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Health and Food Safety Directorate General

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Standing Committee on Plants, Animals, Food and Feed

Section *Animal Nutrition*

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CIRCABC Link: https://circabc.europa.eu/ui/group/55b2edd3-069e-40fd-ad4a-8b163f54ff1f/library/01ad1802-a9e3-41a8-a3ff-b7e736249ef9?p=1&n=10&sort=modified_DESC

SUMMARY REPORT

A.01 Update on certain topics related to RASFF notifications and undesirable substances

An update on the RASFF notifications since the last meeting of the Committee was provided. The attention was drawn to 2 RASFF notifications on aflatoxin B1, 5 on ragweed (*Ambrosia* spp.), 4 on dioxins and PCBs and 2 on pesticide residues. Highlighted was the RASFF notification related to the finding of glycerol triheptanoate (GTH) in fishmeal from Chile indicating that there has been a possible mixing of fishmeal category 3 with byproducts of category 2 and/or 3. It was mentioned that there are still some doubts as regards these findings.

Furthermore, the Committee was informed on the feedback that was received on the draft Commission Delegated Regulation amending Annexes I and II to Directive 2002/32/EC of the European Parliament and of the Council as regards maximum levels and action thresholds for arsenic, cadmium, lead, nickel, rye ergot, delta-9-tetrahydrocannabinol, endosulfan, heptachlor, hexachlorbenzene, hexachlorohexane, dioxins and PCBs, *Datura* sp., certain coccidiostats and histomonostats and p-phenetidine in animal feed [Animal feed – setting and reviewing maximum levels of certain undesirable substances in it \(europa.eu\)](#).

The Committee was also informed on the topics that are foreseen to be discussed at the meeting of the Working Group on undesirable substances that will take place in March 2024.

A.02 Update on topics related to methods of analysis in feed

The Committee was informed that a CIRCABC group for the Working Group on Methods of Analysis has been created to facilitate the exchange of information in view of future WG meetings. The possible topics that are foreseen to be discussed at the next meeting of the Working Group on Methods of Analysis, foreseen to take place end of March 2024, were mentioned.

A.03 Confirmation of the classification of the use of 5-chloro-2-methyl-4-isothiazolin-3-one q(m)it and mit 2-methyl-4-isothiazolin-3-one of *Artemia nauplii* during the hatching period

The company submitted additional information on the effect of those substances on the environment that needs to be examined by the Member States. A discussion will take place at the next Working Group.

A.04 Mandate to EFSA for an environmental risk assessment of trace elements

The Commission informed the delegations about the intention to send a mandate to the European Food Safety Authority (EFSA) for a scientific opinion on environmental risk assessment for compounds of trace elements, except for iron. The subsequent EFSA opinion/s will be usable for any related application. The practicalities on how to deal with the existing renewals for authorisations will be clarified with EFSA.

A.05 Exchange of views on possible amendment of Regulations (EU) 2022/1445, Regulation (EU) 2022/1457, Regulation (EU) 2022/1442 and Regulation (EU) 2022/1458 – Request from Zinpro Animal Nutrition

The Commission shortly introduced the proposed amendment. There was a short discussion that will continue at the next Working Group.

B.01 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Regulation concerning the authorisation of cassia essential oil from *Cinnamomum aromaticum* Nees as a feed additive for certain animal species

The draft refers to the authorisation of an essential oil from *Cinnamomum aromaticum* Nees as a flavouring for animal species for fattening except Equidae, salmonids and fin fish except brood stock, piglets and piglets of minor Suidae.

Replying to comments made by a delegation, a Commission representative clarified¹ the drafting of the proposed Implementing Regulation, which has been fully scrutinised on a legal point of view within the Commission, considering the specificities of the act (measures of both re-authorisation and withdrawal from the market): Article 3(1) of the draft act mentions ‘*The feed additive referred to in Article 2*’ because it refers to the existing product authorised pursuant to Directive 70/524/EEC (= ‘*the rules applicable before the entry into force of this Regulation*’), subject of the transitional measures related to the authorisation, i.e. allowing an adaptation to the new conditions for authorisation of the additive in respect of the animal species and categories for which the additive is re-authorised. The reference to Article 2 of the draft act concerns thus the additive and not the measure of withdrawal from the market.

Vote taken: Favourable opinion.

Declaration provided by France:

"L'avis de l'EFSA a identifié un risque pour les animaux reproducteurs ou élevés pour la reproduction, qui sont donc censés être exclus de la présente autorisation. Néanmoins, celle-ci couvre la catégorie "Piglets and piglets of minor Suidae", qui inclut à la fois les porcelets élevés pour la reproduction ou la production de viande. En l'absence de possibilité de distinguer, en pratique, entre les porcelets élevés pour la

¹ As a confirmation of the clarification provided on the draft act subject of item B.02 at the meeting of the Committee on 5-6 December 2023.

reproduction et ceux élevés pour la production de viande, le régime le plus protecteur devrait être appliqué à l'ensemble des porcelets. Une telle approche a déjà été validée dans des cas similaires. Les autorités françaises s'abstiennent donc sur ce projet de règlement, en raison de la nécessité de mieux prendre en compte le risque potentiel lié à la consommation de l'additif par des porcelets qui seront, une fois adultes, destinés à la reproduction."

