

Chemical Contaminants Interested Parties Letter February 2007

This interested parties letter contains information on on-going and forthcoming issues relating to agricultural, industrial and environmental contaminants in food.

This letter aims to **INFORM YOU** of current contaminant issues and **SEEKS YOUR VIEWS** on these matters.

If you wish to comment on these issues, submit data, or comment on the style and format of this letter, please contact:

General Contaminants Legislation: barry.walters@foodstandards.gsi.gov.uk
Mycotoxins and Process Contaminants: wendy.matthews@foodstandards.gsi.gov.uk

If you are based in Scotland, Wales or Northern Ireland, you can also contact our colleagues in the devolved administrations directly:

Scotland: fiona.bruce@foodstandards.gsi.gov.uk
Wales: helen.george@foodstandards.gsi.gov.uk
Northern Ireland: anne-marie.chambers@foodstandards.gsi.gov.uk

This February 2007 edition contains updates following the meetings of:

15-16 January 2007: Agricultural Contaminants - Commission Working Group (WG 15 Jan)

15-16 January 2007: 4th Fusarium Toxins Forum

5-6 February 2007: Agricultural Contaminants - Commission Working Group (WG 5 Feb)

9 February 2007: Standing Committee on the Food Chain and Animal Health (SC 9 Feb)

14 February 2007: Codex Alimentarius Working Party (Food additives and Contaminants) (Codex WG 14 Feb)

Summary of Contents

GENERAL CONTAMINANTS LEGISLATION

1. Contaminants in Food (England) Regulations 2007

The Contaminants in Food (England) Regulations 2007 have recently been published. This legislation (Statutory Instrument) will give effect in England to European Commission Regulation (EC) No 1881/2006 setting maximum levels for certain contaminants in foodstuffs.

Click here for further information.

CODEX COMMITTEE ON CONTAMINANTS IN FOOD

1. Provisional Agenda for 1st Session of CCCF – Request for Comments

The 1st session of the Codex Committee on Contaminants in Food (CCCF) is on 16-20 of April. The provisional agenda can be found under reference CX-735-01 at:

www.codexalimentarius.net/web/current.jsp?lang=en

The agenda contains links to a number of papers that have already been circulated. Comments on these papers are requested by 30th March.

MYCOTOXINS

1. Amendment of Commission Decision 2006/504/EC on special conditions governing certain foodstuffs imported from certain third countries due to contamination risks of these products by aflatoxins

Commission Decision 2006/504 governs the import of certain foodstuffs from third countries which are considered to have a high risk of exceeding limits for aflatoxin contamination. The amendment to this Decision was discussed at the Working Group meetings on 15-16 January and 5-6 February, and voted on at the Standing Committee meeting on 9 February. Consignments of less than 5kg are to be excluded from the controls and further exemptions have been set for composite products.

Click here for further information.

2. Aflatoxin guidance document

This document will be updated to take account of the amendments to Commission Decision 2006/504/EC, as described above. Further amendments will include a Community list for companies which can carry out further processing to reduce aflatoxins levels in peanuts.

3. Setting of maximum levels for Ochratoxin A in various foodstuffs - Request for data to inform a Regulatory Impact Assessment

Commission Regulation 123/2005 (amending Regulation 466/2001) includes a requirement to review the setting of maximum levels for OA in various commodities. The Commission has produced a document summarising

discussions at recent meetings, in particular the commodities for which limits are to be set. This working document was discussed and endorsed by the Standing Committee on the 9th February. **If your activity is affected by the proposed measures, your input to the development of the RIA would be greatly appreciated. You can do this by completing the attached questionnaire.** For your information, the draft RIA, which will be developed further using your answers, is also attached. We would be grateful for responses by the **3rd March 2007, although we welcome any responses, data or further information at any time throughout this consultation.**

Documents

[Working document on Ochratoxins](#)

[Partial RIA on Ochratoxins](#)

[RIA Questionnaire](#)

4. Fusarium toxin forum

The forum held on the 15-16 of January was well attended by several industrial organisations in addition to Member States. Industry and other organisations gave presentations on fusarium toxins in cereals and cereal products. A follow-up of the forum, discussing maize and maize products, was held on the 5-6 of February. Copies of the presentations are available upon request. Please see below, and the link to the fusarium working document for more information.

