



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2016) 2173 final

- English language version of the French text which is authentic -

Strasbourg, 5 July 2016

TEXTE EN

MINUTES

of the 2173rd meeting of the Commission

held in Brussels

(Berlaymont)

on Wednesday 15 June 2016

(morning)

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- English language version of the French text which is authentic -

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TABLE OF CONTENTS

Attendance list	5-8
1. AGENDAS (OJ(2016) 2173/FINAL; SEC(2016) 269/FINAL)	9
2. WEEKLY MEETING OF CHEFS DE CABINET (RCC(2016) 2173).....	9
3. APPROVAL OF THE MINUTES OF THE 2171 ST AND 2172 ND MEETINGS OF THE COMMISSION (1 AND 7 JUNE 2016)	9
4. INTERINSTITUTIONAL RELATIONS (RCC(2016) 80)	9
4.1. LEGISLATIVE MATTERS	10
4.2. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL	11
4.3. RELATIONS WITH PARLIAMENT	12
4.4. ANY OTHER BUSINESS	13
5. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS.....	14
5.1. WRITTEN PROCEDURES APPROVED (SEC(2016) 270 ET SEQ.).....	14
5.2. EMPOWERMENT (SEC(2016)271 ET SEQ.)	14
5.3. DELEGATION / SUBDELEGATION OF POWERS (SEC(2016) 272 ET SEQ.).....	14
5.4. SENSITIVE WRITTEN PROCEDURES (SEC(2016) 273 AND /2)	14
6. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL AND THE COUNCIL – SECOND REPORT ON THE PROGRESS MADE IN THE IMPLEMENTATION OF THE EU-TURKEY STATEMENT (COM(2016) 349 TO /3; RCC(2016) 83)	14

7. COMMISSION RECOMMENDATION ADDRESSED TO THE HELLENIC REPUBLIC ON THE SPECIFIC URGENT MEASURES TO BE TAKEN BY GREECE IN VIEW OF THE RESUMPTION OF TRANSFERS UNDER REGULATION (EU) 604/2013 (C(2016) 3805; RCC(2016) 83).....	15
8. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL AND THE COUNCIL – FOURTH REPORT ON RELOCATION AND RESETTLEMENT (COM(2016) 416 AND /2; RCC(2016) 83).....	15
9. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL ON ENDOCRINE DISRUPTORS AND THE DRAFT COMMISSION ACTS SETTING OUT SCIENTIFIC CRITERIA FOR THEIR DETERMINATION IN THE CONTEXT OF THE EU LEGISLATION ON PLANT PROTECTION PRODUCTS AND BIOCIDAL PRODUCTS (COM(2016) 350 TO /3; SWD(2016) 211; SWD(2016) 212; SEC(2016) 305; RCC(2016) 82)	19
10. DRAFT COMMISSION REGULATION SETTING OUT SCIENTIFIC CRITERIA FOR THE DETERMINATION OF ENDOCRINE DISRUPTING PROPERTIES AND AMENDING ANNEX II TO REGULATION (EC) 1107/2009 (C(2016) 3751 DRAFT; RCC(2016) 82)	20
11. DRAFT COMMISSION REGULATION SETTING OUT SCIENTIFIC CRITERIA FOR THE DETERMINATION OF ENDOCRINE- DISRUPTING PROPERTIES PURSUANT TO REGULATION (EU) 528/2012 (C(2016) 3752 DRAFT; RCC(2016) 82).....	20
12. OTHER BUSINESS.....	25
12.1. SITUATION IN THE UNITED KINGDOM	25

12.2. TRANSATLANTIC TRADE AND INVESTMENT PARTNERSHIP AND COMPREHENSIVE ECONOMIC AND TRADE AGREEMENT BETWEEN THE EUROPEAN UNION AND CANADA.....	25
12.3. CREATION OF A EUROPEAN DEPOSIT INSURANCE SCHEME	26
13. ADMINISTRATIVE AND BUDGETARY MATTERS (SEC(2016) 274 TO /3)	27
13.1. DG HEALTH AND FOOD SAFETY – APPOINTMENT OF AD14/15 DIRECTOR (PERS(2016) 24 TO /3).....	27
13.2. SECRETARIAT-GENERAL – APPOINTMENT OF AD14/15 MEDIATOR OF THE EUROPEAN COMMISSION (PERS(2015) 79 TO /4).....	28
13.3. LEGAL SERVICE – APPOINTMENT OF AN AD14/15 PRINCIPAL LEGAL ADVISER (PERS(2015) 100 TO /3).....	29
13.4. DG HUMAN RESOURCES AND SECURITY – COMMISSION DECISION ON MIDDLE MANAGEMENT STAFF (C(2016) 3288 TO /4; INFO(2016) 62; RCC(2016) 79).....	29

Single sitting: Wednesday 15 June 2016 (morning)

The sitting opened at 10.13 with Mr JUNCKER, President, in the chair.

