

2nd June 2009

Reference:

Dear Sir or Madam,

Food Contaminants – Update Bulletin June 2009.

I am pleased to issue the second bulletin of this year on issues concerning chemical contaminants in food.

This bulletin provides information on key activities and contacts within the Agency in England, Wales, Scotland and Northern Ireland.

We continue to have a busy year and there is quite a lot to report to you since the last bulletin just 3 months ago in March. The summary of news items overleaf will help you to identify subjects of particular interest. Clicking on the bookmark will direct you straight to the section that you are interested in.

Finally, the Agency is in the course of restructuring to improve the delivery of our current strategic priorities and help us to meet the challenges of the future. We will keep you advised of any changes to key contacts and, in the interim you should expect to see business as usual, although please do contact us if you have any concerns.

Perhaps the first change to mention to you is that my colleague, Mark Ball, who had provided the last of two editions bulletins to you, has moved to a new post in the Agency that will help promote the UK's interests in the EU in Brussels. We wish him well and will maintain the high standards he set in keeping you up to date with what's going on. I will be covering the post until the new structure is in place.

Yours faithfully

Jillian Spindura
Head of Incident Prevention & Chemical Risk Management 'A & B'

Summary

In this edition we have news on:

Section	Subject	Link
Chemical Migration from Food Contact Materials (Policy and Legislation)	<p>New Regulation published on Active and Intelligent Packaging.</p> <p>New Regulations on food contact plastics</p> <p>Guide to Compliance and Business Documentation</p> <p>Latest meeting of the European Commission's Working Group</p> <p>6th Amendment to EU food contact plastics rules</p> <p>FVO mission to the UK later this year</p>	
Chemical Migration from Food Contact Materials (Science)	The 49 th meeting of the Working Party on Materials and Articles in Contact with Food or Drink (WPMACFD)	
Nitrates	Limits in Spinach and Lettuce	
Process Contaminants	Codex Committee on Contaminants in Food (CCCF) - Update	
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	EFSA Report on monitoring of acrylamide levels in food	
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	Cadmium levels in crab	
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	Review of current maximum limits for Fusarium toxins	

	Changes to Community legislation as regards aflatoxins including alignment of maximum limits with those agreed at Codex and limits for oil seeds	
	Ochratoxin A in spices	
	Article 15(5) of Regulation 882/2004 as regards high-risk list and alignment with Commission Decision 504/2006/EC	
	Publication of revised Guidance Document on aflatoxin controls	
	Updated list of USDA labs under the VASP scheme for US almonds	
	Research project reports that have been published	http://foodbase.org.uk/
	Annex USDA VASP Labs May 2009 update	
	Annex Working Document	
Other Contaminants (source not identified)	Nicotine in dried mushrooms	
Environmental Contaminants (Organic)	Lamb & Sheep Liver	
	Irish Dioxin Incident	
	Limits for Infant Food	
	Non dioxin-like PCBs	
	Review of Limits	
	Polycyclic Aromatic Hydrocarbons	

Key contacts within the teams in London are:

Food Contact Materials –Chemical Migration:

Dr Karen Barnes (Scientific Research and Surveys);
Richard Sinclair (Policy, Legislation and EU negotiations);

Mycotoxins

Jonathan Briggs;

Organic Chemical Contaminants

Dr. David Mortimer (including Environmental Permitting Programme, Nitrates);

Inorganic Contaminants

Kara Thomas;

Process Contaminants

Nina Webber.

Key contact within Northern Ireland

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Key contact within Scotland

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Food Contact Materials (Science)

The 49th Working Party Meeting

The 49th meeting of the Working Party on Materials and Articles in Contact with Food or Drink (WPMACFD) was held on the 21st May at the Food Standards Agency, Aviation House. The purpose of this 1 day meeting was for members to review on-going Agency funded research projects and to discuss future research needs. In the morning session Contractors gave presentations of their work, topics included: the effect of additives on the migration of colourants from plastics; migration from irradiated food packaging; packaged food intake; screening for set-off and migration from bio-based materials. In the afternoon session future research needs for food contact materials were discussed, topics proposed included: simulants used for migration testing; recycled materials; nanotechnology; method development; and multi-material multilayer testing.

