SHORT REPORT
OF THE
STANDING COMMITTEE ON THE FOOD CHAIN AND ANIMAL HEALTH
(Section Biological Safety of the Food Chain)
(Section Controls and Import Conditions)
(Section Toxicological Safety of the Food Chain)
(Section Animal Health and Welfare)
HELD IN BRUSSELS ON 16-17 JULY 2002

President: Mrs. Paola Testori Coggi for the additional point on MPA, Mr. Eric Poudelet for points 1 to 4, 6 to 8 and 13 to 17, Mr. Henri Belvèze for points 10 and 11, Mrs. Patricia Brünko for points 5 and 9, Mr. Alberto Laddomada for points 5a, 12 and 16a

All the Member States were present.

In addition to the formal agenda, the Committee dealt with the following points:

(1) Further to the presentation made at the SCFCAH of 20.06.2002, the Irish delegation distributed and presented an update report on the BSE situation in Ireland, providing information about the total number of cases and the age profile of the cases. Since the last presentation, 24 new cases have been confirmed, bringing the total up to 200 cases for 2002.

(2) Exchange of views on contamination of the feed and food chain with pharmaceutical waste containing medroxyprogesterone (MPA)

Mrs. Paola Testori-Coggi-Director, chaired this item of the meeting. Member States gave a detailed up date on the respective national situation.

The Netherlands reported that their investigations indicated that there were 3 different tracks to which the contamination could be attributed:

1. **Track 1** was associated to 51 pig farms at 59 locations. These farms had fed their animals with wet feed that contained contaminated glucose syrup. The contamination of the glucose syrup ranged from 10,000 to 4,100,000 µg/kg (ppb) MPA. The feed contained 5 – 237,341 µg/kg (ppb) MPA.

2. **Track 2** involves 516 pig and poultry farms in the Netherlands that received contaminated compound feed from one feed mill.

3. **Track 3** concerns all feed that was produced from contaminated molasses distributed by the trader Schuurmans en Van Ginneken in the Netherlands. This trader delivered molasses to 73 feed mills in the Netherlands but also to traders and feed mills in Germany, Belgium, Luxembourg and to the United Kingdom (via Germany).
In Track 2 and 3 the contamination of the feed was much lower than in track 1 (around 300 ppb).

**Belgium** described its system of increased supervision that is to ensure that neither raw material nor feedingstuffs or animals products result in a risk for human health. It was most efficient to start with the result of the samples from the potentially contaminated molasses. If the molasses are negative, the feed batch produced with them could be considered negative and therefore farm animals fed on the relevant feed can be released. If the molasses are positive the animals are tested. In the beginning faeces test were still meaningful but now samples of kidney fat must be taken. If these are negative on a representative number of animals the respective farms could be released. Moreover Belgium confirmed again that no food products that might have been produced with glucose from Bioland are still in circulation. The batches had been identified with the help of documentation impounded at the Bioland premises and at the food manufacturers.

A representative from the **Irish Environmental Protection Agency (EPA)** reported on the enquiry being carried out on the source of the contamination. He stressed that the enquiries were criminal investigations and that he had to be careful to aver any prejudgements.

All waste shipments from the company Wyeth have been stopped. Wyeth Medica Ireland and CARA Environmental Technologies have been inspected and some inconsistencies have been identified. Moreover all other chemical companies’ procedures for waste disposal will be reviewed. However, only a few are involved in waste disposal. Investigation is ongoing by the Irish authorities, which have been provided assistance to a Belgian Judicial Commission.

**Luxembourg** reported that mainly dairy farms are concerned. Although some positive results on MPA were found in molasses and feed, none of the tests in milk and butter of farms that had received potentially contaminated feed revealed contamination with MPA. Also the renal fat of cows slaughtered for investigation purposes did not contain levels of MPA.

**Germany** reported that a company had notified 60,000 litres of glucose syrup still in stock. Belgium promised assistance in finding the connection to Bioland if there was any. The chair stressed that cross checking was vital in all cases. Germany’s testing activities focus on feed. Animals on farms that have received potentially contaminated feed are only released if the feed is tested negative. Moreover forty meat samples tested so far have been negative.

The **United Kingdom** confirmed that all feed that was delivered has been identified and recalled. Samples were taken and results are pending.
**Italy, Spain, Sweden and Denmark** reiterated the nature and type of deliveries they had received. **Italy** specified that it normally imports 900,000 pigs/year from the Netherlands and that according to the information transmitted by the Rapid Alert System for Food and Feed (RASFF), ninety of the recent deliveries had been possible contaminated batches. If Italy was to test every single batch this was an enormous task in particular as the ELISA test was unreliable. It also would need to be clarified who would redress the damages.

