



EUROPEAN COMMISSION

HEALTH & CONSUMERS DIRECTORATE-GENERAL

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**SUMMARY RECORD OF THE
STANDING COMMITTEE ON THE FOOD CHAIN AND ANIMAL HEALTH
HELD ON 19 & 20 JULY 2010 IN BRUSSELS
(Section Animal Nutrition)**

President : Mr Willem PENNING

1. Feed Additives

1.1. Applications under Regulation (EC) No 1831/2003 Art. 4., Art. 10.2. and Art. 10.7.

1.1.1. New applications

1.2. Applications under Regulation (EC) No 1831/2003 Art. 9

1.2.1. Discussion on EFSA scientific opinion on the safety and efficacy of 6-phytase as a feed additive for sows. Annex

A discussion took place. A Regulation will be proposed for the vote.

1.2.2. Discussion on EFSA scientific opinion on the safety and efficacy of Aviplus as a feed additive for weaned piglets. Annex

A discussion took place. A Regulation will be proposed for the vote.

1.2.3. Discussion on EFSA scientific opinion on Bonvital as a feed additive for chickens for fattening. Annex

A discussion took place. A Regulation will be proposed for the vote.

1.2.4. Discussion on EFSA scientific opinion on safety and efficacy of Biosprint® (*Saccharomyces cerevisiae*) as a feed additive for horses. Annex

A discussion took place. A Regulation will be proposed for the vote.

1.2.5. Discussion on EFSA scientific opinion on safety and efficacy of Biosprint® (*Saccharomyces cerevisiae*) as a feed additive for dairy cows. Annex

A discussion took place. A Regulation will be proposed for the vote.

1.2.6. Discussion on EFSA scientific opinion on safety and efficacy of Bactocell PA 10 (*Pediococcus acidilactici*) as a feed additive for piglets. Annex

A discussion took place. A Regulation will be proposed for the vote.

1.2.7. Discussion on EFSA scientific opinion on safety and efficacy of the product Cylactin® (*Enterococcus faecium*) as a feed additive for chickens for fattening. Annex

A discussion took place. Since some concerns were raised by some delegations on antibiotic resistance, a new opinion will be requested to European Food Safety Authority on these last comments.

1.2.8. Discussion on EFSA scientific opinion on safety and efficacy of Clinacox® 0.5% (diclazuril) for chickens for fattening. Annex

A discussion took place. A Regulation will be proposed for the vote.

1.2.9. Discussion on EFSA scientific opinion on the safety and efficacy of vitamin E as a feed additive for all species. Annex

A preliminary discussion on this issue took place. After considering the final EFSA opinion as published, further discussions on the conditions of reauthorisation of vitamin E will take place.

1.3. Applications under Regulation (EC) N° 1831/2003 Art. 25

1.3.1. Kluyveromyces marxianus-fragilis (TURVAL) a micro-organism for piglets.

Application for permanent authorisation. Rapp : IT

It was communicated that due to the absence of some particulars in the dossier and the delay of it, it was not possible to go through the evaluation under the conditions of Article 25.

2. Feed Marketing Regulation (EC) N° 767/2009

2.1. Discussion on the development of guidelines clarifying the distinction between feed materials, feed additives and other products (Article 7(1))

A Commission representative repeated the invitation to the delegations to contribute with constructive comments on the paper presented in the June Committee by 3rd September. The guidelines will be discussed in detail during the next Committee with the aim to adopt them in October.

2.2. Discussion on a draft update of the Catalogue of feed materials (Article 24)

The coordinators of the Task Force of the feed chain partners presented the second draft for the update of the Catalogue in the light of the working groups in March and May and the respective written comments from the MS. Preamble, glossary and all the chapters of the draft were discussed. Delegations are asked to send their written comments to the Task Force Coordinators and the Commission's Feed Unit by 3rd September. The update of the Catalogue will be discussed in detail during the next Committee with the aim to adopt it in October.

2.3. Community Code for good labelling practice for compound feed for food producing animals (Article 25)

The initiators of the Code (FEFAC and COPA/COGECA) presented the first draft of the labelling code for farmed animals. Broadly the reactions were quite positive with respect to the value added for the feed industry and the customers. In concrete, the application of the "mixing bowl principle" with respect to Art 17(1e) and the suggested abbreviations for the functional groups of feed additives to be labelled was received positively. On the other hand, the issues of tolerances for the percentage declaration of feed materials in compound feed, the solution concerning a 5% threshold for the disclosure of feed material quantities on request of the customer (Article 17 (2b)) and several suggested claims require further reflections. On the feed additive labelling it was clarified that in the list of additives the quantities have to be declared with the product weight of the respective additive as laid down in the authorisation act. Additionally, the delegates objected to

the suggestion to list the feed additives only if a maximum content is set for the target species of the feed as for feed materials no target species is indicated in general. The MS are invited to send in written comments in order to allow the initiators of the Code to produce an updated version.

