IV
(Notices)

NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES

EUROPEAN COMMISSION

COMMISSION DECISION
of 12 November 2021
setting up the group of experts on the European Food Security Crisis Preparedness and Response Mechanism
(2021/C 461 I/01)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Whereas:

(1) Article 39 of the Treaty on the Functioning of the European Union assigned the Union and the Member States the task of assuring the availability of supplies of agri-food, fisheries and aquaculture products and ensuring that they reach consumers at reasonable prices.

(2) In its Communication of 20 May 2020 entitled ‘A Farm to Fork Strategy for a fair, healthy and environmentally-friendly food system’ (1), the Commission committed itself to stepping up its coordination of a common European response to crises that affect, or threaten to affect, the entire or part of the food system in the Union and put, or threaten to put, food security in the Union in danger. In accordance with action 2 of that Communication, the Commission is to develop a contingency plan for ensuring food supply and food security.

(3) It is necessary to establish an expert group in accordance with Commission Decision C(2016)3301 (2) establishing horizontal rules on the creation and operation of Commission expert groups (the horizontal rules).

(4) An expert group in the areas of agriculture, fisheries, aquaculture, health and food safety should therefore be set up and its tasks and structure should be defined.

(5) The group should assist the Commission in developing better coordination at Union level across all relevant policy areas and in organising a concerted response to crises affecting, or threatening to affect, food supply and food security in the Union in synergy with existing Union structures and mechanisms.

(6) The group should be composed of representatives of Member States, non-EU countries whose food supply chain is strongly integrated in the Union food system, and stakeholders’ organisations. It should be chaired by a representative of the Commission. A single contact point for each Member State and each non-EU country should be established for coordination purposes.

(1) COM(2020) 381 final.
HAS DECIDED AS FOLLOWS:

Article 1

Subject matter

The group of experts on the European Food Security Crisis Preparedness and Response Mechanism (‘the group’) is set up.

Article 2

Tasks

The group’s tasks shall be:

(a) to provide advice and expertise to the Commission in relation to:

(i) the implementation of Union legislation, programmes and policies concerning Union preparedness for, and response to, food supply and food security crises; and

(ii) cooperation and coordination with Member States, non-EU countries and stakeholders’ organisations regarding the matters referred to in point (i);

(b) to exchange experiences and good practices in the organisation of a concerted response to food supply and food security crises, including by providing early monitoring and reporting of threats, crisis evolution, post-crisis assessment and lessons learnt;

(c) to discuss contingency plans of Member States and non-EU countries invited by the Commission;

(d) to assist the Commission in the preparation of policy initiatives concerning Union preparedness for, and response to, food supply and food security crises, when consulted by the Commission on such policy initiatives;

(e) to develop recommendations relevant to Union preparedness for, and response to, food supply and food security crises on a case-by-case basis.

The group’s tasks shall be without prejudice to Decision No 1313/2013/EU (¹) on a Union Civil Protection Mechanism, and particularly to the exclusive responsibility of the Emergency Response Coordination Centre for coordinating all requests for assistance during the activation of the Union Civil Protection Mechanism, including in the event of food crises.

Article 3

Consultation

The Commission may consult the group on any matter relating to Union preparedness for, and response to, crises threatening food supply and food security.

Article 4

Membership

1. Members of the group shall be:

(a) competent authorities of each Member State in the areas of agriculture, fisheries, aquaculture, health policy and food safety;

(b) competent authorities of selected non-EU countries in the areas of agriculture, fisheries, aquaculture, health policy and food safety and whose food supply chain is strongly integrated in the Union food system;

(c) stakeholders’ organisations appointed as a result of the selection procedure referred to in Article 6, which are active in the areas of agriculture, fisheries, aquaculture, health policy and food safety or in any matter related to the well-functioning of the food supply chain, including the delivery of food to consumers through retail or food services, the provision of inputs and factors of production, food production, food processing and food transport, up to a total number of 30.

2. Members shall nominate one representative and one alternate and shall be responsible for ensuring that their representative and alternate provide a high level of expertise in the areas referred to in paragraph 1(c).

3. Stakeholders’ organisations selected as members, which are no longer capable of contributing effectively to the group’s deliberations, which, in the opinion of Commission departments referred to in Article 8, do not comply with the conditions set out in Article 339 of the Treaty on the Functioning of the European Union or which resign, shall no longer be invited to participate in any meetings of the group during their term of office and may be replaced for the remainder of their term of office.

Article 5

Contact points

One competent authority per Member State or non-EU country among those mentioned in Article 4(1)(a) and (b) shall act as single contact point for issues related to the tasks referred to in Article 2. Member States and non-EU countries shall notify the Commission of any change in the competent authority acting as contact point. The Commission shall publish and regularly update the list of contact points on a dedicated website.

Article 6

Selection process

1. The selection of stakeholders’ organisations shall be carried out via a public call for applications, to be published in the Register of Commission expert groups and other similar entities (the Register of expert groups). In addition, the call for applications may be published through other means, including on dedicated websites.

The call for applications shall clearly outline the selection criteria, including the required expertise and the interests to be represented in relation to the work to be performed. The minimum deadline for applications shall be four weeks.