Further details on the WPMACFD can be found on our website at:
<http://www.food.gov.uk/science/ouradvisors/foodcontact/>

We anticipate that the minutes of this May meeting will be published in early July.

Food Contact Materials (Policy and Legislation)

New Regulation published on Active and Intelligent Packaging

A new Regulation on Regulation on active and intelligent materials and articles intended to come into contact with food has been published. Commission Regulation (EC) No 590/2009 of 29th May was published in the Official Journal of the European Union on 30 May 2009 (OJ L135 30.5.2009 p.3 -11).

Full details of the publication are available at the following website address:
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:135:0003:0011:EN:PDF>

We will be writing to interested parties in due course highlighting the main provisions of the Regulation.

New Regulations on Food Contact Plastics

A new set of Regulations on food contact plastics came into force on 7th March 2009 in England. Parallel measures were also put in place in Scotland, Wales and Northern Ireland. The Plastic Materials and Articles in Contact with Food (England) Regulations 2009 implement the provisions of Commission Directive 2008/39/EC, amending Directive 2002/72/EC for a fifth time. The 2009 Regulations revoke the 2008 Regulations; and re-enact them with necessary amendments arising from the 2008 Commission Directive.

The four main provisions being enacted are:

- Dates have now been set by which the list of additives in food contact plastics will be closed and interim arrangements have been made for those additives for which an application for authorisation was made by the deadline of December 2006; a deadline has been set of 31st December 2009 up to which additives not on the positive list may continue to be used with a prohibition on their use from 1st January 2010;
- Amendments, to the restrictions already established at Community level for certain substances. Thus Annexes II, III, Iva and VI of Directive 2002/72/EC are amended accordingly;
- Permission to trade and use food contact plastic materials and articles that comply with these latest amendments to Commission Directive 2002/72/EC from 7th March 2009;
- Prohibit from 7th March 2010 the manufacture and import into the Community of food contact plastic materials and articles that do not comply with Directive 2002/72/EC, as amended by the 2008 amending Directive; and
- From 1st May 2009 all materials and articles with specific measures are now required to be accompanied by a declaration of compliance up and down the supply chain..

The Plastic Materials and Articles in Contact with Food (England) Regulations 2009 (SI 2009/2005), ISBN 978-011-147363-4 is available from the Office of Public Sector Information, address <http://www.opsi.gov.uk>. Copies can also be purchased from this website address, priced £9.00.

The Agency's guidance and more detailed information on the new Regulations can be found at:

<http://www.food.gov.uk/foodindustry/guidancenotes/foodguide/plasticguidance>

Guide to Compliance and Good Practice for Business Documentation

This UK Guide by the Agency has been the subject of a formal public consultation that ended in April and to a trial campaign between a number of enforcement authorities and businesses working together to test the Guide in use. We have now completed the task of rewriting the Guide based on comments from people and organisations and from the experience of the trial campaign. The Guide is now going through internal consultation within the Agency and will be published in July as planned.

Commission Working Group meeting 20th May 2009

This was a very productive meeting that saw major objections to changes to the rules on the use of food simulants put aside to ensure that modern practice better reflected modern techniques. There were also a number of other issues discussed at the meeting, including a plastics implementing measure (PIM), that would replace all the current food contact plastics Directives with a single Regulation. The Commission provided a nine page draft document containing definitions of the terms in use. This remains under discussion.

In relation to substance authorisation, the Commission clarified that a request for authorisation under the rules governing food contact materials and articles would only apply to substances authorised in specific measures. Where there are no specific measures in place, businesses are free, in the UK, to use substances, providing they have documented evidence that their use complies with the requirements of Article 3 of Regulation (EC) No. 1935/2004.

