



**Technical and Regulatory Committee Meeting Minutes**  
**Thursday 20<sup>th</sup> June 2024**  
**Via Teams**

**Present at meeting:**

|                    |                                           |
|--------------------|-------------------------------------------|
| Paul Rooke         | BCA Executive Director                    |
| Tracy Brown        | BCA Secretariat                           |
| Jenny Breadmore    | (Cafea UK) (Technical & Regulatory Chair) |
| Abbie Manning      | (Caravela Coffee)                         |
| Andy Gibbons       | (Costa Coffee)                            |
| Pradeep Mahale     | (Costa Coffee)                            |
| Brigid McKeivith   | (Costa Coffee)                            |
| Michal Daukszewicz | (Finlays)                                 |
| Carole Liminiana   | (Filhet-Allard Maritime)                  |
| Sandara Holmes     | (Nestlé)                                  |
| Elaine Kok         | (Ringtons)                                |

**1. Apologies for absence:**

|                          |                   |
|--------------------------|-------------------|
| Fergus Wilson            | (ETG Commodities) |
| Sei-Wai Tse              | (Finlays)         |
| Barbara Usak             | (Finlays)         |
| Andrew Stephenson        | (Henry Bath)      |
| Isobel Giles             | (Lavazza)         |
| Sadie Walton             | (Ringtons)        |
| Kristine Breminer-Isgren | (Sucafina UK Ltd) |

**2. Competition Law Compliance**

It was confirmed that this 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.

**4. Matters Arising from Previous Minutes**

No matters arising.

PR noted that there is one AOB to raise, that is changes to the EU's organic regulation, this was raised at a meeting with Fairtrade last week, along with other Associations over for the coffee dinner.

**(Presentation Attached Separately)**

**5. Glyphosate**

• **Update on UK MRL Review Process**

PR noted that the UK extended the registration of all products until 2025, and therefore re-registration of Glyphosate must be done by the end of next year. Bayer are leading on this. The UK would be expected to take a more pragmatic review about registration. However, a UK review of the MRL was started in 2022 and is still ongoing. At a recent FDF meeting the HSE noted that work was at an advanced stage.

PR added that over the last couple of years he has continued to update where the UK and EU sit regarding MRL levels, and hopes to update this during the summer and send out to T&R.

- **Latest on EU Processing Study**

PR noted that the EU have now registered this as a product through to the end of 2033.

As part of the review process the EU asked EFSA to review its opinion regarding MRLs, possibly halving levels. EFSA are due to do this by January next year. As we know with the elections in Europe, there is potentially less interest moving forward with the proposed reduction. Because of the concerns in halving the levels, ECF discussed with Bayer started work on import tolerances, with work being done in Brazil, we await data.

PR noted that it would be interesting to understand the impact on residue levels in processed coffee, which is not looked at by the EU currently for coffee. ECF have taken up this work and are liaising with ISIC on this study. It appears that, as suspected, the residues reduce significantly in processed coffee.

## 6. Contaminants

- **Acrylamide (AA)**

- **UK Data Call and Recent Discussion on Acrylamide**

PR noted that we have been waiting for quite some time from a UK perspective for the FSA to launch a call for data for AA. This has been further delayed as FSA are still developing their process following their first data call on T2/HT2.

PR added that the FSA are keen to receive industry data, and we are also in discussions with the ECF to hopefully feed their data collated over several years through to the FSA. PR noted that if Members do have data the FSA will be happy to receive it when the call goes out.

- **EU Regulatory Development**

The EU are proposing one of their forums, and they are looking to run one in the Autumn. The real concern around AA is on products around consumption by children or young adults, such as crisps and chips.

- **DCM**

PR noted that the ECHA are undertaking a review of DCM, being driving by Italy around concerns about operator exposure. Some States in the USA have sought to ban the use of DCM in decaffeination. The NCA have been working quite strongly on this with the regulatory body in California and it seems that this may now have abated.

BM noted that some companies use still this methodology of solvent extraction.

PR added that for coffee, it is a contained process and operators are not exposed to this.

PR added that the ECF have supported with work that the European Solvents Association had submitted. A deadline for the report is Mid-February.

