SUMMARY RECORD OF THE
STANDING COMMITTEE ON THE FOOD CHAIN AND ANIMAL HEALTH
HELD ON 18 & 19 NOVEMBER 2010 IN BRUSSELS
(Section Animal Nutrition)

Chairman: Mr Willem PENNING

1. Feed Additives

1.1. Applications under Regulation (EC) No 1831/2003
Art. 4, Art. 10.2. and Art. 10.7.

1.1.1. New applications

1.2. Applications under Regulation (EC) No 1831/2003
Art. 9

1.2.1. Discussion on EFSA scientific opinion on Ronozyme P (6-phytase) as a feed additive for chickens and turkeys fattening, laying hens, piglets (weaned), pigs for fattening and sows. Poultry and pigs. Annex

A discussion was taken. A draft Regulation will be submitted for vote.

1.2.2. New opinions of EFSA Panel on Additives and Products on Substances used in Animal Feed concluded on 9-11 November 2010

Three opinions were proposed for the discussion:

- Discussion on EFSA scientific opinion on Ronozyme P (6-phytase) as a feed additive for salmonids. Annex. A discussion took place. A draft Regulation will be submitted for vote.
- Discussion on EFSA scientific opinion on modification of terms of authorisation of endo-1,4-beta-xylanase and 1-3(4)-beta-glucanase as a feed additive for chickens for fattening. Annex. A discussion took place. A draft Regulation will be submitted for vote.

- Discussion on EFSA scientific opinion on compatibility of Bacillus amyloliquefaciens for chickens for fattening with coccidiostats. Annex. A discussion took place. A draft Regulation will be submitted for vote.

2. Exchange of views on the re-evaluation procedure under Article 10 of Regulation (EC) N° 1831/2003

The Commission services reported about the progress regarding the applications received under the Regulation, after the deadline of 8 November 2010 had elapsed. The number of applications was around 440 covering approximately 1000 of the additives included in the Register. Many stakeholders had joined and submitted joint applications for non-holder-specific authorised additives. The Register was being updated every 3 to 4 days to reflect the constantly changed status of these additives following the received valid applications under Article 10. There were some late arriving applications being analysed for their validity. Because of that it was not yet possible to obtain a complete picture of the number of additives not being the object of applications for re-evaluation. A more complete picture will be available for the next meeting of the Committee. Following the end of this period for submitting applications for renewal of authorisations under article 10, the re-evaluation process will continue with the subsequent step of administrative withdrawal of the authorisations for the additives not subject to a re-evaluation application before the deadline and therefore no longer being used.


Point was postponed to one of the next meetings.

3.2. Community Code for good labelling practice for compound feed for food producing animals (Article 25)

Point was postponed to one of the next meetings.

4. Issues related to undesirable substances in feed

The draft Regulation foresees that approval has to be done in accordance with Article 10(2) (approval required under national law) or Article 10 (3) (approval required by a Regulation adopted by the Commission) of Regulation (EC) No 183/2005 of the European Parliament and of the Council of 12 January 2005 laying down requirements for feed hygiene. A comment was made if it would not be more appropriate to only provide approval in accordance with Article 10 (3). The Commission representative indicated to reflect on this issue and to consult the Legal Service on this.


Following the discussions at last meeting, the provisions as regards Ambrosia have been modified, allowing for a higher level of Ambrosia seeds in millet and sorghum grains not intended to be directly fed to birds. One Member State questioned if it was proportionate to have these requirements as regards Ambrosia also for seeds intended for crushing. It was highlighted that it was appropriate not only for enforcement purposes but also to avoid further dissemination of Ambrosia in the environment.

Information was received that the current proposed extraction method for the analysis of cadmium and lead in feed does not provide results equivalent results previous extraction method for certain minerals in particular as regards lead. The previous extraction method determines the amount of lead and cadmium that is bio-available and the maximum levels correspond to that. The current proposed extraction method determines total lead and cadmium levels. While this results for the overall majority of the feed materials and additives in comparable results with the previous extraction method, for a few minerals there are significant differences. It was agreed to provisionally delete the footnotes and to have an in-depth discussion on this issue in a meeting of the Expert Committee Methods of Analysis.

The Committee was also informed of the request to have for magnesium carbonate the same maximum level of arsenic as for magnesium oxide.


A short exchange of views took place.


A professional organisation provided data calling for a higher level of non-dioxin-like PCBs in fish oil than the current proposed level of 150 µg/kg for
the sum of 6 indicator PCBs. This request was supported by one delegation and the Commission representative indicated to reflect on this.

4.5. Discussion on a draft Commission Recommendation as regards good practices for the reduction of the presence of Ambrosia seeds in grains intended for feed and food

A short exchange of views took place.

4.6. Topics related to undesirable substances in feed

The Committee was informed of the recent RASFF notifications as regards high levels of aflatoxins in peanuts intended for bird feed.

The delegation of Cyprus informed the Committee of recent problems with high levels of aflatoxin M1 in milk (above the EU Maximum Level) while the feed materials (in particular corn gluten feed) and compound feed were in compliance with the maximum levels for aflatoxin B1 established in EU legislation for feed materials and compound feed.

The Committee was informed of the Opinion of the Scientific Panel on Contaminants in the Food Chain related to Aflatoxin B1 as undesirable substance in animal feed.

The Committee agreed that before considering possible legal changes more in-depth investigations have to be performed. In the meantime the authorities from Cyprus are advised to take the appropriate management measures in order to ensure that milk produced is compliant with EU maximum level.

