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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 21 JUNE 2016**
(Section Toxicological Safety of the Food Chain)

CIRCABC Link: <https://circabc.europa.eu/w/browse/09fc0ae0-988a-4e49-905e-2de78fb77047>

A.01 Use of copper sulphate (CuSO_4) in cucumber preparation.

Food producers requested an opinion on the production of cucumber preparation for use in milk products. The process aims at retaining the green colour of cucumber which normally becomes discoloured after the heat treatment.

Cucumber is cut and immersed in the water solution of copper sulphate (CuSO_4). After the period of 20 min. the solution is drain away cucumber is washed by water and heat treated.

During the process described above copper ions present in the solution of CuSO_4 are combined with chlorophylls present in cucumber and copper complexes of chlorophylls in cucumber are formed.

The Committee concluded unanimously the following :

The colour of cucumber is derived from the content of chlorophylls. The process described leads to formation of copper complexes of chlorophylls (E 141(i)) in situ, i.e. compounds which are not naturally occurring in cucumber. It is noted that neither copper sulphate nor copper complexes of chlorophylls are authorised for use in cucumber preparation. Therefore, it is considered that the process described constitutes a non-authorised food additive use.

A.02 Use of alkalis in processing of cocoa products.

The Commission was asked to clarify the status (food additives vs. processing aids) of so-called “alkalis”, i.e. calcium carbonate (E 170), carbonates (E 500 – 504), hydroxides (E 524 – 528) and magnesium oxide (E 530), when used in processing of cocoa powders.

Alkalising substances are most often added to the cocoa nibs in a reaction vessel before roasting in order to (i) increase the dispersability in aqueous solutions, (ii) reduce bitterness in taste and (iii) change the colour of cocoa powders.

The Committee concluded unanimously the following :

The substances are used for a technological purpose in the manufacturing and processing of cocoa powders, in which their by-products (i.e. mineral salts) are still present, and of which the effect remains on cocoa powders. The use of the mentioned substances is recognised in the food category 05.1 Cocoa and Chocolate products as covered by Directive 2000/36/EC of Annex II to Regulation (EC) No 1333/2008. Therefore, they are considered to be used as food additives in cocoa powders.

A.03 Use of caramel colours on meat products.

The Liaison Centre for the Meat Processing Industry in the EU (CLITRAVI) in its letter of 10 March 2016 shared its view on the use of caramel colours on meat products. According to CLITRAVI the surface treatment of meat products with caramel colours applied in as a dilution in water with/without additional ingredients (e.g. sugars) is covered by the provision authorising the use of caramel colours in food category 08.3.3 Casings and coatings and decorations for meat.

In CLITRAVI's view the additives mentioned in the category 08.3.3 are applied as a composite food to decorate or glaze meat products and even a dilution of caramel in plain water should be considered as a composite food of which caramels make up one ingredient. Such view was supported by the European Technical Caramel Association (EUTECA) in its letter of 17 May 2016.

A large majority of the Committee members concluded the following :

The food categories of Annex II to Regulation (EC) No 1333/2008 refer to a food normally consumed in itself or used as a characteristic ingredient of food. This would not be the case for caramel colours applied as a dilution in water and/or with other carriers and used for surface treatment of meat products. Therefore, caramel colours preparations cannot be considered as a food (or forming a food) which falls under the category 08.3.3 Casings and coatings and decorations for meat. The use of caramel colours requires an appropriate authorisation in the relevant category of food on which the surface treatment is applied.

A Member State abstained from expressing its support to the above mentioned conclusion.

A.04 Labelling of substances having a technical function in the production of bakery ware.

The Regulation (EC) No 1333/2008 on food additives authorises the use of several additives as flour treatment agents. These are substances, other than emulsifiers, which are added to the flour to improve its baking quality. Those comprise phosphoric

acid and phosphates (E 338 – 452), ascorbic acid and ascorbates (E 300 – 301) and L-cysteine (E 920). These additives, although authorised in food category 6.2.1 Flours, do not have a function in the flour, but during the preparation of the dough. They contribute to the stability of the dough, the structure of the crumb and the volume of the bread, which will be remaining characteristics of the bread. The composition of the dough and the composition of the bread are the same.

