COMMISSION RECOMMENDATION

of 17 August 2006

on the presence of deoxynivalenol, zearalenone, ochratoxin A, T-2 and HT-2 and fumonisins in products intended for animal feeding

(Text with EEA relevance)

(2006/576/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community, and in particular the second indent of Article 211 thereof,

Whereas:

(1) At the request of the Commission the European Food Safety Authority (EFSA) adopted opinions on the mycotoxins deoxynivalenol on 2 June 2004 ([1]), zearalenone on 28 July 2004 ([2]), ochratoxin A on 22 September 2004 ([3]) and fumonisins on 22 June 2005 ([4]).

(2) Those opinions conclude that all four mycotoxins exhibit toxic effects in several animal species. Deoxynivalenol, zearalenone and fumonisin B1 and B2 are only to a very limited extent transferred from feed into meat, milk and eggs and therefore food of animal origin only contributes marginally to the total human exposure to these toxins. Ochratoxin A can be transferred from feed into food of animal origin but exposure assessments indicate that food of animal origin makes only a small contribution to the total human dietary exposure to ochratoxin A.

(3) Data on the presence of T-2 and HT-2 toxins in products intended for animal feeding are at present very limited. There is also an urgent need for the development and validation of a sensitive method of analysis. However there are indications that the presence of T-2 and HT-2 in products intended for animal feeding could be a reason for concern. Therefore, it is necessary to develop a sensitive method of analysis, collect more occurrence data, and carry out further investigations and research into the factors involved in the presence of T-2 and HT-2 in cereal and cereal products, in particular in oats and oat products.

(4) Taking into account the conclusions of the scientific opinions referred to in recital 1, and the lack of reliable data on T-2 and HT-2 toxins, together with the large year-to-year variation in occurrence of these mycotoxins, it is appropriate to collect more data on these mycotoxins in the different feed materials and feedingstuffs, in addition to the data already available from the coordinated control programmes for 2002 ([5]), 2004 ([6]) and 2005 ([7]).

(5) To provide orientation to the Member States on the acceptability of cereals and cereal products and compound feed for animal feeding and to avoid disparities in the values accepted by the different Member States and the consequent risk of distortion of competition, it is appropriate to recommend guidance values.

(6) Member States should only apply the guidance values for fumonisin B1 + B2 from 1 October 2007, so as to coincide with the rules laid down by Commission Regulation (EC) No 856/2005 of 6 June 2005 amending Regulation (EC) No 466/2001 as regards *Fusarium* toxins ([8]).

([1]) Opinion of the Scientific Panel on contaminants in the Food Chain of the European Food Safety Authority (EFSA) on a request from the Commission related to deoxynivalenol as undesirable substance in animal feed, adopted on 2 June 2004. http://www.efsa.europa.eu/etc/medialib/efsa/science/contam/contam_opinions/478.Par.0005.File.dat/opinion05_contam_ej73_deoxynivalenol_v2_en1.pdf

([2]) Opinion of the Scientific Panel on contaminants in the Food Chain of the European Food Safety Authority (EFSA) on a request from the Commission related to zearalenone as undesirable substance in animal feed, adopted on 28 July 2004. http://www.efsa.europa.eu/etc/medialib/efsa/science/contam/contam_opinions/527.Par.0004.File.dat/opinion_contam06_ej89_zearalenone_v3_en1.pdf

([3]) Opinion of the Scientific Panel on contaminants in the Food Chain of the European Food Safety Authority (EFSA) on a request from the Commission related to ochratoxin A as undesirable substance in animal feed, adopted on 22 September 2004. http://www.efsa.europa.eu/etc/medialib/efsa/science/contam/contam_opinions/645.Par.0001.File.dat/opinion_contam09_ej101_ochratoxina_en1.pdf

([4]) Opinion of the Scientific Panel on contaminants in the Food Chain of the European Food Safety Authority (EFSA) on a request from the Commission related to fumonisins as undesirable substance in animal feed, adopted on 22 June 2005. http://www.efsa.europa.eu/etc/medialib/efsa/science/contam/contam_opinions/1037.Par.0001.File.dat/contam_op_ej235_fumonisins_en1.pdf

([5]) Commission Recommendation 2002/214/EC of 12 March 2002 on the coordinated inspection programmes in the field of animal nutrition for the year 2002 in accordance with Council Directive 95/53/EC (OJ L 70, 13.3.2002, p. 20).

([6]) Commission Recommendation 2004/163/EC of 17 February 2004 on the coordinated inspection programme in the field of animal nutrition for the year 2004 in accordance with Council Directive 95/53/EC (OJ L 52, 21.2.2004, p. 70).

([7]) Commission Recommendation 2005/187/EC of 2 March 2005 on the coordinated inspection programme in the field of animal nutrition for the year 2005 in accordance with Council Directive 95/53/EC (OJ L 62, 9.3.2005, p. 22).

