



## **Meeting of the Group of Experts established under Article 31 of the Euratom Treaty**

**Luxembourg, 13 – 14 November 2019**

### **SUMMARY REPORT**

(Approved by the Group of Experts at the meeting 9 June 2020)

#### **INTRODUCTION**

The Head of Unit *Radiation Protection and Nuclear Safety* opened the meeting and welcomed the Group of Experts (GoE), summarised the policy context and changes at the level of Commission and DG ENER, and updated the group on key priorities for the Commission's work. He highlighted the important items in the GoE meeting agenda.

The Secretariat provided the Group of Experts with an update of the GoE membership.

#### **1. APPROVAL OF THE AGENDA**

The draft Agenda was adopted with a slight rearrangement of the order of two agenda items and the addition of a presentation on EU Taxonomy. The Group confirmed that no emerging issues would be presented under agenda item 10.

#### **2. APPROVAL OF THE SUMMARY REPORT OF THE MEETING HELD IN LUXEMBOURG ON 12 – 13 JUNE 2019**

The Summary Report of the meeting held in Luxembourg on 12 – 13 June 2019 has been approved without amendments and is published on the Europa website<sup>1</sup>.

#### **3. INFORMATION BY THE COMMISSION**

A representative of DG SANTE presented an update of the work of the subgroup on proton therapy centres of the Steering Group on health promotion, disease prevention and management of non-communicable diseases, since the Group of Experts meeting of November 2018 and on the status of development of their report on proton therapy centres. DG SANTE and DG ENER will continue to ensure an appropriate information exchange between the sub-group on proton therapy and the Article 31 Group of Experts.

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<sup>1</sup> The approved Summary Report of the June 2019 meeting can be found under <https://ec.europa.eu/energy/en/group-experts>

The representative of DG SANTE informed also on the Commission's forthcoming action plan on beating cancer as well as of the status of the legislative proposal on health technology assessment.

A representative of DG RTD presented the state of play of fission research and summarised the ongoing research projects and calls in radiation protection.

A representative of DG JRC presented a brief overview of the JRC's activities in the field of radiation protection, radiation metrology, medical radioisotopes, emergency preparedness, and of their open access programme.

The Article 31 Group of Experts took note of the developments, welcomed the updates and expressed interest to provide their independent scientific opinion on the upcoming report of the subgroup on proton therapy centres. The GoE will receive more information in the future.

#### **4. FOOD AND FEED**

##### *4.1 Proposal for a new Post-Chernobyl regulation*

The Commission (DG SANTE and DG ENER) presented the current status of the draft implementing regulation imposing conditions governing the import of food, minor food and feed originating in third countries following the accident at the Chernobyl nuclear power station.

At the June 2018 meeting, the Commission informed the Article 31 Group of Experts about the expiry date of the Post-Chernobyl legislation (Council Regulation 733/2008 as amended by Council Regulation 1048/2009) in March 2020.

At the November 2018 meeting, the Article 31 Group of Experts adopted an Opinion on the Prolongation of the latest Post-Chernobyl Regulation – Council Regulation 733/2008<sup>2</sup> amended by Council Regulation 1048/2009<sup>3</sup>, to establish a legally binding instrument extending the latest Post-Chernobyl measures beyond 31 March 2020 for another period of 10 years. In that Opinion, the Group of Experts further confirmed that the currently applicable maximum permitted levels of radioactivity should be maintained<sup>4</sup>.

In January 2019, the Commission Legal Service recommended to prolong the measures in form of an implementing regulation under the general food law – Regulation (EC) N° 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and

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<sup>2</sup> Council Regulation (EC) No 733/2008 of 15 July 2008 on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power station (codified version), Official Journal of the European Union, L 201, 30.07.2008, p. 1 – 7.

<sup>3</sup> Council Regulation (EC) No 1048/2009 of 23 October 2009 amending Regulation (EC) No 733/2008 on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power station, Official Journal of the European Union, L 290, 6.11.2009, p. 4–4

<sup>4</sup> The adopted Opinion on the Prolongation of the latest Post-Chernobyl Regulation – Council Regulation 733/2008 amended by Council Regulation 1048/2009 can be found under <https://ec.europa.eu/energy/en/topics/nuclear-energy/radiation-protection/scientific-seminars-and-publications/group-experts>

laying down procedures in matters of food safety (1), and in particular Article 53(1)(b)(ii) thereof.

