

**ADVISORY COMMITTEE ON ANIMAL FEEDINGSTUFFS**

**63rd Meeting of ACAF on 26 February 2014**

**Information Paper**

**EU AND OTHER DEVELOPMENTS**

**Secretariat  
February 2014**

## **EU AND OTHER DEVELOPMENTS**

1. This paper outlines the main developments in relation to EU legislation and related matters since the ACAF meeting held on 9 October 2013.

### **Proposal from the European Commission to update the Official Controls Regulation (Reg. 882/2004)**

2. Since the presentation given to ACAF on 9 October 2013, there have been four working party meetings in the Council of the European Union to discuss the text and its implications. The latest meeting was held in Brussels on 15 and 16 January 2014 and was the first meeting under the Greek Presidency.
3. These meetings have concentrated on imports (Articles 42 to 75 and 124 to 128) with a lot of discussion on the harmonisation of import controls across all of the sectors. Careful attention has been paid to the detail of import controls on plants, plant reproductive material and plant protection products to ensure that the proposal adequately reflects these sectors alongside food, animal feed and live animals.
4. The next Council working party meeting is scheduled to be held in February 2014 where the charging Articles will be discussed. The Greek Presidency is keen to ensure that the read-through of the entire proposal is completed by March 2014, after which proposed revisions to the text will be prepared and discussed in the Council working group. Written comments and drafting suggestions are being submitted by Member States, including the UK, to support this process.
5. The European Parliament is, in parallel, considering its views on the proposal towards a first reading position before April. The Environment Committee will discuss and debate their position on over 1,000 proposed amendments to the text on February 20 2014.
6. As negotiations proceed, detailed positions will be established by the European Parliament and Ministers at the European Council. Due to the complexity of the proposals, we do not expect a final text to be agreed for some time and it is highly unlikely that this will be before 2015.
7. The formal public consultation on the proposal closed on 9 January 2014, with over 100 contributions received from a wide variety of stakeholders, including groups representing the animal feed industry. These are being collated in order to prepare and publish the FSA's response.

### **European Commission Regulation 225/2005**

8. In summer/autumn 2013, the Food Standards Agency undertook a public consultation on a draft Statutory Instrument to provide for the application of EU Regulation 225/2012 on fats and oils for feed use. This Regulation requires (a)

the producers and processors of fats and oils of vegetable origin to be approved under EU Regulation 183/2005 on feed hygiene rather than (as previously) merely registered; and (b) requires relevant feed business operators to undertake a programme of monitoring of fats and oils of vegetable and marine origin for dioxins and dioxin-like PCBs. The finalised Statutory Instrument - the Feed (Hygiene and Enforcement) and the Animal Feed (England) (Amendment) Regulations 2013 (S.I. 2013 No. 3133) - was signed by the responsible Minister on 9 December 2013, laid in Parliament on 16 December 2013, and came into force on 17 January 2014. An online version of the Statutory Instrument is available at:

<http://www.legislation.gov.uk/ukxi/2013/3133/contents/made>

### **Standing Committee on the Food Chain and Animal Health (SCoFCAH): Animal Nutrition Section**

#### **Feed additive authorisations Sept - Dec 2013 from SCoFCAH (Animal Nutrition Section)**

9. There were 20 votes in favour of European Commission proposals for feed additive authorisations or amendments at the September, October, November and December 2013 Standing Committee meetings. These are summarised in Annex I.
10. Of particular note, there have been two authorisations granted for additives to be used to help reduce the adverse effects of mycotoxins present in animal feeds; bentonite and microorganism strain DSM11798 of the *Coriobacteriaceae* family. It has been made clear in the texts that they cannot be used to 'recover' non-compliant feeds.
11. There have been discussions on creating new functional groups of additives under Annex I of Regulation 2013/2003. It is possible that the Commission will produce proposals in 2014 for a new 'hygiene' group of additives, and new groups for additives used in water.

### **PARNUTS**

12. Directive 2008/387/EC establishes a list of intended uses and claims to be made about animal feedingstuffs for particular nutritional purposes (PARNUTs). The Directive is being used together with Articles 8-10 and 32 of Regulation 767/2009 to authorise complementary feeds with high additive concentrations. A large number of applications have been received under transitional arrangements in 767/2009. The first tranche of authorisations for high concentrate products has been made under Commission Regulation 5/2014. A revision of the existing entries in the Directive is currently underway.

