

**Technical and Regulatory Committee Meeting Minutes
Tuesday 20th March 2018
FDF, 10 Bloomsbury Way, London, WC1A 2SL**

Members present at meeting:

Tracy Brown	BCA Secretariat
Chris Stemman	BCA Executive Director
Nick Boxall	Complete Coffee Ltd (Chair T&R Committee)
Mike Saltmarsh	Automatic Vending Association
Carla Politano	Costa
Jenny Breadmore	Fine Foods International Ltd
Stephanie Jordan	JDE
Sarah Harrington	Masteroast Coffee Company Ltd
Franck Porchet	Nestlé UK Ltd
Ricardo Santos	RicCoffee (UK) Ltd
Chris Coates	Taylors of Harrogate

1. Apologies for absence:

Karen Hewitt	Finlay Beverages Ltd
Ewan Reid	Matthew Algie

2. Competition Law Compliance

It was confirmed that the meeting would run under the FDF competition law compliance rules, as per the Golden Rules previously distributed.

3. Minutes of last meeting

Minutes of the last meeting were duly accepted without comment.

Proposed JB and Seconded SH.

4. Matters Arising from Previous Minutes

No matters arising from the previous minutes.

5. Contaminants

• OTA

We were made aware of some issues with OTA during 2017 and have been paying close attention to the Rapid Alerts system for any instances of OTA in coffee. None have been reported. There has been an increasing incidence of OTA in vine fruits – particularly from the Eastern Mediterranean and this has prompted the European Commission to pursue the introduction of limits on these products. Should members become aware of OTA issues we would ask that they share this information confidentially with the BCA in order that we can use this intelligence to bring action in origin.

The FSA have reported the surveillance data for Northern Ireland (in October 2017). Four samples of coffee beans were analysed for OTA and all four were acceptable.

RS asked a question in regard to sampling, and how reliable these can be, CS agreed one side of the coffee bag or sample area could be clear and the other not.

- **Acrylamide (AA)**

The proposed Regulation EU 2017/2158 was passed in July 2017 and will enter into force on the 11th of April 2018. The FSA recently published their guidelines for Local Authorities on the Regulation. At present the Commission has not agreed a definition of a Food Business Operator, something critical to the application of the Regulation. Members are advised to assume that they will be caught by the Regulation and to operate accordingly. It should be remembered that: "Benchmark levels are not maximum levels; they are to be used by FBOs to gauge the success of the implementation of the relevant mitigation measures but should not be used for enforcement purposes." – FSA Draft Guidelines ...Regulation EU 2017/2158

A draft ECF Acrylamide Code of Practice has been circulated to members and feedback has been passed to the ECF. The prescriptive nature and language were a concern to some members. Members should bear in mind that a submitted CoP will be enforceable under the Regulation. The Guidelines document will not be enforceable.

Once we have the FBO definition the ECF CoP will be reviewed and made available. The BCA will submit the final version to the FSA and they in turn will pass it to LA's for use during enforcement visits.

CC asked if the industry CoP was a work in practice, CS confirmed at this stage it was and will evolve as we move forward.

RS asked about Prop 65 in California, CS noted that this could lead to mandatory labelling in that State.

There is still concern that the EU Commission will seek to introduce maximum limits for foodstuffs they believe are presenting consumer risk.

SH noted that many retailers are now starting to ask the question about AA.

CS noted that EHOs may struggle to understand the subject matter, especially in regard to coffee. CS noted that he will continue to liaise with the FSA.

CS clarified that mixes with coffee as an ingredient are exempt, it is just coffee that is subject to legislation.

FP noted that there is definitely a misunderstanding between benchmark levels and maximum levels.

CS noted that companies are not under any obligation to test every single product, they can be grouped together by the manufacturer.

- **Furan (and its methyl derivatives)**

EFSA published its opinion on the risks for public health for furan and methyl furans in October (this was not expected until December) <http://www.efsa.europa.eu/en/efsajournal/pub/5005>

Of concern to the coffee industry was the reported data on methyl furans and the low level of knowledge around their safety. A better understanding of the reduction in furan levels between the as purchased and the as consumed coffee is required. ISIC is preparing for publication its paper on this topic:

"Furan exposure from coffee consumption: Comparison between coffee brewed using filter and fully automatic machines and impact of consumption behavior."

This will only be available to us once published. FDE is seeking to gather occurrence data for furans for publication. This would be taken into account as EFSA are expected to publish a second opinion with further detail on alkyl furans.

FDE would like to develop and publish a furan toolbox for the food industry.

There is continuing discussion about the compilation of an ECF data library in order that we can be better prepared for future developments.

MS asked a question in regard to Furan Alcohol, CS noted that things may progress and it could eventually lead to this also being reviewed.

