

Safety evaluation of an extension of use of the food enzyme peroxidase from the genetically modified *Aspergillus niger* strain MOX

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Abstract

The food enzyme peroxidase (phenolic donor: hydrogen-peroxide oxidoreductase, EC 1.11.1.7) is produced with the genetically modified *Aspergillus niger* strain MOX by DSM Food Specialties B.V. A safety evaluation of this food enzyme was made previously, in which EFSA concluded that this food enzyme did not give rise to safety concerns when used in one food manufacturing process. Subsequently, the applicant requested to extend its use to include an additional process. In this assessment, EFSA updated the safety evaluation of this food enzyme when used in a total of two food manufacturing processes: processing of dairy products for the production of modified milk proteins and the production of plant-based analogues of milk and milk products. The dietary exposure to the food enzyme–total organic solids (TOS) was estimated to be up to 0.091 mg TOS/kg body weight (bw) per day in European populations. Using the no observed adverse effect level previously reported (2162 mg TOS/kg bw per day), the Panel derived a margin of exposure (MoE) of at least 23,758. Based on the data provided for the previous evaluation and the revised MoE, the Panel concluded that this food enzyme does not give rise to safety concerns under the revised intended conditions of use.

KEYWORDS

Aspergillus niger, EC 1.11.1.7, EFSA-Q-2015-00274, EFSA-Q-2023-00385, food enzyme, genetically modified microorganism, lactoperoxidase, peroxidase, phenolic donor: hydrogen-peroxide oxidoreductase

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1 | INTRODUCTION

Article 3 of the Regulation (EC) No 1332/2008¹ provides definition for ‘food enzyme’ and ‘food enzyme preparation’.

‘Food enzyme’ means a product obtained from plants, animals or microorganisms or products thereof including a product obtained by a fermentation process using microorganisms: (i) containing one or more enzymes capable of catalysing a specific biochemical reaction; and (ii) added to food for a technological purpose at any stage of the manufacturing, processing, preparation, treatment, packaging, transport or storage of foods.

‘Food enzyme preparation’ means a formulation consisting of one or more food enzymes in which substances such as food additives and/or other food ingredients are incorporated to facilitate their storage, sale, standardisation, dilution or dissolution.

Before January 2009, food enzymes other than those used as food additives were not regulated or were regulated as processing aids under the legislation of the Member States. On 20 January 2009, Regulation (EC) No 1332/2008 on food enzymes came into force. This Regulation applies to enzymes that are added to food to perform a technological function in the manufacture, processing, preparation, treatment, packaging, transport or storage of such food, including enzymes used as processing aids. Regulation (EC) No 1331/2008² established the European Union (EU) procedures for the safety assessment and the authorisation procedure of food additives, food enzymes and food flavourings. The use of a food enzyme shall be authorised only if it is demonstrated that:

- it does not pose a safety concern to the health of the consumer at the level of use proposed;
- there is a reasonable technological need;
- its use does not mislead the consumer.

All food enzymes currently on the European Union market and intended to remain on that market, as well as all new food enzymes, shall be subjected to a safety evaluation by the European Food Safety Authority (EFSA) and approval via an EU Community list.

1.1 | Background and Terms of Reference as provided by the requestor

1.1.1 | Background as provided by the European Commission

Only food enzymes included in the Union list may be placed on the market as such and used in foods, in accordance with the specifications and conditions of use provided for in Article 7(2) of Regulation (EC) No 1332/2008 on food enzymes.

Peroxidase from a genetically modified strain of *Aspergillus niger* (strain MOX) is a food enzyme included in the Register of food enzymes³ to be considered for inclusion in the Union list and thus subject to a risk assessment by the European Food Safety Authority (EFSA).

On 17 January 2023, a new application has been introduced by the applicant "DSM Food Specialties B.V." for an extension of the conditions of use for the above food enzyme in several food processes.

1.1.2 | Terms of Reference

The European Commission requests the European Food Safety Authority to carry out the safety assessment and the assessment of possible confidentiality requests of an extension of the conditions of use for the following food enzyme: Peroxidase from a genetically modified strain of *Aspergillus niger* (strain MOX), in accordance with Regulation (EC) No 1331/2008 establishing a common authorisation procedure for food additives, food enzymes and food flavourings.⁴

2 | DATA AND METHODOLOGIES

2.1 | Data

The applicant has submitted a dossier in support of the application for the authorisation of the extension of use of food enzyme peroxidase from the genetically modified *Aspergillus niger* strain MOX.

