

ADVISORY COMMITTEE ON ANIMAL FEEDINGSTUFFS

44th Meeting of ACAF on 3 December 2008

Information Paper

EC DEVELOPMENTS

Secretariat: November 2008

EC DEVELOPMENTS

1. This paper outlines the main developments in relation to EC legislation and related matters since the ACAF meeting held on 24 September 2008.

Official feed and food controls - Regulation (EC) No 882/2004

2. Implementing rules for import controls for 'high-risk' feed and food of non-animal origin – a new draft of the proposed Regulation was discussed at a Commission Working Group meeting in Brussels in early October 2008. The Commission indicated that its intention is to present the text to the Standing Committee on the Food Chain and Animal Health (SCoFCAH) in November or December 2008. UK stakeholders are being kept up-to-date on developments via the Rapidly Developing Policy page on the Agency's website at:

<http://www.food.gov.uk/foodindustry/regulation/europeleg/euupdates/>

3. Review of fees and charges for official controls - the Commission is expected to report in November 2008 on its study of current arrangements in Member States for collecting fees and charges for official controls.
4. Annual report on implementation of the National Control Plan - Member States are required to report annually on the implementation of their national control plans. Guidelines to assist Member States in preparing the annual report have now been published in the form of a Commission Decision (2008/654/EC) and are available at the link below. The first annual report for the UK is being finalised and is expected to be submitted to the Commission, and published on the Agency's website, during November 2008.

<http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:214:0056:0065:EN:PDF>

Transposition into national legislation of two EC measures

5. The last update reported that the Food Standards Agency intended to launch a six week public consultation on a Statutory Instrument covering the provisions of:
 - (a) Commission Directive 2008/82/EC of 30 July 2008 concerning an amendment to an existing Annex entry for dietetic feedingstuffs for the support of renal function in case of chronic renal insufficiency for cats and dogs; and

(b) Commission Directive 2008/76/EC of 25 July 2008 concerning amendments to existing maximum permitted levels for certain undesirable substances (fluorine, weed seeds and DDT).

Member States are required to bring the first of these measures into force no later than 20 February 2009, and the second by 1 April 2009.

6. The relevant public consultation commenced on 20 October 2008 and will run until 28 November 2008. Further details can be found at:

<http://www.food.gov.uk/consultations/consulteng/2008/feedstuffeng081020>

European Parliament and Council Regulation 1831/2003 on additives for use in animal nutrition

7. Votes in favour were obtained for the authorisation of six feed additives at the September and October 2008 meetings of SCoFCAH. These are summarised below.

Zootechnical additives

- Sorbiflore is a feed micro-organism preparation containing *Lactobacillus rhamnosus* CNCM-I-3698 and *Lactobacillus farciminis* CNCM-I-3699 for weaned piglets up to two months of age.
- Ecobiol is a feed micro-organism preparation containing *Bacillus amyloliquefaciens* CECT 5940 for chickens for fattening.
- Levucell SC20/SC10ME is a feed micro-organism preparation containing *Saccharomyces cerevisiae* CNCM I-1077 for lambs for fattening.

Nutritional additives

- Mintrex copper chelate is a trace element compound containing a bioavailable form of copper for chickens for fattening.

Coccidiostats and histomonostats

- Coxidin – Monensin sodium – amendment to Regulation (EC) No 109/2007, as regard to the modification of withdrawal period from three days to one day, of the feed additive monensin sodium for use in chickens for fattening.
- Elancoban – Monensin sodium – amendment to regulation (EC) No 1356/2004 as regard to the modification of withdrawal period from three days to one day, of the feed additive monensin sodium for use in chickens for fattening, chickens for laying and turkeys.

Feed additives

Addition of a new group of additives to Annex I of EC Regulation 1831/2003

8. The Commission has been requested to introduce a new functional group for mycotoxins adsorbants or denaturants under Annex I of EC Regulation 1831/2003. This functional group would cover substances that seek to reduce the adverse effects of mycotoxins and their metabolites in the gastro-intestinal tract (such as clay minerals, enzymes, micro-organisms and yeast cell walls). Their primary action would be to act on the feed by inactivating the mycotoxins present; any benefit to animal performance might be a considered secondary consequence. These substances are not specifically mentioned in EC Regulation 1831/2003, so any substances used in this way are currently not subject to safety or efficacy assessment. The Commission has indicated that there may be consequences for European markets, as it will not be legal to use or sell these products until they are authorised.

