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Committee for Medicinal Products for Veterinary Use

Biological substances considered as not requiring an MRL evaluation as per Regulation (EU) No. 2018/782, with regard to residues of veterinary medicinal products in foodstuffs of animal origin

1. Background information

Regulation (EC) No. 470/2009[1] lays down Community procedures for the establishment of residue limits of pharmacologically active substances in foodstuffs of animal origin. Article 1(1)(a) of Regulation (EC) No. 470/2009 defines its scope as follows:

"For the purposes of ensuring food safety, this Regulation lays down rules and procedures in order to establish:

> a) the maximum concentration of a residue of a pharmacologically active substance which may be permitted in food of animal origin (maximum residue limit);"

Article 1(2)(a) of the above-referred Regulation states that:

"This Regulation shall not apply:

> a) to 'active principles of biological origin intended to produce active or passive immunity or to diagnose a state of immunity, used in immunological veterinary medicinal products'."

Furthermore, Regulation (EU) No. 2018/782[2] establishes methodological principles for the risk assessment and risk management recommendations referred to in Regulation (EC) 470/2009.

Section I.6 of the annex to the above-mentioned Regulation provides that "biological substances other than those identified in Article 1(2)(a) of Regulation (EC) No 470/2009 of the European Parliament and of the Council shall be:

> (…)
>
> (b) evaluated on a case-by-case basis where the biological substance is chemical-unlike insofar as being more complex than chemically synthesised pharmacologically active substances and

[1] Regulation (EC) No 470/2009 of the European Parliament and of the Council of 6 May 2009 laying down Community procedures for the establishment of residue limits of pharmacologically active substances in foodstuffs of animal origin.

[2] Commission Regulation (EU) 2018/782 of 29 May 2018 establishing the methodological principles for the risk assessment and risk management recommendations referred to in Regulation (EC) No 470/2009.

Official address Domenico Scarlattilaan 6 ● 1083 HS Amsterdam ● The Netherlands
Address for visits and deliveries Refer to www.ema.europa.eu/how-to-find-us
Send us a question Go to www.ema.europa.eu/contact **Telephone** +31 (0)88 781 6000 An agency of the European Union

so may contain multiple chemical types whose residues may generally be cells, amino acids, lipids, carbohydrates, nucleic acids and their breakdown products."

In addition, section I.7 of the annex to the same Regulation states that for chemical-unlike biological substances, a report describing the scientific basis for the request on whether a full MRL evaluation is required or not shall be required. The information shall be evaluated in order to determine whether there is the need for a MRL evaluation. Biological substances for which it is concluded that a MRL evaluation is not required shall be published by the Agency in a list of such substances.

The biological substances for which the CVMP has concluded that a MRL evaluation is not required are listed in the present "list of biological substances considered as not requiring an MRL evaluation as per Regulation (EU) No. 2018/782".

The entries for "Probiotic components including bacteria and yeast" and for "stem cells" have been imported into the present list from the list of substances considered as not falling within the scope of Regulation (EC) No. 470/2009[3], with regard to residues of veterinary medicinal products in foodstuffs of animal origin ('out of scope list'). Due to the nature of these specific compounds, the CVMP considered that an evaluation for the establishment of maximum residue limits would not be appropriate and, in the absence of a specific list for biological substances not requiring an MRL evaluation, they were originally included in the 'out of scope list'. However, with the creation of the present list for biological substances, it is appropriate to import them to this list.

It should be noted that this list of substances includes only substances for which requests in this respect were made to CVMP.

Any enquiries may be sent to mrl@ema.europa.eu.

[3] Regulation (EC) No. 470/2009 of the European Parliament and of the Council of 6 May 2009, repealing Council Regulation (EEC) No. 2377/90

2. Biological substances considered as not requiring an MRL evaluation as per Regulation (EU) No. 2018/782

Bovine casein hydrolysate (bCNH), produced from sodium caseinate hydrolysed with trypsin, heat treated, for intramammary use in cows

Probiotic components including bacteria and yeasts

Recombinant bovine IL-8 (His-tag) for intrauterine use in cattle at a dose of up to 1,000 µg per animal[i]

Stem cells

[i] Entry adopted at the December 2020 CVMP plenary meeting