

# 109<sup>th</sup> Plenary Meeting - Minutes of the First Meeting of the Scientific Committee for Food under its New Statute

BRUSSELS, 10 November 1997 starting at 10.00hrs at the A. Borschette Center, 36 rue Froissart

## ATTENDANCE LIST - LISTE DES PARTICIPANTS - TEILNEHMERLISTE

### Members/Membres/Mitglieder

- Mme. S. BARLOW,
- MM. D. BOSKOU,
- A. CARERE,
- I. ELMADFA (Vice-Chairman, Vice-President, Stellv. Vorsitzender) \*
- MM. A. FLYNN,
- R. FRIES,
- W. GRUNOW
- Mme. A. KNAAP (Vice-Chairman, Vice-President, Stellv. Vorsitzender) \*
- MM. I. KNUDSEN (Chairman, President, Vorsitzender) \*
- MM. S. LINDGREN,
- B. MOSELEY,
- A. PALOU,
- W. SARIS,
- P. TOBBACK,
- J.-M. WAL

### Apologies/Excusés/Entschuldigt

- Mme. A. FERRO-LUZZI
- Mr. P. VERGER

### Others/Autres/Andere

- Mr. G. PASCAL (afternoon/après-midi/Nachmittag)

### Commission/Kommission

- Mr. B. CARSIN (DG XXIV/B)
- Mme. M. de SOLÀ DOMINGO (DG XXIV/B/2)
- MM. J. COSTA-DAVID (DG XXIV/B/2),
- M. WALSH (DG XXIV/B/2)
- Mme. S. VAN DE LOUW (DG XXIV/B/2)
- MM. J. KREYSA (DG XXIV/B/1),
- W. DECKART (DG XXIV/B/1),
- A. VERLEYSSEN (DG XXIV/B/3),
- R. VANHOORDE (DG XXIV/B/3)

- Mme M. ZAMPAGLIONE (DG XXIV)
- MM. M. A. GRANERO ROSELL (DG III/E/1),
- B. MATHIOUDAKIS (DG III/E/1),
- L. ROSSI (DG III/E/1)
- Mme. S. HEINIMAA (DG III/E/1)

## **Secretariat/Serétariat/Sekretariat**

- Mr. P. J. WAGSTAFFE (DG XXIV/B.2)
- Mme. P. DECAMPS (DG XXIV/B.2)

\* Elected during the meeting.

## **1. Adoption of the agenda**

The agenda was adopted and apologies for absence noted.

## **2. Introduction by the Commission**

The meeting was opened on behalf of the Commission by M. B. Carsin who welcomed the Members and congratulated them on their nomination to the Scientific Committee for Food as announced in the Commission Decision dated 4 November 1997. He explained that the nomination of the Members of the 8 scientific committees had required the evaluation of more than 1100 applications in a very short time and that the SCF alone had received some 240 applications. M. Carsin apologised for the fact the meeting had been called at very short notice. This had been necessary because of the urgent need to elect the Chairpersons of each committee, who would automatically be nominated as members of the Scientific Steering Committee (SSC), the first full meeting of which was scheduled for 21 November 1997. He recalled that M. Santer, in his address to the EP in January 97 on the BSE affair, had undertaken to introduce a series of organisational reforms one of the most important of which was the separation of the Commission's scientific committees from the services responsible for the corresponding policy and legislation. The eight scientific committees were now grouped under common management in a single Directorate within Directorate General XXIV - "Consumer policy and consumer health", which had also been given responsibility for inspection and control in relation to food safety matters. M. Santer would shortly return to the EP to explain in person the measures that had now been put into place.

M. Carsin stressed the improvements that the new procedures for establishing the scientific committees had brought. The selection procedure was fully independent. Members had been chosen on the basis of scientific excellence by an independent panel from candidates who had responded to the open call for expressions of interest. The procedure thus reinforced the requirements for independence of the scientific advice given to the Commission.

Although the Commission Decision setting up the scientific committees (Commission Decision 95/579/EC of 23 July 1997, OJ N° L 237, p. 18) allowed for up to 19 Members, the Commission had decided not to fill all the places until the needs of the Committees had been fully evaluated. If it were shown that the SCF for example lacked an important area of expertise, up to two additional Members could be nominated at a later date.

