

Parma, 21.09.2018

Guidelines for Observers for open plenary meetings

Pursuant to Article 28(9)(f) of Regulation (EC) No 178/2002¹, the European Food Safety Authority (EFSA) may invite observers to meetings of its Scientific Committee and Scientific Panels. The Policy on Independence and Scientific Decision-Making Processes of the European Food Safety Authority², as well as Article 12 of the Decision of the Executive Director on Declarations of Interest³ makes reference to the opening up of the risk assessment process to observers.

These Guidelines provide a framework for the attendance of observers at open plenary meetings of the Scientific Committee and the Scientific Panels, in person or remotely (via live web streaming⁴), and replace the EFSA Guidelines for Observers dated 19 January 2016.

1. Decision to hold an open plenary meeting

The decision to hold an open plenary meeting is taken by EFSA in agreement with the Scientific Committee or the relevant Scientific Panel.

2. Announcement of the open plenary meeting

The announcement of an open plenary meeting is made in advance of the meeting on the EFSA website. The announcement includes the date, time and location of the open plenary meeting together with the deadline for registration.

¹ Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety, OJ L 31, 1.2.2002, p. 1–24, as last amended.

² Available on the EFSA website under:

http://www.efsa.europa.eu/sites/default/files/efsa_rep/blobserver_assets/independencepolicy.pdf

³ As amended on 31 July 2014, available on the EFSA website under:

http://www.efsa.europa.eu/sites/default/files/efsa_rep/blobserver_assets/independencerules2014.pdf

⁴ To transmit video and audio coverage of an open plenary over the Internet in real time.

3. Registration

Individuals who wish to attend an open plenary meeting of the Scientific Committee or a Scientific Panel in person or remotely (via live web streaming), as observers, must register with EFSA in advance of the meeting. This requires the completion and submission of the relevant e-registration form⁵. Upon registration interested individuals must provide the following details: (i) contact information; (ii) the name of their employer and as appropriate the organisation they represent; (iii) their current activities that relate to EFSA activities in general; as well as (iv) their specific interest in attending the open plenary meeting as observer. At the time of registration, interested individuals may also submit questions of relevance to the Scientific Committee or Scientific Panel. Individuals under the age of 18 are not eligible to register.

With submission of the e-registration form to EFSA, observers declare to have read, understood and agreed with the content of these guidelines, and that in case of admission to the meeting they will respect these guidelines in full.

Personal data is processed and protected in accordance with Regulation (EC) No 45/2001⁶.

4. Confirmation of attendance/non-attendance

Once registration is closed, EFSA reviews the list of registered individuals as observers.

When drawing up the list of confirmed observers for the open plenary meeting, available places are distributed on a first come, first served basis. Attendance in person may be limited to one observer per organisation, group or party to allow attendance of the widest possible spectrum of groups, organisations and individuals, taking into account seating capacity (on average 15 observers per open plenary for those attending in person).

EFSA will confirm attendance/non-attendance to each registered individual. Practical details regarding access to the meeting venue or details on how to connect to the live web stream are communicated to confirmed observers.

⁵ Available on the EFSA website under: <http://www.efsa.europa.eu/en/stakeholders/observers>

⁶ Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data, OJ L 8, 12.1.2001, p. 1–22.

Confirmed observers should inform EFSA if they cannot attend the open plenary meeting, so that their places can be made available to other registered individuals interested in attending the meeting as observers.

For confirmed observers attending an open plenary in person EFSA does not reimburse any expenses (including travel, accommodation and subsistence costs) linked to their attendance. Observers attending an open plenary in person must make their own accommodation and travel arrangements to and from the meeting venue. Observers attending remotely are responsible for their own Internet connection and EFSA cannot be held responsible for non-compliance with the necessary IT/technical requirements.

5. Agenda and meeting minutes

The draft agenda of the open plenary meeting is published on the EFSA website when registration opens. EFSA, however, may modify the draft agenda of an open plenary meeting at any time prior the meeting. Observers are therefore encouraged to check the EFSA website for possible modifications to the draft agenda before the open plenary meeting takes place. The draft agenda may also be modified (e.g. a change in the order of discussion) during the course of an open plenary meeting at the discretion of the Chair of the Scientific Committee or Scientific Panel. EFSA cannot be held responsible for losses or inconvenience caused by any changes to the agenda.

The minutes of the open plenary meeting are published on the EFSA website following the open plenary. The minutes of the open plenary meeting record the questions raised by observers and the answers given to these questions.

No audio/video-recordings of the open plenaries are made hence, if not followed live, information regarding the meeting discussions and outcomes can be only obtained through the meeting minutes that will be published on the EFSA website

6. Access to the meeting venue

Only confirmed observers attending an open plenary in person are granted access to the meeting venue and receive a badge for the duration of the open plenary meeting. Badges must be visible at all times while at the meeting venue and observers may need to prove their identity upon the request of EFSA staff or security personnel.

