

EUROPEAN PARLIAMENT

COMMITTEE ON THE ENVIRONMENT, PUBLIC HEALTH AND FOOD SAFETY

CO-ORDINATORS' RESULTS

- not to be-treated in full committee -

Wednesday, 25 September 2019, 11.00-12.30
Room JAN 2Q2 (BRUSSELS)

- Mr Canfin, Chair
- Mr Liese, Coordinator of the EPP group
- Ms Guteland, Coordinator of the S&D group
- Mr Torvalds, Coordinator of the Renew group
- Mr Eickhout, Coordinator of the Greens/EFA group
- Ms Sardone, Coordinator of the ID group
- Mr Vondra, Coordinator of the ECR group
- Ms Björk, Coordinator of the GUE/NGL group (replacing Ms Modig)

27.9.2019

1. ADOPTION OF DRAFT AGENDA

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

2. CHAIR'S ANNOUNCEMENTS

None

3. DECISIONS ON URGENT MATTERS

3.1 Preparation of the hearings of the Commissioners-designate

Political groups will distribute the 25 question slots in line with the coordination of political groups proposal of 18 September 2019.

3.1.1 Hearing of Commissioner-designate Kyriakides

Decision taken: *Coordinators took note of the date and format of the hearing as well as of the planned date/time of the evaluation meeting.
The groups are to inform the secretariat by Friday, 27 September at 13.30 (or as soon as possible) on the names and order in which their MEPs will speak.*

3.1.2 Hearing of Commissioner-designate Sinkevičius

Decision taken: *Coordinators took note of the date and format of the hearing as well as of the planned date/time of the evaluation meetings.
The groups are to inform the secretariat by Monday 30 September at 13:30 (or as soon as possible) on the names and order in which their MEPs will speak.*

3.1.3 Hearing of Executive Vice-President Timmermans

Decision taken: *Coordinators took note of the date and format of the hearing as well as of the planned date/time of the evaluation meetings.
The groups are to inform the secretariat by Friday, 4 October at 13:00 (or as soon as possible) on the names and order in which their MEPs will speak.*

3.1.4 Hearing of Commissioner-designate Wojciechowski (AGRI) – ENVI associated committee

Decision taken: *Coordinators took note of the date and format of the hearing as well as of the planned date/time of the evaluation meetings.*

3.1.5 Hearing of Commissioner-designate Plumb (TRAN) – ENVI associated committee

Decision taken: *Coordinators took note of the date and format of the hearing as well as of the planned date/time of the evaluation meetings.*

3.1.6 Hearing of Commissioner-designate Lenarčič (DEVE) – ENVI associated committee

Decision taken: *Coordinators took note of the date and format of the hearing as well as of the planned date/time of the evaluation meetings.*

3.1.7 Hearing of Commissioner-designate Simson (ITRE) – ENVI associated committee

Decision taken: *Coordinators took note of the date and format of the hearing as well as of the planned date/time of the evaluation meetings.*

3.1.8 Informal participation to hearing of Vice-president Dombrovskis

Decision taken: *Coordinators took note of the date and format of the hearing*

3.2 Appointment of contact persons for the Agencies within ENVI remit (GR/BM/SC)

ENVI contact persons for Agencies within ENVI remit

Decision taken: *Coordinators allocated the agencies under ENVI remit (including the Health and Food Audits and Analysis Directorate) among political groups as indicated below in the table. Groups are invited to send the names of their contact persons to the secretariat by 3 October 2019, COB.*

AGENCY	Political group
EMA European Medicines Agency	EPP
EFSA European Food Safety Authority	S&D
ECHA European Chemicals Agency	RE
EEA European Environment Agency	Greens/EFA
ECDC European Centre for Disease Prevention and Control	ECR

Health and Food Audits and Analysis Directorate (former FVO)	GUE/NGL
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3.3 Appointment of co-chairs for the Health Working Group (BM)

