SUMMARY RECORD OF THE
STANDING COMMITTEE ON THE FOOD CHAIN AND ANIMAL HEALTH
HELD ON 14 & 15 DECEMBER 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" The safety and efficacy of Danisco Glycosidase TPT/L (endo-1,4-beta-xylanase and endo-1,3(4)-beta-glucanase) as feed additive for poultry, piglets and pigs for fattening. Annex

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

2. The new Comitology Procedures following the entry into force of the Lisbon Treaty

The new Comitology Procedures were presented followed by a debate.

3. Feed Marketing under Regulation (EC) N° 767/2009


The Committee discussed the updated version of the draft Code. Though considerable improvements were noted there were several paragraphs
identified where the text should be amended. The Commission services will forward the comments to the initiator of the draft for consideration.

3.2. Applications for updating the list of intended uses of feed for particular nutritional purposes as referred to in Article 8(2) (Article 32(2))

A Commission representative updated the Committee on the situation on the applications. For one group the assessment of the dossiers already started, for the second group the applicants will be contacted as the legal placing on the market before 1/9/2010 was challenged and for the third group the applicants will be notified that there are doubts whether the conditions as laid down in Article 8(2) of Regulation (EC) N° 767/2009 are fulfilled.

3.3. Labelling of Hydroxy Analogue of Methionine in Feed

The Committee in July 2010 concluded that the "… declared total amount of methionine in the list of analytical constituents should be the sum of the native methionine and the DL-methionine plus the amount of hydroxy analogue of methionine to be analysed by an appropriate method". Based on scientific publications it was discussed how the added hydroxy analogue of methionine could be taken into account as methionine equivalent. It was concluded not to distinguish between different animal species and to work with just one coefficient. According to the results of research for the bio-equivalence of hydroxy analogue of methionine a coefficient between 70% and 77% seems to be appropriate.

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

In the period between the last meeting and the present meeting of the Standing Committee, the Commission continued to update frequently the Register of Feed Additives (webpage [http://ec.europa.eu/food/food/animalnutrition/feedadditives/registeradditives_en.htm](http://ec.europa.eu/food/food/animalnutrition/feedadditives/registeradditives_en.htm)) to reflect the status of articles subject to the re-evaluation procedure of article 10 as applications were being submitted. Since revision 104 of the Register, it is listed in a separate section of the Register (called Annex II) the additives subject to the provisions of Art. 10 § 2 of Regulation. (EC) No 1831/2003 for which no application for re-evaluation was submitted before the deadline of 8 November 2010.

The process of validation of the applications received is virtually finished. Statistics concerning the process were also reported to the Member States.

There was also a exchange of views on the different steps to take following the finishing of the deadline, the relationship of some existing additives with the latest modifications of the Catalogue of feed materials, and the preparation of legal measures to administratively withdraw the authorisations of the additives not having been the object of applications for re-evaluation.
5. **Exchange of views on the application of the Identification Number system for feed additives**

The system of allocating identification numbers for additives being used for the last 4 years was reviewed. The general principle for this identification system consists of a code composed of symbols for the category and functional group the additive belongs to followed by a number. Usually, this latter number is the same number used in the old identification system for additives which already had them. The principle of using a unique identification code for each additive is part of the system although there are a number of additives which appear in more than one category and/or functional group. The numbers allocated in the last years were presented and also the plans for the numbers for upcoming re-authorisations and in particular vitamins. An exchange of views followed on possible ways to reflect this system in the Register or elsewhere.


The Commission representative presented the draft Commission Regulation converting the current maximum and action levels, expressed in Toxic Equivalence Factors (TEF) determined by the World Health Organisation (WHO) in 1998 into the new TEF values determined by the WHO in 2005. As the discussion as regards the maximum levels and action levels of dioxins and dioxin-like PCBs in food have been finalised, it is expected that the draft Commission Regulation can be submitted for opinion at a forthcoming meeting.

No further comments were made on the draft Commission Regulation.


