

EUROPEAN PARLIAMENT

COMMITTEE ON THE ENVIRONMENT, PUBLIC HEALTH AND FOOD SAFETY

CO-ORDINATORS' RESULTS

- not to be-treated in full committee -

Thursday, 30 August 2018, 9.00-9.30

Room PHS 1A002

COORDINATORS' RESULTS

31.08.2018

Present:

Ms Vălean, Chair

Mr Belet, Acting Coordinator of the EPP group

Ms Dalli, Coordinator of the S&D group

Mr Piecha, Acting Coordinator of the ECR group

Mr Staes, Acting Coordinator of the Greens/EFA group

Ms Hazekamp, Acting Coordinator of the GUE/NGL group

1. ADOPTION OF DRAFT AGENDA

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

2. CHAIR'S ANNOUNCEMENTS

2.1 Procedures in EN only

The Chair reported that in this last part of the legislature it becomes more and more difficult to establish timetables - especially for opinions - which allow full respect of multilingualism. She asked coordinators to explain the situation to Members of their groups and reassure them that these cases will be limited as much as possible; she will also raise the issue at next CCC.

2.2 Exchange of views on hunting of protected species

Coordinators declined the offer that the Commissioner be replaced by the Director General of DG ENV for this exchange of views and mandated the secretariat to look for a suitable date with the Commissioner later in the year.

2.3 Meeting with ENVE Committee of the Committee of Regions

Coordinators agreed to organise a working breakfast between the coordinators and the rapporteurs of the two committees on some important pieces of legislation currently under examination (LIFE, single use plastics and drinking water). This meeting should take place in parallel to a plenary meeting of the CoR when their members are in Brussels (8-10 October or 4-6 December).

2.4 Proposal by Commissioner Moedas to organise a Conference on Research and Innovation

Coordinators decided to support the proposal to organise this conference and mandated the Chair to inform the EP President accordingly. The Conference is planned to take place on 27 November.

2.5 Appointments in EFSA Management Boars

The Chair informed on the decision taken by Council on 26 June with regard to the appointment of 7 members to the EFSA management board. She also informed about Commissioner Andriukaitis letter of 23 July in response to the letter from the EP President outlining ENVI's position.

3. DECISIONS ON PROCEDURE

Reports

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Own-initiative reports

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Legislative opinions

Points 1 - 18 treated jointly (Discharge 2017)

