



EUROPEAN COMMISSION

HEALTH & CONSUMERS DIRECTORATE-GENERAL

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**SUMMARY RECORD OF THE MEETING OF THE
STANDING COMMITTEE ON THE FOOD CHAIN AND ANIMAL HEALTH
HELD IN BRUSSELS ON 15 SEPTEMBER 2011
(Section: Biological Safety of the Food Chain)**

Chair: K. Van Dyck

All Member States were represented.

1. Presentation of the EFSA scientific opinion on the use of lactic acids on beef

The European Food Safety Authority (EFSA) presented the outcome of the scientific opinion on the evaluation of the safety and efficacy of lactic acid for the removal of microbial surface contamination of beef carcasses, cuts and trimmings. The Commission explained that the legal framework is Regulation (EC) No 853/2004.

2. Exchange of views and possible endorsement of a draft Report from the Commission on food and food ingredients treated with ionising radiation for the year 2009

The Commission gave a presentation of the Draft Report on food and food ingredients treated with ionising radiation, together with all the data received from the Member States. Two Member States have not yet submitted their data. The Commission urged them to send this information within the next two weeks in order to be able to finalise the report. If the data were not submitted by 1st October 2011, the report would be finalised with a note that data were not submitted by two Member States.

2A. Presentation of the final judgment of the Court of First Instance in the case T-257/07 France vs Commission on TSE eradication measures in small ruminants

The Commission presented the judgment issued on 9 September 2011 by the General Court of the European Union regarding case T-257/07 opposing France and the Commission. France brought the Commission to Court on specific measures introduced by Regulation (EC) No 727/2007 amending Annex VII of Regulation (EC) No 999/2001, which offered new options for the management of animals in herds/flocks where a case of scrapie had been confirmed. According to France, considering that these new options would result in a significant increase in the risk to consumers, the contested provisions violated the precautionary principle. The Court decided to suspend the application of the contested measures until the judgment. The General Court confirmed in its judgment that the Commission had made no mistake in its general risk assessment, nor in the management measures proposed as a

consequence of this risk assessment, and it dismissed France's claim. As a result of the judgment, the contested measures have once again become applicable by the Member States since 9 September 2011. The Commission will inform the Member States by an official letter to be sent soon. One Member State asked what the broader follow-up of this judgment would be in terms of the policy to be proposed by the Commission regarding scrapie: eradication vs management? The reply was that the full extent of the consequences of this case was still under consideration.

2B. Request of the Commission on sprout production in the European Union

The Commission presented a questionnaire with a view to possible new measures on the hygiene of sprout production. The aim of the questionnaire is to collect economic data on production and import in order to assess the impact of possible measures. There were no direct remarks from Member States. Further comments are welcomed by the end of the week.

3. Exchange of views and possible opinion of the Committee on a draft Commission Implementing Decision amending Decision 2011/402/EU on emergency measures applicable to fenugreek seeds and certain seeds and beans imported from Egypt (Doc. SANCO/12203/2011) (subject to the examination procedure; legal basis: Regulation (EC) No 178/2002, Article 53(1)(b)(i) and Article 53(1)(b)(iii))

The Commission presented a draft Commission Implementing Decision to exempt leguminous vegetables under customs code 0708 from the list of products banned for import into the EU. In the discussion, Member States asked to include in the protocol that the wording "ex 0708" used in the Annex should read in such a way that "out of 0708" custom code "Sprouts of leguminous vegetables, fresh or chilled" would still be covered by the ban, whereas other products under custom code 0708 would be exempted.

Vote: Favourable opinion by unanimity.

4. Exchange of views on a draft Commission Implementing Regulation amending Regulation (EC) No 1688/2005 as regards sampling of flocks of origin of eggs intended for Finland and Sweden (Doc. SANCO/11956/2011) (subject to the examination procedure; legal basis: Regulation (EC) No 853/2004, Article 8.3(a))

The Commission presented a draft implementing Regulation amending Regulation (EC) No 1688/2005 as regards sampling of the flocks of origin of eggs intended for Finland and Sweden. The aim of the draft is to simplify and avoid duplication of sampling in flocks of laying hens. In addition, a new ISO standard has been adopted for the detection of Salmonella in faecal samples and should be used within the framework of the Regulation. No comments were received from Member States.