Chairman: Mr James Moynagh.

25 Member States were present.
EL absent and represented by CY.
PT absent and represented by UK.

1. Feed Additives

1.1. Applications under Regulation (EC) No 1831/2003 Art. 4 or 13

1.1.1. New applications

The latest applications were circulated for possible comment.

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

1.2.1. Discussion on EFSA opinion: Scientific Opinion on the modification of the terms of authorisation of Protural (sodium benzoate) as a feed additive for weaned piglets – Annex

Following the discussion, a draft Implementing Regulation will be proposed for possible vote at a future meeting.

1.2.2. Discussion of EFSA opinion: Scientific Opinion on safety and efficacy of propionic acid, sodium propionate, calcium propionate and ammonium propionate for all animal species. -- Annex

Following the discussion, a new Annex will be proposed for the next meeting.

1.2.3. Discussion of EFSA opinion: Scientific Opinion on safety and efficacy of Actisaf Sc47 (Saccharomyces cerevisiae) as a feed
additive for rabbits for fattening and non food-producing rabbits -- Annex

Following the discussion, a draft Implementing Regulation will be proposed for possible vote at a future meeting.

1.2.4. Discussion of EFSA opinion: Scientific Opinion on potassium diformate (KDF preservative) as a feed additive for all animal species -- Annex

Following the discussion, a draft Implementing Regulation will be proposed for possible vote at a future meeting.

1.2.5. Discussion of EFSA opinion: Scientific Opinion on modification of terms of authorisation of Quantum (6-phytase) as a feed additive for turkeys for fattening -- Annex

Following the discussion, a draft Implementing Regulation will be proposed for possible vote at a future meeting.

1.2.6. Discussion on EFSA opinion Neohesperidine dihydrochalcone for several species -- Annex

The EFSA opinion was discussed and also the draft annex entry. A draft implementing Regulation will be submitted to vote in a forthcoming meeting.

1.2.7. Discussion on EFSA opinion on Erythrosine (E127) for cats and dogs, ornamental fish and reptiles -- Annex

The EFSA opinion was discussed. Additional information on data on ornamental fish was circulated. This information will be sent to EFSA. A draft implementing Regulation for the other species will be submitted for vote in a forthcoming meeting.

1.2.8. Discussion on EFSA opinion Anthranilate derivatives (CG 27) for all species

A first discussion took place on this EFSA opinion, the first on the forthcoming series of groups of chemically defined flavourings. An annex entry will be discussed in a forthcoming meeting.

1.2.9. Discussion on EFSA opinion: Allylhydroxybenzenes (CG 18) for all species

A first discussion took place on this EFSA opinion, similar to the previous one on the anthranilate derivatives (CG 27). An annex entry will be discussed in a forthcoming meeting.
1.3. Discussion on the status of chlorophyll-based faecal markers

There was general agreement that this substance would seem to fall under the definition of a feed additive. The Commission will reflect on the relevant functional group.

2. Coordination of the work relating to the Codex Alimentarius Ad Hoc Intergovernmental Task Force on Animal Feeding

The draft comments on the revised documents prepared by Switzerland were discussed. The revised version will be sent to Member States Codex contact points for agreement prior to being sent to Switzerland.

3. Update and exchange of views on recent RASFF notifications related to undesirable substances in feed

The Committee was informed of the significant number of RASFF notifications in the past month related to the presence of high levels of aflatoxins in peanuts from India for use as birdfeed (9 notifications). Also in the first 6 months of 2011 there was a very high number of RASFF notifications on high levels of aflatoxins in peanuts for feed (115 notifications). The Commission said they had urged the Indian authorities to improve the situation very urgently and subsequently had received an action plan which was checked by the FVO at the occasion of another inspection audit in India in October 2011. The situation seemed to have improved but since mid-November 2011, there has again been a significant increase in notifications. Indian authorities will be asked for a clarification. If the situation does not improve within a short period, stricter measures than the existing measure of increased frequency of controls at import (20% of consignments) might need to be considered.

Furthermore, a non-compliant level of dioxins was found in copper sulphate from Peru.

