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

Animal Nutrition Section

Brussels, 26-27 January 2006

In the Chair: M.-L. Moreau, in the absence of Dr. W. Penning

All the Member States were present, except Malta, who was not represented, and Italy for points 1 and 2, who delegated its vote to Spain.

1. Discussion and possible request of opinion on a draft Commission Regulation concerning the permanent authorisation of certain additives belonging to the group of compounds of trace elements (SANCO/3844/2005)

This draft Regulation concerns the authorisation without a time limit of chelated forms of iron, manganese, copper and zinc with synthetic glycine.

Upon request of the Spanish delegation the following explanation is given to understand the word TOTAL that appears in column 5 of the Annex to the draft Regulation, with the maximum content authorised for each additive. E.g.: “25 (total)”: “TOTAL means that the maximum content indicated for each additive is the sum of the quantity of the additive that also exists in the natural state and the additive that is added.”

In any case, Annex IV to Regulation (EC) No 1831/2003, lays down this requirement. Even if the word TOTAL is not included with the maximum content specified for an additive that requirement applies.

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

The Czech delegation made the following declaration:
“The Czech Republic wants to raise language reservation and abstain in all cases from voting because of repeated absence of the Czech linguistic versions of the drafts submitted for voting and uncertainty having chance to make remarks to the drafts in question in the later stage before their publication in Official Journal.”

The French delegation made the following declaration:
“La délégation française regrette de ne pas avoir pu, par manque de temps, évaluer les réponses à ses questions transmises par l’entreprise demandant l’autorisation de ces additifs.
En conséquence, la France s’abstient. »

The Swedish delegation made the following declaration:
“Sweden has abstained from voting, since Sweden do not agree on the maximum limits fro copper to piglets (170 Mg) up to 12 weeks. The maximum limit is beyond the nutritional need. The purpose is zootechnical (growth promoting) and do not cope with the headline in the additive list. At least the dossier should be assessed for the
correct purpose. Further on there is environmental and cross resistance concern involved.”

2. Discussion and possible request of opinion on a draft Commission Regulation concerning the provisional and permanent authorisations of certain additives in feedingstuffs (Document SANCO/3669/2005)

This draft Regulation concerns the permanent authorisation of two micro-organisms preparations and one preservative. Moreover, it concerns the provisional authorisation of one enzyme preparation for four years.

The identification number, the trade names of the preparations and the animal categories subject to the authorisations are as follows:

Authorisation without a time limit:

a) micro-organisms:
- E 1710, Biosprint for cattle for fattening. It was given micro-organism preparation No 14 in the provisional authorisation.
- E 1714, Biacton for weaned piglets. It was given micro-organism preparation No 12 in the provisional authorisation.

b) Preservative:
- Potassium diformate to be used in raw fish as feed for all categories of animals.

Provisional authorisation for four years:

- enzyme preparation No 64, Biofeed Combi for weaned piglets and chickens for fattening.

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

The French delegation made the following declaration:

“Concernant la demande d’autorisation du diformiate de potassium comme agent conservateur, l’Agence française de sécurité des aliments considère, dans son avis du 22/12/2005, que la tolérance du chat à l’additif n’est pas démontrée. De plus, l’autorité européenne de sécurité alimentaire, dans son avis du 8/12/2004, n’apporte pas d’éléments supplémentaires sur ce point.
En conséquence, la France vote contre le projet de règlement SANCO /3669/2005.”

The German delegation made the following declaration:

Ferner wird der Wirksamkeitsnachweis für „Saccharomyces cerevisiae MUCL 39885“ für Mastrinder als unzureichend angesehen.”

The Czech delegation made the following declaration:

“The Czech Republic wants to raise language reservation and abstain in all cases from voting because of repeated absence of the Czech linguistic versions of the drafts submitted for voting and uncertainty having chance to make
3. Discussion and possible request of opinion on a draft Commission Regulation amending Regulation (EC) No 1464/2004 as regards the conditions for authorisation of the feed additive “Monteban” belonging to the group of coccidiostats and other medicinal substances (Document SANCO/3652/2005)

The draft Regulation concerns the determination of MRLs for the coccidiostat Monteban (active substance: Narasin), as proposed by EFSA in its opinion of 27 July 2004 and after request from the applicant under Regulation (EC) No 1831/2003.

