



Brussels, 3 December 2004  
EFSA/CONTAM/227 final

**MINUTES OF THE 9TH PLENARY MEETING OF THE  
SCIENTIFIC PANEL ON CONTAMINANTS IN THE FOOD CHAIN (CONTAM)  
HELD ON 9 AND 10 NOVEMBER 2004 IN BRUSSELS**

(ADOPTED BY WRITTEN PROCEDURE ON 2 DECEMBER 2004)

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## **PARTICIPANTS**

### *Panel Members:*

Jan Alexander, Herman Autrup, Denis Bard, Angelo Carere, Lucio Guido Costa, Jean-Pierre Cravedi, Alessandro di Domenico, Roberto Fanelli, Johanna Fink-Gremmels<sup>1</sup>, John Gilbert, Niklas Johansson, Rolaf van Leeuwen (vice-chair), Agneta Oskarsson, Andrew Renwick, Jirí Ruprich, Josef Schlatter (chair), Greet Schoeters, Philippe Verger (vice-chair)

### *EFSA*

Ulla Bertelsen (Assistant Scientific Co-ordinator CONTAM Panel), Tlaitmass Bounou (Administrative Secretary CONTAM Panel), Claudia Heppner (Scientific Co-ordinator CONTAM Panel), Juliane Kleiner (Scientific Expert Services)<sup>2</sup>, Jordi Serratosa Vilageliu (Scientific Co-ordinator AHAW Panel)<sup>2</sup>.

### *European Commission*

Almut Bitterhof (DG Health and Consumer Protection), Rosella Brozzi Bettio (DG Health and Consumer Protection)<sup>1</sup>, Martin Slayne (DG Health and Consumer Protection), Frans Verstraete (DG Health and Consumer Protection)<sup>2</sup>

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## **1. WELCOME AND APOLOGIES FOR ABSENCE**

The chair of the Panel opened the meeting and welcomed the participants. Apologies for absence were received from Philippe Grandjean and Dieter Schrenk as well as from Jürgen Lucas and Tuomo Karjalainen (both DG Research).

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<sup>1</sup> Only present on 9 November 2004

<sup>2</sup> Only present on 10 November 2004

## **2. ADOPTION OF THE AGENDA**

The proposed agenda was adopted.

## **3. DECLARATIONS OF INTEREST**

No specific interests were declared by the CONTAM Panel members.

## **4. MATTERS ARISING SINCE THE PREVIOUS MEETING**

The chair mentioned current findings in Switzerland of epoxidised soybean oil (ESBO) in food canned in glass jars. ESBO is a plasticizer and stabiliser in polyvinyl chloride (PVC) gaskets of metal lids. Recent analysis revealed that the migration limit was exceeded in some samples analyzed. However, as mostly jars containing foods consumed only in small amounts were affected, the current tolerable daily intake (TDI) of 1 mg/kg body weight, which was established by the EC Scientific Committee on Food (SCF)<sup>3</sup> in 1999 and confirmed by the AFC Panel in May 2004, would not be exceeded.

## **5. FEEDBACK FROM THE SCIENTIFIC COMMITTEE**

The vice-chair updated the members of the CONTAM Panel on the last meeting of the Scientific Committee (SC) held on 13 and 14 October 2004 in Brussels. Details can be found in the minutes (EFSA/SC/113) from the Scientific Committee (SC).

The vice-chair informed the Panel that the following topics were discussed at the meeting: annual declaration of interests, rules for replacing experts, the upcoming review of EFSA's performance, and further steps to develop and implement a proactive and science based animal welfare (AW) policy within EFSA<sup>4</sup>. Members of the CONTAM Panel were invited to look into the AW document and to submit comments to the Secretariat.

Furthermore, it was brought to the attention of the members of the SC that the CONTAM Panel urgently sees the need to have a clear position paper on the use of uncertainty factors endorsed by the SC. In this context the question was raised when it would be appropriate to deviate from the default factor for uncertainties. A Panel member reported that the International Programme on Chemical Safety (IPCS) launched an initiative on this issue in 1997. The document is nearly finalised and will be considered at a forthcoming IPCS meeting. The Panel

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<sup>3</sup> [http://europa.eu.int/comm/food/fs/sc/scf/reports/scf\\_reports\\_42.pdf](http://europa.eu.int/comm/food/fs/sc/scf/reports/scf_reports_42.pdf)

<sup>4</sup> [http://www.efsa.eu.int/mboard/mb\\_meetings/479/animal\\_welfare\\_mb15\\_doc5\\_en1.pdf](http://www.efsa.eu.int/mboard/mb_meetings/479/animal_welfare_mb15_doc5_en1.pdf)

suggested bringing the final IPCS document to the attention of the SC which could be used as basis for discussions.