6th EU Amendment to the Rules on Food Contact Plastics

The Commission is also looking at a proposal for a sixth amendment to Commission Directive 2002/72/EC. That 2002 Directive establishes a list of monomers and other starting substances and additives, which may be used in the manufacture of food contact plastics. The proposal will seek to amend the list so as to include other monomers and starting substances and additives evaluated most recently by the European Food Safety Authority (EFSA) and where their inclusion would not be controversial or conflict with other Community interests. The amendment is likely to be in the form a European Regulation that will have immediate effect across the EU, thereby saving the time taken to transpose measure adopted by Directive.

FVO Mission to the UK

A Food and Veterinary Office (FVO) mission to the UK is to take place towards the end of the year. Whilst we know it will look at the enforcement of measures governing materials and articles in contact with food, it is not known what the particular focus of the mission will be at present.

For further information on any of these issues or to comment, please contact Benjamin Nketiah [Tel. 02072768399 or e-mail Benjamin.nketiah@foodstandards.gsi.gov.uk]

Nitrates

Commission proposals for permanent increases to the existing limits for spinach and lettuce laid down in Commission Regulation 1881/2006 emerged at the end of last year, as the temporary derogations (permitting the UK, and some other Northern European countries, to exceed these maximum limits for fresh lettuce and spinach grown and intended for consumption on their own respective territories) came to an end. However, these increased limits for nitrate levels are unlikely to come into force until later in 2009 and, in the meantime, UK enforcement authorities have been made aware of the position and are recommended to take a pragmatic and proportionate approach to the enforcement of nitrate limits.

The proposed changes are likely to include:

- relaxing (increasing) the maximum nitrate limits for fresh spinach to 3,500 mg NO₃/Kg (to apply all year, no seasonal differences)

- relaxing (increasing) the existing nitrate limits for fresh lettuce(non-iceberg) to 5,000 mg NO₃/Kg (winter protected), 4000 mg NO₃/Kg (summer protected) & 3,000 mg NO₃/Kg (summer outdoor), with no changes to current level for winter outdoor
- Introducing a maximum nitrate limit for rocket (rucola; *Eruca sativa*) of 5,000 mg NO₃/Kg
- No changes to current nitrate limits for preserved, deep-frozen or frozen spinach or iceberg lettuce

The Commission should submit these proposals to the Standing Committee for endorsement during 2009, once some outstanding issues regarding child exposure to nitrates have been resolved.

Any comments you may have on the above issues will be welcome.

For further information or to submit comments or data on nitrates, please contact Valerie McFarlane at: valerie.mcfarlane@foodstandards.gsi.gov.uk

Process Contaminants

Codex Committee on Contaminants in Food (CCCF) - Update

The 3rd session of the CCCF was held on the 23–27 March 2009, in the Netherlands

- *Draft Code of Practice on the reduction of Acrylamide in Food*
A final text of the Draft Code of Practice was agreed. The Committee agreed to remove specific levels for reducing sugar in potatoes from the text and accepted the wording “*taking into account that sugar levels in potatoes show a high degree of regional and seasonal variation, sugar levels should be kept as low as reasonably achievable.*” The Committee also agreed that references to the CIAA toolbox could remain in the Code of Practice but all other references are to be removed as discussed at the previous session.
The Code of Practice is to be sent to the Codex Alimentarius Commission for adoption at Step 8.
- *Discussion paper on Ethyl Carbamate in Alcoholic Beverages*
At the meeting, a discussion paper on Ethyl Carbamate in Alcoholic Beverages prepared by Germany was tabled for consideration. The CCCF agreed to start new work on a Code of Practice for reduction of Ethyl Carbamate in stone fruit distillates. It also agreed that the code of practice should not include a signal value and this would be subject to the approval of the 32nd session of the Codex Alimentarius Commission. It was also agreed that Germany would prepare a proposed draft Code of Practice for ethyl carbamate in stone fruit distillates for comments at step 3 and consideration at the next session of CCCF.