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

The Belgian delegation made the following declaration:
“Belgium abstains from vote because we think that a revision of the withdrawal period for coccidiostats should be done at the same time for all products (coccidiostats) concerned, based on an updated opinion from EFSA. This in order to avoid unfair competition between the operators concerned and to treat all products in the same way.”

The Spanish delegation made the following declaration:
« La delegación española se abstiene en la votación de la propuesta de modificación del Reglamento 1464/2004, relativa a las condiciones de autorización del aditivo para piensos ”Monteban”, perteneciente al grupo de coccidiostatos y otras sustancias medicinales (Documento SANCO/3652/2005) por los siguientes motivos:
- La inclusión de unos límites Máximos de residuos para la naransina, en los términos que se establecen en el anexo, no permiten un control eficaz de su presencia en los animales ya que:
  - No se establece cual es el residuo marcador.
  - No se establecen los tejidos diana, que se entiende son los tejidos comestibles de pollos de engorde.
  - No se incluyen referencias al método analítico validado empleado en la valoración de éstos LMR.
- La determinación del tiempo de espera de 1 día no se acompaña de la correspondiente información sobre como se ha obtenido (ej. estudios de deplección de residuos), que deberían hacerse constar en los considerandos, al menos sucintamente, para justificar que el estudio es adecuado (nº de animales, tejidos diana, tiempo de tratamiento, etc.) »

The Czech delegation made the following declaration:
“The Czech Republic wants to raise language reservation and abstain in all cases from voting because of repeated absence of the Czech linguistic versions of the drafts submitted for voting and uncertainty having chance to make remarks to the drafts in question in the later stage before their publication in Official Journal.”

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4. Feed additives

4.1 Applications under Regulation (EC) No 1831/2003

A representative of the Commission updated the members of the Committee about three new applications for authorisation received by the Commission under Regulation (EC) No 1831/2003.

4.2 Setting timetable for additives (Art 25 of Regulation (EC) No 1831/2003):

4.2.1 Enzymes

4.2.1.1 Grindazym GP, preparation of endo-1,4-beta-xylanase and endo-1,4-beta-glucanase produced by Aspergillus niger (CBS 600.94). Extension of use. Animal category: ducks. Rapp DK.

Second part of the evaluation period in clock 3 has been opened and an Annex Entry has been discussed. It will be included in the next draft Regulation.

4.2.1.2 Grindazym GP, preparation of endo-1,4-beta-xylanase and endo-1,4-beta-glucanase produced by Aspergillus niger (CBS 600.94). Extension of formulation: granulate form. Animal categories: chickens for fattening, turkeys for fattening, piglets. Rapp DK.

Second part of the evaluation period in clock 3 has been opened and an Annex Entry has been discussed. It will be included in the next draft Regulation.

5. Legal status of condroitin sulphate and glucosamine and request under Directive 93/74/EEC for a particular nutritional purpose for the support of cartilage function in case of articular wearing down

After exchange of views, it was decided to continue the discussion in the next meeting of the Standing Committee.

6. Undesirable substances

6.1. Aflatoxin in peanuts

The United Kingdom expressed the concern that the disparity between the maximum levels on aflatoxins in peanuts intended for animal feed (20 µg aflatoxin B1/kg) and human consumption (2 µg aflatoxin B1/kg) and that there is potential for peanuts sold at retail levels for the feeding of wild birds to be consumed by the human population, including young children, could potentially endanger public health.

The Commission representative indicated that there is indeed a problem which has also been highlighted by some FVO inspections whereby peanuts intended for use as wild bird feed can be diverted back into the food chain. Also in the absence of appropriate labelling the peanuts sold as bird feed could also be consumed by children.

The Commission representative informed the Committee of the initiative to strengthen the provisions in food legislation whereby peanuts which are not clearly labelled for feed use, then the maximum levels set for peanuts for direct human consumption do apply by default.

