



EUROPEAN COMMISSION

Health and Food Safety Directorate General

**Standing Committee on Plants, Animals, Food and Feed**  
**Section *Novel Food and Toxicological Safety of the Food Chain***  
**12 June 2023**

**CIRCABC Link:** [https://circabc.europa.eu/ui/group/55b2edd3-069e-40fd-ad4a-8b163f54ff1f/library/5fc1ca61-d0bb-46ff-a965-736789827a47?p=1&n=10&sort=modified\\_DESC](https://circabc.europa.eu/ui/group/55b2edd3-069e-40fd-ad4a-8b163f54ff1f/library/5fc1ca61-d0bb-46ff-a965-736789827a47?p=1&n=10&sort=modified_DESC)

<b>SUMMARY REPORT</b>
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**A.01 Information on the upcoming review of Commission Implementing Regulation (EU) 2021/1533 of 17 September 2021 imposing special conditions governing the import of feed and food originating in or dispatched from Japan following the accident at the Fukushima nuclear power station and repealing Implementing Regulation (EU) 2016/6.**

The Committee was informed about the Commission's intention to repeal the Commission Implementing Regulation (EU) 2021/1533 taking into consideration the following elements:

- No non-compliances with the strict maximum level of 100 Bq/kg have been observed at import in the EU since June 2011. This demonstrates that the control system put in place and the controls performed by the Japanese authorities are very effective.
- While, in 2022, the Japanese authorities found 72 non-compliances with the strict level of 100 Bq/kg on more than 35 000 controls, only 3 of these findings exceeded the level of 600 Bq/kg which applies to imports from countries affected by the Chernobyl nuclear power plant accident.
- The combinations product/prefecture for which currently the pre-testing is still required are only traded in minor quantities to the EU and their contribution to the exposure of EU population to radionuclides is negligible.

Nevertheless, to continue ensuring a high level of health protection, the Japanese authorities shall be asked:

- To continue to extensively monitor the domestic production for radioactivity at the current frequency and make the analytical results publicly available.
- To ensure full transparency as regards the release of contaminated cooling water into the Pacific Ocean, and to perform an extensive monitoring on the presence of the relevant radionuclides, in particular tritium, in fish, other fishery products and seaweed in the close neighbourhood of the site of release, and to make these analytical results also publicly available.

Furthermore, the Commission shall continue to closely follow up the levels of radionuclides in food and feed originating from Japan to ensure high protection of consumer safety.

Several Member States expressed a favourable attitude as regards this intention to lift the remaining restrictive measures, pending scrutiny of the draft Commission Implementing Regulation, which was not yet available. No Member State raised an objection in principle to this intention. The Committee was finally informed of the organisation of a dedicated meeting of the Committee on 22 June 2023 to present and discuss the draft Commission Implementing Regulation.

#### **A.02 Feedback on the recent work of the PAFF Working Group on Food Contact Materials (FCM).**

The Commission services provided feedback on the discussions held during the Expert Working Group of the PAFF on food contact materials (FCMs) 27 – 28 April. The meeting was informed of the progress made concerning the implementation of Regulation (EU) 2022/1616 on recycling of plastic for FCM; in particular on the data that is required to be entered into the Register and the role of the Member States. An update was also given on the authorisation of the recycling processes, including the numbering system. Ongoing work also includes amendments to the Regulation to provide clarification on the Declaration of Compliance (DoC). In addition to the discussion on this Regulation, a short state of play was provided on the various amendments concerning Regulation (EU) No 10/2011 on plastic FCMs.

A presentation was given by EFSA during the Working Group meeting on its latest opinion on bisphenol A (BPA). The Commission noted that the EFSA opinion leaves little choice but to prohibit BPA in FCM and highlighted the main considerations that are needed as regards risk management, including possible transitional periods.

As a standing agenda item, a short update was given on progress on the work to support the revision of EU FCM legislation. The Commission gave a presentational overview of the results of the public consultation; this was followed up with a focus on citizen engagement and consumer needs, supported by presentations from the Commission's contractor Kantar and by the European consumer organisation BEUC. Finally, several topics were covered under AOB, including the status of shopping bags as FCM, the use of wood and pectin as an FCM and technical clarifications concerning Regulation (EU) No 10/2011 on plastic FCMs. A short overview of the progress of various restriction proposals made under the EU's REACH Regulation on PFAS and which concern FCM, was also given.