Present:

Mr JUNCKER	President	
Mr TIMMERMANS	First Vice-President	
Ms MOGHERINI	High Representative / Vice-President	Items 1 to 8
Ms GEORGIEVA	Vice-President	
Mr ANSIP	Vice-President	
Mr ŠEFČOVIČ	Vice-President	
Mr DOMBROVSKIS	Vice-President	
Mr KATAINEN	Vice-President	Items 1 to 13 (in part)
Mr OETTINGER	Member	Items 1 to 13 (in part)
Ms MALMSTRÖM	Member	
Mr MIMICA	Member	Items 1 to 6/7/8 (in part)
Mr ARIAS CAÑETE	Member	
Mr VELLA	Member	
Mr ANDRIUKAITIS	Member	
Mr AVRAMOPOULOS	Member	
Ms THYSSEN	Member	
Mr STYLIANIDES	Member	
Mr HOGAN	Member	
Lord HILL	Member	
Ms BULC	Member	
Ms BIENKOWSKA	Member	
Ms JOUROVÁ	Member	
Mr NAVRACSICS	Member	
Ms CREȚU	Member	Items 1 to 12 (in part)
Ms VESTAGER	Member	
Mr MOEDAS	Member	

Absent:

Mr HAHN

Member

Mr MOSCOVICI

Member

The following sat in to represent absent Members of the Commission:

Mr KARNITSCHNIG	Chef de cabinet to Mr HAHN
Mr FELKE	Deputy Chef de cabinet to Mr MOSCOVICI

The following also sat in:

Mr SELMAYR	Chef de cabinet to the PRESIDENT	
Mr ROMERO REQUENA	Director-General, Legal Service	
Mr PESONEN	Director-General, DG Communication	
Mr SCHINAS	Head of the Spokesperson's Service and Chief Spokesperson of the Commission	
Ms METTLER	Head of the European Political Strategy Centre	
Ms MICHOU	Deputy Secretary-General	
Ms MARTÍNEZ ALBEROLA	Deputy Chef de cabinet to the PRESIDENT	
Ms KRAMER	Director of Coordination and Administration in the PRESIDENT's Office	Items 12 and 13
Mr SHOTTER	Adviser in the PRESIDENT's Office	Items 1 to 8
Mr DELVAUX	Adviser in the PRESIDENT's Office	Items 9 to 12 (in part)
Ms DEJMEK-HACK	Adviser in the PRESIDENT's Office	Item 12 (in part)
Ms ARKI	PRESIDENT's Office	
Ms BALTA	A member of Mr TIMMERMANS's staff	Items 1 to 8
Ms WERNER	Chef de cabinet to Ms GEORGIEVA	Item 13
Ms ALEXANDROVA	A member of Ms GEORGIEVA's staff	Item 13
Mr WYNANDS	Chef de cabinet to Mr DOMBROVSKIS	Item 12 (in part)
MR BERIZZI	A member of Mr MIMICA's staff	Items 9 to 13
Mr VINCIUNAS	Chef de cabinet to Mr ANDRIUKAITIS	Items 9 to 11
Ms SCHMITT	Chef de cabinet to Mr AVRAMOPOULOS	Items 1 to 8

Mr BALDWIN

Chef de cabinet to Lord HILL

Item 12 (in part)

Ms ANDREEVA

Commission Spokesperson's Service

Secretary: Mr ITALIANER, Secretary-General, assisted by Mr AYET PUIGARNAU, Director in the Secretariat-General.

1. AGENDAS

(OJ(2016) 2173/FINAL; SEC(2016) 269/FINAL)

The Commission took note of that day's agenda and of the tentative agendas for forthcoming meetings.

2. WEEKLY MEETING OF CHEFS DE CABINET

(RCC(2016) 2173)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 13 June.

3. APPROVAL OF THE MINUTES OF THE 2171ST AND 2172ND MEETINGS OF THE COMMISSION (1 AND 7 JUNE 2016)

The Commission held over approval of the minutes of its 2171st and 2172nd meetings for the following week.

4. INTERINSTITUTIONAL RELATIONS

(RCC(2016) 80)

The Commission took note of the record of the meeting of the Interinstitutional Relations Group (IRG) held on Friday 10 June (RCC(2016) 80).

It paid particular attention to the following points.

