Panel on Dietetic products, Nutrition and Allergies

30 April 2010

MINUTES OF THE 33RD PLENARY MEETING OF THE SCIENTIFIC PANEL ON DIETETIC PRODUCTS, NUTRITION AND ALLERGIES HELD FROM 28 TO 30 APRIL 2010

PARTICIPANTS

Panel members:

- Albert Flynn
- Susan Fairweather-Tait
- Ines Golly
- Hannu Korhonen
- Pagona Lagiou
- Martinus Løvik
- Rosangela Marchelli
- Ambroise Martin
- Bevan Moseley
- Monika Neuhäuser-Berthold
- Hildegard Przyrembel
- Yolanda Sanz
- Sean Strain
- Stephan Strobel
- Inge Tetens
- Daniel Tomé
- Hendrik van Loveren
- Hans Verhagen

EFSA staff:

- Juliane Kleiner
- Reinhard Ackerl
- Maria Astridou
- Athanasia Baka
- Agnès De Sesmaisons-Lecarre
- Céline Dumas
- Wolfgang Gelbmann
- Leng Heng
- Danai Papanastasiou
- Ariane Titz
- Emanuela Turla
- Silvia Valtueña Martínez

European Commission:

- Christophe Didion[1]
- Sabine Osaer[1]
- Francisco Felice Carlucci[1]

[1] DG Health and Consumers

1. WELCOME, APOLOGIES FOR ABSENCE

The Chair welcomed all participants to the plenary meeting. The Chair also welcomed Agnès De Sesmaisons-Lecarre and Céline Dumas recently joining the NDA secretariat.

Apologies for absence were received from Carlo Agostoni, Jean-Louis Bresson and Seppo Salminen.

2. ADOPTION OF THE AGENDA AND THE MINUTES OF LAST PLENARY

The agenda was adopted with changes in the order of items discussed.

The minutes of the 32nd Plenary meeting were adopted.

3. DECLARATIONS OF INTEREST

EFSA secretariat screened the Annual Declaration of interest (ADoI) and Specific Declaration of interest (SDoI) filled in by the scientific experts invited to this meeting in accordance with EFSA's Policy on Declarations of Interests. With regard to the specific items on the agenda for this meeting No conflicts of interests have been identified during the screening process or at the beginning of this meeting.

For the new agenda item 14 related to *Ambrosia* spp. in animal feed**,** which was not covered in the SDoI no conflict of interest was declared.

4. FEEDBACK FROM EFSA SCIENTIFIC COMMITTEE AND OTHER EFSA PANELS, GENERAL INFORMATION FROM EFSA

Panel members were reminded to send their biography to EFSA using the provided template. Biographies of all Panel members will be published on the EFSA website

The Panel was briefed about current and new activities of the Scientific Committee (SC), including activities related to genotoxity testing strategies, 90-day feeding trials and guidance on statistical approaches. Following the publication of the guidance document for the safety assessment of botanicals and botanical preparations intended for use as ingredients in food supplements, the SC has been mandated to carry out a bi-annual review of the compendium with the aim to include the missing relevant botanical species currently used as ingredients in the European Union, and to update where necessary, the information already included in the compendium.

Hildegard Przyrembel updated the Panel about the status of the SC draft guidance document on "Human health risk benefit assessment of food" which was released for public consultation, and expected to be submitted to the SC for adoption at the Plenary meeting in June 2010.

5. FEEDBACK FROM THE COMMISSION ON MATTERS RELATING TO THE PANEL

The Commission provided feedback on the status of the Commission Decision related to the opinions concerning Art 14 and 13(5) claims that were **adopted** by the Panel. All the adopted

Commission decisions are available on the Commission website: http://ec.europa.eu/food/food/labellingnutrition/claims/comments_efsa_en.htm.

The Commission also informed the Panel on progress of the Commission decision and possible timeline following the adoption of the 1st series of Article 13 (1) health claims opinions. Members were provided with some details in relation to the so-called "grey list" claims.

The Commission expressed its appreciation for the constructive collaboration with EFSA following the adoption of the health claims opinions.

6. UPDATE ON EURRECA PROJECT

Susan Fairweather-Tait gave an update on the EURRECA project (an EU funded research project on aligning micronutrient recommendations across Europe). The prioritised micronutrients are iron, zinc, folate, vitamin B12, iodine and selenium.

The Panel stressed again the importance to avoid duplication in relation to the EFSA tasks on deriving Dietary Reference Values for micronutrients. Members were also informed that EFSA is launching a call for tender in relation to the data collection, collation and analysis related to specific preparatory work in the establishment of Dietary Reference Values. The call for tender has been divided into two lots: 1) An up-to-date review of health outcomes upon which Dietary Reference Values could be potentially based for ten selected micronutrients; 2) Height-for-age, weight-for-age and BMI-for-age curves for female and male children and adolescents (0-18 years) based on appropriate data available in EU Member States.

7. NEW REQUESTS RECEIVED FROM THE COMMISSION

A new request was received from the European Commission asking EFSA to carry out an additional safety assessment related to "Phosphated di-starch phosphate**"**, submitted in accordance with the Novel Foods Regulation 258/97/EC.

8. STATUS OF HEALTH CLAIM EVALUATION

***Articles 14 and 13(5) applications* –** The secretariat informed the Panel about the status of claims applications since the last Plenary meeting. Rapporteurships were assigned for new applications received.

Article 14 claims: Since the last meeting EFSA has received 3 new applications related to disease risk reduction claims and 3 new applications related to children claims. By 27 April 2010, EFSA has received 267 Article 14 applications (219 referring to children's health and development and 48 referring to reduction of disease risk claims); 9 applications are under evaluation and 38 were withdrawn.

