



## **TERMS OF REFERENCE<sup>1</sup>**

### **COMMISSION EXPERT GROUP FOR BIO-BASED PRODUCTS**

#### **1. Context**

Based on the final outcomes of the completed Lead Market Initiative (LMI) for Bio-based Products the Commission Expert Group for Bio-based Products (Expert Group) was established in the context of two important policy initiatives: (1) the Commission Communication "Innovating for Sustainable Growth: A Bioeconomy for Europe"<sup>2</sup>, adopted in February 2012 and co-signed by VP Tajani, focusing on shifting the European economy towards greater and more sustainable use of renewable resources; (2) the Industrial Policy Communication Update<sup>3</sup> which selected the bio-based products sector as one of the six priority areas.

#### **2. Mandate for the Expert Group for Bio-based Products**

The Expert Group's scope of work covers bio-based products and processes as defined in the EC Communication "Innovating for Sustainable Growth": A Bioeconomy for Europe"<sup>4</sup>.

Generally, Commission Expert Groups are consultative bodies that provide expertise and advise the Commission on the preparation of legislative proposals and policy initiatives, the implementation of legislation, programs and existing Union policies, etc. Expert Groups do not take binding decisions, although they may formulate opinions and recommendations or submit reports. The Commission and its services remain fully independent with regard to taking into account the views expressed by expert groups.

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<sup>1</sup> This Terms of Reference and the Rules of Procedures are based on the rules laid out in Communication from the President to the Commission: Framework for Commission Expert Groups: Horizontal rules and public register [SEC(2010)1360] and the template included in Annex II of the Commission Staff Working Document: Accompanying document to the Communication from the President to the Commission: Framework for Commission expert groups: Horizontal rules and public register [SEC(2010)7649 final].

<sup>2</sup> COM(2012) 60 final "Innovating for Sustainable Growth: A Bioeconomy for Europe" published in February 2012

<sup>3</sup> COM(2012) 582 final "A Stronger European Industry for Growth and Economic Recovery" published in October 2012

<sup>4</sup> COM(2012) 60 final, p.3: "Bio-based products are products that are wholly or partly derived from materials of biological origin, excluding materials embedded in geological formations and/or fossilised, CEN - Report on Mandate M/429". See also SWD(2012) 11 final, p.5

For the purpose of this Expert Group, the objective is to advise the Commission with regard to the development of the bio-based products sector by

(1) Monitoring and supporting the development of the policy framework / implementation of the priority recommendations proposed by the Lead Market Initiative Ad-hoc Advisory Group for Bio-based Products.

(2) Proposing demand-side industrial policy actions conducive to the market uptake of bio-based products and processes (standardisation, public procurement, awareness raising, labelling, etc.).

(3) Mapping of bio-based products and relevant bioeconomy related activities and exchanging of good practices at regional, national, international and EU-level aimed at increasing the competitiveness of the European industry.

While taking into account the broader context of the bioeconomy, the Group will not make recommendations specific to other sectors such as food, feed and energy.

When advising the Commission with regard to the implementation of the bio-based products related actions of the Commission's bioeconomy strategy, the Expert Group shall take into consideration the whole value chain from biomass resource management to bio-based products markets and the environmental, social and economic sustainability.

The Group shall issue an interim report after two years on the state of play concerning the implementation of the LMI priority recommendations and the objectives of the Commission's bioeconomy strategy and industrial policy with regard to the bio-based products sector, with particular attention to biomass supply, standardisation activities, public procurement, and awareness raising. The Group may prepare interim proposals, recommendations, papers, etc. as adequate.

The final outcome shall be a report with further priority recommendations for the sustainable development of a competitive bio-based products industry in Europe.

### **3. Composition**

The Group has 34 appointed members representing Member States and state agencies, public procurers, NGOs, academia and business interests. Also five observers will follow the Group's work.

### **4. Duration and location**

The Group has been established for an initial period of four years.

The meetings will take place twice a year in Brussels on Commission premises.

### **5. Operation**

The Group shall be co-chaired by a Chair appointed by the Group and the European Commission.

The Commission Service in charge shall organise the meetings of the Group and provide all the necessary secretarial support, including the preparation of meeting documents and the drafting of operational conclusions.

In agreement with the Commission, sub-groups may be set up to examine specific questions under these terms of reference; they shall be disbanded as soon as these have been fulfilled. Sub-groups will appoint a 'co-ordinator' that will, in collaboration with the Commission representative(s), facilitate the sub-group's work.

The Commission may ask additional experts or observers with specific competence on a subject on the agenda to participate in the Group's or sub-group's deliberations if this is useful and / or necessary. Representatives of other Commission Services will be involved as adequate and may attend the meetings.

