

Parma, 17 November 2008
EFSA/CONTAM/824

**MINUTES OF THE 28TH PLENARY MEETING OF THE SCIENTIFIC PANEL ON
CONTAMINANTS IN THE FOOD CHAIN (CONTAM) HELD ON FROM 9 TO 11
SEPTEMBER 2008 IN PARMA**

Adopted by written procedure on 14 November 2008

PARTICIPANTS

Panel Members:

Jan Alexander, Diane Benford, Jean-Pierre Cravedi, Eugenia Dogliotti, Alessandro di Domenico, Johanna Fink-Gremmels (vice-chair)¹, Peter Fürst², Corrado Galli², Philippe Grandjean, Jadwiga Gzyl, Gerhard Heinemeyer, Niklas Johansson, Antonio Mutti, Josef Schlatter (chair), Rolaf van Leeuwen (vice-chair), Carlos van Peteghem, and Philippe Verger

Ad-hoc expert:

Agneta Åkesson³

EFSA:

Valeria Bernazzali (Administrative Assistant, Unit on Contaminants), Ulla Bertelsen (Senior Scientific Officer, Unit on Contaminants), Stefano Cappe (Scientific Officer, Unit on Data Collection and Exposure), Jean-Lou Dorne (Senior Scientific Officer, Unit on Contaminants), Mari Eskola (Scientific Officer, Unit on Contaminants), Pietro Ferrari (Senior Scientific Officer, Unit on Data Collection and Exposure), Claudia Heppner (Head of Unit on Contaminants), and Francesco Vernazza (Senior Scientific Officer, Unit on Data Collection and Exposure).

European Commission:

Livia D'Angelo⁴ (DG Health and Consumer Protection, E3 Chemicals, Contaminants, Pesticides), Marina Marini (Health and Consumer Protection, 03 Science and Stakeholder relations) and Frans Verstraete¹ (DG Health and Consumer Protection, E3 Chemicals, Contaminants, Pesticides).

¹ Only present from 10 to 11 September 2008

² Only present from 9 to 10 September 2008

³ Only present on 10 September 2008

⁴ Only present on 9 September 2008 by phone conference call

1. WELCOME

The chair of the CONTAM Panel, Josef Schlatter, welcomed the Panel members to the 28th CONTAM plenary meeting. The meeting was informed that Marina Marini from the European Commission, DG Health and Consumer Protection, Unit on Science and Stakeholder Relations, has replaced Michael Walsh and will follow the work of the CONTAM Panel.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from the following members of the CONTAM Panel Andrew Cockburn, and Maria Luisa Fernández-Cruz.

3. ADOPTION OF THE AGENDA

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

4. DECLARATION OF INTERESTS

The following interests were declared for item 6. Josef Schlatter was a member of the 61st meeting of the Joint FAO/WHO Expert Committee on Food Additives (JECFA), and participated in the preparation of the working paper on cadmium in food. Philippe Verger was also member of the 61st meeting of the JECFA. In addition, Josef Schlatter and Philippe Verger were members of the 64th meeting of the JECFA where an impact assessment of different maximum limits of cadmium was discussed. Diane Benford was a WHO Temporary Advisors at the 61st and 64th meetings of the JECFA.

Philippe Grandjean declared that he has drafted a section on cancer epidemiology of cadmium in volume 100 for the International Agency for Research on Cancer (IARC). This volume is an update of all agents classified in Group 1 (carcinogenic to humans).

The members of the CONTAM Panel agreed that none of these declarations made by the four experts are not considered to constitute a conflict and that they could fully participate in the Panel's discussions.

5. GENERAL INFORMATION FROM EFSA

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

- Ricin as undesirable substance in animal food (EFSA-Q-2003-062)

The opinion was adopted on 10 June 2008. However, the Secretariat asked for feedback for a revision as requested by the members of the CONTAM Panel during the last panel meeting. The members of the CONTAM Panel agreed with the revisions and the opinion was published on the Authority's webpage.

- EFSA strategic plan 2009-2013

The EFSA strategic plan for 2009-2013 will be presented for adoption at the next Management Board meeting (December 2008). Input from various stakeholders of EFSA is wanted, including members of the Scientific Panels/Scientific Committee. The members of the CONTAM Panel welcomed such a document but felt that due to its general and high-level character it could need to be more specific in some points.

- EFSA's media handling guidelines for Scientific Panels/Scientific Committee

The members of the CONTAM Panel acknowledged this document, but pointed out that an ideal situation/procedure is described. In addition, it was noted that it is not possible to follow the EFSA guidelines when questions are asked in a non-EFSA context as often the same subject or topic has also to be addressed at a national level.

