

ADVISORY COMMITTEE ON ANIMAL FEEDINGSTUFFS

51st Meeting of ACAF on 22 September 2010

Information Paper

EU DEVELOPMENTS

**Secretariat
September 2010**

EU DEVELOPMENTS

1. This paper outlines the main developments in relation to EU legislation and related matters since the ACAF meeting held on 3 June 2010.

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

2. UK National Control Plan (January 2007 to March 2011) and annual report - the UK's first multi-annual National Control Plan, prepared jointly by the Food Standards Agency and the four Agriculture/Rural Affairs Departments in order to meet a requirement in Regulation 882/2004, was published in December 2006. The third annual report on progress towards implementing the Plan, which covers the period from 1 January to 31 December 2009, has been published. The Plan and annual reports can be found on the FSA website at:

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

3. Implementing rules for import controls for 'high-risk' feed and food of non-animal origin – an amended Annex I list to Regulation (EC) No 669/2009, received a favourable opinion by the Standing Committee on the Food Chain and Animal Health (SCoFCAH) at its meeting on 14 July 2010 and is expected to come into force on 1 October 2010.

EC Regulation 767/2009 on the placing on the market and the use of feed

4. The previous EU Developments paper reported on the launch of the consultation on the draft Statutory Instrument to provide for the enforcement of this measure and to make connected changes to existing feed legislation. That consultation ran from 31 March to 18 June, and attracted ten substantive responses raising points on which clarification or further information was sought, and a number of other responses which made broad general comments on various issues related to Regulation 767/2009 without raising specific questions. All those responding indicated their agreement with the approach to the enforcement of the Regulation outlined in the previous EU Developments paper, and none dissented from the potential benefits and costs discussed in the detailed Impact Assessment which formed part of the consultation package. None of the queries raised were thought to require an amendment to the draft Statutory Instrument.
5. As a separate matter, the Agency's Animal Feed Branch has been drawing up some stakeholder guidance to the interpretation and implementation of certain aspects of EU Regulation 767/2009. The aspects selected for inclusion are drawn from both those the Branch considers require some

additional explanation, and those nominated by stakeholders on which clarification is requested. It is hoped that this guidance will be available in the autumn.

Regulation (EC) No 767/2009 Marketing and the use of feed

6. With regards to the directly implemented Article 8 of the above regulation this has been provided for in the draft Veterinary Medicines Regulations 2010 which are currently out to consultation.
7. Article 8 provides a distinction between premixtures and complementary feeds by setting a maximum level of feed additives in complementary feeds.
8. Feed materials and complementary feed must not contain levels of coccidiostats or histomonostats that are higher than five times the relevant fixed maximum content in complete feed.
9. Feedingstuffs exceeding these levels will be regarded as premixtures.

European Food Safety Authority (EFSA)

10. Opinions that have been published by the EFSA Scientific Panels on Additives and Products or Substances Used in Animal Feed (FEEDAP) and Contaminants in the Food Chain (CONTAM) since the Committee was updated in June 2010 can be accessed via the following links:

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

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

11. Some Opinions published by the CONTAM Panel do not apply specifically to animal feed.

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

Feed Additives

12. Votes in favour were obtained for the authorisation of feed additives at the June 2010 meeting of SCoFCAH (Animal Nutrition Section). These are summarised below.

Commission Proposals that received a qualified majority vote in June 2010

Product	Proposal number	Animal category	Purpose
Phytase from <i>Pichia pastoris</i> DSM 15927	SANCO/10671/2010	Laying hens	Modification of authorisation
Phytase from <i>Trichoderma reesei</i> CBS 122002	SANCO/10673/2010	Turkeys	New species authorisation
<i>Saccharomyces cerevisiae</i> NCYC Sc47	SANCO/10870/2010	Calves	New species authorisation
Lasalocid A sodium	SANCO/10868/2010	Turkeys	Reauthorisation
Narasin	SANCO/10670/2010	Broilers	Removal of withdrawal period
Narasin & Nicarbazin	SANCO/10871/2010	Broilers	Reauthorisation
Nicarbazin	SANCO/10869/2010	Broilers	Reauthorisation

13. A qualified majority vote in favour was given at the June 2010 meeting for a Commission proposal (SANCO 10613/2010) that clarifies the status of certain feed products. The document is in two parts:

- a section that removes feed additive status from some ‘grey area substances’ that also have other uses as feed materials (e.g. calcium carbonate and glycerol); and
- a part that confirms that substances generally considered to be feed materials are not feed additives (e.g. glucosamine and calcium chloride).

Marketing and use of feeds

14. At the July 2010 meeting a Commission proposal (SANCO 11041/2010) for a Regulation to amend Commission Directive as regards feed for dogs and cats for the support of joint metabolism in the case of osteoarthritis was given a qualified majority vote in favour.

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