A full report of the meeting can be obtained from the Codex website, at: ftp://ftp.fao.org/codex/alnorm09/al32_41e.pdf

Research Proposal on 3-MCPD esters

- *Investigation of the formation of 3-MCPD (3-monochloropropane -1,2-diol) from mono and di-esters of its fatty acids in food*

Recent reports indicate that 3-MCPD esters (mono- and di- fatty acid esters) may be widespread in processed foods, such as bread/toast, coffee, fish, French fries, crisps, meat, nuts and refined oils and that 3-MCPD can be released from these esters of 3-MCPD fatty acids by thermal processing and by the action of lipases in the human digestive tract. The possible release of 3-MCPD from its esters is of concern because of its toxicity and possible contribution to consumer exposure in the diet. The mechanism and extent of formation of 3-mcpd from the esters is not fully understood and needs to be investigated.

Proposals are therefore invited from interested parties to assess the extent of release of 3-MCPD from its mono- and di-esters in food, i.e. by thermal processing/cooking and/or the action of lipases during storage as a means of investigating the mechanism of formation.

Further information on the project and proposal can be found on the Agency's website at:

http://www.food.gov.uk/aboutus/how_we_work/procurement/resreq/rrd30procont

EFSA Report on monitoring of acrylamide levels in food.

The European Food Safety Authority has produced a report on the result of the monitoring of acrylamide levels in food following its call for occurrence data to be collected in 2007-2009 in "Commission Recommendation 2007/331/EC on the monitoring of acrylamide levels in food" of 3 May 2007.

Member States were invited to sample foods in the following food categories: French fries; potato crisps; potato products for home cooking; bread; breakfast cereals; biscuits; roasted coffee; jarred baby foods; processed cereal-based baby foods; and 'other products'. Member States' results reported for foods sampled in 2007 have now been collected and evaluated by EFSA.

The report compared the 2007 results submitted by 21 Member states and Norway with results collected by the European Commission Joint Research Centre's Institute for Reference Materials and Measurements in the years 2003 to 2006. The UK contributed the previously published data it collected as part of the 2007 Process Contaminants survey to this work.

Further information on the report can be obtain on EFSA's website: http://www.efsa.europa.eu/EFSA/efsa_locale-1178620753812_1211902527123.htm

JECFA call for data:

The Joint FAO/WHO Expert Committee on Food Additives (JECFA) has recently issued a call for data on contaminants scheduled for evaluation or re-evaluation at its 72nd meeting to be held on 16- 25 February 2010. The request for data includes amongst other datasets, occurrence data on acrylamide and furan in food.

Governments, interested organisations, companies, and individuals are invited to submit toxicological, chemical, and intake data for the contaminants that are listed. The submitted data may be published or unpublished and should contain detailed reports of laboratory studies, including individual animal data, detailed description on analytical methods with performance limits etc. Reference to relevant published studies should also be provided, where applicable. Data should be submitted by 30th of September 2009.

More information can be found at

WHO website: <http://www.who.int/ipcs/food/jecfa/data/en/index.html>

and the FAO website: http://www.fao.org/ag/agn/agns/jecfa_new_en.asp

Environmental Contaminants (Inorganic)

EFSA scientific opinion on cadmium

The European Food Safety Authority (EFSA) scientific opinion on cadmium has been published (see link below).

http://www.efsa.europa.eu/EFSA/efsa_locale-1178620753812_1211902396263.htm

EFSA's Panel on contaminants in the food chain has set a reduced tolerable weekly intake (TWI) for cadmium of 2.5 micrograms per kilogram of body weight ($\mu\text{g}/\text{kg}$ bw), based on an analysis of new data. The TWI is the amount of a given substance which can be consumed every week over the course of a lifetime without causing any appreciable health effects for consumers.