- Definitions of EFSA's scientific outputs

EFSA has released a document defining its scientific outputs from the Scientific Panels/Scientific Committee and EFSA. Any documents issued by EFSA/Panels/Scientific Committee shall comply with these outputs. More details on the various outputs can be found on the Authority's webpage. The CONTAM Panel noted these definitions and questioned if all scientific outputs of EFSA are covered by this document, or if needed, definitions of additional scientific outputs could be added.

- CONTAM Article 36 calls

Two calls falling under the article 36 programme of EFSA's founding regulation were prepared and published by the CONTAM unit. The first call (CONTAM/2008/01) asks for scientific information related to several mycotoxins and natural plant toxicants in order to facilitate efficiently future possible requests from the European Commission. The total grant volume is 140,000€, where 80% will be paid by EFSA. The deadline for submissions of grant proposals is 10 October 2008. The second call (CONTAM/2008/02) asks for an overview of in third countries authorised veterinary medicinal products for farmed animals. This work shall facilitate EFSA's possible involvement with a new legislation on the establishment of residue limits of pharmacologically active substances in foodstuffs of animal origin, which will repeal Regulation (EEC) No. 2377/90. The total grant volume is 140,000€, where 80% will be paid by EFSA. The deadline for submissions of grant proposals is 22 October 2008.

- Expert satisfaction survey

A survey asking for feedback from all experts working for EFSA will be launched in October 2008. The on-line survey should be simple and not take too much time. Experts are invited to participate in this survey. For EFSA this is an important way to receive feedback. EFSA plans to carry out such a survey every year in order to monitor trends.

- Call for members for Scientific Panels/Scientific Committee

A call for expression of interest for a three year membership of the Scientific Panels and the Scientific Committee of EFSA will be launched on 23 October 2008. The call will close on 7 January 2009. The call is needed because the mandate of EFSA's existing Scientific Panels and Scientific Committee expires in summer 2009. The invitation for membership concerns, besides the CONTAM Panel, following other panels: Panel on Animal Health and Welfare (AHAW); Panel on Biological Hazards (BIOHAZ), Panel on Feed Additives and products or substances used in animal feed (FEEDAP); Panel on Genetically Modified Organisms (GMO); Panel on Dietetic products, nutrition and allergies (NDA); Panel on Plant Health (PLH); Panel on Plant Protection Products and their residues (PPR); and the Scientific Committee (SC). The members of the CONTAM Panel were invited to consider reapplying. In addition, Panel members were kindly asked if they could assist in disseminating this information.

- Handling of LOD/LOQ

Staff of the DATEX unit presented a proposal on how to handle data below the limit of detection or limit of quantification when occurrence data are being analysed. The handling of such data is a critical point in the exposure assessment. The members of the CONTAM Panel welcomed such an initiative and felt that it would be useful to set up a small working group under the DATEX unit to elaborate further on this matter. It would be desirable to possibly come up with standard approaches which could be applied to most of the exposure assessments of CONTAM opinions.

- Risk assessment of uranium in foodstuffs

Staff of the CONTAM and DATEX units presented a proposal for how to tackle the exposure assessment and the risk characterisation for the request related to uranium in foodstuffs (EFSA-Q-2007-135) asked by the German Bundesinstitut für Risikobewertung (BfR). The CONTAM Panel supported the proposed strategy. In addition, the CONTAM Panel pointed out again that the question can only be addressed from a chemical point of view, but not from a radiological point of view, as no experts with such competence or expertise are present in the CONTAM Panel. The Secretariat was asked to transmit these facts to the BfR.

6. CADMIUM IN FOOD. DRAFT OPINION

The chair of the WG presented the draft opinion on cadmium in food (question number: EFSA-Q-2007-138). The members of the CONTAM Panel appreciated the efforts of the WG, particularly the handling of approximately 140,000 occurrence data and the application of a toxicokinetics model with new human data from Sweden. The Panel however proposed the following modifications to the draft opinion: i) to clarify the reasoning for the selection of the point of departure in the hazard characterisation by carrying out a meta-analysis to further clarify the meaning of the biomarkers and ii) a rearrangement of the risk characterisation section. In addition, unpublished data which are currently presented in the opinion have to be either published in a scientific journal before adopting the opinion or made officially available to EFSA. The opinion will be re-submitted for possible adoption to the next CONTAM Panel meeting (3-5 December 2008). Due to the revisions asked by the CONTAM Panel, the originally by the European Commission proposed deadline can not be met. The Service within the European Commission (EC) responsible for legislation on food safety indicated that a slight delay with the adoption of the opinion would be acceptable.

