



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 14 NOVEMBER 2016 - 15 NOVEMBER 2016
(Section Animal Nutrition)**

CIRCABC Link: <https://circabc.europa.eu/w/browse/ab4e7678-aa76-47df-9d99-5326734fd0ed>

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

No discussion took place.

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

A.02.1. *Lactobacillus fermentum* NCIMB 41636, *Lactobacillus plantarum* NCIMB 41638 and *Lactobacillus rhamnosus* NCIMB 41640 as a technological feed additive for dogs – Annex

No discussion took place, waiting for the full opinion publication, as requested by several Member States.

A.02.2. Biostrong® 510 (essential oil of thyme and star anise) for chickens and minor avian species for fattening and rearing to point of lay – Annex

A discussion was taken. A new Annex will be presented in a future meeting.

A.02.3. Kemzyme® Plus Dry (endo-1,3(4)-beta-glucanase, endo-1,4-beta- glucanase, alpha-amylase, bacillolysin and endo-1,4-beta-xylanase) for poultry, ornamental birds and piglets (weaned) - Kemzyme® Plus Liquid (endo-1,3(4)-beta-glucanase, endo-1,4-beta- glucanase, alpha-amylase and endo-1,4-beta-xylanase) as a feed additive for poultry species and ornamental birds – Annex

A discussion was taken. A new Annex will be presented in a future meeting.

A.02.4. Lecithins (Lipidol) for all animal species – Annex

A discussion was taken. A new Annex will be presented in a future meeting.

A.02.5. Selenium enriched yeast, *Saccharomyces cerevisiae* NCYC R397 for all animal species

The EFSA opinion was presented and will be further addressed once the opinion on the parallel application for the same product is available.

A.02.6. Iron compounds (E1) as feed additives for all animal species: ferric oxide; ferrous carbonate; ferric chloride, hexahydrate; ferrous fumarate; ferrous sulphate, heptahydrate; ferrous sulphate, monohydrate; ferrous/iron chelate of amino acids, hydrate; ferrous chelate of glycine, hydrate - Annex

The point was postponed due to time constraints.

A.02.7. Manganous chloride, tetrahydrate, manganous oxide, manganous sulphate, monohydrate, manganese chelate of amino acids, hydrate, manganese chelate of glycine, hydrate, manganese hydroxychloride as feed additives for all animal species - Annex

The point was postponed as EFSA has to update one opinion on a manganese compound.

A.03 Regulation (EC) No 183/2005 laying down requirements for feed hygiene.

A.03.1. discussion of some items

Commission working document - Guidance document on the implementation of certain provisions of Regulation (EC) No 183/2005 on the hygiene of feedstuffs
After the comments sent by Member States to previous draft of the document, Commission's representative presented for discussion a new version of the document. Further discussions are still needed. A new version will be prepared and it was agreed on sending written comments.

In response to the question raised by the French delegation whether logistical platforms storing pet food should be registered, the Commission's representative indicates that interim storages that are involved in wholesale operations of pet food are establishments to be registered in accordance with Article 9 of Regulation (EC) No 183/2005.

Regulation (EC) No 183/2005 lays down requirements which must be considered as expressly indicating that storage operations fall within the scope of the Regulation. Section "Storage and Transport" of Annex II contains requirements regarding storage for feed, and interim storages of pet food are therefore establishments handling products which are considered feed and shall not operate unless the competent authority has registered them.

However, according to Article 2, paragraph 2(e), interim storages of pet food operated by genuine retail outlets not covered by the Regulation should not be subject to registration, as the Regulation does not apply to the retailing of pet food.

A.03.2. Exchange of views on measures for non-authorised additives intended for export.

After the comments sent by Member States to the proposal for a Commission Regulation concerning the requirements for exporting non-authorised feed additives in EU, Commission's representative presented for discussion a new version of the document.

Further discussions are still needed. A new version will be prepared and it was agreed on sending written comments.

Register of national guides - Feed sector

The Commission's representative explained to the Member States that in SANTE's webpage, the existing Excel file with all guidelines regarding food and feed has been replaced for a document with only feed guidelines. The list of the guidelines has been updated with the last information received from Member States.

Regarding the electronic data base with the food and feed guidelines, a draft data dictionary was presented for comments in order to better adjust the already existing data base to the feed sector.

A contact point shall be designated for the Member States in order to transmit all the information.

A.04 RASFF.