Unofficial translation

The EFSA opinion identified a risk for reproductive animals, including those animals reared for breeding, which are therefore intended to be excluded from this authorisation. However, the authorisation covers the category "Piglets and piglets of minor Suidae", which includes both piglets reared for reproduction or for meat production. In the absence of the possibility to distinguish, in practice, between piglets reared for breeding and those reared for meat production, the most protective regime should be applied to all piglets. Such an approach has already been validated in similar cases. The French authorities are therefore abstaining on this draft regulation, due to the need to better take into account the potential risk linked to the consumption of the additive by piglets which will, once grown, be intended for reproduction.

B.02 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Regulation concerning the authorisation of a preparation of *Saccharomyces cerevisiae* MUCL 39885 as a feed additive for cats (holder of authorisation: Prosol S.p.A)

The draft refers to the authorisation of a preparation of *Saccharomyces cerevisiae* MUCL 39885 in the category 'zootechnical additives' and the functional group 'gut flora stabilisers'. The Commission presented the latest version of the draft act.

Vote taken: Favourable opinion.

B.03 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Regulation concerning the authorisation of L-valine produced by *Corynebacterium glutamicum* CGMCC 18932 as a feed additive for all animal species

The draft refers to the authorisation of a preparation of L-valine produced by *Corynebacterium glutamicum* CGMCC 18932 in the category 'nutritional additives' and the functional group 'amino acids, their salts and analogues'. The Commission presented the latest version of the draft act.

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 cinnamon bark oil and cinnamon leaf oil from *Cinnamomum verum* J. Presl as feed additives for certain animal species

The draft refers to the authorisation of two essential oils from *Cinnamomum verum* J. Presl as flavourings for animal species for fattening except Equidae, salmonids and fin fish except brood stock, piglets and piglets of minor Suidae.

The clarification provided by a representative of the Commission under point B.01 on the drafting of the Implementing Regulation applies also to this draft act.

Vote taken: Favourable opinion.

Declaration provided by France:

"L'avis de l'EFSA a identifié un risque pour les animaux reproducteurs ou élevés pour la reproduction, qui sont donc censés être exclus de la présente autorisation. Néanmoins, celle-ci couvre la catégorie "Piglets and piglets of minor Suidae", qui inclut à la fois les porcelets élevés pour la reproduction ou la production de viande. En l'absence de possibilité de distinguer, en pratique, entre les porcelets élevés pour la reproduction et ceux élevés pour la production de viande, le régime le plus protecteur devrait être appliqué à l'ensemble des porcelets. Une telle approche a déjà été validée dans des cas similaires. Les autorités françaises s'abstiennent donc sur ce projet de règlement, en raison de la nécessité de mieux prendre en compte le risque potentiel lié à la consommation de l'additif par des porcelets qui seront, une fois adultes, destinés à la reproduction."

Unofficial translation

The EFSA opinion identified a risk for reproductive animals, including those animals reared for breeding, which are therefore intended to be excluded from this authorisation. However, the authorisation covers the category "Piglets and piglets of minor Suidae", which includes both piglets reared for reproduction or for meat production. In the absence of the possibility to distinguish, in practice, between piglets reared for breeding and those reared for meat production, the most protective regime should be applied to all piglets. Such an approach has already been validated in similar cases. The French authorities are therefore abstaining on this draft regulation, due to the need to better take into account the potential risk linked to the consumption of the additive by piglets which will, once grown, be intended for reproduction.

B.05 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Regulation concerning the authorisation of a preparation of *Weizmannia faecalis* DSM 32016 as a feed additive for use in feed and in water for drinking for all poultry species reared for laying or breeding and for use in water for drinking for all poultry species for fattening, ornamental birds, suckling and weaned Suidae piglets (holder of the authorisation: Biochem Zusatzstoffe Handels- und Produktionsges. mbH), and amending Implementing Regulation (EU) 2020/1755 as regards the terms of the authorisation of that preparation

The draft refers to the authorisation of a preparation of *Weizmannia faecalis* DSM 32016 in the category 'zootechnical additives' and the functional group 'gut flora stabilisers'. The Commission presented the latest version of the draft act.

Vote taken: Favourable opinion.

B.06 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Regulation concerning the renewal of the authorisation of preparations of *Lactiplantibacillus plantarum* DSM 3676, *Lactiplantibacillus plantarum* DSM 3677 and *Lentilactobacillus buchneri* DSM 13573 as feed additives for all animal species

The draft refers to the renewal of the authorisation of preparations of *Lactiplantibacillus plantarum* DSM 3676, *Lactiplantibacillus plantarum* DSM 3677 and *Lentilactobacillus buchneri* DSM 13573 in the category 'technological additives'

and the functional group 'silage additives'. The Commission presented the latest version of the draft act.

