

# SCIENTIFIC PANEL ON CONTAMINANTS IN THE FOOD CHAIN

## Minutes of the 131<sup>st</sup> Plenary meeting



14-16 March 2023

13:30-18:00/09:00-18:00/09:00-13:00

MINUTES - Agreed on 10 April 2023

**Location:** Parma (EFSA)

### **Attendees:**

#### ■ **Panel Members:**

*Attending in person:*

Margherita Bignami, Laurent Bodin, Kevin Chipman, Jesús Del Mazo, Christer Hogstrand, Ron Hoogenboom, Jean-Charles Leblanc, Carlo Nebbia<sup>1</sup>, Elsa Nielsen, Evangelia Ntzani, Annette Petersen, Salomon Sand, Dieter Schrenk, Tanja Schwerdtle<sup>2</sup>.

*Attending via web-conference:*

Bettina Grasl-Kraupp, Christiane Vleminckx, Heather Wallace<sup>3</sup>.

#### ■ **Hearing Experts<sup>4</sup>:**

Lars Barregård (for Item 6.2), Diane Benford (for Item 6.2), Andy Hart (for Item 6.1), Henri Schroeder (for Item 6.1)

#### ■ **European Commission and/or Member States representatives:**

*Attending in person:*

Frans Verstraete (European Commission, DG Health and Food Safety, Unit E2).

*Attending via web-conference:*

Ivana Poustkova, Veerle Vanheusden (European Commission, DG Health and Food Safety, Unit E2).

#### ■ **EFSA:**

##### **FEEDCO Unit:**

Maria Anastassiadou, Anna Christodoulidou, Federico Cruciani, Chantra Eskes, Mary Gilsean, Matteo Innocenti, Luisa Ramos Bordajandi, Elena Rovesti, Hans Steinkellner, Tuuli Tauriainen, Ben Whitty

##### **MESE Unit:**

Jose Cortiñas Abrahantes (for Item 6.2), Petra Gergelova (for Item 6.5), José Angel Gómez Ruiz (for Item 6.3)

#### ■ **Observers:**

Not applicable

<sup>1</sup> On Day 3 participated via teleconference.

<sup>2</sup> On Day 2 was absent from 16.30 CET onwards, and on Day 3 participated via teleconference until 9.45 CET.

<sup>3</sup> On Day 3 was absent from 9.30 until 12.30 CET.

<sup>4</sup> As defined in Article 17 of the Decision of the Executive Director concerning the selection of members of the Scientific Committee, the Scientific Panels, and the selection of external experts to assist EFSA with its scientific work: [http://www.efsa.europa.eu/sites/default/files/corporate\\_publications/files/expertselection.pdf](http://www.efsa.europa.eu/sites/default/files/corporate_publications/files/expertselection.pdf)



■ **Others:**

Not applicable

## **1. Welcome and apologies for absence**

The Chair welcomed the participants to this Plenary meeting.

## **2. Adoption of agenda**

The agenda was adopted without changes.

## **3. Declarations of Interest**

In accordance with EFSA's Policy on Independence<sup>5</sup> and the Decision of the Executive Director on Competing Interest Management<sup>6</sup>, EFSA screened the Annual Declarations of Interest filled out by the Panel members invited to the present meeting. No Conflicts of Interest related to the issues discussed in this meeting have been identified during the screening process, and no interests were declared orally by the members at the beginning of this meeting.

## **4. Agreement of the minutes of the 130<sup>th</sup> Plenary meeting held on 17 and 21 February 2023**

The minutes of the 130<sup>th</sup> Plenary meeting held on 17 and 21 February 2023 were agreed by written procedure on 6 March 2023<sup>7</sup>.

## **5. Report on written procedures since the 130<sup>th</sup> Plenary meeting held on 17 and 21 February 2023**

A written procedure was held for the agreement of the amendments introduced in the Opinion on the assessment of information as regards the toxicity of T-2 and HT-2 toxin for ruminants, and its republication. The changes were agreed and republication at the EFSA Journal and EFSA website will follow.