Several options were put forward to strengthen also the feed legislation to avoid that peanuts intended for bird feed are consumed by humans.
- amend the annex to Council Directive 96/25 on the circulation and use of feed materials, requiring the clear mentioning of “Not appropriate for human consumption” on the package of retail packings of peanuts for feeding wild birds.
- consider voluntary labelling by the feed business operators
- establish a specific lower level of aflatoxin B1 for peanuts intended for direct feeding of wild birds in line with the maximum level applicable for peanuts for direct human consumption.
- consider wild birds as pet animals as is it already the case in some national legislation whereby the EU provisions applicable to pet food are also to be applied for feed for wild birds.

It was agreed to continue the discussion at a next meeting.

6.2. Follow up on EFSA opinions on endrin and aldrin/dieldrin

The CONTAM Panel from EFSA adopted on 9 November 2005 an opinion related to endrin as undesirable substance in animal feed. The Panel concluded inter alia that the levels of endrin found in fed are usually much lower than the levels which induce toxicity in farmed animals and pets. The human exposure of endrin for adults and children seems to be below 1 ng/kg bw, which is far below the provisional tolerable daily intake (PTDI) of 200 ng/kg bw established by JMPR.

The Commission representative indicated that following this opinion the current provisions as regards endrin are appropriate with the exception to change the term “fats” by “fats and oils”

The Committee had no comments at this stage.

The CONTAM Panel from EFSA adopted also on 9 November 2005 an opinion related to aldrin and dieldrin as undesirable substance in animal feed. The Panel concluded inter alia that the levels found in feed are much lower than the levels which would induce toxicity in farmed animals and pets. The daily dietary intake from food for adults and children seems to be in the range of 1 to 10 ng/kg bw which is substantially below the provisional tolerable daily intake (PTDI) of 100ng/kg bw established by JMPR.

The Commission representative draw the attention of the Committee that data indicate that the levels of dieldrin and aldrin in fish feed are in several cases exceeding the set maximum level. Given the conclusions of the CONTAM Panel the question was put forward if a modification of the current level of 10 µg/kg fish feed to 20 µg/kg fish feed was not appropriate. It was agreed to discuss this issue in more detail at a next meeting.

6.3. EFSA opinion on non-dioxin-like PCBs: discussion on follow-up

The CONTAM Panel from EFSA adopted on 8 November 2005 an opinion related to the presence of non-dioxin-like PCBs (NDL-PCBs) in feed and food. The Panel concluded that current background levels of NDL-PCB in animal feed are of no concern with respect to health effects in most domestic animals, with the possible exception of mink. Following exposure of farm animals, NDL-PCBs will accumulate in meat, liver and particularly in fat tissues. In addition NDL-PCB will be transferred into milk and eggs. More than 90 % of the NDL-PCB exposure in the general population is via food. There are indications that subtle developmental effects, being caused by NDL-PCB, DL-PCB or dioxins and furans alone, or in combination may occur at maternal body burdens that are only slightly higher than those expected from the average daily intake in European countries. Because some individuals and some European (sub-)populations may be exposed to considerably higher average intakes, a
continued effort to lower the levels of NDL-PCBs in food and consequently in feed is warranted.
A short exchange of views has taken place and it was agreed to await more progress in the discussions as regards food in order to enable the Committee to discuss measures in accordance with the measures under discussion as regards food.

6.4. Continuation of the discussion on ergot alkaloids

Following the discussions at previous meetings of the Committee, the Commission representative informed the Committee to prepare a concrete proposal for a pragmatic approach on ergot alkaloids, including ergocristine, ergotamine, ergometrine and ergocryptine. In this pragmatic approach orientation values for individual ergot alkaloids would be proposed, corresponding to the current legal provisions on sclerotia of rye ergot in feed. A delegation mentioned that sufficient data were available as regards the occurrence of ergotamine, ergometrine and ergocristine but that these data were lacking as regards ergocristine. The Commission representative invited the delegation to submit all available data for consideration by the Committee.

6.5 Information on recent contamination incidents

Contamination of fat by dioxins

The Belgian authorities informed the Committee on a recent contamination of animal fat by dioxins.