**Applicability** of Council Directive 96/22/EC and 96/23/EC was discussed. The chair underlined that this incidence was treated as a contamination not as intentional use.

**France** requested a specific **human health risk assessment** on the incidence. It was, however, concluded that this would take too much time and that therefore those assessments that were available had to be consulted. The Committee on Veterinary measures relating to Public Health (SCVPH) have already evaluated the risks to human health from hormone residues in bovine meat and meat products treated with six hormones for growth promotion such as progesterone. The SCVPH concluded in 1999, in 2000 and again in 2002 that no acceptable daily intake (ADI) could be established for any of the six hormones evaluated.

Moreover the reliability of different **methods of analysis** was discussed. The **Netherlands, Italy** and **Austria** remarked that the ELISA tests available were unreliable. The **Netherlands** emphasised that none of their conclusions were based on ELISA tests. Result had to be confirmed with High-Pressure Liquid Chromatography and Liquid Chromatography/Mass spectrometry with a limit of detection of 1 ppb (µg/kg).

**Belgium** reiterated its sampling procedure. There were useful instructions in Annex III to ALINORM 99/24 A (available on www.codexalimentarius.net/) as guidance for the determination of representative samples sizes.

**France** and **Italy** insisted on harmonised measures. Tests needed to be performed systematically and with respect to the distribution track. The **Netherlands** stressed that it would be difficult to agree exactly the same measures for every Member State because the distribution pattern was specific for each Member State.

Finally the **Member States** and the **Commission** agreed on the following measures

1. **All Member States**
   - verify if Bioland sold glucose syrup to further feed and food companies on their territory;
continue to trace potentially contaminated feed and food, block establishments concerned and test possibly affected products;
communicate all respective findings through the Rapid Alert System for Food and Feed (RASFF);
verify disposal chains of pharmaceutical companies on their territory.

2. Member States and Commission reiterated the need to take joint actions to protect public health. Consequently the approach taken over the past days was reconfirmed:

all potentially contaminated feed is traced, recalled and destroyed;
all establishments which have received potentially contaminated feed are placed under surveillance;
increased testing to ensure that products on the market do not constitute a public health risk and food shall be destroyed if any indication of contamination;
possible deliveries of glucose syrup from Bioland to the food industry are to be investigated and pursued.

Member States have ensured that all measures are taken to protect public health, under official supervision.

FORMAL AGENDA

1. INFORMATION TO THE MEMBER STATES ON THE PROPOSED PAYMENTS FOR THE 2001 BSE MONITORING PROGRAMME (AW)

The Commission distributed an updated table summarising the proposed payments to Member States for the 2001 BSE monitoring programmes carried out. The orders for payments would be launched end July 2002.

2. FVO PROGRAMME OF INSPECTIONS 2002 - SECOND HALF (DOC. DG(SANCO)/610124/2002) - (AKL)

The FVO distributed and presented an update of the inspections plan for 2002 setting out a detailed inspections programme for the second half of this year. The FVO representative indicated that particular emphasis would be given to inspections in applicant countries.
3. **PRESENTATION OF THE FINAL REPORT OF A MISSION CARRIED OUT IN CROATIA FROM 8 TO 12 APRIL 2002 IN ORDER TO EVALUATE THE CONTROLS OVER THE PRODUCTION AND PLACING ON THE MARKET OF MILK AND MILK-BASED PRODUCTS DESTINED FOR EXPORT TO THE EU. (DG(SANCO)/8531/2002) (SJ)**

The Commission presented the mission report and reported on the main findings. The objective of this second mission was to evaluate the controls over production and placing on the market of milk and milk-based products destined for export to the EU, in the framework of Council Directive 92/46/EEC.

The Commission presented the conclusions and a number of recommendations.


The Commission presented the mission report and reported on the main findings. The objective of the mission was to carry out an evaluation on the implementation of Council Directive 91/493/EEC on fishery products with the aim to include Switzerland in List I of Commission Decision 97/296/EC.

The Commission presented the conclusions and a number of recommendations.


