

ADVISORY COMMITTEE ON ANIMAL FEEDINGSTUFFS

68th Meeting of ACAF on 28 October 2015

Information Paper

EU AND OTHER DEVELOPMENTS

**Secretariat
October 2015**

EU AND OTHER DEVELOPMENTS

1. This paper summaries the main developments in relation to EU legislation and related matters since the ACAF meeting held on 19 June 2015.

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

2. The latest compromise text on the official controls negotiation will be discussed at COREPER¹ on the 14 October 2015 and at Council on the 22 October 2015. A Council first position is expected after this and the FSA will update stakeholders accordingly.

Commission Proposal to modify GM decision making

3. In April, the European Commission published a proposal that would enable Member States to restrict or prohibit the use, within their territories, of Genetically Modified Organisms (GMO) authorised under Regulation (EC) No 1829/2003 on GM food and feed, providing such measures are in accordance with EU law, reasoned, proportionate, non-discriminatory (including in respect of trade) and based on compelling non-safety grounds unrelated to the risk assessment undertaken at EU level.
4. The Commission believes the proposal will resolve the ongoing predicament with the GM authorisation regime which results in it adopting EU decisions on the basis of a positive risk assessment by the European Food Safety Authority but without the clear support of (i.e., a qualified majority vote by) Member States.
5. At the Agriculture and Fisheries Council in July, the majority of Member States expressed concern about the implications it may have for the European single market and international trade obligations, as well as science based decision making. The UK, and many Member States, also questioned the legal soundness of restrictive measures that could be brought in under the proposal and asked the Commission to carry out a detailed impact assessment in line with better regulation principles.
6. On 3 September 2015, the European Parliament (EP) Agriculture Committee voted in support of the draft opinion prepared by Rapporteur Dess, recommending rejection of the proposal. A rejection report drafted by EP Environment Committee Rapporteur Giovanni la Via, was similarly voted through on 13 October 2015. The proposal will be voted on in EP plenary session on 28 October 2015 in Strasbourg. We are closely following developments on this proposal.

¹ Committee of Permanent Representatives

Standing Committee on Plants, Animals, Food and Feed (SCoPAFF): Animal Nutrition Section (June to September 2015)

Feed additive authorisations

7. Standing Committee meetings were held in June, July and September 2015 at which proposals for 19 feed additive authorisations were voted for in favour as summarised in Annex I (there was one denial of authorisation). No meeting was held in August 2015.
8. The denial of the authorisation proposal for *Toyocerin* was based on safety/environmental concerns and unanimously revoked in July.
9. At July's meeting, there was a qualified majority vote (QMV) in favour of a new functional group '*hygiene condition enhancers*' as part of a wider consideration for expanding the scope of functional groups. The vote will facilitate the reauthorisation of formaldehyde as a feed additive within this new group.
10. Also in July, the polarisation of Member State opinions regarding formaldehyde became apparent as voting became closer. The Commission has since referred this feed additive to their legal services for advice on potential authorisation options. However, there has been no response to date. The Committee will be informed of any further developments.
11. Introductory discussions have been held on compounds of the following trace elements- zinc, copper and iron. There is growing recognition by EFSA and the Commission that a reduction in maximum permitted levels (MPLs) should be sought during re-authorisation to mitigate recognised environmental impacts. A reduction in MPLs for food-producing animals may have implications for human nutrition in the UK, due to dietary deficiencies of certain trace elements. We will continue to keep the Committee updated.
12. A number of documents have been tabled for review by the Commission and Member States over recent months, these include:
 - a. finalising appraisals on the list of intended uses as particular nutritional purposes (PARNUTS) – to be voted on in November 2015;
 - b. the updated Guide for Good Hygiene Practices by COCERAL COGECA/UNISTOCK – finalised for endorsement in July 2015;
 - c. the third amendment of the EU Catalogue of feed materials – completed an initial review in September with a view to providing comments to industry; and
 - d. the Code of Good labelling practices for compound feed for food producing animals (COPA-COGECA/FEFAC) – ongoing.

13. Member States are currently completing an FVO questionnaire on the arrangement for the representatives of establishments located in third countries exporting feed additives into the EU. The FVO are also proposing fact-finding visits to Member States doing 2016 on this issue.

Undesirable substances in feed

14. At the June 2015 meeting, a vote was passed on an amendment to Regulation (EC) 225/2012 (i.e. Regulation (EC) 183/2005 Annex II) regarding dioxin testing of oils, fats and products derived thereof. This legislation will allow for a relaxation of mandatory dioxin testing for low risk products.
15. The removal of MPLs for nitrites in all feed materials under Commission Directive 2002/32/EC was agreed in principle by Member States in April; however time constraints has not permitted progression to voting stage.
16. Following discussions during 2015, an amendment to Commission Regulation (2006/576/EC) regarding guidance values for mycotoxin MPLs for levels for inclusion of pet species (cats and dogs) was proposed at the September 2015 meeting.
17. EFSA Opinions were published on Mercury in fish products within petfood manufacture and tetrahydrocannabinol (THC) in milk and other food of animal origin. Discussions have yet to be completed on food safety for these substances before consideration for animal feed can be taken forward.
18. A number of surveillance programmes are underway or have been discussed for future development; these include:
 - a. the desktop survey (July) on ‘Feeding of calves with milk containing residues of antibiotics’; and
 - b. the monitoring of the presence of nickel in feed over the coming year.
19. Ten RASFF alerts were raised by UK within a six month period for aflatoxin B1 contamination in groundnuts, all originating from Gambia.