¹Regulation (EC) No 1332/2008 of the European Parliament and of the Council of 16 December 2008 on Food Enzymes and Amending Council Directive 83/417/EEC, Council Regulation (EC) No 1493/1999, Directive 2000/13/EC, Council Directive 2001/112/EC and Regulation (EC) No 258/97. OJ L 354, 31.12.2008, pp. 7–15.

²Regulation (EC) No 1331/2008 of the European Parliament and of the Council of 16 December 2008 establishing a common authorisation procedure for food additives, food enzymes and food flavourings. OJ L 354, 31.12.2008, pp. 1–6.

³https://food.ec.europa.eu/safety/food-improvement-agents/enzymes/eu-list-and-applications_en

⁴OJ L 354, 31.12.2008, p. 1.

2.2 | Methodologies

The assessment was conducted in line with the principles described in the EFSA 'Guidance on transparency in the scientific aspects of risk assessment' (EFSA, 2009) and following the relevant existing guidance documents of EFSA Scientific Committee.

The current 'Scientific Guidance for the submission of dossiers on Food Enzymes' (EFSA CEP Panel, 2021) and the 'Food manufacturing processes and technical data used in the exposure assessment of food enzymes' (EFSA CEP Panel, 2023b) have been followed to evaluate this application.

2.3 | Public consultation

According to Article 32c(2) of Regulation (EC) No 178/2002⁵ and to the Decision of EFSA's Executive Director laying down the practical arrangements on pre-submission phase and public consultations, EFSA carried out a public consultation on the non-confidential version of the technical dossier from 20 November 2023 to 11 December 2023.⁶ No comments were received.

3 | ASSESSMENT

IUBMB nomenclature	Peroxidase
Systematic name	Phenolic donor: hydrogen-peroxide oxidoreductase
Synonyms	Lactoperoxidase, guaiacol peroxidase, plant peroxidase
IUBMB no	EC 1.11.1.7
CAS no	9003-99-0
EINECS no	232-668-6

Peroxidases catalyse the reductive cleavage of hydrogen peroxide by two phenolic donors, resulting in two donor phenoxy radicals and water. The resulting free radicals may react non-enzymatically with other compounds.

All aspects concerning the safety of this food enzyme, when used in one food manufacturing process, were evaluated in June 2023 (EFSA CEP Panel, 2023a). Following an application for an additional food manufacturing process, EFSA revises the exposure assessment and updates the safety evaluation of this food enzyme when used in two food manufacturing processes.

3.1 | Dietary exposure

The current dietary exposure supersedes section 3.5 of the previous evaluation (EFSA CEP Panel, 2023a).

3.1.1 | Revised intended use of the food enzyme

The food enzyme is intended to be used in two food manufacturing processes at the use levels summarised in Table 1.

TABLE 1 Updated intended uses and use levels of the food enzyme.⁷

Food manufacturing process ^a	Raw material (RM)	Recommended use level (mg TOS/kg RM)	
		Current evaluation ^b	Previous evaluation ^{b,c}
Processing of dairy products			
• Production of modified milk proteins	Whey	2.4– 31.9	2.4– 31.9
Processing of plant- and fungal-derived products			
• Production of plant-based analogues of milk and milk products	Plant materials	47.9	

^aThe name has been harmonised by EFSA according to the 'Food manufacturing processes and technical data used in the exposure assessment of food enzymes' (EFSA CEP Panel, 2023b).

^bThe numbers in bold represent the maximum recommended use levels and were used for calculation.

^cThe previous evaluation is made for the food enzyme application EFSA-Q-2015-00274.

⁵Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety. OJ L 31, 1.2.2002, p. 1–24.

⁶<https://connect.efsa.europa.eu/RM/s/publicconsultation2/a01Tk0000000zgD/pc0718>

⁷Technical dossier/Risk assessment/07.2 Use levels.

The additional use of the food enzyme is described below.

