European Food Safety Authority

Unit on Biological hazards and contaminants

Parma, 2 September 2014
EFSA/CONTAM/2217

Scientific Panel on Contaminants in the Food Chain
Minutes of the 66th plenary meeting
Held on 16-18 July 2014, Parma

(Agreed on 10.09.2014)

Participants

- **Panel Members:**

  Diane Benford, Bruce Cottrill, Sandra Ceccatelli[1], Lutz Edler, Ron Hoogenboom, Helle Knutsen, Anne-Katrine Lundebye[1], Manfred Metzler, Carlo Nebbia, Michael O'Keeffe, Dieter Schrenk[1], Vittorio Silano, Hendrik Van Loveren, and Christiane Vleminckx.

- **Hearing Expert:**

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- **European Commission and/or Member States representatives:**

  Frans Verstraete (European Commission, DG Health and Consumers, unit E3)

- **EFSA:**

  - **BIOCONTAM Unit:**

    Katleen Baert, Marco Binaglia, Bianca Bottoni, Gina Cioacata, Athanasios Gkrillas, Ernesto Liebana Criado, Karen Mackay, Luisa Ramos Bordajandi and Hans Steinkellner;

  - **DATA Unit:**

    Davide Arcella (for item 5.2), Petra Gergelova (for item 5.1), José Ángel Gómez Ruiz (for item 8.1), Sofia Ioannidou (for item 5.3);

  - **Executive Office:**

    Roy Kirby (for item 7.3.3)

[1] Present on 16-17 July 2014 only.

1. Welcome and apologies for absence

The chair welcomed the participants. Apologies were received from Michael Dinovi (CONTAM Panel), Eugenia Dogliotti (CONTAM Panel), Peter Farmer (CONTAM Panel), Peter Fürst (CONTAM Panel), Pieter Wester (CONTAM Panel), Marina Marini (European Commission, DG Health and Consumers, unit 03), Frank Swartenbroux (European Commission, DG Health and Consumers, unit E3), Mari Eskola (BIOCONTAM Unit, EFSA) and Natalie Thatcher (BIOCONTAM Unit, EFSA).

2. Adoption of agenda

The agenda was adopted without changes.

3. Declarations of interest

In accordance with EFSA's Policy on Independence and Scientific Decision-Making Processes[2] and the Decision of the Executive Director implementing this Policy regarding Declarations of Interests[3], EFSA screened the Annual Declarations of interest and the Specific Declarations of interest filled in by the experts invited for the present meeting. No conflicts of interests related to the issues discussed in this meeting have been identified during the screening process or at the Oral Declaration of interest at the beginning of this meeting.

4. Agreement of the minutes of the 65th Plenary meeting held on 14-15 May 2014

The minutes were agreed by written procedure on 4 July 2014 and published on the EFSA website[4].

5. Scientific outputs submitted for discussion and/or possible adoption

5.1. Discussion and possible adoption of the draft opinion on beauvericin and enniatins in food and feed (EFSA-Q-2010-00999)

The chair of the CONTAM WG on *Fusarium* toxins presented the draft opinion (EFSA-Q-2010-00999) in which the European Commission had asked EFSA to assess the risk for human and animal health related to the presence of beauvericin and enniatins in food and feed. The CONTAM Panel discussed the draft opinion and adopted it subject to incorporation of minor changes as suggested during the meeting. The chair of the CONTAM Panel expressed her appreciation to the members of the WG and the EFSA staff.

5.2. Discussion and possible endorsement for consultation with Germany and France on the draft opinion on perchlorate in food, in particular fruits and vegetables (EFSA-Q-2013-00675)

The chair of the CONTAM WG on Perchlorate in food presented the draft opinion (EFSA-Q-2013-00675), in which the European Commission had asked EFSA to assess the risk for public health related to the presence of perchlorate in food, in particular fruits and

[2] http://www.efsa.europa.eu/en/keydocs/docs/independencepolicy.pdf
[3] http://www.efsa.europa.eu/en/keydocs/docs/independencerules.pdf
[4] http://www.efsa.europa.eu/en/contam/contammeetings.htm

vegetables. The members of the CONTAM Panel discussed the draft statement and endorsed it for consultation with the national risk assessment bodies of Germany and France provided that the modifications proposed by the CONTAM Panel are addressed prior to the consultation. The feedback from the consultation will be considered in the draft statement and it will be presented for discussion and possible adoption at the 67th CONTAM Panel meeting (30 September – 2 October 2014).