5. Exchange of views and possible opinion on a draft Commission Regulation concerning the authorisation of vitamin E as a feed additive for all animal species

(Document SANCO/12636/2010)

(Legal basis: Article 9 of 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.

The Spanish Delegation made the following declaration:

"La delegación española se opone a la autorización de la vitamina E en los términos propuestos porque se limita la posibilidad de declaración del contenido en vitamina E en el etiquetado a la expresión del mismo en unidades internacionales. La delegación española considera que debería permitirse también la declaración del contenido en vitamina E en unidades de peso, puesto que no existe una norma que lo impida. De hecho, el Reglamento (CE) N 1831/2003 en su Anexo II establece que la declaración de los aditivos nutricionales en aditivos y premezclas debe incluir el contenido en sustancia activa, pero no limita la forma de declararla, como se hace, por ejemplo, en el caso de los enzimas y microorganismos."
En el caso de la vitamina E, las sustancias activas son las tres propuestas en el anexo del reglamento propuesto y no se considera necesario imponer el uso de una equivalencia en unidades internacionales que puede ser cuestionada, máxime cuando los métodos analíticos disponibles permiten cuantificar esta sustancia activa, haciendo innecesario el cálculo de las unidades internacionales para verificar el etiquetado. Finalmente, la declaración de la sustancia en unidades de peso ya ha sido regulada en el caso de otras vitaminas y por consistencia con otros actos legales ya publicados, debería aplicarse el mismo principio.

The German Delegation made the following declaration:

"Die deutsche Delegation vertritt die Auffassung, dass, im Falle der Angabe von Vitamin E bei der Kennzeichnung von Futtermitteln, der Vitamin-E-Gehalt in Vormischungen, Einzelfuttermitteln oder Mischfuttermitteln gemäß Anhang IV Teil B Nr. 1 der Verordnung (EG) Nr. 152/2009 in mg DL-α-Tocopherol-Aacetat/kg anzugeben ist."


(Document SANCO/12581/2010)

(Legal basis: Article 26(3) of Regulation (EC) No 767/2009 – Regulatory procedure with scrutiny (delay of 3 months))

A discussion took place and the vote on the draft Regulation was taken; it received a favourable opinion by unanimity.

The Commission services made the following declaration:

"The Commission services will envisage appropriate measures in order to restrict the use of certain feed materials listed in the catalogue. In this context, the adequate legal base will be assessed."

Germany made the following declaration:

"Die deutsche Delegation stimmt dem Verordnungsvorschlag zu, gibt jedoch zu bedenken, dass in dem Katalog der Einzelfuttermittel Stoffe aufgeführt sind, die - dosisabhängig - eine pharmakologische Wirkung haben können; sie erinnert dabei beispielsweise an die Stoffe Chonroitinsulfat, Glucosamin, Lactulose, Aktivkohle, Mannitol und Mariendistel. Die deutsche Delegation weist darauf hin, dass die zuständigen Behörden gegebenenfalls erforderliche Überwachungsmaßnahmen treffen können."

7. Exchange of views and possible opinion on a draft Commission Recommendation establishing guidelines for the distinction between feed materials, feed additives, biocidal products and veterinary medicinal products
(Document SANCO/12597/2010)


A discussion took place and the vote on the draft Recommendation was taken; it received a favourable opinion by qualified majority.

The Czech Republic made the following declaration:

"Jedná se spíše o přehled obecně známých skutečností než vodítko, která by napomáhala kompetenčním národním úřadům a zainteresované privátní sféře v rozlišení mezi krmnými surovinami, doplňkovými látkami a ostatními produkty. Kritéria pro rozlišení jsou plošná, nejednoznačná, v některých případech zavádějící a zároveň nefunkční. Vzhledem k těmto důvodům hlasuje Česká republika proti přijetí těchto vodítek."

Germany made the following declaration:

"Die deutsche Delegation vertritt die Auffassung, dass die Einordnung von Fütterungsarzneimitteln erst mit der von der Kommission angekündigten Neuregelung der Richtlinie 90/167/EWG endgültig geregelt werden soll. Angesichts der derzeit noch geltenden EG-rechtlichen Bestimmungen der Richtlinie 90/167/EWG zu Fütterungsarzneimitteln sollte der Eindruck vermieden werden, dass Fütterungsarzneimittel Futtermittel sind, für die lediglich die futtermittelrechtlichen Vorschriften gelten."

8. A.O.B.

8.1. Use of bile acids in animal nutrition

The Committee referred to its discussion in July on the status of the products. After hearing the comments of the Member States, the Commission Services concluded that they would consider bile acids a feed material of animal origin.

8.2. Labelling of the category and the functional group of additives in feed

Based on the request of one Member State, a Commission representative clarified that the feed business operators are free to decide whether to label the category or the functional group of a feed additive incorporated in feed if for the respective additive both exist (Chapters 1.1 of Annexes VI and VII of Regulation (EC) No 767/2009). However, the initiators of the Codes for good labelling practice are invited to suggest for those cases that the functional group should be rather indicated than the category.

8.3. Antibiotics in Dried Distillers Grains with Solubles (DDGS) from the USA

Following the announcement by the Federal Authorities of the United States on the status of virginiamycin in the bioethanol production, the Commission
services have drawn the attention of the above mentioned authorities that in the European Union the presences of virginiamycin in feed cannot be tolerated. The Member States are requested to perform regular checks on DDGS and to report their findings to the RASFF.

Bernard Van Goethem,
Director (signed)