4.1. LEGISLATIVE MATTERS

i) Trilogue meetings

(point 3.1 of the IRG record)

- Multiannual plan for the stocks of cod, herring and sprat in the Baltic Sea and the fisheries exploiting those stocks, amendment of Council Regulation (EC) 2187/2005 and repeal of Council Regulation (EC) 1098/2007 (Regulation) – WALESA report – 2014/0285 (COD)

The Commission approved the line set out in SI(2016) 248.

- Medical devices and amendment of Directive 2001/83/EC, Regulation (EC) 178/2002 and Regulation (EC) 1223/2009 (Regulation) – WILLMOTT report – 2012/0266 (COD) / In vitro diagnostic medical devices (Regulation) – LIESE report – 2012/0267 (COD)

The Commission approved the line set out in SI(2016) 249.

- Organic production and labelling of organic products – Amendment of Regulation (EU) XXX/XXXX of the European Parliament and of the Council [Official Controls Regulation] and repeal of Council Regulation (EC) 834/2007 (Regulation) — HÄUSLING report — 2014/0100 (COD)

The Commission approved the line set out in SI(2016) 250/2.

- European statistics on natural gas and electricity prices and repeal of Directive 2008/92/EC of the European Parliament and of the Council of 22 October 2008 concerning a Community procedure to improve the transparency of gas and electricity prices charged to industrial end-users (Regulation) – KAPPEL report – 2015/0239 (COD)

The Commission approved the line set out in SI(2016) 251.

- Official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health, plant reproductive material and plant protection products, and amendments to the various regulations and directives (Regulation) – KADENBACH report – 2013/0140 (COD)

The Commission approved the line set out in SI(2016) 256.

4.2. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL

ii) Programming of Council business

(SI(2016) 262/2)

The Commission took note of the information in SI(2016) 262/2 on the Council meetings between 16 and 29 June.

iii) Non-legislative dossier

(point 4.1 of the IRG record)

- Authorisations for opening of negotiations on a comprehensive air transport agreement between the European Union and the Republic of Turkey, the six Member States of the Gulf Cooperation Council and the Association of Southeast Asian Nations (ASEAN) (recommendations for Council decisions)

The Commission approved the line set out in SI(2016) 260.

iv) Preparation of Council meeting (Economic and Financial Affairs) (Brussels, 17 June)

(point 4.2.4 of the IRG record)

- Roadmap for moving towards a more consistent external representation of the euro area in international fora – COM(2015) 602 / Measures in view of progressively establishing unified representation of the euro area

in the International Monetary Fund (Council Decision) – 2015/0250 (NLE)

The Commission approved the line set out in SI(2016) 254.

- Action Plan to strengthen the fight against terrorist financing – COM(2016) 50

The Commission took note of the information in SI(2016) 255/2.

- Laying down of rules against tax avoidance practices that directly affect the functioning of the internal market (Council Directive) – BAYET report – 2016/0011 (CNS)

The Commission approved the line set out in SI(2016) 257 and /2.

- Implementing enhanced cooperation in the area of financial transaction tax (Council Directive) 2013/0045 (CNS)

The Commission took note of the information in SI(2016) 258/2.

4.3. RELATIONS WITH PARLIAMENT

- v) Action to be taken on Parliament's legislative resolutions and other resolutions of a legal nature**
(SP(2016) 399)

The Commission decided to empower the Commission Members responsible for the sectors in question, in agreement with the PRESIDENT and Mr TIMMERMANS and, if necessary, with the other Members concerned, to adopt the amended proposals for transmission to Parliament and the Council, as set out in SP(2016) 399, drawn up following the part-session of Parliament of 6 to 9 June, the contents of which were noted.

vi) Results of the June I part-session of Parliament

(SP(2016) 385; SP(2016) 386)

The Commission took note of the information in SP(2016) 385 and SP(2016) 386 on the proceedings of the part-session of Parliament held in Strasbourg from 6 to 9 June.

vii) Non-legislative dossiers

(point 5.1 of the IRG record)

- Committee of Inquiry into Emission Measurements in the Automotive Sector (EMIS) – Hearing of 21 June 2016 – the Commission’s replies

The Commission took note of SP(2016) 401 and /2.

- Amendment of Regulation (EU, Euratom) 883/2013 as regards the secretariat of the Supervisory Committee of the European Anti-Fraud Office (OLAF) (Regulation) – GRÄSSLE report – 2016/0064 (COD)

The Commission approved the line set out in SP(2016) 402 and /2, and decided to transmit the statement annexed thereto to the European Parliament.

4.4. ANY OTHER BUSINESS

viii) Statement on the Memorandum of Understanding between the European Union and the United Nations Entity for Gender Equality and the Empowerment of Women

(point 7.1 of the IRG record)

The Commission took note of the information in SI(2016) 232.

5. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

PV(2016) 2173 final

5.1. WRITTEN PROCEDURES APPROVED

(SEC(2016) 270 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 6 and 10 June.

5.2. EMPOWERMENT

(SEC(2016)271 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 6 and 10 June.

5.3. DELEGATION / SUBDELEGATION OF POWERS

(SEC(2016) 272 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 6 and 10 June, as archived in Decide.

5.4. SENSITIVE WRITTEN PROCEDURES

(SEC(2016) 273 AND /2)

The Commission took note of the sensitive written procedures for which the time limit expired between 13 and 17 June and of the finalisation written procedures initiated following the weekly meeting of Chefs de cabinet on 13 June.

**6. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL AND THE COUNCIL – SECOND REPORT ON THE PROGRESS MADE IN THE IMPLEMENTATION OF THE EU-TURKEY STATEMENT
(COM(2016) 349 TO /3; RCC(2016) 83)**

7. **COMMISSION RECOMMENDATION ADDRESSED TO THE HELLENIC REPUBLIC ON THE SPECIFIC URGENT MEASURES TO BE TAKEN BY GREECE IN VIEW OF THE RESUMPTION OF TRANSFERS UNDER REGULATION (EU) 604/2013
(C(2016) 3805; RCC(2016) 83)**
8. **COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL AND THE COUNCIL – FOURTH REPORT ON RELOCATION AND RESETTLEMENT
(COM(2016) 416 AND /2; RCC(2016) 83)**

Mr TIMMERMANS presented the main conclusions of the second report on the progress made in the implementation of the EU-Turkey statement of 18 March 2016. He noted that the agreement was producing concrete results, for example the significant reduction in the number of irregular arrivals of asylum seekers in Greece, from 3 000 persons per day to 50. In addition, persons in need of international protection were making more use of legal routes to obtain asylum. He also noted that the EU Facility for Refugees in Turkey was gradually having more impact on the ground. He told the meeting that a billion euros had already been committed under this facility for the end of the summer, and that the Member States had sent in their contribution certificates, which meant that the Union would be able to commit an additional two billion.

He emphasised, however, that the situation was still fragile. There was therefore no room for complacency and it was important to press on tirelessly with the implementation of all strands of the joint statement by the European Union and Turkey.

Relations with the Turkish Government and administration remained constructive. Thus, the negotiations were continuing to make progress with regard to the benchmarks that Turkey still had to fulfil with a view to visa liberalisation. He reiterated that the benchmarks that had been set would not be relaxed.

Mr TIMMERMANS also considered that the increase in the number of resettlements of refugees, which now exceeded the number of returns, was another positive development, as was the use of the safeguards provided for under the asylum procedure. With regard to the access of asylum seekers to an effective procedure for appeal against first-instance rejection decisions by the asylum service, he told the meeting that Greece had set up a body to monitor the operation of the Appeal Committees. However, the recommendation to Greece called on it to ensure that these Appeal Committees were fully operational and adequately staffed.

Ms MOGHERINI took the floor and said that although the number of irregular arrivals of asylum seekers in Greece had fallen significantly, the route followed by these migrants had not switched towards the central Mediterranean as had been the case the previous year.

She also mentioned the recent resignation of the Head of the EU Delegation in Turkey for personal reasons. She had accepted this resignation and intended to appoint a replacement as soon as possible, given the importance of this post in the current political context.

Mr AVRAMOPOULOS stressed the significant results of the implementation of the EU-Turkey statement, while pointing out the difficulties encountered in transfers of migrants from Greece to Turkey and, more generally, the fragility of the cooperation established and the risk that the progress made would be jeopardised. Much would depend on the political will demonstrated by the two parties in implementing the next steps of this joint statement.

While certain migrant flows were not using the Central Mediterranean route, he pointed out that the situation in this region remained as critical as the previous year. This meant that the pacts on migration should be negotiated swiftly with the third countries of origin of the migrants, with the support of the European Council.

As regards the recommendation to Greece, he noted that it concerned managing

migrants on EU territory and restoring an effective asylum system in Greece to enable the country to fully reinstate the Dublin system. Although Greece had made considerable progress since the first recommendation last February, much remained to be done and the resumption of transfers to Greece would be a positive sign that the country was now able to apply international standards concerning the reception of refugees.

He added that Greece would be in a position to return to the Dublin system only if the relocation mechanism was operating. However, although the number of relocations had doubled this month compared with the previous one, bringing the number to almost 700, it remained clearly insufficient to relieve the pressure on Greece. He therefore felt that it was fully justified to name the Member States that had not yet contributed to the relocation mechanism, given the urgency of the situation and the need to manage a major humanitarian crisis.

