

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION RECOMMENDATION

of 11 October 2004

on the monitoring of background levels of dioxins and dioxin-like PCBs in feedingstuffs

(notified under document number C(2004) 3461)

(Text with EEA relevance)

(2004/704/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) Directive 2002/32/EC of 7 May 2002 of the European Parliament and of the Council on undesirable substances in animal feed⁽¹⁾ establishes maximum levels for dioxins in feed materials and compound feedingstuffs.
- (2) Although, from a toxicological point of view, the maximum level should include dioxins, furans and dioxin-like PCBs, maximum levels have been set only for dioxins and furans and not for dioxin-like PCBs, given the very limited data available on the prevalence of the latter. The abovementioned Directive provides for a review of the maximum levels for the first time, by 31 December 2004 at the latest, in the light of new data on the presence of dioxins and dioxin-like PCBs, in particular with a view to the inclusion of dioxin-like PCBs in the levels to be set.
- (3) Directive 2002/32/EC provides for a further review of the maximum levels by 31 December 2006 at the latest, with the aim of significantly reducing the maximum levels.
- (4) It is necessary to generate reliable data across the European Community on the presence of dioxin-like PCBs in the widest range of products intended for animal feed (as defined in Directive 2002/32/EC on undesirable substances in animal feed) in order to have a clear picture of the time trends in background presence of these substances in products intended for animal feed.

(5) The relationship between the presence of dioxins, furans, dioxin-like PCBs and non-dioxin-like PCBs is important but to a large extent unknown. It is therefore appropriate to analyse the selected samples also for non-dioxin-like PCBs where possible.

(6) Commission Recommendation 2002/201/EC of 4 March 2002 on the reduction of the presence of dioxins, furans and PCBs in feedingstuffs and foodstuffs⁽²⁾ recommends that Member States perform random monitoring of the presence of dioxins, furans and dioxin-like PCBs in products intended for animal feed, proportionate to their production, use and consumption of products intended for animal feed. This monitoring should be carried out following detailed guidelines established by the Standing Committee on the Food Chain and Animal Health. These guidelines should contain provisions, *inter alia* concerning the minimum frequency and the format of reporting of the results, in order to ensure a high degree of uniformity across the European Community.

(7) It is important that these data are reported on a regular basis to the Commission. The Commission will ensure the compilation of these data into a database which will be publicly available for consultation.

(8) The Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia joined the European Community on 1 May 2004. It is appropriate that the new Member States participate in the monitoring programme as soon as possible. It is however acknowledged that it is appropriate to foresee a transitional arrangement for the new Member States and that for the time being no detailed minimum frequency for the random monitoring of the presence of dioxins, furans and dioxin-like PCBs in feedingstuffs is recommended for the new Member States,

⁽¹⁾ OJ L 140, 30.5.2002, p. 10. Directive as last amended by Commission Directive 2003/100/EC (OJ L 285, 1.11.2003, p. 33).

⁽²⁾ OJ L 67, 9.3.2002, p. 69.

HEREBY RECOMMENDS:

1. That Member States perform from the year 2004 onwards until 31 December 2006 the monitoring of the background presence of dioxins, furans and dioxin-like PCBs in products intended for animal feed using the recommended minimum frequency of samples to be analysed yearly, as foreseen in the table of Annex I as guidance. The frequency of the samples should be reviewed each year in the light of the experience gained.
2. That the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia participate as soon as possible in the monitoring programme on the presence of dioxins, furans and dioxin-like PCBs in feeding-stuffs. The frequency of the samples to be analysed yearly by the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia will be established from the year 2005 onwards.
3. That Member States provide on a regular basis to the Commission the data with the information and in the format as foreseen in Annex II for compilation into one database. It is appropriate that data from recent years obtained by making use of a method of analysis complying with the requirements laid down by Commission Directive 2002/70/EC of 26 July 2002 establishing requirements for the determination of levels of dioxins and dioxin-like PCBs in feedingstuffs⁽¹⁾ and reflecting background levels are also provided.
4. That Member States, if possible, also perform the analysis on non-dioxin-like PCBs in the same samples.

Done at Brussels, 11 October 2004.

For the Commission
David BYRNE
Member of the Commission

⁽¹⁾ OJ L 209, 6.8.2002, p. 15.

ANNEX II

A. Explanatory notes to the form for analytical results of dioxins, furans and dioxin-like PCBs and other PCBs in feed**1. General information about the samples analysed**

Country: Name of the Member State where the monitoring has been carried out

Year: The year the monitoring was carried out

Product: Feed item analysed — use, if possible, for feed materials the terminology of Council Directive 1996/25/EC of 29 April 1996 on the circulation and use of feed materials⁽¹⁾. In the case of compound feed the composition is very useful information.

Stage of marketing: Place where the product (sample) was collected

Expression of results: The results have to be reported on product basis. The results are to be expressed on the basis on which the maximum levels have been established (relative to a feedingstuff with a moisture content of 12% — Directive 2002/32/EC). In case of the analysis of non dioxin-like PCBs, it is highly recommended to express the levels on the same basis.

