

EUROPEAN PARLIAMENT

COMMITTEE ON THE ENVIRONMENT, PUBLIC HEALTH AND FOOD SAFETY

CO-ORDINATORS' MEETING
- not to be-treated in full committee -

Thursday, 31 August 2017, 9.00-9.45
Room JAN 4Q2

COORDINATORS' RESULTS

4.09.2017

Present:

Ms Vălean, Chair
Mr Liese, Coordinator of the EPP group
Ms Dalli, Coordinator of the S&D group
Ms Girling, Coordinator of the ECR group
Mr Gerbrandy, Coordinator of the ALDE group
Ms Konečná, Coordinator of the GUE/NLG group
Mr Javor, Acting Coordinator of the Greens/EFA group
Ms D'Ornano, Coordinator of the ENF group

1. ADOPTION OF DRAFT AGENDA

The draft agenda was adopted in the form shown in these minutes.

2. CHAIR'S ANNOUNCEMENTS

2.1 Fipronil in eggs

The Chair informed that Commissioner Andriukaitis had offered to meet coordinators to update them on the state of play. Coordinators considered that an issue of such importance for public opinion should be discussed in a public Committee meeting. They therefore mandated the Chair to invite Commissioner Andriukaitis to an ENVI meeting either on Thursday 7 September or to an extraordinary meeting to be organised in Strasbourg. They also considered useful to receive in writing prior to the meeting information outlining the facts.

3. DECISIONS ON PROCEDURE

Reports

1. **Proposal for a Council decision on the conclusion, on behalf of the European Union, of an Agreement between the European Union and the Swiss Confederation on the Linking of their Greenhouse Gas Emission Trading Systems** COM(2017)0427 – 2017/0193 (NLE)

Decision taken: *EPP rapporteur (1 point)*

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Own-initiative reports

2. **Own-initiative report on “EU Climate Diplomacy” (Rule 55 with AFET Committee)**

Decision taken: *The proposal for Rule 55 with AFET was agreed. S&D rapporteur (2 points)*

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Legislative opinions

3. **Draft Council implementing decision on subjecting N-(1-phenethylpiperidin-4-yl)-N-phenylacrylamide (acryloylfentanyl) to control measures**
ENVI/8/10204 * 2017/0073(NLE) 08858/2017 – C8-0179/2017
Responsible: LIBE – Brice Hortefeux (PPE) PR – PE607.861v02-00

Decision taken: *No opinion.*

Points 4 - 20 treated jointly (Discharge 2016)

4. **2016 discharge: EU general budget - Commission**
ENVI/8/10610 2017/2136(DEC) COM(2017)0365[01] – C8-0247/2017
Responsible: CONT
5. **2016 discharge: EU general budget - European Parliament**
ENVI/8/10630 2017/2137(DEC) COM(2017)0365[02] – C8-0248/2017
Responsible: CONT
6. **2016 discharge: EU general budget - Council and European Council**
ENVI/8/10650 2017/2138(DEC) COM(2017)0365[03] – C8-0249/2017
Responsible: CONT
7. **2016 discharge: EU general budget - Court of Justice**
ENVI/8/10670 2017/2139(DEC) COM(2017)0365[04] – C8-0250/2017
Responsible: CONT
8. **2016 discharge: EU general budget - Court of Auditors**
ENVI/8/10690 2017/2140(DEC) COM(2017)0365[05] – C8-0251/2017
Responsible: CONT
9. **2016 discharge: General budget of the EU - Economic and Social Committee**
ENVI/8/10710 2017/2141(DEC) COM(2017)0365[06] – C8-0252/2017
Responsible: CONT
10. **2016 discharge: EU general budget - Committee of the Regions**
ENVI/8/10730 2017/2142(DEC) COM(2017)0365[07] – C8-0253/2017
Responsible: CONT