At the June 2019 meeting, the Article 31 Group of Experts adopted an *Opinion on the draft proposal for an implementing regulation imposing conditions governing the import of food, minor food and feed originating in third countries following the accident at the Chernobyl nuclear power station*<sup>5</sup>. In this opinion the Group of Experts confirmed that each consignment of mushrooms shall continue to be accompanied by a valid export certificate and considered it appropriate to require documentary checks on all consignments of mushrooms and random identity checks and random physical checks, including laboratory analysis on the presence of <sup>134</sup>Cs and <sup>137</sup>Cs. For products other than mushrooms, the experts recommended to maintain current control requirements in terms of certificates and measurements.

At this meeting, the Commission informed the Group of Experts that the opinion of the Group of Experts of June 2019 has been taken into account and of the steps taken since June. The final text of the regulation is expected to be ready by end February 2020 and to be submitted for voting at the Standing Committee on Novel Food and Toxicological Safety of the Food Chain on 4 March 2020. Adoption by the Commission is expected by beginning of March 2020.

The Commission also informed the Group of Experts on the implementing regulation (EU) 2019/1787 of 24 October 2019 amending Implementing Regulation (EU) 2016/6 imposing special conditions governing the import of feed and food originating in or consigned from Japan following the accident at the Fukushima nuclear power station<sup>6</sup>.

#### *4.2 Electronic Working group on Radioactivity in Feed and Food of the Codex Committee on Contaminants in Food (CCCCF)*

The representative of DG SANTE informed the Article 31 Group of Experts on the Electronic Working Group (e-WG) on Radioactivity in Feed and Food of the Codex Committee on Contaminants in Food (CCCCF). The e-WG is chaired by the EU (DG SANTE) and co-chaired by Japan. IAEA prepared for the e-WG a paper which presents the working document for the experts of the Codex committee, and which will soon be available for comments by the e-WG members. The final document is expected to be discussed in the CODEX Committee in April 2020. The Secretariat informed the members of the Article 31 Group of Experts of the possibility to participate, if interested, in the e-WG through the respective CODEX contact point in each Member State.

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<sup>5</sup> The adopted Opinion on the Prolongation of the latest Post-Chernobyl Regulation – Council Regulation 733/2008 amended by Council Regulation 1048/2009 can be found under <https://ec.europa.eu/energy/en/topics/nuclear-energy/radiation-protection/scientific-seminars-and-publications/group-experts>

<sup>6</sup> Commission implementing regulation (EU) 2019/1787 of 24 October 2019 amending Implementing Regulation (EU) 2016/6 imposing special conditions governing the import of feed and food originating in or consigned from Japan following the accident at the Fukushima nuclear power station, Official Journal of the European Union, L 272, 25.10.2019, p. 141–146.

## 5. ACTIVITIES RELATED TO THE TRANSPOSITION AND IMPLEMENTATION OF RECENT DIRECTIVES (BASIC SAFETY STANDARDS, NUCLEAR SAFETY, DRINKING WATER)

The Commission presented a brief overview of the European Commission activities related to the transposition and implementation of recent Directives, notably the Basic Safety Standards Directive, the Nuclear Safety Directive and the Drinking Water Directive. The Commission informed the experts on the ongoing discussion with the IAEA on holding a joint seminar on the implementation of the International Basic Safety Standards and the European Basic Safety Standards Directive with focus on selected topics. The GoE will be fully involved and the topic will be included as discussion item in the agenda of the June meeting. Following to discussion in the Group it was concluded that the Article 31 Group of Experts supports the initiative.

## 6. STRATEGIC AGENDA FOR MEDICAL, INDUSTRIAL AND RESEARCH APPLICATIONS OF NUCLEAR AND RADIATION TECHNOLOGY (SAMIRA)

The Commission presented the status and latest developments of the Strategic Agenda for Medical, Industrial and Research Applications of nuclear and radiation technology (SAMIRA). The SAMIRA initiative is intended to cover a broad range of issues in the field of non-power applications with the aim to identify areas where EU action is needed and with a focus on medical applications. An Action Plan is being developed around three main pillars: securing supply of radioisotopes in the EU, radiation protection and safety for European patients and facilitating innovation in the medical practice. DG ENER aims to link the Action Plan to the Europe's Beating Cancer Plan, which is one of the new Commission's flagship initiatives.