Undesirable substances

Carry over of Coccidiostats into 'non-target feed' and food

9. Discussions continued at the September and October meetings of SCoFCAH concerning the proposal to set maximum permitted levels (MPLs) for unavoidable carry-over of coccidiostats or histomonostats into feed for non-target species, and MRLs for the resulting presence of coccidiostats or histomonostats in food. MPLs and MRLs have been proposed for lasalocid, narasin, salinomycin, monensin, semduramycin, maduramycin, robenidine, docoquinone, halofuginone, nicarbazin and diclazuril. The statutory controls may be amended in a few years time as research is being carried out into the transfer of coccidiostats and histomonostats into animal products. A vote on the relevant Commission proposal will be held in November 2008.

Arsenic

10. The Commission has received requests to review the MPLs for arsenic (As) in several feedingstuffs. There has been a request to increase the MRLs for total As in fishmeal and complete feedingstuffs for fish and fur animals, whilst retaining the current MRLs for inorganic As. Organic As is virtually non-toxic, whereas inorganic As is highly toxic. The Commission has also received a request to regulate As in trace element compounds authorised as feed additives. The current statutory controls and proposed amendments are set out in the table below.

Feedingstuffs	MPLs for total As proposed by EC (mg/kg)	Current MPLs for total As (mg/kg)
Fishmeal	25 *	15 *
Complete feedingstuffs for fish and fur animals	10 *	6 *
Compounds of trace element additives; except:	30	-
copper sulphate pentahydrate and copper carbonate	50	-
Zinc oxide, manganous oxide and copper oxide	100	-

*MPL for inorganic As: 2 mg/kg.

11. The amendments to the statutory controls for As are an interim measure; an improved analytical method will soon be available, allowing limits to be set for inorganic As alone.

European Food Safety Authority (EFSA)

12. The following Opinions have been published by the EFSA Scientific Panels FEEDAP and CONTAM since the Committee was updated in September 2008:

Additive / contaminant	Description of contaminant or additive group	EFSA Opinion	Proposed amendment to statutory controls or annex entry
Amendment to annex entry: Cytostat 66 G for chickens for fattening and turkeys for fattening	Coccidiostat and histomonostats	Amendment to MRLs and withdrawal period not required for consumer safety.	Possible amendment to MRLs and 5 day withdrawal period to account for 'off taste' in meat products.
Tropane alkaloids	A group of more than 200 toxic compounds, occurring in the family <i>Solanacea</i> .	Animal exposure usually a result of accidental intoxication rather than contamination. Negligible risk to human health, as alkaloids are readily biotransformed and excreted in animals.	Extension to the statutory controls for alkaloids to all <i>Datura</i> species.
Ricin	A toxin found in the seeds of the castor oil plant <i>Ricinus communis L.</i>	Animal exposure usually a result of accidental contamination. Negligible risk to human health, as exposed animals are not thought to enter the food chain.	Amendment to the statutory control for castor oil plant husks to a statutory control for ricin.
Theobromine	A toxin naturally present in cocoa products, their by-products and a metabolite of caffeine.	Studies have shown toxicity in food producing and pet animals. Current statutory controls may not be fully protective for some species. Negligible risk to human health as it is not toxic in humans.	Amendment to statutory controls for dairy cows and pigs. Feed manufacturers should not use by-products of cocoa manufacture or confectionary by-products in feeds for dogs or horses.

Incidents

DON contamination of wheat

13. The Food Standards Agency has received a large number of notifications of unacceptable levels of the mycotoxin deoxynivalenol (DON) in wheat intended for use in food. Wheat consignments have been rejected at flour mills for exceeding the statutory control of 1.25 ppm for DON in wheat intended for food. At the time of writing, 177 notifications have been received in 2008; 66 notifications were received in 2007. It is thought that the high numbers of notifications are partly a result of the wet weather conditions this year. So far, no notifications have exceeded the guidance value of 8 ppm for DON in wheat intended for animal feed. Most consignments that have been rejected for use in food are being diverted into animal feed. However, the controls on DON may change in the future, as there is a requirement for the Commission and Member States to re-assess the guidance values for DON and other mycotoxins in 2009.

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