SUMMARY RECORD OF THE
STANDING COMMITTEE ON THE FOOD CHAIN AND ANIMAL HEALTH
HELD ON 23 & 24 JULY 2009 IN BRUSSELS
(Section Animal Nutrition)

President: Mr Willem PENNING

All Member States were present, except Malta.

1. Feed Additives

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

1.1.1. New applications

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

1.2.1. 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. Annex

The discussion on this point took place and as a result a draft Regulation will be proposed in a forthcoming meeting.

1.2.2. Endo-1,3(4)-beta-glucanase (EC 3.2.1.6.), Endo-1,4-beta-glucanase (EC 3.2.1.4.), Alpha-amylase (EC 3.2.1.1.), Bacillolysin (EC 3.4.24.28.) and Endo-1,4, beta-xylanase (EC 3.2.1.8.) (enzyme 53) for piglets (weaned) and turkeys for fattening. Application for permanent authorisation. Rapp. BE

The discussion on this point took place. As there were some pending additional assessments this point will be included in the agenda of the next meeting, possibly with an annex entry to help discussion.
1.3. Applications under Regulation (EC) No 1831/2003 Art. 9

1.3.1. Discussion on EFSA opinion on safety and efficacy of the product Ronozyme NP (6-phytase) for use as feed additives for poultry, weaned piglets and pigs for fattening. Annex

The discussion on this point took place and a draft regulation will be submitted at a forthcoming meeting.

1.3.2. Discussion on EFSA opinion on safety and efficacy of AveMix (endo-1,4, beta-xylanase and endo-1,3(4)-beta-glucanase) as a feed additive for chickens for fattening. Annex

The discussion took place and a draft regulation will be submitted at a forthcoming meeting.

1.3.3. Discussion on EFSA opinion on safety and efficacy of Natugrain Wheat TS (endo-1,4-β-xylanase) for use as feed additive for chickens for fattening and ducks. Annex

The discussion took place and a draft regulation will be submitted at a forthcoming meeting.

1.3.4. Discussion on EFSA opinion on safety and efficacy of Avizyme 1505 as feed additive for chickens for fattening and ducks and EFSA opinion on safety and efficacy of Avizyme 1505 as feed additive for turkeys for fattening. Annex

The discussion took place and a draft regulation will be submitted at a forthcoming meeting.

1.3.5. Discussion on EFSA opinion on compatibility of the microbial product 035 (Bacillus subtilis) with lasalocid sodium, maduramicin ammonium, monensin sodium, narasin, salinomycin sodium and semduramicin sodium.

The discussion took place and a communication will be forwarded to the applicant.

2. Priorities for implementing measures of the new Regulation on the placing on the market and use of feed

The Member States were informed that the new Regulation was meanwhile signed and its publication was expected in due course. Based on a list of measures due to be tackled after the entry into force of the new Regulation the following priorities were detected:

- Update of the negative list (Article 6)
- Adoption of the first version of the Community Catalogue of feed materials (Article 24)
• Update of Annex IV on analytical tolerances including those for moist feed from the agro-industry
• Guidelines and list of “grey zone” products (Article 7)
• Evaluation of possible transitional measures based on Article 33(4)

Those measures will be tackled in September in a special working group foreseen on 24.9.2009 and in the September meeting of Standing Committee.

3. Categorisation of products as feed materials and other types of feed

- General approach and criteria for the categorisation
- List of feed materials

Based on a working document which refers to Article 7 of the new Regulation on feed marketing, the Commission representative outlined

• The general approach for the categorisation
• Criteria for the differentiation
• A list of substances to be considered feed materials following the approach

The Member States welcomed the document as a progress in this field and is deemed to be crucial to a smooth functioning of the internal market. The approach as proposed in the document was discussed namely:

• a double-listing of a substance as feed material and feed additive would not be appropriate,
• feed materials can have several functions as laid down in Article 5 of the feed additive Regulation (EC) No 1831/2003 and
• the inclusion rate of a product into the daily ration of the animals should not be criterion

Member States were called to be open for new concepts that would be possible in the framework of the new feed marketing Regulation and to reflect further in order to make progress on the longstanding issue. The discussions will be continued at the next Standing Committee.