Vote taken: Favourable opinion.

B.07 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Regulation concerning the authorisation of manganese(II)-betaine complex as a feed additive for all animal species

The draft refers to the authorisation of manganese(II)-betaine complex as a nutritional additive for all animal species. During the discussion it was agreed to leave as a maximum content in complete feed 100 ppm for fish and for the rest of the species 150 ppm. These are the levels stated in the current authorisation for Manganese. It was agreed to clarify with EFSA if the reference to fish in the existing authorisations refers to fish or it covers all aquatic animals.

It was agreed not mention the word "total" in column 7 as Annex IV, point 1 to Regulation (EC) No 1831/2003 states that the quantity of additives that also exists in the natural state in certain feed materials shall be calculated so that the total of the elements added and the elements present naturally does not exceed the maximum level provided for in the authorisation Regulation. This provision makes the word "total" redundant.

Vote taken: Favourable opinion.

Declaration provided by France:

"Les autorités françaises souhaitent à nouveau souligner l'ambiguïté du terme "fish", que l'EFSA emploie souvent pour englober l'ensemble des animaux aquatiques, auxquels les conclusions atteintes pour les poissons peuvent être extrapolées. Toutefois, lorsqu'il est repris dans des textes réglementaires, ce terme est compris (et traduit) comme se référant aux seuls poissons. Il s'agit d'un problème récurrent. Au cas d'espèce, la teneur maximale en manganèse plus faible pour "fish" ne devrait pas s'appliquer aux seuls poissons mais à l'ensemble des animaux aquatiques ; les autorités françaises s'abstiennent donc sur ce projet de règlement qui choisit de maintenir une rédaction ambiguë. Elles invitent la Commission à préparer un projet de règlement clarifiant ce point, de manière transversale, dans tous les règlements autorisant des composés de manganèse ; et, de manière plus générale, elles recommandent à l'EFSA et à la Commission d'éviter à l'avenir d'employer le terme "fish" lorsqu'il crée une telle confusion."

Unofficial translation

The French authorities wish to once again highlight the ambiguity of the term "fish", which EFSA often uses to encompass all aquatic animals, to which the conclusions reached for fish can be extrapolated. However, when it is used in regulatory texts, this term is understood (and translated) as referring only to (fin)fish. This is a recurring problem.

In this case, the lower maximum manganese content for "fish" should not apply only to (fin)fish but to all aquatic animals; the French authorities therefore abstain on this draft regulation which chooses to maintain an ambiguous wording. They invite the Commission to prepare a draft regulation clarifying this point, horizontally, in all regulations authorizing manganese compounds ; and, more generally, they recommend that in the future EFSA and the Commission avoid using the term "fish" when it generates such confusion.

B.08 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Regulation concerning the renewal of the authorisation of a preparation of *Enterococcus lactis* DSM 7134 and *Lacticaseibacillus rhamnosus* DSM 7133 as a feed additive for calves for rearing (holder of authorisation: Lactosan GmbH & Co.KG) and repealing Implementing Regulation (EU) No 1101/2013

The draft refers to the renewal of the authorisation of a preparation of *Enterococcus lactis* DSM 7134 and *Lacticaseibacillus rhamnosus* DSM 7133 in the category ‘zootechnical additives’ and the functional group ‘gut flora stabilisers’. The Commission presented the latest version of the draft act.

Vote taken: Favourable opinion.

B.09 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Regulation concerning the authorisation of a preparation of *Lactiplantibacillus plantarum* DSM 11520 for horses, dogs, cats and rabbits

The draft refers to the authorisation of a preparation of *Lactiplantibacillus plantarum* DSM 11520 in the category ‘technological additives’ and the functional group ‘acidity regulators’. The Commission presented the latest version of the draft act.

Vote taken: Favourable opinion.

Declaration provided by France:

"Le projet d'autorisation vise le groupe fonctionnel "correcteurs d'acidité". Cependant, les éléments du dossier indiquent que la modification du pH d'aliments pour animaux n'est pas la finalité principale de l'additif ; celui-ci est destiné à être utilisé comme ferment ("starter culture") qui sera introduit dans des matrices végétales riches en eau afin d'en faire des aliments fermentés. Le groupe fonctionnel "correcteurs d'acidité" ne correspond donc pas la véritable fonction de l'additif, dont l'action sur l'aliment ne peut pas être considérée comme se limitant à une correction de l'acidité. Par conséquent, le projet de règlement ne reflète pas l'usage qui sera réellement fait de l'additif. Pour ces raisons, les autorités françaises s'abstiennent sur ce projet de texte. Elles soulignent la nécessité de mieux prendre en compte les additifs utilisés pour la production d'aliments pour animaux fermentés."