European Food Safety Authority (EFSA)

20. Between June and September 2015, EFSA’s FEEDAP Panel² has published eight scientific opinions to assess feed additive applications for authorisation and re-authorisation for the following:

² FEEDAP - Panel on Additives and Products or Substances used in Animal Feed

- A. VevoVital® (benzoic acid) as a feed additive for pigs for reproduction.
- c. Cylactin® (*Enterococcus faecium* NCIMB 10415) as a feed additive for pigs for fattening, piglets and sows.
- d. lignosulphonate as a feed additive for all animal species.
- e. ENZY PHOSTAR® (6-phytase) as a feed additive for avian and porcine species.
- f. L-lysine sulphate produced by fermentation with *Escherichia coli* CGMCC 3705 for all animal species.
- g. L-lysine monohydrochloride (from *Escherichia coli* CGMCC 3705) and L-lysine sulphate (from *Corynebacterium glutamicum* CGMCC 3704) for all animal species.
- h. Biosprint® (*Saccharomyces cerevisiae* MUCL 39885) for minor ruminant species for meat and milk production
- i. OPTIPHOS® (6-phytase) as a feed additive for pigs for fattening.

These feed additives have all been subsequently discussed in SCoPAFF meetings for voting consideration; the opinions may be viewed at:

<http://www.efsa.europa.eu/en/panels/feedap.htm>

- 21. Recent draft agendas of plenary meetings held by the FEEDAP Panel may also be viewed on this same website (providing an indication of upcoming publications). No other EFSA meetings/events have been reported since the previous update.
- 22. The CONTAM Panel³ 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.htm>
- 23. In June 2015, the CONTAM Panel was asked to deliver a scientific opinion on the risks for human health related to the presence of tetrahydrocannabinol (THC) in milk and other food of animal origin. THC is derived from the hemp plant *Cannabis sativa*, although in fresh plant material, up to 90 % of THC is present as a non-psychoactive precursor. This EFSA scientific opinion was raised within SCoPAFF AN to maintain a watching brief on hemp seed-derived feed materials.

24. Future SCoPAFF meetings

12-13 November 2015

10-11 December 2015

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³ The Panel on Contaminants in the Food Chain

ANNEX – SCoPAFF FEED ADDITIVE AUTHORISATIONS

Feed additive votes:

There was no SCoPAFF AN meeting held in May 2015.

June 2015

Additive	Authorisation type	Proposal number
Nutritional Additive: ascorbic acid, sodium ascorbyl phosphate, sodium calcium ascorbyl phosphate, sodium ascorbate, calcium ascorbate and ascorbyl palmitate	Re-authorisation/new*	SANTE/10026/2015
Nutritional Additive: betaine anhydrous and betaine hydrochloride	Re-authorisation/new*	SANTE/10056/2015
Nutritional Additive: L-valine produced by <i>Escherichia coli</i>	New	SANTE/10395/2015
Zootechnical Additive: preparation of <i>Enterococcus faecium</i>	Re-authorisation/new*	SANTE/10627/2015
Zootechnical Additive: preparation of <i>Bifidobacterium animalis</i> ssp. <i>animalis</i> DSM 16284, <i>Lactobacillus salivarius</i> ssp. <i>salivarius</i> DSM 16351 and <i>Enterococcus faecium</i> DSM 21913	New	SANTE/10051/2015
Zootechnical Additive: preparation of endo-1,4- beta-xylanase (EC 3.2.1.8) produced by <i>Trichoderma citrinoviride</i> Bisset (IM SD135)	Re-authorisation	SANTE/10053/2015
Zootechnical Additive: preparation of <i>Bacillus subtilis</i> (ATCC PTA-6737)	New	SANTE/10052/2015

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

July 2015

Additive	Authorisation type	Proposal number
Zootechnical Additive: Toyocerin - preparation of <i>Bacillus toyonensis</i>	Revocation/rejection of existing and new authorisations	SANTE_10499_2015
Sensory Additive: Canthaxanthin	Re-authorisation/new*	SANTE_10105_2015
Sensory Additive: Astaxanthin	Re-authorisation/new*	SANTE_10109_2015
New Functional Group of Feed Additives: (n) Hygiene condition enhancers	Authorisation	SANTE_10950_2015
Nutritional Additive: DL-methionyl-DLmethionine	New	SANTE_10574_2015
Zootechnical Additive: Preparation of iron carbonate hydroxy oxo starch sucrose complex	Application withdrawn	SANCO_11212_2013
Zootechnical Additive: Preparation of benzoic acid, thymol, eugenol and piperine	New	SANCO_12706_2014
Zootechnical Additive: Preparation of carvacrol, cinnamaldehyde and capsicum oleoresin	New	SANTE_10757_2015
Technological Additive: Sodium bisulphate	New	SANTE_11813_2015
Coccidiostats/Histomonostats: Diclazuril (Coxiril)	New	SANTE_10054_2015
Technological Additive: Preparations of <i>Lactobacillus plantarum</i> and <i>Pediococcus pentosaceus</i>	New	SANTE_10093_2015
Technological Additive: Sodium bisulphate	New	SANTE_10961_2015

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

September 2015

Additive	Authorisation type	Proposal number
<i>Nutritional Additive:</i> vitamin E	Annex Amendment	SANTE_11093 2015

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

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