ADVISORY COMMITTEE ON ANIMAL FEEDINGSTUFFS

69th Meeting of ACAF on 17 February 2016

Information Paper

EU and other Developments

Secretariat
February 2016

EU AND OTHER DEVELOPMENTS

Proposal from the European Commission to update the Official Controls Regulation (Regulation 882/2004)

1. At the end of October 2015 compromises were reached on the key issues of charging and competency of controls staff allowing the Council to agree its First Reading position on the Official Controls proposal. Trilogue meetings have begun between the Council, European Commission and European Parliament where the three positions are being put alongside each other in order to come up with a final text.

2. The key points from the agreed Council text are;
   - maintenance of the status quo on charging; and
   - increased flexibility in the deployment of staff at slaughterhouses and cutting plants.

3. The charging section shows no changes from the current Regulation with mandatory minimum charges at ports, slaughterhouses, cutting plants, fish and dairy processing plants and the approval of feed businesses. On the deployment of staff, the Council has agreed flexible principles which will be implemented when the current rules in Regulation 854/2004 are renegotiated in the next three years.

4. The Council position prevents any increase in the scope of mandatory charging and has maintained vital flexibility to reduce the burden on smaller businesses. It also delivers greater flexibility in key areas and resists increasing prescription, which will support the UK approach to smarter, more efficient controls.

5. However, this is not the final agreed text and positions will come under pressure from the European Commission and the European Parliament during trilogues. The UK still expects an agreed text towards the summer of 2016 and transition periods will be three years so changes are unlikely before autumn 2019.

Commission Proposal to modify GM decision making

6. On 28 October 2015 the European Parliament (EP) resoundingly rejected the Commission's proposal to enable Member States to restrict or prohibit the use, within their territories, of authorised genetically modified organisms for reasons unrelated to the risk assessment undertaken at EU level. The EP adopted this as its First Reading position. The Commission has not withdrawn its proposal.

7. The UK and many other Member States have expressed concern about the implications of the proposal for the Single Market, international trade

obligations as well as science-based decision making. The Commission is yet to provide its assessment of impact of the proposal.

8. The FSA published a letter on its website inviting responses from interested parties regarding the proposal. Representations were received from the farming and agricultural biotechnology sectors as well as environmental NGOs and members of the public which chimed with concerns that the UK Government has raised in relation to this proposal.

9. There is a call from the EP for the Commission to bring forward a new proposal that will resolve the perceived democratic deficit in the GM authorisation process whilst providing legal certainty against challenge. The FSA, Defra and devolved administrations are closely following developments on this proposal.

Standing Committee on Plants, Animals, Food and Feed (SCoPAFF): Animal Nutrition Section (October 2015 to January 2016)

Feed additive authorisations

10. Standing Committee meetings were held in November and December 2015 and January 2016 where seven feed additive authorisations attracted votes in favour as summarised in the Annex. There was no meeting held in October 2015.

<u>November 2015 meeting</u>

11. Formaldehyde was discussed for the first time since the authorisation of the function group 'hygiene condition enhancers' in July 2015. The proposed Regulation presented was pursuant to Article 15 of Regulation (EC) No. 1831/2003 under an urgent authorisation (based on animal health protection), for the maximum five year period. The proposed authorisation also provides emphasis for the need to develop and substitute effective de-contamination alternatives.

12. Discussions continued regarding zinc compounds as trace elements sources. In accordance with a 2015 EFSA Opinion, proposals have been presented with reduced maximum permitted levels (MPLs) in consideration of environmental impacts. We will continue to keep the Committee updated on zinc and other traces elements scheduled for re-authorisation.

13. A Flavourings Roadmap was presented to outline re-authorisation of 242 feed flavourings, within 11 groups as categorised by a series of EFSA Opinions. Within each group, the flavourings identified by EFSA as safe are being progressed through the authorisation process; whilst other compounds will undergo further testing and evaluation.

14. The Commission circulated a short questionnaire to seek Member State preferences for MPLs for nitrites and nitrates in feed. Responses indicated that the majority favoured deletion of maximum limits for nitrites from Directive 2002/32/EC, whilst not establishing MPLs for nitrates. A Commission Recommendation was proposed to outline best practices and guideline levels for nitrites and nitrates.