## Undesirable substances in feed

13. Several Member States are lobbying for reductions of the maximum permitted limits for the banned pesticide endosulfan in feed, in order to be in line with current limits for food. This may have consequences for fish feeds with high vegetable oil contents and the Commission is currently consulting industry on this possible change.
14. The Commission is currently exploring new controls on the presence of certain quaternary ammonium pesticides/biocides, e.g. didecyldimethylammonium chloride – DDAC) following some recent contamination incidents. The Commission will be asking EFSA for advice on erucic acid in feed derived from oil seeds to determine if specific controls are required.
15. The Commission is working on guidance to assist feed business operators where aflatoxin B1 is found in maize products to be present, but below the maximum permitted level.
16. A new Regulation amending Commission Regulation (EC) 152/2009 of 28 January 2009 laying down methods of sampling and analysis for the official control in feed as regards dioxins and PCBs was agreed. The changes simply reflect technical changes to analytical methodology.

## European Food Safety Authority (EFSA)

17. EFSA's FEEDAP<sup>1</sup> Panel continues to assess feed additive applications for authorisation and re-authorisation. The Panel's assessments are published as scientific opinions on FEEDAP's webpage:

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

18. FEEDAP has published a guidance document to assist applicants in the preparation and presentation of applications for renewal of the authorisation of feed additives for use in animals. It follows the structure and definitions of Regulation 1831/2003 and 429/2008. A link to the guidance can be found below.

<http://www.efsa.europa.eu/en/efsajournal/pub/3431.htm>

19. EFSA has published a public consultation on a draft Scientific Opinion on Dietary Reference Values for iodine. Interested parties are invited to submit written comments by 26 February 2014.

<http://www.efsa.europa.eu/en/consultations/call/140115.htm>

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<sup>1</sup> The Panel on Additives and Products or Substances used in Animal Feed.

20. The CONTAM Panel<sup>2</sup> of EFSA provides scientific advice concerning the presence of contaminants in both feed and food. The Panel's advice can be obtained via its webpage:

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

21. EFSA's CONTAM Panel has provided advice on the risks to human and animal health related to the presence of tropane alkaloids (TAs) in food and feed. Although over 200 different TAs have been identified, data on toxicity and occurrence in food and feed are limited, so EFSA only performed a risk assessment on (-)-hyoscyamine and (-)-scopolamine. In relation to feed, EFSA concluded that TA toxicosis in livestock and companion animals is relatively rare, but recommended that data should be collected on occurrence of TAs in cereals and oilseeds, and on the agricultural conditions under which TAs occur in cereals and oilseeds. Further information can be found in the full opinion, which can be found on the following link.

<http://www.efsa.europa.eu/en/efsajournal/pub/3386.htm>

## **Update On BSE Feed Ban (PAP)**

### Recent Changes

22. EU legislation which permits the feeding of pig and poultry processed animal protein (PAP) to farmed fish came into force on 1 June 2013. This change was introduced in the UK on an administrative basis on 1 June and domestic legislation will be updated in due course. To date, no feed manufacturers in the UK have availed themselves of this option.

### TSE Roadmap 2 – Future Changes to EU TSE Legislation

23. The European Commission is drafting legislation that would permit the use of poultry PAPs in pig feeds and PAP derived from insects for feeding to non-ruminant farmed animals. However, following delays in the validation of a DNA-based polymerase chain reaction (PCR) test to detect very low levels of pig material that may be present in poultry in order to verify the absence of intra-species re-cycling, the Commission is now restricting its proposal to the use of PAP derived from insects. Parallel changes to EU animal by-product (ABP) legislation are also under discussion. The UK Government does not yet have an agreed position on this proposal.
24. The Commission still has a longer term objective to continue working with EURL-AP, the EU Reference Laboratory for feed, regarding the development of a validated diagnostic method which is able to detect the presence of porcine or poultry material in feed, but this is unlikely to be completed before 2016.

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<sup>2</sup> The Panel on Contaminants in the Food Chain.

25. The above proposals do not cover the use of porcine PAP in poultry feed as the necessary laboratory methods are still under validation, and this is not expected to be applied before 2016.

#### Insect PAP

26. Studies are on-going regarding raising insects to produce PAPs for animal feed. A detailed report is available from FAO and is available at:

<http://www.fao.org/docrep/018/i3253e/i3253e.pdf>.

27. The following issues on the inclusion of insect PAP as feed for non- ruminant farmed animals have been raised by industry:

- what species of insects are used?
- how they are obtained?
- how they are reared?