Those substances are used for a technological purpose in the manufacturing and processing of bakery wares, in which they are present as such or as a by-product, and of which the effect remains in the final product. Therefore they are considered to be used as food additives.

In accordance with the Regulation (EU) No 1169/2011 on the provision of food information to consumers, they have to be included in the list of ingredients. The exemption rules on labelling foreseen by Article 20 of that regulation do not apply in this case.

The majority of the Member States generally agreed with this point of view, however some Member States requested that such issues should be considered case by case. A Member State did not agree that the use of this additive should be labelled.

A.05 Description of canned crustacean's referred to in Annex II to Regulation (EC) No 1333/2008 Category 9.2 Processed fish and fishery products including molluscs and crustaceans.

In food category 9.2. processed fish and fishery products including molluscs and crustaceans of Annex II to Regulation (EC) No 1333/2008, the use of phosphoric acid - phosphates - di-tri-and polyphosphates (E 338 – 450) is only authorised in canned crustaceans products, surimi and similar products. The phosphates are authorised in order to prevent formation of struvite crystals during the rapid cooling of the cans at the end of sterilisation.

The Code of Practice for Fish and Fishery Products (CAC/RCP 52-2003), established by Codex Alimentarius defines canned food as commercially sterile food in hermetically sealed containers.

The Committee agrees with this definition, canned crustaceans products referred to in Annex II to Regulation (EC) No 1333/2008 on food additives is understood to include only products stable at ambient temperature, whether they are contained in glass bottles, metal cans or any other hermetically sealed packaging.

It was requested that this definition of canned crustacean products should be included in the descriptors.

A.06 Feedback from discussions from the Expert Committee Agricultural Contaminants and industrial and Environmental contaminants (details to follow).

1) Feedback from the Expert Committee Agricultural Contaminants

a) Regulatory follow-up to EFSA opinion on "Acute health risks related to the presence of cyanogenic glycosides in raw apricot kernels and products derived from raw apricot kernels"

Reference is made to the recent EFSA opinion on "Acute health risks related to the presence of cyanogenic glycosides in raw apricot kernels and products derived from raw apricot kernels" [1] The regulatory follow up was discussed at the Expert Committee "Agricultural Contaminants" on 4 and 30 May 2016.

The Committee was informed that following the discussions at the Expert Committee the establishment of a very strict maximum level for cyanide in raw apricot kernels and bitter almonds placed on the market for direct human consumption and derived products thereof (i.e. ground, milled, cracked, chopped apricot and bitter almond kernels placed on the market for direct human consumption) appears to be the most appropriate measure to protect public health. The maximum level should be accompanied with a provision that the operator who places raw apricot and bitter almond kernels and ground, milled, cracked, chopped apricot and bitter almond kernels on the market for direct human consumption has to be able to provide evidence of compliance with maximum level.

Furthermore reference was made to the existing maximum levels for hydrocyanic acid are established in nougat, marzipan or its substitutes or similar products, canned stone fruits and alcoholic beverages established by Regulation (EC) No 1334/2008 [2] and in stone fruit spirits and fruit marc spirit, established by Regulation (EC) No 110/2008 [3]. The Committee was informed that further discussions are needed at expert level to assess the need to review these maximum levels and to set maximum levels for other foods containing hydrocyanic acid such as linseed, cassava and derived products.

An exchange of views on the proposed way forward took place. No objections were raised.

b) Regulatory follow-up to EFSA opinion on "Appropriateness to set a group health-based guidance value for zearalenone and its modified forms"

EFSA adopted recently an opinion on the appropriateness to set a group health-based guidance value for zearalenone (ZEN) and its modified forms [1]. The Panel on Contaminants in the Food Chain (CONTAM Panel) found it appropriate to set a group TDI of 0.25 µg/kg bw per day expressed as ZEN equivalents for ZEN and its modified forms To account for differences in in vivo oestrogenic potency, each modified form was assigned a potency factor relative to ZEN (potency factor from 0.2 to 60) to be applied to exposure estimates of the respective ZEN metabolites.