1. Discharge 2017: General budget of the EU - European Commission

ENVI/8/14090

2018/2166(DEC) COM(2018)0521[01] – C8-0318/2018

Responsible: CONT

2. Discharge 2017: General budget of the EU - European Parliament

ENVI/8/14110

2018/2167(DEC) COM(2018)0521[02] – C8-0319/2018

Responsible: CONT

3. Discharge 2017: General budget of the EU - Council and European Council

ENVI/8/14130

2018/2168(DEC) COM(2018)0521[03] – C8-0320/2018

Responsible: CONT

4. Discharge 2017: General budget of the EU - Court of Justice

ENVI/8/14150

2018/2169(DEC) COM(2018)0521[04] – C8-0321/2018

Responsible: CONT

5. Discharge 2017: General budget of the EU - European Court of Auditors

ENVI/8/14170

2018/2171(DEC) COM(2018)0521[05] – C8-0322/2018

Responsible: CONT

6. Discharge 2017: General budget of the EU - European Economic and Social Committee

ENVI/8/14190

2018/2172(DEC) COM(2018)0521[06] – C8-0323/2018

Responsible: CONT

7. Discharge 2017: General budget of the EU - European Economic and Social Committee

ENVI/8/14210

2018/2173(DEC) COM(2018)0521[07] – C8-0324/2018

Responsible: CONT

8. Discharge 2017: General budget of the EU - European Ombudsman

ENVI/8/14230

2018/2174(DEC) COM(2018)0521[08] – C8-0325/2018

Responsible: CONT

9. Discharge 2017: General budget of the EU - European Data Protection Supervisor

ENVI/8/14250

2018/2175(DEC) COM(2018)0521[09] – C8-0326/2018

Responsible: CONT

10. Discharge 2017: European Monitoring Centre for Drugs and Drug Addiction (EMCDDA)

ENVI/8/14279

2018/2181(DEC) COM(2018)0521[14] – C8-0332/2018

Responsible: CONT

11. Discharge 2017: European Environment Agency (EEA)

ENVI/8/14282

2018/2182(DEC) COM(2018)0521[15] – C8-0333/2018

Responsible: CONT

12. Discharge 2017: European Medicines Agency (EMA)

ENVI/8/14288

2018/2185(DEC) COM(2018)0521[18] – C8-0336/2018

Responsible: CONT

13. Discharge 2017: European Food Safety Authority (EFSA)

ENVI/8/14298

2018/2190(DEC) COM(2018)0521[23] – C8-0341/2018

Responsible: CONT

14. Discharge 2017: European Centre for Disease Prevention and Control (ECDC)

ENVI/8/14300

2018/2191(DEC) COM(2018)0521[24] – C8-0342/2018

Responsible: CONT

15. Discharge 2017: European Chemicals Agency (ECHA)

ENVI/8/14315

2018/2198(DEC) COM(2018)0521[31] – C8-0349/2018

Responsible: CONT

16. Discharge 2017: Report on discharge in respect of the implementation of the budget of the agencies of the European Union for the financial year 2016: performance, financial management and control

ENVI/8/14348

2018/2210(DEC) COM(2018)0521[43] – C8-0361/2018

Responsible: CONT

17. Discharge 2017: Joint undertaking - Aeronautics and Environment (CLEAN SKY)

ENVI/8/14368

2018/2213(DEC) COM(2018)0521[46] – C8-0364/2018

Responsible: CONT

18. Discharge 2017: Joint Undertaking - Innovative Medicines 2 Initiative (IMI)

ENVI/8/14375

2018/2215(DEC) COM(2018)0521[48] – C8-0366/2018

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 timetables*

Points 19 - 20 treated jointly

19. Proposal for a Council Decision on the accession of the European Union to the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications

ENVI/8/14436

*** 2018/0214(NLE) COM(2018)0350

Responsible: JURI

Decision taken: *Open a deadline for amendments, within the limits of the consent procedure (the amendments adopted will be put together in an opinion by the Chair on behalf of the ENVI Committee or if no amendments are tabled, a draft opinion proposing to give consent will be put to the vote in ENVI).*

20. Action of the Union following its accession to the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications

ENVI/8/14440

***I 2018/0189(COD) COM(2018)0365 – C8-0383/2018

Responsible: JURI

Decision taken: *Open a deadline for amendments (the amendments adopted will be put together in an opinion by the Chair on behalf of the ENVI Committee)*

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Non-legislative opinions

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Documents received for information

21. Proposal for a Council regulation amending Regulation (EU) 2017/1970 fixing for 2018 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Baltic Sea - COM(2018)0500

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

22. Report from the Commission to the European Parliament and the Council on the development, validation and legal acceptance of methods alternative to animal testing in the field of cosmetics (2015-2017) - COM(2018)0531

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

23. Report from the Commission to the European Parliament and to the Council assessing Member States' programmes of measures under the Marine Strategy Framework Directive - COM(2018)0562

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

24. **Report from the Commission to the European Parliament and the Council on the exercise of the power to adopt delegated acts conferred on the Commission pursuant to Regulation (EU) No 517/2014 on fluorinated gases and repealing Regulation (EC) No 842/2006 - COM(2018) 569 final**

Decision taken: *No action needed, for information only (the internal deadline for proposing revocation expires on 5 September, as indicated in the Comitology/DIA newsletter no 719, which included the report).*

25. **Report from the Commission to the European Parliament and the Council on the exercise of the power to adopt delegated acts conferred on the Commission pursuant to Directive 2014/40/EU on the approximation of the laws and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco and related products ('the Tobacco Products Directive') - COM(2018) 579 final**

Decision taken: *No action needed, for information only, (the internal deadline for proposing revocation expires on 5 September, as indicated in the Comitology/DIA newsletter no 719, which included the report).*

26. **Report from the Commission to the European Parliament and the Council on the exercise of the delegation conferred on the Commission pursuant to Regulation (EU) No 649/2012 of the European Parliament and of the Council of 4 July 2012 concerning the export and import of hazardous chemicals - COM(2018)0596**

