



EUROPEAN COMMISSION

HEALTH AND FOOD SAFETY DIRECTORATE-GENERAL

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**SUMMARY REPORT OF THE
STANDING COMMITTEE ON PLANTS, ANIMALS, FOOD AND FEED
HELD IN BRUSSELS ON 23 JUNE 2015
(Section Toxicological Safety of the Food Chain)**

CIRCABC Link: <https://circabc.europa.eu/w/browse/03e6d750-28b6-41b8-9397-75abdab4f950>

A.01 Exchange of views and possible endorsement of a draft Commission Recommendation on the monitoring of arsenic in food (SANTE/10258/2015).

In addition to the maximum levels for food (rice and rice products) that are expected to be adopted within very short notice, this Recommendation aims at collecting occurrence data on other food commodities in order to enable an accurate estimation of exposure to avoid setting of unnecessary / unreasonable maximum levels. The monitoring covers the period 2016 to 2018.

The Committee endorsed the Recommendation.

A.02 Endorsement of the update to the “Statement as regards the presence of perchlorate in food”.

Based upon the data provided by the European Association “Tea and Herbal Infusions Europe”, it was agreed to keep the reference level for intra-Union trade for tea (dried) at the level of 0.75 mg/kg and to decrease the level for herbal and fruit infusions (dried) from 1.0 mg/kg to 0.75 mg/kg.

Furthermore the notes, already agreed at the previous meeting of the Committee, clarifying that the levels of perchlorate as reference for intra-union trade apply to the edible part of the food concerned and that the leafy vegetables grown in glasshouse/under cover have to be labelled as such for the application of the specific level as reference value established for the leafy vegetables grown in glasshouse/under cover shall be integrated into the statement.

Furthermore reference is made to the Commission Recommendation (EU) 2015/682 of 29 April 2015 on the monitoring of the presence of perchlorate in food.

The Committee endorsed the updated “Statement as regards the presence of perchlorate in food”. This statement shall replace the current statement on the website of DG Health and Food safety:

http://ec.europa.eu/food/safety/docs/cs_contaminants_catalogue_perchlorate_statement_food_update_en.pdf

A.03 Exchange of views on regulatory challenges and possible ways forward in years with high levels of certain mycotoxins as the consequence of extreme weather conditions and endangering the supply of (parts of) the food chain. Feedback from discussions in Expert Committee "Agricultural contaminants" dd. 08/05/2015 and Conference "Climate change and mycotoxins in feed and food : a challenge for feed and food supply and safety" dd. 05/06/2015.

The Committee was informed on the discussions which had taken place at the Expert Committee and the conclusions of the Conference “Climate change and mycotoxins in feed and food: a challenge for feed and food supply and safety”.

In the first part of the conference, factual information was provided on :

- the influence of changing weather conditions on the prevalence of mycotoxins in the EU;
- the available crop management measures to prevent or reduce the mycotoxin presence with particular attention to prediction models;
- the possible consequences for animal and public health of the increased prevalence of mycotoxins in feed and food.

In the second part of the conference, relevant European stakeholder organisations and regulators have presented their views on the challenges to ensure feed and food supply and safety in the event of increased prevalence of mycotoxins in feed and food.

From the presentations made at the conference, it is evident that mycotoxins are more prevalent and at higher levels in cereals produced in the EU than before. Further factual evidence is provided by the frequent findings of high levels of aflatoxin in the maize harvest 2012 from certain parts of Europe and the high level of Fusarium toxins (in particular deoxynivalenol) in the maize harvest 2013 and 2014 in major maize producing regions in the European Union, which have resulted in problems for feed and food supply and safety.

The major cause is the climate change and in particular the extreme weather conditions during critical growth stages of the cereals in particular maize. However, also other causes (agricultural practices) might contribute to the increasing prevalence and levels of mycotoxins in cereals, in particular maize, in recent years. Therefore, an in depth root-cause analysis seems to be appropriate. For a sustainable solution, it was concluded that it would be appropriate to elaborate a comprehensive EU mycotoxin (prevention) mycotoxin approach, including agricultural and environmental aspects.

The Committee agreed with these conclusions.