December 2015 meeting

15. The authorisation of ethoxyquin was discussed. Ethoxyquin is predominantly used to stabilise fishmeal from spontaneous combustion during transportation; as well as stabilising oils, vitamins and caretonoids. The use of an antioxidant in the shipment of fishmeal is a legal requirement under international maritime law and ethoxyquin is the preferred stabiliser for two thirds of global fishmeal sea transportation. However, a recent EFSA Opinion identified a secondary metabolite (ethoxyquin quinone imine) as potentially genotoxic, and an impurity (p-phenetidine) as potentially mutagenic. A roadmap has been developed to address additional knowledge gaps relating to toxicological, environmental and consumer concerns. Discussions are ongoing and the Secretariat, will keep the Committee informed of developments.

January 2016 meeting

16. In discussions on formaldehyde, Member States considered authorisation for a shorter period than the maximum stated (i.e. 3 years).

17. Additionally, the Commission reported that in the absence of data, the preferred option would be a suspension of use of ethoxyquin, apart from in the most critical applications (outlined above). This would be regularly reviewed following EFSA assessment of data produced within the research roadmap which is scheduled over two years.

18. During the above meetings, a number of documents were introduced for review, these included:
    a. the list of intended uses as particular nutritional purposes (PARNUTS);
    b. the third amendment of the EU Catalogue of Feed Materials;
    c. the Code of Good Labelling Practices for Compound Feed for Food Producing Animals;
    d. the Code of practice for the Manufacture of Feed Flavourings; and
    e. the revision of Annexes VI and VII of Regulation (EC) No. 767/2009 regarding labelling of food-producing animals and non-food producing animals, respectively.

European Food Safety Authority (EFSA)

19. Between October 2015 and January 2016, EFSA's FEEDAP Panel published 25 scientific opinions assessing feed additive applications for authorisation and re-authorisation.
(http://www.efsa.europa.eu/en/feedap/feedapscdocs).

20. The CONTAM Panel[1] of EFSA provides scientific advice concerning the presence of contaminants in both feed and food. The Panel's advice (and recent plenary meeting agendas) can be viewed on:
http://www.efsa.europa.eu/en/panels/contam

21. Forthcoming agendas of FEEDAP and CONTAM Panels (amongst others) may be viewed on http://www.efsa.europa.eu/en/events/advanced-search

Future SCoPAFF meetings

18-19 February 2016
8-9 March 2016
27-28 April 2016
23-24 May 2016
23-24 June 2016
18-19 July 2016
12-13 September 2016
13-14 October 2016
3-4 November 2016
15-16 December 2016

22. Following a restructuring within the European Commission, with effect from 1 February 2016, the Animal Nutrition Section will expand in scope be re-titled 'Animal nutrition and veterinary medicines'.

[1] The Panel on Contaminants in the Food Chain

ANNEX – SCoPAFF FEED ADDITIVE AUTHORISATIONS

Feed additive votes:

November 2015

Additive	Authorisation type	Proposal number
Zootechnical Additive: Preparation of α-galactosidase and endo-l,4-ß-glucanase	New	SANTE_11176_2015
Zootechnical Additive: Preparation of endo-1,4-ß-xylanase and endo-1,3(4)-ß-glucanase	New	SANTE_11179_2015
Zootechnical Additive: Preparation of endo-1,4-ß-glucanase	New	SANTE_11181_2015
Sensory Additive: L-cysteine hydrochloride monohydrate	Re-authorisation/new*	SANTE_11315_2015
Nutritional Additive: Menadione sodium bisulphite and menadione nicotinamide bisulphite	Re-authorisation	SANTE_11314_2015

** Re-authorisation of existing application (1831/2003 Article 10(2)) with co-application for additional scope (Article 10(7)).*

December 2015

Additive	Authorisation type	Proposal number
Zootechnical Additive: Preparation of *Saccharomyces cerevisiae* (MUCL 39885)	New	SANTE_11639_2015

January 2016

Additive	Authorisation type	Proposal number
Zootechnical Additive: 6-phytase	New	SANTE_11638_2015

ACAF Secretariat
February 2016