## **6. GENERAL INFORMATION FROM EFSA**

The scientific co-ordinator of the CONTAM Panel informed the members of the Panel of the following items:

### *EFSA's move to Parma*

The Secretariat of the Panel on Pesticides moved to Parma in the beginning of November as the first one. The Secretariats of the other Panels will follow, with the CONTAM Secretariat planning to move in July 2005. Once the Secretariat has moved, the meetings of the Panel and WGs will be held in Parma.

### *Meeting with DG Research*

EFSA and DG Research had a second meeting on 26 October 2004. The main objectives were: i) to receive updated information on each others work and to strengthen the contacts between staff from DG Research and EFSA ii) to identify activities of a common interest to EFSA and DG Research iii) to explore ways to further improve the exchange of information on new insights and research needs.

## **7. GENERAL INFORMATION FROM THE COMMISSION**

The Service within the Commission responsible for relations with EFSA introduced Ms Rosella Brozzi Bettio, a trainee, who has joined the DG Health and Consumer Protection.

The Service within the Commission responsible for legislation summarised the recent results and ongoing activities regarding the dioxin contamination in milk caused by potato-by products which were discovered on 2 November 2004 via routine monitoring in the Netherlands. The contamination was caused by the use of kaolinitic clay (originating from a mine in Germany) in the potato sorting process.

The Panel was informed that at the Standing Committee on the Food Chain and Animal Health discussed the issue of Oilfish (*Ruvettus pretiosus*) and Escolar (*Lepidocybium flavobrunneum*) on 19 October 2004 following the EFSA opinion on *Gempylidae*<sup>5</sup>. The Commission may review the current legislation for including fishery products of the Gempylidae family in the list of poisonous fish for which the placing on the market shall be forbidden.

Furthermore, the Member States have voted in favour for the proposal to set maximum levels for ochratoxin A in roasted coffee, wine and grapes. Measures on ochratoxin A in other food commodities will not be introduced until the final report

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<sup>5</sup> [http://www.efsa.eu.int/science/contam/contam\\_opinions/609/opinion\\_contam07\\_ej92\\_gempylidae\\_en1.pdf](http://www.efsa.eu.int/science/contam/contam_opinions/609/opinion_contam07_ej92_gempylidae_en1.pdf)

of an EU Research project on ochratoxin A induced carcinogenicity is available. Once this report is available, EFSA will be requested by the Commission to update the scientific opinion from the Scientific Committee on Food (SCF) in the light of these new research results. The members of the Panel were informed that EFSA will receive further requests for scientific opinions on plant toxins and organochlorine compounds as undesirable substances in animal feed in the near future.

## **8. WORK PROGRAMME**

### **8.1 Official requests to EFSA received from the European Commission**

The scientific co-ordinator informed the Panel that for the 9<sup>th</sup> CONTAM plenary meeting no new requests from the Commission which fall within the mandate of the Panel were received by EFSA.

However, the Panel was informed that EFSA proposed a revised version of the terms of reference for the request on boron and fluorine in mineral water to the Commission as the current phrasing carried some risk management elements. The CONTAM Panel agreed that based on opinions prepared by the NDA Panel on tolerable upper intake levels for boron and fluorine an exposure assessment will be conducted by a member of the CONTAM Panel. Therefore, data on fluorine and boron content of various mineral waters as well as country specific intake data would be needed. Panel members were invited to provide such data to the Secretariat if available. Furthermore, the Secretariat was asked to contact the mineral water industry in order to request analytical data on fluorine and boron concentrations in various mineral waters.

### **8.2 Update on undesirable substances in animal feed**

The chair of the WG on undesirable substances in animal feed (USAF), section persistent organic pollutants (POPs) informed the Panel that the WG met on 11 and 12 October 2004. The Panel was informed that the drafting of the opinions on camphechlor, lindane and endosulfan as undesirable substance in animal feed is within the timeframe, and it is most likely that the final draft opinions for these substances will be presented at the next plenary meeting.