The Commission informed the Committee to have the intention to follow up the conclusions of the conference and this in parallel with the regulatory follow-up to be given to the upcoming updated EFSA risk assessment on the presence of

deoxynivalenol in feed and food, of which the presence in cereals and cereal products is currently probably the main problematic mycotoxin also from a public and animal health point of view for the European cereal production.

A.04 Feedback from the Expert Committees on contaminant issues (details to follow).

Acrylamide

The European Food Safety Authority (EFSA) opinion on acrylamide, adopted on 30 April 2015 was published on 4 June 2015 [1] . Since the estimated Margins Of Exposure (MOEs) are all substantially lower than 10 000, the Panel on Contaminants in the Food Chain (CONTAM) concluded that although the available human studies have not demonstrated acrylamide to be a human carcinogen, the MOEs based on the current levels of dietary exposure to acrylamide cross surveys and age groups indicate a concern with respect to carcinogenic effects.

A discussion on the regulatory follow-up to be given to the EFSA opinion on acrylamide has taken place at the Expert Committee Industrial and Environmental Contaminants on 29 May 2015. Although there were divergent views as regards the nature of possible further regulatory measures, the Commission services and the delegations who expressed a view are of the opinion that further effective regulatory measures are appropriate to reduce further the presence of acrylamide in food and to ensure a high level of human health protection. These measures are in addition to the voluntary actions undertaken by the food industry and in addition/replacement of the current measures at EU level (Commission Recommendation (EU) 647/2013).

The Commission services presented an ambitious timeline for the discussion and consultation on the possible regulatory measures with the aim to finalise the discussions by spring 2016.

Pyrrolizidine alkaloids (PAs)

The Committee was informed at its meeting on 21 October 2013 on the findings of high levels of PAs in herbal infusions and tea. It was agreed at that meeting to pay particular attention to the presence of PAs in herbal infusions, tea and food supplements in 2014 and to report the data to EFSA. It was furthermore mentioned that these data will be assessed in 2015 and follow-up to the findings discussed.

Following discussions in the Expert Committee “Agricultural Contaminants” on 8 May 2015, it was indicated that additional data would become available later on this year. Therefore it was agreed to start the assessment of these data and the discussion on possible regulatory follow up by the end of this year.

Citrinin

According to Commission Regulation (EC) 1881/2006, as amended by Regulation (EU) 212/2014, the maximum level of 2000 µg/kg of citrinin in food supplements based on rice fermented with red yeast *Monascus purpureus* is to be reviewed before 1 January 2016 in the light of information on exposure to citrinin from other

foodstuffs and updated information on the toxicity of citrinin in particular as regards carcinogenicity and genotoxicity. It was agreed that this issue needed to be discussed in more detail at a next meeting of the Expert Committee “Agricultural Contaminants”.

Glycoalkaloids in potatoes

The Expert committee “Agricultural Contaminants” was informed at its meeting on 8 May 2015 of a food additive application – citric acid as antioxidant for fresh unpeeled potatoes. The use of citric acid on fresh unpeeled potatoes is to provide a solution to the greening and formation of toxins (glycoalkaloids – solanine and chaconine) at the retailer/consumer place.

No maximum levels for glycoalkaloids in potatoes have been established at EU level. Some Member States have a national maximum level of 200 µg/kg.

It was agreed that it is appropriate to request to EFSA a scientific opinion on the risks related to the presence of glycoalkaloids in potatoes and await the outcome of the EFSA opinion before discussing possible regulatory measures.

Sterigmatocystin

Taking into account the outcome of the EFSA Scientific opinion on the risk for public and animal health related to the presence of sterigmatocystin (STC) in food and feed (<http://www.efsa.europa.eu/en/efsajournal/doc/3254.pdf>), the Committee agreed at its meeting on 21 October 2013 with the recommendation to monitor the presence of sterigmatocystin in food (when monitoring also for other mycotoxins) and to report the data to EFSA. The LOQ of 1,5 µg/kg is achievable with LC-MS multi mycotoxin method.

