Summary record of the 1st meeting of the
Standing Committee on the Food Chain and Animal Health
Sections: General Food Law and Toxicological Security of the Food Chain
held in Brussels on 21-22 February 2002

Chairman: Mr Deboyser (items 7 - 11 ) Mrs Brunko (items 1 – 6, 12)

1. a) Discussion and possible opinion on a draft Commission Regulation (EC) amending Regulation (EC) No 466/2001 setting maximum levels for certain contaminants in foodstuffs.

This draft Commission Regulation establishes maximum limits for aflatoxins in spices and for ochratoxin A certain foodstuffs.

The results of a co-ordinated control programme showed that several species of spices can contain a high level of aflatoxins. This draft Commission Regulation proposes therefore to protect public health to establish a maximum limit of 5 µg/kg for aflatoxin B1 and of 10 µg/kg aflatoxin total for some species of spices i.e. *Capsicum spp.* (including chillies, chilli powder, cayenne and paprika), *Piper spp.* (including white and black pepper), *Myristica fragrans* (nutmeg), *Zingiber officinale* (ginger), *Curcuma longa* (turmeric).

This draft Commission Regulation establishes also maximum limits for ochratoxin A of 5 µg/kg for raw cereal grains and of 3 µg/kg for derived cereal products (including processed cereal products and cereal grains intended for direct human consumption) and establishes provisionally a maximum limit of 10 µg/kg for dried vine fruit (currants, raisins and sultanas), the latter to be reviewed before 31 December 2003.

The presence of ochratoxin A has also been observed in coffee, wine, beer, grape juice, cocoa and spices. Investigations and research have to be undertaken to determine the different factors involved in the formation of ochratoxin A and to determine the prevention measures to be taken to reduce the presence of ochratoxin A in these foodstuffs. It is foreseen to review the provisions before 31 December 2003 with a view to include a maximum limit for ochratoxin A for these products taking into account the outcome of the investigations and the prevention measures taken.

The Committee expressed a favourable opinion.
b) Opinion on a draft Commission Directive laying down the sampling methods and the methods of analysis for the official control of the levels of Ochratoxin A in foodstuffs.

This draft Commission Directive lays down a method of sampling, provisions for the sample preparation and performance criteria for the methods of analysis for the official control of the levels of ochratoxin A in certain foodstuffs.

A discussion took place with regard the date by which the provisions have to be transposed into national law. The date of 28 February 2003 was agreed.

The Committee expressed a favourable opinion by unanimity.


This draft Commission Directive establishes a method of sampling for the official control of the levels of aflatoxins in spices.

A discussion took place with regard the date by which the provisions have to be transposed into national law. The date of 28 February 2003 was agreed.

The Committee expressed a favourable opinion by unanimity.

2. Discussion and possible opinion on a draft Commission Directive laying down the sampling methods and the methods of analysis for the official control of dioxins and the determination of dioxin-like PCBs in foodstuffs.

This agenda item was postponed to the next meeting.

3. Exchange of views and possible opinion on a draft Commission Regulation amending Commission Regulation (EC) N° 466/2001 of 8 March 2001 setting maximum levels for certain contaminants in foodstuffs (nitrates)

The proposal had been revised following discussions by the Committee in December 2001. The Committee voted in favour of the proposal by qualified majority.

4. Update on polycyclic aromatic hydrocarbons (PAHs) in olive-residue oil and vegetable oil products

The Commission advised the Committee that a meeting of experts was planned for the Autumn, to discuss the results of the Member States’ investigations into how to prevent the formation of PAHs in olive-residue oil. In addition, any similar information on possible problems in the production of other vegetable oils would be considered.
5. Exchange of views concerning the German measure to ban jelly mini-cups and possible opinion on draft Commission Decision to amend Annex IV to Directive 95/2/EC on food additives other than colours and sweeteners.

An exchange of views took place on the German measures banning jelly mini-cups containing the food additive E425 konjac under article 4 of directive 89/107EEC, because of a risk of choking, especially in children. All delegations expressed concern about such products and stated that they would support a Community measure, preferably providing a definitive answer to the problem. The Chairperson explained that the Commission services were analysing the different options available for measures to ensure consumer safety.

6. Follow-up to RASFF notifications:

a) Presentation by the German delegation on the current situation concerning Salmonella Oranienburg in German chocolate.

In reply to the Commission’s request, the German delegation presented a summary on the current situation concerning S. Oranienburg in German chocolate and in particular on the results of epidemiological enquiries and the measures taken in order to prevent risks for human health.

b) Information from the Norwegian delegation, on the situation regarding certain helva- and tahini products and the measures implemented by Norway

The Norwegian representative provided the Committee with information on the measures implemented in Norway, in particular that since 27 August 2001 Norway has adopted a general ban on the import and sale of helva-and tahini produced in Turkey and traded under some specific brand names.