2.4. Applications for updating the list of intended uses of feed for particular nutritional purposes as referred to in Article 8(2) (Article 32(2))

In accordance with article 8(2) and 32(2) of Regulation (EC) No 767/2009, producers of feed with concentrations of certain feed additives exceeding 100 times the fixed maximum content in complete feed and legally on the market before 1 September 2010 may continue placing their feed on the market if an application as dietetic feed is submitted before this date. Based on a joint document by FEFAC and FEFANA the Committee discussed the formalities of this transitional measure. The outline of the document was broadly appreciated by the delegates. However, with respect to the issue of excessive additive content for a short period several MS pleaded to separate this from the dietetic feed authorisations and rather tackle the issue by an amendment of Annex IV of Regulation (EC) N° 1831/2003. In this context, MS asked for more information on the methodology to calculate the maximum duration of the short term use based on a tolerated exceeding of the additive limits. Under the conditions that the applications remain within the limits of the additive authorisations the dossiers could -rather than contain excessive safety chapters- concentrate on the justification of the claim i.e. to prove that the feed fulfils the respective particular nutritional purpose.

2.5. Labelling of Methionine in feed

Considering that several forms of Methionine are authorised as feed additives a harmonised approach was sought with respect to the Methionine labelling in feed. It is outspoken that in list of additives the respective form of Methionine has to be declared with its additive name according to the authorisation act and the amount of the additive.

Concerning the listing of Methionine as analytical constituent (mandatory for poultry and pig feed, voluntary for the other species) the majority in the Committee agreed that the total amount of Methionine should include the Methionine in form of its hydroxy analogue. As the Union method according to Regulation (EC) N° 152/2009 delivers only the native Methionine and the DL-methionine, the declared total amount of Methionine in the list of analytical constituent should be the sum of the native Methionine and the DL-methionine plus the amount of hydroxy analogue of Methionine to be analysed by an appropriate method.

2.6. Use of bile acids/salts in feed for aquaculture

Though the Committee agreed that the product would fall under the scope of feed legislation it could not yet be concluded whether it would be rather a feed additive than a feed material. The Committee will come back on the issue once more information is available.

2.7. Translation of Art 21(3)

One delegation informed the MS that several linguistic versions of Regulation (EC) N° 767/2009 are deviating from the original EN-version. MS were invited to verify that in their linguistic version the derogation in Article 21(3) applies only to deliveries from feed business operators in accordance with Article 5(1) of Regulation (EC) N° 183/2005. If this should not be the case they should address a request for rectification to the Council Secretariat.

3. Application for a new entry in the Annex of Directive 2008/38/EC as regards feedingstuffs intended for the reduction of milk fever

Withdrawn on request of the applicant.

4. Medicated feed: state of play on the revision of Directive 90/167/EEC

A Commission representative informed that the Impact Assessment has been launched and announced an online-consultation for October. It is planned to finalise the Impact Assessment this year and to present a legislative proposal in the first half of 2011.

5. Exchange of views on the re-evaluation procedure under Article 10 of Regulation (EC) N° 1831/2003

The Commission services updated delegations about the additional applications being submitted.

6. Exchange of views on the future work on animal feeding in Codex Alimentarius

The outcome of the Codex Alimentarius Commission of July on this point where it was decided to state a Task Force on two defined tasks and to be hosted by Switzerland was mentioned.

7. Issues related to undesirable substances in feed

7.1. Discussion on a draft Commission Regulation replacing Annex I to Directive 2002/32/EC on undesirable substances in feed

An updated version taking into account the discussions at the last meeting have been presented. In addition it was agreed to introduce following changes :

- to extend the exemption for fresh fish for direct feeding to fur animals, pet animals, zoo and circus animals and for use as ingredients as feed materials in pet food to other aquatic animals
- to include in the consolidated version the maximum levels for melamine in feed as agreed in the last meeting of the Codex Alimentarius Commission i.e. 2.5 mg/kg for feed with the exception of guanidino acetic acid (GAA), urea and biuret (in which melamine is present as a result of normal production process).

The footnote on the extraction method to be used to analyse arsenic and mercury will be further considered with the EU-RL on heavy metals in feed and food and the experts from the Expert Committee Methods of Analysis in feed.

