

EU4ALGAE WP4 workshop on Navigating Regulatory Considerations for Feed Industry Innovators

Date: 14th April, 2023

Organised and moderated by: Kim Anderle, s.Pro - sustainable projects GmbH, on behalf of EU4Algae WG4

Speakers: Arnaud Bouxin, Director, Feed Safety and Regulatory Affairs FEFAC, Giuseppe Luca Capodiecì, FEFANA Technical and Regulatory Manager, Frans Verstraete, Directorate General for Health and Food Safety, European Commission

Overview: Innovation within the feed industry is a multifaceted effort, requiring a deep understanding of regulatory frameworks to ensure compliance and market access. This event was a brief overview for members involved in research and development in the field and looking to bring their products to the market. The brief encapsulates key insights and discussions from the session.

Presentation 1: Getting feed ingredients on the market – *Arnaud Bouxin, FEFAC*

Arnaud Bouxin, from FEFAC, commenced the event with a presentation on various topics surrounding ‘Getting feed ingredients on the market’. The session covered aspects including the boundaries of feed sphere, the role of feed operators within the feed chain, and the differences between a ‘catalogue’ and ‘register’ which is important for the businesses in the feed industry.

The feed business lies at the intersection of various legislative environments – food, waste processes and management. Thus, it is important to assess what constitutes a feed business operator. The presentation highlighted various checkpoints to determine if a particular business can be classified as a Feed Operator Business. Four fundamental aspects were highlighted as integral to being in the feed business:

1. **Safety:** Ensuring the delivery of a safe product considering not only food and human health but also animal welfare and environmental impact.
2. **Responsibility:** Navigating the boundaries of legal environments, particularly concerning the use of waste or unconventional feed materials is essential. This also necessitates diligence in obtaining permissions from the relevant authorities.
3. **Transparency:** Innovation within the feed is encouraged, but within the confines of safety and responsibility. Sharing information across the entire supply chain is crucial for ensuring product safety.
4. **Social Acceptance:** The inclusion of waste or alternative materials inevitably involves societal consideration, underscoring the importance of community acceptance in feed-related initiatives.

Further, legal distinctions between feed additives, feed materials, and compound feeds were elucidated, with emphasis on safety regulations and the absence of novel feed regulations compared to the food market. Thus, navigating these classifications is imperative for market entry and compliance.

The concept of 'catalogue' versus a 'register' of feed materials was also highlighted. The products can be listed on the catalogue or the register. However, while the catalogue of feed materials offers transparency, the register demands product notification without legal validation. While the catalogue serves as a non-exhaustive list of materials available on the market, the register entails a notification process for products not listed in the catalogue, with sole responsibility resting on the notifier. The listing for feed is exhaustive and is subject to authorisation. To add products to the catalogue, the producers must refer to the negative annexe – i.e. a list of all materials which are prohibited and cannot be used in the feed products. It was mentioned that all algae and certain processed algae products are covered in the catalogue, but when using algae as feed material, special requirements outlined in the catalogue need to be met, for example in labelling. The catalogue is updated regularly by a group of EU operators. The products which are not listed on the catalogue can get listed on the register, and thus enter the market.

The presentation concluded with insights into risk analysis for feed products, emphasizing that safety standards for feed may differ from those for food. The importance of discerning whether a product is eligible for feed use, based on criteria such as prohibited materials was underscored.

Overall, the presentation provided a comprehensive overview of the complexities within the feed industry, highlighting the multifaceted considerations necessary for operating as a feed business operator in compliance with regulatory standards.

Presentation 2: Regulation (EC) No 1831/2003 on additives for use in animal nutrition - *Giuseppe Luca Capodiecì, FEFANA*

This session provided a comprehensive view on the legislation on feed additives. Specialty feed, including feed additives, mixtures and other ingredients serving unique functions within the feed industry were discussed.

The necessity of feed additives was underscored, highlighting their role in ensuring safety within the feed chain, enhancing shelf life, improving hygiene, and safeguarding human and animal health. Feed additives were identified as pivotal in promoting resource efficiency, boosting animal welfare, and reducing the environmental footprint of animal agriculture.