Decision taken: *No action needed, for information only, (the internal deadline for proposing revocation expires on 7 September, as indicated in the Comitology/DIA newsletter no 721, which included the report).*

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Other documents received

27. **Report from the Commission to the Council and the European Parliament: Second Progress Report on the implementation of the EU Strategy and Action Plan for customs risk management - COM(2018)0549**
28. **Commission staff working document on Combatting HIV/AIDS, viral hepatitis and tuberculosis in the European Union and neighbouring countries - State of play, policy instruments and good practices**
SWD(2018)0387
29. **Communication from the Commission to the Council and the European Parliament Participation of the European Union as Permanent Observer in the Pacific Community (SPC)**
COM(2018)0575
30. **Commission staff working document Accompanying the document Report from the Commission to the European Parliament and the Council assessing Member States' programmes of measures under the Marine Strategy Framework Directive**
SWD(2018)0393

4. DECISIONS ON URGENT MATTERS

4.1 Calendar of ENVI meetings for 2019 (until EP elections)

Decision taken: *Coordinators approved the draft calendar.*

4.2 Possible exchange of views with young people as a follow-up to the European Youth Event (EYE) 2018

Decision taken: *Coordinators agreed in principle to invite three EYE participants to the ENVI meeting of 26 November 2018. The EYE participants will be selected by the EYE team of DG COMM. The exact format of the exchange of views and topics to be discussed will be decided by coordinators at a later stage.*

5. DECISIONS RELATED TO NON LEGISLATIVE MATTERS

5.1 Possible Oral Question on the issue of early diagnosis for a rare disease like the idiopathic pulmonary fibrosis

Decision taken: *Coordinators agreed to table an OQ on the issue of rare diseases in general and set a deadline for informing the secretariat of the names of co-sponsors for Wednesday, 12 September cob.*

5.2 Commission envisaged measures on lighting products in the context of the Ecodesign and Energy Labelling legislation

Decision taken: *Invite the Commission to present the proposed measures in one of the next ENVI meetings.*

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 research into Alzheimer's disease by Dominique Bilde - B8-0307/2018**
- 2. Motion for a resolution of the European Parliament on fighting air pollution in cities - Ivan Jakovčić, Jozo Radoš - B8-0340/2018**
- 3. Motion for a resolution of the European Parliament on the introduction of a low glycaemic index (LGI) symbol for foodstuffs in Europe - Nicola Caputo - B8-0342/2018**
- 4. Motion for a resolution of the European Parliament on the role of local food production in reducing CO2 emissions - Ivan Jakovčić, Jozo Radoš - B8-0344/2018**

5. Motion for a resolution of the European Parliament on a healthier use of smartphones - Aldo Patriciello - B8-0346/2018

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

6.2 Petitions for opinion

None

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

- **Petition No 1181/2017 by Hans Egon Kraemer (German) on the Commission decision to extend the approval of glyphosate.**
- **Petition No 1194/2017 by Maria del Carmen Varela Velo (Spanish) on behalf of the Asociación Galega Cova Crea, on the copper mine project in Touro Galicia.**
- **Petition No 1201/2017 by J.N.N. (Spanish) on climate change.**
- **Petition No 1203/2017 by Ismael Antonio López Pérez (Spanish) on nuclear waste dumped in the Atlantic trench.**
- **Petition No 1207/2017 by Jens Genzer (German) on a halt to development on glaciers.**
- **Petition No 1210/2017 by Roland Rueck (German) on blocking the deep geothermal plant planned on the Southern Upper Rhine.**
- **Petition No 1212/2017 by Cinzia Mammolotti (Italian), on behalf of the ‘Comitato salvaguardia ambiente del M. Amiata’ (Monte Amiata Environmental Protection Committee), against the renewability of the geothermal power plants on Monte Amiata.**
- **Petition No 1218/2017 by J.K. (Polish), on behalf of the ‘Ekologiczna Gmina’ association, with two signatures, on the construction, partly funded by the EU, of a viewing tower (Kleista tower) in Slubice natural park.**
- **Petition No 1219/2017 by Juan José Asensio González (Spanish) on the tourism infrastructure programme of the Community of Castilla-Leon.**
- **Petition No 1226/2017 by F.P. (Italian), on behalf of the environmental association ‘Crocevia’, on the environmental pollution caused by a former industrial plant and a waste water treatment station in Rende-Cosenza (Calabria Region).**
- **Petition No 1227/2017 by Antonio Fanelli (Italian), on behalf of the local citizens’ action group EcoNostro di Toritto (BA), protesting against the construction of a composting plant.**
- **Petition No 1228/2017 by J.W. (German) on the alleged non-validity of the German vote to extend the regulatory authorisation for glyphosate.**
- **Petition No 1230/2017 by Johan Bruyninx (Belgian) on stage II petrol vapour recovery (PVR) during refuelling of motor vehicles at service stations.**

