

Members present at meeting:

1. Apologies for absence:

2. Competition Law Compliance

3. Minutes of last meeting

4. Matters Arising from Previous Minutes (Presentation Attached Separately)

5. UK/EU Trade Agreement Issues

Minutes – Technical Committee Meeting – 9th November 2021

More widely we have the UK introduction of import controls, as we know these have been delayed, but we are now looking at these being implemented in January and July 2022. There will be phasing of these, standard products including coffee we are looking more towards July, and we are looking at the implications both in the UK and the EU. PR noted that he will update Members of a recording from yesterday on the information that DIT, Defra, HMRC put together to assist those in the UK and externally.

Action: PR

PR added that there are some concerns where we might be over the next few weeks.

6. Pesticides

- **Glyphosate**
 - **Update on ECF activity**

PR noted we have the EU MRL review, and it is due to report in Q1 2022. The EU Active Substance review is due in Q4 2022.

As you are likely aware Bayer are running import tolerance trials, to see if we can get an import tolerance for glyphosate specifically for coffee. We have a potential MRL on coffee that is pretty much on the limit for detection, from the evidence of EU produced coffee that comes from one of the Spanish islands which has no way representative.

At ECF level they continue to pull in data. No big changes from what we have seen previously, except for Vietnam 85% of coffee over 0.05mg/kg. Glyphosate as a product has now been banned in Vietnam.

Vietnam and Brazil are the countries we have the biggest challenges, and the largest importers into the EU.

PR noted that following discussions with the Brazilian Embassy, and the work they have been undertaking with samples, they state there is no real issue, but samples in the EU are showing different.

- **UK Authority position**

The UK has not started its review, it will be a regulatory review not a consultation and not asking industry for its view. What we can do is keep informing them of the results industry has seen and provide that data.

It is very much the same position as we had seen a few months ago, with import tolerance trials underway but results not due until 2024, and as we know there will possibly have a gap between the EU banning with a limited detection and a possible import tolerance being set.

CC asked were the 15K results seen by the ECF being shared with the Commission. PR noted that these results were being fed in, but the re-registration of Glyphosate is as per EU production data which has seen that anomaly of some coffee grown on a Spanish island. This is where this 15K results will help with getting an import tolerance for coffee, but we do not know what would still happen with the gap from 2022 and 2024.

PR noted that he will speak with both HSE and with the ECF to understand what the position would be if we have that gap from banning to an import tolerance being issued.

Action: PR

CC added that it is worth continuing having this dialogue with HSE.

PR noted that having this factual information/data is vital for us in the UK. We also need to understand what the EU are doing irrespective of what UK authorities are doing.

7. Contaminants

- **OTA**

PR noted it is a bit of a continuation of the situation from where we were at the last meeting.

We know that we have the review of OTA and MRL reductions are still foreseen for both roasted and soluble coffee.

We were expecting some progress at the last SCoPAFF meeting September and a consultation, this was not covered, but is back on the agenda for the meeting in November. The reductions proposed have not changed and no limit proposed on green coffee only on roasted and soluble, and we await progress from this meeting.

Aflatoxins are on the FSA red list, by being on the red list this means it is one of their first priority areas for review, but does not mean there is a particular issue, they are doing things in a traffic light system.

We are getting the impression from the FSA it is about the science and the data, and this is where we might see a divergence between the figures UK and the EU look at, currently the UK are a bit behind the curve than the EU.

The FSA have spent quite a bit of time getting their systems in place to be able to start the science work.

CC asked if PR could clarify the levels, PR noted currently 5ppb on roasted down to 3ppb, 10ppb on soluble down to 5ppb

CC asked if at SCoPAFF it is reviewed and agreed and then dropped there, or does it then come into place around 6 months after. PR noted that there is not a specific time limit, it would take a period of time to get through the other legal processes, published in the official journal, when published it normally comes into effect around 20 days after.

PR noted that a lot of the data provided at ECF level has been provided by some of the bigger companies, and this supports maintaining current levels. With OTA the situation can change year on year and how coffee is managed when in the chain is a big part of the issue. One of the question marks over the reduction that some of the bigger companies are seeing, is this being replicated by some of the smaller companies. If anyone is not aware that their company has been submitting data already and has any data that could be submitted, then the ECF would welcome this to see if this is being replicated across industry.

Action: ALL

- **Acrylamide (AA) Regulation & BCA Position Statement**

PR noted to some extent we are in a bit of similar position. There is an EU meeting the middle of this month, it is more about discussion however rather than the EU making a decision.

PR noted the EU are working on some figures that the Danes produced some months ago. There is still a debate about continuing with benchmark levels or moving to maximum limits.

At ECF level there has been a consent push to move soluble up from 850 to 900ppb. Based on the data in from the membership, and that there is no evidence for an increase for roasted.

This is the basis that the EU is looking at this time. From an industry point of view there is a preference to stick with benchmark levels, part of this is because we are in a constantly evolving situation and easier to manage with benchmark levels.

From an FSA point of view acrylamide is currently not on their red list, there is a continued interest to stick with benchmark levels for. They are much keener to look at the problem areas that have an impact on the younger person market, such as potato-based products.

It was noted the ECF has a much bigger data set than the EU has, but there is the question where in the supply chain the EU draws their samples from. If this is closer to the consumer end with industry drawing more from the manufacturing side, it is possible the time gap will have an impact.

