



EUROPEAN COMMISSION

Health and Food Safety Directorate General

sante.g.3(2024)10312859

Standing Committee on Plants, Animals, Food and Feed
Section *Novel Food and Toxicological Safety of the Food Chain*
20 September 2024

CIRCABC Link: https://circabc.europa.eu/ui/group/55b2edd3-069e-40fd-ad4a-8b163f54ff1f/library/d5d7be0d-26e1-4ea4-8c2b-84e6f93b8d81?p=1&n=10&sort=name_ASC

SUMMARY REPORT

A.01 Exchange of views on a draft Commission Recommendation on monitoring the presence of quinolizidine alkaloids in lupins and lupin-derived food.

The European Food Safety Authority (EFSA) Panel on Contaminants in the Food Chain (CONTAM Panel) adopted [a risk assessment in 2019](#) on the risks for animal and human health related to the presence of quinolizidine alkaloids in feed and food, in particular in lupins and lupin-derived products. Due to the limited data on occurrence and consumption, dietary exposure was calculated for some specific scenarios and no full human health risk characterisation was possible. The calculated margin of exposures (MOEs) may indicate a risk for some consumers.

The CONTAM Panel recommended that more occurrence data should be gathered on the presence of quinolizidine alkaloids in lupins and lupin-derived products. More information should be gathered on the factors that lead to relatively high levels of quinolizidine alkaloids in lupins and lupin-derived food in order to be able to identify the measures to be taken to avoid or reduce the presence of quinolizidine alkaloids in these foods.

The draft Commission Recommendation recommends the monitoring of quinolizidine alkaloids in lupins and lupin-derived food. At least the quinolizidine alkaloids albine, anagyrin, angustifoline, lupanine, isolupanine, multiflorine, 13 α -hydroxylupanine, lupinine, sparteine should be analysed. Given the transfer of quinolizidine alkaloids from feed to food of animal origin, in particular milk, it is recommended to monitor the presence of quinolizidine alkaloids in food of animal origin originating from animals that have been fed with feed containing lupin-derived feed materials.

It is furthermore recommended to carry out investigations to identify the factors leading to high levels of quinolizidine alkaloids in lupins and lupin-derived food and to gather more information on the effects of processing on the level of quinolizidine alkaloids.

The Committee endorsed the draft Commission Recommendation.

A.02 Feedback on the discussions in recent meetings of the Working Group on Contaminants

Feedback was provided on topics that have been discussed in recent meetings of the working group on contaminants since the last meeting of the Committee.

Topics discussed related to polycyclic aromatic hydrocarbons (PAH)

- Establishment of a maximum level (ML) for PAH in freekeh (roasted durum wheat).
- ML for PAH not only applicable to smoked food but also to foods with smoke taste (following the use of smoked ingredients, spices, ...).
- Review of the MLs for PAH in smoked meat and smoked fish.
- Establishment of an ML for PAH in smoked cheese.
- Change of the limit of quantification (LOQ) requirement for PAH in food.
- Review of the ML for benzo(a)pyrene in liquid infant formulae, follow-on formulae and young child formulae.

Topics discussed related to other processing contaminants

- MLs for furan and alkylfurans in babyfood and processed cereal based foods for infants and young children.
- Establishment of a ML for 3-MCPD esters and glycidyl esters in cereal-based foods for infants and young children and baby food.
- MLs and/or alternative enforcement approach for the presence of 3-MCPD esters and glycidyl esters in compound food.
- Clarification that the ML for 3-MCPD esters and glycidyl esters for vegetable fats and oils is also applicable to frying oils.
- Update on future discussions related to acrylamide.
- Monitoring of the presence of furan-2(5H)-one and benzene-1,2-diol in smoked meat, cheese and fish (and other smoked products).
- Regulatory measures related to the presence of N-nitrosamines in food.

Topics discussed related to mycotoxins and plant toxins

- Requirements for sampling and methods of analysis used for autocontrols for the presence of mycotoxins and plant toxins.
- ML for delta-9-THC in hemp leaves for infusion.
- Review of the ML for deoxynivalenol (DON) in wheat bran.
- Presence of capsaicin in food.
- Confirmation that griseofulvin is a mycotoxin, regulating its presence in food falls under the contaminant legislation. It is not a pesticide and therefore the default MRL of 0.01 mg/kg is not applicable. As no specific MLs have been established for griseofulvin in the contaminant legislation, Article 14 of the General Food Law is applicable. This means that only in case an ad hoc risk assessment concludes that the presence of griseofulvin at the levels found is a

possible risk for human health, then the food cannot be placed on the market or in case it is already placed on the market, to be withdrawn from the market. In case the ad hoc risk assessment does not indicate a possible health risk, the food can be placed on the market.