4. Residues of packaging materials in feed

On the occasion of a recent finding of packaging material in feed recycled from surplus food a Commission representative reminded the Member States on the zero-tolerance linked to the listing of packaging material as prohibited materials in animal nutrition. Several Member States explained that such a zero-tolerance would practically not be feasible if such surplus food is processed to feed. Thus, the strict reference to the zero-tolerance would not be in the interest of a sustainable food production because in this case the surplus food would have to be dumped. It was concluded to ask the European Food Safety Authority on the risks of technically unavoidable residues of different types of packaging material in feed produced from surplus food.

5. By-products from the bio-fuel production intended for feed use
A Commission representative referred to the COM-letter to the Member States one year ago on the incident of residues of monensin in yeast for feed use from the bio-ethanol production in Brazil. New information on the situation in USA was presented with evidence that residues of several antimicrobials used in the manufacturing process of bio-ethanol have been detected in distillers grains after an investigative sampling. The situation in Canada is deemed to be similar. The Member States were asked to be vigilant on residues of antimicrobials in imported feed materials that are by-products from the bio-fuel production. One Member State who had reported that antimicrobials were used on its territory in the manufacturing process of bio-ethanol was called to assure compliance with the legal provisions in this field.

6. Finalisation of the discussions on modifications to the Annex to Directive 2002/32/EC as regards mercury, nitrites and free gossypol

The measures were presented to the Committee. Following points were highlighted: the level of 0.1 mg/kg of mercury in compound feed including complementary feed and the level of 15 mg/kg of nitrite in feed materials with the exception of silages.

Professional organisations have indicated that the level of 0.1 mg/kg of mercury in complementary feed might be too low for complementary feed containing high levels of calcium carbonate. The Commission representative indicated to consider this only on the basis of data, to be made available by professional organisations and competent authorities. As nitrites might be used as preservative in silages it is appropriate to exclude silages in addition to the already foreseen exclusion of dog and cat feed with a moisture content of more than 20% of the application of the maximum level of nitrite.

No further issues were raised as regards these proposed modifications. After examination of the comments made by the professional organisations, the draft will be finalised and submitted for opinion at a next meeting of the Committee.


Article 8 (2) of Directive 2002/32/EC of the European Parliament and of the Council of 7 May 2002 on undesirable substances in animal feed provides that the Commission may define acceptability criteria for detoxification processes and Article 8 (3) of that Directive provides that Member States shall ensure that measures are taken to guarantee the correct application of any acceptable processes pursuant to Article 8(2) and the conformity of the detoxified products intended for animal feed with the provisions of Annex I to Directive 2002/32/EC.

A detoxification process removes the contamination from a batch of feed or the undesirable substance is metabolised by making use of chemical substances into harmless compounds. In any case the compliance of the batch of feed with maximum levels has to be verified after detoxification.
Following possible acceptability criteria were put forward as starting point for discussion to the Committee:

In case of a **physical detoxification process**, following information and/or guarantees have to be provided:
- efficiency of the physical detoxification/decontamination process to remove the contamination at a sufficient degree from the batch of feed;
- guarantees for a safe disposal of the removed part of the batch.

In case of a **chemical detoxification process**, following information and/or guarantees have to be provided:
- evidence that the chemical substance used for the detoxification does not result in harmful residues in the detoxified feed as parent compound or as metabolite of the chemical substance in the detoxified product;
- detailed information on the mode of action of the chemical substance as regards the detoxification;
- evidence that the metabolites of the contaminant (following the detoxification) do not endanger animal and public health and the environment;
- the characteristics of the feed are not significantly modified by the detoxification process;
- evidence that the detoxification process is irreversible.

The Committee welcomed a discussion on this issue and a preliminary exchange of views took place. During the discussion it was clarified that the criteria relate to the detoxification of undesirable substances covered by Directive 2002/32/EC i.e. chemical contamination, inherent plant toxins and botanical impurities. The discussion on this topic will continue at the next meeting.

8. **Lactulose (continuation of discussions from January 2009)**

Six months after the presentation of information on Lactulose in animal nutrition by a company, the Member States were asked to express their position on the categorisation of the product. Several Member States pointed out that they would consider, based on criteria such as objective use and inclusion rate, the product rather a feed additive than a feed material. Several other Member States deemed that it would comply with the definition of a feed material. A link to agenda point 3 was made.