3.4 Appointment of ENVI members responsible for the Network on the Rights of Persons with Disabilities and the Gender Mainstreaming Network (IP/SC)

3.5 Appointment of ENVI representatives to the STOA panel (CM)

3.6 Appointment of ENVI members responsible for petitions (SC)

Decision taken: *Political groups have the possibility to submit new nominations for the different appointments for points 3.3, 3.4, 3.5 and 3.6. The decision is postponed and- political groups are asked to come back with a proposal on the allocation and nomination for the first and second half of this term by Thursday 3rd October 2019 COB.*

3.7 Calendar of ENVI meetings 2020

Decision taken: *Coordinators endorsed the draft calendar.*

3.8 ENVI delegations and missions to agencies in the first half of 2020 (NK)

Decision taken: *Coordinators agreed on the following ENVI delegations and missions for the first half of 2020:*

1. Missions to Agencies under ENVI remit

- ECDC in Stockholm and
- EFSA in Parma

2. Other ENVI delegations:

- 75th session of the International Maritime Organization (IMO) Marine Environment Protection Committee (IMO MEPC 75, London, 30 March - 3 April 2020) and
- Delegation to the Amazon on deforestation

4. DECISIONS ON PROCEDURE (see list of points in Annex VII and Annex VIIa)

Reports

None

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Own-initiative reports

None

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Opinions

None

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Documents received for information

1. Report from the Commission to the European Parliament and the Council: Implementation of the third Programme of Union action in the field of health in 2016 (BM)
COM(2019)0365

Decision taken: No action needed, for information only

2. Recommendation for a Council decision authorising the opening of negotiations on behalf of the European Union at the Thirty-First Meeting of the Contracting Parties on the amendments to the Agreement for Cooperation in Dealing with Pollution of the North Sea by Oil and Other Harmful Substances ('Bonn Agreement') with regard to the accession of the Kingdom of Spain to the Agreement and with regard to the extension of the scope of application of the Agreement (SD)
COM(2019)0378

Decision taken: No action needed, for information only.

3. Proposal for a Council decision on the position to be taken on behalf of the European Union at the Second Ministerial Meeting of the Bonn Agreement with regard to the Bonn Agreement Strategic Action Plan (BASAP) 2019 – 2025 annexed to the Ministerial Declaration and with regard to the Ministerial Declaration (SD)
COM(2019)0379

Decision taken: No action needed, for information only.

4. **Proposal for a Council regulation fixing for 2020 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Baltic Sea and amending Regulation (EU) 2019/124, as regards certain fishing opportunities in other waters (GF)**
COM(2019)0380

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

5. **Communication from the Commission to the European Parliament, the European Council, the Council, the European Central Bank, the European Economic and Social Committee, the Committee of the Regions and the European Investment Bank - Finalising preparations for the withdrawal of the United Kingdom from the European Union on 1 November 2019 (ES/GF)**
COM(2019)0394

Decision taken: *For information only - No specific action needed as a possible exchange of views is already foreseen for 6/7 November.*

6. **Communication from the Commission to the European Parliament and the Council on the 2019 Climate Action Summit hosted by the United Nations Secretary General in New York (LV)**
COM(2019)0412

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

7. **Proposal for a Council decision on the position to be taken on behalf of the European Union at the third meeting of the Conference of the Parties to the Minamata Convention on Mercury as regards the adoption of a Decision establishing thresholds for mercury waste, in accordance with Article 11, paragraph 2, of that Convention (GR)**
COM(2019)0413

Decision taken: *No action, for information only*

8. **Proposal for a Council decision on the position to be taken on behalf of the European Union at the third meeting of the Conference of the Parties to the Minamata Convention on Mercury as regards the adoption of a Decision on the phasing-out of dental amalgam and amending Annex A to this Convention (GR)**
COM(2019)0414