- **Petition No 1232/2017 by Juan Lorenzo Santana Perez (Spanish) on a natural water filtration system on the La Montañeta estate in Gran Canaria.**
- **Petition No 1236/2017 by U.M. (German) on self-adhesive circulation stickers for diesel cars in the EU.**
- **Petition No 1254/2017 by T. P. (Hungarian) on alleged violations of the Natura 2000 Directive in the forest of Sajohidveg, Hungary.**
- **Petition No 0003/2018 by Beáta Bihari (Hungarian) on alleged violation of article 3 of the Directive 2014/52/EU in Hungary.**
- **Petition No 0025/2018 by V.D. (Romanian) on an EU tax for smokers and other ideas.**
- **Petition No 0035/2018 by J.G. (German) on alleged noncompliance with the Habitats Directive in the execution of the ‘Stuttgart 21’ project (Baden-Württemberg).**
- **Petition No 0042/2018 by Ismael Antonio López Perez (Spanish) on the abandoned mine on Mount Neme in Galicia.**
- **Petition No 0050/2018 by Heiko Fritschen (German) on changes to the Habitats Directive.**

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 Case-law of interest for the ENVI Committee

- **Case C-220/17, Planta Tabak-Manufaktur Dr. Manfred Obermann GmbH & Co. KG v Land Berlin**

Planta Tabak, a German family-owned business disputes before the Administrative Court of Berlin that the provisions of the German law transposing Directive 2014/40/EU on tobacco products apply to flavoured roll-your-own tobacco products. The Administrative Court of Berlin referred to the Court a series of questions on the validity and interpretation of the directive. In his Opinion of 4 July 2018, Advocate General Saugmandsgaard Øe proposes that the Court rule that the broad prohibition on the sale of tobacco products with characterising flavours complies with the principle of equal treatment. He notes that since 20 May 2016 the directive prohibits the placing on the market of cigarettes and roll-your-own tobacco with a characterising flavour due to the fact that those flavours mask or reduce tobacco smoke’s harshness and contribute to promoting and sustaining tobacco use. However, the directive provides that tobacco products with a characterising flavour whose EU-wide sales volumes represent 3% or more in a particular product category may still be placed on the market until 20 May 2020. According to the Advocate General, that difference in treatment is justified and thus valid in the light of the principle of equal treatment. As regards the tobacco products with a characterising flavour that can still lawfully be manufactured and distributed after 20 May 2016 (such as menthol cigarettes until 20 May 2020 and pipe tobacco, cigars and flavoured cigarillos without time limit), the Advocate General notes that the directive prohibits any indication (even non-promotional) of the flavour which those products contain on the labelling of unit packets, on the outside packaging and on the tobacco products themselves.

- **Case C-626/16, Commission v. Slovakia**

In a judgment of 2013, the Court of Justice found that, by authorising the operation of the Žilina – Považský Chlmec landfill site without a site-conditioning plan Slovakia had failed to fulfil its obligations under Directive 1999/31/EC on the landfill of waste. Having taken the view that Slovakia had still not taken the necessary measures, the Commission decided, in 2016, to bring before the Court a second action for failure to fulfil obligations against that country. In its judgment of 4 July

2018, the Court finds that Slovakia has not taken all the measures necessary for implementation of the 2013 judgment in order to comply with its obligations under the directive, as no definite decision on the continued operation or closure of the site in question had been adopted. Therefore, the Court decides to order Slovakia the payment of a lump sum of €1 000 000 and of a penalty of €5 000 per day of delay, from this judgement until full compliance with the 2013 judgment.

