

SUMMARY MINUTES OF THE MEETING OF THE STANDING COMMITTEE ON THE FOOD CHAIN AND ANIMAL HEALTH

ANIMAL NUTRITION SECTION

Brussels, 23 October 2008

President : Mr Willem PENNING

All Member States were represented, except Malta

1. Feed Additives

1.1. Applications under Regulation (EC) No 1831/2003 Art. 4

1.1.1. New applications (7)

The new applications were presented.

1.2. Applications under Regulation (EC) No 1831/2003 Art. 25

1.2.1. Endo-1, 4-beta-xylanase (EC 3.2.1.8) produces by *Bacillus subtilis* (LMG S-15136) (enzyme 51) for laying hens.

Application for permanent authorisation.

Expiry of temporary authorisation: 06.03.2009. Rapp: BE

A discussion took place.

1.2.2. Endo-1,4-beta-xylanase (EC 3.2.1.8) and endo-1,3(4)-beta-glucanase (EC 3.2.1.6) from *Penicillium funiculosum* (IMI SD101) (enzyme 30), for ducks. Application for permanent authorisation.

Expiry of provisional authorisation: 20.12.2008. Rapp: UK

A discussion took place.

1.3. Discussion of new use of products as adsorbent or denaturant of mycotoxins and possible new functional group of additives

A discussion took place. A working document on the establishment of a new category or functional group will be presented at one of the upcoming Standing Committees.

2. Exchange of views on activities relating to future work in Codex Alimentarius relating to animal feed

An exchange of views took place about the progress of the work of the electronic working group. The participants had sent their comments to the working document prepared by Denmark (who is the Codex Chairman).

3. Exchange of views and possible opinion on a draft Regulation (EC) concerning the authorisation of *Lactobacillus rhamnosus* and *Lactobacillus farciminis* (Sorbiflore) as a feed additive (Document SANCO/2793/2008)

A discussion took place and the vote was taken.
The draft Regulation received a favourable opinion by qualified majority.

4. Exchange of views and possible opinion on a draft Regulation (EC) concerning the authorisation of *Bacillus amyloliquefaciens* (Ecobiol) as a feed additive (Document SANCO/2795/2008)

A discussion took place and the vote was taken.
The draft Regulation received a favourable opinion by qualified majority.

ES voting position : abstain

Spain declaration :

"La delegación española se abstiene en la votación del producto Ecobiol por entender que el párrafo 3 del apartado "otras disposiciones", no refleja la información proporcionada por la EFSA, siendo innecesariamente restrictivo. En efecto, la redacción prohibiendo el uso simultáneo con coccidiostatos, no está contenida en el informe de la EFSA donde indica que no se han realizado estudios de compatibilidad con coccidiostatos, por lo que, en el peor caso, podría no recomendarse su uso conjunto, pero nunca prohibirlos ya que se trata de un producto seguro según el mismo informe."

5. Exchange of views and possible opinion on a draft Regulation (EC) concerning the authorisation of a new use of *Saccharomyces cerevisiae* (Levucell SC20/Levucell SC10ME) as a feed additive (Document SANCO/2796/2008)

A discussion took place and the vote was taken.
The draft Regulation received a favourable opinion by qualified majority.

6. Exchange of views and possible opinion on a draft Regulation (EC) concerning the authorisation of *Copper chelate of hydroxy analogue of methionine* as a feed additive (Document SANCO/3063/2008)

A discussion took place and the vote was taken.

The draft Regulation received a favourable opinion by qualified majority.

ES voting position : against

Spain declaration :

"La delegación española vota en contra de la autorización del producto "copper chelate of hydroxy analogue of methionine" ya que el método analítico propuesto no permite la identificación, análisis y control efectivo del aditivo en forma de quelato."

**7. Exchange of views and possible opinion on a draft Commission regulation amending Annex I to Directive 2002/32/EC of the European Parliament and of the Council as regards maximum levels of unavoidable carry-over of coccidiostats or histomonostats in non-target feed and setting maximum levels for the resulting presence of coccidiostats or histomonostats in food
(Document SANCO/3024/2008)**

This proposal has to be split into two different legal texts (one for feed and one for food) :

- **Draft Commission Directive amending Annex I to Directive 2002/32/EC of the European Parliament and of the Council as regards maximum levels of unavoidable carry-over of coccidiostats or histomonostats in non-target feed
(Document SANCO/3024/2008)**
- **Draft Commission Regulation setting maximum levels for the presence of coccidiostats or histomonostats in food resulting from the unavoidable carry-over of these substances in non-target feed
(Document SANCO/3417/2008)**

The draft legal texts were sent lately to the Member States, therefore the Chairman postponed the vote until 27 November 2008.

The proposals were nevertheless extensively discussed. Clarifications were provided as regards the provisions on nicarbazin and halofuginone.

Following the discussions, these changes will be introduced :

- the provision for premixture will be modified indicating that the unavoidable residues in the premixture may only contribute for maximum 50 % of the permissible unavoidable carry-over in the feed
- a review of the provisions in 2011 will be explicitly foreseen
- in order to enable Member States to transpose the Directive into national law, somewhat more time for transposition might be agreed upon.

The representative of the Commission confirmed that the provisions were sent for consultation to the professional stakeholder organisations and that further comments might be expected from these organisations in addition to their initial comments.

