ADVISORY COMMITTEE ON ANIMAL FEEDINGSTUFFS

37th Meeting of ACAF on 6 March 2007

Information Paper

EC DEVELOPMENTS

Secretariat February 2007
EC Developments

1. This paper outlines the main developments in relation to EC legislation and related matters since the ACAF meeting on 28 November 2006.

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

2. Member States were required to have a National Control Plan in place by 1 January 2007 to ensure effective implementation of official feed and food, animal health and welfare and plant health controls. These plans will be used as the basis of assessment of the performance of national control systems by the European Commission. The UK’s National Control Plan was published in December 2006 and is available on the Food Standards Agency’s (FSA) website at:

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

3. Member States are required to report annually on the implementation of their respective national control plans, with the first report due by the end of June 2008. Guidelines for the preparation of these reports are currently being developed by the European Commission and it is expected that a text will be adopted in the first half of 2007.

4. A consultation exercise on the implementation of Article 28 of Regulation 882/2004 is due to be launched shortly. This Article requires that the competent authorities charge feed or food business operators for expenses arising from additional official controls that are undertaken following the detection of non-compliance with feed or food law, and where these activities exceed normal control activities.

5. Discussions at EU level on the implementing rules for high risk feed and food of non-animal origin are now underway. The FSA has sought initial views from interested parties on the key issues that have arisen and will undertake a full public consultation once the European Commission issues its formal proposals.

Percentage Ingredient Declaration of Compound Animal Feed

6. Information Paper ACAF/06/31 which was issued for the Committee's meeting on 28 November 2006 summarised the latest position with respect to the draft Correcting Decision to amend EC Directive 2002/2/EC on percentage ingredients declaration for compound animal feed, in line with the ruling of the European Court of Justice. The draft Correcting Decision has subsequently been considered by the Agricultural Committee of the European Parliament, which agreed a number of amendments to the preamble, but rejected a proposal by the rapporteur to re-insert a requirement to disclose
exact percentage information on request (which the ECJ had declared was disproportionate to the aim of achieving feed safety). The draft Correcting Decision has still to be agreed by the Council of Ministers.

7. Article 1(6) of EC Directive 2002/2/EC required the European Commission to submit, by November 2006, a report to the Council and the European Parliament on the implementation of the measures it introduced, accompanied by any proposals for their improvement. The report (COM (2006) 839 final) was published on 21 December 2006, but is confined solely to describing in factual terms the implementation of the measures in Member States. It does not make any proposals for their improvement, because the Commission has been working on a review and recasting of feed labelling legislation which amongst other things is expected to address this issue. The draft text of the proposed new labelling Regulation, to replace four existing Directives, is now expected in the autumn of 2007.

8. To accompany the Regulations which implemented percentage ingredient declaration in the UK, the FSA drew up non-statutory guidance to the scope and interpretation of these new requirements. The guidance, intended for both feed industry and enforcement stakeholders, was subject to a period of public consultation and was published on the FSA's website in January 2007. It can be accessed at:

http://www.food.gov.uk/foodindustry/guidencenotes/labelregsguidance/ingredientsdeclarationguide

The Feed (Specified Undesirable Substances) Regulations 2006

9. The Feed (Specified Undesirable Substances) Regulations 2006 came into force on 26 December 2006. There are separate but parallel Regulations for England, Scotland, Wales and Northern Ireland. The Regulations transpose three EC Directives amending the maximum permitted levels for cadmium, fluorine, lead and camphechlor, and introducing maximum permitted levels for the combined sum of dioxins and dioxin-like PCBs.

10. Additionally, the FSA will commence a period of public consultation in the Spring of 2007 to transpose Commission Directive 2006/77/EC amending the maximum permitted levels for a range of organochlorine compounds (chiefly pesticides and herbicides).

European Commission Regulation 1831/2003 on additives for use in animal nutrition

11. Several votes in favour of the authorisation of feed additives were made at the October and December 2006 meetings of the Animal Nutrition Section of the Standing Committee on the Food Chain and Animal Health (SCoFCAH). These are summarised below.
Enzyme preparations:

- **Roxazym G2** – an enzyme preparation of endo-1,4-beta-glucanase, endo-1,3(4)-beta-glucanase and endo-1,4-beta-xylanase produced by Trichoderma longibrachiatum (ATCC 74 252) intended to be added to feed for laying hens and piglets.

- **Belfeed B1100MP and Belfeed B1100ML** - preparation of endo-1,4-beta-xylanase EC 3.2.1.8, to be used in feed for ducks.

- **Natuphos** – based on 3-phytase for use in piglets (weaned), fattening pigs and broilers.

Microorganism preparations:

- **Bioplus 2B** – preparation of Bacillus licheniformis DSM 5749 and Bacillus subtilis DSM 5750 - the vote concerned the use of this product in combination with the coccidiostat maduramicin ammonium in the feed for fattening turkeys.

- **Biosaf SC 47** – composed of Saccharomyces cerevisiae for use in dairy goats and dairy sheep.

- **Biosaf SC 47** – for use in horses.

- **Levucell SC20** – composed of Saccharomyces cerevisiae for use in dairy goats and dairy sheep.

Chemical additives:

- **Kofa Grain** – a preservative preparation of sodium benzoate, propionic acid and sodium propionate intended for feed for pigs and dairy cows.

- **Formi LHS** – for piglets (weaned) and fattening pigs.

Amino acid:

- **L – histidine monohydrochloride monohydrate** for salmonids.