In conclusion, Mr AVRAMOPOULOS pointed out that in this case it was for the Member States to apply the existing rules of the asylum *acquis* and implement the relocation mechanism in order to strike the desired balance between responsibility and solidarity in Europe.

In the course of the discussion that followed, the Commission raised the following main points:

- the importance of not relaxing the benchmarks to be met by Turkey with a view to visa liberalisation, in particular in the fields of data protection and anti-terrorism legislation;
- the difficulty of implementing returns of migrants arriving illegally in Greece to Turkey, given that the Greek authorities had not yet legally recognised Turkey as a safe third country;

- the problems encountered in managing EU financing for the reception of refugees in Greece, since at present these funds could only be transferred to a specific bank account;
- the particularly alarming situation of unaccompanied refugee minors, especially as the shortage of places in reception centres meant that a number of them were being held in unsuitable conditions, without access to education or psychological assistance; the importance of guaranteeing access to education for refugees, in particular the youngest ones, to prevent them from becoming a lost generation;
- on the humanitarian front, the need to ensure access to health care, to which end the Commission was developing an electronic card system in cooperation with the United Nations High Commissioner for Refugees (UNHCR).

On the difficulty of organising the return to Turkey of migrants who had entered Greece illegally before Turkey had been recognised as a safe country by the Greek authorities, Mr TIMMERMANS said that Greece must move quickly to take measures, in addition to continuing efforts to improve its capacity to receive refugees, particularly in the islands.

He also mentioned the particularly vulnerable situation of unaccompanied minors and noted in this connection that certain Member States, for example Sweden, had already received nearly 30 000 minors in a single year and that many of these minors were illiterate, which made their integration in the host countries even more complex.

Mr AVRAMOPOULOS said that the Commission had encouraged the Greek government to recognise Turkey's status as a safe third country, a status justified by the measures taken by the Turkish authorities as part of their cooperation with the EU on migration. He added that, so far, none of the asylum seekers who had been granted refugee status had been returned to Turkey.

The PRESIDENT thanked the Members of the Commission responsible for providing this update on a situation that, though improving, was still very far from calm.

At the end of this discussion, the Commission:

- approved the report set out in COM(2016) 349/3 for transmission to the European Parliament, the European Council and the Council and, for information, to the national parliaments;
- adopted the recommendation in C(2016) 3805 and decided to notify it to the Hellenic Republic, to publish it for information in the Official Journal of the European Union and to transmit it, for information, to the European Parliament and the Council;
- approved the report in COM(2016) 416/2 for transmission to the European Parliament, the European Council and the Council and, for information, to the national parliaments.

9. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL ON ENDOCRINE DISRUPTORS AND THE DRAFT COMMISSION ACTS SETTING OUT SCIENTIFIC CRITERIA FOR THEIR DETERMINATION IN THE CONTEXT OF THE EU LEGISLATION ON PLANT PROTECTION PRODUCTS AND BIOCIDAL PRODUCTS

(COM(2016) 350 TO /3; SWD(2016) 211; SWD(2016) 212; SEC(2016) 305; RCC(2016) 82)

10. DRAFT COMMISSION REGULATION SETTING OUT SCIENTIFIC CRITERIA FOR THE DETERMINATION OF ENDOCRINE DISRUPTING PROPERTIES AND AMENDING ANNEX II TO REGULATION

(EC) 1107/2009

(C(2016) 3751 DRAFT; RCC(2016) 82)

11. DRAFT COMMISSION REGULATION SETTING OUT SCIENTIFIC CRITERIA FOR THE DETERMINATION OF ENDOCRINE-DISRUPTING PROPERTIES PURSUANT TO REGULATION (EU) 528/2012

(C(2016) 3752 DRAFT; RCC(2016) 82)

Mr ANDRIUKAITIS, using a *PowerPoint* presentation, set out the different initiatives submitted to the College that day in the highly technical and sensitive field of endocrine disruptors. They were (i) a communication providing an overview of the scientific and regulatory context, (ii) an impact assessment report which presented the state of the science regarding different criteria for identifying endocrine disruptors, together with information on the possible consequences, and (iii) two draft Commission acts to establish the criteria for identifying endocrine disruptors, one under the legislation on biocides and the other under the legislation on plant protection products, which would be the subject of a consultation with the Member States.

He noted first that these were natural and chemical substances that could alter the functions of the hormonal system and consequently have adverse effects on human and animal health, particularly in the form of serious diseases. That day the Commission was highlighting endocrine disruptors of chemical origin by presenting the two draft legislative acts defining scientific criteria for identifying them more accurately in plant protection products and biocides.