6.2 Exchange of views and possible opinion on a draft Commission Regulation establishing deadlines for the submission of information for the evaluation of chemically defined flavouring substances used in or on foodstuffs.

The Committee approved by unanimity the draft Commission Regulation establishing deadlines for the submission of information for the evaluation of chemically defined flavouring substances used in or on foodstuffs.
7. **Discussion and possible opinion on a draft Commission Directive on the labelling of foodstuffs which contain quinine and of foodstuffs which contain caffeine. Doc.Sanco/4369/01-Rev3**

The Committee discussed the draft directive and the text was put to the vote with editorial changes specifying and clarifying certain points.

The Committee delivered a favourable opinion on the draft by a qualified majority. (2 Member States abstained).

8. **Information and exchange of views at the request of the Danish authorities, on labelling requirements concerning the use of ethyl alcohol for the preservation of bread.**

This question was discussed at the request of the Danish delegation. The outcome was that since the sprayed alcohol was not an additive, it had to be mentioned as an ingredient in the list of ingredients, as "ethyl alcohol".

9. **Information and exchange of views at the request of the Spanish authorities, on marking methods of compulsory labelling information.**

The Spanish delegation raised this point, with particular reference to the potentially misleading use of different-sized characters for the place of origin of a product and the address of the firm concerned, and suggested solving the problem by amending Directive 2000/13/EC. Several delegations agreed.

The Commission representative pointed out that the suggested amendment would have to be adopted by the co-decision procedure. This problem should rather be considered in the context of a general review of the legislation on labelling (cf. item 4). This item was adopted by the Committee.

10. **Evaluation of labelling legislation – Information.**

Further to the reply given under item 3, the Commission representative informed the Committee that the Commission intended to review all aspects of the legislation on labelling. This could subsequently lead to a broad revision of this legislation to take account of the quantitative or qualitative changes in consumers' information needs.

The Committee would be informed and involved in this process. The Commission intended to devote a substantial part of a forthcoming meeting of the Committee's section on general food law to labelling, in particular:

- progress with the points concerning labelling in the White Paper on Food Safety
- food claims
- nutrition labelling
- indication of the ingredients of alcoholic beverages.

The delegations were asked to provide the Commission with any documents of interest for the purposes of the labelling review.
11. **Enlargement – state of play**

1. The Commission representative informed the Committee orally about:

   - the progress of negotiations on Chapter 1 (food legislation);
   - the possibility of undertaking TAIEX-coordinated missions (peer reviews) between now and June 2002 in the fields of "novel foods" and "rapid alert system", funded by the Enlargement DG;
   - the importance of undertaking these missions in order to complement FVO missions and DG SANCO's monitoring activities.

2. The Committee welcomed the principle of such missions and the subjects proposed by DG SANCO.

   Several delegations specifically expressed their support and emphasised the importance of monitoring food safety commitments.

3. It was agreed that the members of the Committee would:

   - receive an explanatory note (drafted or approved by TAIEX/ELARG) on the practical arrangements for these missions, as soon as the Enlargement DG has made a final decision on the list of files;
   - forward to DG SANCO the list of experts interested in participating in these missions.

4. Following a request from two delegations, the Commission announced that if it decided to send to the Member States the mission reports produced by the FVO under the enlargement process, it would do so through the Council's "Enlargement" group.

5. The group asked to be kept informed of developments relating to enlargement, possibly at plenary meetings, so as to include the veterinary sector. The Commission agreed.

12. **Miscellaneous.**

   - **Bio-Terrorism – FDA information document.**

   The Commission provided information concerning two guidance documents on food security elaborated on by the US-FDA and published in the 9 January Federal Register.

   These documents, addressed both to the food industry and food importers, contain interesting elements on appropriate measures that can be taken by food establishments to minimize the risk of food being subjected to tampering or criminal or terrorist acts. Member States were invited to take these documents into account for possible preventive initiatives at national level.
- **Commission Decision 2002/79/EC of 4 February 2002 imposing special conditions on the import of peanuts and certain products derived from peanuts originating in or consigned from China**

- **Commission Decision 2002/80/EC of 4 February 2002 imposing special conditions on the import of figs, hazelnuts and pistachios and certain products derived thereof originating in or consigned from Turkey**

The implementation of the above-mentioned Decisions highlighted the need to amend them on three points:

- correction of some important linguistic errors

- additional provision for the products in transit and on the road to minimise negative effects on trade without compromising public health

- up-date of points of entry for several Member States.

The Committee was consulted on these proposed amendments. Comments were made by some delegations with regard to the additional provisions for the products in transit and on the road, in particular with regard to the controls to be performed by the operator.

In the light of the explanations given by the Commission representative on these comments, the Committee did not raise objections to the proposed amendments to the Commission Decisions.