Following information received from stakeholder organisations as regards the presence of nitrite in molasses, it was agreed to exempt the co-products of sugar beet and sugar cane processing from the maximum level of 15 mg nitrite/kg. Several delegations indicated that it would be more appropriate to establish a specific higher level rather than to exempt it from a maximum level. The Commission representative indicated that information was insufficient to enable the establishment at this stage of a specific maximum level but that the setting of such a maximum level will be considered in the future once more information is available. Therefore in order to obtain this information in a reasonable time period (maximum two years), the relevant stakeholders will be requested to undertake the necessary investigations to identify the factors resulting in the presence of nitrites in molasses and similar products and eventually identify the measures to limit the presence.

The Committee was also informed that the changes to the unavoidable carry-over levels for nicarbazin will result also in changes in the related maximum levels for food of animal origin of non target animals. These changes will be included together with the discussed changes for levels of maduramicin in eggs.

Following the request of a delegation, the Commission representative indicated to ensure that all relevant information mentioned in the recitals and articles of the amending acts are taken over in the regulatory text for the replacement of the annexes to Directive 2002/32/EC.

7.2. EFSA opinion on Ambrosia in feed - discussion on the follow-up

The Commission representative proposed for discussion a maximum level of 50 mg of Ambrosia seeds per kg of feed materials and compound feed consisting of unground grains and seeds. This maximum level would then be accompanied with recommendations on prevention, sieving and fate of screenings etc.

No objections were raised to this proposal. It was observed that also for enforcement purposes it would be appropriate to have an equivalent provision for seeds and grains intended for human consumption. The Commission representative indicated to take the necessary steps for this.

Given that there were no objections raised it was proposed to include the proposed maximum level for Ambrosia in the draft Regulation that was discussed under agenda item 7.1.

7.3. Continuation of the discussion on possible provisions as regards non-dioxin like PCBs in feed – update

As regards the proposed provisions on non-dioxin like PCBs in feed materials and compound feed, comments were made as regards the analytical feasibility, the lack of comprehensive data and the carry-over from feed to food of animal origin.

No specific comments were made on the proposed levels. The Commission representative indicated that it is the intention to adopt the provisions on non-dioxin like PCBs in feed before the end of this year (together with the provisions on food).

7.4. Continuation of the discussion on the review of the provisions on dioxins and dioxin-like PCBs in feed and the influence of using the new TEF 2005

The Commission representative briefly presented the proposal highlighting the changes with the previous version. The changes are related to fishmeal whereby the new proposed levels take into account the feasibility to achieve the proposed maximum levels for dioxins and the sum of dioxins and dioxin-like PCBs in fishmeal produced from the by-products from the fish filleting industry.

No specific comments were made on the proposed levels. The Commission representative indicated that it is the intention to adopt the provisions on dioxins and dioxin like PCBs based on TEF 2005 in feed before the end of this year (together with the provisions on food).

RASFF

The Committee was informed on recent RASFF notifications on undesirable substances in feed:

- non-compliant level of cadmium (25 mg/kg) in ferrous fumarate from India (maximum level 25 mg/kg)
- high level of dioxin-like PCBs (16.5 ng WHO TEQ/kg) in copper carbonate from Israel (maximum level is 1,5 ng WHO TEQ/kg for the sum of dioxins and dioxin-like PCBs)
- non-compliant level of DDT (107.3 µg/kg) in herbs from India for use in compound feed (maximum levels is 50 µg/kg)

8. Exchange of views and possible opinion on a draft Regulation (EC) amending Directive 2008/38/EC as regards feedingstuffs intended for use in dogs and cats for the support of the metabolism of joints in the case of osteoarthritis

(Document SANCO/11041/2010)

(Legal basis : Article 27 of Regulation (EC) No 767/2009 - Right of scrutiny of the European Parliament)

The vote on the draft Regulation was taken and received a favourable opinion by qualified majority.

9. A.O.B.

- Ruminant animal protein in blood plasma :

Spain reported that meanwhile the Community Reference Laboratory confirmed that the blood plasma contained proteins from ruminants. Furthermore, last week additional positive findings were detected. Spain recalled the MS who dispatched the blood plasma to Spain to report about their investigations. On request of one MS Spain explained that initially analytics used microscopy and successively PCR and ELISA.

- Cogeca/Coceral European Good Hygiene Practices Guide for the collection, storage, trading and transport of cereals, oilseeds and protein crops :

A reviewed version was presented taking into account comments of ES, IT, UK and SI. Comments sent from Germany end of last week have not been considered yet. The guide was endorsed subject to a revision within 6 to 12 months to address the DE comments and to include a section on good practices for the storage of agrifbulk commodities (additional proposal of stakeholders).

Bernard Van Goethem,
Director/Directeur/Direktor (signed)