Amidst a globalized, innovative, and diverse industry landscape, feed additive legislation, governed by Regulation No 1831/2003, was discussed. Emphasis was placed on the authorization process for marketing feed additive products, with all authorized products being registered on the register of feed additives to ensure transparency and accountability. The multifaceted functions of feed additives within the feed and animal industries were explored, ranging from enhancing feed characteristics to improving

animal performance and environmental outcomes. Different types of authorizations, including non-holder specific and holder-specific authorizations, were outlined, with authorization periods spanning ten years.

Lastly, a searchable database for feed additives was highlighted as a valuable resource for industry stakeholders, facilitating informed decision-making and regulatory compliance.

Overall, the session provided valuable insights into the role of feed additives in ensuring safety, and efficiency of the feed industry, while navigating regulatory frameworks to meet evolving industry demands.

Presentation 3: Provisions in EU legislation on undesirable substances in feed in relation to the use of algae for feed – Frans Verstraete, DG for Health and Safety

The final presentation discussed the general provisions concerning products intended for animal consumption, emphasizing the paramount importance of safety. The maximum level of contaminants was discussed, with the considerations given to their effect on animal health, public health, and the environment. The European Food Safety Authority was mentioned as responsible for assessing the impact of contaminants in the food chain before implementing provisions affecting public health, animal health, or the environment.

Additionally, for feed, general provisions mandate that products intended for animal consumption must be safe. Recognizing that different animal species exhibit varying degrees of tolerance to contaminants, specific toxic exposure levels are specified for different animal species. Therefore, specific chemical components must be subject to the establishment of maximum levels or action levels to ensure safety.

The transfer of contaminants from feed to food of animal origin is a critical consideration. Measures must be taken based on assessments of this transfer to mitigate potential risks to consumers. Guidance mechanisms were proposed as softer forms of regulation in cases where regulatory approaches were unclear. Factors such as sensitivity/tolerance to contaminants and the non-species specificity of feed materials were considered in setting specific provisions. These provisions aim to safeguard animal health, public health, and the environment.

Existing specific provisions cover various materials and undesirable substances, including cadmium, fluoride, nitrites, dioxins, pesticide residues, iodine, and bromine. Additionally, it was noted that all maximum levels always relate to feed materials with 88% dry matter.

Also, Algae, categorized under vegetables, fresh, or frozen, presented as a topic for future consideration and regulation, particularly regarding per- and polyfluoroalkyl substances (PFAS) in feed. The importance of quantitatively sensitive analyses, particularly for PFAS, was stressed, with expectations for further considerations in line with current focus on PFAS in food.

Recommendations were made regarding the consideration of inorganic arsenic in feed, alongside existing provisions for other materials like cadmium, fluoride, nitrites, dioxins, pesticide residue, iodine,

and bromine. The compulsory declaration of iodine content in algae was highlighted, aligning with feed additive legislation specifying maximum iodine levels.

Conclusion:

In conclusion, the presentations presented how navigating regulatory considerations is important for feed industry innovators seeking to bring their products to market. The unclear areas of the status of operators pave the way for innovation within the feed industry necessitating navigating complex regulatory landscapes, emphasizing safety, responsibility, and transparency. Also, understanding legal classifications and compliance requirements is essential for market entry and sustained growth. The sessions further established that by adopting transparency, responsibility, and collaboration, stakeholders can navigate complex regulatory landscapes and drive sustainable growth within the industry. Moving forward, continuous engagement with regulatory authorities and proactive collaboration among industry stakeholders will be essential in shaping policies that foster innovation while upholding safety and environmental integrity.

Way Forward:

Moving forward, industry stakeholders must engage in continuous dialogue with regulatory authorities and collaborate on research and innovation initiatives. By prioritizing safety, sustainability, and transparency, the feed industry can navigate regulatory complexities and drive meaningful progress in the evolving landscape. Embracing collaboration and proactive engagement will be essential in shaping policies that encourage innovation while upholding the highest standards of safety and environmental responsibility.