

Parma, 8 April 2009

**MINUTES OF THE 30TH PLENARY MEETING OF THE SCIENTIFIC PANEL ON
CONTAMINANTS IN THE FOOD CHAIN (CONTAM) HELD FROM 28 TO 30
JANUARY 2009 IN PARMA**

Adopted by written procedure on 6 April 2009

PARTICIPANTS

Panel Members:

Jan Alexander¹, Diane Benford, Andrew Cockburn, Jean-Pierre Cravedi, Eugenia Dogliotti, María Luisa Fernández-Cruz, Peter Fürst, 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, Leon Brimer⁴, Gunnar Nordberg³

EFSA:

Billy Amzal (Statistician, Assessment Methodology Unit), Valeria Bernazzali (Administrative Assistant, Unit on Contaminants), Gina Cioacata (Senior Administrative Assistant, Unit on Contaminants), 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 Data Collection and Exposure Unit), Claudia Heppner (Head of Contaminants Unit), and Luisa Ramos Bordajandi (Scientific Officer, Unit on Contaminants).

European Commission:

Marina Marini (Health and Consumer Protection, 03 Science and Stakeholder relations) and Frans Verstraete² (DG Health and Consumer Protection, E3 Chemicals, Contaminants, Pesticides)

¹ Only present from 29 to 30 January 2009

² Only present from 28 to 29 January 2009

³ Only present on 28 January 2009

⁴ Only present on 29 January 2009

1. WELCOME

The chair of the CONTAM Panel, Josef Schlatter, welcomed the Panel members to the 30th CONTAM plenary meeting. The members of the CONTAM Panel were informed that Eve Feinblatt Meleze joined the CONTAM unit as a trainee for 5 months, studying consequences of uncertainties in risk assessment for risk management.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from following members of the CONTAM Panel Alessandro di Domenico, Johanna Fink-Gremmels.

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 5. 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 Advisor 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 were considered to constitute a conflict and that they could fully participate in the Panel's discussions.

5. CADMIUM IN FOOD. DRAFT OPINION

The chair of the working group (WG) presented the draft opinion on cadmium in food (question number: EFSA-Q-2007-138). 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 and thanked *ad-hoc* experts Agneta Åkesson and Gunnar Nordberg for their presence at the 30th CONTAM Panel meeting.

6. SAPONINS AS UNDESIRABLE SUBSTANCE IN ANIMAL FEED. DRAFT OPINION

The chair of the working group (WG) presented the draft opinion on saponins in *Madhuca longifolia* as an undesirable substance in animal feed (question number: EFSA-Q-2005-221). 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 and thanked *ad-hoc* expert Leon Brimer for his presence at the 30th CONTAM Panel meeting.

7. DRAFT OPINION ON URANIUM IN FOODSTUFFS, PARTICULARLY WATER. FOR DISCUSSION

EFSA staff from the CONTAM and DATEX units presented the draft opinion on uranium in foodstuff (question number: EFSA-Q-2007-135) to the members of the CONTAM Panel in order to receive guidance on the exposure assessment and the proposed health based guidance value. The internal EFSA WG appreciated the comments made by the Panel members. The opinion will be presented for possible adoption to the 31st CONTAM plenary meeting.

8. SCIENTIFIC COMMITTEE (SC) DRAFT OPINION ON THE USE OF THE BENCHMARK DOSE APPROACH IN RISK ASSESSMENT

An EFSA staff member of the Scientific Committee presented the main outcome of the draft opinion on the use of the benchmark dose approach (BMD) in risk assessment. The members of the CONTAM Panel appreciated the draft opinion, but proposed some revisions, including a more detailed description on the application of the BMD approach for epidemiological studies.

9. GENERAL INFORMATION FROM EFSA

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

- Dioxins in Irish pork

The European Food Safety Authority (EFSA) received a request on 8 December 2008 from the European Commission, Directorate General Health and Consumers requesting urgent scientific advice on the risks to public health due to the contamination by dioxins in pork from Ireland. Considering the urgency of this request for advice, EFSA issued a statement following Art. 13 b of the “Decision concerning the establishment and operations of the scientific committee and panels” adopted by the Management Board of EFSA on 11 September 2007. EFSA was thankful receiving scientific advice from Rolaf van Leeuwen (vice chair of the CONTAM Panel) and John Christian Larsen (chair of the ANS Panel) during the drafting of this statement. The statement was published on 10

December 2008⁵ on the Authority's webpage and risk managers have put actions in place the same day.