Discussions on the follow up to this EFSA opinion have taken place at the Expert Committee "Agricultural Contaminants" on 4 and 30 May 2016.

Given the high relative potency factor given to certain modified forms (e.g. a potency factor of 60 to α-zearalenol) the presence of certain modified forms in food of animal origin could result that food of animal origin is a more important contributor to the overall human exposure to zearalenone and its modified forms than previously assessed.

EFSA has informed the Commission of their intention to issue a call for a survey on the presence of zearalenone and its modified form in food including food of animal origin and food. The results of this survey are expected to become available by mid-2018.

The European Union Reference Laboratories (EURLs) (EURL for mycotoxins in feed and food – JRC-Geel and EURL for food of animal origin RIKILT, The Netherlands) are requested to undertake work on the analysis of zearalenone and modified forms in products of plant origin (feed and food) and food of animal origin. The work should consist of several aspects: inventory of available analytical methods (for which matrices, what modified forms are covered, what is the LOD/LOQ for the different modified forms, validation status and any other relevant information), further elaboration/fine tuning of a selected method (s) and organisation of a PT test.

Further regulatory follow-up shall be discussed in the second half of 2018 following the availability of the outcome of the survey (ordered by EFSA), the monitoring results from the Member States and the experience from the EURs as regards the analytical feasibility and the sensitivity of the analysis of zearalenone and its modified forms in different matrices (feed and food).

No comments were raised by the Committee on the proposed approach forward.

c) Regulatory follow-up as regards the presence of opium alkaloids in poppy seeds

EFSA adopted in 2011 an opinion on the risks for public health related to the presence of opium alkaloids in poppy seeds [1]

Poppy seeds are obtained from the opium poppy (*Papaver somniferum L.*). They are used in bakery products, on top of dishes, in fillings of cakes and in desserts and to produce edible oil. The opium poppy plant contains narcotic alkaloids such as morphine and codeine. Based on the relative prevalence of the alkaloids present in poppy seed and food samples analysed, and on their pharmacological potency, the EFSA Panel on Contaminants in the Food Chain (CONTAM Panel) concluded that the risk assessment could be based on dietary exposure to morphine alone. The CONTAM Panel established an acute reference dose (ARfD) of 10 µg morphine/kg b.w. Estimates of dietary exposure to morphine from foods containing poppy seed demonstrate that the ARfD can be exceeded during a single serving by some consumers, particularly children, across the EU. This risk assessment relates to poppy seed samples with an alkaloid profile comparable to that of the submitted data and should not be extrapolated to poppy seed samples with a qualitatively different alkaloid profile.

As regulatory follow-up, Commission Recommendation (EU) 2014/662 of 10 September 2014 on good practices to prevent and to reduce the presence of opium alkaloids in poppy seeds and poppy seed products was adopted.

Following RASFF notifications on the presence of morphine in poppy seeds the discussion on possible maximum levels was resumed again at recent meetings of the Expert Committee. Following discussions at the Expert Committee meeting following actions were suggested as follow-up :

- Work has to be undertaken to elaborate provisions as regards sampling and analysis. For the analytical aspects (performance criteria) the EUR shall provide support to the Commission and shall possibly organise a proficiency test.
- EFSA shall be requested to provide an update to the scientific opinion as regards the toxicity (pharmacological potency) relevance of the opium alkaloids codeine, thebaine, noscapine, papaverine and oripaverine relative to morphine.
- Member States and food business operators are requested to continue to provide further monitoring data to the EFSA database on the presence of morphine and other opium alkaloids.
- The setting of a target level for the presence of morphine (awaiting the EFSA opinion/statement on the other opium alkaloids) in poppy seeds shall be considered at the next meeting of the Expert Committee meeting.