Directive 1999/2/EC of the European Parliament and of the Council of 22 February 1999 on the approximation of the laws of the Member States concerning foods and food ingredients treated with ionising radiation requests that the Member States shall forward to the Commission every year the results of checks carried out in the irradiation facilities, in particular regarding the categories and quantities of products treated and the dose administered, and the results of checks carried out at the product marketing stage including information on the methods used to detect irradiated foods. The Commission shall compile the information and shall publish it in the Official Journal of the European Communities.

The Commission presented a draft of the first report on results of checks performed by the Member States during the period September 2000 to December 2001. The Member States were asked to check the information for correctness and completeness and send any supplementary information or any other comment by 2 August 2002, at the latest.

5A. **INFORMATION ON THE AVIAN INFLUENZA SITUATION IN CHILE**
The Member States were given information about two outbreaks of highly pathogenic avian influenza in a limited area in Chile. It seems most likely that a low pathogenic avian influenza strain that was detected in early May 2002 had mutated into a highly pathogenic strain. The disease had never been known to be present in Chile. The Commission distributed documentation of a presentation given by the Chilean CVO at a meeting with the Commission in Brussels on 16 July 2002 and gave an overview on the current situation.

The Chilean authorities had already suspended exports to the EU since 21 June 2002. The documentation provided information and guarantees on the origin and destination of batches underway before the suspension.

The United Kingdom had taken unilateral safeguard measures, banning all imports of live poultry, poultry meat, meat of farmed game, meat products and meat preparations derived from poultry and farmed game birds including consignments on their way certified before 21.06.2002. The Commission proposed to suspend importation, in line with the action taken by Chile (see also point 16a)


The Member States considered a draft Regulation amending several aspects of Regulation (EC) 999/2001. The Commission explained the amendments to the text since the last presentation (SCFCAH of 20.06.2002). The proposal was intended to:

- review the BSE monitoring programme in the light of the results obtained during the first six months;
- following conclusions of the Scientific Steering Committee and in line with OIE decisions based on similar scientific grounds, repeal the provisions on the destruction of bovine embryos and ova from BSE cases and the BSE related import conditions for bovine embryos and ova;
- clarify the rules on the removal and control of specified risk material.

**Vote: 72 votes in favour, 5 votes against, 10 abstentions (qualified majority)**

The French delegation made the following statement:

« La France déclare que l’amendement proposé à l’annexe XI, partie A, point (a) (i), concernant le statut de matériels à risques spécifiés des os de la colonne vertébrale des bovins âgés de plus de douze mois, fera l’objet de précisions à l’attention des établissements français qui pratiquent le retrait des vertèbres par un...»
procédé de désossage mécanique : il sera précisé que les apophyses transverses des vertèbres lombaires et thoraciques doivent être sectionnées à environ 1 cm du corps vertébral, conformément à la recommandation de l’Afssa du 18 juin 2002 »

The Commission also issued the following declarations:

“The provisions of Annex XI (A) (12) to Regulation (EC) No 999/2001 shall apply both to meat produced in the EU and to meat imported from third countries. Where carcases or parts of carcases of bovine animals, containing vertebral column, are not identified by a blue stripe on the label referred to in Regulation (EC) No 1760/2000, the carcases shall be sent to a cutting plant or, as appropriate, an approved butcher shop, where the vertebral column shall be removed as specified risk material.”

“The sample size referred to in Annex III (A) (II) (2) to Regulation (EC) No 999/2001 has been laid down based on official statistics on the annual number of slaughtered ewes in each Member State. If a Member State submits evidence at the end of the sampling period that the minimum number of samples could not be obtained due to a lower number of slaughtered ewes, this will be taken account of when assessing the results.”


The United Kingdom made a presentation on the Date Based Export Scheme (DBES), as approved in 1998, and tabled a request to amend the DBES to enable participating companies to slaughter and process DBES ineligible bovine animals as well as DBES eligible bovine animals provided that adequate separation arrangements were in place.

The FVO presented reports of missions carried out in Great Britain and Northern Ireland to evaluate implementation of control measures as regards TSE, including DBES. During the mission, the inspectors were presented with an amended protocol for required methods and operating procedures for the DBES. They concluded that the proposed protocol would provide for appropriate controls of DBES eligible animals to be carried out.

The Member States were presented a proposal laying down a theoretical model of separation of DBES- and other animals in slaughterhouses, in line with the protocol presented by the UK authorities. Furthermore, based on opinions of the Scientific Steering Committee, the draft Decision aimed to repeal the prohibitions of export of embryos from the UK and of export of bone-in veal from calves of between 6 and 9 months of age exported under the DBES criteria.