Unofficial translation

The draft authorisation targets the functional group “acidity regulators”. However, the elements in the dossier indicate that adjusting the pH of feed is not the main purpose of the feed additive ; it is intended to be used as a starter culture which will be introduced into water-rich vegetable matrices in order to turn them into fermented feedingstuffs. The functional group “acidity regulators” therefore does not match the true function of the feed additive, whose action on the feed cannot be considered as limited to only regulating the pH. Therefore, the draft regulation does not reflect the use that will actually be made of the additive. For these reasons, the French authorities are abstaining on this draft text. They wish to underline the need to better take into account additives that are used for the production of fermented feedingstuffs.

B.10 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Regulation concerning the renewal of the authorisation of nicotinic acid and niacinamide as feed additives for all animal species and repealing Regulation (EU) No 642/2013

The draft refers to the renewal of the authorisation of nicotinic acid and niacinamide as nutritional additives for all animal species. There were also minor drafting adjustments introduced in the text to be voted. The Commission informed that the name of the additive “niacin” used in the initial authorisation must be replaced by the name “nicotinic acid” as the term “niacin” is one of the generic names used for nicotinic acid but also for other substances such as nicotinamide and related derivatives. Due to this change, a transitional period was introduced for this additive to give operators time to adapt to the new requirements.

Vote taken: Favourable opinion.

B.11 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Regulation concerning the renewal of the authorisation of a preparation of *Bifidobacterium animalis* ssp. *animalis* DSM 16284, *Ligilactobacillus salivarius* DSM 16351 and *Enterococcus faecium* DSM 21913 as a feed additive for chickens for fattening, chickens reared for laying and minor poultry species for fattening and reared for laying or breeding, the authorisation of that preparation as a feed additive for use in feed and in water for drinking for chickens reared for breeding, turkeys for fattening and turkeys reared for breeding (holder of authorisation: Biomin GmbH) and repealing Implementing Regulations (EU) No 544/2013 and (EU) 2015/1105

The draft refers to the renewal of the authorisation of a preparation of *Bifidobacterium animalis* ssp. *animalis* DSM 16284, *Ligilactobacillus salivarius* DSM 16351 and *Enterococcus faecium* DSM 21913, and the authorisation of new uses of that additive, in the category ‘zootechnical additives’ and the functional group ‘gut flora stabilisers’. The Commission presented the latest version of the draft act.

Vote taken: Favourable opinion.

B.12 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Regulation concerning the renewal of the authorisation of a preparation of *Lentilactobacillus buchneri* DSM 19455 for all animal species

The draft refers to the renewal of the authorisation of a preparation of *Lentilactobacillus buchneri* DSM 19455 in the category ‘technological additives’ and the functional group ‘silage additives’. The Commission presented the latest version of the draft act.

Vote taken: Favourable opinion.

B.13 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Regulation concerning the authorisation of a preparation of glycosylated 1,25-dihydroxycholecalciferol from *Solanum glaucophyllum* extract as a feed additive for dairy cows

The vote was not taken as the internal consultations were not concluded.

Vote Postponed

B.14 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Regulation concerning the renewal of the authorisation of a preparation of *Enterococcus lactis* NCIMB 10415 as a feed additive for certain animal species, the authorisation of that preparation as a feed additive for certain other animal species (holder of authorisation: DSM Nutritional Products Ltd.), amending Implementing Regulation (EU) No 1061/2013 and repealing Implementing Regulations (EU) No 361/2011, (EU) 2015/518 and (EU) 2019/11

The draft refers to the renewal of the authorisation of a preparation of *Enterococcus lactis* NCIMB 10415, and the authorisation of new uses of that additive, in the category ‘zootechnical additives’ and the functional group ‘gut flora stabilisers’. The Commission presented the latest version of the draft act.

Vote taken: Favourable opinion.

B.15 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Regulation concerning the renewal of the authorisation of sodium hydroxide for cats, dogs and ornamental fish

The draft refers to the renewal of the authorisation of sodium hydroxide in the category ‘technological additives’ and the functional group ‘acidity regulators’. The Commission presented the latest version of the draft act.

Vote taken: Favourable opinion.

B.16 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Regulation concerning the renewal of the authorisation of a preparation of 25-hydroxycholecalciferol produced by *Saccharomyces cerevisiae* CBS 146008 for chickens for fattening, turkeys for fattening, other poultry and pigs and the authorisation of that preparation for ruminants and repealing Implementing Regulation (EC) No 887/2009

The draft refers to the renewal of the authorisation of a preparation of 25-hydroxycholecalciferol (vitamin D) for chickens for fattening, turkeys for fattening, other poultry and pigs and the authorisation of that preparation for ruminants. There were also minor drafting adjustments introduced in the text to be voted.

Vote taken: Favourable opinion.

B.17 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Regulation concerning the renewal of the authorisation of a preparation of *Enterococcus lactis* DSM 7134 as a feed additive for chickens reared for laying and minor poultry species for fattening, reared for laying and reared for breeding (holder of authorisation: Lactosan GmbH & Co.KG) and repealing Implementing Regulation (EU) No 775/2013

The draft refers to the renewal of the authorisation of a preparation of *Enterococcus lactis* DSM 7134 in the category ‘zootechnical additives’ and the functional group ‘gut flora stabilisers’. The Commission presented the latest version of the draft act.

