



EUROPEAN COMMISSION

HEALTH AND FOOD SAFETY DIRECTORATE-GENERAL

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**SUMMARY REPORT OF THE
STANDING COMMITTEE ON PLANTS, ANIMALS, FOOD AND FEED
HELD IN BRUSSELS ON 18 FEBRUARY 2016 - 19 FEBRUARY 2016
(Section Animal Nutrition)**

CIRCABC Link: <https://circabc.europa.eu/w/browse/e360a1b3-c86e-4696-8122-f8c95d0412c5>

A.01 Feed Additives – Applications under Regulation (EC) No 1831/2003 Art. 4 or 13.

Documents were distributed.

A.02 Feed Additives – Applications under Regulation (EC) No 1831/2003 Art. 9.

A.02.1. Ethoxyquin (6-ethoxy-1,2-dihydro-2,2,4-trimethylquinoline) for all animal species

The discussion continued in relation to the EFSA opinion and the possible measures to be taken concerning the authorisation of that existing product. A suspension of the authorisation accompanied by transitional measures under strict conditions was still considered by a majority of the delegations as the most appropriate option.

A.02.2. L-arginine produced by *Corynebacterium glutamicum* KCTC 10423BP for all animal species – Annex

The Annex was discussed and a draft Regulation will be prepared for vote in one of the next meetings.

A.03.3. Update of scientific opinion on the safety and efficacy of copper complexes of chlorophylls for ornamental fish, grain-eating ornamental birds and small rodents and of copper complexes of chlorophyllins for all animal species (EFSA-Q-2010-01524), adopted by the FEEDAP Panel on 26/01/2016.

As the EFSA opinion is inconclusive, the applicant will be contacted to determine the follow-up.

A.03 Feed marketing Regulation (EC) N° 767/2009.

A.3.1. Directive 2008/38/EC establishing the list of intended uses as particular nutritional purposes – state of play and applications

A Commission representative gave an update on the pending applications and brought two new applications to the attention of the Committee.

A.3.2. Revision of Annex VI and VII (labelling provisions)

The draft revised text was further discussed. It will be further developed in the light of the Member States comments. With reference to the labelling of analytical constituents, a revision of the tolerances as referred to in Annex IV was requested. A Commission representative invited the delegates to notify, based on their national controls, tolerances of analytical constituents which prove to be impractical. The Committee will come back on the issue.

A.3.3. Third amendment of the EU Catalogue of feed materials (Regulation (EU) N° 68/2013)

The draft text as revised from the Feed Chain Task Force was presented. Several MS intervened based on their written comments. It was agreed to collect some specific written comments. Subsequently, a draft Regulation to revise the Catalogue will be elaborated and presented in one of the next meetings.

A.03.4. COPA-COGECA/FEFAC Code of Good labelling practices for compound feed for food producing animals

Due to time constraints, the point was postponed to the next meeting.

A.04 Legal status of former foodstuffs - Guidance on the borderline feed-waste and implications for feed business operators.

A Commission representative informed the Member States delegates about the Commission proposal for the revision of the Waste Directive (EU) No 2008/98 as adopted on 2 December 2015 which contains the exemption of feed materials from its scope as an element to reduce food waste. Furthermore, Member States were informed that DG SANTE intends, pending the entry into force of the revised Waste Directive, to elaborate guidance for a facilitated feed use of former foodstuff. Structural details of this project were unveiled. The Member States showed big interest in such guidance.

A.05 Task force for the safety of novel foods and feeds - update.

A representative of the Commission informed about the meeting of the Task Force in Paris (19-21 April 2016). The documents on novel feed ingredients were not yet ready.

A.06 RASFF.

A.06 .1. Update and exchange of views on recent RASFF notifications

The Committee was informed on recent RASFF notifications related to the presence of

- mercury in pet food (one notification on canned mackerel tuna and one notification on canned tuna with sea bream) from Thailand;
- aflatoxins in peanuts from China;
- arsenic in leonardite from Italy.

The point was raised as regards the applicability of pesticides MRLs established in Regulation (EC) N) 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, in particular as regards the interpretation of footnote (1) related to the column "Main product of the group or subgroup" indicating that " MRLs do not apply to products or parts of the product used exclusively as ingredients for animal feed, until separate MRLs apply. The Commission representative indicated that this point will be discussed at the next meeting in presence of the service competent for the application of the Regulation.

On a request from a delegation of on clarification as regards a finding of a high level of chlorpyrifos methyl in a cereal product intended for animal feed, the Commission representative indicated that this is a non-compliance and should be notified via the RASFF.

A.06.2. Harmonised guidelines for notification.

