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 08 MARCH 2016 - 09 MARCH 2016

(Section Animal Nutrition)

CIRCABC Link: *https://circabc.europa.eu/w/browse/8b88b27a-46ba-4b0d-b396-7bd765f34f0a*

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-l,2-dihydro-2,2,4-trimethylquinoline) for all animal species

The discussion continued briefly 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. Natugrain® TS (endo-1,4-xylanase and endo-1,4-glucanase) for chickens for fattening

A discussion was taken. Supplementary information will be requested to the applicant.

A.02.3. Axtra® XB 201 (endo-1,4-beta-xylanase and endo-1,3(4)-beta-glucanase) as a feed additive for lactating sows and minor porcine species – Annex

A draft proposal Regulation will be submitted in a future meeting.

A.02.4. natural mixture of dolomite plus magnesite and magnesium-phyllosilicates (Fluidol) as feed additive for all animal species – Annex

A discussion was taken. Due to the concerns raised on the Fe content, a new Annex will be presented in a future meeting.

A.02.5. Ronozyme® HiPhos (6-phytase) as a feed additive for sows and fish

A discussion was taken. Supplementary information on the use in fish will be requested to the applicant. An Annex will be presented in a future meeting for sows.

A.02.6. Benzoic acid as a feed additive for pigs for fattening when used as acidity regulator and all animal species when used as flavouring

A discussion was taken. Supplementary information will be requested to the applicant.

A.02.7. natural mixture of illite, montmorillonite and kaolinite (Argile Verte du Velay) as a feed additive for all animal species

A discussion was taken. Supplementary information will be requested to the applicant.

A.02.8. Amoklor (ammonium chloride) as a zootechnical additive for ruminants, cats and dogs – Annex

Due to the concerns raised on the description of the functional group, a new Annex will be presented in a future meeting.

A.02.9. Friedland clay (montmorillonite–illite mixed layer clay) when used as a technological additive for all animal species - Annex

A discussion was taken. Due to the concerns raised on the Fe content, a new Annex will be submitted in a future meeting.

A.02.10. Manganese compounds (E5) as feed additives for all animal species: manganous carbonate; manganous chloride, tetrahydrate; manganous oxide; manganous sulphate, monohydrate; manganese chelate of amino acids, hydrate; manganese chelate of glycine, hydrate, based on a dossier submitted by FEFANA Asbl

A brief discussion took place. As this was the last opinion concerning the re-authorisation of manganese compounds, a draft Annex for the authorisation will be prepared for one of the next Committees.

A.02.11. Selenium compounds (E8) as feed additives for all animal species: sodium selenite, based on a dossier submitted by Retorte GmbH

A brief discussion took place. The Committee will come back on the opinion once all opinions concerning the re-authorisation of selenium compounds are available.

A.02.12. Iron compounds (E1) as feed additives for all animal species: ferrous carbonate; ferric chloride, hexahydrate; ferrous fumarate; ferrous sulphate, heptahydrate; ferrous sulphate, monohydrate; ferrous chelate of amino acids, hydrate; ferrous chelate of glycine, hydrate, based on a dossier submitted by FEFANA Asbl

A discussion took place. The Committee will come back on the opinion once all opinions concerning the re-authorisation of iron compounds are available.

A.02.13. Creamino (Guanidinoacetic acid) for chickens for fattening, breeder hens and roosters and pigs.

The opinion was discussed. An Annex entry will be prepared for the next meeting.

A.02.14. Vitamin B2 (riboflavin and riboflavin 5'-phosphate ester monosodium salt) produced by Bacillus subtilis for all animal species based on a dossier submitted by DSM.

The scientific opinion was favourable. The Committee will come back on the opinion once all opinions concerning the re-authorisation of vitamin B2 are available.

A.02.15. Flavourings - Chemically defined (Group 05) as feed additives for all animal species - Annex

A draft Regulation will be presented for discussion at the next meeting.

