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

Animal Nutrition Section

Brussels, 29 April 2004

STANDING COMMITTEE

1. Setting the timetable for additives

1.1. “Biosprint BCCM\textsuperscript{tm} / MUCL 39885 \textit{(Saccharomyces cerevisiae} BCCM\textsuperscript{tm} / MUCL 39885). Application for permanent authorisation. Animal categories: Piglets and cattle for fattening. The provisional authorisation will expire on 30 June 2004. Rapporteur: IT.

1.2. Rovabio\textsuperscript{TM} Excel LC & AP (Endo-1,3(4)-betaglucanase EC 3.2.1.6 Endo-1,4-beta-xylanase EC 3.2.1.8) produced from \textit{Penicillium funiculosum} (IMI SD101) (solid/liquid form) Extension of use for the animal categories: piglets. Clock was stopped on 23/01/2004. Rapporteur: UK.

The clock corresponding to the evaluation period was restarted on 29 April 2004.

1.3 Formi\textsuperscript{TM} LHS, based on potassium diformate as growth promoter, solid form. Animal category: sows. Rapporteur: DK.


1.7 “Lactiferm” ([Enterococcus faecium](#) M74, NCIMB 11181).
Application for extension of use for animal category: chickens for fattening. The clock of the evaluation was stopped as from 26.04.04 (Article 4(6) of Directive 70/524/EEC). Rapporteur: SE.


The Commission's representative mentioned that a number of delegations had sent contributions or enquiries regarding the implementation of the Regulation. Some of these are discussed in points 2.1 and 2.2. The ones relating to the issues for discussion at the meeting were discussed during the meeting, while others would be more appropriately dealt with by a working party.

The Commission said that an additional meeting of a working party to discuss these issues would probably be organised in June. Delegations will be informed as soon as this meeting is confirmed.

The Commission also reported on the recent Workshop about the Community Reference Laboratory for feed additives authorisation.

2.1. Finalisation of discussions on notification aspects of products falling under the following categories: “vitamins (other than A and D), provitamins and chemically well-defined substances having similar effect”, “flavouring and appetising substances”, “colouring agents authorised for colouring foodstuffs by Community rules (other than Patent blue V, Acid brilliant green BS and Canthaxanthin)”, “silage additives” and “aminoacids or analogs”.

1. Vitamins (other than A and D), provitamins and chemically well-defined substances having similar effect

Regarding existing compounds falling under this group in the current list of authorised additives in feedingstuffs (last compiled in OJ C 50 of 25.2.2004, p.1), the Commission services considered the report of the Scientific Committee on Animal Nutrition (SCAN) “on the classification of vitamins in the Annex to Council Directive 70/524" of 18 March 1994 as its reference for deciding whether a product was included in this group or not. In this report, the SCAN provided its advice for a classification of vitamins, cofactors and substances with similar biological activity.

Some delegations mentioned that the list of compounds in the SCAN report was non-exhaustive. Notifications would be verified in order for the notified products to be included in the register.
2. Colouring agents authorised for colouring foodstuffs by Community rules (other than Patent blue V, Acid brilliant green BS and Canthaxanthin)”

As in all other cases, substances falling under this group could be notified individually and only in accordance with the authorised conditions of use and for the relevant animal categories.

The products falling under the heading “Colouring agents authorised for colouring foodstuffs by Community rules, other than Patent blue V, Acid brilliant green BS and Canthaxanthin” were those authorised under Council Directive 94/36/EC on colours for use in foodstuffs (http://europa.eu.int/comm/food/fs/sfp/addit_flavor/flav08_en.pdf).

The currently authorised uses of these colouring agents in “animal feedingstuffs processed a) from waste products of foodstuffs or b) other base substances with the exception of cereals and manioc flour, denatured by means of these agents or coloured during technical preparation to ensure the necessary identification during manufacture” would continue to be permitted under the new Regulation 1831/2003 if correct notifications of these uses were made.

3. Flavouring and appetising substances

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As it was possible that a flavouring preparation might contain a complex combination of individual chemical compounds and also there might be many combinations possible, the Commission considered it more appropriate to notify individual substances rather than preparations.

In the case of natural products and their corresponding synthetic substances falling under the current group “all natural products and their corresponding synthetic products” (in page 17 of the list of authorised additives in feedingstuffs, OJ C 50, 25.2.2004), the Commission encouraged notifiers to include in the section on the identification of the product, in addition to the CAS number (Chemical Abstracts Service), the different specific numbering systems widely used to identify this type of products, such as EINECS (European Inventory of Existing Chemical Substances), FEMA (Flavour and Extract Manufacturers’ Association) and CoE (Council of Europe). For flavouring substances already registered for food under Commission Decision 1999/217/EC last amended by Decision 2002/113/EC, the FL number is also required.