The Article 31 Group of Experts took note of the developments of the SAMIRA initiative.

## 7. REVIEW AND PRIORITISATION OF THE ACTIVITIES OF THE WORKING PARTIES AND RELATED PROJECTS

### 7.1 Natural Radiation Sources (WP NAT)

#### *a. Progress report of the Working Party on exposure to natural sources of ionising radiation*

The Chair of the Working Party on exposure to natural sources of ionising radiations (WP NAT) reported on progress made since the last Group of Experts' meeting. The two last meetings of the Working Party were devoted to the finalisation of the draft report on "**Radon in building materials**". In view of the ending current mandate, the Working Party started work on Building Materials aiming to achieve a first draft to be handed over to the next Article 31 Group of Experts.

#### *b. Draft report on Radon in workplaces*

The Chair of the Working Party presented the draft report on "**Radon in workplaces**" (version 24 October 2019) prepared by the Working Party on Natural Radiation Sources.

The Article 31 Group of Experts discussed the draft report and adopted the report for publication in the Radiation Protection Series of the European Commission acknowledging the need for final proof reading and minor technical edits.

In this context, the representative of IAEA reported on the status of discussion at the IAEA regarding radon conversion factors. The IAEA concluded that there is currently no need to change the requirements in the International BSS.

### *7.2. Medical Exposures (WP MED)*

The Secretariat of the Working Party reported, on behalf of the Chair, on progress made since the last Group of Experts' meeting and presented a list of areas of interest to be followed up within the next mandate.

The Article 31 Group of Experts took note of the various activities of this group and provided input on the future work areas of the WP MED.

The ongoing project on clinical Diagnostic Reference Levels (EUCLID project, <http://www.eurosafeimaging.org/euclid>) will hold their final workshop on 9-10 December 2019 in Luxembourg. The final report of the study is due in February 2020.

With the support of the WP MED, a new study on the implementation of clinical audits in Member States will be launched in early 2020. The project will also explore ways to promote integration of clinical audit requirements arising from the Basic Safety Standards Directive into existing audit programmes in healthcare.

### *7.3. Research Implications on Health and Safety Standards (WP RIHSS)*

#### *a. EU Scientific Seminar 2018 on Management of long-term exposure after a nuclear or radiological accident*

The Chair of the Working Party informed that the proceedings of the EU Scientific Seminar November 2017 on *Epigenetic effects – potential impact on radiation protection* were published<sup>7</sup>. The Chair also informed that the proceedings of the EU Scientific Seminar November 2018 on *Management of long-term exposure after a nuclear or radiological accident* are still lacking two contributions.

The Article 31 Group of Experts took note of this development and agreed that when the two missing papers are received by the Secretariat the Group of Experts will aim to finalise the proceedings during the current mandate by a written procedure.

#### *b. Follow up on the EU Scientific Seminar 2019*

The EU Scientific Seminar 2019 on *Developments in nuclear medicine – new radioisotopes in use and associated challenges* took place in the afternoon of 13 November 2019<sup>8</sup>. Internationally renowned scientists presented:

- Radionuclide therapy in nuclear medicine – developments and challenges

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<sup>7</sup> The published proceedings *Potential impact on radiation protection: proceedings of a scientific seminar held in Luxembourg on 8 November 2017* can be found under <https://ec.europa.eu/energy/en/topics/nuclear-energy/radiation-protection/scientific-seminars-and-publications/radiation-protection-publications>

<sup>8</sup> The programme and presentations of the EU Scientific Seminar 2019 can be found under <https://ec.europa.eu/energy/en/topics/nuclear-energy/radiation-protection/scientific-seminars-and-publications/seminars>

- Production and regulation of radiopharmaceuticals – radiation protection issues
- Dosimetry and dosimetric tools in radionuclide therapy (covering also the results of the European survey)
- Radiation protection issues in radionuclide therapy – workers (medical staff), third persons, waste management
- Evaluation of risks of radionuclide therapy

The presentations were followed by a round table discussion, in which the speakers, invited additional experts and the Group of Experts discussed potential policy implications and research needs.

The Chair of the Working Party presented the main issues of and preliminary conclusions from the Scientific Seminar.

The Group of Experts congratulated the Working Party for the organisation of this interesting seminar.

### *c. Topics for upcoming EU Scientific Seminar*

At the last meeting, the Article 31 Group of Experts asked the Working Party to prepare a list of potential topics for future scientific seminars.