The Commission may take the decision to replace members who are or are deemed to be no longer able to contribute effectively to the Group's deliberations.

Information obtained by participating in the Group's or sub-group's deliberations may not be divulged where the Commission lays down that this relates to confidential matters.

The Commission may publish on the DG Enterprise and Industry website, after consultation with the Group, in the original language of the document concerned, any minutes, resume, conclusions (also partial) or working documents of the Group.

The Group shall adopt its rules of procedure (in annex) on the basis of the standard rules of procedure adopted by the Commission.

## **6. Expenses of the Group members**

The Commission shall reimburse travel expenses for members in connection with the Group activities in accordance with the provisions in force at the Commission. The members and observers shall not be remunerated for their services.

Annex: Rules of Procedure Commission Expert Group for Bio-based Products

## **RULES OF PROCEDURE**

### **COMMISSION EXPERT GROUP FOR BIO-BASED PRODUCTS**

#### **Article 1**

##### *Convening a meeting*

1. Meetings of the Group are convened by the Commission which co-chairs the meetings.
2. Joint meetings of the Group with other groups may be convened to discuss matters falling within their respective areas of responsibility.

#### **Article 2**

##### *Agenda*

1. The secretariat (The Commission Service in charge) shall draw up the agenda and send it to the members of the group.
2. The agenda shall be adopted by the Group at the start of the meeting.

#### **Article 3**

##### *Forwarding of documents to group members*

1. The secretariat shall send the invitation to the meeting and the draft agenda to the Group members no later than two calendar weeks before the date of the meeting.
2. The secretariat shall send drafts on which the Group is consulted and all other working documents to the Group members no later than seven calendar days before the date of the meeting.
3. In urgent or exceptional cases, the time limits for sending the documentation mentioned in 1 and 2 may be reduced to five calendar days before the date of the meeting.

Article 4  
*Opinions of the group*

1. As far as possible, the Group shall adopt its opinions or reports by a consensus.
2. In the event of a vote, the consensus is obtained by a simple majority of the members.

Article 5  
*Sub-groups*

1. With the consent of the Commission, the Group may set up sub-groups to examine specific questions on the basis of terms of reference defined by the Group; they shall be disbanded as soon as they have fulfilled the tasks assigned to them.
2. The sub-groups shall report to the group.

Article 6  
*Admission of third parties*

1. The Commission may invite experts or observers with special expertise on a matter on the draft agenda to participate in the Group's or sub-groups' work where appropriate and/or necessary.

Article 7  
*Written procedure*

If necessary, the Group's opinion on a specific question may be delivered via a written procedure. To this end, the secretariat sends the Group members the drafts on which the Group is being consulted and any other working documents.

Article 8  
*Secretariat*

The Commission shall provide secretarial support for the Group. With regard to the sub-groups, a 'sub-group co-ordinator' should carry out an organisational and co-coordinative role.

Article 9  
*Summary minutes of the meetings*

1. Operational minutes on the meetings shall be drafted by the secretariat. The minutes do not mention the individual position of the members during the Group's deliberations.
2. Previous meeting's minutes shall be adopted by the Group at the start of each meeting.

Article 10  
*Attendance list*

At each meeting, the secretariat shall draw up an attendance list specifying, where appropriate, the authorities, organisations or bodies to which the participants belong.

Article 11  
*Prevention of conflicts of interest*

1. At the start of each meeting, any member whose participation in the Group's deliberations would raise a conflict of interest on a specific item on the agenda shall inform the Chairs.
2. Members shall sign a declaration certifying that their participation will not result in conflicts of interest.
3. In the event of such a conflict of interest, the member shall abstain from discussing the items on the agenda concerned and from any vote on these items.

Article 12  
*Correspondence*

1. Correspondence relating to the Group shall be addressed to the Commission, for the attention of the Commission Chair, and sent to the functional mailbox [entr-expert-biobased@ec.europa.eu](mailto:entr-expert-biobased@ec.europa.eu).
2. Correspondence for Group members shall be sent to the e-mail address which they provide for that purpose.

Article 13  
*Transparency*

1. The principles and conditions concerning public access to the Group's documents are the same as laid down in Regulation (EC) No 1049/2001<sup>5</sup>. It is for the Commission to take a decision on requests for access to those documents.
2. Information obtained by participating in the Group's or sub-group's deliberations may not be divulged where the Commission lays down that this relates to confidential matters.
3. If the Group decides so, the Commission may publish on its website, in the original language of the document concerned, any resume, conclusion, or partial conclusion or working document of the Group.

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<sup>5</sup> Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 on public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p.43).

Article 14  
*Protection of personal data*

All processing of personal data for the purposes of these rules of procedure shall be in accordance with Regulation (EC) No 45/2001<sup>6</sup>.

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