



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 SEPTEMBER 2015
(Section Toxicological Safety of the Food Chain)**

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

A.01 Discussion on additional measures to be taken regarding the flavouring substances from FGE.208.

Following the vote on the measure withdrawing the representative substance of the FGE.208. (FL No 05.117) on 7 September 2015, the consideration of risk management measures concerning the other substances in this group were outlined, with a view of submitting a Regulation on them at the following Standing Committee meeting. The discussions will continue at the Working Group on flavourings.

A.02 Endorsement of the follow-up to status of substances in FGE.203 rev.1.

The Commission presented a paper discussing a comprehensive set of studies on safety and other data (on uses and identity and specifications) to be submitted concerning the group of 20 substances of the flavouring Group FGE.203 with a specified deadline for the submission of the additional data (30 September 2016). There was no consensus and the discussions will continue.

A.03 Exchange of views and possible endorsement of a draft Commission Recommendation on the monitoring of dioxins and PCBs in fish from the Baltic region.

The draft Commission Recommendation contains three elements :

- Recommendation on monitoring of the presence of dioxins, dioxin-like PCBs, non-dioxin-like PCBs in herring, sprat, salmon/trout and other fish species with a minimum number of samples to be taken by Germany, Denmark, Estonia, Finland, Lithuania, Latvia, Poland; Sweden for a minimum total of 300 samples over the next 3 years;
- Information on the presence of dioxins and dioxin-like PCBs and non-dioxin-like PCBs in certain fish species from a certain age, size, and geographical region (ICES

zone) and in particular as regards their compliance with the maximum level established in Regulation (EC) No 1881/2006 setting maximum levels for certain contaminants in foodstuffs;

- Risk management measures recommended to be taken by the competent authorities to ensure that fish from the Baltic region placed on the market in the EU complies with the maximum levels as established in Regulation (EC) No 1881/2006.

Several Member States explicitly supported the Recommendations and, although a few Member States expressed the view to have preferred the recommended risk management measures in a more binding legal format, no objections were raised as regards the proposed Recommendation.

A.04 Exchange of views and possible endorsement on the revised guidance document for competent authorities for the control of compliance with EU legislation on aflatoxins.

Guidance document was not available for endorsement.

The Commission representative informed the Committee as regards specific aspects of the application of Commission Implementing Regulation (EU) No 2015/949 of 19 June 2015 approving the pre-export checks carried out on certain food by certain third countries as regards the presence of certain mycotoxins as provided in Rapid Alert System for Feed and Food (RASFF) news notification 15-793 of 17 July 2015. It was stressed that the documentation as required by Implementing Regulation (EU) No 2015/949 is a condition to fall under the pre-export check approval program but it is not a requirement/condition for import of these products into the EU. Therefore the absence of a certificate is not a non-compliance in se but the consignment could be selected for physical control (sampling and analysis) based on possible risk (risk based controls) (as is the case for all non-regulated imports of products of plant origin).

A.05 Feedback from the Expert Committees on contaminant issues (details to follow).

Recast of Regulation (EC) No 1881/2006

The Committee was informed that the Commission services have started to work on a recast of Commission Regulation (EC) No 1881/2006, currently already 26 times amended. This recast is proposed to entail :

- Reorganisation of the structure of the Annex to group the different contaminants in the Annex in a more logic way;
- To make a general section in the beginning of the Annex containing all references to definitions on products and product categories and applicable to the whole Annex;
- To replace the numerous footnotes by a fourth column 'Remarks' in the table with MLs;
- To harmonise, where possible, product descriptions and expression of MLs in particular as regards food for infants and young children.

The Committee welcomed this initiative very much. The Commission indicated that the technical discussions will take place in the different Expert Committee meetings and that it is the aim to finalise the technical discussions by the end of this year.

Erucic acid in mustard with added oils

Maximum levels for erucic acid in vegetable oils and fats and in foods containing added vegetable oils and fats have been included in Regulation (EC) No 1881/2006. The maximum level of 50 gram refers to the level of erucic acid, calculated on the total level of fatty acids in the fat component in food.

The maximum level does not apply to mustard (mustard is produced from mustard seeds, without adding other oils or fats). Mustard can contain 200-300 gram of erucic acid per kg fat.

However the maximum level applies to mustard with oils added, salad dressings with mustard and cold sauces with mustard. A possible non-compliance can be observed with the maximum level in these products especially with a high proportion of mustard in the product. There is no possibility to produce mustard with low erucic acid content.

EFSA is currently performing a risk assessment on the presence of erucic acid in feed and food, expected to be finalised in the first half of next year. It has been agreed to discuss the review of the maximum level of erucic acid taking into account the outcome of the risk assessment. This review can also include a review of the food categories to which the ML applies.

No objection was raised in the Committee to consider in the meantime a flexible enforcement approach for mustard based products with added oils and fats, or for oil-based products with mustard added in significant quantities.