Vote taken: Favourable opinion.

B.18 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Regulation concerning the authorisation of a preparation of 6-phytase produced by *Komagataella phaffii* CGMCC 7.19 as a feed additive for all poultry species for fattening or reared for laying and ornamental birds (holder of authorisation: Nutrex N.V.)

The draft refers to the authorisation of a preparation of *Komagataella phaffii* CGMCC 7.19 in the category 'zootechnical additives' and the functional group 'digestibility enhancers'. The Commission presented the latest version of the draft act.

Vote taken: Favourable opinion.

B.19 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Regulation concerning the authorisation of a preparation of rosemary extract for cats and dogs

The draft refers to the authorisation of rosemary extract in the category 'technological additives' and the functional group 'antioxidants'. The Commission presented the latest version of the draft act.

Vote taken: Favourable opinion.

B.20 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Regulation concerning the authorisation of iron(II)-betaine complex as a feed additive for all animal species

The draft refers to the authorisation of iron(II)-betaine complex as a nutritional additive for all animal species. There were also minor drafting adjustments introduced in the text to be voted. Finally, it was agreed to request operators to clarify the meaning of the reference to inert iron.

Vote taken: Favourable opinion.

Declaration provided by France:

"Les autorités françaises prennent note de la décision de la Commission de ne pas inclure dans ce règlement la note de bas de page concernant la prise en compte du fer inerte, jusqu'ici incluse dans toutes les autorisations en vigueur pour des composés de fer. Elles souhaitent souligner que cette question doit être traitée de manière transversale pour maintenir la cohérence entre les différents règlements d'autorisation pour des composés de fer. Il conviendrait donc d'examiner horizontalement la pertinence et l'applicabilité de cette disposition, afin soit d'en décider la suppression dans tous les règlements concernés, soit de l'amender pour clarifier ses modalités d'application, là encore dans l'ensemble des règlements concernés."

Unofficial translation

The French authorities take note of the Commission's decision not to include in this regulation the footnote about the consideration of inert iron, hitherto included in all authorisations in force for iron compounds. They wish to underline that this issue must be addressed horizontally, in order to maintain consistency between the different authorisation regulations for iron compounds. It would therefore be appropriate to examine the relevance and applicability of this provision horizontally, in order either to decide to delete it in all concerned regulations, or to amend it to clarify its application, again in all of concerned regulations.

B.21 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Regulation concerning the renewal of the authorisation of a preparation of *Lactiplantibacillus plantarum* LMG P-21295 for all animal species

The draft refers to the renewal of the authorisation of a preparation of *Lactiplantibacillus plantarum* LMG P-21295 in the category ‘technological additives’ and the functional group ‘silage additives’. The Commission presented the latest version of the draft act.

Vote taken: Favourable opinion.

B.22 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Regulation concerning the renewal of the authorisation of a preparation of endo-1,4-beta-xylanase produced by *Aspergillus oryzae* DSM 33700 as a feed additive for poultry for fattening, weaned piglets, pigs for fattening, lactating sows and laying hens, the change of the terms of the authorisation and authorisation of new uses of that preparation as a feed additive for all poultry species and all *Suidae* (holder of authorisation: DSM Nutritional Products Ltd, represented by DSM Nutritional Products Sp. z o.o.) and repealing Implementing Regulations (EU) No 1206/2012, (EU) 2020/995 and (EU) 2020/1034

The draft refers to the renewal of the authorisation of a preparation of *Aspergillus oryzae* DSM 33700, the change of the terms of the authorisation and the authorisation of new uses of that additive, in the category ‘zootechnical additives’ and the functional group ‘digestibility enhancers’. The Commission presented the latest version of the draft act.

Vote taken: Favourable opinion.

B.23 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Regulation concerning the authorisation of ‘riboflavin-5-phosphate monosodium salt’ or ‘Vitamin B₂’ as a feed additive for all animal species

The draft refers to the authorisation of a form of vitamin B₂ as nutritional additive for all animal species. There were also minor drafting adjustments introduced in the text to be voted.

Vote taken: Favourable opinion.

B.24 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Regulation concerning the renewal of the authorisation of orthophosphoric acid for all animal species

The draft refers to the renewal of the authorisation of orthophosphoric acid in the category ‘technological additives’ and the functional group ‘preservatives’. The Commission presented the latest version of the draft act.

Declaration provided by Poland:

"Many of feed materials has a natural content of phosphorus (soluble and insoluble form). All of them can be used as a carrier/s in premixture (single carrier or any type of mix of few materials).

From the EC proposal results, that using of orthophosphoric acid as a feed additive will create obligations to declare for premixtures producer total level of phosphorus (it is rather impossible without examinations).

Please also consider, that we do not have established technical deviations for phosphorus declaration in premixtures. They are only established for declared level of phosphorus and feed additives in feed materials and compound feeds. So, what kind of technical deviations should we take into account when we are talking about premixtures consisting of orthophosphoric acid and feed materials naturally reached in phosphorus, for that kind of declaration? (annex IV, reg. 767/2009)

We should not be afraid about that it creates any lacks, because producers of compound feed mandatory should declare level of phosphorus in majority (annex VI, reg. 767/2009), even if it would not be declared in premixtures.

