* New plant diseases and current diseases spreading to new areas due to climate change represent a significant challenge for the arable crop, fruit, vegetable, floriculture and livestock sectors as well as forestry where the natural cycle is counted in decades.
- \* To guarantee efficient adaptation to and mitigation of climate change, the farmer's toolbox needs to include practical and feasible solutions while also providing the necessary transition period to allow for them to be disseminated and applied by all actors.
- \* European farmers and agri-cooperatives need to have access to technological advancements in order to overcome a number of challenges, such as remaining competitive, adapting to and mitigating climate change, and providing an adequate supply of high quality food.



### Elements for mitigation

- \* The impact of plant production and livestock emissions can be reduced even further by adopting a more in-depth circular economy approach and by using animal and plant side flows in bioenergy, especially biogas from manure, or fibre production.
- \* Plant and livestock breeding should focus on improving the climate efficiency of production. New breeding techniques are essential to reach goals in an efficient and timely manner.
- \* In livestock farming, some animal emissions cannot be avoided, but can be balanced by soil carbon sequestration in feed production or by substituting fossil fuels through the use of biogas from manure and crop residues. It should be noted that since 1990 methane



#### Policy

- \* The implementation of rules for the sustainable trade of feed, crops and animal products with third countries, including climate policy can further enhance the climate efficiency of global agricultural production while also contributing to economic development, the eradication of poverty and global food security.
- \* Farmers and forest owners should be rewarded for carbon sequestration results with market based credits. For the farming community, it is essential that current practices are not penalised.
- \* Any efforts to reduce EU agricultural emissions other than providing incentives and extension services would result in a contraction of the EU agricultural sector and a loss of its competitive position.



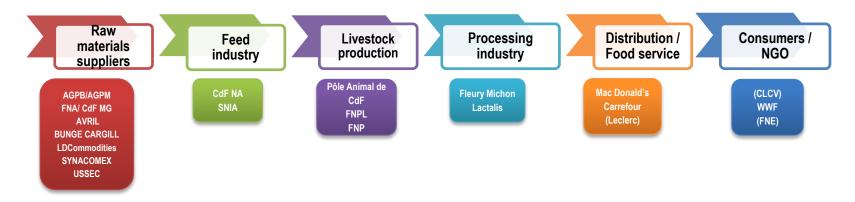
# A collaborative platform for the sustainable supply of farmed animals

September 2019



### **Approach**

#### An approach built with and for stakeholders...



#### ... in several steps

#### 2014

Wide and open platform: from the production of the raw materials to the consumer

#### 2016 Launch and deployment

#### 2018

Duralim commitment: « at the latest in 2025, 100% of sustainable supply with a zero deforestation target ».

#### 2013

BtoB meetings with stakeholders

#### 2015

Building of a synthesis and of the charter Duralim

#### 2017

Creation of the association

#### 2019

Partnership with Earthwom on Soy Supply from Brazil & study of effectiveness/acceptability of field solutions

#### **Mission**

#### Promote and improve feed sustainability for livestock



#### **Federating**

all the players in the French crop and animal productions around the issue of the sustainability of animal nutrition



#### **Enhance**

the individual and collective actions already initiated in France



#### **Encourage**

commitment to and follow-up on the priority axes for collective and individual progress



## Get recognition

of the expertise of a sector that is progressing in response to societal expectations



### **Principles**

#### Promote what is already done

- DURALIM members are already dealing with the sustanability of raw materials for livestock feeding
  - Legislation + voluntary initiatives

#### Be part of a continuous improvement approach

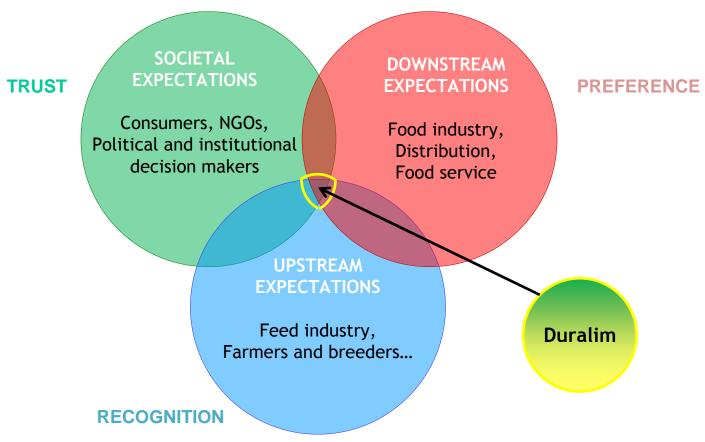
• DURALIM members, are aware that their practices are more sustainable today than yesterday but probably less than tomorrow.

#### Respect the balance between the 3 pillars of sustainability

Environment + Social + Economic



### An answer to different expectations



### To summarize...

#### Is

- An institutional and collective communication approach
- A progress approach, collectively organised and individually and voluntarily deployed
- A way to show the shared commitment to a set of operators
- A resource center on sustainability of feed

#### Is not

- A new certification, independent from existing schemes
- \*A requirements specification
- A tool generating new market segmentations
- A tool to be used for commercial purposes in the context of specific customersupplier relationships



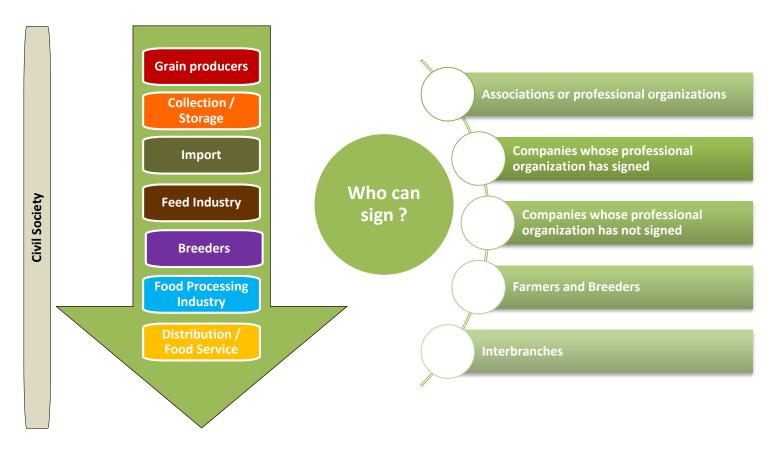
### How does it work?