Article 13(5) claims (claims based on newly developed science and/or which include a request for the protection of proprietary data): Since the last meeting EFSA has received 2 new applications and two applications have been withdrawn. By 27 April 2010, EFSA has received 36 applications under Article 13(5): 11 are under evaluation, 15 were adopted and 8 were withdrawn.

***Article 13* claims -** Members were informed that the publication of the third series of Article 13 claims opinions is foreseen for end September 2010.

EFSA meeting with stakeholders on 1 June 2010 – Members were informed about the status of this meeting.

9. NOVEL FOODS

9.1-9.2 "Conjugated linoleic acid (CLA)"

The draft opinions were discussed and adopted subject to the incorporation of modifications agreed upon by the Panel. The text of the full opinions appears on the EFSA web site, available at:
http://www.efsa.europa.eu/en/scdocs/scdoc/1600.htm,
http://www.efsa.europa.eu/en/scdocs/scdoc/1601.htm .

9.3 "Sardine Peptide Product" Acid

The draft opinion was discussed. The adoption of the opinion was postponed to the next Plenary.

10. APPLICATIONS PURSUANT TO ARTICLES 14/13(5) OF REGULATION (EC) NO 1924/2006

10.1. "Soy protein and reduces blood cholesterol" (Art. 14_risk reduction: 0256_UK)

The Panel identified a number of issues for which additional information is needed from the applicant before the Opinion can be concluded. The stop the clock procedure will be applied.

10.2. "Ethanol-water extract of Caralluma fimbriata (Slimaluma)" (Art.13(5): 0266_UK, 0267_UK, 0268_UK, 0269_UK, 0270_UK)

The draft opinions were discussed and adopted subject to the incorporation of modifications agreed upon by the Panel. The text of the full opinions appears on the EFSA web site, available at:
http://www.efsa.europa.eu/en/scdocs/scdoc/1602.htm ,
http://www.efsa.europa.eu/en/scdocs/scdoc/1603.htm ,
http://www.efsa.europa.eu/en/scdocs/scdoc/1604.htm ,
http://www.efsa.europa.eu/en/scdocs/scdoc/1605.htm ,
http://www.efsa.europa.eu/en/scdocs/scdoc/1606.htm .

10.3. "Yestimun (1,3)-(1,6)-β-D-glucans and strengthening the body's immune defences" (Art.13(5): 0215_DE)

The draft opinion was discussed and adopted subject to the incorporation of modifications agreed upon by the Panel. The text of the full opinion appears on the EFSA web site, available at: http://www.efsa.europa.eu/en/scdocs/scdoc/1607.htm .

10.4. "Blackcurrant seed oil, fish oil, lycopene, and vitamins E and C" and "helps to improve dry skin condition" (Art.13(5): 0259_FR)

The draft opinion was discussed and adopted subject to the incorporation of modifications agreed upon by the Panel. The text of the full opinion appears on the EFSA web site, available at: http://www.efsa.europa.eu/en/scdocs/scdoc/1608.htm .

11. DRAFT ARTICLE 13(1) OPINIONS

The Panel discussed and adopted a number of evaluations of Article 13(1) claims related to vitamins, minerals, microorganisms, foods, and other substances. More details on which evaluations were adopted at the meeting can be found in the EFSA register of Questions:

http://registerofquestions.efsa.europa.eu/roqFrontend/questionsListLoader?panel=NDA&foodsectorarea=26

The adopted evaluations of claims will be combined as appropriate to form coherent opinions and will be published by end September 2010 together with other evaluations of claims to be adopted at the Plenary meeting in June 2010.

12. CONDITIONS OF USE FOR CALCIUM AND VITAMIN D AND BONE HEALTH-RELATED CLAIMED EFFECTS PURSUANT TO ARTICLE 13(1) AND TO ARTICLE 14 OF REGULATION (EC) NO 1924/2006

The draft opinion was discussed and adopted **s**ubject to the incorporation of modifications agreed upon by the Panel. The text of the full opinion appears on the EFSA web site, available at: http://www.efsa.europa.eu/en/scdocs/scdoc/1609.htm .

13. ENERGY CONVERSION FACTOR

13.1. D_Tagatose

The draft opinion was discussed. The adoption of the opinion was postponed to the next Plenary.

13.2. Polydextrose

The draft opinion was discussed. The adoption of the opinion was postponed to the next Plenary.

14. THE PRESENCE OF SEEDS OF AMBROSIA SPP. IN ANIMAL FEED: HUMAN HEALTH RISKS

A mandate by the European Commission was received in 2009 for a scientific opinion of the safety of the presence of seeds of *Ambrosia* spp. in animal feed. The mandate had been assigned to the EFSA Panel on Contaminants in the Food Chain and an NDA panel expert was involved in the preparatory work of the draft opinion to cover the aspects of human health risks in relation to allergenicity. It was proposed that this part should be adopted by the NDA Panel and this part of the opinion was discussed at the meeting. The Panel proposed some modification and a revised version will be sent to the NDA panel members for adoption by written procedure.

The text of the full opinion appears on the EFSA web site, available at: http://www.efsa.europa.eu/en/scdocs/scdoc/1566.htm

15. LIBRARY PRESENTATION

Panel members were given an introductory presentation on the EFSA library tools and services available.

16. ANY OTHER BUSINESS

The scheduled Plenary meeting dates for 2011 are: 26-28 January 2011; 23-25 March 2011; 8-10 June 2011; 14-16 September 2011; 23-25 November 2011.

The minutes of the 33rd Plenary meeting were adopted on 7 July 2010.