## **6. Scientific outputs submitted for discussion and possible adoption**

### **6.1. Draft Opinion on the update of the risk assessment of polybrominated diphenyl ethers in food (EFSA-Q-2018-00432)<sup>8</sup>**

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<sup>5</sup> [http://www.efsa.europa.eu/sites/default/files/corporate\\_publications/files/policy\\_independence.pdf](http://www.efsa.europa.eu/sites/default/files/corporate_publications/files/policy_independence.pdf)

<sup>6</sup>

[http://www.efsa.europa.eu/sites/default/files/corporate\\_publications/files/competing\\_interest\\_management\\_17.pdf](http://www.efsa.europa.eu/sites/default/files/corporate_publications/files/competing_interest_management_17.pdf)

<sup>7</sup> <https://www.efsa.europa.eu/sites/default/files/2023-03/Minutes.pdf>

<sup>8</sup> <https://open.efsa.europa.eu/questions/EFSA-Q-2018-00432>



The Chair of the WG on BFRs in food presented an overview of the modifications introduced into the draft Opinion since the last Plenary and introduced the new sections for possible endorsement for public consultation. The CONTAM Panel discussed and endorsed the sections on consideration of critical effects, dose-response analysis, approach for risk characterisation, risk characterisation, uncertainty analysis, conclusions and recommendations. Suggestions were made and the draft Opinion will be tabled again for possible endorsement for public consultation at the 132<sup>nd</sup> CONTAM Panel meeting.

### **6.2. Draft Opinion on the update of the risk assessment of inorganic arsenic in food (EFSA-Q-2021-00250)<sup>9</sup>**

The Chair of the WG on Arsenic in food presented an overview about the activities of the WG since the 129<sup>th</sup> Plenary meeting in January where the Opinion was last discussed, and presented for discussion and possible agreement by the CONTAM Panel a revised approach for hazard characterisation, including assumptions for BMD calculations such as the BMR to be selected or the default assumptions for transforming water and urine concentrations to exposures and use of default values for dietary exposure to inorganic arsenic in the absence of measured (reported) data in the studies. The Panel discussed the options proposed and one Panel member expressed concerns about the selected BMRs and exposure assumptions proposed. Following a voting, the Panel agreed on the application of several parameters regarding the calculations of BMDs and the approach of transforming water and urinary total inorganic arsenic into exposure. The Panel asked the WG to further elaborate on default values for dietary intake. Because of time constraints it was not possible to discuss the new/revised text on dose-response analysis and Panel members will be asked to provide written comments on that section.

### **6.3. Draft Opinion on the risk for animal health related to the presence of Ergot alkaloids in feed (EFSA-Q-2021-00697)<sup>10</sup>**

The EFSA WG coordinator provided an update on the progress of the mandate by the WG on Ergot alkaloids in feed. The Chair of the WG illustrated the critical points the WG is facing in the elaboration of the draft Opinion. In particular, the preliminary analysis of the newly available occurrence data in feed was presented to the CONTAM Panel and the elaboration of a new exposure assessment was agreed as necessary to suitably characterise the risk to animal health for the presence of Ergot alkaloids in feed. The sections on toxicity in poultry and pigs in the draft Opinion were also discussed and endorsed by the Panel.

### **6.4. Draft Opinion on the risk for animal health and transfer from feed to food of animal origin related to the presence of Ochratoxin A in feed (EFSA-Q-2021-00699)<sup>11</sup>**

The Chair of the WG and EFSA's WG coordinator presented the activities carried out to date on the mandate by the WG on OTA in feed. The introductory sections of the draft Opinion were discussed and endorsed by the CONTAM Panel. The Chair of the WG anticipated that further sections of the draft Opinion will be presented for discussion and possible endorsement in the upcoming 132<sup>nd</sup> CONTAM Panel meeting.

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<sup>9</sup> <https://open.efsa.europa.eu/questions/EFSA-Q-2021-00250>

<sup>10</sup> <https://open.efsa.europa.eu/questions/EFSA-Q-2021-00697>

<sup>11</sup> <https://open.efsa.europa.eu/questions/EFSA-Q-2021-00699>



### **6.5. Draft Opinion on the risk for human and animal health related to the presence of Polychlorinated Naphthalenes in food and feed (EFSA-Q-2020-00663)<sup>12</sup>**

The Chair of the WG on PCNs in feed and food gave an overview of the progress of the work for this mandate. The sections under Data and Methodologies related to the Occurrence data submitted to EFSA, Food consumption data and Food and Feed classification were discussed, as well as the main section on Occurrence data submitted to EFSA. These were endorsed by the CONTAM Panel with minor amendments suggested. The approach on exposure assessment was also presented and endorsed by the Panel. Comments and suggestions for amendment were discussed in the section on Toxicokinetics. The WG will update the relevant parts of the draft Opinion accordingly.

