UNIT ON BIOLOGICAL HAZARDS and CONTAMINANTS

Scientific Panel on Contaminants in the Food Chain

Minutes of the 111th Plenary meeting

Audio-web conference, 23-24 September 2020

(Agreed on 9 October 2020)

Participants

- Panel Members:

  Margherita Bignami, Laurent Bodin, Jesús Del Mazo, Bettina Grasl-Kraupp, Christer Hogstrand, Ron Hoogenboom, Jean-Charles Leblanc, Carlo Nebbia, Elsa Nielsen, Evangelia Ntzani, Annette Petersen, Salomon Sand, Dieter Schrenk, Tanja Schwerdtle, Christiane Vleminckx and Heather Wallace.

- Hearing Experts[1]:

  Not applicable

- European Commission and/or Member States representatives:

  Frans Verstraete and Ivana Poustkova (European Commission, DG Health and Food Safety, Unit E2), Paolo Caricato and Patricia Herrero Sancho (European Commission, DG Health and Food Safety, Unit G4) .

- EFSA:

  BIOCONTAM Unit:

  Katleen Baert, Marco Binaglia, Anna Christodoulidou, Federico Cruciani, Ernesto Liebana Criado, Michaela Hempen, Luisa Ramos Bordajandi, Hans Steinkellner and Carina Wenger.

  DATA Unit:

  Sofia Ioannidou and Marina Nikolic (for Item 8.1.), Petra Gergelova (for Items 8.2. and 8.3.) and Claudia Cascio (for Item 8.4.).

- Observers:

  See Annex I

[1] 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

- Others:

  Not applicable

1. Welcome and apologies for absence

The Chair welcomed the participants. Apologies were received from Kevin Chipman (CONTAM Panel), Marina Marini (European Commission, DG Health and Food Safety, unit D1) and Veerle Vanheusden (European Commission, DG Health and Food Safety, Unit E2).

2. Brief introduction of meeting participants

The meeting participants introduced themselves to the observers.

3. Adoption of agenda

The agenda was adopted with a change in Item 8.3., since the draft opinion on nickel in food and drinking water, originally scheduled for discussion and possible endorsement of selected sections, was eventually adopted by the CONTAM Panel. The amended agenda will be published as soon as possible.

4. Declarations of Interest

In accordance with EFSA's Policy on Independence[2] and the Decision of the Executive Director on Competing Interest Management[3], 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.

5. Presentation of Guidelines for Observers

The CONTAM Team Leader presented the Guidelines for Observers.

6. Agreement of the minutes of the 110th Plenary meeting held on 07-09.07.2020

The minutes of the 110th[4] Plenary meeting held on 7-9 July 2020 were agreed by the CONTAM Panel on 24 July 2020.

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[2] http://www.efsa.europa.eu/sites/default/files/corporate_publications/files/policy_independence.pdf

[3] http://www.efsa.europa.eu/sites/default/files/corporate_publications/files/competing_interest_management_17.pdf

[4] https://www.efsa.europa.eu/en/events/event/110th-plenary-meeting-contam-panel

7. Report on written procedures since the 110th Plenary meeting held on 07-09.07.2020

The following new mandates were received from the European Commission and shared with the Panel by written procedure:

- Request for a scientific opinion on the risks for human health related to the presence of nitrosamines in food.
- Request for a scientific opinion on the risks for animal and human health related to the presence of polychlorinated naphthalenes (PCNs) in feed and food.
- Request to EFSA for an update of the scientific opinion on Mineral Oil Hydrocarbons in Food

The proposal of the CONTAM Secretariat and the discussion on the mandates are summarised under Item 9. of this agenda.

8. Scientific outputs submitted for discussion and possible adoption

8.1. Draft Update of the Scientific Opinion on Hexabromocyclododecanes (HBCDDs) in Food (EFSA-Q-2018-00433)[5]

The Chair of the WG on Brominated flame retardants in food presented the draft opinion on HBCDDs in food. The Panel discussed and endorsed the sections on critical effects, dose-response analysis, Margin of exposure approach, risk characterization, uncertainty analysis, conclusions, summary and abstract. The Panel agreed to have a final review of the remaining parts of the opinion and to possibly endorse it for public consultation by written procedure.