The Working Party presented the following topics:

- Combined effects – ionising radiation and other hazardous agents (chemicals, environmental stressors, endocrine disruptors, ...)
- Protontherapy – Iontherapy;
- Radiosensitivity of children.

The Article 31 Group of Experts discussed the proposed topics and agreed to hold the EU Scientific Seminar 2020 on ***Radiosensitivity of children***. The WP RIHSS will consider the discussed ideas on the topic during the preparation of the programme of this seminar.

## • **EU TAXONOMY**

A representative from DG ENER informed the Article 31 Group of Experts on the state of play regarding the EU classification system for Economic activities (EU taxonomy). The presentation included the general framework, the work of the Technical Expert Group (TEG) on sustainable economy (report of June 2019) and the next steps. The Commission assured the Article 31 Group of Experts that they would be involved should this be necessary in relation to the Group of Experts remit.

## **8. EMERGENCY PREPAREDNESS AND RESPONSE**

The Commission presented an overview of the main areas requiring further attention in the implementation of Basic Safety Standards Directive's requirements on *emergency preparedness and response*. These areas have been drawn based on the results of the recent Commission studies and workshops in the field as well as from the transposition checks of the Basic Safety Standards Directive, which are currently ongoing. In this context, the Commission informed the Group of Experts of the main objectives and possible topics of a planned future study in this area.

The Article 31 Group of Experts took note of the activities and provided input on additional topics for the future study.

## **9. WORK PROGRAMME OF THE ARTICLE 31 GROUP OF EXPERTS (“ROAD MAP”)**

### *a. Outcomes of current mandate of the Article 31 GoE*

The Chair of the Article 31 Group of Experts presented the outcomes and achievements of the Group and the work of the Working Parties under the current mandate. The achievements included issuing a number of Opinions, three publications supporting the implementation of Council Directive 2013/59/Euratom, the organisation of five EU Scientific Seminars as well as the adoption of new rules of procedure and a strategy and work programme of the Article 31 Group of Experts.

The Article 31 Group of Experts reflected on the outcomes and the composition of the Article 31 Group of Experts as well as the expertise covered within in view of the new mandate.

### *b. Working parties (WPs)*

The Chair presented the structure and objectives of the current working parties and invited the Group of Experts to discuss the desired expertise composition.

The Article 31 Group of Experts discussed the structure of the working parties. The participation of observers was considered to be a particular asset. The Group of Experts confirmed the utility of working parties and proposed that the use of external experts should be considered in cases where the work undertaken by the working parties might require specific expertise.

### *c. Work programme in view of the next mandate of the Article 31 GoE*

The Commission presented the latest version of the Article 31 work programme in preparation of the new mandate for the coming years (version 31 October 2019). The Chair of the Article 31 Group of Experts presented the main topics in the proposed work programme.

The Article 31 Group of Experts discussed the work programme with a view to provide input to support the work of the next mandate and proposed potential areas on which work could focus in the next years including radon in dwellings, proton therapy centres and specific clearance. It will be the responsibility of the next mandate to decide on the work programme and to set respective timelines.

## **10. EMERGING ISSUES IN MEMBER STATES WITH POTENTIAL IMPLICATIONS ON A EUROPEAN LEVEL**

No emerging issue was raised.

## **11. OTHER BUSINESS**

No other business was raised.

## **12. PROVISIONAL DATES OF THE NEXT MEETINGS (ALREADY IN THE NEW MANDATE)**

**June 2020**

The ***June 2020 meeting*** of the Group of Experts scheduled for **9 – 10 June 2020**, in meeting room EUFO 0001, **European Commission – Euroforum Building, 10, rue Robert Stumper – L-2557 Luxembourg – Gasperich**, was replaced by a **WebEx meeting** to be held **on 9 June 2020**.

#### **November 2020**

The ***November 2020 meeting*** of the Group of Experts is scheduled for **17 – 18 November 2020**, in Room E, **European Convention Center Luxembourg, 1, rue du Fort Thüngen, L-1499 Luxembourg (Kirchberg)**

#### **CLOSING**

The Chair thanked the Article 31 Group of Experts. The Head of Unit *Radiation Protection and Nuclear Safety* thanked all the members of the Group of Experts and in particular the Chairs of the Group of Experts and of the Working Parties for their important work during the current mandate.