B.01 Exchange of views and possible opinion of the Committee on a draft Commission Regulation amending Annex I to Regulation (EC) No 1334/2008 of the European Parliament and of the Council as regards removal from the Union List of certain flavouring substances.

The measure concerns the removal of 5 flavouring substances from the Union List. The measure was presented and voted.

Vote taken: Favourable opinion.

B.02 Exchange of views and possible opinion of the Committee on a draft Commission Regulation amending Annex I to Regulation (EC) No 1334/2008 of the European Parliament and of the Council as regards inclusion of gamma-glutamyl-valyl-glycine in the Union list of flavouring substances.

The measure concerns the inclusion of a new flavouring substance in the Union List.

Vote taken: Favourable opinion.

B.03 Exchange of views and possible opinion of the Committee on a draft Commission Regulation amending Annex I to Regulation (EC) No 1334/2008 of the European Parliament and of the Council as regards certain flavouring substances.

The measure concerns the definitive inclusion of 5 flavouring substances in the Union List removing the footnotes as European Food Safety Authority (EFSA) has finalised its evaluation. The measure was voted.

Vote taken: Favourable opinion.

B.04 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 extracts of rosemary (E 392) in spreadable fats.

The Commission received an application for the authorisation of the use of extracts of rosemary (E 392) as an antioxidant in spreadable fats. The use of extracts of rosemary (E 392) is required to keep the quality and stability of spreadable fats with a fat content less than 80% where content of polyunsaturated fatty acids is higher than 15% w/w of the total fatty acid and/or where content of fish oil or algal oil is higher than 2% w/w of the total fatty acid by protecting them against deterioration caused by oxidation.

The European Food Safety Authority (EFSA) adopted an opinion in May 2015 on the extension of use of extracts of rosemary (E 392) in spreadable fats. The assessment took into account the consumption of fat emulsions with a fat content less than 80%. EFSA concluded that the proposed extension of use would not change the estimated exposure to the food additive, compared with the already approved permitted uses as evaluated in its opinion of 2008 on the use of rosemary extracts as a food additive, and that this use would not be of safety concern.

For this reason, it is appropriate to authorise the use of extracts of rosemary (E 392) as an antioxidant in spreadable fats with a fat content less than 80%, food category 02.2.2 of Annex II to Regulation (EC) No 1333/2008.

Vote taken: Favourable opinion.

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.

Following the discussions at previous meetings of the Committee, the maximum level proposed in this draft Regulation for tropane alkaloids in processed cereal-based foods and baby foods for infants and young children, containing millet, sorghum, buckwheat or their derived products is 1.0 µg/kg for atropine and 1.0 g/kg for scopolamine.

The representative from the Institute for Reference Materials and Measurements (IRMM) from the Joint Research Centre (JRC) confirmed that atropine and scopolamine can be determined with state-of-the-art instrumentation (LC-MS/MS) at levels below 1 µg/kg each in cereal products. DG Health and Food Safety has

requested the JRC-IRMM to organise a proficiency test before April 2016 on the presence of atropine and scopolamine in cereal based foods for infants and young children at the levels of interest (levels around the proposed maximum level). The JRC-IRMM has accepted this request.

Some comments were made which have been taken into account in particular that the analysis of atropine (racemic mixture of (-)-hyoscyamine and (+)-hyoscyamine of which only the (-)-hyoscyamine exhibits anticholinergic activity) is not an overestimation as in plant-based products only the (-)-hyoscyamine enantiomer is occurring.

Several delegations re-iterated their concerns as expressed at previous meetings but indicated to vote in favour of the proposed draft Regulation.

The draft Regulation as amended was submitted for opinion.

Vote taken: Favourable opinion.

B.06 Exchange of views and possible opinion of the Committee on a draft Commission Regulation 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.

One entry in the list of acceptable previous cargoes does not adequately describe the cargo which causes confusion to ship charterers. The proposal therefore seeks approval to amend this entry. EFSA was consulted on the envisaged amendment and its Scientific Panel on Contaminants in the Food Chain confirmed that the envisaged change doesn't impact on the safety as compared to the original entry.

Vote taken: Favourable opinion.

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

In view of the entry into force of the maximum levels for inorganic arsenic in food, the proposal envisages the addition of specific provisions related to analysis for inorganic arsenic. Additional changes concern the reference to EN standard 13804, the further harmonisation of the determination of the fat content in cocoa beans and derived products when performing analysis for polycyclic aromatic hydrocarbons (PAH), the definition of the limit of quantification and the performance criteria related to the limit of detection for the methods of analysis for lead, cadmium, mercury and inorganic tin. In addition, the proposal also extends the provisions related to the methods of sampling and analysis to apply outside the frame of official controls.

Vote taken: Favourable opinion.

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.

As the draft Commission Implementing Regulation was not made available in advance of the meeting of the Committee, the point was not treated.