Decision taken: *No action, for information only*

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Other documents received

9. **COMMISSION STAFF WORKING DOCUMENT EU guidance on integrating ecosystems and their services into decision-making**
SWD(2019)0305
10. **Commission staff working document Accompanying the document Report from the Commission to the European Parliament and the Council Implementation of the third Programme of Union action in the field of health in 2016**
SWD(2019)0316
11. **Commission staff working document Review of the Common Information Sharing Environment (CISE) for the maritime domain: 2014 - 2019**

SWD(2019)0322

12. **Commission staff working document Fourth Progress Report on the Commission's Action Plan on Nutrition April 2018 to March 2019**
SWD(2019)0321
13. **COMMISSION STAFF WORKING DOCUMENT EVALUATION of the Council Directive 2003/96/EC of 27 October 2003 restructuring the Community framework for the taxation of energy products and electricity**
SWD(2019)0329

5. DECISIONS RELATED TO NON LEGISLATIVE MATTERS

None

6. PROPOSALS FOR DECISION WITHOUT DEBATE

6.1 Decisions on procedure

6.1.1 Motions for resolution Rule 143

1. **Motion for a resolution on livestock transport from Romania in times of hot weather by Dominique Bilde - B9-003419**

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

6.2 Petitions for opinion (SC)

None

- 6.3 ***Corrigendum to Regulation (EU) 2019/787 of the European Parliament and of the Council of 17 April 2019 on the definition, description, presentation and labelling of spirit drinks, the use of the names of spirit drinks in the presentation and labelling of other foodstuffs, the protection of geographical indications for spirit drinks, the use of ethyl alcohol and distillates of agricultural origin in alcoholic beverages, and repealing Regulation (EC) No 110/2008 (SN 3918/19) (MM)***

Decision: *Coordinators approved the proposed corrigendum. Such result will be announced at the ENVI Committee meeting of 6 November amongst the decisions of coordinators. After that, the proposed the corrigendum will be submitted to Plenary in accordance with Rule 241 of the Rules of Procedure of the European Parliament.*

7. POINTS FOR INFORMATION

7.1 Petitions for information (SC)

None

- 7.2 ***Rolling check-list on reporting and review clauses in EU legislation (SD)***

The updated rolling check-list is attached in Annex IX.

7.3 *Case-law of interest for the ENVI Committee (SC)*

- **Opinion of Advocate General on Case C-524/18, *Dr. Willmar Schwabe GmbH & Co. KG v. Queisser Pharma GmbH & Co. KG***

On 12 September 2019 Advocate General Hogan gave its opinion on the request of a preliminary ruling by the German Federal Court of Justice on the interpretation to be given to Article 10(3) of Regulation No 1924/2006 on nutrition and health claims made on foods.

According to the Advocate General, the terms 'specific health claims' of Regulation No 1924/2006 refer to claims which have been authorized under the regulation, whereas the terms 'general health claims' refer to claims which may be accompanied by specific health claims. It will be necessary to consider whether these claims have been authorised, whether the specific health claims support the general health claims and whether the relationship between the two can be discerned by an average, consumer who is reasonably well informed, and reasonably observant and circumspect. The affixing of general health claims on the front of the package and specific health claims on the back of the package will normally be sufficient to establish the existence of such a relationship. However, the national court must assess whether the placing of other information on the packaging may cause the relationship to become insufficiently clear for an average consumer who is reasonably well informed, and reasonably observant and circumspect.

- **Judgement of the General Court in Case T-636/17, *Plastic Europe v ECHA***

On 6 July 2017, the Executive Director of ECHA adopted Decision ED/30/2017 ('the contested decision'), whereby the existing entry relating to the substance bisphenol A on the list of substances identified with a view to their eventual inclusion in Annex XIV to Regulation No 1907/2006 (the REACH regulation), in accordance with Article 59 thereof, was supplemented to the effect that that substance was also identified as a substance with endocrine disrupting properties that may have serious effects on human health which give rise to a level of concern equivalent to that raised by the use of other substances listed in Article 57(a) to (e) of that regulation, within the meaning of Article 57(f) thereof.