The purpose of the draft Decision is to lay down specific health rules for the putting on the market and imports of collagen intended for human consumption, covering (i) establishments producing collagen, (ii) raw materials and establishments supplying them, (iii) finished products, (iv) packaging, storage and transport and (v) importation of collagen and raw material destined for the production of collagen intended for human consumption. The proposal also intends to draw up model health certificates to accompany the imported collagen and raw material destined for the production of collagen intended for human consumption.

The proposal was given a *technical agreement* and was to be transmitted to the WTO under the SPS procedure.


Article 15(1) of Council Directive 96/23/EC provides that “The detailed rules for the taking of official samples and the routine and reference methods to be employed for the analysis of such official samples shall be specified in accordance with the procedure laid down in Article 33” (comitology procedure).

As a result of advances in analytical chemistry since the adoption of Directive 96/23/EC the concept of routine methods and reference methods in this field has been superseded by an approach based on performance criteria and validation. Therefore the present draft Decision establishes such criteria and procedures for the validation of analytical methods to ensure the quality and comparability of analytical results generated by official laboratories rather than describing individual analytical methods.

Moreover in order to ensure the uniformity of controls, this draft Decision establishes common criteria for the interpretation of test results and a procedure to progressively establish minimum required performance limits (MRPL) for analytical methods employed to detect substances for which no permitted limit (maximum
limit) has been established. This is in particular important for substances whose use is not authorised or is specifically prohibited in the Community.

Revision 6 of the document was discussed in the Standing Committee for the Food Chain and Animal Health of 20 June 2002. The Commission highlighted the differences between revision 6 and 7.

Belgium stressed urgent need of a decision on the performance of analytical methods in particular because Commission Decisions 93/256/EC and 93/257/EC were completely outdated. Moreover the proposed text provides a legal basis for the progressive establishment of minimum required performance limits (MRPL) which were essential as recent incidents concerning nitrofurans and chloramphenicol had demonstrated. Sweden and the Netherlands supported Belgium. Spain and Ireland withdrew reservations expressed at the last meeting. France supported the document but was not happy with the order of the definitions in the Annex of the French version.

The United Kingdom asked for an in-depth study on the resulting costs for the Member States laboratories but, as Germany, generally supported the adoption of the draft Decision. Both MS, however, feared that the transitional provisions provided in Article 8 were insufficient. Germany asked for the inclusion of the following paragraph in Article 8: "If difficulties in the implementation of this decision lead to problems in the execution of official investigations so that the delays specified in Article 8(1), in particular with respect to substances listed in annex I B of Council Directive 96/23/EC cannot be observed, the Commission may at the request of a Member State propose further transitional dispositions in a communitology procedure". Moreover Germany called for the establishment of MRPLs before the decision was adopted.

The Commission representative pointed out that the proposed paragraph could not be approved for two reasons. Firstly the Legal Service of the Commission would not accept revision paragraphs and secondly it would look like indecisiveness in respect to the goals of the decision. The establishment MRPLs is in preparation. This text provides the legal basis.

**Vote: 67 votes in favour, 20 abstentions (qualified majority).**


The Member States were presented a proposal aiming to draw up a list of establishments in Romania authorised to export wild game meat products to the EU. For the time being, one establishment was listed.

**Vote: unanimous vote in favour.**
11. **EXCHANGE OF VIEWS AND POSSIBLE OPINION OF THE COMMITTEE ON A DRAFT COMMISSION DECISION AMENDING DECISION 97/468/EC TO INCLUDE AN ESTABLISHMENT FROM GREENLAND PRODUCING WILD GAME MEAT (DOC. SANCO/10323/2002) (ISC)**

The Member States considered a proposal aiming to draw up a list of establishments in Greenland authorised to export wild game meat to the EU. For the time being, one establishment was listed.

**Vote: unanimous vote in favour.**


The Commission presented a proposal approving the avian influenza surveillance plan in Italy. Furthermore, the draft Decision sets the maximum level of the Community’s financial contribution and lays down standard forms for reporting the results of the surveys and for the submission of the financial claim.

**Vote: unanimous vote in favour.**


The Member States were presented a draft Decision providing for the payment of the remaining amount of the Community’s financial assistance for the eradication of classical swine fever in Spain in 1997.

**Vote: unanimous vote in favour.**


The Member States were presented a draft Decision providing advance payment for the compensation to farmers for the compulsory slaughter carried out in the framework of the eradication of classical swine fever in Spain in 2001.