No objections were raised to these suggested follow-up actions.

2) Feedback from the Expert Committee Industrial and Environmental Contaminants

a) Nickel Monitoring Recommendation

A Recommendation on monitoring of nickel in food was discussed during the several meetings of the Expert Group on environmental and industrial contaminants. During the meeting held on 13 May 2016, the text was considered finalised and was endorsed. This monitoring recommendation foresees in the monitoring of nickel in a wide variety of food commodities starting during 2016 and continuing in 2017 and 2018. Occurrence data should be submitted to the European Food Safety Authority on a yearly basis, each year by 1 October. Available occurrence data from preceding years that have not yet been submitted should also be transmitted. The monitoring Recommendation is addressed to Member States as well as food business operators and other interested parties.

Following the endorsement at expert level, the internal procedure leading to the adoption and publication in the Official Journal were launched.

b) Mineral oil hydrocarbons monitoring Recommendation

A Recommendation on the monitoring of mineral oil hydrocarbons was discussed at the Expert Committee on industrial and environmental contaminants on 13 May 2016, focussing mostly on aspects related to food. This draft was subsequently discussed in the workshop organised by the European Reference laboratory for food contact materials. Further discussion will take place in the expert committees on environmental and industrial contaminants and on food contact materials and will result in the adoption and publication of a monitoring recommendation covering food as well as packaging materials.

[1] EFSA CONTAM Panel (EFSA Panel on Contaminants in the Food Chain), 2016. Scientific opinion on the acute health risks related to the presence of cyanogenic glycosides in raw apricot kernels and products derived from raw apricot kernels. EFSA Journal 2016;14(4):4424, 47 pp doi:10.2903/j.efsa.2016.4424 http://www.efsa.europa.eu/sites/default/files/scientific_output/files/main_documents/4424.pdf

[2] Regulation (EC) No 1334/2008 of the European Parliament and of Council of 16 December 2008 on flavourings and certain food ingredients with flavouring properties for use in and on foods and amending Council Regulation (EEC) No 1601/91, Regulations (EC) No 2232/96 and (EC) No 110/2008 and Directive 2000/13/EC (OJ L 354, 31.12.2008, p. 34)

[3] Regulation (EC) No 110/2008 of the European Parliament and of the Council of 15 January 2008 on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC) No 1576/89. (OJ L 39, 13.2.2008, p. 16)

[4] EFSA CONTAM Panel (EFSA Panel on Contaminants in the Food Chain), 2016. Scientific opinion on the appropriateness to set a group health-based guidance value for zearalenone and its modified forms. EFSA Journal 2016;14(4):4425, 46 pp. doi:10.2903/j.efsa.2016.4425

[5] EFSA Panel on Contaminants in the Food Chain (CONTAM); Scientific Opinion on the risks for public health related to the presence of opium alkaloids in poppy seeds. EFSA Journal 2011;9(11):2405. [150 pp.] doi:10.2903/j.efsa.2011.2405. Available online: www.efsa.europa.eu/efsajournal

A.07 Endorsement of a draft Commission Recommendation on the monitoring of the presence of tetrahydrocannabinol in food.

The European Food Safety Authority (EFSA) Panel on Contaminants in the Food Chain (CONTAM) adopted a scientific opinion on tetrahydrocannabinol (THC) in milk and other food of animal origin [1].

Tetrahydrocannabinol, more precisely delta-9-tetrahydrocannabinol (Δ^9 -THC) is the most relevant constituent of the hemp plant *Cannabis sativa*. EFSA established an acute reference dose (ARfD) of 1 µg Δ^9 -THC/kg b.w. Only limited data on the presence of Δ^9 -THC in food of animal origin are available and limited data are available from the transfer rate from feed to food of animal origin. Therefore there is a need to have more data on the presence in food of animal origin, of which evidence is available that the food of animal origin is produced by animals being fed with feed containing hemp or hemp derived feed materials.