Average dietary exposure to cadmium for adults across Europe is around this level. Some population groups - vegetarians, children, smokers and people living in highly contaminated areas - can have a higher level of exposure up to twice the TWI. However, the Panel concluded that even for these groups the risk of adverse effects would be very low. The Panel concluded that current exposure to cadmium at the level of the population should be reduced.

Foodstuffs are the main source of cadmium exposure for the non-smoking population. Cereals and cereals products, vegetables, nuts and pulses, starchy roots and potatoes as well as meat and meat products contribute most to human exposure. High levels were also found in some other foodstuffs (e.g. seaweed, fish and seafood, food supplements, mushrooms, chocolate) but as they are consumed to a lesser extent, they were no major contributors to exposure.

The earlier Provisional TWI of 7 µg/kg bw for cadmium was established by Joint FAO/WHO Expert Committee on Food Additives (JECFA) in 1988 and this was reconfirmed by the JECFA in 2003. The TWI was also endorsed by the EU's former Scientific Committee for Food in 1995.

The European Commission will be reviewing the maximum permitted levels for cadmium in food following the publication of EFSA's opinion on the risks to human health related to the presence of cadmium in foodstuffs.

Cadmium levels in crab

It is known that the brown meat of crabs have higher levels of cadmium compared to the white meat. There are regulatory limits for cadmium in the white meat of crab (Commission Regulation (EC) No 1881/2006; the maximum level in crustaceans of 0.5 mg/kg applies to crustaceans excluding brown meat of crab and excluding head and thorax meat of lobster and similar large crustaceans.)

Italian authorities have been concerned that the safety limits could be exceeded in the case of certain high-risk consumers since the brown meat is also consumed. The Commission will therefore be discussing this issue at the Working Group Meeting on 15 June 2009.

The Commission will be looking at possibilities of improving the wording of the current legislation to clarify which part of the crab should be sampled as well as providing consumer advice on avoiding over exposure to cadmium from consumption of crabs.

In order to inform the UK's position on this issue and ensure that any measures taken are proportionate while protecting consumer safety, please send data on the levels of cadmium in crab. Consumption data on crab would also be useful in negotiating the UK's position when limits are set.

Research on Arsenic in Rice:

The Agency has published results from two studies: arsenic levels in rice drinks and one on cooking methods to reduce arsenic levels in rice. As a result of the rice drink study, the Agency recommends that toddlers and young children should not have rice drinks, often known as rice milk, as a replacement for cows' milk, breast milk or infant formula. Other groups of people do not need to change their diet because their exposure to arsenic from rice drinks is lower relative to their bodyweight.

In the second study, researchers looked at the effect of cooking methods on arsenic content of rice. The Agency is not advising anyone to change the way they cook rice as a result of this study as the impact on the overall dietary intake of arsenic from different cooking methods is minimal.

Further details are available from

<http://www.food.gov.uk/news/newsarchive/2009/may/arsenicinriceresearch>

Request for data:

Please send data on the following:

- Cadmium levels in crabs (white meat, brown meat or mixed)
- Consumption data on crab

The **closing date for submission of data is 11 June 2009**. These data will be compiled and assessed to carry out refined exposure assessments and formulate the UK's position.

For further information or to submit comments or data on Inorganic Contaminants, please contact Kara Thomas: Kara.Thomas@foodstandards.gsi.gov.uk. Tel 020 7276 8711.

Mycotoxins

All the following items (except research projects) were discussed at the Expert Working Group meeting on Agricultural Contaminants held on 5 May 2009:

Setting of maximum limits for T2/ HT2 toxins in cereals and cereal products

A summary of the updated information presented at the Fusarium forum in February was given and it is clear that there are still some gaps in the knowledge base. Discussions on this will continue with a view to setting maximum limits, however the Commission has indicated that it will request an updated risk assessment from EFSA to confirm the t-TDI of 0.06 µg/kg bw set by SCF in 2000 but also in particular the potential risk to consumers based on any new occurrence and consumption data.

