

Parma, 29 July 2009
EFSA/CONTAM/1002

**MINUTES OF THE 33RD PLENARY MEETING¹ OF THE SCIENTIFIC PANEL ON
CONTAMINANTS IN THE FOOD CHAIN (CONTAM) HELD FROM 1 TO 3 JULY
2009 IN PARMA**

Adopted by written procedure on 29 July 2009

PARTICIPANTS

Panel Members:

Jan Alexander, Diane Benford, Alan Boobis, Sandra Ceccatelli, Jean-Pierre Cravedi, Alessandro Di Domenico², Daniel Doerge, Eugenia Dogliotti², Lutz Edler, Peter Farmer, Metka Filipič, Johanna Fink-Gremmels², Peter Fürst², Thierry Guerin, Helle Katrine Knutsen, Christopher Livesey, Miroslav Machala, Antonio Mutti, Josef Schlatter, Rolaf van Leeuwen and Philippe Verger

EFSA:

Davide Arcella (Scientific Officer, Unit on Data Collection and Exposure), Anna Castoldi (Scientific Officer, Unit on Contaminants), Jean-Lou Dorne (Senior Scientific Officer, Unit on Contaminants), Mari Eskola (Scientific Officer, Unit on Contaminants), Stefan Fabiansson (Head of Unit on Data Collection and Exposure), Claudia Heppner (Head of Unit on Contaminants), Caroline Mertens (Scientific Officer, Unit on Data Collection and Exposure), Valentina Mota (Administrative Assistant, Unit on Contaminants), Luisa Ramos Bordajandi (Scientific Officer, Unit on Contaminants), and Francesco Vernazza (Scientific Officer, Unit on Data Collection and Exposure)

European Commission:

Marina Marini (Health and Consumer Protection, 03 Science and Stakeholder relations) and Frans Verstraete (DG Health and Consumer Protection, E3 Chemicals, Contaminants, Pesticides)³

1. WELCOME

The Executive Director of EFSA, Catherine Geslain-Lanéelle welcomed the members of the CONTAM and GMO Panel to the inauguration meeting.

¹ Inaugural meeting for the CONTAM Panel with a mandate from July 2009 – June 2012

² Only present from 1 to 2 July 2009

³ Only present on 1 July 2009

2. PRESENTATION OF EFSA

A series of general introductory presentations were given by EFSA providing an overview of the different departments and their responsibilities within EFSA: 2.1. Introduction to the Risk Assessment Directorate and the scientific work of EFSA, 2.2. Introduction to the Scientific Committee and Advisory Forum, 2.3. Introduction to the Scientific Cooperation and Assistance Directorate, 2.4. EFSA Communication strategy, 2.5. Legal aspects / Declarations of Interest, 2.6. Financial aspects and 2.7 Declaration of interests information technology tool.

3. WELCOME AND APOLOGIES FOR ABSENCE

From this agenda point onwards, the meeting was exclusive to the members of the CONTAM Panel. The head of the CONTAM unit welcomed the CONTAM Panel members for the 33rd CONTAM Panel meeting and, on behalf of the CONTAM unit, and expressed that it will be a pleasure for the Unit to work together with all the newly appointed experts of the CONTAM Panel. No apologies for absence were received from the members of the CONTAM Panel, but Almut Bitterhof from the European Commission sent her apologies for absence.

4. ADOPTION OF THE AGENDA

No revisions were proposed to the draft agenda, and the agenda was adopted.

5. ROUND TABLE PRESENTATION OF CONTAM PANEL MEMBERS AND SECRETARIAT

Each CONTAM Panel member and all of EFSA's CONTAM unit staff introduced themselves briefly.

6. ELECTION OF PANEL CHAIR AND VICE-CHAIRS

The election of a chair person and two vice chairs for the CONTAM Panel took place following the procedure established by EFSA⁴. Dr. Josef Schlatter was elected unanimously as chair. Dr. Diane Benford and Prof. Dr. FX Rolaf van Leeuwen were elected as vice chairs. From this point on, the newly elected chair took over from the head of the CONTAM unit as chair.

7. LEGAL FRAMEWORK ON CONTAMINANTS

The European Commission (EC) service responsible for science and stakeholder relationships, and the service responsible for legislation in the area of contaminants,

⁴ Available at URL:

http://www.efsa.europa.eu/cs/BlobServer/resource_EFSA/about/core/mb_32ndmeet_annex_a_en_4.pdf?ssbinary=true

contam_minutes_33rd_plenmeet_en.doc

informed the members of the CONTAM Panel on the procedural aspects for the submission of a mandate to EFSA and of the regulatory framework in the area of contaminants in food and feed. The members of the CONTAM Panel expressed their appreciation for these two presentations.