The co-legislators had asked the Commission to propose a new definition of the ways of identifying endocrine disruptors by 2013. However, this process was not launched until the beginning of the mandate of the current Commission, which explained why the European Court of Justice had found against the institution following an action for failure to act. The Commission, after speeding up its work, had completed its impact assessment, which should enable an informed decision to

be taken.

Mr ANDRIUKAITIS explained that the Commission was proposing that day that the Council and the European Parliament adopt a sound science-based approach for the identification of endocrine disruptors and approve the definition of the World Health Organisation (WHO), under which a substance was an endocrine disruptor if it had adverse effects and an endocrine mode of action, and if there was a causal link between the adverse effect and the mode of action, as agreed by the vast majority of the scientific community.

He referred to the other possible options for defining endocrine disruptors, namely (i) adding the notion of potency to the WHO definition, which the eminent scientists consulted disagreed with, or (ii) including categories relating to the weight of evidence regarding these substances, for example ‘suspected’ or ‘presumed’ endocrine disruptors, a solution which would be a source of legal uncertainty since the legislation did not contain any provisions on the measures to be taken by category.

The proposed scientific approach was therefore based on three cumulative features, i.e. a hormonal function, an adverse effect and causality between the two. He had also proposed to update one of the exemptions provided for in the legislation on pesticides in order to make it science-based and, at the same time, to make the best possible use of the existing scientific evidence.

On that basis, Mr ANDRIUKAITIS explained that the draft delegated act and the draft Commission Regulation would then be subject to the applicable procedures, i.e. the draft legal text laying down the criteria for plant protection products would now have to be voted on by the Member States, whereas the draft on biocidal products would be discussed with experts from the Member States before being adopted by the Commission. These two draft acts would be subject to the scrutiny of the European Parliament and the Council.

He was aware of the fact that the Commission proposal would not satisfy everyone, but he considered that it was a prudent, science-based compromise.

He announced that the European Food Safety Authority (EFSA) and the European Chemicals Agency (ECHA) would start to review the case of substances identified in the impact assessment, a process which could not be finalised until the two proposals had become law. He therefore intended to invite the Member States to discuss the matter as soon as possible.

Mr ANDRIUKAITIS concluded by emphasising that, with these proposals, the Commission intended to ensure the high level of protection of human health and the environment laid down by the legislation on pesticides and biocides.

Mr KATAINEN added for his part that the scientific criteria presented that day would contribute to the achievement of the objectives of minimum exposure to endocrine disruptors and legal certainty. He stressed that the Communication defined the scope of what was relevant for determining the scientific criteria, and explained the implications.

In the course of the discussion that followed, the Commission raised the following main points:

- the support of its Members for the scientific approach proposed for dealing with a technically complex and politically sensitive issue; the progress represented by the package of initiatives presented that day by the Commission with a view to protecting health and responding to the public's expectations;
- the good example set by this issue in terms of the added value of action at European level;
- the need for a coherent approach for all substances harmful to health, in particular with regard to the automatic nature of the prohibition on placing on the market;

- the question of the margin available to the Commission in terms of the science-based definition of criteria for determining what was an endocrine disruptor; a question about the case for tests conducted on animals and their extrapolation to human health;
- in the sensitive matter of external communication, the suggestion that emphasis be placed on the fact that, in line with the scientific consensus, these proposals arose from an analysis based on the concept of hazard rather than risk, i.e. based on the notion of substances that could potentially cause adverse effects, without taking exposure into account; the need for sound arguments that incorporated the precautionary principle;
- the hope that Member States wishing to introduce stricter legislation than that proposed by the Commission would be allowed to do so;
- a reminder of the research already carried out by the Commission through the Joint Research Centre; the merits of close cooperation with the agencies responsible for food safety and chemicals;
- the need to invest now in research into the effect of endocrine disruptors when combined with other chemicals and, for this purpose, to grant access to scientific data held by the Commission;
- a reference to computer models as a possible substitute for certain types of animal testing.

Mr ANDRIUKAITIS thanked the Commission Members for their support and acknowledged that it would be difficult to make people understand the distinction between a hazard-based approach and a risk-based approach.

As regards the Commission's room for manoeuvre, he noted that there was a high degree of scientific certainty and information had been gathered at many different levels – from epidemiological studies to testing methods, as well as experimental

research and of course the application of the precautionary principle. He set out the overall approach adopted, which consisted of bringing together all means of evidence and their results in order to identify endocrine disruptors.

He would be asking the two European agencies concerned – the Food Safety Authority and the Chemicals Agency – to examine whether various approved substances which some indications suggested might be endocrine disruptors could be considered as such according to the criteria defined in the legislative proposals being tabled that day. The aim would be for the agencies to be ready to apply these criteria as soon as they entered into force.

