

**SCIENTIFIC PANEL ON
CONTAMINANTS IN THE FOOD CHAIN**
140TH Panel Plenary meeting – OPEN to observers



19 - 21 Month 2024
13:30-18:00 / 09:00-18:00 / 09:00-13:00
MINUTES - Agreed on 9 April 2024

Location: EFSA, Parma / Teleconference

Attendees:

o Panel Members:

On-site: Margherita Bignami, Laurent Bodin, James Kevin Chipman, Jesús Del Mazo, Christer Hogstrand, Laurentius (Ron) Hoogenboom, Jean-Charles Leblanc¹, Carlo Nebbia², Evangelia Ntzani, Dieter Schrenk (Chair), Heather Wallace

Online: Elsa Nielsen, Annette Petersen, Salomon Sand, Tanja Schwerdtle³, Christiane Vleminckx

o Hearing Experts⁴:

Federico Cruciani, Andrew Hart⁵

o European Commission and/or Member States representatives:

EC: Frans Verstraete, Veerle Vanheusden⁶

o EFSA:

FEEDCO_CONTAM: Maria Anastassiadou, Mst Tazmin Akhter, Anna Christodoulidou, Chantra Eskes, Mary Gilsean (HoU), Elena Gkimpixi, Eirini Kouloura, Marianna Kujawa, Anamarija Romac Mariano López Romano, Luisa Ramos Bordajandi, Elena Rovesti, Hans Steinkellner, Tuuli Tauriainen

o Others:

MESE Unit: José Cortiñas Abrahantes, Angel Gómez Ruiz, Francesca Riolo.

1. Welcome and apologies for absence

The Chair welcomed the participants and the observers. Apologies were received from Bettina Grasl-Kraupp and Ivana Poustkova (EC).

2. Adoption of agenda

The agenda was adopted without changes.

3. Declarations of Interest of Panel members

In accordance with EFSA's Policy on Independence⁷ and the Decision of the Executive Director on Competing Interest Management⁸, EFSA screened the Annual Declarations of Interest filled out by the Working Group 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.

¹ On 20 March participated from 10.15 CET onwards.

² On 19 March participated via teleconference.

³ Absent on 21 March.

⁴ 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/en/keydocs/docs/expertselection.pdf>

⁵ Participated on 20 March only, from 11.00 to 16.00 CET.

⁶ Participated via teleconference.

⁷ http://www.efsa.europa.eu/sites/default/files/corporate_publications/files/policy_independence.pdf

⁸ http://www.efsa.europa.eu/sites/default/files/corporate_publications/files/competing_interest_management_17.pdf



4. Panel members introduction

The members of the CONTAM Panel, the EFSA staff from the FEEDCO Unit/CONTAM Team and the attending Hearing Experts introduced themselves.

5. Presentation of Guidelines for observers

The CONTAM Panel coordinator presented the Guidelines for participation of Observers to EFSA Open Plenary meetings.

6. Agreement of the minutes of the 139th Panel plenary meeting held on 23 February 2024, via teleconference

The minutes of the 139th Panel plenary meeting were agreed by written procedure on 7 March 2024.

7. Report on written procedure

In agreement with the Panel Chair, the following Panel members have been nominated as WG Chairs:

- Margherita Bignami has been nominated as Chair of the WG on beauvericin genotoxicity, which will address the EC mandate request for a scientific opinion on the genotoxicity of beauvericin (M-2024-00039).
- Evi Ntzani has been nominated as Chair of the WG on lectins in food, which will address the EC mandate request for a risk assessment on the presence of plant lectins in food (M-2024-00041).
- Laurent Bodin has been nominated as Chair of the WG on delta8-THC, which will address the EC mandate request for a scientific opinion on the derivation of a health based guidance value (HBGV) for delta-8-tetrahydrocannabinol ($\Delta 8$ -THC) (M-2024-00040).
- Ron Hoogenboom has been nominated as Chair of the WG dioxins update, which will address the EC mandate request for an update of the scientific Opinion on the risks for animal and human health related to the presence of dioxins and dioxin-like PCBs in feed and food on the basis of the new 2022 WHO TEF values (M-2024-00042).

8. Scientific output(s) submitted for discussion/adoption

8.1 **Draft Opinion on small organoarsenic species in food ([EFSA-Q-2021-00496](#)).**

The Chair of the WG on Arsenic presented the draft Opinion on small organoarsenic species in food for discussion and possible endorsement for public consultation. The CONTAM Panel members went through the sections on Toxicity, Occurrence of small organoarsenic species in the literature, Exposure assessment, Risk characterisation, Uncertainty analysis, Conclusions, Recommendations, Summary and Abstract, and agreed to the changes introduced. The Panel endorsed the draft Opinion for public consultation pending alignment of the Summary with the changes agreed.