8. WORK PROGRAMME

8.1. CONTAM WORKPROGRAMME 2009-2010

The head of the CONTAM unit gave a presentation on the mandate and remit of the CONTAM Panel, the organisation of the work related to current established working groups including information on the EFSA units and staff involved. In addition, the head of the CONTAM unit outlined which requests from the European Commission are to be expected in the near future. For the ongoing mandates, further details were given during the meeting (see items 8.2 to 8.9).

8.2. UPDATE FROM THE WG ARSENIC IN FOOD

The chair of the working group (WG) informed the members of the CONTAM Panel on the mandate of the WG and the current status of the occurrence and exposure part of the opinion on arsenic in food (EFSA-Q-2008-425). The WG is currently discussing whether conversion factors can be applied for certain food commodities to estimate inorganic arsenic when only total arsenic levels have been measured. In addition, a member of the WG updated the CONTAM Panel on the current discussions in the area of toxicology, and in particular, what kind of different endpoints for arsenic toxicity are currently being reviewed by the members of the WG. Thorough discussions are needed to select a reference point for inorganic arsenic in order to establish a health based guidance value or margin of exposure. The WG received further direction from the members of the CONTAM Panel. It is foreseen that the opinion will be presented to the next plenary meeting for possible adoption (see item 9).

8.3. UPDATE FROM THE WG LEAD IN FOOD

The EFSA scientific officer co-ordinating the work of the WG informed the members of the CONTAM Panel on the mandate of the WG and the current status of the occurrence and exposure part of the opinion on lead (EFSA-Q-2007-137). This part is nearly finalised as are the exposure assessments for the subgroups of the population, e.g. children. Currently the WG is in discussion on what endpoint and datasets should be considered in order to establish a health based guidance value. The WG will have its next meeting in July where the outcome of the benchmark dose modelling will be discussed. The WG is confident that the opinion can be presented for possible adoption at the November plenary meeting (see item 9). A new chair for this WG was appointed, as the previous chair is no longer a member of the CONTAM Panel. Alan Boobis kindly agreed to take over the chairmanship of this WG.

8.4. UPDATE FROM THE WG MARINE BIOTOXINS

The chair of the WG presented to the members of the CONTAM Panel the mandate of the WG and described the structure that was agreed in the past to address this request from the Commission. The WG had decided then to issue several opinions, one on each marine biotoxins, rather than one overall opinion. During the 33rd Panel meeting, the opinion on domoic acid was proposed for adoption and a structure for the summary opinion related to opinions that have already been adopted was presented. The WG will focus now on the remaining opinions such as brevetoxins and cyclic imines, and emerging toxins e.g. palytoxins and ciguatoxins.

8.5. UPDATE FROM THE WG MELAMINE

The chair of the WG presented to the members of the CONTAM Panel the mandate of the WG and described the structure of the opinion on melamine (EFSA-Q-2009-00234) agreed at the first planning meeting in June 2009. The mandate also includes food contact materials as sources of exposure and therefore experts of the EFSA's CEF Panel have been included in the WG. The deadline for delivering the opinion is March 2010. The new members of the CONTAM Panel were invited to join the WG and to contact the secretariat if interested.

8.6. UPDATE FROM THE WG PREVIOUS CARGOES

The EFSA scientific officer co-ordinating the work of the WG informed the members of the CONTAM Panel that, at the last plenary meeting of the CONTAM Panel, an opinion on criteria for acceptable previous cargoes for edible fats and oils (EFSA-Q-2009-00686) was adopted. As these criteria are different from those established by the former Scientific Committee for Food, this opinion resulted in an additional request from the Commission related to the evaluation of thirteen substances and mixtures as acceptable previous cargoes. The deadline for delivering the opinion is 1 November 2009, as the Commission together with the Member States need to submit a common position by 1 December 2009. The secretariat informed the Panel that EFSA is to make a proposal to the Commission to move the deadline to the 30th November 2009, as the assessment of 13 substances or mixtures using four criteria (ease of cleaning in relation to their physico-chemical properties, toxicological assessment, allergenicity assessment, and reaction products) represents a tremendous workload and time is needed for data compilation and evaluation. The CONTAM and DATEX units are already working on the data compilation. The members of the CONTAM Panel expressed concerns regarding this ambitious deadline and initiated a WG to deal with it. Jan Alexander kindly agreed to chair this WG. Members of the CONTAM Panel were invited to join the WG and to contact the secretariat if interested. In addition, the secretariat and the chair of the WG will work together to set up the WG. A first planning meeting is foreseen for July 2009.

8.7. UPDATE FROM THE WG AMBROSIA IN FEED

The EFSA scientific officer co-ordinating the work of the WG on ambrosia in feed (EFSA-Q-2009-00655) informed the members of the CONTAM Panel about the mandate of the WG. The deadline for delivery of the opinion is March 2010. Chris Livesey kindly agreed to become the chair of the WG. Members of the CONTAM Panel were invited to join the WG and to contact the secretariat if interested. In addition, the secretariat and the chair of this WG will work together to set up the WG. A first planning meeting is foreseen for July 2009.