8.2. Draft update of the EFSA scientific opinion on the risks to public health related to the presence of nickel in food and drinking water (EFSA-Q-2019-00214)[6]

The Chair of the WG on Nickel in food introduced the changes implemented in the opinion based on the comments received during the public consultation. The CONTAM Panel adopted the opinion including the proposed changes and endorsed the public consultation report that will be published together with it. The Chair of the Panel thanked the WG and EFSA staff for their work.

8.3. Draft Scientific Opinion on the risks for animal health related to the presence of nitrites and nitrates in feed (EFSA-Q-2019-00098)[7]

[5] http://registerofquestions.efsa.europa.eu/roqFrontend/questionLoader?question=EFSA-Q-2018-00433
[6] http://registerofquestions.efsa.europa.eu/roqFrontend/questionLoader?question=EFSA-Q-2019-00214

The Chair of the WG on nitrate and nitrite in feed introduced the changes implemented in the opinion based on the comments received during the public consultation. The CONTAM Panel adopted the opinion including the proposed changes and endorsed the public consultation report that will be published together with it. The Chair of the Panel thanked the WG and EFSA staff for their work.

8.4. Evaluation of the shucking of certain species of scallops contaminated with lipophilic toxins (EFSA-Q-2020-00245)[8]

The WG chair presented an overview of the tasks to be delivered for this opinion, a draft structure of the document, an overview of the available data and the progress with this opinion. The evaluation of the occurrence data was in a final stage and once finalised it will be possible to establish ratios between toxin content in whole animals versus animal organs which is needed to answer the first part of the terms of reference. In parallel, the WG is already evaluating statistical methods to be applied for the development of a proposal for sampling schemes allowing detection of non-compliant samples, which is the second part of the terms of reference. The draft opinion will be subject to a targeted consultation of EU MS before adoption. The next meeting of the WG will take place on 7 October.

9. New mandates

The mandates listed under Item 7. in these minutes were discussed, to clarify in particular the scope of the assessment with the requestor. For the first mandate it was clarified that the assessment should be limited to N-nitrosamines and not include C-nitrosamines. However other related N-nitroso compounds may be also be relevant for the assessment and this will be clarified during the development of the opinion.

In relation to the second mandate, it was clarified that the conventional term 'polychlorinated naphthalenes' (PCN) comprises all chlorinated naphthalenes (including monochloro- and dichloro-naphthalenes).

Finally, in relation to the third mandate, it was agreed that the mandate should cover hydrocarbons relevant for food contamination independently from their origin.

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[7] http://registerofquestions.efsa.europa.eu/roqFrontend/questionLoader?question=EFSA-Q-2019-00098

[8] http://registerofquestions.efsa.europa.eu/roqFrontend/questionLoader?question=EFSA-Q-2020-00245

In all cases it was agreed that an amendment of the mandates is not warranted, and the scope of the assessments will be clarified in the Scientific Opinions.

The CONTAM Secretariat proposed to set up new WGs for addressing these new mandates and, in agreement with the panel Chair, the following Panel members were nominated as WG (vice)Chairs:

- WG on Grayanotoxins in honey (mandate discussed at the 110th Plenary meeting): Heather Wallace (Chair)
- WG on Hydroxymethyl furfural in bees (mandate discussed at the 110th Plenary meeting): Salomon Sand (Chair)
- WG on Polychlorinated Naphthalenes in feed and food: Elsa Nielsen (Chair) and Christer Hogstrand (vice Chair)
- WG on Nitrosamines in food: Bettina Grassl-Kraup (Chair) and Margherita Bignami (vice Chair)
- WG on Mineral oil hydrocarbons in food: Kevin Chipman (Chair) and Heather Wallace (vice Chair).

10. Feedback from the Scientific Committee/ Scientific Panels, CONTAM Working Groups, EFSA, the European Commission

10.1. European Commission

The European Commission representative gave an update on the activities in relation to the scientific opinions of the CONTAM Panel. The current legislation was amended including the setting of Maximum Levels for 3-monochloropropandiol fatty acid esters (3-MCPD esters) in food. Further amendments on the current legislation are under discussion with the Member States as an outcome of the CONTAM Panel scientific opinions.

10.2. Update from CONTAM Panel Working Groups

- **WG on Brominated flame retardants in food**

  See Item 8.1.

  The WG continue also to develop the updated opinion on Polybrominated diphenyl ethers (PBDEs).

- **WG on Nitrites and nitrates in feed**

  See Item 8.3.

- **WG on Nickel in food**

  See Item 8.2.

- **WG on Scallops**

See Item 8.4.

