

## CHAIR'S WELCOME



The next meeting of the ENVI Committee will be taking place in Brussels on [13 October 2014](#). During this short meeting, Members will consider a draft report on novel foods as well as a draft recommendation for second reading on possibility for the Member States to restrict or prohibit the cultivation of GMOs in their territory. Food safety and

sustainable agriculture will also be prominent on the international agenda as World Food Day is taking place on 16 October 2014. Additionally, the Committee will hold an exchange of views with the European Commission on the implementation of Regulation (EU) No 528/2012 on biocides, in particular regarding the criteria for the determination of endocrine-disrupting properties. .

I would like to draw your attention to the ENVI Committee's participation in the process of hearings of Commissioners-designate. In the past two weeks, ENVI Members have heard the following candidates as responsible or jointly responsible committee:

- Mr Karmenu Vella for the Environment, Maritime Affairs and Fisheries
- Mr Vytenis Andriukaitis for Health and Food Safety
- Mr Miguel Arias Cañete for Climate Action and Energy
- Ms Alenka Bratušek, Vice-President for Energy Union.

The Committee was also associated to the hearings of Commissioners-designate Ms Elżbieta Bieńkowska (Internal Market, Industry, Entrepreneurship and SMEs) and participated informally to the hearings of Mr Christos Stylianides (Humanitarian Aid and Crisis Management), as well as of the Vice-President for Jobs, Growth, Investment and Competitiveness, Mr Jyrki Katainen. The vote of investiture of the new Commission as a whole is expected for the upcoming plenary session.

[Giovanni La Via](#)

## MEETING PREVIEW

### Novel foods

Consideration of [draft report](#)



On 14 January 2008, the Commission adopted a **proposal** for a Regulation of the European Parliament and of the Council on Novel

Foods. The **legislative discussions** under the Ordinary legislative procedure mainly focused on the provisions applicable to nanomaterials, the cloning of animals for food production, traditional foods from third countries, the criteria to be examined for the risk assessment and risk management, and to the procedure for the authorisation of novel foods. The discussions reached a **stalemate** on a limited number of issues, in particular those linked to **cloning of animals**. The Conciliation Committee did not reach a final agreement at its last meeting on 28 March 2011 and the proposal was **not adopted** by the Union legislator.

**This new proposal** is limited to the **safety of novel foods** and is based on the overall agreement achieved in Conciliation. The general criteria for the Novel Food definition remain unchanged: novel foods are foods and food ingredients which were not consumed in the EU to a significant degree before the entry into force (15 May 1997) of the current Novel Food Regulation.

A First exchange of views without document was held in ENVI on the 23rd of July followed by the presentation of the **Complementary Impact Assessment**: "Reviewing and updating the European Commission's 2008 Impact Assessment for a Regulation on Novel Foods".

The Rapporteur highlighted that the food sector is one of the most competitive and innovative on the Union's internal market, thus it is only appropriate for legislation to reflect **new realities**. The three main areas of concern are the **definition** of a novel food, streamlining the **authorisation process**, and robust **data protection** provisions. The Rapporteur also stressed what stakeholders need most is a process that is **efficient**, offers **certainty** and adequate **protection** for their products. The draft report consists of **93 amendments** to the Commission's proposals.



Amendments are to be tabled by 17 October and will be considered in committee on 5 November, with a vote in ENVI foreseen for 24 November 2014.

Rapporteur: [Nicholson](#) (ECR) [Procedure file](#)  
 Shadows: [Ayuso](#) (EPP), [Paulsen](#) (ALDE), [Boylan](#) (GUE), [Staes](#) (Greens/EFA)

### **Possibility for the Member States to restrict or prohibit the cultivation of GMOs in their territory**

Consideration of [draft recommendation](#) for second reading

The Commission made its **proposal back in July 2010**. On



**5 July 2011**, the EP adopted its **1st Reading position**, which was supported by a **broad majority of MEPs** (548 votes in favour, 84 against and

31 abstentions). Major elements of the EP-position are, in particular, the possibility of **restricting/banning the cultivation of GMOs** based on a significantly **broadened list of reasons** in comparison to the EC proposal meaning that GM-cultivation could be based on **environmental grounds**. According to the EP, a national/regional restriction/ban must be subject to a prior independent cost-benefit analysis and a public consultation. In addition, Member States shall **1) make publicly available any such measure at least 6 months before the start of the growing season; 2) adopt those measures for a maximum of 5 years and 3) review them when the GMO authorisation is renewed**. The EP also calls on Member States to establish a general mandatory system of financial liability. As to the legal basis, the EP is in favour of Art. 192(1) TFEU (Environment) instead of Art. 114 TFEU (Internal Market).