- **Diacetyl**

The BCA have met with the HSE team handling this and have agreed to collaborate with the HSE in establishing best practice around occupational exposure. The HSE have confirmed that there are no cases of bronchiolitis obliterans (popcorn lung) reported that are associated with OE to diacetyl.

BCA has contacted all of the members who have significant roasting activities in the UK and sent an HSE generated questionnaire. For those who have already returned these completed – thank you. For the rest – the end of the month is rapidly approaching.

Once we have the questionnaires we will contact HSE and pass them over.

CS noted that he is sure that HSE will visit a number of companies within different sectors who this will affect. CS added that so far there have been no cases of Popcorn Lung reported in the UK.

CC asked if perhaps there might be industry collaboration on this subject, CS noted that he believed it would be viewed positively if industry is seen to be collaborating.

- **Heavy Metals & Chemicals**

Nothing new to report.

- **Mineral Hydrocarbons**

The German Federation for Food Law and Food Science, BLL, developed a toolbox for preventing the transfer of mineral hydrocarbons to food - circulated to members.

Coffee remains out of scope of (EU) 2017/84 the Commission Recommendation on the monitoring of mineral oil hydrocarbons, but this will continue to be monitored. The ECF Food Contaminants group will continue to agenda this and are planning an open presentation of best practices (pre-competitively) at their meeting next week.

CC asked if the FSA had any particular interest in any specific sectors, CS noted that we are not directly referred to in the recommendation, obviously this could change over time.

RS asked if the coffee industry had seen any reports of plastics in products, CS noted not at this time.

- **Pesticides**

Nothing new to report.

6. BRCv7 – Food Authenticity

The v8 draft is in circulation and doesn't seem to be any more detailed or demanding on this topic.

CS asked if members were aware when this comes into force, those present thought at some point in 2019, nothing confirmed at this time.

CS asked if the Committee wish to review the document that the BCA previously produced for v7, do members want to review individually or to meet as a Committee. All present thought to review themselves in the first instance and then to meet up to discuss collectively as the BRC Sub-Committee.

7. ISO Activities

NB noted that the Draft International Standard - ISO/TC34/SC15 N223 ISO /CD 3509 Coffee and coffee products – Vocabulary will now be put forward.

8. Sustainability and Foot Printing

- **Regulatory**

CS noted that he was not aware of any regulatory matters arising at this time.

9. Health Claims

- **Caffeine Claims**

The 4 caffeine health claims still remain on hold. CS noted that the Commission are adamant that the energy drink sector will not be able to use these claims, and unfortunately currently coffee still gets caught up in this. This may of course all change after Brexit.

10. Arabica/Robusta Analysis by Quadrum

CS noted that it was a couple of years ago when we had a presentation from IFR in regard to their development of the analysis of Arabica and Robusta coffee. CS noted that IFR went off and did a significant amount of work to further develop the method and sampling products from around the world, including the UK, 2 UK samples were found not to be 100% Arabica from Mexico as stated. This was reported to the FSA who in turn passed over to the National Food Crime Unit. CS added that all has gone quiet at this time, he has tried to follow up on several occasions, but no response so far.

CS asked TB to forward the IFR paper to SJ.

Action: TB

CS added that he believes the FSA might also be doing their own surveys.

IFR are able to offer their services to members, please contact us if you require their details.

11. Consumer Information Legislation

- **Rules of Origin**

CS noted that single origin products on meat and dairy seems to be galvanising. CS added we don't see a risk to the coffee sector at this time.

CS asked TB to send out to members the FDF/Global Counsel Report on, "Rules of Origin in an EU-UK FTA. A 'hidden hard Brexit' for food and drink exporters."

Action: TB

- **Labelling**

Nothing arising at this time

12. Technical & Regulatory Priorities

CS noted that he updated this document in February, and of course as soon as submitted it becomes out of date.

SJ asked how the Brexit Working Group interacts with this group, CS noted it was a separate group at this time and was subset of the Trade & Logistics Committee. CS added current EU rules will be transferred into UK law.

CC asked if the Quadram work became a food fraud issue, how this would be handled, CS noted that currently this is being reviewed/handled within the Communications Committee.

CC asked if this could be added onto the Priorities Issues list.

Action: CS

As there was no specific activity around date marking at this time it was agreed that this should be removed from the Priority Issues list.

Action: CS

13. Position Statements

CC asked if with the impending AA legislation on 11th April, if the industry position statement could be fully updated by the Communications Committee and circulated, CS confirmed that it would be updated, and added that on the Communications Heat Map – AA was very much a key priority issue.

14. Dates of the 2018 meetings:

- Tuesday 12th June 2018 (Technical Committee)
- Wednesday 31st October 2018 (Technical Committee & The Board)