2. Registration in the mandatory Transparency Register is required in order for stakeholders’ organisations to be appointed.
3. Member States’ authorities and non-EU countries’ authorities shall be appointed by the Director General of Directorate-General for Agriculture and Rural Development (DG AGRI) by direct invitation, after previous agreement with the Directorate-General for DG for Maritime Affairs and Fisheries (DG MARE) and the Directorate General for Health and Food Safety (DG SANTE).

4. Stakeholders’ organisations shall be appointed by the Director General of DG AGRI, after previous agreement with DG MARE and DG SANTE, from applicants with a high level of expertise in the areas referred to in Article 4(1)(c) and who have responded to the public call for applications.

5. Stakeholders’ organisations shall be appointed for a five-year term of office. Their term of office may be renewed. They shall remain in office until the end of their term of office or until replaced, whichever is earlier.

Article 7

Chair

The group shall be chaired by a representative of the Commission.

Article 8

Operation

1. The group shall act at the request of the responsible Commission departments (DG AGRI, DG MARE and DG SANTE), in compliance with the horizontal rules.

2. The group shall meet at least once a year. In case of urgency, it can be convened by the Commission at any time without prior notice.

3. Meetings of the group shall be held on Commission premises or virtually, depending on the circumstances.

4. DG AGRI, DG MARE and DG SANTE shall provide secretarial services. Commission officials from other departments with an interest in the proceedings may attend meetings of the group and its sub-groups.

5. In agreement with DG AGRI, DG MARE and DG SANTE, the group may, by simple majority of its members, decide that deliberations shall be public.

6. Minutes on the discussion on each point on the agenda and on the opinions, recommendations or reports delivered by the group shall be meaningful and complete. Minutes shall be drafted by the secretariat under the responsibility of the Chair.

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

Article 9

Sub-groups

1. DG AGRI, DG MARE and DG SANTE may set up sub-groups for the purpose of examining specific questions on the basis of terms of reference defined by them. Sub-groups shall operate in compliance with the horizontal rules and shall report to the group. They shall be dissolved as soon as their mandate is fulfilled.

2. The members of sub-groups that are not members of the group shall be selected via a public call for applications, in compliance with Article 6 and the horizontal rules.
3. A sub-group composed of Member States’ representatives shall be responsible for information exchanges between Member States and the Commission, particularly with regard to confidential information.

**Article 10**

**Invited experts**

DG AGRI, DG MARE and DG SANTE may invite experts with specific expertise with respect to a subject matter on the agenda to take part in the work of the group or sub-groups on an *ad hoc* basis.

**Article 11**

**Observers**

1. Individuals, organisations, including stakeholders’ organisations, and public entities other than the Member States’ competent authorities may be granted observer status, in compliance with the horizontal rules, by direct invitation.

2. Organisations and public entities appointed as observers shall nominate their representatives and alternates.

3. Observers and their representatives may be permitted by the Chair to take part in the discussions of the group and its sub-groups and provide expertise. However, they shall not have voting rights and shall not participate in the formulation of opinions, recommendations or reports of the group and its sub-groups.

**Article 12**

**Rules of procedure**

On a proposal by and in agreement with DG AGRI, DG MARE and DG SANTE, the group shall adopt its rules of procedure by simple majority of its members, on the basis of the standard rules of procedure for expert groups (*) in compliance with the horizontal rules. Sub-groups shall operate in compliance with the group’s rules of procedure.

**Article 13**

**Professional secrecy and handling of classified information**

The members of the group and their representatives, invited experts, as well as observers and their representatives, are subject to the obligation of professional secrecy, which by virtue of the Treaties and the rules implementing them applies to all members of the institutions and their staff, as well as to the Commission’s rules on security regarding the protection of Union classified information, laid down in Commission Decisions (EU, Euratom) 2015/443 (†) and 2015/444 (‡). Should they fail to respect these obligations, the Commission may take all appropriate measures.

**Article 14**

**Transparency**

1. The group and its sub-groups shall be registered in the Register of expert groups.

(*) Annex III to Decision C(2016)3301.


2. As concerns the group's and sub-groups' composition, the following data shall be published in the Register of expert groups in accordance with the horizontal rules:
(a) the name of Member States' competent authorities;
(b) the name of third countries' competent authorities;
(c) the name of stakeholders' organisations; the interest represented shall be disclosed;
(d) the name of observers.

3. All relevant documents, including the agendas, the minutes and the participants' submissions, shall be made available in the Register of expert groups. In particular, the agenda and other relevant background documents shall be published in due time ahead of the meeting, followed by timely publication of minutes. Exceptions to publication shall only be possible where it is deemed that disclosure of a document would undermine the protection of a public or private interest as defined in Article 4 of Regulation (EC) No 1049/2001 of the European Parliament and of the Council (*)

Article 15

Meeting expenses

1. Participants in the activities of the group and sub-groups shall not be remunerated for the services they offer.

2. Travel and subsistence expenses incurred by participants in the activities of the group and sub-groups shall be reimbursed by the Commission. Reimbursement shall be made in accordance with the provisions in force within the Commission and within the limits of the available appropriations allocated to the Commission departments under the annual procedure for the allocation of resources.

Article 16

Applicability

This Decision shall apply for five years from its date of adoption.

Done at Brussels, 12 November 2021.

For the Commission
Janusz WOJCIECHOWSKI
Member of the Commission