#### A charter

- 5 valuation commitments
  - Quality and safety of animal feed
  - Good professional practices
  - Origin France of feed materials
  - Optimization of resource valuation
  - French animal products
- ➤ 4 improvement commitments
  - conditions of production of feed materials in their countries of origin
  - sustainable supply of protein
  - environmental footprint of the French animal feed sector
  - precision farming and biocontrol solutions



### Who can sign?



### Signing DURALIM commitments means...

#### Contribute to Duralim by

- committing to at least on 2 enhancement axes AND 2 improvement axes of the Duralim Charter
- communicating information about the follow-up of the corresponding actions (1 time/year).
- contributing to the operating costs.

#### Benefit from Duralim for

- the collective communication of the approach,
- a recognition of my actions by stakeholders of feed/food chain and by civil society,
- the access to a resource center and elements that can be used to answer requests from customers or to implement a sustainability initiative
  - Watch for emerging expectations
  - o Dialogue with other stakeholders involved in the initiative
  - o Synthesis and assessment of the actions carried out by the Members of Duralim



### 73 signatories!





























































GARUN-PAYSANNE

















































































A joint commitment:
"100% sustainable
supplies
and zero
deforestation"

Commitment validated by the members on 30 January 2018

The animal nutrition companies that have signed the DURALIM charter undertake to guarantee the sustainability of their supplies of raw materials produced in France and imported.

Their ambition is to achieve, by 2025 at the latest, 100% sustainable supplies, with a zero deforestation target.



A commitment with the ambition to:

# Make the sustainability criterion, a market <u>STANDARD</u>



#### Feed Materials in the scope of the commitment

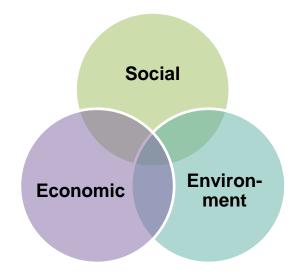




#### Which criteria?

#### For « sustainability »

- 3 pillars of sustainability
- No scheme or certification required
  - Recognition of good professional practices and the regulatory framework in France and in the EU
  - o Tomorrow, sustainability guarantees for Third Country imports





#### Which criteria?

- → For "Zero Deforestation"
- No scheme or certification required
- Intermediate levels
  - Zero gross deforestation (2025)
  - Zero conversion of natural ecosystems with high conservation value (2030)



### Programme of work for 2019-2020

- Operationalize the commitment for the "Sustainable Soya" part
  - Deepen the inventory carried out in 2018 for the "zero deforestation/conversion" issues, social conflicts and high-risk pesticide use in Brazil
  - Summary of the sustainability policies of soya importers
  - Identify effective and accepted actions on the ground to fight deforestation/conversion
  - Develop a methodology to monitor sustainable sourcing (mapping of flows and available tools)

In partnership with the NGO **zarthworm** 



### Background documents

EN(19)4741 (rev.5)

Copa-Cogeca Position on Climate Action











### 5 Non-GM feed claims

Presentation by Riccardo Siligato

**Roundtable** 

### **Background**

- ❖ The EU GM feed and food legislation currently does not include in its scope the placing on the market of animal products fed with "non - GM" feed (with the exception of the organic market segment).
- ❖ There is no EU harmonized rule or definition on requirements for animal products to be eligible to "non-GM" type claims.
- ❖ As a consequence, in certain EU Member States, national authorities adopted a legal framework and/or private sector certification rules.
- ❖ In 2013, the EU Commission issued a report on "GM-free food labelling schemes" showing significant divergences in terms of provisions and requirements on all these elements, including in the case of legal requirements established in national law.



#### **Market situation**

Table 1 Share of non-GM feed in selected Member States (2012)

Member State	Poultry	Pork	Cattle	Total
Germany	49%		9%	
UK	28%			
Hungary	100%	100%	100%	
Italy	15%	5%	11%	
France	10%	7%	19%	
Sweden	100%	100%	91%	
Austria	85%	5%	56%	
Poland	5%			
Ireland	38%			
Denmark	28%			
EU	19%	5%	8%	11%

Source: Markets for non-Genetically Modified, Identity Preserved soybean in the EU, JRC, 2015

#### **Market situation**

- ❖ The share of "non-GM" feed today is higher than the figures shown in the graph
- ❖ Current market information indicates rising demand for "non-GM" feed in certain Member States and for some species (mainly in dairy sector) showing great variations and diversity between EU countries and animal species concerned.

### **Next steps**

- ❖ Important to have a clear picture of the situation in the different Member States
- ❖ Is this trend a premium or branded product market segment?
- ❖ Some Member States have developed their own legislative standards as regards the specifications of feed eligible to non-GM food
- Some private certification schemes have also been developed
- ❖ Is there a need to promote a harmonized approach at EU level on feeding requirements?

#### Call for contributions

**1. National requirements in place in the different Member States** For each species, how long does an animal need to be fed with non-GM feed, before slaughtering, in order to be eligible for the "non-GM feed" label?

#### 2. Controls performed by official authorities

How are the different controls/audits performed in the different Member States? Are there differences among species? Are there regional differences within the same Member State? Who is performing the controls and how often? Which penalties are in place?

#### 3. Feed Certification schemes

Are there public and/or private certification schemes in place required to display the "non-GM fed" label on animal products? In positive case, who is performing the controls and who is releasing the certification? Any other additional information?



# Call for contributions (AKCR, Czech Republic)

1:	Species	"non-GMO" feeding period (specify if months/weeks)	Link to national legislation(s) (i.e. number and additional references)
	Cattle	12 months and at least 1/3 of lifespan meat production, 3 months milk production	www.bezgmo.cz
	Poultry	10 weeks meat production, 6 weeks eggs production	www.bezgmo.cz
	Pigs	4 months	www.bezgmo.cz
	Fish	non	
	••••		

- 2: Controls are made by authorised independent certification companies. In the case of positive audit results they issue a certificate for 12 months period of time with possibility of recertification for another 12 months. No financial penalties.
- 3. There is a private certification scheme in place. Concerning controls and certifications see point 2.