7. FEEDBACK FROM THE SCIENTIFIC COMMITTEE (SC) MEETING

The vice chair of the CONTAM Panel provided feedback on the following matters from the last SC plenary meeting (15-16 July 2008): i) the SC will establish a WG on the use of the threshold of toxicological concern (TTC) concept in food and feed. Members of the CONTAM Panel were invited to express their interest in joining this WG, ii) the comments of the CONTAM Panel on the draft opinion on transparency were noted by the SC WG, iii) the opinion on animal cloning was adopted by the SC. The minutes of this meeting are available on the Authority's webpage⁵.

8. 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 members of the CONTAM Panel that during the July meeting of the Standing Committee on the Food Chain and Animal Health - section animal nutrition⁶ the UK delegate brought to the attention of the Commission a letter they received from the Pet Food Manufacturers Association (PFMA), where the conclusions, that the current EU maximum limit for mercury are not protective enough for cats were questioned. This conclusion was drawn by the

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http://www.efsa.europa.eu/cs/BlobServer/Event_Meeting/sc_minutes_31st_plenmeet_adopted.pdf?ssbinary=true

⁶ http://ec.europa.eu/food/committees/regulatory/scfcah/animalnutrition/sum_1718072008_en.pdf

CONTAM Panel based on the derived no-observed-adverse-effect levels (NOAEL) of 0.33 mg/kg for mercury. PFMA questioned whether EFSA's opinion has taken into account the different moisture contents of the fish based diet of the animal study compared to the EU maximum level (ML) which is based on 12% moisture content. The members of the CONTAM Panel clarified the derivation of its NOAEL, meaning that although the water content of the diet is not clearly indicated in the respective animal study, the CONTAM Panel considered that the water content of the diet was 41%. Accordingly, a NOAEL of 0.5 mg/kg feed (12% moisture content), could be extrapolated. In addition, the Panel noted that with the current ML for cats the margin between the NOAEL and the ML is very small. A revised opinion, considering these further clarifications, will be published on the Authority's webpage in the near future.

The members of the CONTAM Panel were also informed by the EC on the ongoing process with the follow up of CONTAM opinions as well as the findings of high levels of dioxins in pork from Chile.

9. WORKING PROGRAMME

9.1. OFFICIAL REQUESTS TO EFSA FOR CONTAM PANEL

One request related to arsenic in food (EFSA-Q-2008-425) which falls within the mandate of the CONTAM Panel has been received by EFSA. The deadline for delivering this opinion is September 2009. The members of the CONTAM Panel welcomed this request and had no comments to the terms of reference as outlined by the European Commission. The members of the CONTAM Panel proposed to establish a WG on this subject. Peter Fürst kindly accepted to chair this WG. Panel members were invited to participate in this WG and the Secretariat together with the chair of the WG will propose additional experts with particular expertise in this matter in order to address the request.

9.2. UPDATE FROM THE WG UNDESIRABLE SUBSTANCES IN ANIMAL FEED – SECTION NATURAL PLANT PRODUCTS

The chair of the WG informed the panel members that the WG is currently finalising the draft opinion on gossypol, and it can be expected that this opinion will be presented for adoption at the next panel meeting. The opinion on saponins is also progressing well and it can be expected that this opinion will be presented for adoption in March 2009.

9.3. UPDATE FROM THE WG MARINE BIOTOXINS

The chair of the WG reported that for yessotoxins some challenging technical discussions with regard to the derivation of the NOAEL are taking place, and therefore the opinion could not be presented for adoption to the current meeting. However, the WG chair was confident that the yessotoxin opinion will be presented for adoption at the

next CONTAM plenary meeting. The WG is also currently working on saxitoxins and pectenotoxins and a call for occurrence data for the remaining marine biotoxins was sent to the national reference laboratories of the EU by the EC.

9.4. UPDATE FROM THE NONE-CONTAM WGS

A progress report for the AHAW WG Fish welfare, the SC WG on benchmark dose and the SC WG on animal welfare was given by the experts of the CONTAM Panel involved in these WGs.

9.5. UPDATE FROM THE WG HEAVY METALS IN FOOD

The chair of the WG heavy metals in food, Eugenia Dogliotti, currently dealing with the request on cadmium, informed the members of the CONTAM Panel that due to her high workload unfortunately she is unable to continue chairing this WG once the opinion on cadmium is adopted. Corrado Galli kindly agreed to become the chair of the WG to tackle the request on lead in food (EFSA-Q-2007-139). For this request different expertise compared to the cadmium request is needed, so that the composition of the current WG will be reorganised. For lead a first planning meeting is still foreseen this year.

10. ANY OTHER BUSINESS

No any other business was reported.