Furthermore, more occurrence data are needed on the presence of Δ^9 -THC in hemp-derived foods and foods containing hemp or hemp-derived ingredients. It is also appropriate if possible to analyse the non-psychoactive precursors and other cannabinoids.

It is therefore appropriate to recommend the monitoring of the presence of Δ^9 -THC, its precursors and other cannabinoids in food. The monitoring results are to be provided on a regular basis and by the latest by October 2018 to EFSA.

Following an exchange of views and some comments on the text, the Committee endorsed the draft Commission Recommendation.

[1] EFSA CONTAM Panel (EFSA Panel on Contaminants in the Food Chain), 2015. Scientific Opinion on the risks for human health related to the presence of tetrahydrocannabinol (THC) in milk and other food of animal origin. EFSA Journal 2015;13(6):4141, 125 pp. doi:10.2903/j.efsa.2015.4141

A.08 Information on the review of Commission Implementing Regulation (EU) No 2016/6 of 5 January 2016 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 and repealing Implementing Regulation (EU) No 322/2014.

It is provided in Commission Implementing Regulation (EU) No 2016/6 to review the Regulation by 30 June 2016. The Commission representative informed the Committee that the assessment of the control results (from controls done by Japanese competent authorities and from import controls) is ongoing as internal consultations within the Commission. It is foreseen to submit a proposal for review of the current provisions to the Committee for discussion and opinion later this year. In the meantime Commission Implementing Regulation No 2016/6 continues to apply.

The Committee was also informed on the alleviations requested by the Japanese authorities.

Furthermore it was clarified that all alcoholic beverages, including rice derived alcoholic beverages, are not in the scope of Commission Implementing Regulation (EU) No 322/2014 and have therefore not to be accompanied by a declaration.

Finally, In view of the possible organisation of a proficiency test, Member states were requested to provide the contact details of the laboratory (ies) performing the analysis of radionuclides (in particular iodine-131, caesium-134 and caesium-137).

A.09 Exchange of views on the follow-up of the EFSA opinion on the group of flavouring substances FGE.203.

This point followed the earlier discussions at the Working Group flavourings. A number of delegations could accept the measure as a compromise. The Committee discussed several aspects of the measure such as the timing, the food categories to be considered, the experience gained in this case and the FGE.208 group or a possible transition period. The measure will be further discussed at the next meeting. It was suggested also to discuss at the following meeting of the Committee the procedure to follow for the future in similar cases, taking into account the discussions already taken place at the Working Group.

B.01 Exchange of views and possible opinion of the Committee on a draft Commission Directive amending Directive 2009/32/EC of the European Parliament and of the Council on the approximation of the laws of the Member States on extraction solvents used in the production of foodstuffs and food ingredients.

The Commission received an application for the amendment of Annex I to Directive 2009/32/EC concerning the use of dimethyl ether (DME) as an extraction solvent.

Some Member States expressed their view as regards the short time to analyse the draft proposal, in particular the new wording of the Annex. The Commission suggested bringing the new version at the following PAFF Committee meeting to allow Member States more time to consider the draft proposal.

Vote postponed

B.02 Exchange of views and possible opinion of the Committee on a draft Commission Regulation amending Annex to Commission Regulation (EU) No 231/2012 laying down specifications for food additives listed in Annexes II and III to Regulation (EC) No 1333/2008 of the European Parliament and of the Council as regards specifications for Steviol glycosides (E 960).

The Commission received an application for the amendment of specifications concerning the food additive Steviol glycosides (E 960).

The European Food Safety Authority evaluated the safety of an amendment of the specifications for that food additive as requested and concluded that extending the current specifications to include rebaudiosides D and M as alternatives to rebaudioside A in the predominant components of steviol glycosides would not be of a safety concern.