A survey on sterigmatocystin in food was carried out in accordance with Article 36 of Regulation (EC) No 178/2002, which was designed to obtain representative data on the occurrence of sterigmatocystin in Europe, using validated state-of-the-art analytical methods. A total of 1 259 samples of cereal grains, cereal products, and nuts, collected between August 2013 and November 2014 in nine European countries and originating from 45 countries, were analysed for the presence of sterigmatocystin. The report is available: <http://www.efsa.europa.eu/en/supporting/doc/774e.pdf>.

Rice and oats were identified as the cereals most prone to sterigmatocystin contamination (virtually all unprocessed rice samples (all from Europe), 21 % of the processed rice samples, 22 % of the oats grains).

The Committee was informed that it is appropriate to take these findings into account in the ongoing monitoring.

Erucic acid

Awaiting the review of the provisions as regards the presence of erucic acid in food on the basis of the outcome of the risk assessment performed by EFSA on the presence of erucic acid in feed and food (ongoing), it was agreed to have a discussion at a next meeting of the Expert Committee “Agricultural Contaminants” on the scope

and the application of the maximum level of erucic acid in “Foods containing added vegetable oil and fats” and to report back to the Committee.

[1] EFSA CONTAM Panel (EFSA Panel on Contaminants in the Food Chain), 2015. Scientific Opinion on acrylamide in food. EFSA Journal 2015;13(6):4104, 321 pp. doi:10.2903/j.efsa.2015.4104 Available online: www.efsa.europa.eu/efsajournal

B.01 Exchange of views and possible opinion of the Committee on a draft Commission Regulation amending Annex II to Regulation (EC) No 1333/2008 of the European Parliament and of the Council and the Annex to Commission Regulation (EU) No 231/2012 as regards the use of the Iron tartrates as anti-caking agent in salt or its substitutes.

Iron tartrate (E 535) is a new additive, to be used as anti-caking agent in salt or its substitutes, to improve flow properties and to avoid the formation of hardened agglomerates when exposed to moisture and during storage. This use was assessed by EFSA and is considered safe.

Vote taken: Unanimous in favour.

B.02 Exchange of views and possible opinion of the Committee on a draft Commission Regulation amending the Annex to Commission Regulation (EU) No 231/2012 laying down specifications for food additives listed in Annexes II and III to Regulation (EC) No 1333/2008 of the European Parliament and of the Council as regards specifications of Ethyl lauroyl arginate (E 243).

The specifications of Ethyl lauroyl arginate (E 243) need to include in the production process details as regards temperature and pH, that are important in order to obtain the same profile of the substance that was evaluated by the European Food Safety Authority in its opinion on the safety of the use of Ethyl lauroyl arginate as a food preservative.

Vote taken: Unanimous in favour.

B.03 Exchange of views and possible opinion of the Committee on a draft Commission Regulation amending Annex II to Regulation (EC) No 1333/2008 of the European Parliament and of the Council as regards the use of Erythritol (E 968) as a flavour enhancer in energy-reduced or with no added sugars flavoured drinks.

The Commission received a request for the authorisation of the use of erythritol (E 968) as a flavour enhancer in flavoured drinks, food category 14.1.4 of Annex II to Regulation (EC) No 1333/2008.

The use of erythritol (E 968) at a maximum level of 1.6 % is requested to improve the flavour profile and mouth feel of energy-reduced beverages and beverages with no added sugars in such a way that they taste similar to full-sugar products. Erythritol at

low levels acts as a flavour enhancer and the benefit for consumers would thus be the availability of better-tasting energy-reduced beverages or beverages with no added sugars.

In 2003, the Scientific Committee on Food concluded that erythritol (E 968) is safe for use in foods.

In 2015, the European Food Safety Authority (EFSA) issued an opinion on the safety of the proposed extension of use of erythritol (E 968) as a food additive. EFSA concluded that the acute bolus consumption (single drinking occasion) of erythritol via non-alcoholic beverages at a maximum level of 1.6 % would not raise concerns for laxation. The Authority based its conclusion on data comprising an exposure estimate taking into account the proposed maximum level of 1.6 % erythritol in non-alcoholic beverages, the history of use of erythritol, its absorption characteristics and the lack of adverse findings, including laxation, following exposure to it.

Therefore, it is appropriate to authorise the use of erythritol (E 968) as a flavour enhancer in flavoured drinks, food category 14.1.4 of Annex II to Regulation (EC) No 1333/2008, at a maximum level of 1.6%. For that reason Annex II to Regulation (EC) No 1333/2008 should be amended accordingly.