The agenda and slides for the meeting are available in the FCM document library: [https://food.ec.europa.eu/safety/chemical-safety/food-contact-materials/fcmdocument-library\\_en](https://food.ec.europa.eu/safety/chemical-safety/food-contact-materials/fcmdocument-library_en).

#### **B.01 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Regulation amending Regulation (EU) 2017/2470 as regards the labelling requirements of the novel foods $\alpha$ -cyclodextrin and $\gamma$ -cyclodextrin.**

The Commission presented to the Committee a draft act authorising an amendment of the labelling requirements of the novel foods  $\alpha$ -cyclodextrin and  $\gamma$ -cyclodextrin. This amendment consists in the inclusion of the wording " $\alpha$ -dextrin" and " $\gamma$ -dextrin" as synonyms in the labelling requirements. The Committee gave a negative opinion as the Member States are of the view that the proposed changes would mislead consumers.

**Vote taken:** Negative opinion.

**B.02 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Regulation amending Implementing Regulation (EU) 2017/2470 as regards the conditions of use of the novel food ‘astaxanthin-rich oleoresin from *Haematococcus pluvialis* algae.**

The Commission presented to the Committee the draft act authorising the changes in the conditions of use of the authorised novel food ‘astaxanthin-rich oleoresin from *Haematococcus pluvialis* algae’ to be used in food supplements as defined in Directive 2002/46/EC of the European Parliament and of the Council intended for children 3 to (*less than*) 10 years of age at levels of 23mg/day of oleoresin and for adolescents aged 10 to (*less than*) 14 years of age at levels 57mg/day of oleoresin.

**Vote taken:** Favourable opinion.

**B.03 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 ‘Lacto-*N*-neotetraose’ (microbial source)**

The Commission presented to the Committee the draft act authorising the changes in the specifications of the authorised novel food ‘Lacto-*N*-neotetraose’ (microbial source)’ so as to allow the removal of the the mention of the specific strains of *E. coli* used in the production of the novel food and to allow for the combined use of the authorised strains in the production of the novel food.

**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 conditions of use of the novel food 3’-Sialyllactose sodium salt produced by derivative strains of *Escherichia coli* BL21 DE3.**

The Commission presented to the Committee the draft act authorising the changes in the conditions of use of the authorised novel food ‘3’-Sialyllactose sodium salt produced by derivative strains of *Escherichia coli* BL21 DE3 so as to increase its maximum authorised use levels in infant formula from the currently authorised levels of 0.23 g/l to 0.28 g/L.

**Vote taken:** Favourable opinion.

**C.01 Exchange of views of the Committee on a draft Commission Implementing Regulation laying down the methods of sampling and analysis for the control of mycotoxins in food and repealing Regulation (EC) No 401/2006.**

The draft Commission Implementing Regulation was presented, focusing on the latest changes following the comments received. It was agreed to have a final technical discussion on the draft at the Working Group “Agricultural Contaminants” scheduled for 7 July 2023, before presenting the text for opinion at the next meeting of the Standing Committee.

**C.02 Exchange of views of the Committee on a draft Commission Implementing Regulation laying down the methods of sampling and analysis for the control of plant toxins in food and repealing Regulation (EU) No 2015/705.**

The draft Commission Implementing Regulation was presented, focusing in particular on the latest changes following the comments received. It was agreed to have a final technical discussion on the draft at the Working Group “Agricultural Contaminants” scheduled for 7 July 2023, before presenting the text for opinion at the next meeting of the Standing Committee.

**C.03 Exchange of views of the Committee on a draft Commission Regulation amending Regulation (EU) No 2023/xxxx as regards maximum levels of deoxynivalenol (DON) in certain foods.**

The draft Commission Regulation was presented, focusing in particular on the latest changes following the comments received. It was agreed to have a final technical discussion on the draft at the Working Group “Agricultural Contaminants” scheduled for 7 July 2023, before presenting the text for opinion at the next meeting of the Standing Committee.

**C.04 Exchange of views of the Committee on a draft Commission Regulation amending Regulation (EU) No 2023/xxxx as regards maximum levels of T-2 and HT-2 toxin in certain foods.**

The draft Commission Regulation was presented, focusing in particular on the latest changes following the comments received. It was agreed to have a final technical discussion on the draft at the Working Group “Agricultural Contaminants” on 7 July 2023, before presenting the text for opinion at the next meeting of the Standing Committee.