

**ADVISORY COMMITTEE ON ANIMAL FEEDINGSTUFFS**

**56<sup>th</sup> Meeting of ACAF on 14 December 2011**

**Information Paper**

**EU AND OTHER DEVELOPMENTS**

**Secretariat: December 2011**

## 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 28 September 2011.

### 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: On 3 October 2011 a Commission Working Group discussed proposed amendments to Annex 1 of Regulation (EC) No. 669/2009. At a subsequent SCoFCAH meeting held on 9 November 2011, amendments were agreed to the list of feed and food of non-animal origin in Annex I of Regulation 669/2009 which is subject to additional import controls at designated points of entry to the EU.
3. The draft amendment Regulation is expected to apply from 1 January 2012.

### European Food Safety Authority (EFSA)

4. 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 September 2011 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>

5. The FEEDAP Panel has continued to issue Opinions in response to new applications for feed additive use and for renewed authorisation of existing additives. Further details of FEEDAP's advice can be found via the first link above.
6. The CONTAM Panel has recently considered possible risks from toxins produced by a genus of fungi called *Alternaria*. However, a full assessment of the risk from exposure to these toxins via their presence in feed could not be made for animal species or for human consumers due to a lack of data. The CONTAM Opinion can be accessed via the link below:

<http://www.efsa.europa.eu/en/efsajournal/pub/2407.htm>

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

### Controls for dioxins in feed

7. A Commission proposal (SANCO/10282/2011) for a Regulation concerning additional controls for the presence of dioxins in feed oils/fats was presented for a vote at the October 2011 Standing Committee meeting. The main issues covered by the proposal were:
  - approval to be required under Article 10 of Regulation 183/2005 for feed business operators that manufacture, blend or place feed on the market;
  - establishments that blend oils for feed use that also blend oils for other purposes must ensure that these other oils comply with the controls contained in Annex I of Directive 2002/32;
  - containers used to store or transport oils should be dedicated for that purpose;
  - a mandatory dioxin/PCB monitoring regime (up to 100% of batches) for feed fats and oils (to include some non-feed products) and compound feeds; and
  - laboratories are to notify competent authorities of non-compliant results.
8. The most controversial issue had been the adoption of the mandatory monitoring programme. However, the Commission provided sufficient additional concessions to Member States to enable the proposal to receive a qualified majority vote in favour.

### Undesirable substances in feed

9. At the December 2010 meeting of SCoFCAH (Animal Nutrition Section), Member States voted in favour of a draft Commission Regulation to consolidate and amend the controls contained in the Undesirable Substances in Feed Directive (2002/32/EC). This has now been published in the Official Journal of the European Union as Commission Regulation (EU) 574/2011:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:159:0007:0024:EN:PDF>

### Feed additives

10. There were 7 votes in favour of 18 feed additive authorisations at the September and October 2011 meetings of SCoFCAH (Animal Nutrition Section). These are summarised in the tables below.

September 2011

Additive	Type	Proposal number	Authorisation type
<i>Saccharomyces cerevisiae</i> NCYC R-625	Gut flora stabiliser	SANCO/11372/2011	New
endo-1,4-beta-xylanase from <i>Aspergillus niger</i> (CBS 109.713) and endo-1,4-beta-glucanase from <i>Aspergillus niger</i> (DSM 18404)	Digestibility enhancer	SANCO/11376/2011	Extension
endo-1,4-beta-xylanase from <i>Trichoderma reesei</i> (MULC 49755) and endo-1,3(4)-beta-glucanase from <i>Trichoderma reesei</i> (MULC 49754)	Digestibility enhancer	SANCO/11638/2011	Extension
endo-1,4-beta-xylanase from <i>Trichoderma reesei</i> (CBS 114044)	Digestibility enhancer	SANCO/11647/2011	Extension
<i>Lactobacillus plantarum</i> (NCIMB 30236)	Silage agent	SANCO/11656/2011	New

October 2011

Additive	Type	Proposal number	Authorisation type
<i>Lactobacillus buchneri</i> (DSM 16774) <i>Lactobacillus buchneri</i> (DSM 12856) <i>Lactobacillus paracasei</i> (DSM 16245) <i>Lactobacillus paracasei</i> (DSM 21773) <i>Lactobacillus plantarum</i> (DSM 12836) <i>Lactobacillus plantarum</i> (DSM 12837) <i>Lactobacillus brevis</i> (DSM 12835) <i>Lactobacillus rhamnosus</i> (NCIMB 30121) <i>Lactococcus lactis</i> (DSM 11037) <i>Lactococcus lactis</i> (NCIMB 30160) <i>Pediococcus acidilactici</i> (DSM 16243)	Silage agents	SANCO/12282/2011	New

<i>Pediococcus pentosaceus</i> (DSM 12834)			
Benzoic acid	Zootechnical	SANCO/12295/2011	Revised

### Recycled surplus food

11. The United Kingdom provided the European Commission with data relating to the use of surplus foods in the feed sector, types of packaging used in the surplus foods and likely residues of these packaging materials in feed. The Commission thanked the UK delegation and asked other Member States to provide equivalent data of their own to enable a discussion at a future SCoFCAH (Animal Nutrition Section) meeting to review the current inclusion of food packaging material in the list of prohibited substances in Annex III (a) of Regulation 767/2009.

### **Marketing and Use of Feed**

12. Article 24 of Regulation 767/2009 on the Marketing and Use of Feed provides for the creation of a Catalogue of Feed Materials to ‘facilitate the exchange of information on the product properties and list feed materials in a non-exhaustive manner’. The first version of the Catalogue, based on the existing lists of materials in the Annex to Directive 96/25 on the Circulation of Feed Materials and those materials which remained in the Annex to Directive 82/471 on Bioproteins, was published as Regulation 242/2010 of 19 March 2010.
13. Work to develop a second version of the Catalogue commenced shortly thereafter. The work was taken forward by the European feed trade associations to improve existing entries and add many new materials, in particular many mineral feed materials and - as a new category - fermentation by-products from various micro-organisms (many of them the by-products of biofuel processes). The revised, much longer, Catalogue was formally adopted by the Commission and published as Regulation 575/2011 of 16 June 2011.
14. The use of the Catalogue by feed business operators is voluntary, but the name of a feed material listed in the Catalogue may only be used on condition that all the relevant provisions of that Catalogue entry are complied with.

### **Incidents**

15. Since the ACAF meeting in September 2011, there have been two significant findings of excessive levels of arsenic in palm kernel expeller (PKE) imported from the Far East. Initial sampling results at three ports in the UK and the Republic of Ireland, where the material was off loaded, indicated a non-

homogenous presence of this undesirable substance, and resulted in re-testing to determine whether the breaches of the MPL were false positives. It was subsequently established from the loading plan for each of the two vessels that in both cases the consignments with excessive levels of arsenic had been loaded at one particular Far East port from one particular supplier.

15. Remaining stocks of the palm kernel expeller with excessive levels of arsenic were quarantined and disposed of outside the feed chain. A risk assessment determined that, at typical incorporation rates, use of the PKE in compound feed entailed negligible risk to human health; this was subsequently confirmed by analytical results which demonstrated satisfactory levels of arsenic. Consequently, a recall of compound feed containing the affected PKE was not required. The feed business that imported the material has since indicated that in future it will not be loading material from the Far East supplier in question. The source of the contamination has yet to be established.

**ACAF Secretariat  
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