8.8. UPDATE FROM THE WG BROMINATED FLAME RETARDANTS

The EFSA scientific officer co-ordinating the work of the WG on brominated flame retardants (BFR) in food (EFSA-Q-2009-00684) informed the members of the CONTAM Panel about the mandate of the WG. The deadline for delivery of the opinion is June 2010. The CONTAM Panel indicated that this deadline is too strict and gives too little time to assess five major classes of BFR and proposed a longer deadline or different deadlines for the different classes of compounds. EFSA will discuss this issue with the Commission once the WG has started its work and a proposal for the work programme and the structure of the opinion is available. Rolaf van Leeuwen kindly agreed to chair this WG. The secretariat noted the names of experts who indicated their interest in joining the WG. The secretariat and the chair of the WG will work together to set up the WG. A first planning meeting is foreseen for September 2009.

8.9. OFFICIAL REQUESTS TO EFSA FOR CONTAM PANEL

No new official requests, that fall within the mandate of the CONTAM Panel have been received by EFSA. However, an outline related to requests which will arrive in the near future, was given by the Commission under item 7.

8.10. ORGANISATION OF WORKING GROUPS AND WAY OF WORKING

The members of the CONTAM Panel were informed about the internal [EFSA rules](#). These relate to the setting up of WGs (e.g. a chair of the WG has to be a member of the Panel) and the timely delivery of draft opinions. In addition, it was mentioned that the secretariat always provides both pdf and word versions of the opinions to be adopted and experts were invited to print from the pdf version which ensures the line numbers are identical for all experts. Minor editorial changes in the opinions were proposed to be handed to the secretariat during the meeting, and not to be discussed during the plenary meetings. In addition, the members of the Panel agreed on an approach for discussing and adopting opinions with a large number of pages.

It was also discussed how to efficiently handle requests from the Commission which have a narrow scope and are needed within a short deadline of e.g. four weeks, such as the recent aflatoxin statement. The Panel agreed that the establishment of a WG is not possible in such a short timeframe, but proposed that EFSA staff should provide the basis for such outputs together with a few members of the Panel. The final draft scientific output will then be presented to the whole CONTAM Panel for possible adoption.

The secretariat informed the Panel members that EFSA aims to have its scientific outputs published in an online EFSA journal from autumn onwards. This journal will be indexed by e.g. PubMed. The Panel members will have the opportunity to include an abstract in the opinion. This is in addition to the summary of the opinion. The abstract will be visible when search engines are used. However, the drafting of an abstract is at the discretion of the Panel and not obligatory. In addition, the layout of the first page of the opinions will change slightly. The members of the CONTAM Panel had expressed the wish that WG members should be acknowledged on the first page. The current proposal reflects this wish and suggests that experts of the working group could be acknowledged on the first page.

9. MEETING DATES

The member of the CONTAM Panel agreed on the following meeting dates:

- **2009:** 16 to 18 September and 23 to 25 November.
- **2010:** 18 to 20 January, 17 to 19 March, 18 to 20 May, 5 to 7 July, 20 to 22 September and 29 November to 1 December.

In principle, two-day meetings in Parma, starting at 13.00 hrs, are foreseen.

10. GENERAL STRUCTURE OF CONTAM OPINIONS

A scientific officer of the CONTAM unit gave a presentation on the general structure of opinions issued by the CONTAM Panel. This included a high-level overview of the different aspects to be considered in the various chapters of the opinion. It was also pointed out that each opinion will address uncertainties in a specific chapter, mainly related to the exposure assessment following the guidance of the Scientific Committee related to uncertainties in dietary exposure assessment⁵. Other uncertainties and assumptions should be expressed clearly and described throughout the opinion.

⁵ Available at URL:

http://www.efsa.europa.eu/cs/BlobServer/Scientific_Opinion/sc_op_uncertainty%20exp_en.pdf?ssbinary=true.

11. DECLARATION OF INTERESTS

In accordance with EFSA's Policy on Declarations of Interests, EFSA screened the Annual Declaration of interest (ADoI) and Specific Declaration of interest (SDoI) filled in by the experts invited for the present meeting. No conflicts of interests related to the issues discussed in this meeting have been identified during the screening process or at the beginning of this meeting.

12. MARINE BIOTOXINS – DOMOIC ACID. DRAFT OPINION

The chair of the WG presented the draft opinion on domoic acid (question number: EFSA-Q-2006-065H). 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.