- EFSA's Management Board meeting 18 December 2008
 - The chair of the CONTAM Panel was invited by the EFSA's Management Board (MB) to present the work of the CONTAM Panel since 2003. Both the lecture and the presentation are available at the Authority's webpage.
 - The EFSA management plan for 2009 was adopted by the MB. For the CONTAM Panel the 2009 objectives are to adopt 15 scientific opinions and 1 CONTAM statement. It is also estimated that 1 statement might be prepared and issued by EFSA staff in 2009.
- In addition, the following objectives and progress indicators have been laid down i) delivering 95% of the scientific outputs as defined above; ii) ensuring that 95% of scientific outputs are adopted within the legal or agreed deadline, iii) ensuring that 80% of adopted opinions are published within 3 weeks after adoption; iv) ensuring that all experts invited to first WG meeting had approved ADoI; v) decreasing travelling of external experts so that over 15% of meetings are held elsewhere than Parma ("other location" includes tele/web/video meeting).
- ➢ EFSA strategy plan 2008 to 2013 was discussed and adopted.
- ➢ The MB members were informed by the EFSA director of administration that 10% of EFSA budget had been put in reserve and as a consequence the recruitment of 2009 contact agent posts are frozen.
- ➢ MB members discussed issues related to the final EFSA building and requested a more detailed planning and budgetary costs of the new building.
- EFSA call for external experts joining the Scientific Committee and Scientific panels for the mandate (June 2009 – May 2012)
 - The members of the CONTAM Panel were informed that the call was extended by one week and closed on 14th of January 2009. A total of 848 applications were received by EFSA. A great amount of applications indicated their interest in a CONTAM Panel membership. On 31 March 2009 the MB shall adopt the shortlisted candidates. The inauguration meeting for CONTAM members is scheduled to take place on 1 July 2009 in Parma, mostly likely together with the member of the GMO Panel.

⁵ Available at URL:

http://www.efsa.europa.eu/cs/BlobServer/Statement/contam_ej_911_dioxins_rev2.pdf?ssbinary=true

- CONTAM unit

The members of the CONTAM Panel were informed that Lara Congiu who is handling administrative matters will leave the CONTAM unit and start working in the EFSA library from 1st of March 2009 onwards. The members of the CONTAM Panel wished Lara luck in her new position.

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

The Service within the European Commission (EC) responsible for science and stakeholder relationships informed the members of the CONTAM Panel on the following matters:

- The Commission, based upon the conclusions of the EFSA statement (see also item 9), issued guidelines for the management of the Irish contamination incident to ensure that potentially highly contaminated products were quickly removed from the market for the protection of public health. These guidelines aimed also at ensuring a harmonised enforcement approach at EU level. The Commission representative stressed that EFSA has in this contamination incident demonstrated its ability to deliver a thorough assessment in a very short period of time, which has allowed the Commission and the competent authorities from the Member States to react in a swift and adequate manner to the incident. The Committee was furthermore informed that the contamination incident was now completely under control and can be considered as closed with the exception that the culling and safe disposal of the animals from affected farms is still ongoing (mainly bovine animals still to be culled). He furthermore indicated that in this contamination incident, contrary to the contamination incident in Belgium in 1999, the analysis of non-dioxin like PCBs could not be used as a reliable screening tool for possible contamination by dioxins and that an analysis of the dioxins was necessary or by a screening or confirmatory method. The safeguard measures on the import of products containing milk or milk products originating in or consigned from China due to the adulteration of these products with melamine, have been extended to ammonium bicarbonate (E 503, raising agent) and feed and food containing soya and soya products, following findings of high levels of melamine in these products originating from China.
- A first discussion on the follow-up of the scientific opinion on polycyclic aromatic hydrocarbons (PAH) in food has taken place and as a first step it has been agreed that the occurrence data, in view of a future review of current legislation based on benzo(a)pyrene as indicator for PAHs should, taking into account the conclusions of the scientific opinion, focus on the PAH4 (benzo(a)pyrene, chrysene, benz(a)anthracene and benzo(b)fluoranthene) individually. Nevertheless, member states were encouraged, if possible, to analyse all relevant toxic PAHs in food⁶