On 15 December 2005, the Dutch authorities have taken a sample of animal fat (pig fat) from a silo at a compound feed manufacturer in the Netherlands in which deliveries from the Belgian company PROFAT were stored. A level of 50 ng TEQ dioxin/kg pig fat (EU maximum level for dioxins in fat intended for use in animal feed is 2 ng TEQ/kg fat) was found. The analytical result was available on 24 January 2006.

The Belgian authorities have immediately started an investigation at the company PROFAT and measures were immediately taken to avoid further contamination of the feed and food chain. The feed manufacturers (1 in the Netherlands and 4 in Belgium) which have received the possibly contaminated fat as well the farms which received from the affected feed manufacturers during the risk period feed in which the possibly contaminated fat was incorporated, were blocked by precaution by the Belgian and Dutch authorities. The farms mainly concern pig farms and to a limited extent poultry farms.

The competent authorities of the Member States will be continuously updated on the evolution of this contamination incident through the RASFF system.

Contamination of zinc sulphate by cadmium

The French authorities informed the Committee of the finding of a very high contamination by cadmium of zinc sulphate originating from China, used as feed additive. The levels of cadmium found in the zinc sulphate are 3.7 to 7.6 %.

The French authorities have immediately started to trace back the still remaining quantities of unused zinc sulphate as well premixtures and feedingstuffs in which the contaminated zinc sulphate has been incorporated.

The competent authorities of the Member States will be continuously updated on the evolution of this contamination incident through the RASFF system.
The Commission representative announced to contact the Chinese authorities in order to ensure that future exports of zinc sulphate for use in animal feed do not contain unacceptable levels of cadmium. In addition the Commission services will write to the professional organisations to remind them of their legal obligations to take all appropriate measures, in particular to carry out systematic controls in the context of the HACCP procedures, to ensure that any zinc sulphate and premixtures containing zinc sulphate, in particular the zinc sulphate originating from China used for the production of feed contains levels of cadmium below the established maximum level.

7. Any other business

7.1 Legal status of *Haematococcus pluvialis meal*:

One delegation submitted a letter to discuss the legal status of Haematococcus algae meal. The representative of the Commission indicated that a decision on the legal status of this product was taken in the Standing Committee of 30 November 2005 with the support of the delegations present in the meeting. The company who submitted an application under Regulation (EC) No 1831/2003 was informed that its product falls within the scope of the Regulation.

7.2 Labelling of amino acids and premixtures in compound feedingstuffs:

Amino acids are regarded now as feed additives and they have been notified as existing products under Regulation (EC) No 1831/2003 on additives for use in animal nutrition.


The requirements laid down in Directive 79/373/EEC on the circulation of compound feedingstuffs as regard the listing of the feed materials with an indication, in descending order, of the percentages by weight with a tolerance of ± 15 %, do not apply to amino acids because they are not anymore regarded as feed materials but as additives. Therefore, amino acids must be regarded as other additives when they are incorporated into a compound feed and they are indicated on the label of the compound feed.

Feed materials used in the preparation of premixtures of additives that are incorporated into compound feedingstuffs are not regarded as feed materials of the compound feed, therefore, the labelling requirements of Directive 79/373/EEC do not apply.

If a premixture is incorporated into a compound feed, the label of the compound feed must make reference to those additives of the premixture that need to be indicated on the label in accordance with the requirements laid down: in Regulation (EC) No 1831, in Article 16 of Directive 70/524/EEC or in the specific authorisation of the additive.

7.3 Classification of products (so-called “grey zone products”):

There was an exchange of views on this issue raised by a letter from one delegation sent shortly before the meeting. It was considered desirable to discuss this issue in an appropriate forthcoming meeting, firstly at experts’ level.
7.4 Follow-up to the judgment of the Court of Justice of 6 December 2005 (preliminary ruling concerning the validity of Directive 2002/2/EC):

A Commission representative indicated that the Commission was currently reflecting what immediate legal follow-up to give to the judgment in order to comply with it. More generally, the proposal to recast the feed labelling legislation, which is included in the Commission Simplification Rolling Plan for 2007, will be drafted on the basis of the outcome of the ongoing impact assessment and taking into account the Court’s judgment.