5. Follow up of fusarium toxin forum: Discussion on fusarium in maize and maize products – Request for data to inform a Regulatory Impact Assessment

Following the information received at the fusarium toxin forum, discussions continued at the meeting of the Working Group meeting on 5-6 February. A Commission drafted document summarises discussions at this meeting. This working document was discussed and endorsed by the Standing Committee on the 9th February. **If your activity is affected by the proposed measures, your input to the development of the RIA would be greatly appreciated. You can do this by completing the attached questionnaire.** For your information, the draft RIA, which will be developed further using your answers, is also attached. Replies to the questionnaire are kindly requested by the **3rd March 2007, although we welcome any responses, data or further information at any time throughout this consultation.**

Documents

[Working document on Fusarium](#)

[Partial RIA on Fusarium](#)

[RIA Questionnaire](#)

6. Ergot Recommendation

There was further discussion on the latest version of the Recommendation to Member States to monitor ergot in food and feed at the Working Group meeting 5-6 February.

7. Update of Community Reference Laboratory (CRL) Activities

The Community Reference laboratory for Mycotoxins (JRC GEEL) gave an update of their activities in 2006, and planned activities for 2007, including proficiency testing and interlaboratory trials.

[Click here for further information.](#)

8. Publication of two Codes of Practice for the reduction of mycotoxins in cereals

The Food Standards Agency has developed two codes of practice to help farmers reduce the levels of mycotoxins in cereals through changes to cultivation and storage practices. The codes of practice have been developed in response to EU Recommendation 2006/583 on the prevention and reduction of fusarium toxins in cereals and cereal products. The first code of practice deals with the reduction of fusarium mycotoxins in the field while the second details practices to minimise the formation of ochratoxin A in stored grain. The Codes of Practice are available at:

MISCELLANEOUS

1. Morphine in poppy seeds

Discussions continued at the recent meetings. The Commission intends to ask EFSA for a risk assessment on this issue.

2. Apricot kernels

In previous meetings, Member States have discussed the issue of high levels of hydrocyanic acid in bitter apricot kernels intended for direct human consumption. The Commission have requested views from Member States, by the next Working Group meeting on 12-13 March, on possible options to protect consumer from the risks posed by this product.

GENERAL CONTAMINANTS LEGISLATION

Contaminants in Food (England) Regulations 2007

The Contaminants in Food (England) Regulations 2007 have recently been published. These Regulations revoke and replace The Contaminants in Food (England) Regulations 2006, as amended, and will come into force on 1 March 2007. Their purpose is to make provision for the enforcement and enactment of [Commission Regulation 1881/2006](#), which repeals and expands Commission Regulation 466/2001, as amended, setting maximum levels for certain contaminants in foodstuffs.

Commission Regulation 1881/2006 also specifies the methods of sampling and analysis that are required to be used for the official control of levels of the substances covered by it. Therefore, you may wish to be aware that two new allied official sampling and analysis Commission Regulations on nitrates and on dioxins and dioxin-like PCBs have replaced the existing Commission Directives for these contaminants, details are given below:

- [Commission Regulation \(EC\) No. 1882/2006](#), lays down methods of sampling and analysis for the official control of levels of nitrates in certain foodstuffs. The Regulation will replace Commission Directive 2002/63/EC
- [Commission Regulation \(EC\) No. 1883/2006](#), lays down methods of sampling and analysis for the official control of levels of dioxins and dioxin-like PCBs. The Regulation will replace and revoke Commission Directive 202/69EC, as amended.

Copies of the Contaminants in Food (England) 2007 (S.I. 2007 No. 210) are available from the Office of Public Sector Information website at the following address:
http://www.opsi.gov.uk/si/si2007/uksi_20070210_en.pdf

▲ Contents Summary

MYCOTOXINS

For further information or to submit comments or data on Mycotoxins, please contact Wendy Matthews at: wendy.matthews@foodstandards.gsi.gov.uk

Amendment of Commission Decision 2006/504/EC on special conditions governing certain foodstuffs imported from certain third countries due to contamination risks of these products by aflatoxins

Discussed at WG 15 Jan, 5 Feb, SC 9 Feb

Commission Decision 2006/504 governs the import of certain foodstuffs from third countries which are considered to have a high risk of exceeding limits for aflatoxin contamination, for example pistachios from Iran and unshelled Brazil nuts from Brazil. The Decision sets special conditions regarding certification and testing of these products.