**Vote: 79 votes in favour, 8 abstentions (qualified majority).**
Spain stated that any rules on payments should be incorporated in basic legislation (Council Decision 90/424/EEC), as a general rule.

The Commission reiterated the statement made at the SCFCAH of 02-03 July 2002, the text of which is displayed below:

"Le règlement (CE) 296/96 du 16 février 1996 concerne les dépenses du FEOGA section Garantie. Puisque les dépenses vétérinaires en question relèvent de cette section Garantie, les dispositions de l'article 4.2 de ce règlement y sont applicables."


The Member States were presented a draft Decision providing advance payment for the compensation to farmers for the compulsory slaughter carried out in the framework of the eradication of bluetongue in Spain in 2000.

Vote: 79 votes in favour, 8 abstentions (qualified majority).


The Member States were presented a draft Decision providing advance payment for the compensation to farmers for the compulsory slaughter carried out in the framework of the eradication of bluetongue in France in 2000.

Vote: unanimous vote in favour.

16A. EXCHANGE OF VIEWS AND POSSIBLE OPINION OF THE COMMITTEE ON A DRAFT COMMISSION DECISION ON THE EVOLUTION OF ANIMAL DISEASES IN THE COMMUNITY AND IN THIRD COUNTRIES.

Due to two outbreaks of avian influenza in Chile, the Commission introduced the following proposal (see also point 5a):

Draft Commission Decision concerning protection measures relating to avian influenza in Chile (Doc. SANCO/10332/2002-rev.2)

To harmonise the measures concerning floating consignments taken by Member States, the Commission proposed to temporarily suspend, in line with the action taken by Chile, the exportation of live poultry and hatching eggs, live ratites and
hatching eggs and fresh meat of poultry, ratites, wild and farmed feathered game, poultry meat preparations and poultry meat products consisting of or containing meat of the above mentioned species from Chile to the EU.

**Vote: unanimous vote in favour.**


The Commission distributed and presented the proposal for study and observation. The purpose of the draft Decision is to harmonise the certificates and import conditions for live animals and meat products and consolidate the existing legislation into one Decision. Member States suggested a number of amendments to the text, which would be revised before consideration at a future meeting.

18. **MISCELLANEOUS**

(1) The Commission updated the state of play of the approval of the Member States national residue monitoring plans for 2002. The situation could be divided in 4 groups:

a) Plans from Belgium, Sweden, Finland, Denmark, Portugal and United Kingdom are ready for the next step of the approval procedure (letters to the Ambassadors).

b) Plans from the Netherlands, Denmark, Austria and France have been discussed and some additional information has been requested.

c) Plans from Greece and Ireland were discussed at the last working group of experts but Member States requested some more time for the evaluation as the documents were not received well in advance for the meeting.

d) Plans from Luxembourg and Spain have not been discussed, as there are still some information missing about the detail results.

Finally, Germany has not provided any results up to date.

(2) Italy expressed its concern about the presence of nitrofuranes in poultry meat from Thailand and Brazil. As regards Thailand, the Commission said that there was some uncertainty about the efficiency of the measures taken by the Thai authorities and therefore suggested to continue the checks for the next 8 weeks. The Commission also has requested Brazil to implement the guarantees provided.
Further to the problems mentioned above as regards Thailand and Brazil, France informed the Committee about findings of chloramphenicol in milk powder from Russia, Ukraine and Lithuania. The Commission indicated that guarantees had been received from Ukraine and Lithuania and that the establishments concerned had been suspended. Russia has been contacted about the guarantees. The Commission distributed a document containing an exchange of correspondence with the three countries concerned.

Ireland said that the Bahamas have taken BSE-related measures against the EU. Apparently, the position of the Bahamas has not been officially notified to the SPS. The authorities have been requested to do so and were also asked for clarification with regard to the scope of the measures taken.

In response to a question put by Germany with regard to an opinion of the Scientific Steering Committee concerning the handling of the head or parts of the head in the framework of the control of BSE, the Commission indicated that there was no need to amend the current rules as long as cross contamination of other parts of the carcass with brain tissue can be avoided.

The Commission made a brief presentation concerning the determination of the BSE status, giving an overview of the present situation and explaining the proposed modification.

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.

Mission reports are available on the Internet at the following address: http://europa.eu.int/comm/food/fs/inspections/vi/reports/index_en.html

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