After the discussion, the Commission:

- adopted the communication in COM(2016) 350/3 for transmission to the European Parliament, the Council and, for information, the national parliaments, together with the impact assessment and the summary thereof in staff working documents SWD(2016) 211 and SWD(2016) 212, the contents of which were noted;
- also took note of the opinion of the Regulatory Scrutiny Board, distributed as SEC(2016) 305;
- approved the draft Regulation in C(2016) 3751 DRAFT and authorised the Director-General of the Directorate-General for Health and Food Safety to transmit the draft to the Standing Committee on Plants, Animals, Food and Feed (PAFF) for consultation before the formal adoption of the act;
- approved the draft Regulation in C(2016) 3752 DRAFT and authorised the Director-General of the Directorate-General for Health and Food Safety to transmit the draft to the competent authorities for biocidal products for consultation before the formal adoption of the act.

12. OTHER BUSINESS

12.1. SITUATION IN THE UNITED KINGDOM

The Commission touched on the latest developments in the United Kingdom ahead of the forthcoming referendum on the country's membership of the European Union.

The Commission took note of this information.

12.2. TRANSATLANTIC TRADE AND INVESTMENT PARTNERSHIP AND COMPREHENSIVE ECONOMIC AND TRADE AGREEMENT BETWEEN THE EUROPEAN UNION AND CANADA

Replying to a question about the nature of the Transatlantic Trade and Investment Partnership and the Comprehensive Economic and Trade Agreement between the European Union and Canada, the PRESIDENT informed Members that he had stated at the G7 meeting in Japan a few days earlier that the agreement with Canada would be concluded with the Union only, which entailed certain steps by the Canadian Government which it had already taken. He noted, however, that national parliaments and the European media were increasingly calling for a mixed agreement, that is to say one associating the European Union and its Member States. He pointed out the difficulties this might entail and cautioned against a failure of the negotiations with Canada, which could have a knock-on effect on the agreement with the United States. He therefore intended to put this question explicitly to the European leaders at the European Council meeting on 28 and 29 June to induce them to state their position clearly rather than hide behind the Commission.

The Commission took note of this information.

12.3. CREATION OF A EUROPEAN DEPOSIT INSURANCE SCHEME

Mr DOMBROVSKIS reported to the College on the state of play of the legislative procedure concerning the Commission's proposal to create a European Deposit Insurance Scheme (EDIS), which had been approved by the European Council in December 2015 and was on the agenda of the Economic and Financial Affairs Council meeting to be held on 17 June. The proposed scheme was an important component of the creation of the Banking Union and had been put forward as part of the first phase of the strategy to complete the Economic and Monetary Union.

This ambitious proposal was accompanied by other legislative proposals on sharing and reducing risks in the banking sector in line with a gradual and step-by-step approach set out in October 2015. However, the discussions in the European Parliament and the Council had revealed deep divisions between the Member States, which had caused significant delays to the ongoing legislative procedure.

He and Lord HILL had held several meetings with the Member States' finance ministers and the MEPs closely involved in this work to draw up a roadmap that would enable the legislative procedure to be completed by setting out the next steps in the development of a European Deposit Insurance Scheme, and to identify the elements to be developed in the proposal in relation to reducing banking risks.

Lord HILL explained that, over the last six months, the President of the Eurogroup, Jeroen Dijsselbloem, had pressed for the development of a roadmap, but had faced a deadlock as a result of the divisions between the Member States. In light of this, the Commission had to continue its efforts to advance the legislative process and prepare the necessary accompanying initiatives related to sharing and reducing risks in the banking sector, in line with the approach advocated in the general communication of October 2015.

The PRESIDENT took note of the positions of certain Member States on these different initiatives. He felt it would be difficult to adopt an intergovernmental approach, as had been envisaged, as it would have required decisions to be taken unanimously by the Member States. In spite of the current deadlock, he called for work to continue on the proposals in question, as creating a European Deposit Insurance Scheme was, in his view, a strategic part of the completion of Economic and Monetary Union.

The Commission took note of this information.

13. ADMINISTRATIVE AND BUDGETARY MATTERS

(SEC(2016) 274 TO /3)

ADMINISTRATIVE MATTERS

(PERS(2016) 54 TO /3)

13.1. DG HEALTH AND FOOD SAFETY – APPOINTMENT OF AD14/15 DIRECTOR

(PERS(2016) 24 TO /3)

The Commission had before it applications under Article 29(1)(a)(i) and (iii) of the Staff Regulations for the post of Director, Health and Food Audits and Analysis, in the Directorate-General for Health and Food Safety (PERS(2016) 24).