- **Case C-528/16 Confédération paysanne and Others v Premier ministre and Ministre de l'Agriculture, de l'Agroalimentaire et de la Forêt**

The Court of Justice has been requested by the Conseil d'État to determine whether organisms obtained by mutagenesis are GMOs and whether they are subject to the obligations laid down by Directive 2001/18/EC on GMOs. In its judgment of 25 July 2018, the Court of Justice takes the view, that organisms obtained by mutagenesis are GMOs within the meaning of the GMO Directive, in so far as the techniques and methods of mutagenesis alter the genetic material of an organism in a way that does not occur naturally. It follows that the GMO Directive applies, in principle, to those organisms but not to organisms obtained by means of certain mutagenesis techniques which have conventionally been used in a number of applications and have a long safety record. Member States are free to subject such organisms, in compliance with EU law (in particular on the free movement of goods), to the obligations laid down by the GMO Directive or to other obligations. The fact that those organisms are excluded from the scope of the directive does not mean that the persons concerned may proceed freely with their deliberate release into the environment or with their placement on the market within the EU. With regard to the question whether the GMO Directive may also be applicable to organisms obtained by mutagenesis techniques that have emerged since its adoption, the Court considers that the risks linked to the use of these new mutagenesis techniques might prove to be similar to those that result from the production and release of a GMO through transgenesis, since the direct modification of the genetic material of an organism through mutagenesis makes it possible to obtain the same effects as the introduction of a foreign gene into the organism (transgenesis). Finally, the Court considers that the concept of 'genetically modified variety' must be construed as referring to the concept of a GMO in the GMO Directive, with the result that varieties obtained by mutagenesis which come under that directive must fulfil the condition mentioned above. By contrast, varieties obtained by means of mutagenesis techniques conventionally used in a number of applications and with a long safety record are exempt from that obligation. The EP Legal Service information note was included in the file.

7.5 Documents recently published by the European Court of Auditors

Briefing Paper on the Commission's proposal for the 2021-2027 Multiannual Financial Framework (MFF)

This Paper focuses on the proposed MFF Regulation, the MFF Communication and the accompanying Spending Review. The ECA concludes that the Commission's proposed MFF for the period from 2021 to 2027 still needs a greater emphasis on value added. The ECA welcomes the increased flexibility of the MFF to deal with unforeseen events. However, it warns that changes in priorities among spending areas are not clearly explained in the proposal or supported by the published results of the Commission's assessment of EU spending programmes' value added.

Background Paper on desertification in the EU

Desertification results from unsustainable land management practices and climatic factors. Thirteen EU Member States, not only in the Mediterranean region, but also in Central and Eastern Europe, have declared that they are affected by this phenomenon. This Paper, drafted during the preparation of an audit on desertification, sets out the main causes and effects of desertification alongside current projections for how it may develop in the European Union over the coming decades. The report also

contains information on the preventative and restorative measures which can be taken. The EU does not have a dedicated strategy or a specific legal framework for desertification. Aspects of desertification are addressed under various strategies, action plans and policies. Furthermore, it explains how aspects of desertification are addressed under various EU strategic documents and policy areas and which EU funding programmes support action on desertification. The audit report is expected to be published by the end of 2018.

Special report No 16/2018: Ex-post review of EU legislation: a well-established system, but incomplete

Reviewing legislation after it has come into effect is a key part of the European Commission's 'Better Regulation' policy. The auditors assessed whether the EU system of review was properly planned and has been satisfactorily implemented, managed and quality-controlled. Overall, they concluded that the Commission's reviews compare well to the situation in most Member States. However, they have identified a number of weaknesses, mostly relating to the lack of common interinstitutional definitions regarding review clauses, the unclear treatment of certain kinds of review and the lack of clarity of the Regulatory Fitness and Performance (REFIT) programme.

8. ANY OTHER BUSINESS

None

9. NEXT COORDINATORS' MEETING

Monday, 10 September 2018, at the end of votes or at the latest at 21.30-22.00 (tbc)