Topics discussed related to chlorinated persistent organic pollutants (POPs)

- Establishment of MLs for non dioxin-like PCBs in meat and meat products and liver of horse, rabbit, wild boar (*Sus scrofa*), wild game birds and *Cervidae*.
- Changes to the derogation for dioxins and dioxin-like PCBs (herring larger than 19 cm instead of 17 cm and derogation for wild caught whitefish (*Coregonus* sp.) and products thereof originating in the lakes Vänern and Vättern from Sweden).
- Dioxins and dioxin-like PCBs in mitten crab (cephalothorax to be included in the ML).
- Information on the follow-up to the new 2022 TEFS for dioxins and dioxin-like PCBs
- Recommendation for the monitoring of polychlorinated paraffins in food.

Other topics discussed

- Monitoring of Bisphenol A (and other bisphenols) in food combined with follow-up investigations on the source of contamination.
- Possible amendment to Commission Implementing Regulation (EU) 2020/1158 of 5 August 2020 on the conditions governing imports of food and feed originating in third countries following the accident at the Chernobyl nuclear power station related to inclusion of certain products in Annex II to the Regulation.

A.03 Feedback on the discussions in recent meetings of the Working Group on food contact materials

A Commission representative provided feedback on the discussions that took place in the working group on food contact materials (FCM) on 2 September. There was a short discussion on the discrepancy between Regulations (EU) No 10/2011 and (EU) No 284/2011 regarding in particular the limits for primary aromatic amines which have been modified only under the first Regulation. There was short feedback on the work on the revision of the FCM framework, and a discussion concerning the preparation of the authorisations of recycling processes under Regulation (EU) 2022/1616. The first batch is scheduled for vote during a dedicated meeting of the standing committee in October. There was also a discussion on certain provisions in the amendment scheduled for vote under point B.05 of this agenda.

B.01 Exchange of views and possible opinion of the Committee on a draft Commission Regulation amending Annex I to Regulation (EC) No 1334/2008 as regards the removal of the flavouring substance 4-Methyl-2-phenylpent-2-enal (FL No 05.100) from the Union list.

A Commission representative presented to the Committee the draft act amending Annex I to Regulation (EC) No 1334/2008 as regards the removal of the flavouring substance 4-Methyl-2-phenylpent-2-enal (FL No 05.100) from the Union list. Foods to

which 4-Methyl-2-phenylpent-2-enal (FL No 05.100) has been added and which have been placed on the market in the Union or which are in transit from third countries to the Union before the entry into force of this Regulation should be allowed to be marketed in the Union until their date of minimum durability or use-by date.

Vote taken: Favourable opinion.

B.02 Exchange of views and possible opinion of the Committee on a draft Commission Regulation amending Annex I to Regulation (EC) No 1334/2008 as regards the inclusion of (E)-3-benzo[1,3]dioxol-5-yl-N,N-diphenyl-2-propenamide in the Union list of flavourings

A Commission representative presented to the Committee the draft act amending Annex I to Regulation (EC) No 1334/2008 as regards the inclusion of (E)-3-benzo[1,3]dioxol-5-yl-N,N-diphenyl-2-propenamide in the Union list of flavourings on the basis of a positive EFSA opinion.

Vote taken: Favourable opinion.

B.03 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Regulation authorising the placing on the market of magnesium L-threonate as a novel food and amending Implementing Regulation (EU) 2017/2470

A Commission representative presented to the Committee the draft act authorising the placing on the market of magnesium L-threonate as a novel food. Magnesium L-threonate, as a source of magnesium, is to be used in food supplements as defined in Directive 2002/46/EC, for adults, excluding pregnant and lactating women. This authorisation is supported by a positive EFSA opinion.

Vote taken: Favourable opinion.

B.04 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Regulation (EU) amending Implementing Regulation (EU) 2017/2470 as regards the specifications of the novel food vitamin D2 mushroom powder

A Commission representative presented to the Committee the draft act authorising a change of the specifications of the novel food vitamin D2 mushroom powder. The change of the specifications concerns an extension of the authorised range of vitamin D2 concentrations to include lower concentrations, a revision of the authorised levels of carbohydrates, in particular deletion of the different maximum levels for 'carbohydrates' and 'total dietary fibre' and the setting out of a single maximum level for total carbohydrates. As the change of the specifications of the novel food is not liable to have an effect on human health, a safety evaluation by EFSA was not necessary.

Vote taken: Favourable opinion.

B.05 Exchange of views and possible opinion of the Committee on a draft Commission Regulation amending Regulation (EU) No 10/2011 on plastic materials and articles intended to come into contact with food, amending Regulation (EU) 2022/1616 on recycled plastic materials and articles intended to come into contact with foods, and repealing Regulation (EC) No 282/2008, and amending Regulation (EC) No 2023/2006 on good manufacturing practice for materials and articles intended to come into contact with food as regards recycled plastic and other matters related to quality control and manufacturing of plastic materials and articles intended to come into contact with food.

A Commission representative presented the draft Regulation amending Regulation (EU) No 10/2011 on plastic materials and articles, Regulation (EU) 2022/1616 on recycled plastic materials and articles, and Regulation (EC) No 2023/2006 on good manufacturing practice, explaining the evolution of the text, including discussions held at meetings of the Food Contact Material (FCM) Working Group, as well as comments submitted by stakeholders during the feedback period which ran from March to April 2024.

Vote taken: Favourable opinion.