The Authority also concluded that provided that the total amount of steviol glycosides (stevioside; rebaudiosides A, B, C, D, E, F and M; steviolbioside; rubusoside and dulcoside) were greater than 95%, which are all converted to steviol, and given that there was no evidence of absorption for intact glycosides at realistic use levels, the specific steviol glycosides (E 960) composition would not be of a safety concern. It

was also considered that the ADI of 4 mg/kg bw/day (expressed as steviol equivalents) can be applied where total steviol glycosides (stevioside; rebaudiosides A, B, C, D, E, F and M; steviolbioside; rubusoside and dulcoside) comprise more than 95% of the material.

Taking into account the submitted application and the evaluation made by the Authority, it is appropriate to amend the specifications of the food additive E 960.

Therefore, the Annex to Regulation (EU) No 231/2012 should be amended accordingly.

Vote taken: Unanimity.

B.03 Exchange of views and possible opinion of the Committee on a draft Commission Regulation amending Annex II to Regulation (EC) No 1333/2008 of the European Parliament and of the Council as regards the use of Sucralose (E 955) as a flavour enhancer in chewing gum.

The Commission received an application requesting an authorisation to use Sucralose (E955) as a flavour enhancer in chewing gum with added sugars or polyols (food subcategory 5.3 of Annex II to Regulation (EC) No 1333/2008).

In 2000 the European Union Scientific Committee on Food (SCF) established an Acceptable Daily Intake (ADI) of 15 mg/kg body weight/day. Authorising sucralose at 1200 mg/kg in chewing gum with added sugars or polyols would lead to an increase in the intake of E955 within limits considered to be an additional minor exposure of the consumer and therefore is not of safety concern.

Therefore, it is appropriate to authorise the use of sucralose (E 955) as a flavour enhancer at a maximum level of 1200 mg/kg in chewing gum with added sugars or polyols (food subcategory 5.3) and to amend Annex II to Regulation (EC) No 1333/2008 accordingly.

Vote taken: Favourable opinion.

B.04 Exchange of views and possible opinion of the Committee on a draft Commission Regulation amending Annex II to Regulation (EC) No 1333/2008 of the European Parliament and of the Council as regards the use of citric acid (E 330) on fresh unpeeled potatoes.

The Commission received an application requesting an extension of the use of citric acid (E 330) as an antioxidant on fresh unpeeled potatoes

Greening of potatoes remains a main cause of quality defects, despite the well-known general recommendation that potatoes should be stored in cool and dark places to avoid greening. The use of citric acid is requested to slow down the greening due to exposition to light and at the same time to slow down the formation of toxic glycoalkaloids.

The majority of the Member States who expressed their view do not support this extension of use. The concerns raised are that food additives should in principle not be used on unprocessed foodstuffs, the use of citric acid is not technologically justified as greening can be prevented by placing potato's in the dark, the mechanism of the citric acid is insufficiently explained and the treatment with citric acid would mislead the consumer as he will not be informed. Only one Member State expressed that this use is technologically justified and has benefits for the consumer.

Vote postponed

B.05 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Decision amending Decision 98/536/EC as regards the list of national reference laboratories.

The draft Commission Implementing Decision provides an update of the list of national reference laboratories in the frame of the control of residues of veterinary drug residues in food of animal origin. Some further updates were mentioned in the meeting and accepted.

Vote taken: Unanimity.

B.06 Exchange of views and possible opinion of the Committee on a draft Commission Regulation setting maximum levels for certain contaminants in food repealing Commission Regulation (EC) No 1881/2006.

The point was not discussed.

Vote postponed

C.01 Exchange of views of the Committee on a draft Commission Implementing Regulation (EU) amending Commission Implementing Regulation (EU) No 884/2014 of 13 August 2014 imposing special conditions governing the import of certain feed and food from certain third countries due to contamination risk by aflatoxins and repealing Regulation (EC) No 1152/2009.

The Committee was informed that there is a need to amend Commission Implementing Regulation (EU) No 884/2014 following recent findings of non-compliance with EU legislation as regards aflatoxins in certain products from certain third countries and also taking into account the control results of already listed products from certain third countries.

The envisaged changes are presented.