A.02.16. Flavourings - Chemically defined (Group 30) as feed additives for all animal species - Annex

A draft Regulation will be presented for discussion at the next meeting.

A.02.17. Flavourings - Chemically defined (Group 31) as feed additives for all animal species - Annex

A draft Regulation will be presented for discussion at the next meeting.

A.02.18. Flavourings - authorisation of tannic acid as feed additives for all animal species - Annex

A draft Regulation will be presented for discussion at the next meeting.

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

A.03.1. Directive 2008/38/EC establishing the list of intended uses as particular nutritional purposes – state of play of pending evaluations and new applications

A Commission representative gave an update on the pending applications and brought five new applications (#68-#72) to the attention of the Committee. Supplementary information had been received for the "dissolution of struvite stones", application which was briefly discussed.

A.03.2. Revision of Annex VI and VII (labelling provisions)

A new revised draft was presented. It will be further developed in the light of the Member States comments. With reference to the labelling of analytical constituents,

Member States were invited 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.03.3. Third amendment of the EU Catalogue of feed materials (Regulation (EU) N° 68/2013)

A Commission representative presented the comments on three issues received since the last meeting and the consideration in the draft was discussed. 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

The new version of the Code (February 2016) was presented to the Committee. Several comments were made by the delegates, mainly on the quantitative indication of the feed materials and the Annex on claims. The initiators of the Code will be informed about the comments.

A.04 RASFF.

The agenda item was not discussed.

A.05 Undesirable substances.

The agenda item was not discussed.

A.06 Task force for the safety of novel foods and feeds - update.

A short discussion took place. A representative of the Commission will attend the meeting of the Task Force for the Safety of Novel foods and feeds organised by OECD.

A.07 Items for Regulation (EC) No 183/2005 laying down requirements for feed hygiene.

The purpose of this item was to clarify the registration requirements under Regulation (EC) No 183/2005 at the request of some Member States. The Commission presented a document for discussion including different examples raised by Member States. After discussion, Member States agreed to send comments.

A.08 Exchange of views on measures for non authorised additives intended for export.

A document presented by the Commission was shortly discussed. This document intends to explore the possibility to develop guidelines or measures for better cooperation between the Member States for the circulation in the EU of non-

authorised additives intended for export, in accordance with the provisions of Regulation (EC) No 178/2002.
A delegation sent a letter indicating that while it welcomes harmonised guidelines, it disagrees with the idea that prohibited additives intended for export may circulate on the EU market, taking into account the legislation in force.
That delegation also considers that non-authorised additives should not be considered as "feed" and therefore do not fall within the scope of Regulation (EC) No 183/2005.

A representative of the Commission indicated that the issue of non-authorised feed additives intended for export was already discussed on the occasion of several meetings of the Standing Committee, in particular the meetings held on 5-6 June 2008, 20 March 2009 and 20-21 March 2014. Those discussions, which involved legal examination of the issue, concluded that the intention of the legislator was to maintain the situation derived from Article 22 of Directive 70/524/EEC, *i.e.* to exclude from the scope of Regulation (EC) No 1831/2003 operations concerning products intended for exports, including transfers within the EU, for instance for the purpose of further processing in another establishment before export to third countries. Those products are to be clearly shown, at least by an appropriate indication, to be for export to third countries and not to be used as/in feed on the EU market. It is the responsibility of operators to provide the necessary guarantees and to ensure full traceability, in accordance with the rules laid down in Regulation (EC) No 178/2002.

It was further clarified by a representative of the Commission that a distinction should be made between the definition of a product provided by the legislation and the status of that product (authorised or not) with regard to the rules laid down in that legislation.
The scope of Regulation (EC) No 183/2005 refers to the activities of feed business operators at all stages of the feed chain and includes also exports of feed to third countries. Taking into account in particular the definition of "feed" laid down in Regulation (EC) No 178/2002, Regulation (EC) No 183/2005 may serve as a legal basis for the adoption of measures concerning non-authorised feed additives, such as the requirement for an approval of the feed business operators concerned, under Article 10(3) of that Regulation.