Due to Polish proposal was not taken into account Polish delegation abstain."

Vote taken: Favourable opinion.

B.25 Exchange of views and possible opinion of the Committee on a draft Commission Regulation amending Regulation (EU) 2020/354 of 4 March 2020 establishing a list of intended uses of feed intended for particular nutritional purposes

The vote was not taken as the internal consultations were not concluded.

Vote Postponed

B.26 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Regulation withdrawing from the market star anise terpenes from *Illicium verum* Hook.f. as a feed additive

This point corresponds to point C.08 of a previous version of the meeting's agenda.

The draft refers to the withdrawal from the market of a flavouring compound under Article 10(5) of Regulation (EC) No 1831/2003. The Commission presented the latest version of the draft act and informed the Committee of the notification of the envisaged measure under the SPS Agreement, with a deadline for comments set on 7 March 2024. Due to the safety concerns related to the additive at stake, the adoption of the withdrawal measure should take place as soon as possible. Therefore, the Committee was informed of the Commission's intention to request its opinion on the draft act by written procedure after the completion of the SPS consultation, i.e. in the course of March 2024. A short exchange of views took place.

In accordance with Article 3(5) of Regulation (EU) No 182/2011, the written procedure for the delivery of the Committee opinion on the draft Implementing Regulation was launched on 12 March 2024 with a deadline set on 19 March 2024. Member States representatives were informed on the outcome of the written procedure by a note sent on 25 March 2024.

Vote taken: Favourable opinion.

- C.01 Exchange of views of the Committee on a draft Commission Implementing Regulation concerning the authorisation of undec-10-enal, terpineol acetate, borneol, d,lisomethone, l-carvone, (1R)-1,7,7- trimethylbicyclo[2.2.1]heptanone,2 isobornyl acetate, 3- propylidenephthalide, phenylacetic acid, methyl salicylate, thymol, carvacrol, benzothiazole, terpinolene, isoborneol, trans[1]menthone, bornyl acetate, 3- butylidenephthalide, phenylacetaldehyde, phenethyl acetate, phenethyl phenylacetate, methyl phenylacetate, ethyl phenylacetate, isobutyl phenylacetate, 3-methylbutyl phenylacetate, 2-methoxyphenol, 2-methoxy-4-methylphenol, 4-ethylguaiaicol, 2- methoxy-4- vinylphenol, 4-ethylphenol, 2-methylphenol, 4- methylphenol, 2,6- dimethoxyphenol, phenol, 2,6-dimethylphenol, 2-isopropylphenol, benzene[1]1,3- diol, alpha-phellandrene, alpha-terpinene, gamma-terpinene and l-limonene as feed additives for all animal species (herbal flavour)**

The Commission presented a draft act and a draft Annex entry. A short discussion took place. The discussion will continue at the next Working Group's meeting with a view to vote at the next Standing Committee meeting.

- C.02 Exchange of views of the Committee on a draft Commission Implementing Regulation on the safety and efficacy of a feed additive consisting of a preparation of *Levilactobacillus brevis* DSM 23231 for all animal species**

The Commission presented a draft Annex entry. The discussion will continue at the next Working Group's meeting.

- C.03 Exchange of views of the Committee on a draft Commission Implementing Regulation amending Implementing Regulation (EU) 2019/49 as regards the terms of authorisation of a preparation of zinc-L-selenomethionine as a feed additive for all animal species**

The Commission presented a draft Annex entry for discussion at the PAFF Committee for the first time. After a short discussion the Annex entry will be send to the applicant for comments.

- C.04 Exchange of views of the Committee on a draft Commission Implementing Regulation on the safety and efficacy of a feed additive consisting of *Duddingtonia flagrans* NCIMB 30336 for grazing cows, ewes and goats for milk production (International Animal Health Products Pty Ltd, represented by GAB Consulting GmbH)**

The Commission presented a draft Annex entry. The discussion will continue at the next Working Group's meeting.

- C.05 Exchange of views of the Committee on a draft Commission Implementing Regulation concerning the renewal of the authorisation of dicopper chloride trihydroxide as a feed additive for all animal species and repealing Regulation (EU) No 269/2012**

The Commission presented a revised version of the draft Annex entry. As this is a renewal of an authorisation that may benefit from a generic mandate for the environmental assessment of trace elements, the Commission has to examine how to proceed with those cases of renewals where the opinions are favourable except for the

environment (in this case the marine sediment). These are essential nutrients for animals to ensure animal welfare and safety.

C.06 Exchange of views of the Committee on a draft Commission Implementing Regulation concerning the renewal of the authorisation of a preparation of *Enterococcus lactis* NCIMB 11181 as a feed additive for calves for rearing and for fattening and weaned piglets (holder of authorisation: Chr. Hansen A/S)

The Commission presented a draft Annex entry. The discussion will continue at the next Working Group's meeting.