### Call for contributions (Coop-de-France, France)

Species	"non-GMO" feeding period (specify if months/weeks)	Link to national legislation(s) (i.e. number and additional references)
Cattle	the year preceding slaughter or, for those whose lifespan is less than one year, three-quarters of their life preceding slaughter	Décret n° 2012-128 du 30 janvier 2012 relatif à l'étiquetage des denrées alimentaires issues de filières qualifiées « sans organismes génétiquement modifiés »
Dairy	6 months	
Poultry	all breeding time from the three day chick stage	
Laying hen	the duration of rearing starting at the three-day chick stage or at least six weeks before the period of production of the eggs to be labeled	
Pigs	the year preceding slaughter or, for those whose lifespan is less than one year, three-quarters of their life preceding slaughter	
Fish	the year preceding fishing or, for those whose lifespan is less than one year, three-quarters of their life preceding fishing	
Other species	the year preceding fishing or, for those whose lifespan is less than one year, three-quarters of their life preceding fishing	

2: In France, controls are performed by DGCCRF. They sample feed at farm or at plant level and analyse. If the analyse show a feed material over 0,9%, the plant as a report of noncompliance with the GM labelling law (1829/2003). As far as I know we never had a recall of "non GM" animal products due to a punctual non compliance on feed. A notice of compliance – penalties: from a fine to a summons to appear,

3: In France, we developed a certification scheme named OQUALIM-STNO to answer demand of non GM fed animal products. Mutual recognition with the german scheme Vlog



# Call for contributions (ASAJA, Spain)

ASAJA is totally against this type of labelling. We understand that if a product is safe and authorized by the European Union, no discrimination should be made because of its use, since market distortions occur.

On the other hand, at least in Spain, the consumer is not sufficiently informed to know what GMOs are. And we have to be very clear: Spain only produces 1% of the soya it needs. This means that we must import from other EU and Third Country MSE's (and the vast majority of soy is GMO's).

We also consider that if this type of label discriminates and demonises a product, it is counterproductive. Imagine that now some EEMMs start to label "glyphosate free" when we all know that our European agencies (EFSA and ECHA) have said that it is a safe substance. There will be a very large market distortion to the detriment of countries that do make their decisions based on science. That is unacceptable.

Therefore GMO-free' labelling is misleading, distorts the market and is unnecessary. For all these reasons, we are totally against it!



#### Call for contributions (CIA, Italy)

1: no species-specific voluntary certification scheme. Maximum level of GM contamination is set at 0.1% of total feed in order to be labelled as «non-GM». Animals have to be fed for at least 75% of their life with non-GM feed in order for the derived products to be labelled as "non-GM fed".

- 2. Controls are performed by bodies certified by ACCREDIA, as the certification is voluntary. These are not official controls, but only private.
- 3. The certification scheme was developed by ACCREDIA, a private body.



## Call for contributions – additional news from the Secretariat

Poland's Ministry of Agriculture and Rural Development has drafted two regulations as part of its efforts to introduce labels for food products that are free of genetically modified organisms (GMOs). Poland is planning to introduce a **GMO-free labelling scheme**.

The **first ordinance** stipulates the periods during which animals cannot be fed with GMO feed for their products to be eligible for the 'GMO-free' label. For cattle, this period is set at 12 months, and for poultry at 10 weeks. For fish originating from aquaculture, GMO feed cannot be used at any time during the production cycle, as indicated by the draft regulation.

The **second ordinance** contains the designs of two logos that are to be used in Poland to label GMO-free food products.

The law introduces fines for fraudulent labeling of feed as GMO-free. Non-compliance can result with fines of between PLN 2,000 (€461) and the tenfold amount of the profit that would be generated through such fraud. Fines are to be also imposed on those food and feed producers who will fail to present the necessary laboratory results and documentation for their GMO-free products. Lack of compliance can result with fines ranging between PLN 4,000 (€922) and forty average monthly salaries for the preceding year.



## **Call for contributions – the way forward**

- Does the Working Party on Feedingstuffs wish to propose an harmonised «non-GM fed» label at European Level?
- If yes, what are the conditions?
  - Which species to address?
  - Who should perform the controls? Public or private authorities?
  - ➤ How to ensure that such certification schemes will not impose additional burdens to livestock producers, as it is happening with food-retaled private certification schemes?

### Background documents

ADA(19)8426 (rev.1)	FOR CONTRIBUTION: non-GM feed labelling – deadline 18 October
DA(19)8932 (rev.1)	State of play in the EU on GM-free food labelling schemes and assessment of the need for possible harmonisation- Final report
DA(19)8935 (rev.1)	JRC Science and Policy Report- Markets for non-Genetically Modified, Identity-Preserved soybean in the EU



#### 6. Presentation by DG SANTE

- 1. <u>Update and exchange of views on the implementation of the new medicated feed legislation</u>
- 2. <u>Update on the Expert Group on Animal</u> Nutrition
- 3. <u>Update on Processed Animal Proteins</u> (PAPs)





#### Commission Expert Group on Animal Nutrition Legal basis for the adoption of delegated acts

Regulation (EU) 2019/1243 of the European Parliament and of the Council of 20 June 2019 adapting a number of legal acts providing for the use of the regulatory procedure with scrutiny to Articles 290 and 291 of the Treaty on the Functioning of the European Union (published in OJ L 198, 25.7.2019, p. 241)

- $\rightarrow$  To comply with the <u>Lisbon Treaty</u> which provides for a distinction between delegated acts (Art. 290 of TFEU) and implementing acts (Art. 291 of TFEU) to be adopted by the Commission
- → "<u>Delegated acts</u>" = "non-legislative acts of general application to supplement or amend certain non-essential elements of a legislative act" Replacing "PRAC" procedure in the legislation on feed additives, feed hygiene and undesirable substances (For Reg. 767/2009: legislative adaptation has not been adopted yet)
- (→ "Implementing acts" = "acts to ensure uniform conditions for implementing legally binding Union acts" (Procedure for preparation: via the *Standing Committee* adoption of formal opinion through a vote))



## Commission Expert Group on Animal Nutrition Mission:

The field of action "Animal Nutrition" covers the following areas:

- Feed additives and premixtures, under Regulation (EC) No 1831/2003;
- Feed hygiene, under Regulation (EC) No 183/2005;
- Undesirable substances in feed, under Directive 2002/32/EC;
- Medicated feed, under Regulation (EU) 2019/4;
- Placing on the market and use of feed (feed materials, compound feed), under Regulation (EC) No 767/2009.



