

July 28, 2005

Mr. Shoji Miyagawa
Deputy Director,
Standards & Evaluation Division,
Department of Food Safety
Ministry of Health, Labour & Welfare
1-2-2 Kasumigaseki
Chiyoda-ku, Tokyo 100-8916
Japan

Dear Mr. Miyagawa,

With reference to the final draft of the provisional positive list for agricultural chemical residuals in food, issued by the Ministry of Health Labour and Welfare (MHLW) on June 3rd 2005, the European Business Council (EBC) is pleased to submit comments as per below based on a demand from the European Farming Industry.

Antioxidants in fish feed

The European salmon farming industry is using feed based on fish meal and fish oil. The feed produced for farmed salmon is produced according to the relevant EU regulation for additives in animal feed (Regulation (EC) No 1831/2003). This regulation states that a total of 150mg/kg of BHA, BHT or Etoxyquinne can be used in fish feed (together or alone). None of these substances may be added to fish fillets directly.

The suggested MRL level for antioxidants in fish as stated in the final draft from MHLW, constitutes a problem for the European Salmon industry. The MRL levels for BHT and Etoxyquinn are acceptable for the European salmon farming industry.

The suggested MRL for BHA is 0.05 mg/kg in salmoniformes and pectiformes in the final draft. This would represent a major problem for the European salmon farming industry as the levels of BHA in salmon fillets resulting from the legal use of BHA in the salmon feed would exceed the suggested MRL.

As a result of the legal usage of BHA in salmon feed today the European salmon feed industry anticipates that the resulting level of BHA in fish fillets (technically unavoidable) would be in the area 0.5 to 1.0 mg/kg fillet. If the maximum level of BHA according to EU regulations is used in the fish feed (150 mg/kg feed), the resulting level in fish fillet will be in the area of 5 to 12 mg/kg fillet.

Scientific evaluation

According to international standards (as set by JECFA) the ADI (allowable daily intake) of BHA is 0.5 mg/kg body weight. This means that a 70 kg person can have a daily intake of BHA of 35 mg. If you allow 10% of this to come from fish meal, you could still eat a 200 gram fillet with a BHA level of 17.5 mg/kg fillet and be within 10% of the daily ADI.

From scientific reports, we know that the intake of BHA in Japan is in fact only 0.5% of the JECFA ADI levels (Ishiwata, H. et. Al., 2003, J. Food Hygiene. Soc. Jap., 44:132-143).

The above data support a higher MRL for BHA than what is suggested in the final draft.

Conclusion

Based on the available data and the arguments above, the European Business Council would like to suggest that the MRL for BHA is set at the same level as the suggested MRL for BHT. The two substances are used in the same way in the European salmon industry, and they have similar ADI values. Our recommendation is therefore that the MRL for BHA be raised to 10mg/kg fish fillets for salmoniformes and perciformes.

Sincerely,

Duco B. Delgorge
Chairman Food Committee
European Business Council in Japan

Jakob Edberg
Policy Director
European Business Council in Japan