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 application (1)

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

1.2.1. 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 piglets (weaned). Application for permanent authorisation. Expiry of provisional authorisation: 20.12.2008. Rapp: UK Annex Entry

A discussion took place and a draft Regulation for authorisation will be proposed.

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 for fattening. Application for permanent authorisation. Expiry of provisional authorisation: 20.12.2008. Rapp: UK Annex Entry

A discussion took place and a draft Regulation for authorisation will be proposed.

1.2.3. Endo-1,4-beta-xylanase (EC 3.2.1.8) produced by *Trichoderma longibrachiatum* (IMI SD 135) (enzyme 17) for laying hens. Application for permanent authorisation. Rapp: UK Annex Entry

A discussion took place and a draft Regulation for authorisation will be proposed.
1.2.4. **Endo-1, 4-beta-xylanase (EC 3.2.1.8)**
produced by *Trichoderma longibrachiatum* (IMI SD 135) (enzyme 17) for piglets.
Application for permanent authorisation. Rapp: UK Annex Entry

A discussion took place and a draft Regulation for authorisation will be proposed.


A discussion took place. It was decided to ask for more information to the company.

1.2.6. **Endo-1,3(4)-beta-glucanase**
from *Trichoderma reesei* (CBS 526.94) (enzyme 26) for piglets up to 4 months. Application for permanent authorisation. Rapp: FI

The dossier was presented to the Standing Committee and a discussion took place.

1.3. **Drafts under Regulation (EC) No 1831/2003 Art. 9**

1.3.1. **Discussion on a draft Annex Entry concerning the authorisation of endo-1,4-beta-xylanase and endo-1,4-glucanase as a feed additive linked to the holder of authorisation BASF**

*(Document SANCO/4318/2008)*

A discussion took place and a draft Regulation for authorisation will be proposed.

1.3.2. **Discussion on a draft Annex Entry concerning the authorisation of L-valine as a feed additive**

*(Document SANCO/4160/2008)*

A discussion took place and a draft Regulation for authorisation will be proposed.

1.3.3. **Discussion on a draft Annex Entry concerning the authorisation of 6-phytase as a feed additive linked to the holder of authorisation DSM**

*(Document SANCO/4161/2008)*

A discussion took place and a draft Regulation for authorisation will be proposed.
1.3.4. Discussion on a draft Annex Entry concerning the authorisation of 6-phytase as a feed additive linked to the holder of authorisation Danisco Animal Nutrition

(Document SANCO/4316/2008)

A discussion took place and a draft Regulation for authorisation will be proposed.

1.4. Working document for a proposal of a new functional group of feed additives (Rev 00)

A discussion took place. Most of the Member States are in favour of establishing a new functional group able to provide additional support to reduce the contamination of mycotoxins. Most of the Representatives pointed out the necessity to avoid that these new additives mask the presence of mycotoxins. The necessity to demonstrate their efficacy and their safety for the animals, consumers and environment was also raised. A draft Regulation will be proposed for discussion, taking into consideration the proposed suggestions.


France presented a request for a derogation to the rules foreseen in Annex II of the Regulation (EC) N° 183/2005 for the use of urea at farm level for ruminants. Discussion took place. Member States had different views concerning this request as this could open the door for other requests of derogation for other substances. Austria explained that in their country they have accepted a light HACCP plan for the farmers using urea.

The Commission will study the request and it will be discussed in a near future.

3. Working Group - break-out session on Monday from 14.30 to 15.15 – presentation of the guide on medicated feed by European Feed Manufacturers’ Federation

FEFAC presented its guide on medicated feed. Subsequently, discussion took place and some questions were raised as the interpretation and classification of medicated feed differs from Member State to Member State.

It has been decided to have a Working Group to work on this topic. Belgium, Sweden, France, Netherlands, United Kingdom, Denmark, Germany, Bulgaria, Italy and Ireland are willing to join the Working Group. A rapporteur for the evaluation of the guide will be nominated.

4. Future work in Codex Alimentarius relating to animal feed: output of electronic Working Group

An exchange of views took place concerning the follow-up of the Codex Circular Letter CL 2008/40 CAC containing the output of the electronic Working Group and the request for comments by 15 March 2009.
5. **Exchange of views on amending aspects of Regulation (EC) N° 378/2005 relating to the tasks and duties of the CRL Feed additives authorization**

An exchange of views took place about the updating of this Regulation concerning in particular the possibility of establishing a special fee for groups of applications for products for which a multi-analyte method of analysis would be proposed by the applicants. Other possible aspects were also suggested and were subject to further consideration.

6. **Use of Lactulose in animal nutrition**

Based on detailed information by a Company forwarded to the Commission, the Committee discussed the legal status of lactulose in animal nutrition. Though several Member States made some first comments on the issue it was decided to continue the discussion once a more thorough evaluation of the received dossier by the delegations has been undertaken.