Review of Fusarium toxin maximum limits in Commission Regulation (EC) No. 1881/2006

The main focus of the review is currently on concerns raised by industry that certain maximum limits for deoxynivalenol (DON) in wholemeal flour or 'high-extraction' flour, as well as other finished consumer products are too low in relation to unprocessed cereals [wheat]. Whilst the primary aim of the Commission and Member States is to ensure that consumer protection in relation to DON is maintained, there is recognition that there are some difficulties in relation to the current maximum limits set and therefore there is a commitment as part of the review to look at the achievability of these maximum limits.

As part of the review process, the Commission will request further information and clarification on the position papers put forward by industry. The review process will also include risk assessments to ensure that any changes to the maximum limits that might take place continue to protect consumer health.

Currently, there is also consideration being given to a change in the maximum limits for zearalenone (ZON) in certain breakfast cereals following wet conditions during

flowering and harvest of wheat crop in 2008, which has increased contamination of ZON, particularly in bran. The European cereals industry has proposed a revised maximum limit on a temporary basis, which the Commission and Member States are giving consideration to. The UK is currently completing a risk assessment to ensure that consumer safety would not be compromised and discussions on this issue will continue at the next Expert Working Group meeting on Agricultural Contaminants on 8 June.

Changes to Commission Regulation (EC) No. 1881/2006 including alignment of maximum limits for aflatoxins with limits agreed at Codex

Please see previous Interested Parties' letter for details of the proposed amendments at www.food.gov.uk/multimedia/pdfs/contaminantsbulletin0309.pdf. An attached document to this letter represents the Working Document for the proposed changes to Section 2.1 of the annex to 1881/2006 on mycotoxins at the time of the Expert Working Group meeting on 5 May and includes a category for mixtures of nuts although it was agreed that a more simplified approach will be applied so that a limit of 5 µg/kg for aflatoxin B₁ will apply in all cases of mixtures of nuts and the footnote (****) will be amended/ deleted accordingly.

It was also clarified that all oilseeds for direct human consumption would be included in the annex with maximum limits of 2 µg/kg and 4 µg/kg respectively for aflatoxin B₁ and total aflatoxin and that oilseeds specifically for crushing for oil extraction will be exempted from the proposed maximum limits, which will be clarified in the footnote (**). Labelling of such consignments would need to be clear for this purpose.

It is envisaged that these changes will be finalised and implemented by the autumn and progress on adoption of the measures will be reported via the Interested Parties bulletins.

Ochratoxin A in spices

The Food and Veterinary Office (FVO) has recently completed a mission to South America to investigate ochratoxin A in paprika. It is envisaged that discussions on setting maximum limits for ochratoxin A in spices will recommence after the findings of the mission are presented.

Alignment of controls in Commission Decision 2006/504/EC with Regulation (EC) 882/2004 and frequency of controls required in Annex I of the implementing measure for Article 15(5) Regulation

Discussions on alignment of the two sets of legislation were discussed at the Expert Working Group meeting on 5 May.

Commission Decision 2007/759/EC, amending Commission Decision 2006/504/EC as regards peanuts from Brazil will be added to the Article 15(5) legislation, annex I as no certification is currently required from Brazil on this Decision. However, it is envisaged that all other commodities currently included in Commission Decision 2006/504/EC will remain within the Decision, where certification prior to EU imports are mandatory, unless it is demonstrated that there is improvement in controls prior to export from the

third country. In such cases, consideration may be given in future for the commodities to be covered by legislation on conditions of pre-export, as provided for by Article 23 of Regulation (EC) No. 882/2004.

It is envisaged that alignment will take place on the lists of Designated Points of Entry and that all the fees will be paid for by the operator regardless of the analytical result.