### **6.6. Draft Opinion on the assessment conditions which make the *Ambrosia* spp. seeds not viable (EFSA-Q-2020-00501)<sup>13</sup>**

The Chair of the WG on *Ambrosia* presented the draft protocol for possible endorsement by the CONTAM Panel. The Panel endorsed the draft protocol, with minor amendments suggested. The WG will continue with the development of the risk assessment.

## **7. Feedback from the Scientific Committee/Scientific Panels, CONTAM Working Groups, EFSA, and the European Commission**

### **7.1. European Commission**

The European Commission representatives gave an update on the follow-up activities in relation to the scientific opinions of the CONTAM Panel. Several legislative measures are under discussion with the Member States as an outcome of the CONTAM Panel scientific Opinions.

### **7.2. Updates from CONTAM Panel Working groups**

- **WG on BFRs in food**

See Item 6.1.

- **WG on Feed detoxification**

EFSA informed that the mandate on the self-task activity of the CONTAM Panel in relation to the preparation of guidance to feed business operators regarding the information needed to support the risk assessment of the detoxification processes applied to products intended for animal feed (as provided for in Directive 2002/32/EC of the European Parliament and of the Council and in line with the acceptability criteria of the Regulation (EU) 2015/786), has been approved. The WG on Feed Detoxification processes will work on the preparation of a draft statement on the matter.

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<sup>12</sup> <https://open.efsa.europa.eu/questions/EFSA-Q-2020-00663>

<sup>13</sup> <https://open.efsa.europa.eu/questions/EFSA-Q-2020-00501>



- **WG on MOH in food**

The public consultation of the draft Opinion on the update of the risk assessment of MOH in food was launched on 15 March. The public consultation will close on 30 April 2023<sup>14</sup>.

- **WG on Arsenic in food**

See Item 6.2.

- **WG on PCNs in feed and food**

See Item 6.5.

- **WG on Ergot alkaloids in feed**

See Item 6.3.

- **WG on Ochratoxin A in feed**

See Item 6.4.

- **WG on Ambrosia**

See Item 6.6.

### 7.3. Updates from EFSA

**BEA/ENNs:** Following the discussion at the 128<sup>th</sup> CONTAM Panel meeting, a presentation was given about the preliminary evaluation of relevant information/data that became available in addition to that already available to the CONTAM Panel at the time of the previous Opinion, that was published in 2014. Of particular importance was a report on acute and repeated dose genotoxicity and toxicity studies commissioned by EFSA and published in 2018. The Panel agreed on a more in-depth analysis of the new information before concluding that the additional information would be sufficient to allow a conclusive chronic risk assessment of both compounds (including genotoxicity). The issue will therefore be discussed again at the 132<sup>nd</sup> Plenary meeting.

**Previous cargoes:** The CONTAM Panel discussed the FAO/WHO JECFA90 recommendations for revising criterion 2 of the RCP-36-1987 for the assessment of substances transported in cargoes subsequently used for fats or oils. The Panel agreed that there is updated consumption data on fats and oils that supports the revision of criterion 2. According to the EFSA Comprehensive Food Consumption database, the dietary consumption values of fats and oils in European countries are in line with the updated dietary consumption values used by JECFA90 to derive the new recommended ADI or TDI above which there would be no health concerns to the general population. Based on this, the Panel would agree with the recommended revision of criterion 2 made by JECFA90, in case this revision is adopted by Codex.

**Other matters:** The EFSA CONTAM Panel coordinator informed that a date for an ad-hoc Plenary meeting in June 2023 will be agreed via email after receiving all availabilities. In addition, the proposed meeting dates for Plenary meetings in 2024 will be confirmed via email.

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<sup>14</sup> <https://www.efsa.europa.eu/en/news/mineral-oil-hydrocarbons-food-have-your-say-draft>



**7.4. Updates from the Scientific Committee and its Working Groups of interest to the CONTAM Panel**

Due to time constraints this item was postponed to the next Plenary meeting.

**8. Any other business**

Not applicable.