COUNCIL OF THE EUROPEAN UNION

Brussels, 22 February 2013

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NOTE

from:	General Secretariat of the Council
to:	Delegations
Subject:	Partial summary record of the meeting of the **Committee on the Environment, Public Health and Food Safety (ENVI),** held in Brussels on 18-19 February 2013 - items 3-5, 9-10 and 14 of the agenda

The meeting was chaired by Mr Groote (chair) (S&D, DE) and Mr Gerbrandy (vice-chair) (ALDE, NL).

3. Modalities for reaching the 2020 target to reduce CO2 emissions from new light commercial vehicles
ENVI/7/10175, 2012/0191(COD), COM(2012)0394
Rapporteur: Holger Krahmer (ALDE)
Opinions: ITRE*, IMCO, TRAN

The rapporteur welcomed the Commission proposal, outlined its main objectives and focused on points of particular importance for the committee. He considered that the 2020 target of 147g CO_2/km was ambitious enough and decided not to change it, as a credible long-term goal was needed for planning security. In this context, although the new WLTP (Worldwide Harmonised Light Duty Test Procedure) test cycle was being developed, he considered that the current NEDC (New European Driving Cycle) cycle should be kept as a reference for this target.

The new test cycle would be used for determination of the post-2020 target, and later than by 2014, as proposed by the Commission. He also proposed the extension of super credits.

Most Members, including Ms Grossetête (EPP, FR), Mr Tatarella (EPP, IT), Mr Florenz (EPP, DE) and Mr Pargneaux (S&D) considered that the 2020 target should be maintained. Mr Callanan (ECR, UK) added that a more stringent target would undermine planning certainty and industry competitiveness. However, Mr Schlyter (Greens/EFA, SE), supported by Ms Lepage (ALDE, FR), thought that the standard was very weak and called for a more ambitious target, fuel efficiency, abolishment of super credits and the introduction of speed limits. As to the post-2020 target, Members acknowledged its necessity (Ms Grossetête) and called for a long-term ambitious objective (Ms Ulvskog), and a majority supported the Commission proposal to do so before 2014 (Mr Florenz, Mr Leinen, Mr Pargneaux). Mr Groote was not sure about establishing the long-term objective with currently available technologies. Concerning the test cycle, all Members agreed on the existence of a substantial gap between reality and test results. Some called for a revision of the cycle before the WLTP had even been agreed (Mr Schlyter, Mr Leinen, Mr Pargneaux). This also raised the question of whether the WLTP (if approved) should already be used for the 2020 standard, or whether it should only apply to the post-2020 target (Mr Callanan). Concerning super credits, Members generally in favour spoke of keeping the system (Mr Tatarella), but with some limitations, including lower thresholds (Ms Grossetête) and capping (Mr Florenz, supported by Mr Groote). Mr Leinen (S&D, DE) acknowledged their use as an incentive for innovation. However, if it undermined the objective of the standard, or if the standard was too low, the system could not be supported (Ms Ulvskog (S&D, SE)). Ms Merkies (S&D, NL) and Mr Schlyter were against the credits as they did not support greening. Other issues raised were derogation for small businesses, difference in standards for light commercial vehicles and passenger cars and fuel efficiency.

The Commission representative was not in favour of amendments changing the 2020 target, nor those weakening it, such as banking and accumulation of super credits. On the test cycle, he assured Members that if revised, the target would remain the same. He advocated the earliest possible incorporation of the WLTP, to enable greater fuel savings and provide better information. As to the long-term target, the Commission proposed 2014 to give industry planning certainty and sufficient time to adapt.

The rapporteur reminded Members that the test cycle as such and the speed limits were not subject matters of this regulation. He repeated that 2014 was too early to set up a post-2020 target. He also raised the issue of the link between manufacturers with lower than average CO_2 and their performance on the market, as their cars were not necessarily those consumers wanted.

Timetable:	deadline for amendments:	27 February 2013, 12:00
	further discussion:	24-25 April 2013
	vote in ITRE:	May 2013
	plenary vote:	July 2013

4. Temporary derogation from Directive 2003/87/EC of the European Parliament and of the Council establishing a scheme for greenhouse gas emission allowance trading within the Community

ENVI/7/11311, 2012/0328(COD), COM(2012)0697
Rapporteur: Peter Liese (EPP)
Opinion: INTA, ECON, ITRE, IMCO, TRAN

The rapporteur gave a brief overview of the background of the Commission proposal, which he supported, and was satisfied that many of amendments followed the same line as his report, or improved it. Regarding the criticism of third countries, he considered it to be more of a political attack rather than an attack on the actual content, since the real effect of the EU ETS was only about EUR 2. The ECJ also ruled that it was in line with international law. On the amendments, he supported those seeking clarification (with the possibility of compromise amendments) and rejected, for example, amendments 11 and 20. He also mentioned amendments referring to the earmarking of revenues from auctioning (23 and 24) and expected tough negotiations with the Council.