Type of sampling: Random sampling — analytical results from targeted sampling can also be reported but it must be clearly indicated that the sampling was targeted and does not necessarily reflect normal background levels.

Methods: Refer to the method used

Accredited: Specify if the analytical method is accredited or not.

Uncertainty (%): The percentage of the measurement uncertainty embodied in the analytical method

2. Specific information about the samples analysed

Sample No: Number of samples of same kind of product analysed. If you have results of more samples than there are marked columns, just add new columns with number at the end of the form.

Method of production: Conventional/organic (as detailed as possible)

Area: In so far as relevant, district or region where the sample was collected, if possible with indication if it concerns rural area, urban area, industrial zone, harbour, open sea, etc. E.g. Brussels — urban area; Mediterranean — open sea

Number of subsamples: If the analysed sample is a pooled sample, the number of subsamples (number of individuals) should be notified. If the analytical result is just based on one sample, one should be notified. Number of subsamples in a pooled sample could vary, so please specify this for every sample.

Fat content (%): The percentage of fat content in the sample (if available)

Moisture content (%): The percentage of moisture content in the sample (if available)

3. Results

Dioxins, furans, dioxin-like PCBs: results of every congener should be reported in ppt — nanogram/kilo (ng/kg)

Non-dioxin-like PCBs: results of every congener should be reported in ppb — microgram/kilo (µg/kg)

⁽¹⁾ OJ L 125, 23.5.1996, p. 35. Directive as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

LOQ: Limit of quantification in ng/kg or µg/kg (for non dioxin-like PCBs)

LOD: Limit of detection in ng/kg or µg/kg (for non dioxin-like PCBs)

For congeners analysed but below the LOD (limit of detection) the case of results should be filled in as < LOD (the LOD should be reported as a value). For congeners analysed but being below LOQ (limit of quantification) the case should be filled in as < LOQ (the LOQ should be reported as a value).

For PCB congeners analysed in addition to the PCB-7 and dioxin-like PCBs, the number of the PCB congener needs to be added to the form, e.g. 31, 99, 110, etc. If the sample is analysed for more PCB congeners than there are marked rows, just add new rows at the bottom of the form.

4. *Remarks*

Besides the lipid extraction method used, additional relevant remarks to the submitted data can be mentioned.

B. Form for reporting congener-specific analytical results of dioxins, furans, dioxin-like PCBs and other PCBs in feed

Country	
Year	
Product	
Stage of marketing	
Expression of results	
Type of sampling	
Sample No	
Production method	
Area	
Number of subsamples	
Fat content (%)	
Moisture content (%)	

Remarks
Lipid extraction method used:

1.	Dioxins and furans (ng/kg)	Congeners	TEF	LOD	LOQ	Recovery (%)	Results	TEQ
Methods		2,3,7,8 — TCDD	1					
Detection		1,2,3,7,8 — PeCDD	1					
Unit		1,2,3,4,7,8 — HxCDD	0,1					
Accredited		1,2,3,6,7,8 — HxCDD	0,1					
Uncertainty (%)		1,2,3,7,8,9 — HxCDD	0,1					
		1,2,3,4,6,7,8 — HpCDD	0,01					
		OCDD	0,0001					
		2,3,7,8 — TCDF	0,1					
		1,2,3,7,8 — PeCDF	0,05					
		2,3,4,7,8 — PeCDF	0,5					
		1,2,3,4,7,8 — HxCDF	0,1					
		1,2,3,6,7,8 — HxCDF	0,1					
		1,2,3,7,8,9 — HxCDF	0,1					
		2,3,4,6,7,8 — HxCDF	0,1					
		1,2,3,4,6,7,8 — HpCDF	0,01					
		1,2,3,4,7,8,9 — HpCDF	0,01					
		OCDF	0,0001					

Total TEQ-PCDD/PCDF	
Upperbound	
Mediumbound	
Lowerbound	

2.	Non-ortho PCBs (pg/g or ng/kg)	PCB congeners	TEF	LOD	LOQ	Recovery (%)	Results	TEQ
Methods		PCB-77	0,0001					
Detection		PCB-81	0,0001					
Unit		PCB-126	0,1					
Accredited		PCB-169	0,01					
Uncertainty (%)								
3.	Mono-ortho PCBs (pg/g or ng/kg)	PCB congeners	TEF	LOD	LOQ	Recovery (%)	Results	TEQ
Methods		PCB-105	0,0001					
Detection		PCB-114	0,0005					
Unit		PCB-118	0,0001					
Accredited		PCB-123	0,0001					
Uncertainty (%)		PCB-156	0,0005					
		PCB-157	0,0005					
		PCB-167	0,00001					
		PCB-189	0,0001					

Total TEQ-PCB	
Upperbound	
Mediumbound	
Lowerbound	