## Commission Expert Group on Animal Nutrition Mission:

This informal Commission Expert Group is set up to assist the Commission in the preparation of <u>delegated acts</u> based on the above-mentioned Animal Nutrition EU legislation.

Its tasks will also include the assistance of the Commission in the preparation of <u>legislative proposals or policy initiatives</u> in the field of animal nutrition and the establishment of cooperation/coordination between the Commission and the Member States and/or stakeholders on issues relating to the <u>implementation of EU legislation</u> on animal nutrition.

No vote is foreseen within the Expert Group.



## Commission Expert Group on Animal Nutrition Composition and selection procedure:

- The Expert Group will be composed of types C, D and E members (as per Article 7 of Commission Decision of 30.5.2016 establishing horizontal rules on the creation and operation of Commission expert groups), with a maximum of 40 members. In particular:
- Type D members ("Member States' authorities") will include representatives of Member States' authorities responsible for animal nutrition.
- Type E members ("other public entities") will include experts from non Member States' authorities (Norway, Iceland, Liechtenstein and Switzerland) and EFSA.
- Type C members shall be stakeholders organisations active in the field of animal nutrition and may include organisations representing consumers' interests in relation to animal products. The selection of type C members ("organisations") will be carried out through a **public call for applications** published on the Register of expert groups.



## Commission Expert Group on Animal Nutrition Composition and selection procedure:

- Public call for applications selection criteria: required expertise represented interests - registration in Transparency Register; appointment for an unlimited period; 4-week deadline for applications
- Members will be appointed as organisations, not in individual capacity. Member States' authorities, organisations and other public entities shall nominate their representatives and shall be responsible for ensuring that their representatives provide a high level of expertise.
- If additional specific expertise is needed on particular topics, other experts will be invited on an ad-hoc basis.
- Also, an observer status may be granted to individuals, organisations and public entities (other than Member States' authorities) by direct invitation.

### Background documents

NEN(18)8700 (rev.1)	[EC]: Green light for new rules on veterinary medicines and medicated feed
NCN(18)8706 (rev.1)	[RAPID] : Questions and Answers on the new legislation on Veterinary Medicinal Products (VMP) and Medicated Feed
AHW(19)3682 (rev.1)	Update on the New EU Regulations on Veterinary Medicinal Products and Medicated Feed- Presentation by Christian Siebert, DG Health and Food Safety, Plenary Meeting of the Advisory Group on the Food Chain and Animal and Plant Health, Brussels, 7th May 2019
AHW(18)8691 (rev.1)	WP on AHW, 23rd November 2018: Animal Medicines: what the new rules will mean for farmers, Presentation by Liesbet Dendas, Animal Health Europe
CC(17)6859 (rev.1)	Letter to Minister of Rural Affairs of Estonia regarding Copa and Cogeca's concerns on the ongoing discussions on the Commission's proposal on medicated feed
ADA(18)9110 (rev.1)	Regulation of the European Parliament and of the Council on the manufacture, placing on the market and use of medicated feed, amending Regulation (EC) No 183/2005 of the European Parliament and of the Council and repealing Council Directive 90/167/EEC
ADA(14)9387 (rev.5)	Reaction of European Farmers and Agri-cooperatives to the Commission's Proposal for a Regulation of the European Parliament and of the Council on the Manufacture, Placing on the Market and Use of Medicated Feed Repealing Directive 90/167/EEC and the Commission's Proposal for a Regulation of the European Parliament and of the Council on VMPs
AHW(19)1707 (rev.1)	WP on AHW, 4th March 2019: Antimicrobial resistance: state of play and revision veterinary medicines legislation- presentation by Nancy De Briyne, DVM
ADA(19)8673 (rev.1)	Competence of the Future Expert Group on Animal Nutrition for the Preparation of Delegated Acts
EFSA(18)5677 (rev.1)	[EFSA]: Updated quantitative risk assessment (QRA) of the BSE risk posed by processed animal protein (PAP)
ADA(19)4705 (rev.1)	FEFAC Technical & Economic Impact Assessment for the Reauthorisation of non-ruminant Processed Animal Proteins in monogastric feed- Focus on reuse of pig PAPs in poultry feed





## 7. Update in the latest developments on the EU Catalogue and Register of feed materials

Home Presentation Register Notification Form Search

### FEED**MATERIALS**REGISTER.EU

Home Presentation Register Notification Form Search Member area

## 7 Update in the latest developments on the EU Catalogue and Register of feed materials

Regulation (EC) No 767/2009 on the placing on the market and use of feed states in article 24(6): "the person who, for the first time, places on the market a feed material that is not listed in the Catalogue shall immediately notify its use to the representatives of the European feed business sectors referred to in Article 26(1). The representatives of the European feed business sectors shall publish a Register of such notifications on the Internet and update the Register on a regular basis".

#### Organisations in charge: Copa-Cogeca, FEFAC, CEFS

**Members**: AICV, AIJN, Brewers of Europe, CEEREAL, CEEV (pending), CEFI, CEFIC (APAG/GME), CEFS, COCERAL, COFALEC, Copa-Cogeca, EABA, EAPA, EBB, EDA, EFFPA, EFPRA, EMFEMA, EMIDAS, ePURE, EUCOLAIT, EUPPA, EUROMAISIERS, EUROMALT, EUROPATAT, European Flour Millers, EUSALT, EUVEPRO, FEDIAF, FEDIOL, FEFAC, FEFANA, FERM, FoodDrinkEurope, IFFO, IMA-Europe, IPIFF, PROFEL, spiritsEUROPE, Starch Europe

Last meeting: 23 September 2019

**News:** New Register website available soon. Each organisation will pay 500 euros. New Catalogue proposal will be sent to the Commission by end of October.

http://www.feedmaterialsregister.eu/index.php?page=Accueil



## Way forward agreed at the last meeting

- More interaction with authorities:
  - Give authorities access to the name of the applicant/FeBO on website
  - Provide authorities with list of entries we consider as illegal
  - Delete entries upon clear instructions of EU authorities
- More constraints to the applicant
  - Several validation steps (but no filter)
  - Obligation to go through decision tree of FEFANA (submission of the testing report)
  - Need to provide name of the company for which application is made
- Revamping on website
  - To reflect elements above
  - To facilitate the management

