

Minutes

FCM JEGs Minutes 3rd October 2023

Advisory Committee on Food Contact Materials Joint Expert Group (FCM JEG)

Meeting of the Committee at 10:00AM on 3rd October 2023 online via Microsoft Teams

Present

Chair: Dr. Gill Clare

Chair for Item 5:

Dr. Michael Walker

Dr. Stuart Adams

Dr. Emma Bradley

Dr. Sibylle Ermler

JEG Members:

Dr. Natalia Falagán

Dr. Jenny Odum

Dr. Michael Walker

Dr. Barbara Doerr

Ms Jocelyn Frimpong-Manso

Dr. David Gott

Miss Cleanncy Hoppie

FSA Scientific
Secretary

Food Standards
Agency (FSA)

Dr. David Kovacic

Secretariat:

Miss Sabrina Thomas

Miss Frederique Marie Uy

Ms. Azuka Aghadiuno

Mr Michael Dickinson

Mr Vincent Greenwood

FSA

FSA and other
Officials:

Ms. Jenny Rees

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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.

2. Dr. Gill Clare previously declared a personal non-specific interest for RP 1702. She was employed by Covance Laboratories at the time the genotoxicity tests were conducted. However, she was not personally involved in the toxicological testing commissioned by the Applicant. Dr Clare was therefore permitted to participate in the discussions and provided her expertise on the topic but abstained from contributing to the conclusions and decisions on the safety of the compound.

Item 1: Welcome and apologies for absence

3. The Chair welcomed all attendees. No apologies were received.

Item 2: Matters arising

4. The Secretariat provided an update on the status of the dossiers previously reviewed by the FCMJEG, as well as informing the Group of applications in the pipeline.

5. The Secretariat also provided a brief update with regards to the comments received from the Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment (COT) on the draft Safety Assessment of a recycling process (RP45), which was discussed during the 5th of September 2023 COT meeting as a reserved item. The minutes of the COT will be published in tandem with the publication of the Safety Assessment.

Item 3: Minutes of the 23rd of August 2023 meeting

6. The FCMJEG discussed the draft of the minutes of the 23rd of August 2023 meeting. Editorial comments were received from the FCMJEG, which the Secretariat welcomed. The minutes will be amended.

Item 4: Assessment of additional information on a recycling process (RP1741)

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

8. The FCMJEG reviewed the additional information provided by the Applicant in response to a 'Request for Further Information' (RFI) letter sent by the JEG.

9. The FCMJEG concluded that additional information and or clarification points will need to be requested from the Applicant. The Secretariat will raise these as part of a 'Request for Further Information' (RFI) letter to be sent to the Applicant.

Item 5: Review of the first draft Safety Assessment on a plastic additive (RP 1702)

10. No additional interests were declared to those of Dr. Gill Clare. This item was Chaired by Dr. Michael Walker.

11. The FCMJEG was introduced to the draft safety assessment for application RP1702. The FCMJEG reviewed and provided comments on the draft.

12. The FCMJEG's editorial requests will be implemented in the second draft of the safety assessment for application RP 1702 and will be presented at the next available meeting.

Item 6: An update on Ocean Bound Plastics

13. No interests were declared.

14. The Secretariat provided a short update on the information requested after the July FCMJEG meeting. Responder 1 will provide a response to the Request for Information (RFI) letter by the 30th of November 2023. It was concluded by the FCMJEG that this should provide valuable information on the comparison of the quality of the ocean-bound plastic (OBP) and plastic from kerbside collections. However, it is crucial that the responder confirms if the plastic is collected from the open environment, or from more controlled environments (e.g. kerbside collection, domestic waste). The FCMJEG agreed that without confirming the origin of the plastic material used by Responder 1, it should be presumed that the plastic material is from kerbside collection.

15. The FCMJEG further discussed weathering and degradation of plastic material in the open environment, which may result in the possible introduction of further non-intentionally added substances (NIAS) that may not have been previously considered. The Secretariat clarified that some of the plastic used by Responder 2 may be collected from the ocean while Responder 1 stated that the plastic they use is only collected from land.

