



RULES OF PROCEDURE OF THE SCIENTIFIC COMMITTEE ON TOXICITY, ECOTOXICITY AND THE ENVIRONMENT

Art 8 § 2 and 3 of Commission Decision 97/579/EC of 23 July 1997 setting up Scientific Committees in the field of consumer health and food safety¹ require that each Scientific Committee adopt rules of procedure. These rules of procedure shall ensure that the Scientific Committees perform their tasks as they are laid down in Art 2 of the Commission Decision in the best possible way, in compliance with the principles of excellence, independence and transparency, while respecting the legitimate requirements of commercial confidentiality. In particular, they shall ensure close co-operation with the other Scientific Committees and with the Scientific Steering Committee.

THE SCIENTIFIC COMMITTEE ON TOXICITY, ECOTOXICITY AND THE ENVIRONMENT

(Hereinafter the CSTE) adopted at its meeting on 26 November 1998, the following rules of procedure:

1. ELECTION OF THE CHAIRPERSON AND THE TWO VICE-CHAIRPERSONS OF THE CSTE

- 1.1. The CSTE shall elect from among its members a Chairperson and two Vice-Chairpersons
- 1.2. Election of the Chairperson
- 1.3. The election procedure shall be chaired by the Commission.
- 1.4. The members of the CSTE shall propose candidates from among the members of the Committee. The candidates must, prior to the vote, declare that they are prepared to accept the post of Chairperson of the CSTE and at the same time become a member of the Scientific Steering Committee.
- 1.5. The ballot shall be secret and in writing. Subject to a unanimous decision by the CSTE, the secrecy requirement for the ballot may be waived.
- 1.6. The candidate receiving the majority of the votes of the members of the CSTE shall be elected Chairperson.
- 1.7. If no candidate receives the necessary majority, a second ballot shall be held between the two candidates with the highest individual totals of votes in the first ballot. The procedure shall be repeated until one candidate obtains the majority required.
- 1.8. Election of the first and second Vice-Chairpersons
- 1.9. The election procedure for the first and second Vice-Chairpersons is identical to that for the Chairperson of the CSTE
- 1.10. The first and second Vice-Chairpersons shall be elected separately.

¹ OJ No L 237 of 28.8.1997, p. 18.

- 1.11. Separate minutes shall be kept of the election procedure.
- 1.12. The names of the Chairperson and the first and second Vice-Chairpersons of the CSTEE shall be recorded in the minutes of the meeting of the CSTEE and shall be made public.

2. INDEPENDENCE

The members of the CSTEE in their capacity as such must act independently of all external influence.

- 2.1. Each year, the members shall inform the Commission in writing of any interests which could be regarded as prejudicial to their independence. Interests may be of a direct or indirect financial nature or in some cases concern ethical matters (see the declaration in Annex 1).
- 2.2. At each meeting of the CSTEE, or of a Working Group, members shall declare any particular interests which could be regarded as prejudicial to their independence in the light of the topics on the agenda for that meeting. This declaration shall be made in writing or verbally to the Chairperson.
- 2.3. When a member has made such a declaration, the Chairperson together with the members of the CSTEE or its Working Group determine the course of action to be taken on a case by case basis. This may include, for example, a request to the member to contribute factual information but not to attempt to influence the outcome of discussing, to refrain from all contributions to the discussion or even to leave the meeting for that item.
- 2.4. The declaration, and where appropriate the opinion issued by the CSTEE or the Working Group, and any decision of abstention, shall be noted in the minutes of the meeting.

3. CONFIDENTIALITY

Members of the CSTEE and the external experts shall not divulge information obtained in the course of their work where they have been informed that this information is subject to a confidentiality request.

4. DELEGATION OF RESPONSIBILITIES

The members of the CSTEE are nominated by the Commission in a personal capacity. It is not possible to delegate these responsibilities to another member or to a third Group. One of the Vice-Presidents may act as Chairperson of the CSTEE and as a member of the Scientific Steering Committee if the Chairperson of the CSTEE is not able to carry out these duties.

5. WORKING GROUPS

The CSTEE may create Working Groups whenever it is deemed necessary to deal with questions submitted by the Commission.

- 5.1 The CSTEE shall entrust the Working Group with tasks which are clearly defined and directly linked to the question submitted by the Commission. In particular, it shall ask the Working Group to draw up a report and, if appropriate, to prepare a draft opinion. The CSTEE can require that this task be completed within a set period.
- 5.2 The Working Group shall be chaired by a member of the CSTEE. It may comprise external experts (see heading 6).
- 5.3 The Chairperson, and where appropriate members and external experts, shall be designated by the CSTEE. These participants shall be invited by the Commission.

6. EXTERNAL EXPERTS

- 6.1 External experts possessing particular and relevant scientific knowledge may be invited by the Commission to contribute to the work of the CSTEE and its Working Groups.
- 6.2 The Secretariat of the CSTEE shall, with the agreement of the Chairperson of the CSTEE or the Chairperson of the Working Group, invite the most suitable experts. External experts are subject to the rules covering independence (see heading 2.2-2.3) and confidentiality (see heading 3).

7. RAPPORTEUR

- 7.1 The CSTEE or the Working Group shall designate *rapporteurs*. The *rapporteur* may be an external expert.
- 7.2 The CSTEE or the Working Group shall entrust the *rapporteur* with clearly defined tasks which may include the preparation of draft reports and draft opinions and, when necessary within a set period.