The proposed provisions on maximum levels in food will be sent for information and comments to the experts of the Expert Committee "Residues of veterinary drugs in

foods" and both legal texts will be sent to the World Trade Organisation (WTO) for comments from third countries and this in accordance with the SPS agreement.

8. Discussion on a draft Regulation (EC) amending Regulation (EC) No 1800/2004 as regards the terms of the authorisation of the feed additive "Cycostat 66G", belonging to the group of coccidiostats and other medicinal substances (Document SANCO/3774/2008) Annex entry

A discussion took place. A draft Regulation will be presented for the discussion.

9. Discussion on a draft annex entry on *Enterococcus faecium* NCIMB 10415 for cats and dogs, as micro-organism

A discussion took place. A draft Regulation will be presented for the discussion.

10. Discussion and conclusion on possible amendments to the Annex I to Directive 2002/32/EC of the European Parliament and of the Council of 7 May 2002 on undesirable substances in animal feed as regards maximum levels for arsenic in trace elements, iron particles as tracers, fish meal, fish oil and fish feed

A revision of the maximum levels of arsenic mentioned in Annex I of Directive 2002/32/EC was presented.

Following changes to the maximum level on total arsenic were proposed to the current provisions

- for fish meal, fish oil and other feedingstuffs derived from fish and other marine organisms: 25 mg/kg
- for fish feed and feed for fur animals: 10 mg/kg

The current footnote requiring that, upon request of the competent authority, the responsible operator must perform an analysis to demonstrate that the content of inorganic arsenic is lower than 2 mg/kg remains applicable for both abovementioned indents.

Following maximum levels on total arsenic are proposed to be added

- iron particles used as tracer: 50 mg/kg
- additives belonging to the functional group of compounds of trace elements 30 mg/kg except
 - copper sulphate pentahydrate and copper carbonate: 50 mg/kg
 - zinc oxide, manganous oxide and copper oxide: 100 mg/kg

A discussion took place. The Committee was informed that these proposed changes would be sent to professional stakeholder organisations for consultation and to the World Trade Organisation (WTO) for comments from third countries and this in accordance with the SPS agreement.

The Committee was informed that at a next meeting the proposed changes would be presented in a draft Commission Directive amending Directive 2002/32/EC and submitted for opinion.

11. A.O.B.

- **Legal status of sodium hyaluronate in feed**

At the request of one company, the legal status of sodium hyaluronate to be used in animal nutrition was discussed by the Committee. The discussion showed that more information on the product would be necessary to further evaluate the issue.

- **Policy concerning the mention of the trade name of certain additives in authorisation regulations**

At the request of one Member State concerning several requests for changing the trade name in the additives authorisation regulations, the Commission service is of the opinion that, following the dispositions of Regulation (EC) N° 1831/2003, the mentioning of the trade name of the additive is not compulsory. The service will verify with the legal instances of the Commission its intention to avoid mentioning the trade name in the regulations authorising feed additives.

- **On farm feeding of milk with residues of medical treatment from cows/goats/ewes/sows (request from Austria)**

At the request of one Member State, feeding of milk with residues of veterinary drugs to animals on the farm of origin was discussed by the Committee. A Commission representative pointed out that in any case the general safety requirement as laid down in Article 15 of Regulation (EC) No 178/2002 has to be complied with by the feed business operator. Moreover, he stated that there is no Community legislation in place to forbid the feeding of milk that may contain residues due to a medical treatment as long as the milk is not placed on the market.

- **Presence of melamine in pet food and other types of feed (request from Italy)**

The Chairman informed Member States that high levels of melamine were found in food and feed in China. In order to counter the risk for animal and human health that may result from exposure to melamine present in food and feed, the Commission adopted the emergency Decision 2008/798/EC on goods imported from or through China. It was clearly pointed out that the decision for increased control frequency was also applicable for feed. Composite feed containing milk or milk products must be controlled for 100 % at the designated point of control. Member States may also carry out random checks for melamine in food and feed, containing high levels of protein, originating in or consigned from China prior to import and the costs for these controls have to be borne by the feed and food business operator

- **Application of maximum residue levels (MRL) of pesticides for sorghum destined for animal feed**

Upon request of the Dutch delegation, the scope of the footnote (4), applicable to millet and sorghum within the category cereals provided for in Regulation (EC) No 396/2005 of the European Parliament and of the Council of 23 February 2005 on maximum residue levels of pesticides in or on food and feed of plant and animal origin and amending Council Directive 91/414/EEC was clarified.

Footnote (4) provides that MRLs for the product apply only for the product when used for human consumption. For parts of the product used exclusively as ingredients for animal feed, separate MRLs will be applicable. This means that the MRLs are applicable for sorghum and millet grains destined for animal feed as these grains could also be used for human consumption. However in case a product derived from millet or sorghum grains is put on the market destined for animal feed and this product cannot, due to its nature, be destined for human consumption, then the MRLs do not apply.

- **Financial guarantees**

The first meeting of the working group with stakeholders, ECA and Member States (B, DE, NL and UK) is foreseen on 5th December 2008

- **Microbiological criteria in feed**

The first meeting of the working group is foreseen on 19th December 2008.

Bernard Van Goethem,
Director (signed)