



European Food Safety Authority

Brussels, 18 November 2003
EFSA/CONTAM/48 final

MINUTES OF THE 3RD PLENARY MEETING OF THE SCIENTIFIC PANEL ON CONTAMINANTS IN THE FOOD CHAIN (CONTAM) HELD ON 15 AND 16 SEPTEMBER 2003 IN BRUSSELS

(ADOPTED BY WRITTEN PROCEDURE ON 18 NOVEMBER 2003)

PARTICIPANTS

CONTAM Panel:

Jan Alexander, Herman Autrup¹, Denis Bard, Christina Bergsten, Angelo Carere, Lucio Guido Costa, Alessandro di Domenico, Johanna Fink-Gremmels, John Gilbert, Philippe Grandjean, Niklas Johansson, Andrew Renwick, Jiri Ruprich, Josef Schlatter, Greet Schoeters, Dieter Schrenk, Rolaf van Leeuwen, Philippe Verger

EFSA

Claudia Heppner (scientific co-ordinator CONTAM Panel), Djien Liem (scientific co-ordinator Scientific Committee), Hanne Pedersen (administrative secretariat CONTAM Panel)

European Commission

Taina Säteri (DG Health and Consumer Protection), Frans Verstraete (DG Health and Consumer Protection), Martin Slayne (DG Health and Consumer Protection)

1. WELCOME AND APOLOGIES FOR ABSENCE

The chair opened the meeting and welcomed the participants. Apologies for absence were received from members of the CONTAM Panel Roberto Fanelli, Agneta Oskarsson, Jean-Pierre Cravedi and from the European Commission Achim Boenke (DG Research).

2. ADOPTION OF THE AGENDA

The proposed agenda was adopted.

¹ Only present on 15 September 2003

3. DECLARATIONS OF INTEREST

There were no specific interests declared.

4. FEEDBACK FROM THE SCIENTIFIC COMMITTEE

The scientific co-ordinator of the Scientific Committee (SC), Djien Liem, informed the members of the CONTAM Panel on following items:

- **Format of opinion:**
The SC adopted a proposal on the format of scientific opinions. The members of the CONTAM Panel agreed with the proposal. This format will be used for future scientific opinions of all the Scientific Panels and the SC.
- **Procedure for submitting new subjects:**
The Panel was informed about the procedure which needs to be followed to conduct self-tasking. A document needs to be drafted in which the background as well as the scientific reasoning to have such a question is addressed. This document needs to be approved by the Executive Director of EFSA, and the EFSA's Management Board. In order to avoid duplicated effort the Executive Director may consult the Advisory Forum on a particular request in order to verify if a similar task is conducted by the Member States.
- **Work program:**
Explanations were given on how to identify issues which will be considered at the Scientific Committee level. One possibility would be to exchange the work program from different Panels with the SC. This issue will be discussed further at the next SC meeting. Feedback from members of the CONTAM Panel would be desirable on how detailed the work program should be.
- **Working groups (WGs) of the SC:**
The following three WGs have been established under the SC: "*Working Group on Emerging Risks (EMRISK)*" chaired by Bo Jansson, "*Working Group on a Uniform Approach for Genotoxic and Carcinogenic Substances (GENTOX)*" chaired by Ada Knaap, and "*Working Group on EFSA's Crisis Management Plan*". The members of CONTAM Panel were invited to actively contribute to these WGs, particular to *GENTOX*, as this WG is important for the work of the Panel. It is anticipated that the lifespan of this WG is about one year.
- **Adoption of scientific opinions:**
The chair of the CONTAM Panel, Josef Schlatter, explained the procedure for the adoption of scientific opinions if a Panel member is not present at the plenary meeting. The final draft opinion needs to be with the members of the Panel at least 10 days before the plenary meeting. In cases where a member is

not able to attend the next plenary and cannot agree with the opinion, the member must contact the Secretariat immediately. This will enable the Secretariat to decide whether the adoption of this particular opinion has to be postponed. Members who are not present at the date of the adoption of an opinion will be listed in the minutes of the meeting.