The Commission representative informed the Committee on the following RASFF notifications related to undesirable substances in animal feed, issued since the meeting of the Committee in October 2016 :

- dioxin-like PCBs and non-dioxin-like PCBs in a compound feed composed of a mixture of yeast and distillers' dried grains and solubles (DDGS) (was already mentioned at the last meeting). The non-compliance was detected in Belgium and was related to deliveries of the compound feed from a company in Italy. Based on the congener pattern of the contamination it can be reasonably assumed that it relates to a contamination with a technical mixture of lower chlorinated PCBs (such as Clophen A30 used in capacitors). Measures have been taken to ensure that all contaminated feed non-compliant with the maximum levels on dioxins and dioxin-like PCBs and the non-dioxin-like PCBs is withdrawn from the market and safely disposed of.

Further investigations have demonstrated that the contamination originates from distillers' dried grains and solubles imported from India. The representative of the Commission informed the Committee that the competent authorities from India shall be contacted to provide more information on the contamination and on the measures taken to avoid that such contamination can occur again in the future.

- aflatoxins in corn from Brazil (was already mentioned at the last meeting). The contamination was found in Spain and part of the contaminated consignment was shipped to Italy. The Italian representative provided information that further analysis indicated that only part of the consignment that was shipped to Italy was found contaminated and another part was found to be compliant. Appropriate measures have been taken to ensure that compound feed produced from the contaminated part of the consignment of corn is compliant with EU legislation.

- finding of a level of salinomycin above the ML for unavoidable carry-over in a feed premixture intended for the production of withdrawal feed for fattening chickens from the Netherlands.

- lead in mineral feed from the Czech Republic and in sepiolite from Spain.

A delegation requested a clarification as regards the need to notify to RASFF a finding from auto-control of a level of non-compliance but whereby a method was used overestimating the level (compared to the level analysed with the official method of analysis).

The Commission's representative indicated that when the level found with the method used is only slightly above the maximum level and it is expected that the level would be below the ML with the official method of analysis, then the finding has not to be notified to the RASFF. If the level found is significantly higher than the maximum level and exceedance of the maximum level cannot be excluded when the official method of analysis would be used then the finding has to be notified to the RASFF (unless the analytical result using the official method of analysis is already available and the result indicates compliance with EU legislation). If the analytical result from official control indicates *a posteriori* compliance, then the notification can be requested to be withdrawn. It was also mentioned that regardless the need to notify to the RASFF, the feed business operator can always proceed to a (voluntary) withdrawal based on the analytical result from the auto-control.

If on the other hand there are indications that the methods of analysis used for auto-control are underestimating the real level of contamination, the Commission's representative requested the Committee to be informed thereof so that legal provisions can be taken to avoid this, as was the case for dioxins and dioxin-like PCBs (see point B.02). A delegation indicated that it might not be only an issue of underestimation but also use of methods of analysis with a much too high measurement uncertainty (such as in the case of analysis of hydrocyanic acid).

A.05 Undesirable substances.

A.05.1. Exchange of views on a draft Recommendation on nitrites and nitrates in feed

The outline for a Recommendation on good practices to prevent and reduce the presence of nitrates and nitrites in feed was shortly presented. It is proposed that the recommendation contains information on feed materials containing high levels of nitrates and nitrites, on the sensitivity of animals, on the factors affecting nitrate/nitrite content and accumulation in plants, measures to prevent adverse animal health effects and guidance levels.

The Committee welcomed the outline for a recommendation. However it was mentioned that the importance of drinking water as source of nitrates should be highlighted and that particular attention should be paid to the management of feed materials which can contain high levels of nitrites, such as products and by-products from sugar beet and sugarcane and from starch and alcoholic drink production.

The Commission's representative informed the Committee to present at the next meeting a more elaborated document for discussion.

A.05.2. Exchange of views on the different topics which might result in a possible amendment on the annexes of Commission Directive 2002/32/EC

It was proposed that the following issues are proposed for an amendment to the Annex of Directive 2002/32/EC for discussion at the next meeting :

- maximum level of melamine in guanidine acetic acid (GAA)
- exemption of the maximum level for dioxin and PCBs for fresh fish used as fishing bait - maximum level of mercury in fish, other aquatic animals and products derived thereof intended for the production of compound feed for dogs, cats
- maximum level of lead in dicopper oxide.

The following issues require more discussion (arsenic in peat and leonardite, nitrites) or are related to the availability of an EFSA opinion (issue of gossypol) :

- maximum level of arsenic in peat
- maximum level of arsenic in leonardite
- maximum levels of nitrites (in relation to the point A.05.1.)
- maximum level of gossypol in whole cotton seed and complete feed for dairy cows.