C.07 Exchange of views of the Committee on a draft Commission Implementing Regulation concerning the renewal of the authorisation of folic acid as a feed additive for all animal species and repealing Implementing Regulation (EU) No 803/2013

The Commission received two messages from FEFANA (Association of Specialty Feed Ingredients and their Mixtures) and FEFAC (The European Feed Manufacturers' Federation) expressing the concerns about possible levels of authorisation of this additive for fish.

The Commission presented a draft Annex entry. It was agreed to request complementary information to the applicant as this additive is essential for fish.

C.08 Exchange of views of the Committee on a draft Commission Implementing Regulation withdrawing from the market star anise terpenes as a feed additive

Agenda point re-scheduled as point B.26.

C.09 Exchange of views of the Committee on a draft Commission Implementing Regulation concerning the renewal of authorisation of zinc chloride hydroxide monohydrate as a feed additive for all animal species, except aquatic animals farmed in marine aquaculture systems and repealing Regulation (EU) No 991/2012

The Commission presented a draft Annex entry for the first time. As this is a renewal of an authorisation that may benefit from a generic mandate for the environmental assessment of trace elements, the Commission has to examine how to proceed with those cases of renewals where the opinions are favourable except for the environment (in this case the marine sediment). These are essential nutrients for animals to ensure animal welfare and safety.

C.10 Exchange of views of the Committee on a draft Commission Implementing Regulation on the safety and efficacy of a feed additive consisting of a preparation of *Lentilactobacillus buchneri* NCIMB 30139 for all animal species

The Commission presented a draft Annex entry. The discussion will continue at the next Working Group's meeting.

C.11 Exchange of views of the Committee on a draft Commission Implementing Regulation on feed additives consisting of two tinctures and one anise essential oil from *Pimpinella anisum* L. as feed additives for certain animal species

This point was withdrawn from the agenda.

C.12 Exchange of views of the Committee on a draft Commission Implementing Regulation withdrawing from the market certain feed additives

The Commission presented the latest version of the draft Implementing Regulation, the Annex of which has been adapted further to previous discussions and verifications. An exchange of views took place. As the internal Commission consultations have been completed, the draft measure will be notified under the SPS Agreement for comments, allowing the submission of the draft to the Committee for an opinion at its next meeting.

C.13 Exchange of views of the Committee on a draft Commission Implementing Regulation concerning the authorisation of pine white oil from the oleoresin of *Pinus pinaster* Aiton as a feed additive for all animal species

The Commission presented a draft Annex entry. After a short discussion, mainly in relation to the references to animal species and categories, the Commission informed that the discussion will continue at the next Working Group's meeting with a view to vote at the next Standing Committee meeting.

C.14 Exchange of views of the Committee on a draft Commission Implementing Regulation on the safety and efficacy of a feed additive consisting of benzoic acid for weaned piglets and pigs for fattening (Emerald Kalama Chemical B.V.)

The Commission presented a draft Annex entry. The discussion will continue at the next Working Group's meeting.

C.15 Exchange of views of the Committee on a draft Commission Implementing Regulation concerning the authorisation of 4-methyl-5-vinylthiazole as a feed additive for all animal species

The Commission presented a draft Annex entry. After a short discussion, mainly in relation to the references to animal species and categories, the Commission informed that the discussion will continue at the next Working Group's meeting with a view to vote at the next Standing Committee meeting.

C.16 Exchange of views of the Committee on a draft Commission Implementing Regulation on the safety and efficacy of a feed additive consisting of a preparation of *Lentilactobacillus buchneri* DSM 22501 for all animal species

The Commission presented a draft Annex entry. The discussion will continue at the next Working Group's meeting.

C.17 Exchange of views of the Committee on a draft Commission Implementing Regulation concerning the authorisation of an essential oil and a tincture from *Juniperus communis* L. as feed additives for all animal species

The Commission presented a draft Annex entry. After a short discussion, mainly in relation to the references to animal species and categories, the Commission informed that the discussion will continue at the next Working Group's meeting with a view to vote at the next Standing Committee meeting.

C.18 Exchange of views of the Committee on a draft Commission Implementing Regulation on the safety and efficacy of a feed additive consisting of semduramicin sodium for chickens for fattening (Phibro Animal Health s.a.)

The Commission presented a draft Annex entry. The discussion will continue at the next Working Group's meeting.

C.19 Exchange of views of the Committee on a draft Commission Implementing Regulation correcting Commission Implementing Regulation (EU) 2023/2846 as regards the deletion of *Schinopsis lorentzii* (Griseb.) Engl. as a source of the feed additive red quebracho extract

The Commission presented a draft text. The discussion will continue at the next Working Group's meeting with a view to vote at the next Standing Committee meeting.

C.20 Exchange of views of the Committee on a draft Commission Implementing Regulation concerning the authorisation of acetic acid, calcium acetate and sodium diacetate as feed additives for aquatic animals

The Commission presented a draft Annex entry. The discussion will continue at the next Working Group's meeting.