The Commission representative presented the draft Commission Regulation establishing the maximum levels for non-dioxin like PCBs in feed. It was highlighted that the proposed maximum level for non-dioxin like PCBs in fish oil is 175 µg/kg following the discussions at the last meeting. As the discussion as regards the maximum levels of non-dioxin-like PCBs in food have been finalised, it is expected that the draft Commission Regulation can be submitted for opinion at a forthcoming meeting.

A delegation highlighted the need to clearly explain in the recitals the approach and to highlight findings of carry-over of non-dioxin like PCBs in feed and the resulting levels in food and the need to set therefore in future lower maximum levels based on a more robust database. The Commission representative indicated to take this into account.

No further comments were made on the draft Commission Regulation.
8. **Topics related to undesirable substances in feed**

In addition of the contamination of parsley with *Digitalis purpurea* as reported by a Member State at the meeting (see under point 17. AOB) reference was made to recent RASFF notifications as regards feed:
- cadmium in zinc sulphate from Italy
- aflatoxins in groundnuts from Brazil
- high level of salinomycin in complementary feed for poultry (non-target species) from Belgium
- dioxins in calcium iodate premix from India.
- dioxins and dioxin-like PCBs in shrimp shell meal from Morocco.

A discussion has taken place as regards the findings of a Member State as regards the presence of aflatoxin B1 in corn gluten feed and the resulting non-compliant levels of aflatoxin M1 in milk and the request of lowering the current maximum levels for aflatoxin B1 in feed for lactating animals.

Following points were highlighted:

- the need to analyse the other components of the diet for the presence of aflatoxin B1;
- the need to limit the use of feed materials, sensitive to aflatoxin contamination, in the diet for lactating animals.

The Commission representative highlighted the need to have more information before being able to discuss the lowering of maximum levels and referred to the note prepared by the Commission services and sent to the competent authority of the member State concerned outlining how under the current legal provisions the issue can be managed in order to ensure that the levels of aflatoxin M1 in milk are below the EU maximum level.

9. **Exchange of views and possible opinion on a draft Commission Regulation amending Regulation (EC) No 107/2010 as regards the use of the feed additive *Bacillus subtilis* ATCC PTA-6737 in feed containing maduramycin ammonium, monensin sodium, narasin, and robenidine hydrochloride**

(Document SANCO/12758/2010)

(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.

10. **Exchange of views and possible opinion on a draft Commission Regulation concerning the authorisation of *Pediococcus acidilactici* CNCM MA 18/5M as a feed additive for laying hens (holder of the authorisation Lallemand SAS)**

(Document SANCO/12759/2010)
A discussion took place and the vote was taken. The draft Regulation received a favourable opinion by unanimity.

11. Exchange of views and possible opinion on a draft Commission Regulation concerning the authorisation of a new use of *Bacillus subtilis* C-3102 (DSM 15544) as a feed additive for chickens reared for laying, turkeys and other minor avian species (holder of authorisation Calpis Co. Ltd. Japan, represented in the European Union by Calpis Co. Ltd. Europe Representative Office)

*(Document SANCO/12760/2010)*

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

12. Exchange of views and possible opinion on a draft Commission Regulation concerning the authorisation of diclazuril as a feed additive for guinea fowls (holder of authorisation Janssen Pharmaceutica N.V.)

*(Document SANCO/12761/2010)*

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

The German Delegation made the following declaration:

"Die deutsche Delegation kann dem Vorschlag nicht zustimmen, da für Rückstände in Eiern von Perlhühnern keine Daten vorliegen und Perlhuhneier potentiell auch als lebensmittel verzehrt warden können. Diclazuril sollte daher nicht an Perlhühner verfüttert warden, die Eier legen."

13. Exchange of views and possible opinion on a draft Commission Regulation concerning the authorisation of *Saccharomyces cerevisiae* MUCL 39885 as a feed additive for weaned piglets and amending Regulation (EC) No 1520/2007 (holder of the authorisation Prosol SpA)

*(Document SANCO/12762/2010)*
A discussion took place and the vote was taken. The draft Regulation received a favourable opinion by unanimity.