It was furthermore mentioned that the "Section VII – Authorised feed additives in non-target feed following unavoidable carry-over" of the Annex to Directive 2002/32/EC needs to be updated taking into account changes to the conditions of use of the authorised feed additives. The commission representative informed to take this into account in the proposed amendment to Directive 2002/32/EC.

A.05.3 Other issues.

Following on the discussion at previous meetings as regards the minimum requirements for reporting data on dioxins and PCBs in feed to EFSA in the frame of the ongoing risk assessment on dioxins and dioxin-like PCBs in feed and food, the Commission's representative presented the definitive document containing also specific quality criteria to which the provided data have to fulfil. He stressed that these requirements are related to the ongoing risk assessment but are not to be considered as criteria for general submission of occurrence data to EFSA.

The Commission's representative urged the Committee in case data fulfilling the requirements are available to submit these data to EFSA as soon as possible. In case

the submission might require some time it is appropriate to inform in advance EFSA of the timing thereof so that this can eventually be taken into account.

The Committee was also informed of the adoption and publication of the EFSA opinion on erucic acid in feed and food. The overall conclusion as regards the risks for animal health related to the presence of erucic acid in feed is "*In pigs, levels of erucic acid are unlikely to represent a health concern. However, for poultry, the small margin between the lowest observed adverse effect level (LOAEL) and the estimated exposure may indicate a health risk where maximum inclusion rates are applied. Due to the absence of adequate data, the risk for ruminants, horses, fish and rabbits could not be assessed.*" The Committee was informed that at the next meeting an exchange of views on the appropriateness and the nature of the regulatory measures to be taken following this scientific opinion.

A.06 Discussion on proposal for new functional groups of feed additives.

A draft proposal was discussed and a new draft will be presented for the next meeting.

A.07 Discussion on withdrawal from the market of certain feed additives for which no applications for authorisation were submitted before the deadline provided for in Regulation (EC) No 1831/2003.

No discussion took place.

A.08 Discussion on amendment of Regulation (EC) No 429/2008.

A discussion was taken. The examination of the document will continue in a future meeting.

A.09 Feed marketing Regulation (EC) N° 767/2009.

A.09.1. Directive 2008/38/EC establishing the list of intended uses as particular nutritional purposes - state of play of pending evaluations and new applications

The Commission's representative gave an update on the ongoing assessments and presented a revised annex entry which included a new proposal for the general provisions in Part A and concerning the intended use "Reduction of the risk of ketosis for Dairy Ruminants". Two MS announced to finalise evaluations for several dossiers in the coming months.

A.09.2. Revision of Annexes IV, VI and VII - Annex

The new draft for Annexes IV, VI and VII was discussed and received several comments. Some MS announced written comments to come. The Committee will come back on the issue.

A.09.3. Feed Material - draft Regulation for revision of the EU Catalogue of Feed Materials (Regulation (EU) N° 68/2013) and discussion of borderline cases

The issue of fermented feed materials and the inclusion of insect feed materials had been discussed on the basis of a new draft of the Catalogue. The text will be further amended in the light of the comments and it is intended to vote the draft Regulation in December 2016.

The discussion of borderline cases was postponed due to time constraints.

A.09.4. Code of Good Labelling Practice for pet food - discussion of the draft revision of the F.E.D.I.A.F. code

The point was postponed due to time constraints.

A.09.5. Guidelines to clarify the legal status of former foodstuffs intended to be used as feed.

The Commission's representative gave an update on the work on the guidelines. The consultation of the waste experts in the MS had just been launched with 2 December 2016 as deadline. Also, the EU Platform on Food Losses and Food Waste, which takes place on 29 November 2016, will have the possibility to comment by 13 December 2016. Subsequently, a revised document will be prepared for discussion in the first meeting of PAFF Committee section "Animal Nutrition" in 2017. In the meantime, delegations are still welcome to contribute to the guidelines.

B.01 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Regulation amending Regulations (EC) No 226/2007, (EC) No 1293/2008, (EC) 910/2009, (EC) 911/2009, (EU) 1120/2010, (EU) 212/2011 and Implementing Regulations (EU) 95/2013 and (EU) 413/2013 as regards the name of the holder of the authorisation of *Pediococcus acidilactici* CNCM MA 18/5M and *Saccharomyces cerevisiae* CNCM I-1077.

The Commission's representative presented the draft proposal for a Regulation to implement a change in the name of the holder of the authorisation of two feed additives.

A discussion took place.

Vote taken: Unanimity.

B.02 Exchange of views and possible opinion of the Committee on a draft Commission Regulation (EU) amending Regulation (EC) 152/2009 as regards the determination of the levels of dioxins and polychlorinated biphenyls.