Some delegations suggested that it could be useful to take into account the flavourings in the Community inventory of flavourings used in food under Commission Decision 1999/217/EC.
Regarding plant extracts used as flavourings, the Commission considered essential, in the event that notifications would be sent concerning these products, to identify them properly using the latin name of the plant and the corresponding CAS number or other numbering system as EINECS, CoE or FEMA of the extract, where possible.

4. Silage additives

Substances, micro-organisms and preparations used in the Community on 18.10.2004 as silage additives should be notified as they were marketed in order to continue being lawfully on the market and used.

For all feed additives in general notifications of pre-mixtures, as defined in Article 2(e) of Regulation (EC) No 1831/2003, were not required. This was also applicable in principle to silage additives, although in this case most of the silage additives in the EU market had not been regulated at EU level and therefore it might be complicated to distinguish when a product was a preparation or a pre-mixture.

In general, silage additives would be allocated to the category of "technological additives", as laid down in Annex I to Regulation 1831/2003/EC, and therefore they would be not linked to a specific holder. In the case of silage additives consisting of, containing or produced from genetically modified organisms (GMOs), the authorisation should be given to a specific holder.

5. Aminoacids and analogs

Regulation 1831/2003 provides that future applications for aminoacids as feed additives should also be submitted under this Regulation, regardless of the method of production of such aminoacids (hydrolysis, microbial fermentation, etc.).

As regards aminoacids currently on the market, they should be notified as existing products regardless of the method of production.
2.2. Report on the Workshop: Community Reference Laboratory (CRL) “Feed Additives Authorisation” with candidate laboratories for the consortium of National Reference Laboratories (NRLs). 26 and 27 April 2004, IRMM, Geel (Belgium)

The Commission services reported on this workshop, which the Institute for Reference Materials and Measurements (IRMM) of its Joint Research Centre had organised. Representatives from the expert laboratories proposed by the authorities, together with participants from EFSA, the Commission and industry, met to discuss the setting-up of the future consortium of national reference laboratories to assist the CRL set up under Regulation 1831/2003. Laboratories from 14 Member States, 8 new Member States and 1 EFTA country participated in the workshop. The main topics of the meeting were (1) discussions on the current and future evaluation of application dossiers, (2) the presentations of the laboratories’ capabilities, (3) the activities of the IRMM as CRL and (4) the next steps for the preparation of the consortium. The laboratories demonstrated their high level of expertise in the analytical methods of the relevant field and also expressed their interest in expanding the network to related subjects, such as the determination of contaminants, banned veterinary drugs and banned animal by-products.

3. Update of:

a) List of competent authorities in Member States and EFTA for animal nutrition and


Delegations were asked to confirm and update if necessary the details of the Heads and Delegation and official contact points for handling dossiers included in the lists distributed.

4. State of play on the implementation of Directive 2002/2/EC

The Chairman informed the members of the Committee that the President of the Court of Justice of the European Communities had decided to deal as a matter of priority with cases C-453/03, C-11/04 and C-12/04, which had been submitted by the Italian State Council, given the connection with case C-453/03, which had been submitted by the English High Court of Justice.

The representative of The Netherlands indicated that a Dutch Court had suspended the national measures transposing Directive 2002/2/EC and was also submitting a reference for a preliminary ruling to the Court of Justice of the EC.

The Committee was also informed by the representative of Ireland that the Irish Court has granted a stay/interlocutory injunction, which prevents the Irish authorities from enforcing the provisions of Article 1 (1) b of the
Directive and Article 1 (4) of the Directive in so far as it requires a listing of the percentages of the feed materials present in the compound feed


An Expert Committee meeting had been organised on 15 April 2004 in order to enable an extensive discussion to be held on the different issues. The results of the discussions were reported and the Committee was invited to comment.