The Committee was informed by a Commission representative that Article 29 of the Regulation (EC) N0 183/2005 of the European Parliament of the Council of 12 January 2005 laying down requirements for feed hygiene provided that "Should a specific feed, including feed for animals not kept for food production, present a serious risk to human or animal health or to the environment, Article 50 of Regulation (EC) No 178/2002 shall apply *mutatis mutandis*.

Article 50 of Regulation (EC) provides that "Where a member of the network has any information relating to the existence of a serious direct or indirect risk to human health deriving from food or feed, this information shall immediately be notified to the Commission under the rapid alert system. The Commission shall transmit this information immediately to the members of the network".

The Commission representative stressed that both provisions refer to a "serious risk" for notification through the RASFF system. This means that not every non-compliance with EU legislation has to be notified through the RASFF system but that there should be a serious risk to human or animal health or to the environment.

Where the outcome of official controls on feed and food indicates a non-compliance but not involving a serious risk and the finding requires action in more than one Member State, competent authorities shall provide each other with administrative assistance as provided for in Article 34 - 40 of Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules on administrative assistance and cooperation in the

areas of feed and food. Commission Implementing Decision (EU) 2015/1918 of 22 October 2015 establishing the Administrative Assistance and Cooperation system ('AAC system') lays down the rules concerning the establishment and use of the Administrative Assistance and Cooperation system (the 'AAC system') to support the exchange of information between the competent authorities of the Member States, and between those competent authorities and the Commission, in accordance with Title IV of Regulation (EC) No 882/2004.

An exchange of views took place on what has to be considered as a serious risk. Examples were provided on cases which were not accepted to be notified through the RASFF system because the risk was not considered to be serious by the Commission RASFF contact point while the Member State competent authority considered it to be a serious risk. On the other hand, reference was made to RASFF notifications which are in the view of certain delegations in the Committee not to be considered as a serious risk.

The Commission representative committed to elaborate on guidelines to provide guidance to the competent authorities which non-compliances have to be considered as a serious risk. Furthermore it was indicated that a good co-ordination shall be ensured between the RASFF and the AAC system.

A.07 Undesirable substances.

A.07.1. Discussion and conclusion on follow-up to EFSA opinion on the presence of phorbol esters in *Jatropha* kernel meal

Reference was made to the discussion at the previous meeting of the Committee. Given that human health risks cannot be excluded, the Committee agreed to maintain *Jatropha curcas* as a harmful botanical impurity in the Annex to Directive 2002/32/EC of the European Parliament and of the Council of 7 May 2002 on undesirable substances in animal feed. Seeds and fruit of *J. curcas* as well as their processed derivatives may only be present in feed in trace amounts not quantitatively determinable.

This conclusion can be reviewed in the future once more information is provided for assessment by EFSA as regards the possible risks for human health, in particular as regards the genotoxicity of the phorbol esters and transfer of phorbol esters from feed to food of animal origin.

A.07.2. Discussion on request to change maximum level for arsenic in peat

The Commission received via the Austrian authorities the request to increase the maximum level of 2 mg/kg of arsenic in peat (Catalogue of feed materials – entry 13.10.1), provided for in Directive 2002/32/EC on undesirable substances in feed. Analytical data were provided to support this request.

A delegation indicated that there was no need to increase the maximum level as with a careful selection of the feed material peat there should be no problem to ensure compliance with the maximum level.

The Commission representative indicated to continue the discussion on this at a future meeting of the Committee.

A.07.3. Alternaria toxins in feed. Information and exchange of views on follow-up

Reference was made to the EFSA opinion on Alternaria toxins in feed and food

http://www.efsa.europa.eu/sites/default/files/scientific_output/files/main_documents/2407.pdf

The Committee was informed that EFSA has launched recently a call for data on the presence of Alternaria toxins in feed and food with deadline for transmitting of data of 31 May 2016. More information on the call for data can be found at

<http://www.efsa.europa.eu/sites/default/files/consultation/160216a.pdf>

A.07.4. Pyrrolizidine alkaloids in feed. Information and exchange of views on follow-up

Reference was made to the EFSA supporting publication "Occurrence of Pyrrolizidine Alkaloids in Food" The publication can be found on following website

http://www.efsa.europa.eu/sites/default/files/scientific_output/files/main_documents/859e.pdf

268 samples of milk and milk products, 205 egg samples and 273 meat samples were analysed for the presence of pyrrolizidine alkaloids. Only in 2 % of the samples one or more pyrrolizidine alkaloids were detected. Trace amounts were detected in two egg samples and low levels of pyrrolizidine alkaloids were detected in 11 milk samples and no pyrrolizidine alkaloids were detected in meat samples (including samples of liver of beef, pork and chicken).

Furthermore reference was made to the CONTAM opinion on pyrrolizidine alkaloids in feed and food

http://www.efsa.europa.eu/sites/default/files/scientific_output/files/main_documents/2406.pdf

Information was provided on the data available in the EFSA database as regards the presence of pyrrolizidine alkaloids in feed.