9. **Exchange of views on activities relating to future work in Codex Alimentarius relating to animal feed following the meeting of the Codex Alimentarius Commission of July 2009**

The outcome of the discussions on the point of future work on animal feeding at the last session of the Codex Alimentarius Commission was discussed. The participation to the new electronic Working Group which was recently launched was also discussed. There will be opportunities for exchanging views on this work as it progresses.
10. Exchange of views and possible opinion on a draft Regulation (EC) concerning the authorisation of an enzyme preparation of endo-1,4-beta-xylanase produced by *Trichoderma reesei* (CBS 114044) as a feed additive for weaned piglets, chickens for fattening, chickens reared for laying, turkeys for fattening and turkeys reared for breeding (holder of authorisation Roal Oy)

*(Document SANCO/5875/2009)*

(Legal basis: Regulation (EC) No 1831/2003, Right of scrutiny of the European Parliament)

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 (EC) concerning the authorisation of a new use of the preparation of *Saccharomyces cerevisiae* CNCM I-1077 as a feed additive for horses (holder of authorisation Lallemand SAS)

*(Document SANCO/5879/2009)*

(Legal basis: Regulation (EC) No 1831/2003, Right of scrutiny of the European Parliament)

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 (EC) concerning the authorisation of the preparation of *Clostridium butyricum* CBM588 (FERM-P 1467) as a feed additive for chickens for fattening (holder of authorisation Miyarisan Pharmaceutical Co.Ltd. represented by Mitsui & Co. Deutschland GmbH.)

*(Document SANCO/5877/2009)*

(Legal basis: Regulation (EC) No 1831/2003, Right of scrutiny of the European Parliament)

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

13. Exchange of views and possible opinion on a draft Regulation (EC) concerning the authorisation of a new use of the preparation of *Pediococcus acidilactici* CNCM MA 18/5M as a feed additive for salmonids and shrimps (holder of authorisation Lallemand SAS)

*(Document SANCO/5876/2009)*

(Legal basis: Regulation (EC) No 1831/2003, Right of scrutiny of the European Parliament)

A discussion took place and the vote was taken. The draft Regulation received a favourable opinion by qualified majority.
14. Exchange of views and possible opinion on a draft Regulation (EC) concerning the authorisation of the preparation of guanidinoacetic acid as a feed additive for chickens for fattening

(Document SANCO/5878/2009)

(Legal basis: Regulation (EC) No 1831/2003, Right of scrutiny of the European Parliament)

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

Denmark made the following declaration:

"Denmark voted against because of the placing of guanidinoacetic acid in the category Nutritional Additives. Denmark agrees with EFSA on the real purpose of the compound and wants the additives categorised according to its purpose."

15. Exchange of views and possible opinion on a draft Regulation (EC) concerning the authorisation of Zinc chelate of hydroxy analogue of methionine as a feed additive

(Document SANCO/6120/2009)

(Legal basis: Regulation (EC) No 1831/2003, Right of scrutiny of the European Parliament)

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

16. Exchange of views and possible opinion on a draft Regulation (EC) amending Regulation (EC) No 537/2007 as regards the name of the holder of the authorisation of the fermentation product of Aspergillus oryzae (NRRL 458) (Amaferm)

(Document SANCO/6062/2009)

(Legal basis: Regulation (EC) No 1831/2003, Right of scrutiny of the European Parliament)

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

17. A.O.B.

Maduramicin in eggs

The delegation of Slovenia reported on the findings of levels of maduramicin in eggs exceeding the maximum level of 2 µg/kg, established by Commission Regulation (EC) No 124/2009 of 10 February 2009 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. Controls at the
farm and the feed manufacture showed that the feed used was compliant with the maximum level of 50 µg/kg of maduramicin for feed for laying birds established by Commission Directive 2009/8/EC of 10 February 2009 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. Furthermore, an inspection by the Slovenian authorities learned that the feed mills concerned were taking all appropriate measures to avoid cross-contamination as much as possible.

The Committee was informed that for the establishment of the maximum levels of maduramicin in food of animal origin from non-target species only very limited kinetic data were available on the transfer from feed to food of animal origin and therefore the maximum level was set at the limit of quantification being 2 µg/kg. The data provided by the Slovenian authorities indicate that the authorised level of maduramicin in eggs is possibly not in correspondence with the authorised level of maduramicin in feed of non-target animals and that a modification of the maximum level of maduramicin in eggs as provided for in Regulation (EC) No 124/2009 might be appropriate. According to the EFSA opinion, such an increase of the level would not endanger public health. Awaiting these legal changes it is appropriate to inform feed business operators and egg producers of these findings and to advice them to apply the greatest precaution in the transitional period.

Bernard Van Goethem,
Director (signed)