5.1. Carry-over of coccidiostats as feed additives and medicinal substances in medicated feed into batches of feedingstuffs for non-target species

The reply to the request for information, received from the collective stakeholders (FEFAC, IFAH and COPA-COGECA) on 25 March 2004, was discussed. It was stressed that the carry-over of coccidiostats authorised as feed additives and medicinal substances in medicated feed into non-target batches of feedingstuffs had to be kept as low as reasonably and technically achievable. The position of the collective stakeholders with regard to the level of unavoidable carry over was considered as an acceptable starting point for the discussions. However, it was of major importance to ensure that this carry-over did not result in levels in non-target batches of feedingstuffs which could potentially endanger animal health and/or public health. Three Member States said they had already or intended to have a system with action levels in place at national level to deal with the problem of unavoidable carry-over. It was concluded that the next step was the identification of the coccidiostats as feed additives and medicinal substances to be treated with priority and for which the necessary risk assessments would be requested. It was also stressed once again that the setting of maximum levels for these substances in non-target batches was complementary to all efforts to be made to avoid carry-over as much as possible by applying Good Manufacturing Practices.

5.2. Aflatoxin B1 – Conclusion on a possible follow-up

The Scientific Panel on Contaminants in the Food Chain of the European Food Safety Authority expressed on 3 February 2004 an opinion relating to aflatoxin B1 as an undesirable substance in animal feed. On the basis of this opinion the Committee agreed on the following conclusions:
* Monitoring of aflatoxin B1 in feed materials (imported and domestically produced) should be continued and if necessary intensified. The aflatoxin B1 content in compound feedingstuffs intended for dairy animals other than dairy cows should also be controlled to a sufficient degree.
* For food controls, the control of aflatoxin M1 in milk should be focused on milk at farm level and the monitoring of milk should be expanded to milk and milk products from dairy animals other than dairy cows.
* As the Scientific Panel had concluded that the current maximum levels of aflatoxin B1 in animal feed not only provided adequate protection from adverse health effects in target animal species, but more importantly seemed to successfully prevent undesirable concentrations of aflatoxin M1 in milk, there was no need to modify the

As it was also recognised that in the worst-case situation the maximum level of aflatoxin M1 could be exceeded in high-yielding cows, it was felt appropriate to consider action thresholds for compound feedingstuffs for dairy animals and possibly also for (some) feed materials, in addition to the currently existing maximum levels. These action levels should then be laid down in Annex II to Directive 2002/32/EC, triggering actions/investigations to identify the source of contamination and to reduce contamination when the action levels were exceeded.

5.3. Exchange of views on an amendment of the Annex of Directive 2002/32/EC with regard to mercury in calcium carbonate and interpretation of analytical results

A draft Commission Directive amending Directive 2002/32/EC of the European Parliament and of the Council of 7 May 2002 on undesirable substances in animal feed was presented as a working document. It contained the following provisions:
* a maximum level of 0.3 mg/kg of mercury in calcium carbonate;
* to ensure that analytical results are reported and interpreted in a uniform way in order to ensure harmonised enforcement across the Union (non-compliance if the analytical result exceeds the maximum level beyond reasonable doubt, taking into account measurement uncertainty and correction for recovery);
* clarification of the term “green fodder”.

Another draft Commission Directive amending Directive 2002/70/EC establishing requirements for the determination of levels of dioxins and dioxin-like PCBs in feedingstuffs was also presented as a working document. It contained the following provisions:
* clarification of the sampling procedure to be followed;
* to ensure that analytical results are reported and interpreted in a uniform way in order to ensure harmonised enforcement across the Union (non-compliance if the analytical result exceeds the maximum level beyond reasonable doubt, taking into account measurement uncertainty);
* definition of the limit of quantification.

As the Committee had no comments on either proposal, the Commission intended to submit both of them for an opinion of the Committee at one of its forthcoming meetings.

5.4. Dioxin-like PCBs

The Commission representative said that at a forthcoming meeting of the Expert Committee an information session would be organised on the possibilities (technical and economic) for purifying fish oils to eliminate dioxins, PCBs and other organochlorine compounds as far as possible.
5.5. Residues of prohibited pesticides and pesticides of which residues in animal feed could harm public and/or animal health

The Commission representative informed the Committee of the publication of Commission Directive 2004/61/EC of 26 April 2004 as regards maximum residue levels for certain pesticides prohibited for use in the European Community. For the enforcement of these residue levels in animal feed, it was considered that it might be necessary to include (some) of these pesticide residues in the Annex to Directive 2002/32/EC on undesirable substances in animal feed. As the levels were set at the lower limit of analytical determination, one of the points to consider would be the analytical possibilities in animal feed. This issue would be discussed in more detail at a forthcoming meeting of the Expert Committee and/or the Standing Committee.

6. Other business: discussion about the EFSA opinion on Elancoban (monensin sodium) and Phaffia rhodozyma.

Dr. Willem PENNING