7. **Undesirable substances in feed**

- **discussion on proposed changes to the current provisions on mercury, Datura, theobromine and Castor oil plant and Croton**

**Mercury**

In accordance with the conclusions of the European Food Safety Authority opinion on mercury as undesirable substance in animal feed\(^1\), the following possible changes to current legislation as regards mercury were put forward by the Commission representative for discussion:

- lowering of the current maximum level in feed for cats from 0.4 mg/kg to 0.15 mg/kg and the setting of a level of complementary feed for cats of 0.2 mg/kg
- lowering of the current maximum level in feedingstuffs produced by the processing of fish or other marine animals from 0.5 mg/kg to 0.3 mg/kg
- a slight increase of the current maximum levels in feed for fish from 0.1 mg/kg to 0.15 mg/kg

A discussion took place.

**Datura - Tropane alkaloids**

Following the conclusions of the EFSA opinion on tropane alkaloids\(^2\), it appears to be appropriate to extend the current limitation of 1000 mg/kg for seeds and unground and uncruished fruits from *Datura stramonium* to all Datura spp. (including *Datura ferox*). The Committee raised no objections to this proposed modification.

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Work will be undertaken to have routine method available for the analysis of tropane alkaloids (hyoscyamine, scopolamine and atropine) in feed in view of a possible future review of the legislation based on these toxic substances.

**Theobromine**

The Panel on Contaminants in the Food Chain from EFSA adopted on 10 June 2008 a scientific opinion on theobromine as undesirable substance in animal feed. The Commission representative indicated that following this opinion, it seems appropriate to lower the current maximum levels for theobromine in particular for pigs, dairy cattle, dogs and horses given the sensitivity of these animal species for theobromine. A level of 300 mg/kg for complete feedingsuffs was proposed with an exception providing for a lower level of 200 mg/kg for complete feedingsuffs for pigs. The need for setting a specific lower level for dogs and horses will be considered. The Committee raised no objections at this stage to these proposed changes.

**Castor oil plant and croton - ricin**

The CONTAM Panel from EFSA adopted on 10 June 2008 a scientific opinion on ricin (from *Ricinus communis*) as undesirable substance in animal feed. In accordance with the conclusions of the scientific opinion it is appropriate to have the same provision for *Ricinus communis, Croton tiglium and Abrus precatorius* in legislation. Therefore it was suggested to replace the current provisions for *Ricinus communis and Croton tiglium* by a single provision providing that *Ricinus Communis, Croton tiglium and Abrus precatorius* (seeds and husks), as well their processed derivates, separately or in combination should not be present at a level of more than 10 mg/kg.

Work will be undertaken to have routine method available for the analysis of ricin, abrin and crotin in feed in view of a possible future review of the legislation based on these toxic substances.

The Committee was also informed on a report by the Institute of Food Safety RIKILT, Wageningen, Netherlands with the title "A survey on the presence of undesirable botanic substances in feed in the European Union".

- **discussion on non-dioxin-like PCBs**

The Committee was informed on the ongoing discussions as regards possible maximum levels for non dioxin-like PCBs in food. These discussions are close to finalisation and therefore it is appropriate to initiate the discussions on provisions for non dioxin-like PCBs in feed. It was mentioned that the levels currently discussed are strict and that this might have as consequence that low levels in feed could be allowed. In particular, the expected difficulties to comply with these levels, in particular for

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beef, in flooded areas was highlighted. Therefore it was recommended that delegations should get in contact with their colleagues responsible for levels of non-dioxin-like PCBs in food in order to ensure that levels established for non-dioxin-like PCBs do not result in the need to fix for feed unrealistic low maximum levels.

Furthermore the Committee was informed of a document on specific analytical requirements for the analysis of non dioxin-like PCBs that the Community Reference Laboratory (CRL) on dioxins and PCBs in feed and food has elaborated after consultation of the National Reference Laboratory (NRL) network.

- **update on other issues related to undesirable substances in feed**

The Committee was informed of the draft report of a mission carried out in Ukraine from 16 September to 24 September 2008 in order to assess the control systems in place to prevent the contamination with mineral oil of sunflower oil intended for export to the European Union. Commission Decision 2008/433/EC of 10 June 2008 imposing special conditions governing the import of sunflower oil originating in or consigned from Ukraine due to contamination risks by mineral oil. This Decision provides inter alia that all consignments of sunflower oil originating from Ukraine have to be accompanied by a certificate stating that the level of external mineral oil is less than 50 mg/kg and all consignments have to be sampled and analysed for the presence of mineral oil by the competent authority of the importing country (double key control).

