

Parma, 4 June 2008
EFSA/CONTAM/765

**MINUTES OF THE 26TH PLENARY MEETING OF THE SCIENTIFIC PANEL ON
CONTAMINANTS IN THE FOOD CHAIN (CONTAM) HELD ON FROM 9 TO 11
APRIL 2008 IN PARMA**

Adopted by written procedure on 28 May 2008

PARTICIPANTS

Panel Members:

Jan Alexander¹, Diane Benford, Andrew Cockburn, Jean-Pierre Cravedi, Eugenia Dogliotti², Alessandro di Domenico, María Luisa Fernández-Cruz, Johanna Fink-Gremmels (vice-chair)³, Peter Fürst, Corrado Galli, Jadwiga Gzyl, Antonio Mutti, Niklas Johansson, Josef Schlatter (chair), Rolaf van Leeuwen (vice-chair), Carlos van Peteghem and Philippe Verger¹.

EFSA:

Valeria Bernazzali (Administrative Assistant, Unit on Contaminants), Ulla Bertelsen (Senior Officer, Unit on Contaminants), Jean-Lou Dorne (Senior Officer, Unit on Contaminants), Mari Eskola (Scientific Officer, Unit on Contaminants), Stefan Fabiansson (Head of Unit on Data Collection and Exposure), Ernesto Guisado Ferrer (IT Unit), Claudia Heppner (Head of Unit on Contaminants), Veronica Kalhori (Administrative Assistant, Unit on Contaminants), Riitta Maijala (Director of Risk Assessment Department), Ilias Papatrypon (Liaison Officer, Scientific Cooperation Unit), Mari Varho (Finance Administrator) and Francesco Vernazza (Senior Officer Unit on Data Collection and Exposure).

European Commission:

Frans Verstraete² (DG Health and Consumer Protection)

1. WELCOME

The CONTAM chair, Josef Schlatter, welcomed the members of the CONTAM Panel to the 26th plenary meeting.

¹ Only present on 10-11 April 2008

² Only present on 9-10 April 2008

³ Only present on 9 April 2008

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from following members of the CONTAM Panel Philippe Grandjean and Gerhard Heinemeyer and from the European Commission from Almut Bitterhof and Michael Walsh. The Panel was informed that Guðjón Atli Auðunsson has informed that Secretariat that he would like to resign from the CONTAM Panel due to the heavy workload in his institute. The Panel members understood this decision, but regretted it.

3. ADOPTION OF THE AGENDA

The proposed agenda was adopted without changes.

4. DECLARATION OF INTERESTS

Following interests were declared for item 9. Philippe Verger participated in June 2006 in the assessment of the carcinogenicity of ingested nitrate for the International Agency for Research on Cancer (IARC). The members of the CONTAM Panel agreed that the participation in this project is not considered to be a conflict and that he can fully participate in the discussions.

The members of the CONTAM panel were informed by Riitta Maijala and Ernesto Guisado Ferrer about the new electronic IT tool which EFSA will introduce in the near future for the submission of annual and specific declarations of interests for all experts. The CONTAM Panel welcomed this electronic tool which will be an improvement compared to the current paper situation.

5. INFORMATION FROM EFSA – INEX REPORT

In August 2007 the EFSA Scientific Committee (SC) adopted a proposal for an internal and external (INEX) review system for EFSA's scientific activities⁴. Riitta Maijala presented the background to this advice and outlined the three proposed areas of activities: (i) Self-review: during the development of each opinion or other scientific documents the compliance with best scientific practice should be checked. (ii) Internal scientific review: before adoption by the relevant Scientific Panel(s) or Committee a sample of EFSA draft opinions or other scientific documents should be reviewed by senior scientific staff not involved in the relevant Scientific Panel or Committee and/or members of a Scientific Panel or Committee, not involved in the preparation or adoption of the opinion. (iii) External scientific review: a number of EFSA adopted opinions, or other scientific documents should be reviewed by independent scientists. The members to the CONTAM Panel were informed that from April 2008 onwards each EFSA unit should carry out a self-review of opinions before they are submitted to a plenary meeting for adoption. Panel members can ask the Secretariat, if needed, for this evaluation. In

⁴ Available at URL: http://www.efsa.europa.eu/EFSA/Scientific_Document/sc_advice_inex_en.0.pdf

addition, EFSA senior scientific staff will start carrying out internal review of published opinions, this means randomly from each Panel one opinion will be selected and reviewed this year. The outcome of this review will be shared with the Panel. After this initial learning phase it is foreseen that the internal evaluation shall be carried out with opinions before adoption. The third area, external scientific review, will only be started after the summer break when expertise has been gained from the internal review process. In principle, the CONTAM Panel welcomed these developments, however the Panel also pointed out that such tasks will take away scientific resources supporting the Panel's work.