- **Furan & Methyl Furans**

- **EU Developments on Furan & Setting of Max Levels**

PR noted few new developments, but the Danish Authority have implanted Action Limits, their concern is Furan levels in baby food. We know that the EU continues to look at Coffee and Ready Meals. PR added that obviously we are aware of the sweet spot or balance required between AA and Furan levels in roasting.

- **Mineral Hydrocarbons**

- **EU MOAH Update and Rapid Alert Situation**

PR noted that we put out some proposed maximum limits that the EU is talking about. The EU is in a bit of a state of flux due to the elections, but they still have an aim to have regulation in place during the 1<sup>st</sup> Quarter of 2025.

PR added that we see little transfer to brew for both R&G and Soluble. ECF survey results over a 7-year period had seen only 6% of R&G samples with MOAH levels above the LoQ whilst for green coffee it was only 2% of samples.

From a UK point of view when we spoke with the FSA, they are obviously interested in what the EU are doing, but not seen as a high priority in the UK currently and setting limits on MOAH.

PR added that in the last 2-3 years we have not seen a lot of progress in these issues within the FSA, due to a lack of expertise and resources and things continue to move slowly.

#### **7. FDF – Multiple Source Substances (e.g. 2-Phenylphenol)**

PR noted that these are substances that can arrive in a product by a whole series of means, such as through processing or as a by-product of roasting, but these products also have pesticidal properties and therefore pesticide residue limits apply. This also has an impact with several other products areas such as tea and specialist nutrition. PR added that BCA has worked with a number of other organisations, through FDF, to press Defra regarding exemptions, but they have noted that they are not going to change anything.

PR added that the concern is even if you apply for an exemption, you must supply monitoring data, but the problem is for a lot of these products we just don't have this data and difficult to set up a testing regime to generate this data. PR asked Members was this a particular concern, he felt that it was not a concern at this time, but if Members could feedback if this does become the case.

**Action: ALL**

#### **8. Cold Brew Working Group**

PR extended his thanks to SWT who has been working on this document.

PR noted that we have a couple of Members who have seen an interest in the cold brew seen, and the question was asked do we understand what cold brew is and what is not, and guidance for UK authorities to measure.

We are aware that especially in the USA there has been an increase in consumption of this product, the NCA have undertaken research especially around time limits.

PR added that last year we established a small working group on this, and what we wanted to achieve. From that it was felt to develop this further we put the process into a flow diagram, for businesses to establish if they are taking the right steps regarding to cold brew. This is the first step into this development, the working group is due to have another meeting in the not-too-distant future, PR reiterated that this is a working document and not a final document. PR asked those on the call if they felt this was a useful document, and in time if we submit this through to the FSA.

BM thought this was a great piece of work, perhaps there needs to be some text or a document that sits alongside, a bit clearer on first steps and beyond. BM asked who we were looking to target this document at. JB noted that there are several products flooding the market, and it would be good to have something out there.

PR noted that putting the context to it would be something that we would be looking to do. In terms of the audience our primary audience was the industry, but inevitably it would be the regulatory authorities, but conversations would be required with them prior to this point.

PR added that they would be very happy to have additional Members join the working group.

PR noted that our intention was that this was a UK document, but the ECF have been informed that we have been working on this, and when we are a bit further down the road we would like to go back and share with the ECF.

PR asked Members if they could look through this and he would be very happy to receive any comments.

#### **9. FDF Update**

- **Additional Issues from the Recent FDF Contaminant Committee (*Presentation Attached Separately*)**

PR noted that he will circulate the slides from the recent CRD presentation, part of HSE, on their approach to MRLs.

The UK is happy to put in place an import tolerance process, especially with products where tolerances may be exceeded – third country production.

The UK MRLs and review of MRLs are around protecting human health.

There is a recognition of the need for continued production, and their value to the industry.

There is a keenness to have harmonisation/alignment with the Codex MRLs, but the EU although a member of Codex runs something that is different, which is frustrating to Codex. PR added that sometimes we are ahead of Codex in setting MRLs.

PR added that we the BCA are on an International Codex Group, which covers a range of crop areas.

PR noted that the UK has a project under way to potential changes to the national estimate of dietary intake, a model that looks hypothetically of certain products to certain parts of the committee, and part of that is to try and understand if any changes need to be made to specific demographics. The work is perhaps more on intake on products where there is a much higher daily intake.