11. **2016 discharge: EU general budget - European Ombudsman**
ENVI/8/10750 2017/2143(DEC) COM(2017)0365[08] – C8-0254/2017
Responsible: CONT
12. **2016 discharge: European Monitoring Centre for Drugs and Drug Addiction (EMCDDA)** ENVI/8/10780 2017/2150(DEC) COM(2017)0365[14] – C8-0261/2017
Responsible: CONT
13. **2016 discharge: European Environment Agency (EEA)**
ENVI/8/10783 2017/2151(DEC) COM(2017)0365[15] – C8-0262/2017
Responsible: CONT
14. **2016 discharge: European Medicines Agency (EMA)**
ENVI/8/10789 2017/2154(DEC) COM(2017)0365[18] – C8-0265/2017
Responsible: CONT
15. **2016 discharge: European Food Safety Authority (EFSA)**
ENVI/8/10799 2017/2159(DEC) COM(2017)0365[23] – C8-0270/2017
Responsible: CONT
16. **2016 discharge: European Centre for Disease Prevention and Control (ECDC)**
ENVI/8/10801 2017/2160(DEC) COM(2017)0365[24] – C8-0271/2017
Responsible: CONT
17. **2016 discharge: European Chemicals Agency (ECHA)**
ENVI/8/10816 2017/2167(DEC) COM(2017)0365[31] – C8-0278/2017
Responsible: CONT
18. **2016 discharge: Report on discharge in respect of the implementation of the budget of the EU's agencies for the financial year 2016: performance, financial management and control**
ENVI/8/10850 2017/2179(DEC) COM(2017)0365[43] – C8-0290/2017
Responsible: CONT
19. **2016 discharge: Joint Undertaking - Aeronautics and Environment (Clean Sky)**
ENVI/8/10867 2017/2182(DEC) COM(2017)0365[46] – C8-0293/2017
Responsible: CONT
20. **2016 discharge: Joint Undertaking - Innovative Medicines Initiative 2 (IMI)**
ENVI/8/10874 2017/2184(DEC) COM(2017)0365[48] – C8-0295/2017
Responsible: CONT

Decision taken: Coordinators:

- *Reconfirmed that, as in previous years, ENVI will deliver opinions only on the discharge to the Commission and to each of the five agencies under its responsibility (ECDC, ECHA, EEA, EFSA, EMA);*
- *Took note of CONT and ENVI timetable*

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Non-legislative opinions

None

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Documents received for information

21. **Report from the Commission to the European Parliament and the Council on the review of implementation of Regulation (EC) No 122/2009 of the European Parliament and of the Council on 25 November 2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS) and the Regulation (EC) No 66/2010 of the Parliament and of the Council of 25 November 2009 on the EU Ecolabel** COM(2017)0355

Decision taken: *No action needed, for information only.*

Items 22-24 (see Discharge 2016 under items 4-20)

22. **Communication from the Commission to the European Parliament, the Council and the Court of Auditors annual accounts of the European Commission 2016** COM(2017)0362
23. **Communication from the Commission to the European Parliament, the Council and the Court of Auditors consolidated annual accounts of the European Union 2016** COM(2017)0365
24. **Report from the Commission to the European Parliament and the Council on the follow-up to the discharge for the 2015 financial year (Summary)** COM(2017)0379

Decision taken: *No action needed, for information only.*

25. **Report from the Commission assessing the quota allocation method in accordance with Regulation (EU) No 517/2014** COM(2017)0377

Decision taken: *No action needed, for information only.*

26. **Report from the Commission to the European Parliament and the Council on the feasibility of a financial instrument that would facilitate safe and sound ship recycling** COM(2017)0420

Recommendation: *To invite the Commission for an exchange of views in ENVI*

27. **Proposal for a Council decision on the signing, on behalf of the European Union, of an Agreement between the European Union and the Swiss Confederation on the Linking of their Greenhouse Gas Emission Trading Systems** COM(2017)0428 - - 2017/0194 (NLE)