The Commission Decision emphasised that questions put to the scientific committees would not be limited to those where legal acts made consultation obligatory, but could include any problem where there was a concern for consumer health. The Decision also made provision for scientific committees to draw the attention of the Commission to any specific or emerging problem on matters of consumer health falling within their remits.

M. Carsin explained that the role of the Scientific Steering Committee (SSC) would include the examination of questions that did not fall within the remits of the specific committees, to advise on questions of a multi-disciplinary nature and to resolve any divergence in the advice from different specific committees on related questions.

The role of the Commission's Secretariat was essentially to support the Committees in their work. Committee Secretariats were expected to be pro-active and to provide an interface between the Commission and the Committees. Their task thus goes beyond the mere drafting of minutes but does not extend to the formulation of actual scientific opinion which was the exclusive responsibility of the Committee.

M. Carsin emphasised the importance of maximum participation of members in the work and meetings of the Committees to ensure that their heavy work-load was discharged as efficiently as possible. He added that the Decision foresaw the possibility of replacement of Members in the event that for any reason they were no longer able to fulfil their responsibilities.

## **Introduction of Members**

Members were invited to introduce themselves with a brief summary of their professional background, affiliations and areas of scientific expertise.

## **3. Information on the SCF**

The Secretariat introduced a series of documents summarising the legislative background to the Committee's work, the revised mandate and a summary of opinions adopted by the previous Committee in the preceding 3 years. It was explained that in the case of Community food legislation, virtually all Community acts included an obligation for the Commission to consult the SCF on proposals for measures which may have an effect on public health. It was therefore particularly important that, for reasons of both scientific and legislative consistency, new Members were fully aware of, and had access to previous Committee opinions on questions that they would be asked to examine. The Secretariat explained that opinions of the SCF had been published by the Commission's Office of Publications in Luxembourg and these could be made available to Members if desired.

The Secretariat introduced a draft information pack giving essential information of the background to the work of the Committee, obligations on its Members and the previous working group structure.

## **4. Current work programme**

The Secretariat presented a draft work programme which summarised for each of the principal areas of activity, active questions and new subjects that were expected to emerge during 1998. This information was important to allow the Committee to organise its work effectively and to allow new Members to identify the areas to which they could contribute.

The Secretariat described the working groups structure that had been developed by the SCF during previous mandates. This consisted of eight working groups, seven of which addressed questions arising from the main areas of food legislation of relevance to public health (additives, contaminants, materials in contact with food, nutritional composition, food hygiene, novel foods and chemically identified flavouring substances). The eighth working group had been set up to support the other areas on problems related to the evaluation of dietary intake and food consumption for risk assessment purposes. Due to lack of Secretariat capacity, this working group had not met for 12 months and the new Committee might wish to review its future.

## **5. Rules of procedure**

The Secretariat (XXIV/B.1) explained the Commission Decision of July 1997 called upon the Committees to adopt harmonised rules of procedure in collaboration with the SSC. The rules would be designed to clarify the functioning of the Committee as concerns for example, the election of its officers, declarations of independence, confidentiality, the personal responsibility of Members for their advice, minimum time for calling meetings and submission of documents, the use and role of *ad hoc* experts, structure and adoption of opinions, written procedures for adoption of urgent opinions, structure and publication of opinions and the contents of minutes.

The Secretariat would develop draft rules for consideration by each specific committee. It was however stressed that the harmonised rules should be adopted as soon as possible in the life of the new committees.

The XXIV/B.1 Secretariat outlined the proposed modalities for reimbursement of travel and subsistence costs and the additional indemnity to be paid to Members and *ad hoc* experts. In addition to reimbursement of travel and subsistence costs, Members and *ad hoc* experts would receive an indemnity for each day of participation at a meeting of a scientific committee. Provision was also being made for the payment of an additional indemnity to a Rapporteur on a subject specified by a committee. The Secretariat will prepare a document setting out the details of the new arrangements.