C.21 Exchange of views of the Committee on a draft Commission Implementing Regulation concerning the authorisation of an essential oil *Coriandrum sativum* L. as a feed additive for all animal species

The Commission presented a draft Annex entry. After a short discussion, mainly in relation to the references to animal species and categories, the Commission informed that the discussion will continue at the next Working Group's meeting with a view to vote at the next Standing Committee meeting.

M.01 Update on the adoption of the draft delegated Regulation supplementing Regulation (EU) 2019/4 of the European Parliament and of the Council by establishing specific maximum levels of cross-contamination of antimicrobial active substances in non-target feed and methods of analysis for these substances in feed

A Commission representative informed the Committee that the above-mentioned draft delegated Regulation is planned for adoption by the Commission on 20 February 2024. As usual, it will then be submitted without delay to the European Parliament and the Council for a two-month examination period.

M.02 Amendment of Annex III to Regulation (EC) No 767/2009

The Commission announced that it intends to restart the discussion concerning the amendment of Annex III to Regulation (EC) No 767/2009 in the next Working Group on Animal Nutrition.

M.03 Vitamin B₁₂

A delegation raised the issue of the industry's and agri-sector's concerns on the likely shortage of supply of vitamin B₁₂ in the second half of 2024, as a result of the expiry, early July 2024, of the transitional period for the withdrawal from the market of the forms of vitamin B₁₂ other than the authorised additive identified as 3a835, as provided for in Implementing Regulation (EU) 2023/1173. It has been indicated that two

applications for authorisation of certain forms of vitamin B₁₂ are still under assessment procedure. An exchange of views took place. An examination of the situation will be carried out in order to assess the possible way forward, in view of the next Working Group on Animal Nutrition.

M.04 Sunflower oil

A delegation requested some clarification of the status of botanical additives from *Helianthus annuus* (sunflower). It was clarified that *Helianthus annuus* L.: Sunflower extract has been the subject of a measure of withdrawal from the market for all animal species except cats and dogs (Implementing Regulation (EU) No 230/2013) and for cats and dogs (Implementing Regulation (EU) 2021/758). As regards *Helianthus annuus* L.: Sunflower absolute / Sunflower oil / Sunflower tincture, it appears that this entry has been included in the Annex to Implementing Regulation (EU) 2023/1173 by mistake, as it had already been the subject of the measure of withdrawal from the market laid down by Implementing Regulation (EU) No 230/2013. A correcting act will therefore be prepared accordingly.

In addition, it was clarified that the reference to ‘sunflower oil’ in the context of feed additives means ‘essential oil’, while sunflower vegetable oil is to be considered as a feed material in accordance with the relevant legislation, and in particular the provisions of the Catalogue of feed materials.

The following statement was agreed:

“STATEMENT SUNFLOWER OIL AS FEED ADDITIVE OR FEED MATERIAL

The product ‘sunflower oil’ from Helianthus annuus L. referenced in the Annex of Commission Implementing Regulation (EU) No 230/2013 of 14 March 2013 on the withdrawal from the market of certain feed additives belonging to the group of flavouring and appetising substances, should be interpreted as an essential oil from Helianthus annuus L. It does not refer to the feed material ‘sunflower vegetable oil’, as described in entry 2.20.1 and related footnote 8 of the Catalogue of Feed Materials (Regulation (EU) No 68/2013).”

M.05 Marketing and use of live insects for feed

A delegation raised the issue of the requirements concerning the use of live insects as feed. It was clarified that live insects, considered as feed materials, may be legally used as feed in the EU, except for ruminants (restriction due to the feed ban laid out in Article 7(1) of Regulation (EC) No 999/2001), within the general Union legislative framework for feed. This includes, in particular, compliance with the general safety and marketing requirements laid down in Article 4 of Regulation (EC) No 767/2009, to be examined by the competent control authorities on a case-by-case basis.

M.06 Heads of Agencies’ Sustainability Catalogue 2023

Denmark presented the shared Sustainability Catalogue, drafted by a sub-group under the Heads of Food Safety Agencies network (HoA). Eight Member State representatives from Animal Nutrition area have contributed to this work. The catalogue reflections are all based in ongoing sustainability work in the Member States. The reflections have e.g. been on the feed additive regulation, use of microorganisms in fermentation, possible openings in relation to circularity as regards products of animal origin, use of alternative phosphorus sources, feed solutions in AMR-reduction

and sustainability claims. Denmark and the other participating Member States called for further reflection on where the most urgent needs and easiest solutions for a harmonized sustainability approach are.

M.07 Reminder of the timeline for commenting on the draft Code of good practices for green feed labelling

The Commission reminded the Member States to submit their comments concerning the update to the Code of good practices for green feed labelling by 29 February 2024.

M.08 Feedback of the IFRM in Atlanta, 29-30 January 2024

A Commission representative provided a feedback of the recent International Feed Regulators Meeting (participants, main topics discussed, take-home messages), and called for a broader number of Member States to send a representative in the future, with a view to reinforce the EU's presence and influence.