In addition, for the purposes of harmonisation, Commission Decision 504/2006/EC may be provided for in legislation as a *Regulation* in future.

Discussion will be held at future Expert Working Group meetings on Agricultural Contaminants on the list of products currently in annex 1 to the Article 15(5) Regulation once the criteria for listing products has been agreed. Discussions will also continue on sampling frequency for both sets of legislation.

The aim is to have a revised 2006/504/EC text ready for agreement by Autumn at the earliest, with an application date either simultaneously with that for the Article 15(5) Regulation or at least not before it.

To reiterate, Article 15(5) and Decision 2006/504/EC will co-exist, Article 15(5) is not a replacement for the Decision.

For further information on development of the Article 15(5) Regulation go to www.food.gov.uk/foodindustry/regulation/europeleg/euupdates/offcupdate0904.

Publication of revised Guidance Document on aflatoxin controls

An update of the Guidance Document for Competent Authorities for the Control of Compliance with EU Legislation on Aflatoxins has been revised and uploaded onto the Commission website at http://ec.europa.eu/food/food/chemicalsafety/contaminants/aflatoxin_guidance0309_en.pdf. Please note that Conversion Services in Annex II, which lists the establishments able to perform sorting and/ or physical treatment to reduce aflatoxin content, is due to be removed.

Updated list of USDA labs under the VASP scheme for US almonds under Commission Decision 2006/504/EC, as amended

This has been issued to enforcement authorities in the UK and can be found as an annex to this bulletin.

The following research project reports, funded by the Food Standards Agency, have been published:

C03046 – Development of improved method of analysis for fumonisins

The project examined, with a view to optimise, the extraction of fumonisins prior to examination of clean-up. The investigation of the extraction included parent, hydrolysed and bound/hidden fumonisins. The most appropriate extraction conditions were identified and the whole method was assessed to demonstrate the performance

parameters compared to EU legal requirements as regards official controls on mycotoxins.

C03055 – Development of representative sampling plans for mycotoxins in foods using distribution modelling

The aim of this study was to produce detailed and robust information on appropriate sampling strategies for surveillance of mycotoxins in raw food commodities using a statistical and modelling approach. In particular, the project investigated the use of geostatistical analysis. The investigation focused on the sampling strategy (regular/random) and the sample size as parameters that affect the statistical properties of the investigated mycotoxins. The emphasis was on deoxynivalenol (DON) in large lots of grain (in storage or bulk transport). Ochratoxin A (OTA) in the same situations was also considered.

C03058 – Investigation into the variety, availability and consumption of ethnic foods on the UK market, liable to mycotoxin contamination

In recent years, an increasing range of imported foods have become available in the UK market, many of which have been highlighted by the Rapid Alert System for Food and Feed (RASFF) as susceptible to mycotoxin contamination. However, there is a gap in the knowledge of foods available to the UK consumers that could be traditionally consumed in significant quantities by small groups of the population such as ethnic minorities.

It was the aim of this project to investigate the variety, availability and consumption of ethnic foods, liable to mycotoxin contamination, on the UK market.

For more information on all these projects, please search our website:

<http://foodbase.org.uk/>



Annex USDA VASP
Labs May 2009 updat



Annex WORKING
DOCUMENT-section 2

Contaminants –source not yet identified

Nicotine in dried mushrooms

Nicotine has been found by the food industry in dried wild mushrooms at levels that exceed the default Maximum Residue Level (MRL) for pesticides set under EU legislation. It is not clear whether the levels found arise from pesticide use, natural background levels or contamination. The European Commission asked EFSA (European Food Safety Authority) to deliver an opinion on the risks to human health from these levels.