Taking into account the results of these controls (no non-compliances observed) and the outcome of the inspection mission, the Committee was informed that the provisions of Commission Decision 2008/433/EC are under consideration for change in particular as regards the frequency of control at import.

The Committee was also informed on the results of the FEDIOL (the EU Oil and Proteinmeal Industry) monitoring programme on the presence of mineral oil in vegetable oils and fats from different origins.

**8. Follow up on recent contamination incidents**

- **melamine**

The Committee was informed of Commission Decision 2008/921/EC of 9 December 2008 amending Commission Decision 2008/798/EC whereby the prohibition of import is extended to products containing soya and soya products intended for use by infants and young children originating in or consigned from China and the 100 % testing at import is extended to feed and food containing soya and soya products originating in or consigned from China and the additive ammonium bicarbonate imported from China.

The Commission provided also an overview of RASFF notifications on findings of melamine in feed and food from China at levels above 2.5 mg/kg.

Particular attention was paid to a finding in Italy of 21000 mg melamine/kg rice protein concentrate from China at import. Investigations are still ongoing but given that the expiry
date for the consignment was already passed by, there is the possibility that this consignment dates from the 2007 melamine incident.

- **dioxin contamination incident in Ireland**

The Irish and UK delegation provided an update of the situation.

The Irish delegation provided more detailed information of the source of contamination. The use of contaminated bread crumbs as animal feed was identified to be the source. The bread crumbs were produced from bakery waste, biscuits out of date etc, which were dried using a direct heating process. In a direct heating process the combustion gases are in direct contact with the feed material to be dried. The fuel used was apparently contaminated with PCB transformer oil which after burning results in high levels of dioxins typical congener pattern with predominance of the pentachloro-dibenzo-furan) in the combustion gases which were deposited on the material to be dried. The fuel oil was originating from UK (Northern Ireland) but it is still unclear at which stage the PCB transformer oil was added to the fuel.

All possibly contaminated feed was traced and blocked. Also all animals on the affected farms in Ireland and UK (Northern Ireland) are being blocked and will be culled for safe disposal in case of confirmation of contamination.

The Commission reminded the provisions of the feed hygiene regulation (EC) No 183/2005 and the obligation for feed business operators (FBOs) and in particular establishments using the direct heating process that they should have put in place, implement and maintain procedures based on the HACCP principles. This means the identification of critical control points and the identification of, *inter alia*, possible chemical contamination when using the direct heating process. The responsibility for compliance with these requirements rests with feed business operators (FBOs).

The Commission further announced to consider measures as regards establishments applying the direct heating process in order to avoid that such contamination incidents could occur again in the future.

Furthermore the Commission indicated that, although the analysis of non dioxin-like PCBs might give a first indication of the level of contamination, given the low correlation factor between the level of non dioxin-like PCBs and the levels of dioxins and PCBs in bread crumbs, pig fat and beef, analytical methods for non-dioxin like PCBs are not sensitive enough to exclude unacceptable levels of dioxins and dioxin-like PCBs in bread crumbs (fed) pig fat and beef fat.

Therefore it was stressed that the analysis of non-dioxin like PCBs or marker PCBs cannot be used for ensuring compliance with EU legislation as regards dioxins and dioxin-like PCBs in this contamination incident given the low correlation factor.

9. **Exchange of views and possible opinion on a draft Regulation (EC) amending Regulation (EC) No 1800/2004 as regards the terms of the authorisation of the feed additive Cycostat 66G**

*(Document SANCO/4162/2008)*
A discussion took place and the vote was taken. The draft Regulation received a favourable opinion by qualified majority.

10. Exchange of views and possible opinion on a draft Regulation (EC) concerning the authorisation of a new use of *Saccharomyces cerevisiae* NCYC Sc47 as feed additive for dairy buffaloes (holder of the authorisation Société Industrielle Lessafre)

*(Document SANCO/3739/2008)*

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

11. Exchange of views and possible opinion on a draft Regulation amending Regulation (EC) No 1137/2007 as regards the use of the feed additive *Bacillus subtilis* (O35) in feed containing decoquinate and narasin/nicarbazine

*(Document SANCO/3675/2008)*

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

12. Exchange of views and possible opinion on a draft Regulation amending Regulation (EC) No 600/2005 as regards the use of the preparation of *Bacillus licheniformis* DSM 5749 and *Bacillus subtilis* DSM 5750 in compound feed containing lasalocid sodium

*(Document SANCO/3674/2008)*

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

13. A.O.B.

Italy reported to the Commission on their response in relation to the judgement of the Court of Justice in the Case C-195/05. The Commission representative took note of the letter sent by Italy to DG SANCO and DG ENV.

Bernard Van Goethem,
Director (signed)