5. GENERAL INFORMATION FROM EFSA

The scientific co-ordinator of the CONTAM Panel, Claudia Heppner, informed the members of the Panel on following items:

- Recruitment
EFSA appointed [Dr. Herman Koëter](http://www.efsa.eu.int/pdf/pressrel20030714_en.pdf)² as Deputy Executive Director and [Anne Laure Gassin](http://www.efsa.eu.int/pdf/pressrel20030718_en.pdf)³ as Director of Communication. Both will start in October 2003. The Panel was also informed about the ongoing hiring process of scientific staff after an open call for interests.
- Library
Efforts have been made to build up a scientific library. Some key journals such as Nature, are now available online. Also important databases such as Food Science and Technology Abstract, BIOSIS, CAB Abstracts and Current Content Connect are accessible for a 6 month paid trial period. Currently, an open call for interest for a librarian is being published on the EFSA web page until 30 September 2003.
- Office move:
EFSA will move into another office building in Brussels, Rue Genev  10, 6 and 7th floor on 3 October 2003. In this building some meeting room facilities are available, and it is foreseen that by the end of this year more meeting facilities will be available on the ground floor of this building.
- Research activities funded by the European Commission - DG Research:
The Secretariat prepared a folder on research activities funded by the European Commission - DG Research related to the work of the CONTAM Panel. This folder will be available at the plenary meetings. In case experts want to have a personal copy the Secretariat is happy to provide one.

² http://www.efsa.eu.int/pdf/pressrel20030714_en.pdf

³ http://www.efsa.eu.int/pdf/pressrel20030718_en.pdf

6. GENERAL INFORMATION FROM THE COMMISSION

The Service within the Commission responsible for legislation updated the Panel on the recent legislative developments. Commission Regulation (EC) No 1425/2003⁴ of 11 August 2003 amending Regulation (EC) No 466/2001 as regards patulin establishes maximum levels for patulin in, inter alia, fruit juices, in particular apple juice, and fruit juice ingredients in other beverages, solid apple products, including apple compote, apple puree intended for direct consumption and apple juice and solid apple products for infants and young children. This Regulation is accompanied by Commission Directive 2003/78/EC⁵ of 11 August 2003 laying down the sampling methods and the methods of analysis for the official control of the levels of patulin in foodstuffs and the Commission Recommendation 2003/598/EC⁶ of 11 August 2003 on the prevention and reduction of patulin contamination in apple juice and apple juice ingredients in other beverages was published. As the consequence of high levels of aflatoxin, the Commission adopted Commission Decision 2003/493/EC⁷ of 4 July 2003 imposing special conditions on the import of Brazil nuts in shell originating in or consigned from Brazil. The existing safeguard measures with regard to pistachios from Iran, peanuts from Egypt, peanuts from China and dried figs, hazelnuts and pistachios from Turkey have been updated.

Since the 1st of August 2003 the Directive 2002/32/EC⁸ on undesirable substances in animal feed came into force with the prohibition of dilution. Hence, several urgent requests for scientific opinions have been sent to EFSA (see agenda item 8.2).

The Panel was also informed that the maximum levels on tin in canned foods will be discussed at the Standing Committee on 3 October 2003.

With regard to PAHs it was mentioned that AFSSA issued an opinion on this subject in which it was concluded that TEQs (toxic equivalent factors) can be used. This opinion is conflicting with an earlier opinion from the Scientific Committee on Food (SCF). Several members of the Panel mentioned that the use of TEQs for PAHs has been discussed for lots of years, but is controversial and there is not yet common agreement on their use.

The Panel was also informed that following events in the area of mycotoxins are being organized by the European Commission: "Mycotoxin cluster" day organised by the DG Research on 8 October 2003, "Ochratoxin A" and "Fusarium toxin" day organised by the DG Health and Consumer Protection on 16 and 17 October 2003.

⁴ OJ L 203, 12 August 2003, p. 1

⁵ OJ L 203, 12 August 2003, p. 40

⁶ OJ L 203, 12. August 2003, p. 54-59

⁷ OJ L 168, 5 July 2003, p. 33

⁸ OJ L 140, 30 May 2002, p. 10-21

Panel members interested in attending any of these events were invited to contact the Secretariat.

7. MINUTES FROM THE PREVIOUS MEETING

The minutes of the 2nd meeting of the CONTAM Panel held on 6 and 7 July were adopted without any changes.