4. Discussion on the outcome of the Working Group on sampling of feed

The Committee was informed of the outcome of the discussions at the meeting of the working group on sampling of feed which took place on 21 December 2011. The attention of the Committee was drawn, in particular, to the following topics (amongst other issues):

⇒ the scope of the sampling provisions;
⇒- to provide specific provisions for large lots, lots in silo's in line with what is foreseen in the "guidance document for the sampling of cereals for mycotoxins" but to extend it to the full scope of the sampling provisions. Also sampling provisions for silage are to be provided;
⇒ to provide for the possibility of automatic sampling;
⇒- to change some quantitative requirements;
⇒- to review the sampling of lots for undesirable substances likely to be distributed non-uniformly throughout the feed and to provide whenever possible consistency with sampling provisions, existing in EU legislation.
The Commission's representative indicated that a concrete text would be elaborated for further discussion at a new meeting of the working group, probably at a date in the first half of March. A delegation made a comment on the scope of the sampling provisions.


5.1. Application to amend Annex I to Directive 2008/38/EC by introducing the new particular nutritional purpose "Regulation of thyroid hormone metabolism in the case of hyperthyroidism"

After evaluation of the dossier by the Member States several comments, mainly on the safety for the target species, were raised. Thus, the Commission services will revert to the applicant and request supplementary information.

5.2. Register of feed materials as laid down in Article 24(6)

After more than one year of existence, the Committee discussed the status of the feed materials register as published by the European feed business sector. It was stated that the register contains many incorrect entries, mainly products that are not to be considered feed materials. A Commission representative stressed that the register has no legal value and a listing in the register does not mean any licensing for placing this product as feed material on the market. Member States offered their support to the European feed business sector for improving the quality of the register. In concrete, Member States could investigate whether the person situated in their territory and who made an incorrect notification is, in line with Article 24(6) of Regulation (EC) No 767/2009, a registered feed business operator and indeed placed such product as feed material on the market. This would help in tidying up the register.

5.3. Labelling and control of feed additives with discrepancy between the added and the analysed amount

It is scientifically established that levels of certain technological additives (e.g. antioxidants), zootechnical additives (e.g. enzymes) and nutritional additives (e.g. vitamins, amino acids) change during the processing of compound feed and the storage of finished feeds. Consequently, a discrepancy can occur between the amounts added to the compound feed as declared on the list of feed additives in accordance with Annexes VI/VII of Regulation (EC) No 767/2009 and, if undertaken, the results of the respective laboratory analysis for these additives. In practice, this can cause problems in the margins of official controls.

A Commission representative clarified that the supplier of the additives to the compound feed industry provides for the expiry date of the guarantee of the additive amount or their storage life from the date of manufacture. Further, the compound feed manufacturer must determine the 'minimum storage life’ guaranteeing that the feed retains its declared properties until this date. He added that the tolerances as laid down in Annex IV of Regulation (EC) No 767/2009 only apply to additive values verified by laboratory analysis.

Reporting from their national practice, Member States apply general reduction tolerances e.g. for acidity regulators or allow the inspection services to apply specific reduction rates on a case by case examination. Some Member States
suggested that the feed business operators label for the relevant feed additives an "amount in the finished feed" under the list of analytical constituent which would then be the value to be verified in official controls by the laboratory analysis instead of the value in the additive list. It was concluded that this would be a reasonable solution and that the Committee will come back on the issue in order to have a harmonised approach.

6. Exchange of views and possible opinion of the Committee on a draft Commission Implementing Regulation concerning the authorisation of a preparation of caraway oil, lemon oil and certain dried herbs and spices as feed additive for weaned piglets (holder of authorisation Delacon Biotechnik GmbH)

(Document SANCO/12890/2011)

(Legal basis : Article 9 of Regulation (EC) No 1831/2003) (Opinion of the Committee via the examination procedure)

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

7. Exchange of views and possible opinion of the Committee on a draft Commission Implementing Regulation concerning the authorisation of sodium bisulphate as feed additive for pets and other non-food producing animals

(Document SANCO/12889/2011)