13. SUMMARY OPINION ON ADOPTED BIOTOXINS. FOR DISCUSSIONS

The EFSA scientific officer co-ordinating the work of the WG on marine biotoxins provided some background to the request of the Commission to have an opinion on summarizing the outcome of the already adopted opinions on okadaic acid, azaspiracids, yessotoxins, saxitoxins, and pectenotoxins. To begin discussions with Members States on the follow up of the EFSA opinions from a regulatory point of view, the Commission needs a short summary of the assessment of the current EU limits with regard to human health, the newly established acute reference doses, and possible alternative chemical methods for the currently regulated marine biotoxins in shellfish by August 2009. The members of the CONTAM Panel agreed on the structure of the opinion. The members of the CONTAM Panel will be asked to adopt this document by written procedure.

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

This item was not discussed. Most information was already presented under item 7.

15. GENERAL INFORMATION FROM EFSA

- The head of the DATEX unit and unit staff informed the members of the CONTAM Panel on the following activities:

- Unit presentation and ongoing activities

The mandate of the DATEX unit was introduced to the members of the CONTAM Panel and the various ongoing projects were outlined. DATEX serves several panels but the CONTAM Panel receives approximately 70% of its support. The current projects include the establishment of general rules on how to validate e.g. occurrence data and how to treat data below the limit of detection.

➤ Food consumption data.

The different food consumption databases EFSA has collected were presented. The development of the “European comprehensive food consumption database” for adults, which will include data from twenty countries, should be available by the beginning of 2010. EFSA should also have consumption data for children available by 2010 based on submissions of data from Member States. These databases will offer the potential for more refined exposure assessments.

➤ Report on acrylamide

Based on Commission Recommendation 2007/331/EC of 3 May 2007 Member States are requested to monitor acrylamide levels in certain foodstuffs. Occurrence data (approximately 2,700) from 2007 onwards comprising data from 21 Member States and Norway were collected and analysed by the DATEX unit and were recently issued in a report⁶. The data demonstrate an inconsistent trend towards lower acrylamide levels over time, although levels for potato crisps and crisp breads have decreased over time. The unit will issue the next report on acrylamide levels in 2010.

➤ Report on furan

Based on Commission Recommendation 2007/196/EC of in March 2007 Member States are requested to collect furan data in commercial food products. A report comprising data from 14 Member States, on approximately 2,900 data points collected from between 2004 and 2009 was issued recently by the DATEX unit⁷. Coffee powder showed much higher values for furan compared to any other food category. However, other food categories e.g. baby food, baked beans, meat products, soups, soy sauce and other products containing crisps and crackers also showed high mean furan levels. Jarred baby food contributed most to total furan exposure of infants. It was pointed out that data related to processing and ingredients of composite meals are missing and this lack prevents a more realistic exposure estimate.

The scientific officers of the CONTAM unit informed the members of the CONTAM Panel on the following matters:

- Art. 36 projects 2008 and 2009
 - There are two Art. 36 projects (grants) supported by the CONTAM unit. The first project is related to the collection of scientific background

⁶ Available at URL:
http://www.efsa.europa.eu/cs/BlobServer/Report/datex_report_acrylamide_en,0.pdf?ssbinary=true

⁷ Available at URL:
http://www.efsa.europa.eu/cs/BlobServer/Report/datex_report_furan_en.pdf?ssbinary=true

information in the area of toxicology, occurrence, analysis for eight mycotoxins and natural plant products. Draft reports for the first three mycotoxins have been submitted to EFSA. The current reports look very interesting and could facilitate the work of future WGs. The project ends in October 2009. The second project is related to a survey on the use of veterinary medicinal products in third countries. This project was put in place due to a new upcoming Regulation (EC) 470/2009 of 6 May 2009⁸ related to the establishment of residue limits of pharmacologically active substances in foodstuffs of animal origin. Here EFSA could be asked to carry out risk assessments related to residues of veterinary medicinal products which are currently not authorised for use in the European Community. The project will deliver a database with information about authorised veterinary medicinal products including provisions for use, dosing type and withdrawal period of animals used for human consumptions. The data providers have been contacted and a good turn-round of information was received. The project should be finalised by November 2009.

Recently, the CONTAM unit issued a call for proposals for a toxicological study (90 day rat study) related to 3-MCPD esters⁹. With this study the toxicological profile of 3-MCPD esters (mono- and di-ester) should be assessed and compared with free (or unesterified) 3-MCPD. The deadline for submission of proposals is 1 September 2009.

The members of the CONTAM Panel appreciated the initiation of these projects as they will facilitate the work of the Panel. The Panel is looking forward to receiving the final reports/database.

13. ANY OTHER BUSINESS

There was no other business.

⁸ Available at URL:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:152:0011:0022:EN:PDF>

⁹ Available at URL: http://www.efsa.europa.eu/EFSA/efsa_locale-1178620753812_1211902573089.htm