6. CARRY-OVER OF DICLAZURIL INTO NON-TARGET ANIMAL FEED. DRAFT OPINION

The chair of the WG presented the draft opinion on carry-over of diclazuril into non-target animal feed (question number: EFSA-Q-2005-220J). The CONTAM Panel discussed the draft opinion. For the final adoption of the opinion the CONTAM Panel still needs to await the outcome of the evaluation of Clinacox 0.5% (diclazuril) by the FEEDAP Panel. The adoption of the FEEDAP opinion is foreseen in the week 14th of April 2008. The final draft CONTAM opinion on diclazuril will be send for adoption by written procedure. The chair of the CONTAM Panel expressed his appreciation for the work to the Working group (WG). This will be the last opinion on the carry-over of coccidiostats into non-target animal feed.

7. CARRY-OVER OF NICARBAZIN INTO NON-TARGET ANIMAL FEED. DRAFT OPINION

The chair of the WG presented the draft opinion on carry-over of nicarbazin into non-target animal feed (question number: EFSA-Q-2005-220K). The CONTAM Panel adopted the opinion subject to incorporation of changes as suggested during the meeting. The chair of the CONTAM Panel expressed his appreciation for the work to the WG.

8. TROPANE ALKALOIDS AS UNDESIRABLE SUBSTANCE IN ANIMAL FEED. DRAFT OPINION

The chair of the WG presented the draft opinion on the presence of tropane alkaloids as undesirable substance in animal feed (question number: EFSA-Q-2003-063). The CONTAM Panel adopted the opinion subject to incorporation of changes as suggested during the meeting. The chair of the CONTAM Panel expressed his appreciation for the work to the WG.

9. NITRATE IN VEGETABLES. DRAFT OPINION

The chair of the WG presented the draft opinion on nitrate (question number: EFSA-Q-2006-174). The CONTAM Panel adopted the opinion subject to incorporation of changes as suggested during the meeting. The chair of the CONTAM Panel expressed his appreciation for the work to the WG.

10. GENERAL INFORMATION FROM THE COMMISSION SERVICES ON MATTERS RELATING TO CONTAM

The Service within the European Commission (EC) responsible for legislation on food safety in the area of contaminants informed the CONTAM Panel on following matters:

- **Dioxins**

It is foreseen that at the meeting of 11 April 2008 of the Standing Committee on the Food Chain and Animal Health (SCFCAH), Toxicological Safety of the Food Chain Section, a proposal for the setting of a harmonised maximum level of 25 pg/g product for the sum of dioxins and dioxin-like PCBs (WHO-PCDD/F-PCD-TEQ) in fish liver and canned fish liver will be presented for vote.

As regards the dioxin contamination incident of buffalo mozzarella cheese in Italy, the Commission representative mentioned that the Italian delegation made a presentation as regards the waste disposal problems in the south of Italy and the consequences for the safety of the feed and food at already a Commission technical expert committee meeting in the begin of March 2008. It was mentioned that many samples were taken but that the results were not yet available. Currently, 130 analyses from 25 different Italian companies have been carried out regarding the presence of dioxins in mozzarella cheese. In case the results are in line with the maximum levels (raw milk and dietary products 3.0 pg/g fat for the sum of dioxins (WHO-PCDD/F-TEQ) and 6.0 pg/g fat for the sum of dioxins and dioxin-like PCBs (WHO-PCDD/F-PCD-TEQ)) the product will remain on the market, in case of unfavourable results the products have to be destroyed. At the time of the plenary meeting there was no statement from the Italian Authorities yet available regarding the possible source of contamination.

Following the contamination incident of high levels of dioxins and pentachlorophenol and dioxins in guar gum originating from India, a draft Decision is to be adopted imminently requiring that all consignments of guar gum originating from India intended for human and animal consumption have to be accompanied by a report outlining the analytical results for pentachlorophenol (PCP).

- **Cadmium**

Proposals for setting maximum levels for cadmium in mushrooms and some fish species are currently being discussed with the Members States.

- **Undesirable substances in animal feed**

An exchange of views regarding the amendment of Annex I of the Commission Directive 2002/32/EC took place at the SCFCAH, Animal Nutrition Section, on 11-12 March 2008. Based on the outcome of the EFSA opinions on pyrrolizidine alkaloids⁵, cyanogenic compounds⁶, and glucosinolates⁷ as undesirable substances in animal feed the, a favourable opinion was expressed on a proposal to delete *Lolium temulentum*, *L. remotum*, *Prunus armeniaca*, *P. dulcis* var. *amara* and *Camelina sativa* from the Annex I list. In addition, the SCFCAH, Animal Nutrition Section endorsed actions⁸ proposed by the Expert Committee based on a follow up of the EFSA opinions on heptachlor⁹, chlordane¹⁰, pyrrolizidine alkaloids, glucosinolates, cyanogenic compounds, DDT¹¹ and hexachlorobenzene¹² as undesirable substances in animal feed.