([8]) OJ L 143, 7.6.2005, p. 3.

(7) An assessment of the approach provided for by this Recommendation should be undertaken by 2009 in particular to assess its contribution towards protecting animal health. The monitoring data obtained as a result of this Recommendation will also enable a better understanding of the year–to-year variance and the presence of these mycotoxins in the wide range of by-products used for animal feed, which is of primary importance for taking, if necessary, further legislative measures.

HEREBY RECOMMENDS:

1. Member States should, with the active involvement of feed business operators, increase monitoring for the presence of deoxynivalenol, zearalenone, ochratoxin A and fumonisin B1 + B2, T-2 and HT-2 toxin in cereals and cereal products intended for animal feeding and compound feedingstuffs.

2. Member States should ensure that samples are simultaneously analysed for the presence of deoxynivalenol, zearalenone, ochratoxin A, fumonisin B1 + B2 and T-2 and HT-2 toxin to allow the extent of co-occurrence to be assessed.

3. Member States should pay particular attention to the presence of those mycotoxins in by- or co-products from the production of food intended for animal feeding.

4. Member States should ensure that the analytical results are provided on a regular basis to the Commission for compilation into a single database.

5. Member States should ensure that the guidance values, as set out in the Annex, are applied for judging the acceptability of compound feed and cereal and cereal products for animal feeding. As regards fumonisin B1 + B2, Member States should apply these guidance values from 1 October 2007.

6. Member States should ensure, in particular, that feed business operators use in their Hazard Analysis and Critical Control Points (HACCP) system [1] the guidance values referred to in point 5 to determine the critical limits at critical control points which separate acceptability from unacceptability, for the prevention, elimination or reduction of identified hazards.

In applying these guidance values, Member States should take into account the fact that the guidance values for cereals and cereal products have been determined for the most tolerant animal species and are therefore to be considered as upper guidance values.

For feed for more sensitive animals, Member States should ensure that lower guidance values for cereals and cereal products are applied by feed manufacturers taking into account the sensitivity of the animal species and enabling compliance with the guidance values determined for compound feedingstuffs for these animal species.

Done at Brussels, 17 August 2006.

For the Commission
Markos KYPRIANOU
Member of the Commission

[1] Regulation (EC) No 183/2005 of the European Parliament and of the Council (OJ L 35, 8.2.2005, p. 1).

ANNEX

GUIDANCE VALUES

Mycotoxin	Products intended for animal feed	Guidance value in mg/kg (ppm) relative to a feedingstuff with a moisture content of 12 %
Deoxynivalenol	Feed materials (*)	
	— Cereals and cereal products (**) with the exception of maize by-products	8
	— Maize by-products	12
	Complementary and complete feedingstuffs with the exception of:	5
	— complementary and complete feedingstuffs for pigs	0,9
	— complementary and complete feedingstuffs for calves (< 4 months), lambs and kids	2
Zearalenone	Feed materials (*)	
	— Cereals and cereal products (**) with the exception of maize by-products	2
	— Maize by-products	3
	Complementary and complete feedingstuffs	
	— Complementary and complete feedingstuffs for piglets and gilts (young sows)	0,1
	— Complementary and complete feedingstuffs for sows and fattening pigs	0,25
	— Complementary and complete feedingstuffs for calves, dairy cattle, sheep (including lamb) and goats (including kids)	0,5
Ochratoxin A	Feed materials (*)	
	— Cereals and cereal products (**)	0,25
	Complementary and complete feedingstuffs	
	— Complementary and complete feedingstuffs for pigs	0,05
	— Complementary and complete feedingstuffs for poultry	0,1
Fumonisin B1 + B2	Feed materials (*)	
	— maize and maize products (***)	60
	Complementary and complete feedingstuffs for:	
	— pigs, horses (*Equidae*), rabbits and pet animals	5
	— fish	10
	— poultry, calves (< 4 months), lambs and kids	20
	— adult ruminants (> 4 months) and mink	50

(*) Particular attention has to be paid to cereals and cereals products fed directly to the animals that their use in a daily ration should not lead to the animal being exposed to a higher level of these mycotoxins than the corresponding levels of exposure where only the complete feedingstuffs are used in a daily ration.

(**) The term 'Cereals and cereal products' includes not only the feed materials listed under heading 1 'Cereal grains, their products and by-products' of the non-exclusive list of main feed materials referred to in part B of the Annex to Council Directive 96/25/EC of 29 April 1996 on the circulation and use of feed materials (OJ L 125, 23.5.1996, p. 35) but also other feed materials derived from cereals in particular cereal forages and roughages.

(***) The term 'Maize and maize products' includes not only the feed materials derived from maize listed under heading 1 'Cereal grains, their products and by-products' of the non-exclusive list of main feed materials referred to in the Annex, part B of Directive 96/25/EC but also other feed materials derived from maize in particular maize forages and roughages.