Vote taken: Unanimous in favour.

B.04 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Regulation (EU) imposing special conditions governing the import of certain feed and food originating in or consigned from Japan following the accident at the Fukushima nuclear power station and repealing Implementing Regulation (EU) No 322/2014.

The draft Commission Implementing Regulation was not submitted for opinion as the internal Commission consultation procedure was not yet finalised.

The Committee was informed of the new online application system applied by the Government of Japan for issuing the declaration required to accompany the consignments of feed and food originating in or consigned from Japan, in accordance with the provisions of Implementing Regulation (EU) 322/2014.

B.05 Exchange of views and possible opinion of the Committee on a draft Commission Regulation amending Regulation (EC) No 1881/2006 as regards the establishment of a maximum level for tropane alkaloids in certain foods for infants and young children.

In the draft Commission Regulation, a maximum level of 3 µg/kg for the sum of atropine and scopolamine is proposed. Most delegations were supportive of the proposed maximum level. One delegation objected this level as the proposed is not suitable to rule out acute health risks for the consumer group of infants and young children and this taking into account the EFSA opinion and the opinion of their national risk assessment in consideration of the most updated consumption data, recently made available to EFSA. However other delegations highlighted again the difficulty analyzing accurately levels lower than 3 µg/kg with current routine methods of analysis.

To address the concerns expressed, an alternative proposal establishing a maximum level of 1 µg/kg for scopolamine and 1 g/kg for atropine in cereal based foods for infants and young children, containing millet, sorghum; buckwheat or their derived products. Several delegations indicated their willingness to examine this proposal and asked the Commission to provide information as regards the methods of analysis to be applied to enforce such levels.

Vote postponed

B.06 Exchange of views of the Committee on a draft Commission Regulation amending Regulation (EC) No 1881/2006 as regards the maximum level of polycyclic aromatic hydrocarbons in cocoa fibre, certain food supplements, banana chips, dried herbs and spices.

Taking into account the comments raised at the previous meeting of the Committee and the discussions at the Expert Committee “Industrial and Environmental Contaminants” on 29 May 2015, a definition is provided for food supplements containing botanicals and their preparations for the purpose of the application of the maximum level for PAHs and it is explicitly provided that the maximum level also applies to food supplements containing propolis, royal jelly or spirulina and their preparations. Furthermore, cardamom and smoked paprika (*Capsicum* spp.) are exempted from the maximum level applicable to spices.

Vote taken: Unanimous in favour.

B.07 Exchange of views and possible opinion of the Committee on a draft Commission Regulation (EU) amending Regulation (EC) No 333/2007 as regards the analysis of inorganic arsenic, lead and polycyclic aromatic hydrocarbons.

In view of the entering into force (expected on 01 January 2016) of the new maximum levels for inorganic arsenic in food, the draft Commission Regulation provides for provisions related to analysis of inorganic arsenic. Simultaneously, technical amendments related to analysis of polycyclic aromatic hydrocarbons (PAHs) in cocoa and cocoa derived products and lead in food supplements containing clay are inserted. A few comments were made and the Commission representative indicated to take them into account.

The vote was not taken given that the Commission’s internal consultation procedure was not yet finalised.

B.08 Exchange of views and possible opinion of the Committee on a draft Commission Regulation (EU) amending the Annex to Regulation (EU) No 579/2014 granting derogation from certain provisions of Annex II to Regulation (EC) No 852/2004 of the European Parliament and of the Council as regards the transport of liquid oils and fats by sea, as regards calcium nitrate solution.

The draft Commission Regulation provides for an update of the list of acceptable previous cargoes. No comments were made.

The vote was not taken given that the Commission's internal consultation procedure was not yet finalised.

C.01 Exchange of views of the Committee on a draft Commission Implementing Regulation (EU) amending Commission Implementing Regulation (EU) No 884/2014 of 13 August 2014 imposing special conditions governing the import of certain feed and food from certain third countries due to contamination risk by aflatoxins and repealing Regulation (EC) No 1152/2009.

No discussion took place.

M.01 AOB

No item raised.