



Technical and Regulatory Committee Meeting Minutes
Wednesday 8th June 2022
Via Teams

Present at meeting:

Paul Rooke	BCA Executive Director
Tracy Brown	BCA Secretariat
Jenny Breadmore	Cafea UK
Chris Coates	Taylors of Harrogate

1. Apologies for absence:

Nick Boxall	Complete Coffee Ltd (Chair T&R Committee)
Carla Politano	Costa Coffee
David Short	JDE

2. Competition Law Compliance

It was confirmed that this video call 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.

4. Matters Arising from Previous Minutes

No matters arising.

5. UK/EU Trade Agreement Issues (*Presentation Attached Separately*)

• **N.I. Protocol Position**

PR noted that from a NI point of view we are still in a little bit of limbo, if Article 16 is going to be invoked and what the EU reaction might be, with possible more controls being put in place as well as tariffs.

• **Trade Negotiations**

PR noted that there are quite a lot of trade negotiations ongoing, which we have highlighted in the weekly newsletters. One issue raised by the BCA is on a technical issue, India still requiring green coffee from the UK or where UK companies have been involved in trading it, for the coffee to still be fumigated with methyl bromide which the UK has banned. This has been raised with DIT and Defra on a couple of occasions and they are keen to look at this as it is a barrier to trade.

There are conversations ongoing with both Defra and DIT, if you have anything that think might need raising, please do let us know.

Action: ALL

CC asked if PR new what was the status on ethylene oxide on green imported from India.

PR noted that the EU have suspended approval of a few Indian certification bodies on organic and the UK were reviewing whether it was going to do the same. PR noted that he would follow up with Defra and come back to everyone.

6. Glyphosate

- **Current Position on EU Import Tolerance**

PR noted that the European Chemicals Agency have concluded that they do not need to change anything around their classification, the continue to determine that Glyphosate is not a carcinogen and therefore no requirements for any wider extension on restrictions.

- **Possible Delay to EU Re-registration Process**

PR noted as previously referenced, that there is a delay to the registration process, so rather than the end of 2022 we are now looking towards the middle of 2023.

Regarding the MRL review, we are not clear if there will also be a delay on this reduction as it is a separate legislative procedure, the ECF hope to have an answer in the next couple of weeks. PR noted that he has continued discussions with the Vietnamese Embassy recently who do not see this as a problem, as they state not approved for use in Vietnam. PR added that the ECF have just put out a call for more data.

CC noted that if there is no change to its classification of toxicology risk, could this mean there might therefore not be a change in MRLs. PR added that the complication is from this small EU production of coffee from a Spanish island that has skewed the results.

CC asked what the possibility of an import tolerance was to be implemented. PR added that the first year's work that was undertaken by Bayer in Brazil could not be used and there are now new studies ongoing. It would mean that we would now not have sufficient data until 2025, this could therefore still mean that we will have this potential 2-year gap.

PR noted regarding the UK position, the view of CRD is that they will be reviewing the re-registration but there is still no timeline, it is an administrative procedure, and they will not be looking for input from industry!

7. Contaminants

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

PR noted that there was a review of EFSA's opinion from 2015. There have been some papers submitted since then regarding the dose level, suggesting that you do get AA in a range of food stuffs including coffee, the exposure for normal people is not a significant risk. When the ECF and FDE saw it, they felt that part had not been taken into account by EFSA.

The FSA were also surprised by the review outcome, and it was understood a wider perspective would be taken into account by the FSA's Committee on Toxicology. Regarding AA the FSA want to concentrate on where the harm is greatest which would be for infants and children, and coffee is something that these demographics do not tend to drink.

The FSA have reiterated the more data that industry can provide to them across the whole remit not just AA would be most welcome.

CC added that compiling data from Members was extremely important, but he understands that there could be challenges with this. Or the BCA undertakes testing of Member products as the BCA to give a licence to hold this data, but we need to have something ready in advance of being asked. PR noted that perhaps we need to have a separate more detailed discussion on how we go about undertaking this. CC added that therefore perhaps we now need to set up a working group, due to the importance of getting this data collated and what the consequence could be if we don't. PR noted that the data the FSA are looking for is not to the complexity that the EC require.