16. The Secretariat introduced the discussion paper based on the response provided by Responder 2. The FCMJEG discussed the European Food Safety Authority's (EFSA) criteria for the safety evaluation of a mechanical recycling process to produce recycled PET intended to be used for the manufacture of materials and articles in contact with food (insert reference). The EFSA set a limit of 3 mg/kg of PET for a contaminant resulting from a possible misuse based on the worst case of the assessed plastic. The FCM JEG concluded that if the worst-case contamination for OBP is higher than the one EFSA based their opinion on,

this approach is not applicable to OBP. In addition, the FCM JEG agreed that exposure of plastic to the open environment for several weeks may be another concern, e.g. increased absorption of environmental contaminants could occur.

17. The FCMJEG discussed the information provided by Responder 2 on the input material. It was agreed that clarification is required as to whether the input material is sourced from an open environment or a kerbside collection. The Secretariat agreed to check with Policy colleagues if it is possible to directly contact the collector of the OBP used by Responder 2 to obtain more information about the input material used. Responder 2 stated that documentation containing NIAS testing, as well as their Declaration of Compliance were provided in their response. However, the documentation provided by the responder was incomplete and therefore it was agreed that the Secretariat would ask Responder 2 to provide a copy of the documents again. In addition, the Secretariat will ask Responder 2 how the impurities are assessed in the Technical Data Sheet provided.

18. It was unclear to the FCMJEG which parts of the supply chain (e.g., collection, sorting, decontamination, recycling, production of the flakes, manufacturing of the food contact material) are carried out by responder 2 and which are carried out by third parties. Therefore, the responder will be asked to provide further information. In the analytical report provided by the responder, the name of the client is different from the responder, and therefore clarification is required as to what is the connection between the responder and the company listed in the report.

19. Responder 2 stated that optical sorters are utilised in several stages of the manufacturing process. Responder 2 will be kindly asked to provide more information on optical sorters and if the responder refers to a person who is manually sorting the material or a mechanical sorter based on an optical instrument. The responder will be further asked what quality control steps are taken to assess material collected from the open environment compared to material from kerbside collection and the frequency of the implemented quality control measures. In addition, the Secretariat will ask Responder 2 what the percentage of plastic collected from the following sources is: open (less controlled) environment, plastic collected from the ocean, and plastic collected from kerbside and domestic waste. The responder will be asked if there are any differences in handling material from different sources (as previously listed).

20. The FCMJEG discussed the possibility of formulating a research question to investigate the worst-case scenario for the contamination of OBP and then

derive a similar limit for the contamination as EFSA did in their approach. If it can be demonstrated that the worst-case contamination of OBP is in line with the previously assessed kerbside collections, then the EFSA approach can be followed to assess OBP.

21. The FCMJEG anticipates the additional information requested from the responder. In the meantime, the FCM JEG maintains its position as stated in its [interim position paper on ocean-bound plastics](#) until new evidence is made available.

Item 7: Review of the second draft safety assessment of a recycling process (RP 94)

22. Due to time constraints, the discussion of this item was postponed to the next available meeting.

Item 8: Any Other Business

23. There were several items raised under any other business from both the Secretariat and the FCM JEG.

24. The Secretariat reminded the Group to submit their comments for the 9th of February 2023 meeting, so that it may be finalised. The relevant files will be recirculated by the Secretariat.

25. A member of the Secretariat also proposed to provide a brief overview of the incoming influx of work regarding active and intelligent packaging; however, the Secretariat was engaged in another meeting. It is hoped that this will be discussed at a future meeting date.

26. A Member requested for page numbers to be added to the minutes. This request has been noted and will be actioned by the Secretariat.

Date of next meeting

27. The date of the next meeting is the 6th of December 2023 at 10:00 AM, which will be a virtual meeting held via Microsoft Teams.