(Document SANCO/12763/2010)

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


(Document SANCO/6448/2009 – rev. 7)

As the internal Commission consultation procedure was not yet finalised, the point has been withdrawn from the agenda.


(Document SANCO/12717/2010 – rev. 3)

The Commission representative Highlighted the changes which were included following the internal Commission consultation procedure but without changes in substance. A delegation requested to apply the footnote indicating that the % phosphorous applies to a feed containing 12 % moisture and applicable to the maximum level of fluorine in
complementary feed, also to the maximum level for cadmium in complementary feed. This has been agreed.

A delegation indicated not to be in a position to support the draft Regulation as the foreseen measures for *Ambrosia spp* were considered to be too strict. The Commission representative indicated that the strict measures are necessary to avoid further dispersal of *Ambrosia spp* into the environment. The entry into force of the measures as regards *Ambrosia spp* is proposed to be 1 January 2012.

A delegation indicated their concerns as regards the proposed maximum levels for aflatoxin B1 and the resulting levels of aflatoxin M1 in milk. The Commission indicated to investigate this issue further but mentioned that it was premature to change the maximum levels at this stage. This point was discussed in more detail under agenda item 8. Another comment was made as regards the carry-over level of nicarbazin but this point was clarified by the Commission representative.

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

The Hungarian Delegation made the following declaration:

"Magyarország a tervezet ellen szavazott mivel annak a parlagfümag szóródasának megelőzésére megállapított határértékeiről megállapítható, hogy:

• A megállapított határérték az intézkedés céljához képest aranytalanul szigorú;
• Jogszabályi bizonytalanság következtében bizonytalan, hogy a határérték a termékek mely körére vonatkoztatandó;
• Az intézkedést a vonatkozó EFSA-vélemény nem támásztja alá, helyenként azzal ellentétes (a feldolgozandó alapanyag az EFSA vélemény szerint nem játszik szerepet a terjesztésben, ennek ellenére az intézkedés a feldolgozandó alapanyagra is vonatkozik);
• Az intézkedés nem ad lehetőséget tagállami derogációra, (vö: tagállami derogáció élelmiszerek dioxin-szennyezettségével kapcsolatban a 1881/2006/EK bizottsági rendelet 7. cikk (4) szerint), ami pedig a parlagfü veszélytelensége miatt indokolt lenne;
• Az intézkedés nem a monitoring alapú fokozatosság, hanem az azonnali túlszabályozás példája."

17. **A.O.B.**

- A Member State representative asked whether a feed business operator can claim for a feed material the new additive function about the reduction of mycotoxin contamination. A Commission representative clarified that the additive functions as laid down in Annex I of Regulation 1831/2003 are not exclusively for feed additives but can be exerted as well by feed materials. However, in terms of the substantiation of the claim he referred to Article 13 of Regulation 767/2009.
A Member State representative asked for clarification whether fermented milk products could be considered as feed materials even though they contain living microorganisms. A Commission representative confirmed this with reference to the discussion on the Catalogue of feed materials.

A Member State representative informed the Committee on a feed consisting of maltodextrine, trypsin hydrolysed bovine casein and magnesium stearate for which the intended use has been changed from "reduction of stress reactions" to "animals experience uneasiness, when the animals are put in the presence of unusual or unpredictable situations or when the animal needs an adaption to new environments". From the discussion it can be concluded that the product can be rather considered a complementary feed than a veterinary drug. As the specifications for the existing particular nutritional purpose "reduction of stress reactions" are not met this claim shall not be used. The Member States are invited to verify the scientific substantiation of the alternative claim for a further discussion in one of the next Committees.

The representative of a Member State informed the Committee about an intoxication of a herd of 650 veal calves with a consignment of parsley contaminated with Digitalis purpurea causing a mortality of 69 calves. No other contaminated consignments were known. The consignment was supposed to go to a biogas plant. A criminal investigation is carried out. The RASFF is informed.

Bernard Van Goethem, Director (signed)