Undesirable substances

12. **Camelina sativa** – this is a plant species that is cultivated for its oil-rich seeds. Neither the plant nor residues resulting from oil extraction can be used in animal feed as it contains relatively high levels of glucosinolates. The EFSA Panel on contaminants in the food chain (CONTAM) is currently reviewing the safety aspects of this plant. However, the Panel does not appear to have sufficient data to allow it to advise that the current restriction on its use in feed can be revoked.
13. Summary reports of the SCoFCAH meetings can be accessed at the following web link:

http://europa.eu.int/comm/food/committees/regulatory/scfcah/animalnutrition/index_en.htm

European Food Safety Authority (EFSA)

14. FEEDAP, the EFSA Panel on additives and products or substances used in animal nutrition, has published Opinions on the following:

- **Bonvital**, a preparation of Enterococcus faecium (DSM 7134) and a gut flora stabilizer that is already provisionally authorized for use in piglets and pigs for fattening, sows and chickens for fattening. The Panel was unable to conclude on the efficacy of the product at the lowest doses proposed in the application for full authorization for fattening pigs and piglets. The Panel did not have any safety concern for horses, users or the wider environment (a discussion on the Annex entry of Bonvital at future SCoFCAH meetings is envisaged shortly).

- **Alkosel** consists of selenised yeast cells (Saccharomyces cerevisiae (NCYC R397)) and is proposed as a source of organically-bound selenium for all species. The Panel was satisfied that the bioavailability of selenium in this yeast was demonstrated in lactating cows. Target animal safety studies showed no significant adverse effects. Although from deposition data human intake of selenium was shown to be potentially above the Upper Tolerable Level, more refined calculations suggested no significant reasons for concern.

- **Hemicall** is a feed enzyme produced by a strain of Bacillus lentus and shows significant improvements in animal performance in chickens for fattening. Therefore, the Panel was content with the efficacy of this product. The Panel also considered that the product had been demonstrated to be safe.

- **L – Histidine monohydrochloride monohydrate** is an amino acid intended for use in feed for salmonids. No safety concerns were raised by the Panel.

- **Kofa Grain** – is a preservative for use in feed for cattle for fattening and is currently authorised for pigs and dairy cows. Kofa Grain contains sodium benzoate, propionic acid and sodium propionate and intended as a preservative for grain with a moisture content exceeding 15%. Of the three substances contained in the product, only benzoic acid was considered to pose a significant risk to target animals. As a precaution, the Panel recommended appropriate labelling of feed treated with Kofa Grain.

- **035** – is a microbial additive based on Bacillus subtilis intended for chickens for fattening. The Panel considered that overall efficacy had been
demonstrated for this product and that it represented no significant safety concerns.

- **Phyzyme SP 5000L** – is an enzyme product based on a phytase produced by a genetically modified strain of Schizosaccharomyces pombe. The Panel was satisfied with the efficacy and safety of this product.

- **Levucell SC20/Levucell SC10ME** - is a product composed of live yeast cells, authorised for dairy cows and cattle for fattening. The Panel was of the opinion that the proposed new use for horses was not backed by sufficient efficacy data.

- **Biosaf Sc 47** – is a similar yeast-based product intended for use in horses The Panel was of the opinion that the product was efficacious in improving fibre digestion. No safety concerns were raised.

15. CONTAM, the EFSA Panel on contaminants in the food chain has published the following Opinions:

- **DDT** – is an insecticide that has been used as a vector control in areas with malaria. It is currently banned in most European countries because of its persistence in the environment, bioaccumulation (in fatty tissues) and biomagnification. The CONTAM Panel evaluated the occurrence data on existing levels in the environment, feed and food and found that fish-derived products were more contaminated than other feed materials. The Panel found a significant decline in human exposure over the past three decades.

- **Hexachlorobenzene** – is a pesticide that is banned in the European Community, but is still being released into the environment through industrial processes. HCB is also very lipophilic and persistent in the environment. The Panel found the highest levels in fish–derived products. As with DDT, a significant decline has been shown in exposure to humans.

16. At the January 2007 meeting of SCoFCAH it was generally agreed that the CONTAM Opinions for DDT and HCB did not appear to indicate a need for new or revised statutory limits.

**Dossiers Under the Responsibility of the VMD**

**Coccidiostats**

- **Coxidin** - Monensin sodium - (Chickens for Fattening) - at the 18 December 2006 meeting of the Standing Committee on the Food Chain and Animal Health, Animal Health Section, a proposal for a draft Commission Regulation concerning the authorisation of the feed additive Coxidin, belonging to the category Coccidiostat received a QMV in favour.
Elancoban - Monensin sodium – (Chickens for fattening/reared for laying, turkeys) - at the 18 December 2006 meeting of the Standing Committee on the Food Chain and Animal Health, Animal Health Section, a proposal for a draft Commission Regulation amending Regulation (EC) 1356/2004 as regards the conditions for authorisation of the feed additive Elancoban, belonging to the category Coccidiostat received a QMV in favour.

EC Feed Hygiene Regulation (183/2005)

17. At the SCoFCAH - Animal Nutrition Section meeting on 29-30 January 2007, the European Commission and Member States agreed the texts of three Community Guides to good practice that will be made available for use by feed business operators. Article 22 of Regulation 183/2005, provides for Community Guides to be adopted to assist feed businesses to comply with the requirements of the Regulation.

18. The three Guides in question covered the following areas:

- compound feed manufacturer (submitted by the European Feed Manufacturers' Federation - FEFAC);
- pet food manufacturer (submitted by the European Pet Food Industry - FEDIAF); and
- feed additive manufacturer (submitted by the Feed Additive and Premixture Quality System European Association - FAMI QS Asbl).

19. References to the Guides (including links to the appropriate websites) will be published in the 'C' series of the Official Journal of the European Communities. ACAF members will be informed when these links are published. These Guides may be developed or extended in the light of experience of their operation.