Following extensive discussions in the EURL/NRL network on dioxins and PCBs, the following changes to current legal provisions are proposed :

- deletion of reference to use the decision limit - CC α (Commission Decision 2002/657/EC) for estimation of the measurement uncertainty

- insertion of a reference the guidance documents on measurement uncertainty and for the estimation of the Limit of Determination (LOD) and Limit of Quantification (LOQ)
- introduction of specific reporting requirements when physic-chemical methods are used for screening.

Furthermore, the evidence that analytical results for dioxins and PCBs in certain cases are not reliable when the performance criteria provided for in this Regulation are not applied by laboratories performing the analysis of samples taken by feed business operators in accordance with the Feed Hygiene Regulation (EC) No 183/2005, it is foreseen to make the application of the performance criteria provided for in this Regulation for the analysis of these samples obligatory.

Furthermore, there are several other minor modifications proposed to the current provisions to improve the consistency in the terminology used, requiring replacing the whole Part B of Annex V to Regulation (EC) No 152/2009 to maintain the readability of the text.

A delegation while having no comments on the proposed texts, requested that following aspects should be clarified in the guidance documents, which are referred to in the draft Regulation :

- guidance on how to estimate the measurement uncertainty for a sum of individual PCB congeners
- method to verify that ¹³C-labeled single-component standards elute with almost identical retention time as the target components
- more details should be provided on how to perform the correction for recovery.

The Commission's representative committed that the guidance documents shall be updated to provide clear guidance on these aspects.

No other comments were made.

Vote taken: Favourable opinion.

B.03 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Regulation (EU) concerning the authorisation of isoeugenol as a feed additive for pigs, non-dairy ruminants and pets(CDG 017).

The draft Regulation authorises this flavouring, isoeugenol, for certain species. After discussion, it was decided to change the title to better precise the scope of the Regulation in relation to the EFSA opinion. The new title concerns the authorisation

of isoeugenol as a feed additive for pigs, ruminants and horses except those producing milk for human consumption and pets. A discussion took place.

Vote taken: Favourable opinion.

B.04 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Regulation concerning the authorisation of dry grape extract of *Vitis vinifera* spp. *vinifera* as feed additive for all animal species except for dogs.

The draft Regulation authorises this grape extract as flavouring for all species except dogs. A discussion took place.

Vote taken: Favourable opinion.

B.05 Exchange of views and possible opinion 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.

Vote postponed

B.06 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Regulation concerning the authorisations of the preparations of *Lactobacillus plantarum* DSM 29025 and of *Lactobacillus plantarum* NCIMB 42150 as feed additives for all animal species.

The draft Regulation refers to an authorisation as silage additives.

Vote taken: Unanimity.

B.07 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Regulation concerning the authorisation of copper (I) oxide as a feed additive for all animal species.

The draft Regulation aims to authorise copper (I) oxide as a new feed additive for all animal species.

A discussion took place.

Denmark made the following declaration:

“Denmark voted against adoption of the proposal in its form at the voting time, since it is of great importance to ensuring compliance with the applicable maximum limit for lead as undesirable substance. A proposed introduction of a raise of the maximum limit for lead in the feed additive copper (I) oxide to 200 mg lead /kg would not be possible to introduce at the same time as copper (I) oxide is approved. Therefore the lead content has to be below the present limit on 100 mg lead /kg until the possible

introduction of a raise of the limit, which will at earliest be in the spring 2017. Denmark find the risk of non-compliance to big as most of the applicants samples had a to high lead content, and the proposal voted for, didn't mention problems with the lead content".

B.08 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Regulation concerning the authorisation of L-lysine sulphate produced by Escherichia coli as a feed additive for all animal species.

Vote postponed

C.01 Exchange of views of the Committee on a draft Commission Implementing Regulation concerning the suspension of the authorisation of ethoxyquin as a feed additive for all animal species and categories.

A representative of the Commission presented the new version of the working document transmitted to the Committee concerning a draft measure suspending the existing authorisation of ethoxyquin as a feed additive.

A discussion took place.

Further comments may still be provided to the Commission before the next meeting of the Committee.

C.02 Exchange of views of the Committee on a draft Commission Implementing Regulation concerning the authorisation of the preparation of Bacillus subtilis DSM 29343 as feed additives for chickens and for fattening.

A discussion was taken. A draft Regulation will be presented in a future meeting for the vote.

M.01 A.O.B.

On request of one Member State, the Commission's representative clarified that the total maximum contents for feed additives, which can be also naturally present in feed, established for complete feed are only valid, if a feed additive had been incorporated into the respective compound feed.