Chairman: Eric Poudelet

All the Member States were present.


These two guidance documents aim at assisting all players in the food chain to better understand and to apply Regulations (EC) No 852/2004 and 853/2004 correctly and in a uniform way. The Commission representative presented the amendments made to existing versions of these documents\(^1\). After discussion both documents were supported by the committee and will be presented for general consensus at the SCFCAH meeting in January 2009.

3. Information, based on current legislation, on meat inspection in poultry

The Commission gave clarification on the legal obligations under the EU official control rules in the poultry meat sector and in particular on the involvement of auxiliary staff and pilot projects to try out new approaches to hygiene controls on meat.

3A. Update of the Guidelines for the implementation of Decision 2002/657/EC\(^2\) regarding the validation of substances for which a SUM Maximum Residue Limits (MRLs) is established (SANCO/2004/2726 Rev. 4)

These guidelines have been updated by adding a new chapter including advice to the laboratories on how to validate the analytical methods for substances for which a SUM-MRL is established. They have been drafted by the Community Reference Laboratories for residue control (Berlin and Fougères) and finalised after consultation.

\(^1\) [http://ec.europa.eu/food/food/biosafety/hygienelegislation/guide_en.htm](http://ec.europa.eu/food/food/biosafety/hygienelegislation/guide_en.htm)

of the National Reference Laboratories. They will be published on DG SANCO website³.


This proposal is the second step in the review of the feed ban.

The proposal introduces the possibility to Member States to make a risk assessment in the case of detection of animal constituents from e.g. rabbits/mice (environmental contamination) in feed materials from plant origin before considering a breach of the feed ban. The proposal expands the provisions which already exist for beet pulp to all feed materials of plant origin.

This proposal is accompanied by the document "Information on the risk assessment carried out by Member States following the detection of insignificant amounts of bone spicules in feed materials of plant origin (Point II.A.(d) of Annex IV to Regulation (EC) No 999/2001)"**, which was slightly modified further to comments on the scope of the draft Regulation. (see Annex)

Italy was concerned that there was no harmonious approach to the risk assessment.

**Vote**: in favour at qualified majority (316 votes), 29 votes abstention.


The proposal aims at aligning current TSE diagnostic methods to the new OIE manual adopted in June 2008 and introduces in particular the possibility to use rapid tests as confirmatory tests. It also updates the list of approved rapid BSE tests to take into account recent scientific development. Furthermore a number of rapid tests listed in Regulation (EC) No 999/2001 should not be used anymore for TSE monitoring either because the company has changed, has withdrawn the test from the market or has never submitted the details of its quality system to the CRL for review. It is therefore appropriate to delete those tests from the list of rapid tests approved for the monitoring of TSE.

**Vote**: in favour at unanimity.

6. **Exchange of views and possible opinion of the committee on a draft Commission Regulation laying down a transitional arrangement for the implementation of Regulation (EC) No 2160/2003 of the European Parliament and of the Council, as

regards direct supply of small quantities of poultry meat (submitted to the Right of scrutiny of the European Parliament) (SANCO/3654/2008 Rev. 2) (See point 7 of the SCFCAH meeting on 26/11.)

The purpose of the current draft Regulation is to derogate from the provisions in Regulation (EC) No 2160/2003 on the control of Salmonella and other specified food-borne zoonotic agents for the direct supply of small quantities of meat from broilers and turkeys slaughtered on the farm, by the producer, to the final consumer (or to local retail establishments directly supplying such meat to the consumers).

This takes into account that these provisions, in particular the continuous testing of birds leaving for slaughter, cause practical difficulties. Therefore, derogation is proposed for a transitional period until the results of setting a target for the reduction of Salmonella in broilers and turkeys have been assessed. Derogating these small flocks from the provisions in the Regulation will not increase the risk for public health because Member States must establish, under national law, rules ensuring that the objectives of Regulation (EC) No 2160/2003 are achieved. The derogation will expire three years after its adoption.