- **WG on Delayed meat inspection**

  The CONTAM Secretariat informed the Panel regarding some additional changes in the opinion following the endorsement of selected sections by the CONTAM Panel at the 110th Plenary meeting. The changes were prompted by an update of the EURL (European Union Reference Laboratories) guidance on minimum method performance requirements (MMPRs) for specific pharmacologically active substances in specific animal matrices. In addition, bile was added as possible alternative matrix for resorcylic acid lactones when post-mortem meat inspection is delayed. The revised opinion will be shared with the CONTAM Panel.

- **WG on High pressure processing**

  The activities of the WG have started. The expertise of CONTAM Panel will be used to address part of the terms of reference of the mandate regarding the chemical safety of the use of high pressure processing when applied to relevant foodstuffs.

10.3. EFSA

The CONTAM Team Leader informed the Panel regarding changes in the procedures for the organization and chairing of Working Group meetings. In particular, for the future meetings, the expert appointed as WG chair may be invited to participate in the role of chair in a given WG meeting, based on EFSA's decision that the agenda topics are sensitive and/or complex.

10.4. Scientific Committee and Working groups of interest to the CONTAM Panel

The Panel Chair reported on the main points discussed at the 100th meeting of the EFSA Scientific Committee[9]. In particular the Scientific Committee discussed draft opinions on the approach to the environmental risk assessment of multiple stressors in honey bees, on non-monotonic dose-response and on the scientific criteria to group chemicals for the assessment of combined exposure to multiple chemicals. In addition the draft mandate of the European Commission requesting the performance of a risk-benefit assessment of fish consumption in relation to the presence of dioxin (PCDD/FS) and dioxin-like PCBs was presented and the proposed approach under development was discussed by the EFSA Scientific Committee. For the

[9] https://www.efsa.europa.eu/en/events/event/99th-plenary-meeting-scientific-committee-open-observers

Working groups of interest for the CONTAM Panel, updates were given on the activities of the WG on Genotoxicity, the WG on the update of the Benchmark Dose guidance, the WG on Uncertainty, the WG on Epidemiological studies and the WG on Chemical mixtures.

11. Answers to questions from Observers

See Annex II.

12. Any other business

Not applicable

Annex I – List of registered Observers

Family name	Name	Affiliation
Aasa	Jenny	National authority
Adhikari	Krishna	International organisation
Al Zein	Eva Inam	National authority
Alquati	Eleonora	Private sector
Antonopoulos	Georgios	University/public research institute
Araque	Eva	Other
Bajrami	Sehad	National authority
Bakkannavar	Shankar	University/public research institute
Bartolo	Ivan	National authority
Battaglia	Ivano	National authority
Bhardwaj	Dhruv Sanandan	University/public research institute
Bremer	Susanne	EU body
Brown	Ron	Private sector
Bulama Bukar	Mustapha	International organisation
Campbell	F.Hanna	Private sector
Cara	Magdalena	University/public research institute
Cattaneo	Nelly	EFSA staff
Catunescu	Giorgiana	University/public research institute
Cavandoli	Elisa	Private sector
Chuzhakina	Kateryna	National authority
Cogalniceanu	Elena	Private sector
Colicchia	Sonia	University/public research institute
Colombo	Nicola	Private sector
Cordovil	Luís	National authority
Cucinotta	Carlo	University/public research institute
Cunha Da Silva	Hugo	University/public research institute
Cush	Meera	Private sector
Escudero	Gabriela	University/public research institute
Ferrandez-Garcia	Clara Eugenia	Private sector
Garcia	Monica	Private sector
Geiser	Stefanie	Private sector
Guillocheau	Etienne	Private sector
Helminen	Ulla	University/public research institute
Hemming	Eddie	Press/media
Husnain	Muhammad	National authority
Lacoste	Florence	Private sector
Leroy	Maurine	National authority
Matsebula	Muzie	Private sector
Mavromichali	Evangelia (Eva)	Private sector
Milicevic	Jelena	University/public research institute
Moglia	Francesca	Other
Navratilova	Jana	University/public research institute
Oller	Adriana	Private sector
Omar	Ahmed Hassan	University/public research institute
Papamokos	Georgios	University/public research institute
Papini	Gaia	EFSA staff
Pigat	Sandrine	Private sector
Puźniak	Jakub	Private sector
Rahn	Anja	Private sector
Resetar Maslov	Dina	University/public research institute
Rihackova	Katarina	University/public research institute
Rodarte	Alejandro	Private sector
Rose	Martin	EFSA Panel/WG/Network
Santos	Regiane	Private sector