#### **10. Product Environmental Footprint (PEF)**

PR stated that PEF is looking more at Environmental Footprint, it is an EU structure, we are not in one of those periods as this time. Several individual members within the ECF wanted to go back and look at a shadow PEF for coffee. One of the biggest developments the ECF Executive Committee signed of on an EU consultant to help the PEF working group to develop this shadow approach, to break the 5-point methodology.

Although this ECF working group is established, they are happy for companies that may not be on it, to join this group. Please contact PR if you are.

**Action: ALL**

#### **11. Technical & Regulatory Priorities & Risk Register**

- PR noted that since the last meeting we need to raise Furan from green to amber. JB noted that if things are starting to move and there is activity that we move to amber.
- Mineral Oils - PR stated that we may add in results from ECF from 2017 to 2023, JB and PR noted it might be worth putting in that 6% of roasted coffee was above the limit of detection.
- JB asked if we can now look to remove the Caffeine Related Health Claims, it was agreed to leave currently for any new Members who may join the Committee they may not be aware of the work done.
- JB asked if Diacetyl can now be made green, PR added that the BCA internal reactive position statement was previously issued.
- PR and JB discussed if DCM should now be made amber, as we are 7 months away from the ECHA report coming out.
- JB noted that we keep Glyphosate amber as we await the UK review/deadline.
- PR noted that with Ethylene Oxide he is not aware of anything further being raised recently. JB noted that we therefore keep as green and look to remove at the next meeting.

#### **12. AOB**

- **EU Organic Regulation**

PR asked if anyone has any awareness of the latest changes around the EU Organic Regulation, none were aware.

PR added that we came across this at a meeting with Fairtrade last week.

It was built into EU Organic Regulation, it was one of these things to come into force at a later date, and required another implementation regulation to come into place, this happened and will come into force January 2025.

PR added that his understanding is that it brings in much more stricter control procedures. If you are running a cooperative and you are putting organic material through that, you will be required to have a totally separate process, and likely must set up separate businesses for Organic and Non-Organic with separate certification.

There is a lot of concern around this, Fairtrade have stated that they will not be in a position to have everything up and running, and suggested to the BCA, ECF, SCTA, they would like industry support to go back to the EU Commission to this say this cannot be brought in within the next 6 months and cannot be ready for this deadline.

PR stated that he will look to put together a summary document highlighting everything that he is aware of, and to ask the question if we are happy to support Fairtrade in asking for this implementation to be delayed.

**Action: PR/ALL**

- **BCA Food Authenticity Guide**

PM asked if the BCA were looking to update the 2022 version of the Food Authenticity Guide, and where the BCA aware of any food fraud in the UK for coffee. PR noted he was not aware of anything that had come up since this revision was completed, and he was not aware of any UK food fraud issues since then. PR added that it might be something that we put on the next agenda to review the BCA document, JB added with the current high coffee prices it might be worth reviewing with people claiming products to be something they are not. Perhaps if Members could review prior to the next meeting.

**Action: BCA/ALL**

- **Drug Movement**

PR noted that following a conversation with Eileen Gordon of the ECF at the BCA Dinner last week, there seems to be an issue with increase in drug movement in consignments. EG is trying to establish more information on the increase of incidents that are happening.

- **Packaging**

AG asked if there was any appetite to expand the committee of have a working group on packaging. JB noted that it is usually discussed in Sustainability Committee, but not to the extent that AG is looking to go into. PR noted that we look bring a couple of these issues to the next meeting to see how this goes. AG noted that he would be happy to share details that has that might be of interest.

**Action: BCA/AG**

### 13. Date and Time of the next 2024 Technical & Regulatory Meeting

| Date                                    | Meeting                                                                                                                                         | Location                                                                                                              |
|-----------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|
| Thursday 28 <sup>th</sup> November 2024 | BCA Board Meetings <ul style="list-style-type: none"> <li>• Technical</li> <li>• Board</li> </ul> 11.00a.m. – 3.00p.m.<br><b>Hybrid Meeting</b> | <b>Equatorial Traders, Unit 3 The Onyx, 102 Camley Street, Kings Cross, London, N1C 4PF</b><br><b>&amp; Via Teams</b> |