Vote: in favour at unanimity


The proposal aims at granting special guarantees to Denmark as regard Salmonella for consignments of eggs, similar to those already given to Finland and Sweden in the framework of their accession.

However no vote was taken on the proposal as a preliminary tour de table indicated no qualified majority could be reached. The Danish delegate requested the Commission to proceed to the vote and to bring the proposal to the Council. Nevertheless the Commission advised Denmark to take bilateral contacts with the Member States blocking the proposal in order to discuss the issue for a possible future agreement. The proposal could then be re-presented for vote.

8. Discussion and possible consensus on the Guidelines on the validation of new apparatuses for Trichinella testing

These guidelines aim at establishing a unique protocol for the validation process of automatic digestion apparatuses in the testing of Trichinella susceptible animals intended for human consumption.

A general consensus was reached on the guidelines, which will be published on DG SANCO website.4

Miscellaneous

- Update on dioxin by Ireland and the United Kingdom

4 http://ec.europa.eu/food/food/biosafety/hygienelegislation/trichinella_en.htm
In Ireland recall is almost completed, 120 000 pigs are to be slaughtered for destruction and 28 bovine farms are still under restriction. Ongoing investigation may indicate that the time period of contamination would be limited between end August-end September 2008.

In the United Kingdom arrangements for destruction or release of blocked products are in place. 8 bovine herds are under restriction. There is no restriction anymore on milk from dairy herd linked to the incident. Continuous updates will be provided through RASFF.

- The Czech Republic requested some clarification on the trade of crocodile meat. The Commission explained that as no Community rules exist for reptile meat, imports are then based on bilateral agreements with third countries. It also stressed that this issue has been discussed many times in the past and that it will be brought to discussion again in the near future in order to reach a harmonised approach.

(signed)
Eric Poudelet
Director

N.B. The proposals on which the Committee expressed an opinion are subject to a defined procedure in relation to the formal adoption by the Commission.
Information on the risk assessment carried out by Member States following the detection of insignificant amounts of bone spicules in crops feedmaterials of plant origin (Point II.A.(d) of Annex IV to Regulation (EC) No 999/2001).

According to the legal provisions, the risk assessment should take into account at least the amount and possible sources of contamination and the final destination of the consignment. This risk assessment should be done in a similar and proportionate way in all Member States.

The purpose of this general provision is to provide flexibility to the Competent Authorities to include all aspects that they consider relevant to assess the risk. The risk assessment should be based on the balance of different aspects whereby uncertainty of risk in one aspect may be compensated by risk reduction measures in another aspect, e.g. if the origin and the nature of the contamination are uncertain, a more prudent approach is required on the final destination, than if an environmental contamination can be clearly demonstrated. This approach shall not preclude taking very strict measures if a fraud is demonstrated regardless of the amount and the origin of the contamination and the destination of the feed or if not the necessary measures have been taken to avoid any cross-contamination.

More specifically, the amount of contamination should be low if caused by a real environmental contamination. In case higher amounts are found, any possibility of fraud should be thoroughly investigated in order to be excluded. A precise threshold may however be disputed and legally challenged because of subjectivity and/or variation in the interpretation of quantitative analyses of the contamination.

With regard to the nature of contamination, analytical methods (including DNA methods) on bone spicules or hair-found in feedmaterials of plant origin may be used as well as traceability records. Efforts of private stakeholders to ensure the quality and safety of their product should be taken into account. In particular, no evidence of any possible presence of prohibited material should be found.

It is evident that exclusive feeding of the contaminated consignment to non-ruminant farmed animals reduces and may even exclude any TSE risk based on current evidence. It may be a way to compensate too many uncertainties with regard to the nature of the contamination, but practicalities and losses of value should be taken into account. However based on the favourable risk assessment the final destination shall not automatically exclude the feeding to ruminants of the contaminated consignment.

This document is without prejudice to any interpretation of EU law, which may be given by the Court of Justice or the Court of First Instance of the European Communities.