



## Horizontal Expert Group Terms of Reference

### 1. Definition

The term “Horizontal Expert Group” refers to a platform that discusses general issues related to minor uses, as identified by the Commodity Expert Groups, the Steering Group or its members, aiming at harmonised procedures and at creating a level playing field among Member States.

### 2. The Horizontal Expert Group

#### 2.1 Tasks

- The Horizontal Expert Group has to address issues of general interest, as identified by the Commodity Expert Groups, the Steering Group or its members aiming at solving multiple minor use gaps across the different sectors.
- The Horizontal Expert Group has to address issues identified by its members, the Commodity Expert Groups or the Steering Group arising from Regulation (EC) No 1107/2009<sup>1</sup>, aiming at a harmonised interpretation of the Articles of Regulation (EC) No 1107/2009 with an impact on minor uses and in this way creating a level playing field among Member States. The Horizontal Expert Group has to identify the consequences of issues coming from the application of Regulation (EC) No 1107/2009, such as the approval criteria, comparative assessment and the renewal of the approval of active substances. In addition, the Horizontal Expert Group should address issues in relation to minor uses arising from Directive 2009/128/EC<sup>2</sup> and Regulation (EC) No 396/2005<sup>3</sup>.
- The Horizontal Expert Group, in collaboration with the Coordination Facility, is responsible for adding the relevant information to EUMUDA.
- The Horizontal Expert Group can identify with the help of the Coordination Facility issues for resolution by the Steering Group.

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<sup>1</sup> REGULATION (EC) No 1107/2009 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC; OJ L 309, 24.11.2009, p. 71.

<sup>2</sup> DIRECTIVE 2009/128/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 21 October 2009 establishing a framework for Community action to achieve the sustainable use of pesticides; OJ L 309, 24.11.2009, p. 1.

<sup>3</sup> REGULATION (EC) NO 396/2005 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 23 February 2005 on maximum residue levels of pesticides in or on food and feed of plant and animal origin and amending Council Directive 91/414/EEC; OJ L 70, 16.3.2005, p. 1.

- The Horizontal Expert Group, though it may be populated by a limited number of Member States, will act for all EU Member States.
- The Horizontal Expert Group in collaboration with the Coordination Facility has to prepare at the start of each calendar year an overview of activities it will work on in that calendar year and will prepare at the end of each calendar year an annual report of its activities.

## **2.2 Composition**

- The Horizontal Expert Group consists of national minor use experts (procedures related) from all Member States, high level representatives of the respective growers associations or grower groups, representatives of the European crop protection industry, representatives of the European Commission and representatives of international organisations such as the European and Mediterranean Plant Protection Organisation.
- Participants should have expertise in the implementation of Regulation (EC) No 1107/2009 related to minor uses and processes related to mutual recognition, comparative assessment, the renewal of the approval of active substances and the authorisation of minor uses. In addition, participants should be familiar with the key principles of Directive 2009/128/EC and Regulation (EC) No 396/2005.
- The Coordinator of the Coordination Facility will attend meetings of the Horizontal Expert Group.
- The chairs of the Commodity Expert Groups or their alternates will attend meetings of the Horizontal Expert Group.
- Observers may attend upon invitation.

## **2.3 Nomination of the chair**

- The Horizontal Expert Group will appoint a chair from among its members present at the meeting, by consensus.
- The chair will be appointed for 3 years (renewable). In case of resignation of the chair, for any reason, a new chair will be appointed by the Horizontal Expert Group, from among its members, as soon as possible. This can also be done via written procedure.

# **3. Functioning of the Horizontal Expert Group**

## **3.1 Duties of the chair**

- Monitor the implementation of the duties of the Horizontal Expert Group.
- Organise the meetings in collaboration with the Coordination Facility, where the Coordination Facility should take care of all the practical arrangements for such meetings.
- Make the agenda timely available prior to the meeting for commenting.

- Chair the meeting and strive towards consensus where agreement is needed from the Horizontal Expert Group.
- Appoint a report writer.
- Act as a first contact point for external questions regarding the Horizontal Expert Group.
- Invite guests/experts to the meetings in agreement with the Coordination Facility.

### **3.2 Obligations for the members of the HEG**

- Active and constructive participation in the meetings.
- Provide agenda items, including supporting documents.
- Help to achieve the duties of the Horizontal Expert Group.
- EU mind set.
- Create an atmosphere to stimulate harmonisation of procedures related to minor uses (mutual recognition, zonal evaluation, etc.).
- Commit to add relevant information to EUMUDA with the assistance of the Coordination Facility.
- Disseminate the information and conclusions within their respective organisations.
- Respect the terms of reference.

### **3.3 Rights of the members of the HEG**

- To be present in the meetings.
- To have access to all the documents that were or will be discussed or provided.
- To place topics on the agenda with a clear description.
- To propose the invitation of (expert) guests.

### **3.4 Invitation to the meeting**

- The Horizontal Expert Group will meet at least twice a year.
- Participants will be reimbursed for travel and subsistence expenses according to the reimbursement policy of the Coordination Facility.
- Organise the meeting, when it is feasible, back-to-back with a meeting of the chairs of the Commodity Expert Groups.
- The documents to prepare for a meeting shall be transmitted at least 10 working days in advance of the meeting, via EUMUDA/EUMUCF-Extranet. This includes the invitation, the agenda and necessary documents that are useful to the meeting. All members of the Horizontal Expert Group will be given (restricted) access to EUMUDA/EUMUCF-Extranet.

### **3.5 Agenda of the meeting**

The agenda of the meeting comprises at least the following points:

- Adoption of the agenda.
- Adoption of the minutes of the previous meeting.
- State of play on ongoing actions.
- Any other business (AOB), where short discussions can be held without prior notification.
- The agenda of the meeting will be made publicly available

### **3.6 Invited guests**

- A guest is invited by the chair upon suggestion by a member of the Horizontal Expert Group, in agreement with the Coordination Facility.
- The guest only stays for the relevant part of the meeting.
- The guest cannot be part of the decision making.

### **3.7 Decision making**

- The chair will strive to make decisions by consensus.

### **3.8 Report from the Horizontal Expert Group**

- The Coordination Facility will prepare the report of the meeting of the Horizontal Expert Group.
- The report of the Horizontal Expert Group meeting will be made available for commenting to the participants within 4 weeks after the meeting.
- The Horizontal Expert Group will report to the Coordinator.
- The Steering Group, via the Coordinator, will approve the annual work plan and the annual report of its activities prepared by the Horizontal Expert Group.

## **4. Final provisions**

### **4.1 Approbation of terms of reference**

- The terms of reference are approved by the Steering Group. Based on a proposal from the Horizontal Expert Group, the Coordination Facility or the Steering Group the terms of reference can be amended.
- Disputes should whenever possible be solved within the Horizontal Expert Group. If this fails the Coordination Facility will mediate. As a last resource the Steering Group may intervene.