

Minutes

FCM JEGs Minutes 28th February 2024

FCMJEG/2024/09

Joint Expert Group on Food Contact Materials

**Meeting of the FCM JEG at 10:00 on 28th February 2024 online via MS
TEAMS**

Present

Chair: Dr Michael Walker

Co-Chair

Dr Stuart Adams

Dr Emma Bradley

Dr Gill Clare

JEG Members:

Dr Sibylle Ermler

Dr Natalia Falagán

Dr Jenny Odum

Dr Barbara Doerr

Ms Jocelyn Frimpong-Manso

Miss Cleanncy Hoppie

FSA Scientific Secretary

Miss Sabrina Thomas

Food Standards

Agency (FSA)

Secretariat:

Miss Frederique Marie Uy

Ms Azuka Aghadiuno

Dr Rachel Kerr

Dr David Kovacic

Mr Timothy Chandler

Mr Adam Hardgrave

Mr Vincent Greenwood

FSA

FSA and other Officials:

Mr Allan Shivembe

Mr Ian Smith

Mr Michael Dickinson

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Interests

1. The Chair reminded those attending the meeting to declare any commercial or other interests they might have in any of the agenda items.

Item 1: Welcome and Apologies

2. The Chair welcomed all attendees to the meeting. A new member of the Secretariat was welcomed.
3. No apologies were received.

Item 2: Matters arising

4. The dossier update table with the overall progress of all FCM dossiers was presented to the FCMJEG Members. A more detailed update on the following dossiers/applications were given by the Secretariat: RP2147, RP1898, RP1642, RP1415, RP1741, RP1862, RP1190, RP45, RP1702, RP53 and RP94.
5. RP1741, RP1702, RP53, RP1898 and the updated Ocean Bound Plastic statement were presented to Members during the current meeting.

Item 3: minutes of the last meeting - December 2023

6. The FCMJEG requested minor editorial changes.
7. Overall, the minutes were accepted as an accurate record of the meeting.

Item 4: Evaluation of Information Obtained from Respondents on Ocean Bound Plastic

8. Dr Stuart Adams declared a personal non-specific interest as the company he is employed by currently has a collaboration with the University of Zaragoza where some of the analytical results, submitted by one of the responders, were carried out. He confirmed that he is not actively involved in the collaboration.
9. The Secretariat provided a summary of the information provided by responders in response to a request for further information (RFI) letter.
10. First, the FCMJEG discussed information provided by Responder 1. The FCMJEG concluded that there were still uncertainties regarding the origin of the input material and therefore, it still needs to be confirmed that the current EFSA reference value for Polyethene Terephthalate (PET) of 3 mg/kg is applicable for the sourced plastic as the background contamination is still unknown.
11. The FCMJEG further discussed the internal processes of the collection centres, the third-party verification and their quality control (QC) assessments.

12. Compliance with UK/EU regulations of plastic material collected from the environment before it is used in the recycling process was discussed. Responder 1 provided declarations that the largest manufacturers of plastic material in the sourced area comply with EU/UK regulations. While declarations of compliance were provided, there remains a question regarding the extent to which these declarations encompass plastic recovered from the open environment.

13. The provided Non-intentionally Added Substances (NIAS) testing of EU/UK kerbside collection samples and OBP samples were discussed by the FCMJEG. The FCMJEG agreed that the provided information was useful. However, the EFSA reference value for PET of 3 mg/kg was derived by analysing large amounts of plastic samples and therefore considering one collection to be representative for all the OBP would not replicate the previous EFSA approach that was used to derive the reference value. The Group agreed that the provided information on compliance with EU/UK regulation was helpful, but it is encouraged to gather more periodic information on input and output material so similar studies that derived the 3 mg/kg reference value for EU PET can be demonstrated to be applicable to OBP.

14. Responder 1 stated that the material collected is from the open environment (shorelines, beaches, streets, sidewalks), in combination with households in coastal communities and therefore it was unclear how much the plastic collected from the open environment was represented in the NIAS testing.

15. The FCMJEG discussed if the level of degradation of any plastic material collected from the open environment would be similar to that of plastic collected from more controlled environments, e.g. kerbside collections. Responder 1 stated that the level of degradation in OBP bottles does not exceed that of bottles in kerbside collection as it is evidenced in the NIAS testing between OBP and the three UK/EU kerbside collection control samples. This conclusion was deemed reasonable by the FCMJEG. However, uncertainty remains regarding the extent to which NIAS testing being carried out represents all OBP.

16. The FCMJEG further discussed the response provided by Responder 2. The responder stated that most of their material used is kerbside and local authority collected and within what the FSA are considering controlled environment sourced. The FCMJEG appreciated the additional information. However, it was concluded that the information would not provide much value to the assessment of environmental/OBP as Responder 2 stated they do not currently source from open environments.

Item 5: Review of the second draft safety assessment of a plastic additive calcium *tert*-butyl phosphonate (RP1702)

17. No interests were declared. The group discussed areas of the dossier including: characterisation, purity of the product, decomposition temperature, migration and toxicological data. The FCMJEG suggested minor edits throughout the document and suggested for the existing authorisation section that information on the United Kingdom/European Union existing authorisation should be used.

18. It was highlighted that the European Food Safety Authority (EFSA) are currently reviewing the application for calcium *tert*-butyl phosphonate.

19. The Group also discussed the migration section. The Group agreed that they had accepted the hydrophobic nature of the vegetable oil simulant and agreed with the additional information provided by the Applicant.

20. Overall, it was noted that clearer images and tables should be used throughout the safety advice document and all cited references should be included in the references section.

21. The Group discussed the toxicological data section. It was suggested that the overall conclusion should state that based on the available toxicological data, calcium *tert*-butyl phosphonate was not likely to be mutagenic. Also, minimal human exposure would be expected.

Item 6: Review of the draft safety assessment of a recycling process (RP53)

22. No conflicts of interest were declared by the FCMJEG.

23. The FCMJEG reviewed the first draft of the safety advice document concerning a recycling process operated by the Applicant).

24. Minor edits were requested by the FCMJEG, it was agreed that the Secretariat will prepare an updated draft for review via email correspondence, and if necessary (e.g., when comments cannot be addressed via correspondence), the draft will be presented to the FCMJEG at the next available meeting.

Item 7: Assessment of additional information for a recycling process (RP1741)

25. Due to time constraints, RP1741 was postponed until the next meeting.

Item 8: Review of the request for information on a recycling process (RP1898)

26. Members reviewed the RFI and were satisfied that all comments were addressed by the secretariat.

Item 9: Any Other Business

27. Members were requested to submit their comments on the EFSA Consultation on Guidance on PET Recycling to the Secretariat by 16th March 2024.

Date of next meeting

28. The next meeting will be on the 10th April 2024.