8.2 **Draft Opinion on complex organoarsenic species in food ([EFSA-Q-2021-00525](#)).**



The Chair of the WG on Arsenic presented the draft Opinion on complex organoarsenic species in food for discussion and possible endorsement of selected sections. An overview was given on the complex arsenic species relevant for food and on the limited data that was available regarding their toxicity and occurrence in food. The Panel discussed and endorsed the sections on Chemistry and Analytical methods pending agreed updates. The WG will take into consideration the feedback received and will continue with the development of the draft Opinion.

8.3 Draft Opinion on the update of the risk assessment of tetrabromobisphenol A (TBBPA) and its derivatives in food ([EFSA-Q-2018-00434](#)).

The Chair of the WG on BFRs in food presented the draft Opinion on the update of the risk assessment of TBBPA and its derivatives in food for discussion and possible endorsement for public consultation. The CONTAM Panel members went through the sections on Uncertainty analysis, Conclusions, Recommendations and Abstract. The members also went through the changes introduced to address comments made at previous meetings and agreed to them. The Panel endorsed the draft Opinion for public consultation pending alignment of the Summary with the changes agreed.

8.4 Draft Opinion on the update of the risk assessment of brominated phenols and their derivatives in food ([EFSA-Q-2018-00436](#)).

The Chair of the WG on BFRs in food presented the draft Opinion on the update of the risk assessment of brominated phenols and their derivatives in food for discussion of the occurrence data submitted to EFSA and possible agreement of the approach for exposure assessment. The CONTAM Panel members acknowledged the limitations in the database, provided comments and agreed to the proposed approach. The WG will take into consideration the feedback received and will continue with the development of the draft Opinion.

9. Other scientific topics for information/discussion

9.1 BMD modelling – overview of the 2022 EFSA SC Guidance on BMD modelling

A presentation was given to provide an overview of the 2022 EFSA SC Guidance on BMD modelling. The presentation covered the transition from a Frequentist approach to a Bayesian approach in the modelling framework and highlighted the key features of the Bayesian BMD web-application. Following the presentation, representatives from the FEEDCO and MESE Units addressed questions from the CONTAM Panel regarding the topic.

10. Update on new mandates

10.1 Request for an update of the scientific Opinion on perchlorate in food

The CONTAM Panel agreed with the proposal from the EFSA Secretariat to establish an ad-hoc WG for the preparation of the Scientific Opinion. A Chair was nominated at the 139th CONTAM Plenary meeting.

10.2 Request for a scientific Opinion on the genotoxicity of beauvericin

The CONTAM Panel agreed with the proposal from the EFSA Secretariat to establish an ad-hoc WG for the preparation of the Scientific Opinion. A Chair was nominated (see item 7).



11. Feedback from the Scientific Committee/ Scientific Panels/EFSA/ EC

11.1 European Commission

The European Commission representative 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.

11.2 Scientific Panel(s) including their Working Groups

- **WG on BFRs in food**

See Items 8.3 and 8.4.

- **WG on Feed detoxification processes**

No new mandates have been received.

- **WG on Arsenic in food**

See Items 8.1 and 8.2.

- **WG on animal exposure assessment (FEEDAP Panel Animal Nutrition WG)**

The CONTAM Panel member that is member of this WG reported that the work on the diets of the different animal species is progressing. A more detailed feedback will be provided at upcoming Plenary meetings.

11.3 Scientific Committee

The CONTAM Panel Chair reported on matters important for the work of the Panel that were discussed at the last meeting of the EFSA Scientific Committee held 5-6 February 2024.

For the Working Groups of interest to the CONTAM Panel, updates were provided on the activities of the Cross-cutting WGs on Genotoxicity, on Uncertainty, on Benchmark dose, Biomarkers of effects, Appraisal of Epidemiological studies, Update of the risk-benefit assessment Guidance, and on Fluoride.

11.4 Feedback from EFSA

The CONTAM Panel members were informed about the upcoming launch of a grant on the role of nitrate/nitrite and of processing and storage in the *N*-nitrosamine formation in certain foods. The call seeks to address the recommendations of EFSA's ANS and CONTAM Panels Opinions by asking applicants to analyse nitrates, nitrites and *N*-nitrosamines, at least, in processed and unprocessed meat, fish, cheese and leafy vegetable food model products under different cooking type and storage conditions. The objective of this call is to investigate possible correlations between nitrates/nitrites and *N*-nitrosamines, and the role of cooking and storage on *N*-nitrosamine formation. The call is expected to be launched by mid 2024.

The members were reminded of the dates of upcoming CONTAM Plenary meetings.



12. Questions from and answers to Observers (in application of the guidelines for Observers)

The following questions made by the observers were answered by the Panel members.

Regarding agenda item 8.1 on the Draft Opinion on small organoarsenic species in food:

Question 1. Organoarsenicals can provide a source of inorganic arsenic upon ingestion? Or can they have different pathways of toxicity (e.g. neurotoxicity) compared to inorganic As? Different TWI for organic and inorganic arsenic have to be envisaged.

Response from the Panel: For the small organoarsenic species addressed within the draft scientific Opinion under discussion, there is no evidence that they are demethylated in humans after ingestion. Therefore, they do not provide a source of inorganic arsenic.

