



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 13 OCTOBER 2016 - 14 OCTOBER 2016
(Section Toxicological Safety of the Food Chain)**

CIRCABC Link: <https://circabc.europa.eu/w/browse/6987edaf-1e91-4c4f-a7c1-34717c08c62f>

B.01 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Regulation (EU) amending Implementing Regulation (EU) 884/2014 imposing special conditions governing the import of spices from Ethiopia, groundnuts from Argentina and hazelnuts from Azerbaijan and amending the special conditions governing the import of dried figs and hazelnuts from Turkey and groundnuts from India.

The following products are proposed to be added to be subject to the special conditions governing their import in order to protect human and animal health :

- spices from Ethiopia;
- groundnuts (peanuts) from Argentina;
- hazelnuts from Azerbaijan.

Based on the results of the official control tests, the following changes to products subject to specific conditions and/or control frequencies are proposed: reduction of sampling frequency at import on dried figs from Turkey and groundnuts (peanuts) from India and an increase of the sampling frequency on hazelnuts from Turkey.

In addition based on experiences with the application of the Regulation following amendments are proposed :

- a clarification that the provision that compound feed and food containing any feed and food covered by this Regulation above 20% is also covered by the Regulation also refers to the sum of products covered by the Regulation;
- to explicitly provide that the transfer of the consignment to the Designated point of Import (DPI) may only be authorised after the presentation of a completed Common Entry Document (CED) for documentary control;
- to update the CN code for dried fruit of the genus *Capsicum*, whole, other than sweet peppers (*Capsicum annuum*) to align the scope with the entry *Capsicum annuum*, crushed or ground, i.e. not including the genus *Pimenta*.

The Committee was informed that maximum levels are set in Commission Regulation (EC) No 1881/2006 for aflatoxin B1, aflatoxin total and ochratoxin A for certain

spices and mixtures of spices containing one of the spices for which a maximum level is set. The Committee was informed that in case of import of spices from Ethiopia covered by this Regulation but for which no maximum level has been established, the maximum level to be applied to these spices is, in application of Article 14 of the Regulation (EC) No 178/2002, the maximum established for certain spices i.e. 5.0 µg/kg for aflatoxin B1, 10.0 µg/kg for aflatoxin total and 15 µg/kg for ochratoxin A.

Vote taken: Favourable opinion.

B.02 Exchange of views and possible opinion 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.

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.

Following 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 food business operators in accordance with the Food Hygiene Regulation (EC) No 852/2004, 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 to replace Regulation (EU) No 589/2014 to maintain the readability of the text.

A Member State indicated not to be able to support the draft Regulation as no financial impact was made to the extension of the requirement to apply the analytical requirements provided for in this Regulation also to the analysis of samples taken by food business operators in the frame of their auto-control.

The Commission representative indicated that the conclusion of the EURL/NRL network was clear: *"The general requirements of EN 17025 form the basis for laboratory accreditation on which the specific requirements of Regulation (EU) 589/2014 are built. Comparability and reliability of results of methods for determination of dioxins, DL-PCBs and NDL-PCBs in feed and food are, therefore, only ensured if the specific requirements of the Regulation (EU) are met. If the criteria and procedures laid down in Regulations (EU)589/2014 are not followed during screening and confirmatory analyses, underestimation and false-compliant*

results may be very likely to occur, mainly based on insufficient recovery and/or precision."

There is clear risk for the food business operator, that despite favourable results from samples taken in the frame of auto-control, food is placed on the market non-compliant with EU legislation, with significant financial impact related to withdrawal and/or recall of the products from the market.

Vote taken: Favourable opinion.

M.01 A.O.B.

No points were raised.