In the production of plant-based analogues of milk and milk products, the food enzyme may be added to a variety of plant materials (such as cereals, legumes, oilseeds and nuts) together with water in the incubation tank.⁸ The peroxidase bleaches by oxidation, resulting in less-coloured dairy analogues such as plant-based beverages, fermented plant-based dairy products or plant analogues of ice-cream.⁹ The food enzyme–TOS remains in these foods.

Based on the thermostability evaluated previously (EFSA CEP Panel, 2023a) and the downstream processing steps applied in the food process, it is expected that the food enzyme is inactivated during the food manufacturing processes listed in Table 1.

3.1.2 | Dietary exposure estimation

Chronic exposure to the food enzyme–TOS was calculated by combining the maximum recommended use level with individual consumption data (EFSA CEP Panel, 2021). The estimation involved the selection of relevant food categories and the application of technical conversion factors (EFSA CEP Panel, 2023b). Exposure from all FoodEx categories was subsequently summed up, averaged over the total survey period (days) and normalised for body weight (bw). This was done for all individuals across all surveys, resulting in distributions of individual average exposure. Based on these distributions, the mean and 95th percentile exposures were calculated per survey for the total population and per age class. Surveys with only 1 day per subject were excluded, and high-level exposure/intake was calculated for only those population groups in which the sample size was sufficiently large to allow calculation of the 95th percentile (EFSA, 2011).

Table 2 provides an overview of the derived exposure estimates across all surveys. Detailed mean and 95th percentile exposure to the food enzyme–TOS per age class, country and survey, as well as contribution from each FoodEx category to the total dietary exposure are reported in Appendix A – Tables 1 and 2. For the present assessment, food consumption data were available from 48 dietary surveys (covering infants, toddlers, children, adolescents, adults and the elderly), carried out in 26 European countries (Appendix B). The highest dietary exposure was estimated to be 0.091 mg TOS/kg bw per day in infants at the 95th percentile.

TABLE 2 Updated dietary exposure to the food enzyme–TOS in six population groups.

Population group	Estimated exposure (mg TOS/kg body weight per day)					
	Infants	Toddlers	Children	Adolescents	Adults	The elderly
Age range	3–11 months	12–35 months	3–9 years	10–17 years	18–64 years	≥ 65 years
Min–max mean (number of surveys)	0–0.039 (12)	0.001–0.026 (15)	0.001–0.005 (19)	0–0.002 (21)	0–0.002 (22)	0–0.001 (23)
Min–max 95th percentile (number of surveys)	0.002–0.091 (11)	0.003–0.07 (14)	0.001–0.024 (19)	0.001–0.006 (20)	0–0.011 (22)	0–0.011 (22)

3.1.3 | Uncertainty analysis

In accordance with the guidance provided in the EFSA opinion related to uncertainties in dietary exposure assessment (EFSA, 2006), the following sources of uncertainties have been considered and are summarised in Table 3.

TABLE 3 Qualitative evaluation of the influence of uncertainties on the dietary exposure estimate.

Sources of uncertainties	Direction of impact
Model input data	
Consumption data: different methodologies/representativeness/underreporting/misreporting/no portion size standard	+/-
Use of data from food consumption surveys of a few days to estimate long-term (chronic) exposure for high percentiles (95th percentile)	+
Possible national differences in categorisation and classification of food	+/-
Model assumptions and factors	
Exposure to food enzyme–TOS always calculated based on the recommended maximum use level	+
Selection of broad FoodEx categories for the exposure assessment	+
Use of recipe fractions to disaggregate FoodEx categories	+/-
Use of technical factors in the exposure model	+/-

Abbreviations: +, uncertainty with potential to cause overestimation of exposure; -, uncertainty with potential to cause underestimation of exposure.

⁸Technical dossier/Risk assessment/07.1 Intended use.

⁹Technical dossier/Risk assessment/07.1 Intended use.

The conservative approach applied to estimate the exposure to the food enzyme–TOS, in particular assumptions made on the occurrence and use levels of this specific food enzyme, is likely to have led to an overestimation of the exposure.

3.2 | Margin of exposure

In the previous evaluation, the Panel identified a no observed adverse effect level (NOAEL) of 2162 mg TOS/kg bw per day, the highest dose tested, resulting in a margin of exposure (MOE) of at least 3405 (EFSA CEP Panel, 2023a).