⁶ Summary record of the Standing Committee on the Food Chain and Animal Health, held in Brussels on 12 December 2008, agenda item 5

http://ec.europa.eu/food/committees/regulatory/scfcah/toxic/summary12122008_en.pdf

- Technical discussions on amendments to current EU legislation, following the availability of scientific opinions, on aflatoxins in almonds, hazelnuts and pistachios (alignment with CODEX decisions) and nitrates in vegetables have been finalised and the outcome of these technical discussions will now be presented for decision⁷.
- Technical discussions on the follow-up to the scientific opinions on tropane alkaloids, theobromine and ricin in feed as well the update of the provisions as regards arsenic in feed are finalised and will be presented for decision. .

11. WORKING PROGRAMME

11.1. OFFICIAL REQUESTS TO EFSA FOR CONTAM PANEL

One request from the European Commission related to a risk assessment of melamine regarding the re-assessment of tolerable daily intake in view of the outcome of the World Health Organization Expert Consultation on melamine held on 3 to 5 December 2008 was received by EFSA. This request will be jointly addressed by the CONTAM and the CEF Panel. The members of the CONTAM Panel noted that the final report of the WHO is not yet in the public domain and that the terms of reference need to be specified further by the European Commission. In addition, a request from the European Commission was received by EFSA related to the potential risk to human health arising from the transport in ships' tanks of oils and fats from substances proposed as acceptable previous cargoes and the evaluation of the criteria for acceptance of previous cargoes for fat and oil by June 2009. The members of the CONTAM Panel proposed due to the short deadline to focus the assessment first on the evaluation of the criteria and in case the outcome would call for updating the previous Scientific Committee for Food opinion, to address this request with a different mandate and a new deadline. For both Working groups (WGs) chairs were identified and Panel members were invited to join these WGs. The CEF Unit already communicated experts which will participate on behalf of the CEF panel.

11.2. UPDATE FROM THE WG MARINE BIOTOXINS IN SHELLFISH – PRESENTATION ON SAXITOXIN GROUP TOXINS

The chair of the WG presented the draft opinion on marine biotoxins in shellfish: saxitoxin group toxins (question number: EFSA-Q-2006-065E). In addition, it was reported that the WG is also currently working on palytoxins and pectenotoxins as well as initiated the work related to the other remaining opinions. A request was sent to the Commission for the extension of the deadline to 31 March 2009 for saxitoxin group toxins and pectenotoxins and to 31 May 2009 for cyclic imines due to the lack of data on samples analysed with mouse bioassay and chemical methods.

⁷ Summary record of the Standing Committee on the Food Chain and Animal Health, held in Brussels on 12 December 2008, agenda item 6
http://ec.europa.eu/food/committees/regulatory/scfcah/toxic/summary12122008_en.pdf

11.3. UPDATE FROM THE WG UNDESIRABLE SUBSTANCES IN ANIMAL FEED – SECTION NITRITE

The chair of the WG informed the members of the CONTAM Panel that the WG is currently working hard on the finalisation of the draft opinion on nitrite as an undesirable substance in animal feed. The latest WG meeting took place on 27 January 2009. It was pointed out that nitrite from feedingstuffs is a minor contributor compared to e.g. the conversion from nitrate to nitrite. The opinion will be presented for possible adoption to the March plenary meeting.

11.4. UPDATE FROM THE WG ARSENIC IN FOOD

The chair of the WG informed the members of the CONTAM Panel that the work on the draft opinion is in progress, but due to the large amount of occurrence data received as well as the huge amount of toxicological data to be summarised it will be a challenge to finalise the work within the requested deadline (September 2009).

11.5. UPDATE FROM THE WG LEAD

The chair of the WG informed the members of the CONTAM Panel that a first planning meeting was held by phone conference call. The objective of this meeting was to clarify the terms of reference, outline a draft table of contents of the opinion and allocation of tasks. A first WG meeting will be held in February 2009.

11.6. UPDATE FROM THE NON-CONTAM WGS WITH PARTICIPATION OF CONTAM EXPERTS

The members of the CONTAM Panel were informed that the draft opinion on the use of alternative methods for animal testing is nearly finalised and will be presented for adoption at the April SC meeting.

12. ANY OTHER BUSINESS

The scheduled 31st CONTAM plenary meeting was advanced by one day, this means the meeting will now be held from 24 to 26 March 2009. No other items were raised.