5.3. Discussion on of the draft opinion chloramphenicol in food and feed (EFSA-Q-2013-00925)

The chair of the CONTAM SWG on Non-allowed pharmacologically active substances in food and feed and their reference points for action presented the draft opinion (EFSA-Q-2013-00925) in which the European Commission had asked EFSA to assess the risk for human and animal health related to the presence of chloramphenicol in food and feed. The members of the CONTAM Panel discussed the draft opinion and provided their suggestions. The chair of the WG will bring the comments back to the SWG which will take them into account and continue with the development of the draft opinion. The draft opinion on chloramphenicol in food and feed will be presented for possible adoption at the 67th meeting of the CONTAM Panel (30 September – 2 October 2014).

6. New mandates

6.1. Request from EC for a scientific opinion on the risks for animal and human health related to the presence of phorbol esters in Jatropha kernel meal (EFSA-Q-2014-00445)

The CONTAM Panel discussed the request for a scientific opinion on the risks for animal and human health related to the presence of phorbol esters in Jatropha kernel meal, and agreed to initiate a new WG on phorbol esters in feed. Manfred Metzler agreed to be the chair of this WG.

6.2. Request from EC for a scientific opinion on the safety risks arising from the production and consumption of insects in food and feed (EFSA-Q-2014-00578)

The CONTAM Panel discussed the contribution of the CONTAM Panel for the request for a scientific opinion on the safety risks arising from the production and consumption of insects in food and feed. This request was allocated to the EFSA Scientific Committee.

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

7.1. Scientific Committee and other Scientific Panels

The chair of the CONTAM Panel highlighted the main items discussed in the 68th plenary meeting of the Scientific Committee (SC) held on 8-9 July 2014. In particular it was noted that the revised structure of EFSA's Scientific opinions and statements was endorsed by the SC and will have to be applied to the scientific opinions produced for the new mandates

allocated to the CONTAM Panel. The proposal for the new structure of the EFSA scientific outputs was also discussed. More information is available on the EFSA website[5].
The update of the SC WGs and other Scientific Panel WGs relevant for the CONTAM Panel was deferred to the 67th CONTAM Panel meeting (30 September-2 October 2014) due to lack of time.

7.2. CONTAM working groups

7.2.1. Working group on Acrylamide in food

The vice-chair of the WG on Acrylamide in food informed the members of the CONTAM Panel that the draft opinion on acrylamide in food (EFSA-Q-2013-00007) is currently available on the EFSA website for public consultation. The public consultation is open from 1 July till 15 September 2014.

7.2.2. Working group on Chromium and nickel

The vice-chair of the WG on Chromium and nickel informed the members of the CONTAM Panel that the draft opinion on nickel in foodstuffs (EFSA-Q-2012-00378) is progressing well, and that it will be presented for discussion at the 67th meeting of the CONTAM Panel (30 September – 2 October 2014) and for possible adoption at the 25-27 November 2014.

7.2.3. Working group on *Fusarium* toxins

The chair of the WG on *Fusarium* toxins informed the members of the CONTAM Panel that the draft opinion on deoxynivalenol, metabolites of deoxynivalenol and masked deoxynivalenol in food and feed (EFSA-Q-2013-00721) is progressing well. See also item 5.1.

7.2.4. Working group on Masked mycotoxins in food and feed

The chair of the WG on Masked mycotoxins in food and feed informed the members of the CONTAM Panel that the draft opinion on metabolites and masked or bound forms of certain mycotoxins in food and feed (EFSA-Q-2013-00720) is progressing well. In addition, the approach to take for the draft opinion was presented to the CONTAM Panel members. The members of the CONTAM Panel discussed the approach and provided their suggestions.

7.2.5. Working group on Nickel in feed

The vice-chair of the WG on Nickel in feed informed the members of the CONTAM Panel that the draft opinion on nickel in feed (EFSA-Q-2013-00766) is progressing well. In addition, several issues were presented to the CONTAM Panel members with regard to the approach to take and potential overlaps with the draft opinion on nickel in foodstuffs. The members of the CONTAM Panel discussed the issues and provided their suggestions.

[5] http://www.efsa.europa.eu/en/panels/scer.htm?wtrl=01

7.2.6. Standing working group Non-allowed pharmacologically active substances in food and feed and their reference points for action

The chair of the SWG on Non-allowed pharmacologically active substances in food and feed and their reference points for action informed the members of the CONTAM Panel that the SWG had started to work on the draft opinion on nitrofurans and their metabolites in food (EFSA-Q-2014-00066). See also item 5.3.