Since 2015, there are several notifications in the Rapid Alert System for Food and Feed (RASFF) reporting high levels of aflatoxins in (mixtures of) spices from Ethiopia. In order to protect human and animal health in the Union, it is necessary to provide for additional guarantees in relation to spices from Ethiopia.

An increase of findings of non-compliance with the EU legislation on aflatoxins has been reported through the RASFF recently for groundnuts (peanuts) from Argentina

and hazelnuts from Azerbaijan. Both commodities have been listed in the past for an increased level of official controls on imports in the frame of Commission Regulation (EC) No 669/2009 [1] and were delisted following favourable control results. Given the recent increase of findings of non-compliance it is necessary to provide for additional guarantees in particular the requirement of a health certificate to accompany each consignment of groundnuts (peanuts) from Argentina and hazelnuts from Azerbaijan for import into the EU in order to protect human and animal health in the Union.

Based on the control results following changes to existing entries are appropriate:

- reduction of sampling frequency on dried figs from Turkey;
- reduction of sampling frequency on groundnuts (peanuts) from India;
- increase of the sampling frequency on hazelnuts from Turkey.

An exchange of views has taken place and no objections were noted.

[1] Commission Regulation (EC) No 669/2009 of 24 July 2009 implementing Regulation (EC) No 882/2004 of the European Parliament and of the Council as regards an increased level of official controls on imports of certain feed and food of non-animal origin and amending Decision 2006/504/EC (OJ L 194, 25.7.2009, p. 11).

C.02 Exchange of views of the Committee on a draft Commission Regulation (EU) laying down methods of sampling and analysis for the control of levels of dioxins, dioxin-like PCBs and non-dioxin-like PCBs in certain foodstuffs and repealing Regulation (EU) No 589/2014.

The Commission representative presented the draft Commission Regulation and provided justification for the proposed changes.

The European Union Reference Laboratory (EURL) for Dioxins and PCBs has provided evidence that analytical results in certain cases are not reliable when the performance criteria as provided in this Regulation are not applied by laboratories performing the analysis of samples taken by food business operators in the frame of Regulation (EC) 852/2004. It is therefore appropriate to make the application of the performance criteria also obligatory for the analysis of samples taken by food business operators in the frame of Regulation (EC) 852/2004.

In line with the reporting requirements for bioanalytical screening methods, it is appropriate to provide also for physico-chemical methods used for screening specific reporting requirements.

Furthermore there are several other minor changes proposed to the current provisions, requiring replacing Regulation (EU) No 589/2014 to maintain the readability of the text.

An exchange of views took place and no objections were noted.

C.03 Exchange of views of the Committee on a draft Commission Regulation on the use of bisphenol A in varnishes and coatings intended to come into contact with food and amending Regulation (EU) No 10/2011 as regards the use of that substance in plastic food contact materials.

The draft Commission Regulation has previously been discussed in Expert Working Group meetings on food contact materials and was introduced to the Committee. The Regulation lowers the specific migration limit (SML) for bisphenol A (BPA) from plastic food contact materials, amending Commission Regulation (EU) No 10/2011 to 0,05 mg/kg and applies this SML to varnishes and coatings. The draft follows the publication of the opinion by the European Food Safety Authority (EFSA) in 2015 (<https://www.efsa.europa.eu/en/efsajournal/pub/3978>) and a Commission roadmap (http://ec.europa.eu/smart-regulation/roadmaps/docs/2015_sante_534_bpa_measure_en.pdf) and has undergone a consultation period under the World Trade Organisation's (WTO) Sanitary and Phytosanitary (SPS) and Technical Barriers to Trade (TBT).

The Committee shared a useful exchange of views and the measure is widely supported by all Member States except one. Two other Member States also expressed a desire to see restrictions of BPA in food contact materials for infants and young children. Following completion of the work being carried out by EFSA to evaluate new scientific evidence on the potential effects of BPA on the immune system (<https://www.efsa.europa.eu/en/press/news/160426a>), the intention is for the Committee to vote on the measure in the meeting planned for September.

M.01 A.O.B.

No items raised.