The Panel members agreed to use in the future a written procedure for adopting the minutes of the Panel. Comments on the draft minutes should be made by using the “track change” feature and send them to the scientific co-ordinator of the Panel. After compiling all submitted changes, a revised draft is circulated to the members for adoption.

8. WORK PROGRAMME

8.1 Official requests to EFSA received from the European Commission

The scientific co-ordinator informed the Panel that EFSA has received twenty requests from the Commission which fall within the mandate of the Panel. Eighteen requests are related to the Directive 2002/32/EC⁹ on undesirable substances in animal feed. These requests for a detailed scientific opinion have been divided into three groups. Group one contains 5 requests with high priority and a proposed deadline of February 2004 (aflatoxin B1, arsenic, cadmium, fluorine and lead). Group two contains 7 priority requests with a proposed deadline of June 2004 (deoxynivalenol, zeralenone, ochratoxin A, ergot, endosulfan, gamma-HCH, and toxaphene). Group three contains 6 normal requests with a proposed deadline of December 2004 (fumonisin, ricin, hydrocyanic acid, glucosinolates, pyrrolizidine alkaloids, and tropane alkaloids). The scientific co-ordinator also informed the Panel that linked to Directive 2002/32/EC requests on non-dioxin-like PCBs and mercury as undesirable substances in animal feed will be expected soon. The CONTAM Panel accepted these requests.

Furthermore, EFSA is requested with reference to the risk assessment already performed by JECFA to assess the risks from dietary exposure to mercury in the EU by December 2003. The Panel discussed this request and was of the opinion that a full scientific opinion cannot be completed by the end of this year. The members also would need access to the full monograph of the evaluation of methyl mercury which was carried out by FAO/WHO Joint Expert Committee on Food Additives (JECFA). This report is not yet in the public domain, only the summary. The Secretariat was asked to send a letter to the JECFA Secretariat to ask for access

⁹ OJ L 140, 30 May 2002, p.10-21

to this report on a confidential basis prior to publication. However, the Panel acknowledged the urgent need for such an opinion and suggested the preparation of a statement on mercury and methyl mercury based on the JECFA summary and the draft version of the SCOOP report task 3.2.11¹⁰ by the end of this year. The Service within the Commission responsible for legislation accepted this proposal. Following Panel members volunteered to prepare a draft statement for the next plenary meeting: Andy Renwick, Philippe Grandjean, Christina Bergsten, and Philippe Verger. Jiri Ruprich also offered to participate in the group of volunteers.

EFSA is also requested to prepare an opinion on recommended maximum concentration limits for boron and fluoride in mineral waters linked to Directive 80/777/EEC¹¹ and Directive 2003/40/EC¹² by February 2005. In this context the chair informed the Panel about the work on upper levels for boron and fluorine which is conducted by a WG under the Panel on dietetic products, nutrition and allergies (NDA). The Panel agreed to wait for the outcome of this opinion before starting to work on this request. Philippe Grandjean mentioned a study on carcinogenicity (bladder cancer) of “pure” fluoride exposure in the absence of other carcinogens¹³ which might be useful information for the rapporteur of the WG on “upper level” (NDA Panel).

8.2 Proposal on work organisation related to the requests to EFSA on undesirable substances in animal feed

The chair of the WG on undesirable substances in animal feed, Johanna Fink-Gremmels, proposed to the Panel a WG structure in order to efficiently handle both the amount of requests and the tight deadlines. According to this proposal, the WG will consist of one umbrella group of members of the CONTAM Panel and the Panel on additives and products or substances used in animal feed (FEEDAP) and 3 sub-sections. The main task of the umbrella group will be a steering and reviewing function of the 3 sections heavy metals, mycotoxins, and persistent organic pollutants (POP), which will be established with experts having expertise in the respective areas. A first meeting is planned to be held in October for the sections heavy metals and mycotoxins to outline the table of content of the opinions and to distribute tasks while the establishment of the section on POP is planned for early

¹⁰ Assessment of the dietary exposure to arsenic, cadmium, lead and mercury of the population of the EC Member States. 4th draft, 2003.

¹¹ OJ L 229, 30.08.1980, p.1

¹² OJ L 126, 22.05.2003, p.34

¹³ Grandjean P., Olsen J.H., Jensen O.M., Juel K. 1992. Cancer incidence and mortality in workers exposed to fluoride. J. Nat Cancer Inst. 84, 1903-1909.

next year. For the urgent requests a first draft opinion should be presented to the next CONTAM plenary meeting. The Panel members agreed with this proposal and wished the chair of the WG good luck with this project. Panel members were invited to submit names of experts for the different sections to the Secretariat.