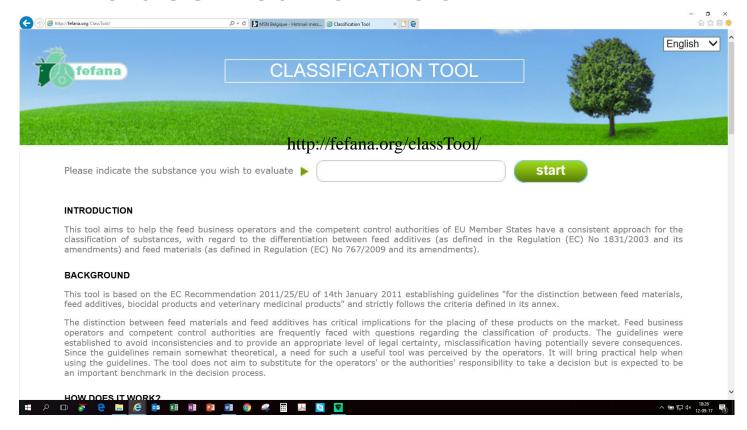
### Upgrade of the website

- Reduction of number of fancy notifications
  - Requesting applicant to verify the status of his product before notifying
- To facilitate the quality check
  - Integrate the quality check directly in the website (rather than in an excel table)
  - Keep records of correspondence with applicants
  - Automatisation of correspondence with applicants (Predefined messages)
- To inform operators of deleted entries
  - · List of entries that have been deleted together with the motivation
- To Involve more authorities in the quality check
  - Name of notifying companies and placer on the market available to authorities
- · Alignment with GDPR
  - Deletion of private data after certain period of time with validation by manager

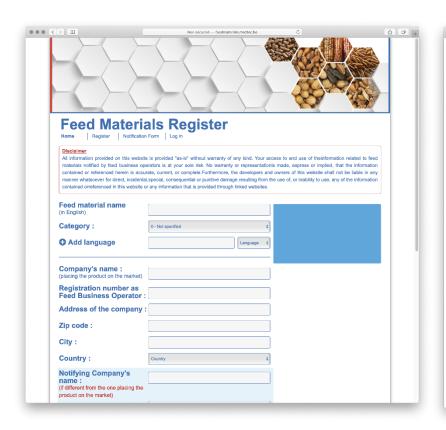
### New registration procedure for new entries Information to be provided by the applicant

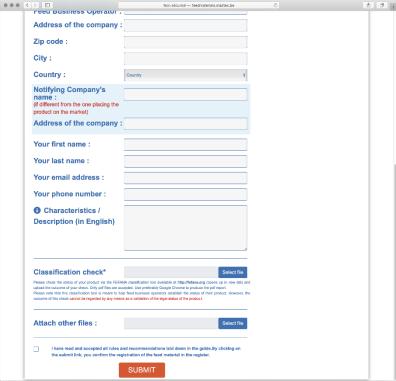
- Notification should be made by the feed business placing on the market. If made by a third party, the company name of the placer on the market must be provided
- Notification shall be performed in English first and then in other languages
- Several check points:
  - Check of name against names of products deleted from the register
  - Check of name against name of products already in the register
  - Check of legal status via FEFANA classification tool
- Additional documents as files: the applicant should be allowed to upload additional documents

#### **FEFANA** classification tool

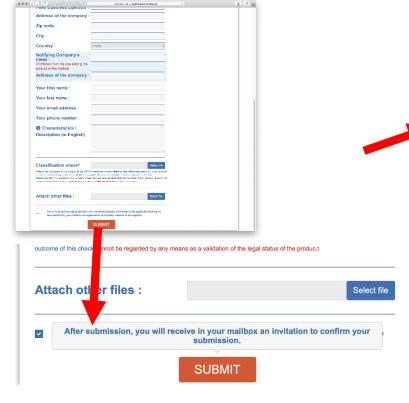


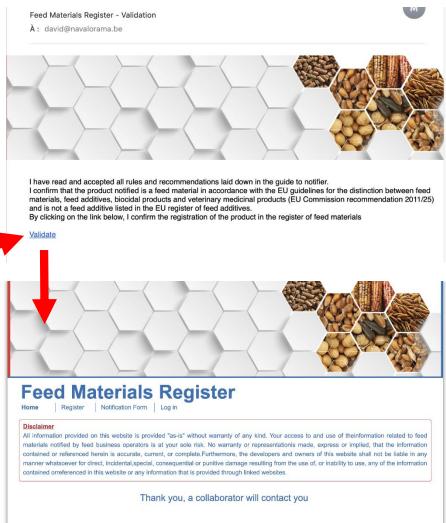
#### **FORM**





#### **FORM**





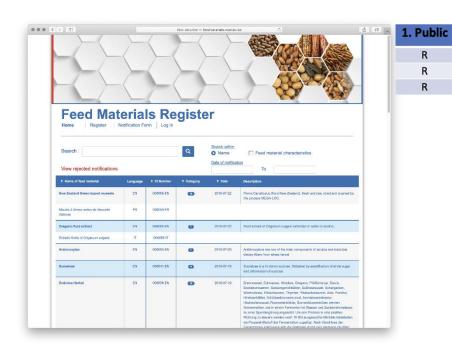
## Access rights

Access levels	1. Public	2.	3. EU FCTF	4.
		Authorities		Manager(s)
ID number and date	R	R	R	R
Name of FM / English name	R	R	R	R&W
Description of FM	R	R	R	R&W
Outcome of the check of status via FEFANA classification tool		R	R	R
Other uploaded information		R	R	R&W
Name and address of the Feed Business Operator placing on the market		R	R	R&W
Name and address of the notifying company		R	R	R&W
Quality check (except EU FCTF "free comment" area)		<del>R (Partial)</del>	R	R&W
Quality check EU FCTF comment area			R&W	R&W
Name, tel, email of the person notifying				R&W

R: read / W:

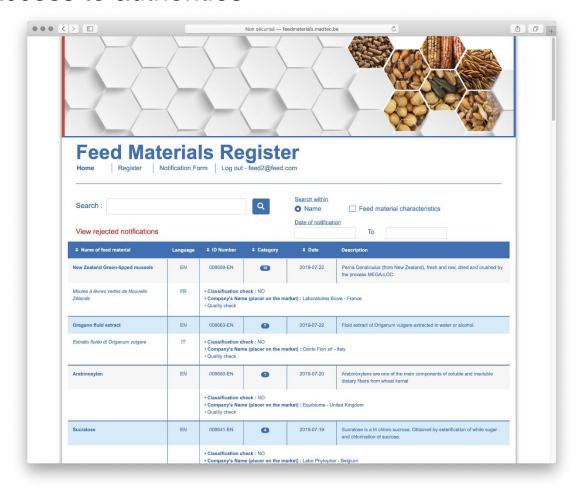
write

## Levels 2, 3 & 4

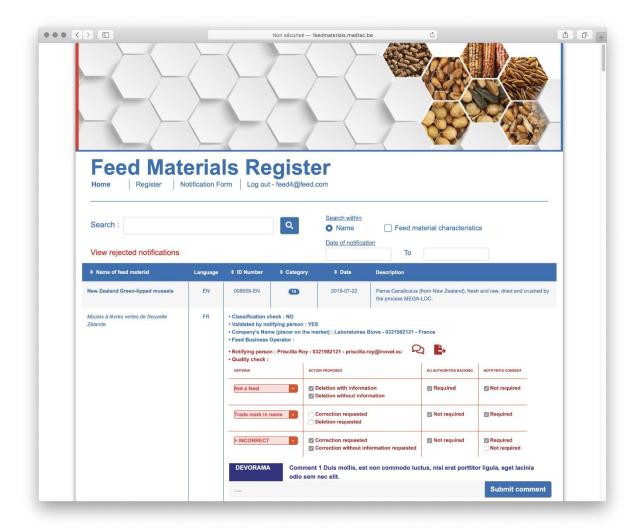




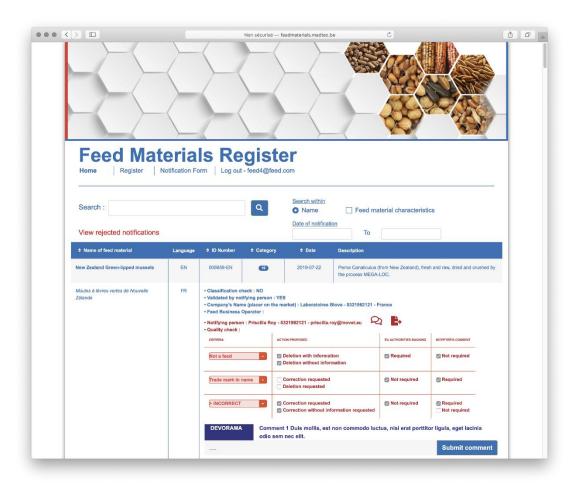
#### Level 2: access to authorities



#### Level 3: access to EU FCTF members



#### Level 4: Register manager



# General rules for the Quality check of the register

- Only notifications that are regarded as illegal may be deleted without prior consent of the notifier. For abusive notifications, the consent and/or input of the notifier will be required for any action considered. For incorrect notifications, the consent/input of the notifier may be required depending on the nature of the correction required.
- Any deletion should be backed by EU authorities except when the notification is unambiguously illegal (i.e. listed by name in the catalogue of feed materials or the register of feed additives). Deletions will be considered as backed by EU authorities when:
  - Specified in the minutes of the SCoPAFF in a non-ambiguous manner or subject to publication in the Official Journal;
  - Explicitly requested in writing by a member of the Unit in charge of Regulation (EU) 767/2009 in DG SANTE.
- Deletion requested by one or several national authorities are generally not considered as backed by EU authorities. In such
  case, depending on the nature of the request, the administrator may either implement the requested action, ask DG SANTE for
  validation, or consult the other members of the EU FCTF as appropriate.
- In case of opposite views from different authorities, the doubt should benefit the notifier.
- The notifier should, in most of the times, be informed about the deletion of entries and on the need to contact the related national authorities in case of any will to challenge the decision.
- Deletions requested by the notifier are performed directly by Register Manager(s).

## When proceeding to the cleaning?

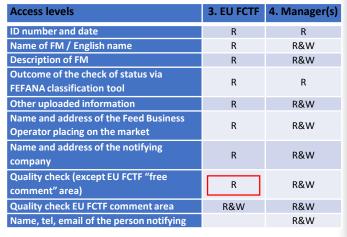
- Permanently for:
  - Unambiguously illegal entries
  - Deletion / amendment requested by:
    - · authorities
    - Notifier
    - EU FCTF Member
- At predefined periods (once/year) idenfication by EU FCTF of list of entries that are regarded as illegal but requiring validation by EU authorities

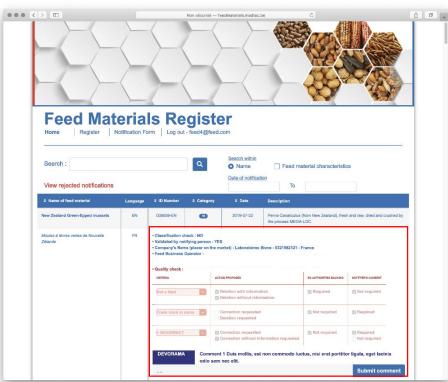
## How to proceed with periodic cleaning?