- **Carry-over of coccidiostats into non-target animal feed**

The SCFCAH, Animal Nutrition Section endorsed following outcome from the Experts Committee on the unavoidable carry-over of coccidiostats into non-target animal feed: (i) To set maximum levels for these compounds in the frame of the Directive 2002/32/EC. (ii) A carry-over rate of approximately 3 % compared to the authorised maximum concentration for feed for non-sensitive non-target animal species, and carry-over rate of approximately 1% compared to authorised maximum concentration for feed for sensitive non-target animal species and finishing feed has to be achieved.

- **Feedback from the Codex Committee on Contaminants in Food (CCCF) meeting**

The 2nd session of the CCCF meeting took place in the Netherlands from 31 March to 4 April 2008. Following issues have been discussed: (i) A maximum level of 0.4 mg/kg was put forward for adoption. The EC reserved its position and stated that the current EU maximum level would not be aligned with the Codex Maximum level until a full assessment of the recent and emerging evidence in relation to exposure to 3-MCPD esters in foodstuffs have been performed. The Joint FAO/WHO Expert Committee on Food Additives (JECFA) will be asked to carry out a risk assessment on 3-MCPD esters in 2010. (ii) A maximum level of 5 µg/kg for Ochratoxin A in wheat, barley and rice was agreed to put forward to the Codex Alimentarius Commission for final adoption. (iii) A

⁵ Available at:

http://www.efsa.europa.eu/EFSA/Scientific_Opinion/contam_ej447_op_pyrrolizidine%20alkaloids%20in%20feed_en.pdf

⁶ Available at:

http://www.efsa.europa.eu/EFSA/Scientific_Opinion/CONTAM_ej434_op_cyanogenic_compounds_in_feed_en.1.pdf

⁷ Available at: http://www.efsa.europa.eu/EFSA/Scientific_Opinion/contam_op_ej590_glucosinolates_en.pdf

⁸ Available at: http://ec.europa.eu/food/committees/regulatory/scfcah/animalnutrition/sum_1112032008_en.pdf

⁹ Available at: http://www.efsa.europa.eu/EFSA/Scientific_Opinion/CONTAM_op_ej478_heptachlor_en.pdf

¹⁰ Available at: http://www.efsa.europa.eu/EFSA/Scientific_Opinion/CONTAM_op_ej582_chlordane_en.1.pdf

¹¹ Available at: http://www.efsa.europa.eu/EFSA/Scientific_Opinion/CONTAM_ej433_DDT_en.pdf

¹² Available at:

http://www.efsa.europa.eu/EFSA/Scientific_Opinion/CONTAM_op_ej402_hexachlorobenzene_en.0.pdf

maximum level of 15 µg/kg for total aflatoxins in almonds, hazelnuts and pistachios for further processing and a maximum level of 10 µg/kg for total aflatoxins in ready to eat products of these three nuts was agreed to put forward to the Codex Alimentarius Commission for final adoption

- **New requests**

A new request on T-2 and HT-2 toxins in feed and possibly also food will be send to EFSA in the near future.

11. WORKING PROGRAMME

11.1. Official requests to EFSA for CONTAM Panel

No official requests which fall within the mandate of the CONTAM Panel have been received by EFSA.

11.2 WG on PAH: Presentation and discussions on currently proposed strategy for exposure assessment

The chair of the WG presented the proposed strategy for exposure assessment,, this means having four different exposure scenarios for the opinion on PAHs in food. The members of the CONTAM Panel supported this strategy and are looking forward to discuss the final draft opinion at the 27th CONTAM Panel plenary meeting (9 to 10 June 2008).

11.3. WG on heavy metals in food (HM): Presentation and discussions on currently proposed strategy for exposure assessment

The chair of the WG presented the state of play on the cadmium in food opinion. The chapter on exposure from foodstuffs is almost completed (approx 140,000 occurrence data from 18 Member States, period 2003-2007 are considered). Consumption figures have been taken from the EFSA concise database and from information provided by Member States. In addition, consumption data for children from two Member States are used in the opinion. The draft chapters on occurrence and exposure assessment of cadmium in food will be presented for discussion to the 27th CONTAM Panel meeting. The full opinion is expected to be presented for adoption to the 28th CONTAM Panel meeting (9 to 11 September 2008).