The Commission representative indicated to initiate in the near future the discussions on the appropriateness to establish specific maximum levels for the presence of pyrrolizidine alkaloids for certain feed in the frame of Directive 2002/32/EC on undesirable substances in feed.

A.07.5. Exchange of views on a draft Recommendation on nitrites and nitrates in feed

This point was not treated.

A.07.6. Other issues.

No other issues were raised.

A.08 Discussion on modifications and updating of Annexes of Regulation (EC) No 429/2008.

No discussion took place.

A.09 Discussion on the application to the feed sector of Regulation (EC) No 1272/2008 on classification, labelling and packaging of substances and mixture.

Further to the discussion on the application on Regulation (EC) No 1272/2008 to the feed sector, it was concluded that a more in-depth debate will be necessary to complete the issue.

B.01 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Regulation amending Commission Implementing Regulation (EU) No 98/2012 as regards the minimum content of the preparation 6-phytase (EC 3.1.3.26) produced by *Komagaetella pastoris* (DSM 23036) as a feed additive for pigs for fattening (holder of authorisation Huvepharma AD).

The draft Implementing Regulation aims to amend the terms of the authorisation of an enzyme preparation as a zootechnical additive, as regards the minimum content of the additive. A brief discussion took place.

Vote taken: Unanimous in favour.

C.01 Exchange of views of the Committee on a draft Commission Implementing Regulation concerning the provisional authorisation of a preparation of formaldehyde as a feed additive for chickens for fattening, laying hens, piglets (weaned) and pigs for fattening.

A representative of the Commission presented a new version of the draft Implementing Regulation, as a working document, resulting in particular from the discussion held in the Committee's meeting of 25 January 2016.

An exchange of views took place. Several delegations highlighted the urgent need to adopt at EU level appropriate feed hygiene measures, in particular specific microbiological criteria, in order to tackle the issue of contamination of feed with *Salmonella* in a harmonised way.

The delegations were requested to submit as soon as possible their comments to the Commission on the updated version of the draft Implementing Regulation, in particular Article 3(2) thereof.

C.02 Exchange of views of the Committee on a draft Commission Implementing Regulation concerning the authorisation of chemically defined flavourings (group 01) as feed additives for all animal species.

After short discussion, the document will be proposed for possible vote. Member States may send comments within 10 days.

C.03 Exchange of views of the Committee on a draft Commission Implementing Regulation concerning the authorisation of chemically defined flavourings (group 02) as feed additives for all animal species.

After short discussion, the document will be proposed for possible vote. Member States may send comments within 10 days.

C.04 Exchange of views of the Committee on a draft Commission Implementing Regulation concerning the authorisation of chemically defined flavourings (chemical group 09) as feed additives for all animal species.

After short discussion, the document will be proposed for possible vote. Member States may send comments within 10 days.

C.05 Exchange of views of the Committee on a draft Commission Implementing Regulation concerning the authorisation of chemically defined flavourings (chemical groups 11 and 16) as feed additives for all animal species.

After short discussion, the document will be proposed for possible vote. Member States may send comments within 10 days.

C.06 Exchange of views of the Committee on a draft Commission Implementing Regulation concerning the authorisation of chemically defined flavourings (Chemical group 20) as feed additives for all animal species.

After short discussion, the document will be proposed for possible vote. Member States may send comments within 10 days.

C.07 Exchange of views of the Committee on a draft Commission Implementing Regulation concerning the authorisation of chemically defined flavourings of (chemical group 23) as feed additives for all animal species.

After short discussion, the document will be proposed for possible vote. Member States may send comments within 10 days.

C.08 Exchange of views of the Committee on a draft Commission Implementing Regulation concerning the authorisation of chemically defined flavourings (chemical groups 26 and 33) as feed additives for all animal species.

After short discussion, the document will be proposed for possible vote. Member States may send comments within 10 days.

M.01 A.O.B.

- Status of feed additives "existing products" with a limited authorisation period, for which no application was submitted within the period specified in Article 10(2) of Regulation (EC) No 1831/2003: following the reception by the Commission of a courier from a stakeholder's organisation on that issue, an exchange of views took place. A representative of the Commission clarified that the validity of such time-limited authorisations is determined in the legal itself, i.e. the authorisation Regulation concerned, and that therefore the additives in question may no longer be placed on the market nor used since the expiry date of the authorisation. The purpose of the inclusion of such additives in Annex II of the EU Register of Feed Additives is to make clear that a "withdrawal regulation" will still be adopted, as required by the legislation. However, as mentioned on the relevant EUROPA webpage, the Register has only informative purposes and does not replace EU legal acts.