There was no update given on the other two sections - mycotoxins and heavy metals - of the WG on USAF as no further meetings of these WGs took place since the last Plenary meeting.

### **8.3 Update on non-dioxin like PCBs**

The chair of the WG on NDL-PCBs informed the Panel about the outcome of the last WG meetings which took place on 18 and 19 October 2004. Three new members with expertise in animal health and welfare, animal feed and metabolites of PCBs have joined the WG. The exposure part is in a quite advanced stage, however for certain food categories such as cereals, fruits and vegetables limited data on the presence of NDL-PCBs are available. The WG is currently also discussing the issue of contributions of PCBs from other sources such as indoor air. Furthermore, it was mentioned that often the purity of the compounds which were used in studies and experiments is not known. Activities are taken to obtain more information on the composition of such mixtures. The chapter on human data is nearly finalised. First drafts on the animal health effects and carry over of PCBs in animals were discussed. Besides this, the WG had first discussions on how to start the risk assessment based on the calculated body burden. The Panel members appreciated the effort of the WG and asked the members of the WG to consider a good structure for the final opinion e.g. to prepare executive summaries for the various chapters and a detailed annex. Depending on the progress of the WG, a first draft of the opinion might be presented to the next CONTAM plenary meeting.

### **8.4 Update on the establishment of a WG PFOS**

The chair of the WG informed the Panel that begin of December a brainstorming meeting will be organised. At this meeting the structure of the opinion, the work plan as well as a list of experts needed for the WG will be outlined. The Secretariat mentioned that the EC Scientific Committee on Health and Environmental Risks (SCHER) will also establish a WG on perfluorooctane sulfonate (PFOS). The Panel stressed that in order to avoid duplication of efforts it is important to liaise with this WG. Close contact with the WG on food contact materials of the AFC Panel should also be maintained regarding this issue. Furthermore, the Secretariat was asked to explore whether there are any ongoing or planned research projects on PFOS sponsored by DG Research.

## **9. Undesirable substances in animal feed – arsenic. Draft opinion**

The chair of the WG USAF section heavy metals introduced the draft opinion on arsenic as undesirable substance in animal feed. Substantial revisions of the opinion were proposed during the plenary meeting. The Panel agreed that the revised version of this opinion will be presented for adoption by written procedure. The chair of the CONTAM panel thanked the WG members for their contributions.

## **10. Furan. Draft report**

The Secretariat introduced the revised draft report on furan. The CONTAM panel reviewed the document and as some revisions were proposed during the meeting the Panel agreed to adopt the revised version of this report by written procedure.

## **11. Chemical contamination chapter in AHAW report on welfare Aspects of various systems of keeping laying hens**

The scientific co-ordinator of the AHAW Panel introduced the subject and the members of the Panel were asked to discuss a chapter on chemical contamination of eggs from laying hens kept under various systems. This chapter is part of a scientific report which was drafted by a WG from the AHAW Panel and revised by a member of the WG on NDL-PCBs. The Panel noted that the data presented in this chapter were not sufficient to draw specific conclusions on the influence of the production system on the contaminant levels in eggs and therefore two members of the Panel agreed to redraft this chapter in a more general way. The revised chapter will be presented to the members of Panel and an adoption by written procedure will be asked. The CONTAM Panel felt that it is not within their remit to comment on veterinary medicinal products.

## **12. Discussions on food consumption database**

The vice-chair, member of the WG on exposure of the SC introduced the subject and pointed out that the CONTAM panel should elaborate whether the current proposal for a food consumption database addresses the needs of the CONTAM panel. The Panel was also asked to comment on the proposed food category descriptions. The Panel acknowledged the effort of the WG and welcomed the collection of such data. After discussing these items, the Panel noted that when the assessment to be done relates to a substance present in a limited food category, the current proposal represent a worst case scenario. Similarly such an approach will not allow assessing the exposure of children. Nevertheless, the proposed database could be a useful tool to screen the exposure at European level compared with the current situation. The Panel noted that a refined exposure assessment will be necessary in certain cases and requested the Working Group on exposure to include, at a later stage, children.

## **13. Any other business**

There was no AOB.