A comparison of the NOAEL with the newly derived exposure estimates of 0–0.039 mg TOS/kg bw per day at the mean and from 0–0.091 mg TOS/kg bw per day at the 95th percentile resulted in a MOE of at least 23,758.

Despite the additional use considered in the current assessment, the revised derived MoE is higher than that previously calculated. This is due to the revision of food groups and the technical factors used for each food manufacturing process (EFSA CEP Panel, 2023b). In addition, dietary surveys have been updated in the EFSA food consumption database.

4 | CONCLUSION

Based on the data provided for the previous evaluation and the revised margin of exposure, the Panel concluded that the food enzyme peroxidase produced with the genetically modified *Aspergillus niger* strain MOX does not give rise to safety concerns under the revised intended conditions of use.

5 | DOCUMENTATION AS PROVIDED TO EFSA

Application for authorisation of peroxidase from a genetically modified strain of *Aspergillus niger* in accordance with Regulation (EC) No 1331/2008. January 2023. Submitted by DSM Food Specialties B.V.

ABBREVIATIONS

bw	body weight
CAS	Chemical Abstracts Service
CEP	EFSA Panel on Food Contact Materials, Enzymes and Processing Aids
EC	European Commission
EINECS	European Inventory of Existing Commercial Chemical Substances
EU	European Union
IUBMB	International Union of Biochemistry and Molecular Biology
MoE	margin of exposure
NOAEL	no observed adverse effect level
RM	Raw material
TOS	total organic solids

CONFLICT OF INTEREST

If you wish to access the declaration of interests of any expert contributing to an EFSA scientific assessment, please contact interestmanagement@efsa.europa.eu.

REQUESTOR

European Commission

QUESTION NUMBER

EFSA-Q-2023-00385

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PANEL MEMBERS

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COMPETING INTERESTS

In line with EFSA's policy on declarations of interest, Panel member Holger Zorn did not participate in the development and adoption of this scientific output.

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SUPPORTING INFORMATION

Additional supporting information can be found online in the Supporting Information section at the end of this article.

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APPENDIX A

Dietary exposure estimates to the food enzyme–TOS in detail

Appendix A can be found in the online version of this output (in the ‘Supporting information’ section). The file contains two sheets, corresponding to two tables.

Table 1: Average and 95th percentile exposure to the food enzyme–TOS per age class, country and survey.

Table 2: Contribution of food categories to the dietary exposure to the food enzyme–TOS per age class, country and survey.

APPENDIX B

Population groups considered for the exposure assessment

Population	Age range	Countries with food consumption surveys covering more than one day
Infants	From 12 weeks on up to and including 11 months of age	Bulgaria, Cyprus, Denmark, Estonia, Finland, France, Germany, Italy, Latvia, Portugal, Slovenia, Spain
Toddlers	From 12 months up to and including 35 months of age	Belgium, Bulgaria, Cyprus, Denmark, Estonia, Finland, France, Germany, Hungary, Italy, Latvia, Netherlands, Portugal, Republic of North Macedonia*, Serbia*, Slovenia, Spain
Children	From 36 months up to and including 9 years of age	Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Latvia, Netherlands, Portugal, Republic of North Macedonia*, Serbia*, Spain, Sweden
Adolescents	From 10 years up to and including 17 years of age	Austria, Belgium, Bosnia and Herzegovina*, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Latvia, Montenegro*, Netherlands, Portugal, Romania, Serbia*, Slovenia, Spain, Sweden
Adults	From 18 years up to and including 64 years of age	Austria, Belgium, Bosnia and Herzegovina*, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Montenegro*, Netherlands, Portugal, Romania, Serbia*, Slovenia, Spain, Sweden
The elderly^a	From 65 years of age and older	Austria, Belgium, Cyprus, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Montenegro*, Netherlands, Portugal, Romania, Serbia*, Slovenia, Spain, Sweden

*Consumption data from these pre-accession countries are not reported in Table 2 of this opinion; however, they are included in Appendix A for testing purpose.

^aThe terms 'children' and 'the elderly' correspond, respectively, to 'other children' and the merge of 'elderly' and 'very elderly' in the Guidance of EFSA on the 'Use of the EFSA Comprehensive European Food Consumption Database in Exposure Assessment' (EFSA, 2011).