**ANNEX I – SCOFCAH FEED ADDITIVE VOTES AND AUTHORISATIONS****December 2013**

<b>Additive</b>	<b>Additive type</b>	<b>Proposal number</b>	<b>Authorisation type</b>
<i>Pediococcus pentosaceus</i> DSM 14021, <i>Pediococcus pentosaceus</i> DSM 23688, <i>Pediococcus pentosaceus</i> DSM 23689	Silage agents	SANCO/11955/2013	reauthorisation
L-selenomethionine	Trace element	SANCO/12316/2013	new
L-tyrosine	Amino acid	SANCO/12317/2013	new
Cobalt (II) acetate tetrahydrate, cobalt (II) carbonate, cobalt (II) carbonate hydroxide (2:3), cobalt (II) sulphate heptahydrate, and coated cobalt (II) carbonate hydroxide (2:3).	Trace element	SANCO/12434/2013	amendment (to Regulation 601/2013)
Cobalt (II) chloride, cobalt (II) nitrate and cobalt (II) sulphate	Trace element	SANCO/12815/2013	withdrawal

**November 2013**

<b>Additive</b>	<b>Additive type</b>	<b>Proposal number</b>	<b>Authorisation type</b>
<i>Lactobacillus rhamnosus</i> (CNCM-I-3698) and <i>Lactobacillus farciminis</i> (CNCM-I-3699)	Gut flora stabiliser	SANCO/12291/2013	amendment
Endo-1,4-beta-xylanase produced by <i>Aspergillus niger</i> (CBS 109.713) and endo-1,4- beta-glucanase produced by <i>Aspergillus niger</i> (DSM 18404)	Digestibility enhancer	SANCO/11954/2013	extension
Alpha-galactosidase produced by <i>Saccharomyces cerevisiae</i> (CBS 615.94) and endo-1,4-beta-glucanase produced by <i>Aspergillus niger</i> (CBS 120604)	Digestibility enhancer	SANCO/11952/2013	extension

**October 2013**

None

September 2013

Additive	Additive type	Proposal number	Authorisation type
L-cystine	Amino acid	SANCO/11300/2013	New
endo-1,4-beta-xylanase produced by <i>Trichoderma reesei</i> (MUCL 49755) and endo-1,3(4)-beta-glucanase produced by <i>Trichoderma reesei</i> (MUCL 49754)	Digestibility enhancer	SANCO/10844/2013	New use
<i>Enterococcus faecium</i> NBIMCC 8270, <i>Lactobacillus acidophilus</i> NBIMCC 8242, <i>Lactobacillus helveticus</i> NBIMCC 8269, <i>Lactobacillus delbrueckii</i> ssp. <i>lactis</i> NBIMCC 8250, <i>Lactobacillus delbrueckii</i> ssp. <i>bulgaricus</i> NBIMCC 8244, and <i>Streptococcus thermophilus</i> NBIMCC 8253	Gut flora stabiliser	SANCO/11787/2013	New
propionic acid, sodium propionate and ammonium propionate	Silage additive	SANCO/12885/2011	New
<i>Enterococcus faecium</i> NCIMB 10415	Gut flora stabiliser	SANCO/10240/2013	Re-authorisation/Amendment
<i>Coriobacteriaceae</i> family DSM 11798	Reduction of mycotoxin contamination	SANCO/11211/2013	New
bentonite	Reduction of mycotoxin contamination; binder; anti-caking agent	SANCO/10446/2011	New / Re-authorisation
<i>Lactobacillus plantarum</i> NCIMB 40027, <i>Lactobacillus buchneri</i> CCM1819-DSM22501, <i>Lactobacillus buchneri</i> CNIMB 40788-CNCM I-4323, <i>Lactobacillus</i>	Silage additive	SANCO/10838/2013	Re-authorisation



<i>buchneri</i> LN 40177 -ATCC PTA-6138, and <i>Lactobacillus buchneri</i> LN 4637 - ATCC PTA-2494			
<i>Saccharomyces cerevisiae</i> MUCL 39885	Gut flora stabiliser	SANCO/10840/2013	Re-authorisation
<i>Enterococcus faecium</i> DSM 7134 and <i>Lactobacillus rhamnosus</i> DSM 7133	Gut flora stabiliser	SANCO/10835/2013	Re-authorisation
fumaric acid	Preservative	SANCO/10241/2013	Re-authorisation
certain coccidiostats	Coccidiostat	SANCO/11809/2013	Change of authorisation holder

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