## **6. Election of Chairpersons and vice chairpersons**

The Secretariat explained that, in accordance with the Commission Decision of July 1997, the Committee was required to elect a chairperson and two vice-chairpersons by simple majority of the Members that make up the Committee. The Chairperson would automatically be nominated as a Member of the SSC and therefore, Members wishing to be considered for chairperson should therefore be aware of the additional demands that this role would have on their time. It was explained that candidates could either nominate themselves for consideration or be nominated by another member of the Committee. A pause was declared to allow members to prepare nominations.

### **Chairperson**

A secret ballot of the 15 Members present led to the election of Dr Knudsen as Chairperson of the SCF.

### **Vice-chairpersons**

Dr. A. Knaap and Prof. Elmadfa were unanimously elected as vice-Chairpersons in two separate votes.

## **7. Composition of working groups and meetings in 1998**

In order to avoid discontinuity in the current work of the Committee, it was agreed that the working group meetings on Materials in Contact with Food and Contaminants which had been scheduled to take place in November and December should continue under the Chairmanship of an SCF member. The Committee would review the general situation as concerns the working groups at its next meeting. The Chairperson invited Members to indicate by means of a form circulated at the meeting which working groups they would like to consider joining in the light of the information given earlier by the Secretariat. Member's preferences for working group participation would be collated by the Secretariat for discussion at the next plenary session when decisions on working group chairpersons would also be made.

The Secretariat introduced a draft schedule of meetings for 1998 and explained that it had been the habit of previous Committees to agree the dates of the Plenary and working group meetings one year in advance so as to minimise problems of availability at short notice. The meeting provisionally agreed Plenary dates as follows:

- 14/15 Jan. 98
- 18/19 March 98
- 24/25 June 98
- 16/17 Sept. 98
- 9/10 Dec. 98 ( Due to a possible overlap with the meetings of the SSC, some of these dates will have to be slightly adjusted.)

Meetings of the Additives and Contaminants Working Group were agreed for the 21/22 Jan. 98 and the 23 Jan. 98 respectively. The dates for the other working group meetings for 1998 would be agreed at the next Plenary session.

## **8. Lindane in baby foods - request for confirmation of the SCF opinion of**

## 19 September 1994

The Committee was asked by the Commission a few days before the meeting to advise the Commission whether the scientific basis for its opinion of 23rd September 1994 on lindane in baby foods remained valid and, if so, to confirm that opinion. At that time the Committee concluded that " *With a residue level of 0.04 mg/kg in baby food for example a child of 10 kg, would have to consume 2 kg of that food per day, an amount which is physiologically impossible, to reach a dose equalling the ADI. The Committee, therefore, has no reason to believe that a content of 0.04 mg lindane/kg baby food would cause reason for concern*". The Committee's opinion of 1994 was based on the ADI of 0.008 mg/kg body weight set by the JMPR (Joint FAO/WHO Meeting on Pesticide Residues) in 1989.

The Committee was informed verbally at the meeting that the JMPR had recently reviewed the ADI and reduced it substantially (JMPR meeting of 22 Sept. - 1 Oct. 97).

In the light of this information and without knowing the reasons which led JMPR to reduce the ADI, the Committee must now conclude that, as a matter of prudence, its earlier opinion can no longer be assumed to be valid. The Committee currently lacks the information to allow it to advise on an upper residue level for lindane in baby food.

However, the Committee noted that the above statement is not in contradiction with its opinion on "A maximum residue limit (MRL) of 0.01 mg/kg for pesticides in foods intended for infants and young children", expressed on 19 September 97. (In the Conclusions to its opinion on pesticides in baby food of 19 Sept. 97, the Committee stated: "The Committee concluded that if the maximum residue limit were to be set at 0.01 mg/kg in foods intended for infants and young children, there is a possibility that an infant could exceed the ADI for pesticides having an ADI at 0.0005 mg/kg b.w. or lower").

## 9. Any other business

The Chairman's proposal to have a meeting with the two vice-chairmen and the Secretariat to prepare the discussion of the Committees work programme for 1998, the organisation of its working groups and the rules of procedure was accepted. The meeting was scheduled for 11 December 1997.

In reply to questions concerning the re-evaluation of the Committee's opinion on ochratoxin A in the light of the results of recent studies, the Secretariat said that the Contaminants Working Group's meeting of the 5th December 1997 had been reserved for a first discussion but it was not yet known if the experts provisionally identified were available on this date.

The minutes were adopted by a written procedure.