8.3 Update on non-dioxin-like PCBs (NDL-PCBs)

The chair of the WG on non-dioxin like PCBs, Rolaf van Leeuwen, updated the Panel on the latest meeting of the Joint EC/WHO WG which took place in Boston on August 24, 2003. During that meeting, information was exchanged on the status of the work that was agreed at the last meeting of the Joint EC/WHO project in June 2002. The main outcome was:

- Both the Commission and the WHO will continue in their effort to perform a risk assessment of PCBs. EFSA has been requested by the Commission to provide a scientific opinion by the end of 2004. Therefore, the CONTAM Panel created a WG on NDL-PCBs, and several members of the Joint EC/WHO WG will be also member of EFSA's WG.
- Plans were made to draft a chapter on exposure assessment lead by Peter Fürst.
- US work on non-carcinogenic effects is unfortunately delayed because existing data seemed not to be suitable to perform a benchmark dose analysis. For the moment US EPA is evaluating dose-response data resulting from human studies. It is not expected that the US EPA will do other toxicological work in the area of PCBs.
- The participants also agreed to organise a meeting of the Joint EC/WHO WG in April and September 2004 to evaluate the progress.

The Panel agreed with the proposal that the WG on NDL-PCBs will develop a plan for the risk assessment of PCBs in food and feed including a suggestion in which areas it would like to collaborate with colleagues in the US, Canada and Japan.

The chair of the WG updated the Panel on further developments. Deborah Rice, formerly US EPA, offered to write a background document on non-carcinogenic effects of PCBs in animals. The members of the Panel fully supported this proposal and asked the Secretariat to initiate the necessary administrative steps.

Although there is a lack of data on individual congeners on genotoxicity the Panel concluded that the outcome of the recently initiated NTP study which will address these questions cannot be taken into account as they will not be available before the end of 2004. The Panel also discussed the use of modelling and benchmarking and was of the opinion that this can be used if data are available, but it should be also mentioned where it was not possible. The Panel suggested that a first draft on exposure assessment, carcinogenicity and non- carcinogenic effects should be made available to the Panel by the end of this year.

8.4 Organotins

Chair of the WG organotin compounds (ORGTs), Angelo Carere, introduced the draft opinion to the Panel. The members of the Panel requested that questionable results must be highlighted in the opinion. The issue how to handle data from highly contaminated food items (such as fish liver and fish oil) and food stuffs coming from regional contaminated areas (such as fish from harbours) was raised. The Panel suggested that the results should be kept in context and to describe the approach used in the conclusions and highlight the limitations. The Panel also discussed the issue that in the SCOOP¹⁴ report task 3.2.13 most data in the database are coming from environmental monitoring. It was suggested that the project coordinator of the SCOOP task, Dr. Milana, should be contacted in order to identify the relevant data for the exposure assessment. Furthermore, it was discussed how to handle data which are below the limit of detection. Jiri Ruprich mentioned a paper from an international expert group which is widely used to deal with this issue. He was invited to send this paper for distribution to the Secretariat.

In the light of the above mentioned difficulties in the exposure assessment the chair was asked to inform the SC on the need to establish as soon as possible the planned horizontal WG on exposure assessment in order to have a harmonised approach across all Panels.

9. Proposal for acrylamide research meeting in collaboration with UK FSA and NL VMV

The scientific co-ordinator of the CONTAM Panel informed the members on a workshop on “Acrylamide formation in food” which is hosted by EFSA in close collaboration with the UK FSA and the NL VMW on 17 November 2003 in Brussels. The Panel members did not see the urgent need for such a workshop, however, gave some suggestions on the format of the workshop. The Secretariat will share these ideas with the FSA at their next planning meeting.

10. Potential meeting dates 2003/2004

The date for the CONTAM plenary meeting in September 2004 was moved to the 21 and 22 September 2004.

11. Any other business

There was no other business.

¹⁴ Assessment of the dietary exposure to organotins compound of the population of the EU Member States, SANCO/93/2003-3 REV1, 2003