Decision taken: *No action needed - for information only*

28. **Report from the Commission to the European Parliament and the Council on the exercise of the delegation conferred on the Commission pursuant to Regulation No**

609/2013 on food intended for infants and young children, food for special medical purposes and total diet replacement for weight control COM(2017)0438

Decision taken: *No action needed, for information only (the issue was dealt with in comitology/DIA newsletter n.544).*

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Other documents received

29. **COMMISSION STAFF WORKING DOCUMENT EXECUTIVE SUMMARY OF THE FITNESS CHECK** Accompanying the document Report from the Commission to the European Parliament and to the Council on the review of implementation of Regulation (EC)No 122/2009 of the European Parliament and of the Council of 25 November 2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS) and the Regulation (EC) No 66/2010 of the Parliament and of the Council of 25 November 2009 on the EU Ecolabel SWD(2017)0252
30. **COMMISSION STAFF WORKING DOCUMENT FITNESS CHECK** Accompanying the document Report from the Commission to the European Parliament and to the Council on the review of implementation of Regulation (EC)No 122/2009 of the European Parliament and of the Council of 25 November 2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS) and the Regulation (EC) No 66/2010 of the Parliament and of the Council of 25 November 2009 on the EU Ecolabel SWD(2017)0253

4. DECISIONS ON URGENT MATTERS

4.1 *Calendar of ENVI meetings for 2018*

Decision taken: *Coordinators approved the draft calendar for ENVI meetings in 2018 with a modification (no meeting on 17-18 September; if needed extraordinary meetings will be organised in Strasbourg in September/October).*

4.2 *ENVI Missions to Agencies in 2018*

Decision taken: *Coordinators decided the following visits to Agencies for 2018, which will be included in the global programme of missions:*

- *Health and Food Audits and Analysis (ex-FVO) (last visit February 2016)*
- *EEA (last visit November 2016)*
- *ECHA (postponed from 30-31 October 2017)*

4.3 *Mission to COP 24 in Katowice, Poland, 11-15 December 2018*

Decision taken: *Coordinators decided to request the Conference of Presidents to authorise on an exceptional basis, the sending of a 15-Member ad-hoc delegation to the high-level segment of the COP24 Climate Change*

Conference in Katowice, 11-15 December 2018. The 15 Members are to be nominated by the political groups in accordance with the rolling d'Hondt system, which shall also apply to the non-attached Members.

4.4 Possible invitation to a US governor in the context of the debate on the COP23 resolution

Decision taken: *Coordinators mandated the Chair to organise - together with the delegation for relations with US - a meeting with Governor Brown during his visit to Brussels on 8-9 November.*

5. DECISIONS RELATED TO NON LEGISLATIVE MATTERS

5.1 Letter to the EP President by the Chair of the Intergroup on Animal Welfare on a global end to animal testing on cosmetics

Decision taken: *Coordinators decided to table an Oral Question with resolution on a global end to animal testing on cosmetics. A deadline was set for political groups to inform the Secretariat by 8 September at noon of the names of the co-sponsors.*

5.2 Possible joint ENVI/PECH OQ to the Commission on coastal marine habitats

Decision taken: *Coordinators agreed to table a joint OQ with PECH. A draft text will be circulated for adoption in written procedure.*

6. PROPOSALS FOR DECISION WITHOUT DEBATE

6.1 Decisions on procedure

6.1.1 Motions for resolution Rule 133

- 1. Motion for a resolution of the European Parliament on promoting fish consumption by Ivan Jakovčić, Jozo Radoš - B8-0452/2017**
- 2. Motion for a resolution of the European Parliament on noise pollution and health by Aldo Patriciello - B8-0457/2017**
- 3. Motion for a resolution of the European Parliament on the problem of pollution in the Mediterranean by Joëlle Mélin - B8-0482/2017**
- 4. Motion for a resolution of the European Parliament on dementia by Dominique Bilde - B8-0486/2017**