7.2.7. Working group on Perchlorate in food, in particular fruits and vegetables

See item 5.2.

7.2.8. Working group on Tetrahydrocannabinol (THC) in milk and other products of animal origin

In the absence of the chair and vice-chair of the WG on THC in milk and other products of animal origin, the EFSA Secretariat informed the members of the CONTAM Panel that the draft opinion on tetrahydrocannabinol (THC) in milk and other products of animal origin (EFSA-Q-2013-00787) is progressing well.

7.2.9. Feedback from the CONTAM follow-up meeting on the draft scientific opinion of NDA Panel on the on health benefits of fish and shellfish consumption in relation to health risks associated with exposure to methyl mercury

The chair of the CONTAM Panel gave feedback from the CONTAM follow-up meeting on the draft scientific opinion of the NDA Panel on the health benefits of fish and shellfish consumption in relation to health risks associated with exposure to methyl mercury (EFSA-Q-2013-00167). The opinion was adopted by the NDA Panel in its plenary meeting on 25-27 June 2014. The CONTAM Panel chair also gave feedback from the discussion on this mandate at the SC meeting on 8-9 July 2014. It was agreed at the SC meeting that the SC will prepare a statement in order to address the terms of reference of the mandate on the risks and benefits of fish/seafood consumption to human health related to methylmercury (EFSA-Q-2013-00167)

7.3. EFSA

7.3.1. Advisory Forum

The Advisory Forum meeting took place on 18-19 June 2014 in Oslo, Norway. Among the agenda items the following items were discussed: Scientific Co-operation roadmap, European risk assessment agenda and annual management plan 2015. In addition, an update on the current status on the draft opinion on acrylamide was given by the chair of the CONTAM WG on Acrylamide in food. More information on the Advisory Forum meeting is available on the EFSA website[6].

[6] http://www.efsa.europa.eu/en/af/afmeetings.htm

7.3.2. Management Board

The Management Board meeting took place on 27 June 2014 in Parma, Italy. Among the agenda items the Management Board discussed EFSA's progress to implement the recommendations the Management Board made in 2012 after EFSA's second external evaluations, the roadmap on Scientific Co-operation with Member States, EU agencies and international risk assessment bodies, the implementing rules of EFSA independence policy which will be reviewed by July 2014 and the 2011 policy of independence which will be reviewed in 2015-16. More information on the Management Board meeting is available on the EFSA website[7].

7.3.3. Other

A presentation on the EFSA document management was presented to the CONTAM Panel members.

As in the previous CONTAM Panel meeting in May 2014, the CONTAM Panel noted again that in its process for adoption of the scientific opinions, extensive peer review of the text drafted by external experts and Panel members is regularly performed. The contributions of the resigned CONTAM Panel member Ivonne Rietjens to the draft opinion on beauvericin and enniatins in food and feed were also discussed, in view of the new interest situation identified earlier in Spring 2014. It was concluded that all the contributions drafted by Ivonne Rietjens in the aforementioned scientific output have been thoroughly discussed by WG members, and subsequently peer reviewed by the members of the CONTAM Panel. This process ensures that the information provided is transparently considered.

The following CONTAM Panel meeting dates for 2015 were agreed: 20-22 January, 28-30 April and 3-5 June 2015. An additional Panel meeting will be scheduled in March depending on the availability of the Panel Members. Tentatively, the dates of 23-25 September and 18-20 November 2015 were scheduled for the meetings of the next mandate of the CONTAM Panel.

The acting team leader of the CONTAM Team of the BIOCONTAM Unit informed the members of the CONTAM Panel on the following matters:

A request from the European Commission for the scientific opinion on the risks for human health related to the presence of 2 and 3- monochloropropane-1,2-diol (2- and 3-MCPD), 2- and 3-MCPD fatty acid esters and glycidyl fatty acid esters in food has been submitted to EFSA. This will likely be allocated to the CONTAM Panel in the coming days. In addition, the European Commission has indicated to EFSA that a request on chlorate in food will be submitted to EFSA in the near future and also requests on malachite green in food of animal origin and non-animal origin, on the toxicity of dioxins and a re-evaluation of their health based guidance value, and on the risks from erucic acid in vegetable oils and fats in feed will be submitted to EFSA later in this year.