In its Judgement of 20 September, the General Court dismissed the action brought by the applicant. In particular, the General Court finds that the applicant could not place their legitimate expectation that in adopting its decision ECHA would rely on the acceptable level of concentration of bisphenol A. The General Court observes that at no time has ECHA indicated that the decision to identify bisphenol A as an endocrine disruptor is based on taking into account a certain level of concentration of this substance in mixtures or articles. The General Court also observes that a reference according to which the inclusion of a substance in the Candidate List does not concern intermediate uses — such as that sought by the applicant — could cause confusion as to the question whether information obligations arising from the inclusion in the Candidate List are applicable even in the case of intermediate use.

- **Order of the General Court in case T-677/17, *ClientEarth v Commission***

The case at hand concerns the action brought by ClientEarth seeking the annulment in part of Commission Regulation (EU) 2017/1154 of 7 June 2017 (the contested regulation) amending Regulation (EU) 2017/1151 supplementing Regulation (EC) No 715/2007 of the European Parliament and of the Council on type-approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information, amending Directive 2007/46/EC of the European Parliament and of the Council, Commission Regulation (EC) No 692/2008 and Commission Regulation (EU) No 1230/2012 and repealing Regulation (EC) No 692/2008 and Directive 2007/46/EC of the

European Parliament and of the Council as regards real-driving emissions from light passenger and commercial vehicles (Euro 6)

Pleas brought by the applicant claimed that the contested regulation establishes a confidentiality requirement applying to engine tests with regard to emissions from passenger cars and light commercial vehicles. According to the applicant, in so doing the contested regulation would have infringed rights of access to environmental information, including information on emissions into the environment. The General Court observes, however, that the contested provision was abolished by a subsequent act (in 2018). Hence, the Court finds that there is no need to adjudicate. In this respect, according to the General Court, the possibility of future disagreements with the public authorities of the Member States regarding the disclosure of information on emissions into the environment in response to a request made by an individual is, not sufficient to justify applicant's claim that it retains an interest in bringing proceedings. Moreover, concerning the possibility (invoked by the applicant) that the Commission would apply the (amended) provision illegally in the future and that the national authorities would infringe the applicant's right to access the environmental information in the future, the Court finds that this argument is mere speculation.

7.4 Documents recently published by the European Court of Auditors (GR)

The following document was recently published:

– SPECIAL REPORTS

Special report No 14/2019 on “‘Have your say!’: Commission’s public consultations engage citizens, but fall short of outreach activities” (5 September 2019)

This Special report assesses whether the Commission’s public consultations are effective at reaching out to citizens and making use of their contributions. The Court examined the design of the Commission’s framework; the way that the Commission prepared and conducted a selection of public consultations; and how it informed and made use of the consultation work. The Court concludes that both the performance of the sample of the Commission’s public consultations and the participants’ perception thereof were satisfactory overall, and that the Commission’s framework for public consultations is of a high standard, but that outreach activities need improvement.

European Court of Auditors’ portfolio of publications

Special reports present the results of selected audits (performance audits) on specific policy or spending areas, or on budgetary or management issues.

Annual reports mainly contain the results of financial and compliance audit work on the EU budget and the European Development Funds, but also budgetary management and performance aspects.

Specific annual reports, published separately on the EU’s agencies, decentralised bodies and joint undertakings.

Opinions on new or updated laws with a significant impact on financial management, either mandatory under the TFEU, at the request of another institution or on our own initiative.

Briefing papers describe and analyse policy or management, focusing on specific topics.

Landscape reviews, similar to briefing papers, but focused on complex, large-scale policy areas or management issues, often from a cross-cutting perspective.

Rapid case reviews establish facts surrounding very focused specific issues or problems.

Audit previews present background information on a forthcoming or ongoing audit.

8. ANY OTHER BUSINESS

None

9. NEXT COORDINATORS' MEETING

Wednesday, 6 November 2019 (time tbc)