- Quality check by risk manager for entries over 1 year proposal for action specified on website
- Consultation EU FCTF members (1 month?) directly on website
- List (Excel) of entries proposed for deletion to authorities
- Implementation of action
- Records kept on website of actions performed

## Quality check of the register

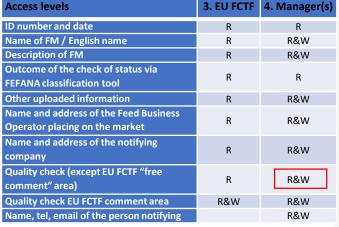
• In practice / level 3

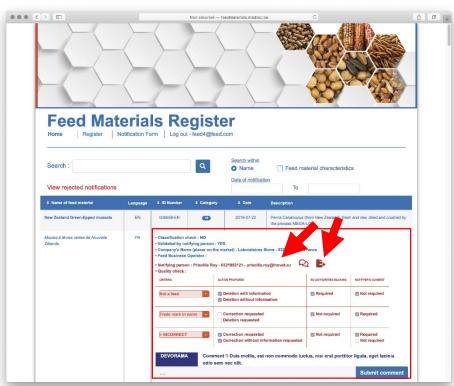




## Quality check of the register

• In practice / level 4





### Roadmap

- Development of website (summer)
- Submission of Modus Operandi to DG SANTE for endorsement by SCoPAFF (September).
- Drafting of GDPR policy, Q&A, Guidance to notifier (October)
- Launch of new website 4 October

## Rework of proposals by Chefs de file

- Identification of interested EU FCTF members per chapter (Chef de file, those claiming new entries and others)
- Identification of proposals requiring rework / clarification
- Sourcing reworked proposals from « claimants »
- Consulting all interested parties and seeking consensus
- Reporting to Coordinators the final proposals in excel format

#### Outcome of consultation

- Chapter 12: complete reshuffling requiring further finetuning
- Hemp co-products: contacts taken with EIHA; ongoing
- Review of description of charcoal, max content for formaldehydes, not addressed
- Amendments for which no comment was provided are regarded as agreed
- Compromises achieved on all « sensitive » topics

### To be further worked out Hemp co-products – max content for THC

	Hemp expeller <sup>(0)</sup>	,, , , , , , , , , , , , , , , , , , , ,	Crude protein Crude fibre
2.22.3	Hemp oil	, , , , , , , , , , , , , , , , , , , ,	Moisture, if > 1 %
6.7.1	Hemp flour	Flour ground from dried leaves from Cannabis sativa L.	Crude protein
6.7.2	•	Product obtained during the processing of hemp, green coloured, dried, fibrous.	

#### Last & future developments

- Letter + proposal sent on Thursday 17<sup>th</sup> October to DG SANTE (Dr. Siebert)
- Waiting for comments from the Commission
- Proposal still on hold as regards THC leves from hemp-derived products
- WP Organic Chairmanship consulted as regards the changes in organic feed materials. Almost no feedback received.



### Background documents

ADA(18)9171 (rev.1)	Working document on the EU Catalogue of feed materials and Register
http://www.feedmaterialsregister.eu/	Feed Materials Register
ADA(19)6191 (rev.1)	FOR CONSULTATION: EU Register for Feed materials
https://eur-lex.europa.eu/legal- content/EN/TXT/?qid=1571658589161&uri=CE LEX:02013R0068-20190220	Catalogue of Feed materials [Com Reg (EU) No 68/2013]
ADA(19)8952 (rev.1)	EU Feed Chain Task Force on the Catalogue
ADA(19)8953 (rev.1)	Meeting of the EU Feed Chain Task-Force on the Catalogue, 23rd September 2019- Summary Report
ADA(19)8954 (rev.1)	Priority setting for the upgrade of the list of feed additives and feed materials fit for use in OF
<u>ADA(19)8955 (rev.1)</u>	Modus Operandi for the Maintenance of the Register of Feed Materials
ADA(19)8927 (rev.1)	EU Feed Chain Task Force- ANNEX to the COMMISSION REGULATION (EU)/ amending Commission Regulation (EU) No 68/2013 on the Catalogue of feed materials
ADA(19)8924 (rev.1)	EU Feed Chain Task Force- Catalogue of Feed Materials: Proposal for New Entry under Section 13
ADA(19)8925 (rev.1)	EU Feed Chain Task Force- EU Feed Chain Task Force's submission for a fourth update of the EU catalogue of feed materials
ADA(19)8926 (rev.1)	EU Feed Chain Task Force- Feed Chain Coordination Task Force on the "EU Catalogue of Feed materials"
ADA(19)8927 (rev.1)	EU Feed Chain Task Force- ANNEX to the COMMISSION REGULATION (EU)/ amending Commission Regulation (EU) No 68/2013 on the Catalogue of feed materials
ADA(19)8928 (rev.1)	EU Feed Chain Task Force- Proposal for revision of Chapter 12 of the catalogue of feed materials – October 2019
ADA(19)8929 (rev.1)	EU Feed Chain Task Force- Production by fermentation of amino-acids and their co-products for use as feeds





8. Update on Commission's proposal on the transparency and sustainability of the EU risk assessment model



#### The EU's General Food Law Regulation

An introduction to the founding principles and the fitness check

## 8. Update on Commission's proposal on the transparency and sustainability of the EU risk assessment model

#### LEGISLATION INVOLVED

It covers the review of the General Food Law Regulation and the amendment of eight legislative acts dealing with specific sectors of the food chain: **GMOs** (cultivation and for Food/Feed uses), feed additives, smoke flavourings, food contact materials, food additives, food enzymes and flavourings, plant protection products and novel foods.

#### **TIMELINE**

- The European Parliament approved on 17<sup>th</sup> April 2019
- The Council approved on 13<sup>th</sup> June 2019
- The new Regulation was published in the Official Journal on 6 September
   2019
- Following its entry into force 20 days after publication, it will become applicable 18 months later (by end of March 2021)





## Improving the transparency and sustainability of the EU risk assessment in the food chain

Previously given by: Anastasia Alvizou, DG SANTE, Food chain science and stakeholder relations





## A few introductory words about the 'Transparency rules'...



#### How has it all begun?



#### Fitness Check of General Food Law

- The system was found to work well!
  - No systemic failures identified
  - EFSA significantly improved the scientific basis of EU measures
  - International recognition of EU safety standards
- Opportunities for improvement:
  - Civil society perceived a certain lack of transparency and independence in the context of regulated products
  - Need to ensure the long-term sustainability of EFSA to maintain high level of scientific expertise
  - Risk communication was not always effective enough





### European Citizens' Initiative 'Ban glyphosate' - Autumn 2017

#### Concerns raised:

- Transparency of the EU risk assessment;
- Quality and independence of scientific studies

Commission's commitment (December 2017) to introduce a legislative proposal





# New rules on the "transparency and sustainability of the EU risk assessment in the food chain"



### 'Transparency' rules: Proposal and provisional agreement

Commission's legislative proposal on the transparency and sustainability of the EU risk assessment in the food chain