PR referred to the BCA Position Statement that was circulated last week. We are looking to update the current position statement as things have moved on, and we are looking to move to a new website at the start of 2022, and we are reviewing documents that would likely be stored on this.

PR asked those on the call if they would like to review the Position Statement now or go away and come back to the BCA on this, it was discussed, and Members will come back to the BCA with their thoughts on this.

Action: ALL by 30/11/21

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

PR noted the link to AA, the ECF are continuing to highlight the link between the two with the processing structure.

PR noted that the ECF put out another call for data, within the feedback they did have some anomalies which has delayed the data being submitted to the Commission. The ECF had around 4500 data sets to the end of last year, but more have been coming in. The view was that industry is managing this problem and the levels

have been dropping, although not going away, but managed as part of the roasting process. Overall the ECF have a good handle on this and a good reputation in coming forward with information that is well supported by the data that has been put together.

- **Diacetyl**

CC noted that he has had contact with HSE last month with Jeff Fletcher the latest person in the frame looking at this safety notice, but nothing further from him so far as to any progress on this. Most of the resources in HSE have continue to be directed at the Covid pandemic, CC noted he will follow up again to see if anything further has been actioned on this.

Action: CC

- **Mineral Oil Hydrocarbons**

PR noted that for MOSH – 100% of soluble coffee samples are free of MOSH, and 97% for roasted coffee samples are MOSH positive. The values being seen are of no concern as below limits. Contamination from packaging is likely the most plausible link and this is being seen across packaging in other food and drinks sectors.

From the MOAH it is a slightly different picture. 10% of all samples (R&G samples) are MOAH positive the values being seen are of a concern as may potentially be carcinogenic.

The origin of the contamination is believed to be from the green coffee stored in mineral oil-based jute bags. The ECF are again collecting data to substantiate this assumption.

CC noted that through the FDF Food Contact Materials meetings it is understood that France is looking at banning its presence in food packaging, and as an EU member this could gain traction within the EU. PR added from a UK perspective the FSA do have this on their red list, and we are going to see this being an increasing issue and noted a couple of EU member states are looking at this and taking action.

Again, PR asked if anyone has their own data, please do feed this into the ECF.

Action: ALL

- **Ethylene Oxide**

PR noted that we have seen an increasing number of positive samples in Xanthan gum, but from a coffee perspective the ECF have done another round of drawing coffee samples and the evidence all bar a couple of samples, that is not an issue for coffee.

8. BSI / ISO Activities

NB noted that we recently had a circular from the BSI to say that the local AW/15 committee will be closing, the amount of work going on and coming out of this committee means that they cannot support it any longer. All the standards will be maintained, and any updates will be on their system, the BSI will feed into European and international committees. NB added perhaps if our European and International members could keep us abreast of any activities specific to us, that would be appreciated.

Action: ALL

PR noted that we did send round an update to Members a few weeks ago, this was on the issue on the ISO standard on the determination of AA. Some concerns were raised that it was not securing enough analysis conditions to prevent the over estimation on AA levels, and therefore until further work and assessment could be done the standard should be withdrawn. It was likely that the BSI would support the withdrawal due to technical reasons.

9. ECF T&R Committee Update

- **Nickel**

PR noted that there is some EU monitoring going on looking at Nickel levels. Coffee is considered to be one of the most relevant categories, PR added that he understands the exposure and levels seen are well below the daily intake for adults.

- **PAH's**

PR noted that work on PAH's is still ongoing and has been for some time, we are still working through FDE to have a footnote in to exempt soluble coffee from PAH levels. It has been referenced by the Commission, just when in the process it goes in.

- **Food Authenticity Guide**

PR noted that as you are aware we have our own Food Authenticity Guide, and it was suggested by CC that would be good to have adopted at ECF level. This has now been done, some subtle changes were applied to make this more EU specific and is now available on their website. The ECF Membership were very happy to adopt this document.

- **ECF Technical Manager**

PR noted that the ECF have now taken on a Technical Manager, to start with this is in a part time capacity. Claire Lennon has a technical background but not within coffee, but is getting to grips with things and taking on more and more with that the ECF Technical Committee are doing.

10. Technical & Regulatory Priorities & Risk Register

PR noted that this was updated in July after the last meeting.

JB asked if Diacetyl should still be in red, it was agreed to move this to amber.

Action: BCA

PR asked with what was happening in France should Mineral Oils be moved to amber, and wording be updated on this. All agreed.

Action: BCA

Members were asked if they could look through this offline and feedback into the BCA if they have further comments, that would be appreciated.

Action: ALL

11. Dates of the next Technical Meetings 2022

PR noted that we hope our next meeting in 2022 will be face to face!

CC noted that perhaps we endeavour to try and run meetings as a hybrid for those that can't attend face to face.

Dates for 2022 to be confirmed, PR noted that we have been reviewing Committee meetings and scheduling of such, details to follow asap.

POST MEETING DATES FOR 2022 CONFIRMED AS:-

These will be held at the FDF, 10 Bloomsbury Way, London, WC1A 2SL.

Technical Meeting – 11.00a.m. – 12.30p.m.

Wednesday 23rd March – Rooms George & Machin

Technical Meeting – 11.00a.m. – 1.00p.m.

Wednesday 8th June – Rooms George & Machin

Technical Meeting – 11.00a.m. – 12.30p.m.

Wednesday 23rd November – Rooms Bodinnar & Cleminson