Vittorio Silano had informed the Secretariat that he will resign from the CONTAM Panel due to his recent nomination for the Chair of the EFSA CEF Panel. The Chair of the CONTAM Panel and the Panel members thanked Vittorio for his valuable contributions to the work of the CONTAM Panel and wished him success in his new assignment.

Due to Ivonne Rietjens' and Vittorio Silano's resignations from the CONTAM Panel, two Panel memberships become vacant. In addition one CONTAM Panel member position has been vacant since the establishment of the CONTAM Panel in 2012. The Chair of the

[7] http://www.efsa.europa.eu/en/mb/mbmeetings.htm

CONTAM Panel had already informed the Secretariat on the need to fill the vacant positions with experts having relevant expertise.

7.4. European Commission

The European Commission representative gave feedback on the activities of the European Commission in relation to the issued scientific opinions of the CONTAM Panel. Several amendments for current legislation are under discussion with the Member States as an outcome of the CONTAM Panel scientific opinions. In addition, several recommendations to the Member States have been made by the European Commission based on CONTAM opinions. Finally the European Commission representative gave an indication of the future mandates to be submitted to EFSA falling in the remit of the CONTAM Panel.

8. Other scientific topics for information and/or discussion

8.1. Presentation on the outcome of the report on dietary exposure to inorganic arsenic in the European population

The scientific officer of the DATA Unit presented the main outcome of the report of the DATA unit on dietary exposure to inorganic arsenic in the European population. The CONTAM Panel members discussed the findings and pointed out that the exposure levels calculated in the report of the DATA Unit differ from the exposure levels calculated in the Scientific opinion on arsenic in food adopted by the CONTAM Panel in 2009 because of differences in the food consumption data applied in the two outputs.

8.2. Discussion on the scientific divergence identified in the T-2 and HT-2 toxins assessment performed by ANSES

The EFSA Secretariat informed the CONTAM Panel members on the letter received by EFSA from the French Agency for Food, Environmental and Occupational Health and Safety (ANSES) related to the scientific opinion of the CONTAM Panel on T-2 and HT-2 toxins in food and feed (EFSA-Q-2010-00962) published in 2011. In their letter, ANSES presented their view on the benchmark dose (BMD) modelling approach applied in the opinion and its use for the derivation of the tolerable daily intake (TDI). The CONTAM Panel members discussed the content of the letter and acknowledged the observations made by ANSES. The CONTAM Panel emphasised that the BMD modelling was performed according to the EFSA Scientific Committee guidance on the BMD modelling and pointed out that the limitations were clearly reflected in the scientific opinion. A reply letter will be prepared to be sent to ANSES.

8.3. Proposal for the plan of the scientific self-tasking topics for the CONTAM Panel

This agenda item was deferred to the 67th CONTAM Panel meeting (30 September – 2 October 2014) due to lack of time.

8.4. Present status of current outsourcing activities of the CONTAM Team (BIOCONTAM Unit)

For the procurement on a combined toxicokinetic and *in vivo* genotoxicity study on *Alternaria* toxins (awarded to the Fraunhofer Institute, Germany, in August 2012 for two years), the final report will be delivered by the 3rd of October 2014.

For the Article 36 grant on the combined bioaccumulation/toxicity study on a broad mixture of mineral oil saturated hydrocarbons relevant to the human dietary exposure (signed with INRA (France) and NIPH (Norway) in September 2013), the first interim report is due in July 2014.

For the Article 36 grant to collect occurrence data on sterigmatocystin in food (signed with RIKILT (the Netherlands), Unicatt (Italy), Fera (United Kingdom), BPI (Greece) and NVWA (the Netherlands) in September 2013), the second interim report is due in August 2014.

For the Article 36 grant on occurrence data of pyrrolizidine alkaloids in food (signed with RIKILT (the Netherlands), BfR (Germany) and IRTA (Spain) in September 2013), the second interim report is due in September 2014.

For the Article 36 Grant on *in vivo* genotoxicity studies on nivalenol and deoxynivalenol, (signed with ANSES (France) and IPL (France) in December 2013), the kick-off meeting took place in January 2014 and the interim report was delivered in June 2014, the final report is due in October 2014.

For the Article 36 grant on deoxynivalenol biomarkers in urine (signed with ISS (Italy), Unicatt (Italy), NVI (Norway), NIPH (Norway) and UoH (UK) in December 2013), the first interim report is due in August 2014.

For the Article 36 grant on occurrence of tropane alkaloids in food (launched in May 2014), the deadline to present proposals is 15 September 2014.

9. Any other business

No other business was raised.