8. NOTICE OF MEETINGS, AGENDA, DEADLINES

- 8.1 The CSTEE and its Secretariat shall draw up a provisional timetable of meetings on an annual basis for the CSTEE and when appropriate the Working Groups.
- 8.2 The members of the CSTEE and the Working Groups shall receive the invitation normally ten working days before the date of the meeting.
- 8.3 The Secretariat shall draw up a draft agenda for the CSTEE and the Working Group meetings, in agreement with their Chairpersons. The definitive agenda shall be adopted by the CSTEE or the Working Group at the meeting itself.
- 8.4 Normally, documentation shall be distributed to the members and external experts by the Secretariat. It should be available one week before each meeting. *Rapporteurs* and members should take this deadline into account when distributing documents or presenting reports and draft opinions.

9. ACCELERATED PROCEDURES

- 9.1 In urgent cases, accelerated procedures are possible if this is requested by the Secretariat and this is sanctioned by the Chairperson.
- 9.2 The Secretariat may request, with the agreement of the Chairperson of the CSTEE, that a member, an external expert or a Working Group draw up a draft opinion and submit this to the Secretariat of the CSTEE within a specified, short period. The draft opinion will then be discussed at the next meeting of the CSTEE.
- 9.3 With the agreement of the Chairperson, the draft opinion may be adopted by means of the written procedure. In this case, the Secretariat shall send the draft opinion to the members of the CSTEE, asking them to approve it by a specified date. The draft shall be adopted if the majority of the members of the CSTEE have expressed their approval. If this majority is not reached, the draft opinion must be placed on the agenda for the next meeting of the CSTEE.

10. ISSUES RAISED BY THE CSTEE

The CSTEE may draw the Commission's attention to any specific or emerging problem falling within its remit.

11. CLARIFICATION OF QUESTIONS SUBMITTED BY THE COMMISSION

The CSTEE may ask the Commission to make the question more explicit and/or supply additional information.

12. CO-OPERATION BETWEEN THE SCIENTIFIC COMMITTEES AND THE SCIENTIFIC STEERING COMMITTEE

The CSTEE shall co-operate closely with the other Scientific Committees and the Scientific Steering Committee.

In order to ensure that this co-operation is effective

- 12.1. the CSTEE Chairperson shall inform the Scientific Steering Committee of the activities of the CSTEE;
- 12.2. the CSTEE may ask for the assistance of members of other Scientific Committees as external experts if the question submitted has a bearing on the field of competence of one or more of the other Scientific Committees. This involvement is mandatory if it has been requested by the Scientific Steering Committee;
- 12.3. In agreement with the Scientific Steering Committee, the CSTEE may contribute to a Joint Working Group with one or more other committees. This involvement is mandatory if it has been requested by the Scientific Steering Committee. The Joint Working Group may draw up reports and/or draft scientific opinions, these must then be adopted by each of the Committees concerned.

13. CONDUCTING OF MEETINGS

- 13.1. Meetings of the CSTEE, and those of Working Groups, shall not be open to the public. Commission services with responsibilities relating to the topics on the agenda shall be invited to the meeting.
- 13.2. The individual scientific opinions expressed by members or external experts during discussions within the CSTEE or a Working Group shall be confidential.

13. SCIENTIFIC OPINIONS

The scientific opinion normally comprises the response given to a question posed by the Commission. The opinion contains the terms of reference, the scientific background, the scientific explanation, the conclusions and/or recommendations and, when necessary, an executive summary.

14. ADOPTION OF SCIENTIFIC OPINIONS

As a general rule the CSTEE will aim to establish scientific opinions on the basis of consensus at its plenary meetings. Where this is not possible, the opinions shall be adopted by a majority of the members comprising it.

If consensus can not be reached, the opinion shall include the minority views.

15. MINUTES

15.1. The minutes of the plenary meetings of the CSTEE shall be written by the Secretariat and shall contain at least:

- the list of persons attending
- items discussed
- new questions submitted by the Commission
- the opinions adopted
- minority views, if any, which shall be attributed to members only at their request
- decisions taken
- the summary report of discussions
- any declarations concerning independence of the members and corresponding actions taken.

Normally the minutes will be approved by a written procedure within two weeks. If the adoption is not possible, the minutes shall be approved in the following meeting of the CSTEE.

The minutes of the plenary meetings will be published.

15.2. For the Working Groups, the Secretariat develops "secretary notes" which shall reflect decisions taken and draft opinions submitted to the CSTEE, summaries of discussions and any declaration of interests and corresponding actions taken. These notes shall not be publicly available.

16. AMENDMENTS TO THESE RULES OF PROCEDURE

Any amendments to these rules of procedure shall be decided by the majority of the members of the CSTEE.

Annex 1

ANNUAL STATEMENT OF MEMBER'S INTERESTS

Scientific Committee on Toxicity, Ecotoxicity and the Environment

Name:

In accordance with Article 6(2) of Commission Decision 97/579/EC of 23 July 1997, I hereby notify the Commission that I have the following economic or ethical interests which might be considered prejudicial to my independence:

I hereby notify the Commission that I do not have any interests which I view as being prejudicial to my independence.

This information is confidential and can only be released with my agreement.

I agree that it should be accessible to the public and communicated or made available to third Groups.

I do not agree that it should be accessible to the public and communicated or made available to third Groups.

I shall immediately and explicitly inform the Scientific Committee of any specific interests² concerning any question submitted by the Commission on the occasion of the meeting at which the relevant question is to be examined by the Committee. I shall inform the Commission of any change with regard to my interests which could be prejudicial to my independence.

Done at _____ on _____

Signature _____

² a special interest could, in particular, comprise any prior activity concerning the subject of the question.