During the discussion, Mr Groote (S&D, DE) and Mr Callanan (ECR, UK) welcomed the postponement of the proposal pending the global agreement and, together with Ms Westlund (S&D, SE), called for the derogation to be adopted as soon as possible. She said that it should have a clear timeframe and the EU system should continue to cover international flights if an international agreement was not adopted. Mr Krahmer (ALDE, DE) thought that it was a step back and the Greens/EFA group preferred not to "stop the clock". They also supported the earmarking of revenues for useful purposes, in opposition to Mr Callanan, who was against reopening this debate. Other issues were EFTA countries and operators already purchasing allowances.

The Commission representative considered that any extension of the derogation would be detrimental. A one year derogation allowed for a return to enforcement should there be no agreement at international level. He also explained that those airlines that had already purchased allowances would be left with some surplus they could use in coming years. On the question about Switzerland, he said that the country had never contested the EU ETS and was in negotiation with the EU to link their respective schemes.

The rapporteur recalled that in order to allow the Commission to implement the derogation, the negotiations with the Council should be concluded by April. He once again expressed his support for the proposal and stressed that the focus should be on efforts to reach an international agreement.

Timetable:	vote in ITRE:	26 February 2013
	plenary vote:	April 2013

5. Horsemeat in the EU food chain
ENVI/7/11950
Exchange of views with Commission representatives and EFSA representatives

Members agreed that the issue was not food safety, but wrong labelling and fraud. In this context, they inquired about penalties for wrong labelling and called for heavier sanctions for offenders, the strengthening of existing legislation and the better enforcement of existing rules. Nevertheless, some Members called for legislation on the labelling of origin for processed foods to regain consumers' confidence. Others added that responsibility for labelling of ingredients should rest with food manufacturers. Members also welcomed the DNA testing and asked about its costs, number, basis, etc. They also inquired whether any testing was foreseen for cloned animals.

Ms Testori Coggi (Director-General at DG SANCO) considered that EU traceability and labelling legislation was the most developed in the world and was working well, as it was able to identify the distribution chain. The problem was that this was a fraudulent process which was not meant to be discovered. She also thought that fraud would have occurred even if the labelling of origin for processed foods had been in place, as it concerned the species, not the origin. She reminded Members that criminal sanctions were the responsibility of Member States and the Commission could not enter this area. But in her view, the pressure from households for low food prices made it more likely for fraud to occur again. Concerning testing, the Commission decided to launch a cycle that would last for one month and would focus on DNA and residues of phenylbutazone. One test cost EUR 400 and the Commission would finance 70%.

Mr Bernhard (European Food Safety Authority) reiterated that food safety was not endangered. He explained that phenylbutazone was an anti-inflammatory that was also used in humans. Nevertheless, horses using it should not enter the food chain. Horse meat as such was a very safe product.

9. Modalities for reaching the 2020 target to reduce CO_2 emissions from new passenger cars
ENVI/7/10167, 2012/0190(COD), COM(2012)0393
Rapporteur: Thomas Ulmer (EPP)
Opinions: ITRE*, IMCO, TRAN

The rapporteur said that the proposed 2020 target of 95g CO_2/km was an ambitious target. In this context, he saw a need for a system of incentives for producers to introduce new technologies and supported, subject to several conditions, the saving of super credits until 2020. Concerning eco-innovations, he suggested simplifying the recognition of new innovative technologies. He also suggested keeping the NEDC as a basis for calculations until 2020 for manufacturers' planning purposes. The subsequent target should be calculated based on the new WLTP. He did not think that if was beneficial to have a review as early as 2014 to establish the post-2020 target.

Apart from the Greens/EFA group (Mr Schlyter (SE), Ms Harms (DE)), Members did not challenge the 2020 target. They agreed on the need for incentives, but super credits (supported by Mr Pirillo (S&D, IT), Mr Rossi (EFD, IT), Mr Seeber (EPP, AT)) were not favoured by all, as they were watering down the target (Mr Davies (ALDE, UK) Ms Harms, Mr Schlyter, Mr Pargneaux (S&D, FR)). Mr Leinen (S&D, DE) and Mr Liese (EPP, DE) agreed in principle, but would limit them (with Mr Florenz (EPP, DE)) to avoid undermining the target. There were also divergent views regarding the post-2020 target. One group (Mr Davies, Ms Harms, Mr Leinen, Ms Lepage (ALDE, FR), Mr Pargneaux; Ms McAvan (S&D, UK), Mr Florenz, Mr Liese) called for its establishment as the indicative objective could be revised with the new test cycle (Ms Westlund (S&D, SE)). Others suggested delaying the decision to 2017 (Mr Rossi, Ms Grossetête (EPP, FR)), with a proper impact assessment (Mr Callanan (ECR, UK)). Mr Krahmer (ALDE, DE) advocated cautiousness as it was unclear whether the achievement of the target would be feasible with current technologies. Members agreed that the current test cycle did not reflect reality, but they were divided over the implementation of the new one. Some supported the earliest possible revision and implementation, or by 2017 as proposed by the Commission (Mr Pirillo, Ms Harms, Ms Lepage, Mr Schlyter, Mr Liese, Ms McAvan, Mr Davies).