- Adopted by the College on 11 April 2018
- ➤ Targeted revision of the GFL and as regards transparency of eight other related sectorial legislative acts
- Provisional agreement reached on 11 February 2019 within 10 months!
- ➤ The new rules expected to be published in the OJ over summer and enter into application in early 2021





#### **Four Pillars**

Sustainability & governance of EFSA

Quality & reliability of studies

Improved risk communication

Transparency of EU risk assessment





#### 1<sup>st</sup> pillar: Quality and reliability of studies



#### Quality and reliability of studies (1)

- ✓ General pre-submission advice
- ✓ Notification of commissioned studies
- ✓ Public consultations:
  - ✓ For renewals only: public consultation of planned studies at presubmission phase
  - ✓ **For all submitted studies:** Public consultation during the risk assessment



#### Quality and reliability of studies (2)

- ✓ **Fact-finding missions** to laboratories carrying out studies (at EU and in 3<sup>rd</sup> countries where relevant agreements) to take place **within 4 years** after entry into application:
  - ✓ Reporting of non-compliance and appropriate follow up
  - ✓ Outcome to be presented in an overview report possible legislative proposal if appropriate
- ✓ Commissioning of verification studies in exceptional circumstances of serious controversies or conflicting results





#### 2<sup>nd</sup> pillar: Transparency of EU risk assessment



#### Transparency of EU risk assessment (1)

- ✓ <u>Studies/data</u> supporting any request for a scientific output, including applications for authorisations, are
  - ✓ to be made public proactively and automatically, in an easily accessible format through EFSA's website,
  - ✓ early on in the risk assessment process i.e. when an application is found valid or admissible)
  - ✓ except for duly justified confidential information.
- ✓ No prejudice to existing IPRs and data exclusivity rules
- ✓ Standard data formats for applications to be developed by means of implementing acts





#### Transparency of EU risk assessment (2)

- ✓ Closed positive lists of information that may be treated as confidential, upon verifiable justification proving significant harm to commercial interests:
  - ✓ GFL and other 7 sectoral acts
  - ✓ Generally, EFSA to make the confidentiality assessment (some exceptions apply)
  - ✓ Procedure outlined
  - ✓ Exceptions for duly justified confidential information
- ✓ Protection of personal data





## 3<sup>rd</sup> pillar: Risk communication



#### Improved risk communication

- ✓ Definition of general objectives and general principes
- ✓ General plan on risk communication to be adopted by means of an implementing act (IA):
  - √ Key factors to be taken into account when considering risk communication activities
  - √ Types and levels of risk communication activites and the appropriate tools and channels
  - ✓ Appropriate mechanisms of coordination and cooperation amongst risk assessors and risk managers
  - ✓ Appropriate mechanism for open dialogue amongst interested parties





#### 4<sup>th</sup> pillar: Sustainability and governance of EFSA



#### Sustainability and governance of EFSA

- ✓ MS representatives in the Management Board + Commission + EP + civil society and food chain interests
- ✓ An active involvement of MS to stimulate experts in contributing to EFSA's work (promotion of EFSA's call for experts to Scientific Panels and Scientific Committee):
  - ✓ Criteria of excellence and independence to be respected.





#### Other elements (1)

- Transitional measures:
  - The new rules will not apply to applications under Union law and requests for scientific output submitted to EFSA before its entry into application (early 2021?).
  - The new MB will take over as of 1 July 2022.
- Review clause:
  - Regular review of the GFL Regulation as such
  - Every 5 years, COM review of EFSA's performance





#### Other elements (2)

- A considerable budget increase is also proposed in the Multi-Financial Framework (MFF) Programme:
  - EUR 62.5 million; and,
  - 106 additional posts
- However, the negotiations on the MFF are still ongoing





#### What is next? (1)

- Publication in <del>OJ over summer 2019 on 6<sup>th</sup></del> September 2019
- Entry into force 20 days after publication
- Entry into application: 18 months later (early end of March 2021?)



#### What is next? (2)

• In those 18 months (2019-early 2021), preparatory work must be carried out both by EFSA and by the Commission:

#### By EFSA (1):

- Set up practical arrangements/infrastructure for:
  - the general pre-submission advice
  - public consultations of planned and submitted studies
  - notification of commissioned studies
  - the implementation of the transparency rules (e.g. proactive public disclosure of studies)
  - the implementation of the confidentiality rules including the submission and treatment of confidentiality requests

Health and Food Safety



#### What is next? (3)

#### By EFSA (2):

- Draw up draft standard data formats for further adoption by the Commission (IA)
- Develop new and/or align existing guidance in conformity to the new transparency rules (esp. in sectoral legislation)
- Prepare a smooth transition to the new EFSA governance model (MB) and selection process for experts in Panels



#### What is next? (4)

#### By COM:

- Align existing COM guidance/implementing acts in sectoral legislation to the new rules
- To adopt the general plan on risk communication (IA)
- To adopt standard data formats for applications (IA)
- To carry out the fact-finding missions (within 4 years following entry into application) – findings to be presented in an overview report

#### Background documents

DA(18)5687 (rev.5)	Copa and Cogeca's position on the Commission's proposal on the transparency and sustainability of the EU risk assessment model in the EU
DA(18)5481 (rev.1)	Joint letter of the EU Agri-food sector on the Commission's proposal on transparency and sustainability of the EU Risk assessment model
NPN(19)1503 (rev.1)	[EP]: Briefing note: Reconsidering the General Food Law
COM(18)2731 (rev.1)	[COM(2018)179]: Proposal for a REGULATION on the transparency and sustainability of the EU risk assessment in the food chain amending Regulation (EC) No 178/2002 [on general food law], Directive 2001/18/EC [on the deliberate release into the environment of GMOs], Regulation (EC) No 1829/2003 [on GM food and feed], Regulation (EC) No 1831/2003 [on feed additives], Regulation (EC) No 2065/2003 [on smoke flavorings], Regulation (EC) No 1935/2004
NCN(19)4794 (rev.1)	<code>[RAPID]</code> : New legislation on transparency and sustainability of the EU risk assessment model in the food chain $^{\ast}$
https://eur-lex.europa.eu/legal- content/EN/TXT/?qid=157165824 3999&uri=CELEX:32019R1381	Transparency Regulation [Reg (EU) 2019/1381]





#### 9. AOB





european farmers

european agri-cooperatives