Decision taken: *No follow-up needed. The Chair will reply accordingly to the author(s) of the motions for resolution.*

6.1.2 Short-list of candidates for INI reports

The following topic was added to the short list at the 21 March meeting:

- Report from the Commission to the European Parliament and the Council on progress made and gaps remaining in the European Emergency Response Capacity - COM(2017)0078

6.2 *Petitions for opinion*

None

6.3 *Public Hearings for the first semester 2018*

Decision taken: *The Chair was mandated to inform the CCC that authorisation for Public Hearings will be requested, if necessary, on an ad-hoc individual basis.*

7. POINTS FOR INFORMATION

7.1 *On-going INI reports in ENVI*

The file included the list of on-going INI reports

7.2 *Petitions for information*

None

7.3 *Rolling check-list on reporting and review clauses in EU legislation*

The updated rolling check-list was included in the file.

7.4 *State of play of ENVI 2017 scrutiny plan*

The updated 2017 scrutiny plan was included in the file.

7.5 *Case-law of interest for the ENVI Committee*

- **Case C-220/17, Planta Tabak-Manufaktur – Reference for a preliminary ruling** on the validity of Articles 7(1), 7(7) and 7(14) of Directive 2014/40 of the European Parliament and the Council (the “Tobacco Products Directive 2014”) and possible submission of observations by the European Parliament.

The applicant in the case pending before the Verwaltungsgericht Berlin is Planta Tabak, a family-owned business which manufactures and distributes tobacco products, in particular mentholated roll-your-own tobacco. The claimant challenges the provisions of the national legal acts transposing the Directive as regards the prohibition of products with a characterising flavours, labelling and packaging, and the prohibition of flavours promotion, on the grounds that the corresponding provisions of the Directive are in breach of EU primary law. The claimant seeks a declaration from the Verwaltungsgericht Berlin to the effect that the national provisions concerned would not be applicable to its tobacco products. The Claimant argues that the Directive infringes the principle of legal certainty, equal treatment and proportionality. The Verwaltungsgericht Berlin refers the question to the Court of Justice.

- **Case C-288/17, Fédération des fabricants de cigares – Reference for a preliminary ruling** on the validity of Articles 13 of Directive 2014/40 of the European Parliament and the Council (the “Tobacco Products Directive 2014”) and possible submission of observations by the European Parliament.

The applicant in the case pending before the Conseil d’Etat is Fédération des fabricants de cigares and four other tobacco companies, seeking annulment of the Order of 19 May 2016 which recasted the provisions of the Code de la Santé publique dealing with tobacco control. The applicants claim that the law infringed their trademark rights, which they regard as property rights; and also impaired their freedom to conduct a business and freedom of expression. The Conseil d’Etat considers this raises a question of interpretation of Article 13 of the Directive regarding the scope of the prohibitions that may apply to trade marks and prevent their use on the packaging of tobacco products. Should it be interpreted as also prohibiting the use of such marks, the Conseil d’Etat considers it necessary to assess the validity of that provision in light of the right to property, of freedom of expression, of the freedom to conduct business and of the principles of proportionality and of legal certainty. The Conseil d’Etat refers the question to the Court of Justice.

7.6 Ombudsman decision on delays by the Commission in processing files on the reproductive toxicity of chemical substances

The Ombudsman decision was included in the file.

7.7 Ombudsman inquiry into EMA pre-submission activities

The Ombudsman letter to EMA informing of the inquiry was included in the file.

7.8 Inquiry to investigate allocation of EBRD funding to Schwarz group and LIDL supermarket chain

A letter by MEP Grigule addressed, inter alia, to the ENVI Committee was included in the file.

7.9 Overview of ENVI expertise budget use

An overview of ENVI expertise budget use for the first half of 2017 was included in the file.

8. ANY OTHER BUSINESS

None

9. NEXT COORDINATORS' MEETING

Thursday, 28 September 2017, (time tbc)