Others supported the rapporteur's proposal to wait until 2020 (Mr Callanan). Other issues were the technological neutrality, derogation for small manufacturers and the criterion of the carbon footprint.

The Commission representative did not support the rapporteur's suggestion on super credits, as the banking and new calculation criteria would weaken the target. Concerning the new test cycle, he assured Members that the Commission would adjust figures to ensure that the 2020 target was not stricter. He reiterated that if the WLTP came in 2014, it should quickly be applied. The long-term target was needed for planning certainty for industry and the Commission intended to introduce it as proposed by 2014.

Timetable:	deadline for amendments:	25 February 2013, 12:00
	further discussion:	20-21 March 2013
	vote in ENVI:	24-25 April 2013
	plenary vote:	June 2013

10. Clinical trials on medicinal products for human use, and repeal of Directive 2001/20/EC
ENVI/7/10164, 2012/0192(COD) COM(2012)0369
Rapporteur: Glenis Willmott (S&D)
Opinions: ITRE, IMCO

The rapporteur welcomed the Commission proposal for revision of the current legislation, given the decline of clinical trials carried out in Europe. She supported the change to a regulation, proposed timelines, concept of a low intervention trial, national indemnification system and greater involvement of patients. She focused in particular on the ethics committees and their role in authorising trials and proposed a EU platform for their cooperation. She also highlighted the issue of transparency and supported the Commission in making data on all trials (including unsuccessful ones) publicly accessible. Moreover, she asked for a full clinical study report and proposed penalties for the late submission of data. She also tabled some amendments to definitions and trial relevance.

During the discussion, Members raised various issues. They were in favour of transparency and data availability, even of raw data (Ms Auken (Greens/EFA, DK), Ms Schaldemose (S&D, DK), Mr Liese (EPP, DE), Mr Seeber (EPP, AT)). Mr Schlyter (Greens/EFA, SE) highlighted the need to publish the negative results too. Nevertheless, Mr Juvin (EPP, FR) and Ms Hibner (EPP, PL) saw a need to strike the right balance to prevent it from becoming too complex.

Ms Parvanova (ALDE, BG) asked for clarification on the clinical study report, as well as what was supposed to be disclosed before and after the market authorisation had been granted. Ms Sousa (GUE/NGL, PT) was concerned about the protection of personal data. Ms Grossetête (EPP, FR) added that industry interests should also be protected. Concerning the ethics committees, Ms Parvanova thought that they should be left at national level due to the subsidiarity principle, but welcomed the idea of cooperation. Mr Juvin also supported the idea of an EU platform. Ms Auken, Mr Liese and Ms Sousa were not satisfied with the proposal. Other issues raised were low intervention clinical trials, trials under urgent situation, loosened rules for children, trials conducted in third countries and rare diseases.

The Commission representative welcomed the support for timelines, the approval of applications and the establishment of national indemnification systems. He also appreciated the clarification of ethics aspects. Regarding the protection of minors, he said that the proposal followed the exact wording of the existing directive. As to transparency, the Commission fully supported the release of clinical data after market authorisation had been granted. He hoped that the file would be concluded before the parliamentary elections in 2014.

The rapporteur saw a broad basis for an agreement. Concerning timelines, she summarised that a majority supported the Commission proposal, but thought that Member States would like to lengthen them. Regarding transparency, she said that the clinical study report was a good compromise for her, with a summary for public consumption.

Timetable:	deadline for amendments:	27 February 2013, 12:00
	further discussion:	20-21 March 2013
	vote in ENVI:	24 April 2013

14. Hearing of Hans Bruyninckx, the EEA Executive Director-designate
ENVI/7/11522

Mr. Hans Bruyninckx, the candidate designated by the European Environment Agency's (EEA) Management Board as the agency's future Executive Director, introduced himself and presented his project on the development of the EEA. Members asked questions on Mr Bruynincks' views on issues such as the agency's future role, budget management, transparency, new environment risks, the EU's role concerning global warming, GMOs, and water policy.

The outcome of the hearing will be formalised in a letter from the Chairman to the EP President, who will inform the EEA Management Board (MB) of the Committee's opinion. This opinion will also be published on the Parliament website.