7. Working language of EFSA's Scientific Committee and Scientific Panels

Meetings of the Scientific Committee and Scientific Panels are held in English. No translation to other languages is provided during these meetings.

8. Code of conduct, before, during and after attendance

Observers attending in person or remotely (via live web streaming) may not:

- (i) hinder the work of the Scientific Committee and Scientific Panels;
- (ii) take part in the discussion, drafting, deliberation of the scientific output at hand or in other activities that require active engagement;
- (iii) attempt to influence the meeting by contacting/lobbying the meeting participants, in particular members of the Scientific Committee and Scientific Panels, at any time;
- (iv) distribute or request the circulation of any documents – only EFSA staff may distribute meeting documents and other written material;
- (v) make a written transcript, or operate any audio/video recording or transmission devices, cameras and mobile phones during open plenary meetings, including its breaks.

Observers attending in person may be asked to leave the open plenary meeting if they do not comply with these Guidelines, while for observers connected remotely the live web streaming may be suspended.

Participants of an open plenary meeting must report to EFSA staff if an observer attempts to make contact or to influence the discussions before, during or after the open plenary meeting.

9. Questions from observers

The Chair may grant observers an opportunity to ask questions either after they have observed a discussion on a given topic or at the end of the open plenary meeting, on other topics which fall within the remit of the Scientific Committee or the Scientific Panel. Priority is given to questions submitted at the time of registration. Additional questions may be raised if time permits.

10. Reporting on the open plenary meeting

Observers who attend an open plenary meeting, in person or remotely, including the media, are free to report on the proceedings of the meeting, while any reference to participants should respect their reputation and professional integrity.

11. Confidentiality

Pursuant to Article 39 of Regulation (EC) No 178/2002, where discussions relate to information for which confidential treatment has been requested and justified, including *inter alia* data that is commercially sensitive and/or protected by intellectual property rights, the observers' access to the plenary meeting may be limited.

Prior to each open plenary meeting, the Chair of the Scientific Committee or Scientific Panel, in consultation with EFSA staff, carefully assess whether there is a need for a closed plenary session. Closed plenary sessions must be clearly designated as such in the draft agenda published on the EFSA website.

In addition, the Chair may at any point in time decide to close an open plenary meeting (or parts thereof) for the purpose of legitimate confidentiality. Observers attending in person shall be asked to leave the meeting room, while for observers connected remotely the live web streaming shall be suspended for the duration of the discussion.

12. Opportunity for feedback

Observers and members of the Scientific Committee and Scientific Panels are invited to fill in a feedback form shortly after the open plenary meeting.

13. Concluding remarks

The opinions of individual experts expressed during an open plenary meeting cannot be considered to be nor do they necessarily represent the views of EFSA or those of its Scientific Committee and Scientific Panels.

EFSA does its best to ensure the quality of the its web-casted open plenaries, however, due to the reliance on internet and other technical systems outside EFSA's control, streaming can be disrupted.

ANNEX - Note on processing of personal data in the context of the live web streaming (webcasting) of EFSA Open Plenary Meetings:

Regulation (EC) n° 45/2001 and, when repealed, the new Data Protection Regulation for EUIs, transposing the General Data Protection Regulation (EU) n° 2016/679 expected to enter in force during 2018, is applicable in the context of the live web streaming of EFSA Open Plenary Meetings.

The purpose of the live web streaming of EFSA Open Plenary Meetings is to allow registered observers to attend remotely via web streaming open plenary meetings of the EFSA Scientific Committee and the Scientific Panels.

By registering and logging on to the live web streaming, the meeting observer agrees to the following:

- personally identifiable information of participants may be heard, seen, read, collected, or used by EFSA as the organizer and the meeting participants ;
- any communication or information transmitted during the web streaming, such as voice, live instant messaging displaying names of those intervening, presentations, are visible on screen/online to the meeting audience.

The web streaming service of Open Plenary Meetings is supported by the software application AdobeConnect®. The present data protection note is contained in the EFSA configuration of the system by means of a weblink or embedded in the system.

Meeting observers shall take account of the code of conduct, before, during and after attendance, which is part of the present Guidelines.

The Engagement and Cooperation Unit, in charge of the coordination of EFSA Webinars is the controller regarding the related personal data processing. The Unit can be contacted by writing to webupdates@efsa.europa.eu EFSA's Data Protection Officer can be contacted writing to DataProtectionOfficer@efsa.europa.eu Data subjects have at any time the right to have recourse regarding the processing of their personal data to the European Data Protection Supervisor (<http://www.edps.europa.eu>).