The members of the WG and EFSA staff are working on a toxicokinetics model for the interconversion between cadmium dietary intake and the cadmium concentration in the urine. The Panel recommended that the WG should take a conservative approach, and to verify that the results of the toxicokinetic modelling are consistent with the current knowledge. If deviations occur there is a need to express this in the opinion in a transparent manner. It was also highlighted that a chapter on uncertainties should be included in the opinion.

11.4. Update from the WG undesirable substances in animal feed – section natural plant products.

The chair of the WG outlined that the WG is currently working on the finalisation of the opinions on ricin and theobromine as undesirable substances in animal feed. These opinions are foreseen to be presented for adoption at the 27th CONTAM Panel meeting.

11.5 Update from the WG on marine biotoxins

The chair of the WG explained that the WG is currently working on the finalisation of the opinions on azaspiracids. This opinion is foreseen to be presented for adoption at the 27th CONTAM Panel meeting. In addition, the WG is working on the opinions on yessotoxins and pectenotoxins. A very first draft opinion on saxitoxins should be available to the WG beginning of June 2008.

11.6. Update from non-CONTAM WG with participation of CONTAM experts

- **AFC WG Aluminium.**
The adoption of the opinion on aluminium has been delayed, but it will be proposed for adoption to next AFC Panel meeting (21 to 22 May 2008).
- **AHAW WG Fish welfare.**
Discussion on how to address contaminants in the opinion of fish welfare are on-going.
- **SC WG Animal welfare.**
Update on discussions in the WG relating to different types of toxicological studies was given.
- **SC WG on transparency.**
The WG has prepared a draft opinion which will be presented to the next SC meeting. It might be foreseen that Panel members will be asked for feedback before final adoption by the SC.
- **SC WG on benchmark dose.**
Different versions of the EPA modelling software are coming to very different results. This is an issue the WG is currently exploring. The WG also discussed about the quality of data to be used for modelling.

12. FEEDBACK FROM THE SCIENTIFIC COMMITTEE (SC) MEETING

No SC meeting has taken place since the last CONTAM Panel meeting. The next SC meeting will be 21 to 22 April 2008.

13. GENERAL INFORMATION FROM EFSA

The members of the CONTAM Panel have been informed on following matters:

- Expert reimbursement

Mari Varho, EFSA/Finance, explained EFSA's reimbursement rules for experts emphasizing the change in the daily allowance and accommodation allowance scheme after the adoption of the new rules by the Commission. The Panel members welcomed this information. The experts noted that it is difficult to find hotel rooms in Brussels within the ceilings given by EFSA.

- Staff

Pia Fallstroem-Mujkic (CONTAM Administrative assistant) will leave EFSA mid July 2008 in order to join the European Chemical Agency in Finland. Annalisa Fiori (CONTAM Administrative Assistant on interim basis) has left EFSA as she found a position closer to the place of living. The CONTAM Panel members thanked Pia and Annalisa for their support and wished both success in their new positions. Ms Fiori is being replaced by Ms Veronica Kalhori. In addition, the CONTAM Panel was informed that the CONTAM unit has currently a job opening for an AST4 post which is published on the Authority's web page. The call will be closed on 28 April 2008.

- Sciencenet

A new internal secure internet platform called Sciencenet will be used for exchanging meeting documents and other information with CONTAM experts. All documents from the old system (EFSAnet) have been moved to the new system. Experts should have received their passwords for the new system. From the next Panel meeting onwards the Sciencenet shall be used. In case experts will experience difficulties with the Sciencenet they are invited to contact the Secretariat.

- Acrylamide colloquium

The EFSA scientific colloquium No. 11 on "Acrylamide carcinogenicity - New evidence in relation to dietary exposure" will take place in Tabiano (Italy) from 22 to 23 May 2008. Panel members were invited to attend the colloquium. The Secretariat would appreciate if the announcement to this colloquium could be further disseminated by the experts.

14. INTRODUCTION TO ARTICLE 36 CALLS AND POSSIBLE CALLS FOR CONTAM

Ilias Papatrypon, Scientific co-operation Unit of EFSA, gave a general presentation outlining the Article 36 network. This presentation was much appreciated by the members of the CONTAM Panel. The DATEX Unit and the CONTAM Unit of EFSA presented topics for possible Art. 36 in order to gain further data for possible risk assessments and to reduce the workload of the Panel. The CONTAM Panel discussed the various options and provided valuable feedback which will be taken into account by the units when planning and drafting Art. 36 calls.

15. ANY OTHER BUSINESS

Although next Panel meeting was decided to hold in Berlin, a majority of the Panel members wished to change the meeting venue due to logistic reasons to Brussels. The Secretariat will inquire if the change of venue is still possible and will communicate the outcome to the members of the CONTAM Panel. The chair of the CONTAM Panel thanked the Panel members for the constructive discussion and the CONTAM Unit for their support.