Question 2. I have a general and may be naive question - why the health risk estimate is conditional of the mode of action (DNA-reactivity), rather than of the health effect itself (carcinogenicity)? When I have a established risk of cancer, how the possible mode of action change the risk level for me?

Response from the Panel: The approach applied for risk assessment will be different for substances that are carcinogenic and not genotoxic or genotoxic by a non-DNA reactive mechanism and substances that are both carcinogenic and genotoxic by a DNA reactive mechanism.

- For substances that are carcinogenic and not genotoxic or genotoxic by a non-DNA reactive mechanism: it is possible to establish threshold for the tumours, and to establish a Health Based Guidance Value (HBGV).
- For substances that are both carcinogenic and genotoxic by a DNA reactive mechanism: it is not possible to establish threshold for the tumours, and no HBGV can be established as even a very low level of exposure could theoretically be associated with a certain, albeit very low, cancer incidence. In this case, a MOE approach is used. According to EFSA guidance⁹ for the substances that are both carcinogenic and genotoxic by a DNA reactive mechanism it is considered that an MOE of 10,000 or higher, if it is based on the BMDL₁₀ from an animal study, would be of low concern from a public health point of view.

Regarding agenda item 10.1 on Request for an update of the scientific Opinion on perchlorate in food:

Question 3. Will the issue of iodine subclinical deficiency be considered? It is still widespread in the EU and can increase the susceptibility to perchlorate.

Response from the Panel: The CONTAM Panel will take into consideration the issue of iodine subclinical deficiency and evaluate whether there are implications for those cases.

Regarding agenda item 11 on Feedback from the Scientific Committee/ Scientific Panels/EFSA/ EC:

Question 4. Animal exposure assessment: how relevant can be aggregate exposure for farmed animals (e.g. litter/fodder for terrestrial animals, water for aquaculture, soil for animals on pasture) in addition to feed exposure? How to account for aggregate exposure, if relevant?

Response from the Panel: This is a complex question which is not usually addressed by the Panel. Soil and water may be relevant sources, depending on the husbandry of the animals. If kept outside the chances of additional exposure may be higher, both from soil but also from surface water. This could be a relevant issue for certain environmental contaminants, like

⁹ EFSA Scientific Committee (2005). Opinion of the Scientific Committee on a request from EFSA related to A Harmonised Approach for Risk Assessment of Substances Which are both Genotoxic and Carcinogenic. The EFSA Journal 282, 1-31. doi.org/10.2903/j.efsa.2005.282



persistent organic pollutants (POPs), heavy metals, etc. Ingestion of soil is in general difficult to assess and may vary depending on climate conditions (dry/wet). For water it may be easier to make estimates.

Regarding agenda item 12 on Questions and Answers Session:

Question 5. When estimating cancer risk from a chronic study is it appropriate to estimate MOEs based on the age category exposure estimates or should you consider the lifetime average intakes (e.g. LADD)?

Response from the Panel: EFSA usually estimates lifetime risks. However, other methodologies exist such as the use of slope factors based on meta-analysis for more detailed estimations.

13. Next meeting

The next meeting will be held on 29-30 April 2024, via teleconference.

Annex I List of Observers

Online:

Observer	Organization
Afghan, Abdul	National authority
Arce Lopez, Beatriz	University/public research institute
Avirvarei, Costina	University/public research institute
Bredenow, Felix	International organisation
Brueschweiler, Beat	EFSA Panel/WG/Network
Cogalniceanu, Elena	Private sector
Colina Blanco, Andrea	University/public research institute
Costa, Sofia Almeida	University/public research institute
Croce, Lucia	University/public research institute
Czerwiec, Aurore	EFSA staff
Faria, Miguel	University/public research institute
Freitas, Andreia	University/public research institute
Giovanni, Xotta	Private sector
Gruszecka-Kosowska, Agnieszka	University/public research institute
Hajjar, Kalila	Private sector
Ilukor, Geresom	EFSA Panel/WG/Network



Katikou, Panagiota	University/public research institute
Kowalczyk, Janine	National authority
Kraehenbuehl, Karin	Private sector
Leterrier, Marina	Private sector
Lorenzetti, Stefano	University/public research institute
Lukic, Dragana	Private sector
Mantovani, Alberto	National authority
Masoura, Maria	Private sector
Maszewski, Sebastian	University/public research institute
Milešević, Jelena	University/public research institute
Monteiro, Sarogini	National authority
Morvan, Ingrid	Private association
Nguyen, Charline	National authority
Pabel, Ulrike	National authority
Plantowski, Kacper	University/public research institute
Ramos, Helena	University/public research institute
Ruut, Jüri	EFSA Panel/WG/Network
Sisourat-Cabillic, Julie	National authority
Smiech, Beata	University/public research institute
Sommerkorn, Katharina	National authority
Sui, Haixia	National authority
Teesalu, Kaupo	National authority
Varini, Carlo	University/public research institute
von Abercron, Eleonora	State Authority
Walker, Anthony	Private sector
Wójcik, Marta	University/public research institute