(Legal basis : Article 9 of Regulation (EC) No 1831/2003) (Opinion of the Committee via the examination procedure)

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

8. Exchange of views and possible opinion of the Committee on a draft Commission Implementing Regulation concerning the authorisation of monensin sodium as a feed additive for chickens reared for laying (holder of authorisation Huvepharma AD)

(Document SANCO/12887/2011)

(Legal basis : Article 9 of Regulation (EC) No 1831/2003) (Opinion of the Committee via the examination procedure)

A discussion took place and the vote was taken. The draft Implementing Regulation received a favourable opinion by qualified majority (316 votes in favour, 29 abstentions).


(Document SANCO/12920/2011)
(Legal basis: Article 8 (1) of Directive 2002/32/EC) (Opinion of the Committee via the regulatory procedure with scrutiny)

The draft Commission Regulation intends to amend Annex I to Directive 2002/32/EC on the following points:
- arsenic in calcium and magnesium carbonate, dicopperchloridetrihydroxide, complementary and complete feed for feed for pet animals containing fish, other aquatic animals and products derived thereof and/or seaweed meal and feed materials derived from seaweed;
- fluorine in calcium and magnesium carbonate;
- lead in calcium and magnesium carbonate and in natrolith phonolith.
- mercury in calcium and magnesium carbonate
- endosulfan in complete feed for Salmonids
- dioxins in crustacean meal
- provisions on *Ambrosia* seeds
- changes in the provisions on the unavoidable carry-over of diclazuril and lasalocid sodium following changes in the conditions for authorisation.

Some comments were made on the proposals which will be taken into account to a large extent. The Commission's representative indicated the intention to submit the draft Commission Regulation to the Committee for a formal opinion at a future meeting.

10.A.O.B.

- **Application of the GM labelling rules in case of botanical impurities**

  At the request of a Member State, a Commission representative informed the Committee about a recent letter from stakeholders on the issue. The relevant working document from 2009 was re-discussed. The Committee, section animal nutrition, will come back on the issue once it has been dealt with in its GM section.

- **Approval of feed business operators placing on the market feed additives**

  At the request of a Member State, a Commission representative informed about the activities that require the approval of a feed business operator according to Annex IV of Regulation (EC) No 183/2005 and Commission Regulation (EC) No 141/2007. It was concluded that the procedure for the necessary update of Annex IV will be examined in the margin of the alignment to the Lisbon Treaty.

- **Definition of food producing animals in Regulation (EC) No 767/2009**

  At the request of a Member State, a Commission representative clarified that rabbits, even if they are kept as pets, are to be considered food producing animals according to the feed marketing Regulation because rabbits are also normally used for human consumption in the EU.
• **Leaves of Juglans regia (walnut) in animal nutrition**

At the request of a Member State, the Committee discussed, using the example of progesterone in leaves of the walnut tree, the natural presence of hormones in feed materials. A Commission representative reported that in consultation with the relevant unit, naturally present hormones in feed materials are not to be considered under the scope of Directive 96/22/EC except if they are specific authorised veterinary medicinal products. In case the intended use of a feed material is the administration of naturally present hormones, this could be tackled by the risk manager using e.g. Directive 20002/32/EC or Regulation (EC) No 767/2009.

• **Labelling of trace elements in feed materials and compound feed**

One Member State raised the issue that Regulation (EC) No 767/2009 mandates just to label the quantity of the compound of the trace element. He stressed the need to label the quantity of the trace element for transparency reasons and suggested, supported by several Member States, an amendment of the currently valid rule. A Commission representative explained that Regulation (EC) No 1831/2003 requires for the marketing of the additives and premixtures that, for trace elements, both the product weight and quantity of the trace element in the product must be labelled. For the labelling of compound feed and feed materials he confirmed that within the current provisions in Regulation (EC) No 767/2009 the quantity of the compound of the trace element must be labelled. Moreover, he clarified that the feed business operators, in order to improve transparency, can label the quantity of trace element on a voluntary basis. This is already practiced by many businesses and the Regulation even encourages to foresee such voluntary labelling in the codes for good labelling practice.