The Commission invited the delegations to express their views. The delegations upheld the position concluded in previous meetings of the Committee.

In this context, a delegation asked if ractopamine, which for some third countries is regarded as an additive, can be considered as a non-authorised feed additive in the EU.
A representative of the Commission informed that ractopamine is not regarded as a feed additive in the EU, but as a beta-agonist. Specific legislation applies to this product (Council Directive 96/22/EC), which allows export of this product from the manufacturing establishment but does not permit circulation within the EU. This position was confirmed by several delegations.

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.

An exchange of views took place.

A representative of the Commission clarified the situation concerning the different applications received for the authorisation of formaldehyde as feed additive. Taking into account previous discussions held within the Committee, it was confirmed that a denial of authorisation measure would be prepared on the applications concerning the additive under the functional group of "preservatives".

C.02 Exchange of views of the Committee on a draft Commission Implementing Regulation concerning the authorisation of the preparation of iron sodium tartrates as a feed additive for all animal species.

Following the discussion, some modifications were requested on the Annex.

C.03 Exchange of views of the Committee on a draft Commission Implementing Regulation concerning the authorisation of benzoic acid as a feed additive for sows (holder of the authorisation DSM Nutritional Product Sp. z.o.o.).

Following the discussion, some modifications were requested on the Annex.

C.04 Exchange of views of the Committee on a draft Commission Implementing Regulation concerning the authorisation of chemically defined flavourings (group 06) as feed additives for all animal species.

After a short discussion, the document will be proposed for possible vote once the internal consultation within the Commission services will be concluded.

M.01 A.O.B.

- Question raised by France on the use of vitamin D3 in calves.

The Commission indicated that the maximum levels of 10 000 IU only applies to milk replacers. For suckling calves, the maximum level is 4 000 IU.

- Residues of pesticides in feed according to Regulation (EC) No 396/2005 and No 725/2004

A Member State raised the problem that in the previous versions of the Annex I to Regulation (EU) No 396/2005 footnote (4) ("MRLs do not apply to products or parts of the product used exclusively as ingredients for animal feed, until separate MRLs will be applicable") existed already, but it was linked only to some specific crops. At the moment of the reviewing of the Annex I in 2014, the new footnote (1), with the same wording of the old footnote (4), has been linked directly to the heading of the column 4, thus it is now applying to all the products listed in the Annex I.

A Commission representative explained that this footnote should indeed be valid for all the products listed in the Annex I as long as category XII (products specifically used for feed) is empty. MRLs listed in Regulation (EU) No 396/2005 out of the Category XII, should not be applied to products which are intended solely as ingredients for feed (molasses, sunflowers cakes and similar). In such cases, and in the absence of MRLs set in the Category XII, the Art. 15 of Regulation (EC) No 178/2002 ('General food law') can be used for enforcement. In the risk assessment needed under this provision, the national authorities should consider processing factors. In cases in which it is not known whether the final product will be a feedstuff or a product for human consumption, the MRLs of Annex I apply to the crops.

Several Member States presented to the Commission the practical difficulties for the national authorities to investigate a priori the real end use of some crops. They worry that the clear division introduced by the footnote (1) could lead to the risk that crops with a higher level of pesticide residues, allowed by the National authorities because presumably intended for animals only, could in reality end-up in the human nutrition chain.

The Commission representative recognized that this problem could only be solved setting the specific MRLs for feed in the Category XII. However it will require quite some time, before resources could be devoted to complete such a task. He informed the Committee that suggestions for a future amendment of the Annex I are collected including a possible rewording or total deletion of the footnote (1) and that the next amendment to Regulation (EC) No 752/20014 is planned for the autumn 2016.