In amending this Decision, Member States have agreed that any products which contain less than 10% of the foodstuff of concern or are imported in a consignment of under 5 kg should be excluded from the Decision. However, this does not preclude Member States from sampling products below these threshold values. This amendment also makes provisions to include points of import for the new Member States Romania and Bulgaria. This Decision applies from the 1st June 2007, with the updated points of import applying from 1st January, and will be implemented in England by a declaration. Devolved administrations have similar provisions for implementation.

▲ Contents Summary

Setting of Maximum Levels for ochratoxin A in various food stuffs – Request for data to inform a Regulatory Impact Assessment

Discussed at WG 5 Feb, SC 9 Feb

Commission Regulation 123/2005 (amending Regulation 466/2001) includes a requirement to review the setting of maximum levels for OA in various commodities. It has been agreed not to change the limits currently in place. No limits will be set for green coffee, cocoa beans, meat, offal, liqueur wines, beer and dried fruit other than vine fruit. The current framework for discussions is summarised in the working document produced by the Commission, below. The main foodstuffs under discussion are certain spices and liquorice products. We welcome any data or comments on the limits under discussion.

The intention is to finalise the position of the Working Group at the next meeting on 12-13 March. The Agency is required to produce a Regulatory Impact Assessment (RIA), which is a consultation document designed to analyse the likely impacts of a policy change. **If your activity is affected by the proposed measures, your input to the development of the RIA would be greatly appreciated. You can do this by completing the attached questionnaire.** For your information, the draft RIA, which will be developed further using your answers, is also attached. Replies to the questionnaire are kindly requested by the **3rd March 2007, although we welcome any responses, data or further information at any time throughout this consultation.**

Spices

A range of values between 10 and 30 µg/kg is under consideration, with the higher end of the range only acceptable as a short-term measure.

Liquorice products.

There was general agreement over setting different limits for liquorice root (20 µg/kg) and liquorice extract (80 – 100 µg/kg). There is a lack of good analytical methodology, which may need to be followed up by the Community Reference Laboratory.

Documents

[Working document on Ochratoxins](#)

[Partial RIA on Ochratoxins](#)

[RIA Questionnaire](#)

▲ Contents Summary

Follow up of fusarium toxin forum: Discussion on fusarium in maize and maize products – Request for data to inform a Regulatory Impact Assessment

Discussed at WG 5 Feb, SC 9 Feb

Following the information received from stakeholders at the Fusarium toxin forum, a Working Group meeting was held on 5-6 February. A Commission drafted document summarising current discussions is attached and was endorsed by the Standing Committee on 9 February. This working document indicates the commodities covered as well as ranges under consideration for maximum limits, and requests data relating to levels of fusarium toxins in maize. Any data should be submitted as outlined in the document, attached below.

It was decided that more sensitive analytical methods are required for T-2 and HT-2 to allow more accurate exposure assessments before limits can be set in legislation.

The intention is to finalise the position of the Working Group at the next meeting on 12-13 March, in preparation for implementation on 1st July, with limits applying from 1st November. The Agency is required to produce a Regulatory Impact Assessment (RIA), which is a consultation document designed to analyse the likely impacts of a policy change. **If your activity is affected by the proposed measures, your input to the development of the RIA would be greatly appreciated. You can do this by completing the attached questionnaire.** For your information, the draft RIA, which will be developed further using your answers, is also attached. Replies to the questionnaire are kindly requested by the **3rd March 2007, although we welcome any responses, data or further information at any time throughout this consultation.**

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▲ Contents Summary

Update of Community Reference Laboratory activities

Discussed at WG 5 Feb

The Joint Research Council (JRC) at Geel is the Community Reference Laboratory (CRL) for mycotoxins. The role of the CRL is to coordinate the activities of the National Reference

Laboratories (NRLs), by providing details of analytical methods, and conducting comparative trials of these methods.

The first meeting with the NRLs has been held, and the next meeting will be held on 22-23 March. The results of a proficiency test for aflatoxin analysis are being evaluated.

The T2/HT2 interlaboratory determination trial is expected to be reported by the end of February. Preliminary results suggest the method will achieve an overall limit of quantification of below 10 µg/kg. Planned proficiency tests include aflatoxins in peanuts and deoxynivalenol in cereals. The Commission has also requested a proficiency testing round for OA in paprika.

There were discussions on the reporting of results and measurement uncertainty, and investigation of sampling methods will be considered at the next meeting with NRLs.

▲ Contents Summary