The 11 May meeting of the Standing Committee of the Food Chain and Animal Health discussed the available information on nicotine residues and the EFSA risk assessment. On this basis, the European Commission has set guideline temporary

limits for nicotine levels in fresh and dried wild mushrooms (0.04 mg/kg in fresh wild mushrooms, 1.2 mg/kg in dried wild mushrooms other than ceps, 2.3 mg/kg in wild dried ceps). As a precautionary step the Commission has stated that product above these levels “should not be placed on the market and be withdrawn from the market and safely disposed of”.

Member States are requested to put in place a monitoring programme for the 2009 season to have a better understanding of the reasons why levels are being found above the default level. In particular it is hoped that information might clarify whether levels are arising from natural background levels, contamination or pesticide use. This information might also be used to inform the future setting of statutory MRLs under Regulation 396/2005.

The FSA is working on this in cooperation with the Chemicals Regulation Directorate (formerly PSD), who are the competent authority for pesticides.

[CRD has issued an Information Update \[insert link\] noting that “Food business operators should be monitoring wild mushroom products to ensure that food placed on the market does not exceed the new guideline levels”. CRD would welcome being sent any residues data from the food industry to help establish current levels in the UK supply.](#)

Dioxins and dioxin-like PCBS

Lamb & Sheep Liver

The proposal to move from a dioxin limit for liver expressed on a fat basis to one based on whole weight has taken an unforeseen turn. Germany has submitted a substantial data set showing a high degree of non-compliance of ovine liver with the current fat-based limit of 6.0 pg/g. Investigations showed no link with feed, land contamination, geographical source or age. This supports our proposition, first made in 2006, that the original limit was not appropriate for ovine liver. Nevertheless, the German response has been to order 100% testing of ovine liver for compliance, which amounts to an effective ban due to the high cost of analysis, while the risk is fully assessed. This may have had an unexpected benefit, however, since the German data suggests that the currently proposed whole weight limit of 1.0 pg WHO-TEQ/g is too low and that the objective should be to set a limit of between 1.5 and 2.0. This would be subject to winning the debate that the limit should be based on whole weight, for which there is already strong support.

Irish Dioxin Incident

Recent discussions with the Commission have revolved around technical issues. In particular, the Commission is keen to see efforts to reduce the turnaround time for analyses in the event of a future incident of a similar scale. We also suggested that it would be useful to produce some guidance on dioxin regulations and analysis to assist food businesses in selecting test laboratories and interpreting results. The Commission agreed that this was a good idea.

Limits for Infant Food

Progress to reach agreement on this has stalled. A few Member States are calling for lower limits than those proposed, even though this would be unachievable for some,

generally fish-based, products and the Community Reference Laboratory has indicated that it is already difficult to meet the necessary analytical criteria.

Non dioxin-like PCBs

Progress has slowed because of the possible difficulty that some laboratories may have in meeting appropriate analytical criteria for some of the proposed limits (notably pork and baby food). Also, no consensus has been reached on how to resolve the problem raised by France about comparatively higher levels of NDL-PCBs in freshwater fish, so the Commission repeated the request for more data.

Review of Limits

According to Regulation 1881/2006, a review of dioxin and total TEQ limits should have been completed by the end of 2008. However, the European Food Safety Authority (EFSA) is still compiling the data collected by Member States for use in the review. There is every indication that this process will continue for some time as the initial data cleansing operation eliminated most of the data submitted, to the great consternation of those who had taken the trouble to provide it.

Polycyclic Aromatic Hydrocarbons

The Commission has stated that it will begin the review of PAH limits at the Environmental & Industrial Contaminants Working Group on 15 June. This was originally to have taken place in 2007 but was delayed pending an EFSA opinion. As was noted previously, the Commission has indicated that, on the basis of the advice from EFSA, future regulations will be formulated around four PAHs: benzo(a)pyrene as at present, together with benz(a)anthracene, benzo(b)fluoranthene and chrysene. Stakeholders commissioning PAH analysis are therefore advised to request results for these as a minimum and we will be pleased to receive any available PAH data. This will be taken into consideration during the negotiations and will be used to ensure that any future regulatory limits are achievable.