Action: BCA/ALL

CC asked if the ECF continue to collect data on AA, Mineral Oils etc, PR confirmed that they do – with data being submitted to an independent person for collating and amonising. It has been noted that the data collated by the ECF is one of the best organisations presenting the facts to the EC. CC asked if we get to see all the results. PR noted that we do not get to see all the data that the ECF have, the majority is held by the ECF CONTAMS Committee. CC asked is there not a way with the data being amonised that could mean further circulation to the ECF Membership. PR noted that he can certainly ask if this information could be made available as part of our Membership of the ECF.

Action: PR

- **Furan & Methyl Furans**

PR noted that the FSA are much more aware of the complexities and balance for coffee between AA and Furan within the roasting process.

- **Diacetyl**

CC noted that the last communication with the HSE, the safety notice has been cleared for publication, but as yet, nothing has been seen or communicated to us about the actual publication date.

- **Mineral Hydrocarbons**

PR noted that the FSA see very little point as an authority in bringing in MLs if not needed or achievable, but there is the need to mitigate or control, which is a different approach to that of the EU.

PR added that from the EU perspective the recent ScoPAFF statement relating to obligations on FBOs finding MOAH in food. There has been a little bit on an issue around this some countries have taken exception to this statement to try and legislate.

CC noted that France will banning its use on printing inks, we are as yet not sure what the implications might be for coffee regarding this.

PR noted that the ECF did put out a call for data on this, but as yet we have not heard anything further regarding responses.

- **Divergence**

PR noted that there is not just divergence of the UK from the EU, but we are also a possible divergence with Food Standards Scotland to the overall UK position. With the FSA taking a more pragmatic approach, with Food Standards Scotland wanting to take a closer alignment to the EU position, because of their political position.

- **ECF Update**

PR added that the ECF are looking to recruit a full time Technical & Regulatory person, but as yet have not been able to recruit the right person.

- **Micro Plastics**

CC noted that the subject of Micro Plastics was raised at the last meeting, wand noted that we will start to see this become more of an issue due to environmental impact as well as digestion.

8. AFCASOLE Testing – Best Practice Approach

PR noted that we may not have enough people on the call to discuss this today to discuss best practice.

JB noted this is ISO 24114, but people refer to it as AFCASOLE, this relates to instant coffee, and testing to make sure that nothing else has been added to the mix just the beans and water. ISO 11292 refers to how you do the testing.

JB noted that if they have a new supplier, they will test the delivery on several occasions before they use it, just to make sure that everything is as it should be. Testing will be ongoing but at a reduced level – it will then be on a risk assessed approach going forward.

AFCASOLE did a wider range of testing of sugars, but it has now been fixed to the main indicators of the purity of coffee.

CC asked if the BCA were being asked to develop best practice guidance, PR noted that we were not being asked to establish guidance from an industry just guidance for a Member.

JB noted that RFSL are an accredited laboratory in the UK, but not accredited to do this type of testing. PR asked if there was a way of finding out which laboratory was accredited. JB noted that she is trying to get to the bottom of this and will come back to us once she has further information. PR noted that he will also be catching-up with the T&R Chair to establish if he has any further information that could assist.

Action: PR/JB/NB

9. FSA Priority Register

- **Outstanding & Current Issues**

PR noted that the register has still not changed, and the FSA have not progressed further on starting work on these things, as they have had to do some recruitment to undertake to fill gaps in certain sectors.

10. Isotopic Analysis of Coffee Samples

- **LGC Update**

PR noted that a separate presentation to be organised due to minimum numbers on the Teams meeting today. The BCA to send out a Doodle Poll when we have some dates from LGC.

Action: BCA

11. BSI / ISO Activities

- **BSI AW/15 Committee**

CC asked with the AW/15 winding down, what would happen with future work if required if a standard needed to change, or do the standards stay the same. PR noted that he will have to do further investigation on this.

Action: PR/NB

12. Technical & Regulatory Priorities & Risk Register

PR noted that the risk register was previously circulated.

CC added that the Diacetyl section could now be updated as to what has been discussed today.

Action: PR

CC added from the last meeting minutes that we perhaps need to re-convene a BRC working group due to the new BRC v9 standard coming out next year. CC & JB noted that they would be happy to be involved. CC added we could convene in the Autumn.

Action: BCA

13. Date of the next Technical & Regulatory Meetings 2022

It was hoped that this will be held at the FDF, 10 Bloomsbury Way, London, WC1A 2SL, with possibly some hybrid element.

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

Wednesday 23rd November – Rooms Bodinnar & Cleminson