Shopova	Sofiya	University/public research institute
Singh	Srishti	University/public research institute
Soviero	Giovanna	Other
Soviero	Giovanna	Other
Soviero	Giovanna	Other
Suparmi	Suparmi	University/public research institute
Tal	Eldad	National authority
Teixeira	Miguel	Private sector
Vallini	Marco	Private sector
Vanova Hrncirik	Romana	Private sector
Von Felde	Andreas	Private sector
Wang	Si	Private sector
Xuewen	Wu	University/public research institute

Annex II – Questions from observers

Questions submitted at the registration:

Question 1 (C. Cucinotta): Since exceeding the maximum levels for contaminants in food does not necessarily involve a danger to human health, their use in criminal law is often criticized. Have you ever considered the development of higher maximum levels (the exceeding of which, on the contrary, invariably entails a danger to human health), which are uniform for all Member States and which must necessarily be punished by criminal penalties? Do you think that the Efsa could play a more active role in the harmonization of food criminal law, indicating uniformly at European level when there is a clear danger to consumer health?

Answer (F. Verstraete – EC): The setting of maximum levels for contaminants in food is the responsibility of the European Commission and is not within the EFSA responsibilities. The enforcement of EU legislation is the responsibility of the Member States. Maximum levels are set to ensure a high level of human health protection taking into account the risk assessment performed by EFSA. Food that contains a contaminant at a level exceeding the maximum level shall not be placed on the EU market. In case it is already placed on the market, it has to be withdrawn from the market without delay. In case the levels found are so high that health risks cannot be excluded even from a limited period of exposure, then the foods have also to be recalled from the consumer.

Question 2 (M. Husmain): How to trace antibiotic residue in meat?

Answer (M. Binaglia – CONTAM Team): Official methods are in place for the monitoring of veterinary drug residues in food of animal origin in the EU. For more information, the following guidance document from the EU Reference Laboratories can be consulted:

https://sitesv2.anses.fr/en/system/files/EURL_MMPR_guidance%20paper_final.pdf.

The responsible EU Reference Laboratory for antibacterial substances in food of animal origins is at the French Agency for Food, Environmental and Occupational Health and Safety (ANSES): https://eurl-veterinaryresidues.anses.fr/.

Question 3 (G. Escudero): I want to know about chemical contaminants in seasonings.

Answer (D. Schrenk – CONTAM Panel): It is not possible to give a short overview on the possible contaminants relevant to seasonings. Depending on the ingredients used there are a variety of contaminants that can be found in seasonings. Natural toxins (e.g. aflatoxins, ochratoxins A, pyrrolizidine alkaloids) and environmental contaminants (e.g. cadmium, lead) are amongst the contaminants that can be found at relatively high levels in certain dried herbs and spices. Additional information can be found in the Opinions of the CONTAM Panel: http://www.efsa.europa.eu/en/topics/topic/chemical-contaminants.

Question 4 (D. Resetar Maslov): I would like to ask the Contam Panel for their opinion or brief discussion about the role of mass spectrometry- based proteomics/peptidomics for identification of bacterial pathogens and their toxins and its possible application in food safety assessment as the official analytical method.

Answer (M. Binaglia – CONTAM Team): As for question 2, issues related to the official analytical methods are under the coordination of the EU Reference Laboratories and the EC Joint Research Centre. Furthermore in this case the topic of the question does not fall within the remit of the CONTAM Panel.

Questions submitted during the meeting (in relation to Item 8.3.2.)

Question 5 (A. Oller): Can a diet that lead to a Margin of Exposure < 30 be achievable?

Answer (F. Verstraete): The main objective for risk management measures is to protect public health, and therefore risk management measures aim to prevent or reduce the presence of nickel in food by applying applying good practices. The factors influencing the presence of nickel are also considered and it is assessed to which extend the presence of nickel can be prevented or reduced by goàod practices. Regulatory levels are set at a level to ensure a high level of human health protection while taking into account what is achievable by applying good practices without endangering the supply of food.

Question 6 (A. Oller): Could it be possible to indicate that volunteers in acute study were also exposed to dietary nickel?

Answer (K. Baert): The Panel considered that the exposure to dietary nickel in the acute studies is reflected by the control groups and that no further changes are required.