On **12 June 2014**, a **political agreement** was reached in the **Council**, including an important new element: the so-called **"phase I"**. During the authorisation procedure of a **specific GMO**, Member States wishing to ban cultivation of that GMO on all or parts of their territory can request a company to **modify the geographical scope** of its application for Union authorisation. In case the company agrees, the scope of the authorisation is adapted accordingly. If not, the Member State still has the possibility to adopt measures banning the cultivation of that GMO on its territory, but has to base these measures on **"compelling grounds"**, such as environmental policy objectives distinct from the elements assessed under the GMO authorisation procedure (**"phase II"**). The IT Presidency intends to reach a **2nd Reading agreement before December**.

In her draft recommendation, the **Rapporteur re-tables** many of the **amendments adopted in 1st Reading**. In

particular, she reiterates Parliament's **call for a change of legal basis**, the possibility of Member States to base their measures on **environmental grounds** and an obligation of Member States to take **co-existence measures**. In addition, the Rapporteur proposes to **re-focus on "phase II"** which was at the core of EP's position in 1st Reading. According to the draft recommendation, **Member States should thus always** (and without having made use of "phase I") **be able to ban the cultivation of GMOs** on their territory once authorised, provided they can justify such ban on grounds of environmental impacts, socio-economic impacts or other legitimate factors.

The deadline for amendments is 15 October, with a vote on the draft recommendation and negotiating mandate scheduled for 5 November 2014.

Rapporteur: [Ries](#) (ALDE) [procedure file](#)  
 Shadows: [Kostinger](#) (EPP), [Pargneaux](#) (S&D), [Girling](#) (ECR), [Boylan](#) (GUE), [Staes](#) (Greens/EFA), [EVI](#) (EFDD)

### **Exchange of views with the European Commission on the implementation of Regulation (EU) No 528/2012 on biocides in relation to delegated acts**



Article 5(3) of **Regulation (EU) No/ 528/2012 concerning the making available on the market and use of biocidal products** contains an

obligation on the Commission to **adopt, by 13 December 2013, a delegated act** specifying scientific **criteria for the determination of endocrine-disrupting properties**.

Despite the above deadline having expired, the Commission has yet to adopt the delegated act concerned. In the circumstances, **the Commission has been invited** to the Committee to **explain the delay** in complying with this obligation and to answer any questions from Members.

### **RECENTLY ADOPTED IN COMMITTEE**

- *Opinion on the European Semester for economic policy coordination: implementation of 2014 priorities*



## NEWS FROM THE AGENCIES

### European Environment Agency (EEA)



#### Fluorinated greenhouse gases 2013

Fluorinated gases (**F-gases**) are emitted into the atmosphere in relatively small quantities, but their effect on climate change is increasingly significant. The EEA has published a [new report](#) showing **production, use, import, export and destruction** of these substances in 2013. [More](#)

### European Centre for Disease Prevention and Control (ECDC)



Following an increase in the number of cases of **Ebola virus disease** being recorded in West Africa, the ECDC's attention has recently been specially focused on ebola: read its **fifth risk assessment update**. [More](#)

### European Chemicals Agency (ECHA)



ECHA organises the Topical Scientific Workshop on Regulatory Challenges in **Risk Assessment of Nanomaterials**, 23-24 October 2014 in Helsinki. [More](#)

### European Medicines Agency (EMA)



EMA adopts **landmark policy** on the **publication of clinical reports**, which is to take effect on 1 January 2015. It will apply to clinical reports contained in all applications for **centralised marketing authorisations** submitted after that date. The reports will be released as soon as a decision on the application has been taken. [More](#)

### European Food Safety Authority (EFSA)



EFSA has launched recently **two public consultations**. The first consultation pertains to new draft guidance that sets out the information to be provided for the **agronomic and phenotypic characterisation of genetically modified plants**. The second public consultation pertains to EFSA's draft scientific opinion on the **welfare of sheep kept for the production of wool, meat and milk**.

Moreover, the European Commission has recently launched an **on-line consultation** to help define **criteria for "endocrine disruptors"**, which refers to **EFSA's 2013 scientific opinion** on the hazard assessment of endocrine disruptors. [More](#)

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Contact the ENVI Secretariat: [envi-secretariat@europarl.europa.eu](mailto:envi-secretariat@europarl.europa.eu) or visit the [website](#) of the ENVI Committee.

#### Next meeting of the ENVI Committee

5-6 November 2014, in Brussels  
See also the [2014 meeting dates](#) for future meetings.

#### Further information sources

The **EP Policy Departments** [publish](#) studies, notes, information notes and workshop proceedings; to contact them, write to [Poldep-Economy-Science@europarl.europa.eu](mailto:Poldep-Economy-Science@europarl.europa.eu). The **EP Library** regularly prepares briefings summarising information related to topical subjects. Find the latest updates via the links [briefings](#) and [blog](#).

#### About the editor

European Parliament, Directorate General for Internal Policies of the Union, Secretariat of the Committee on the Environment, Public Health and Food Safety - Responsible administrator: Tihana Vujatović; Responsible assistants: Irena Aramina, Marie-Christine Della Faille

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