It took note of the opinions of the Consultative Committee on Appointments of 8 April and 19 May 2016 (PERS(2016) 24/2 and /3).

The Commission proceeded to compare the applicants' qualifications for the post. It also considered their ability, efficiency and conduct in the service. On a proposal from Ms GEORGIEVA, in agreement with the PRESIDENT and

after consulting Mr ANDRIUKAITIS and also Mr KATAINEN, it decided to appoint Ms Paola COLOMBO to the post.

This decision would take effect on 1 August 2016.

**13.2. SECRETARIAT-GENERAL – APPOINTMENT OF AD14/15 MEDIATOR
OF THE EUROPEAN COMMISSION
(PERS(2015) 79 TO /4)**

The Commission had before it applications under Article 29(1)(a)(i) and (iii) of the Staff Regulations for the post of Mediator of the European Commission, at principal adviser level, in the Secretariat-General (PERS(2015) 79 and /2).

It took note of the opinions of the Consultative Committee on Appointments of 14 January and 25 February 2016 (PERS(2015) 79/3 and /4).

The Commission proceeded to compare the applicants' qualifications for the post. It also considered their ability, efficiency and conduct in the service. On a proposal from the PRESIDENT, in agreement with Ms GEORGIEVA, it then decided to appoint Mr Giovanni FRACCHIA to the post.

This decision would take effect on a date to be determined.

**13.3. LEGAL SERVICE – APPOINTMENT OF AN AD14/15 PRINCIPAL
LEGAL ADVISER
(PERS(2015) 100 TO /3)**

The Commission had before it the applications under Article 29(1)(a)(i) and (iii) of the Staff Regulations for the post of Principal Legal Adviser responsible for the ECS (European civil service law) team in the Legal Service (PERS(2015) 100).

It took note of the opinions of the Consultative Committee on Appointments of 23 November and 17 December 2015 (PERS(2015) 100/2 and /3).

The Commission then compared the applicants' qualifications for the post. It also considered their ability, efficiency and conduct in the service. On a proposal from Ms GEORGIEVA, in agreement with the PRESIDENT, it then decided to appoint Ms Laura PIGNATARO NOLIN to the post.

The decision would take effect on 16 June 2016.

**13.4. DG HUMAN RESOURCES AND SECURITY – COMMISSION
DECISION ON MIDDLE MANAGEMENT STAFF
(C(2016) 3288 TO /4; INFO(2016) 62; RCC(2016) 79)**

Ms GEORGIEVA presented the proposal for a Commission decision on middle management staff. At the beginning of the current Commission's term of office, she had been asked to formulate a talent management strategy in a context of staff cuts and increasing workload in the departments. The need to modernise the institution's policy on middle management had been one of the main findings of the working groups of Directors-General in 2013 and Directors of Resources in 2015.

The draft strategy had been presented to Directors-General, Directors and heads of unit responsible for human resources, and middle management. The latter group had been invited to contribute to the strategy before the launch of the inter-service consultation. The draft decision had also been the subject of technical and political dialogue, which had resulted in an agreement with the staff representatives. Lastly, internal technical discussions had enabled the specific nature and needs of certain departments and Directorates-General to be taken into account.

Ms GEORGIEVA outlined the main elements of the decision, which were to (i) improve the selection of middle managers, (ii) increase the number of

female managers, with the aim of achieving the 40 % target by 2019, (iii) improve performance assessment, (iv) strengthen skills in human resources management, and (v) promote the mobility of heads of unit who had performed that function in the same Directorate-General for ten years.

She stressed in particular that such mobility was important in a collegiate institution that worked on the basis of inter-departmental cooperation, while a culture of compartmentalisation might spread if heads of unit remained in the same post for too long. Moreover, internal surveys had shown that 81 % of heads of unit considered that it was difficult to find a post in another Directorate-General, which seemed to bear out the fact that, on average in each of the years between 2011 and 2015, only 15 of a total of 1 200 had been recruited by another Directorate-General.

In addition, mobility for middle managers would also be fostered through a set of accompanying measures, including targeted communication, career guidance and specific training. Moreover, a unit in the Directorate-General for Human Resources and Security would be tasked with managing this exercise.

A discussion ensued, during which the Commission expressed its support for the development of a tailor-made strategy for middle management which promoted the development of skills and increased mobility, while paying close attention to human factors and the specific nature of certain departments.

The Commission adopted the decision in C(2016) 3288/4 and took note of the briefing note in INFO(2016) 62.

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The Commission's other discussions on certain agenda items are recorded in the special minutes.

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The meeting closed at 12.08.