

Chemical Contaminants Interested Parties Letter November 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:

Mycotoxins:

Simona.Origgi@foodstandards.gsi.gov.uk

Nitrates

Valerie.McFarlane@foodstandards.gsi.gov.uk

Process Contaminants

Nina.Webber@foodstandards.gsi.gov.uk

Inorganic Contaminants:

Christina.Baskaran@foodstandards.gsi.gov.uk

Dioxins, PCBs, PAHs:

David.Mortimer@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 November 2007 edition contains updates following the meetings of:

13 September 2007: POPs – Commission Working Group
(WG 13 September)

14 September 2007: Agricultural Contaminants - Commission Working Group
(WG 14 September)

5 October 2007: Commission Standing Committee on the Food Chain and Animal Health
(SC 5 October)

29 October 2007: Environmental and Industrial Contaminants - Commission Working Group
(WG 29 October)

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[Click here for further information](#)

NITRATES

EFSA risk-benefit analysis of nitrates.

[Click here for further information](#)

PROCESS CONTAMINANTS

EFSA opinion on ethyl carbamate, update of the CIAA toolbox for acrylamide.

[Click here for further information](#)

INORGANIC CONTAMINANTS

Revision of limits for cadmium in fish and shellfish; setting of limits for lead and cadmium in food supplements, algal products, herbs, spices, beverages; EFSA opinions on lead and cadmium; concentration factors and limits for processed products.

[Click here for further information](#)

DIOXINS, PCBs, PAHs

Setting of limits for PAHs in food supplements, herbs and spices, tea and coffee; limits in smoked and dried fish, canned smoked fish, cocoa butter. Review of existing limit for dioxins in liver and possible setting of limit for dioxins and PCBs in fish liver (fresh and canned); harmonisation of limits for non-dioxin-like PCBs in a range of foods.

[Click here for further information](#)

MYCOTOXINS

For further information or to submit comments or data on mycotoxins, please contact Simona Origgi at: Simona.Origgi@foodstandards.gsi.gov.uk

You may wish to note Bryan Jones has retired from the Agency. Please re-direct any enquiries to Simona Origgi at the address above.

Commission Decision approving the pre-export checks carried out by the United States of America on peanuts and products for aflatoxins

Discussed at WG 14 September and SC 5 October

A recent Food and Veterinary Office (FVO) mission to the US assessed the official control systems in place for the control of aflatoxin contamination in peanuts intended for exports. As a result of this mission, it was decided that approval of the pre-export checks of consignments could be taken into account when deciding what import controls to apply. In light of this, a draft Commission Decision was discussed at the Agricultural Contaminants Working Group 14th September 2007. Pre-export certification does not imply an exemption from import controls, but controls could be reduced as a result. Documentary checks will be carried out on consignments at the point of entry into the Community.

The Decision was agreed at the Standing Committee on 5th October.

Commission Decision imposing an increased frequency of controls on peanuts and derived products originating in or consigned from Brazil due to contamination risks of these products by aflatoxins

Discussed at WG 14 September and SC 5 October

The Food and Veterinary Office (FVO) carried out a mission to Brazil earlier this year to assess the control systems in place to prevent aflatoxin contamination in peanuts intended for export to the European Union. The mission found that although the current system for control of peanuts is in place it is not fully implemented and therefore does not fully ensure that peanuts exported to the EU comply with the relevant requirements as regards to aflatoxin contamination.

In light of the findings of this mission, a Commission Decision is being introduced for the purpose of increasing the frequency of sampling and analysis for aflatoxin levels of peanuts and derived products imported into the EU from Brazil. Sampling and analysis by the competent authority of the importing Member State will now take place on 50% of consignments, prior to release onto the market. No health certificate from Brazil is required for the import of these foodstuffs. All costs resulting from sampling, analysis, storage and issuing of accompanying

official documents for foodstuffs covered by this Decision must be borne by the food business operator responsible for the consignment or its representative.

In common with other foodstuffs listed in Commission Decision 2006/504, products containing less than 10% peanuts are excluded from the Decision, as are consignments with a gross weight of 5 kg and under

The Decision was agreed at the Standing Committee on 5th October as an amendment to Commission Decision 2006/504. The draft Decision is available at the following web link:

<http://www.food.gov.uk/multimedia/pdfs/sanco28422007.pdf>

Please note that there were some modifications to this draft before its agreement at Standing Committee. The final text of the Decision will be circulated with a future Interested Parties letter.

The Commission Decision will be enacted in England by way of Declaration under Regulation 33 of The Official Feed and Food Control Regulations 2006. Corresponding provisions will also be introduced in Wales, Scotland and Northern Ireland.

The application of the provisions of Commission Decision 2007/563/EC of 1st August 2007 (almonds from US)

Discussed at WG 14 September and SC 5 October

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.

Commission Decision 2007/563 is the second Decision amending Commission Decision 2006/504, and came into force on 1 August 2007. It sets provisions on the import of almonds and almond products from the United States of America. Those covered by the Voluntary Aflatoxin Sampling Plan (VASP), set up by the Almond Board of California in May 2006, must be accompanied by a health certificate and will be subject to 5% sampling and analysis at the point of import into the Community. Consignments not covered by VASP will be subject to 100% controls (sampling and analysis for aflatoxin levels) prior to release onto the market. The Commission has indicated that if the documentation has expired or is considered not valid, it can be assumed that the consignment does not fall under VASP and therefore 100% sampling may be applied.

A list of approved labs and specimen signatures for the health certificates will be added to the annex of the Commission *Guidance Document for Competent Authorities for the Control of Compliance with EU Legislation on Aflatoxins* (http://ec.europa.eu/food/food/chemicalsafety/contaminants/comm_dec_2006_504_en.pdf). Please note that the annex is not yet available, but when it is it will be updated at regular intervals.

High risk list (Article 15.5 of Regulation 882/2004)

Discussed at WG 14 September

Article 15.5 of Commission Regulation 882/2004 makes provision for a list of foods to be subject to increased official controls. These are foods that are considered to have a high known or emerging risk of being unsafe. Discussions are ongoing regarding the criteria for foods at risk of mycotoxin contamination on the list. The high risk list is due to be finalised by the end of 2007. **It is expected to come into force in spring 2008.**

More information on the general provisions of the high risk list can be found in the October 2007 Update on Official Controls Interested Parties letter: <http://www.food.gov.uk/foodindustry/regulation/europeleg/euupdates/euupdateoffcont0710>

Setting of Maximum Levels for ochratoxin A in various food stuffs

Discussed at WG 14 September

Commission Regulation 1881/2006 includes provisions for maximum levels for Ochratoxin A in various commodities. It has been agreed not to change the limits currently in place, and no limits will be set for green coffee, cocoa beans, meat, offal, liqueur wines, beer and dried fruit other than vine fruit. Limits for certain spices and liquorice products are under discussion. **We welcome any data or comments on the limits under discussion.**

Spices

Discussions continue on proposed limits in the range of 15 and 30 µg/kg. **The Commission has decided to consult internally for the moment to decide on the next steps to take.**

Liquorice

There has been no change to the position since the update in the June Interested Parties letter. The suggested limits for Ochratoxin A in liquorice root and liquorice extract are 20 µg/kg and 80 µg/kg respectively.

Limits for T2/HT2 in various foods

Discussed at WG 14 September

Commission Regulation 1881/2006 makes provision for limits for T2 and HT2 in unprocessed cereals and cereal products. Progress is in the early stages and discussions are expected to start at the next Working Group meeting, initially to consider if T2 and HT2 limits should be set and if so, what they should be. In advance of this, the Commission has made a request for any data that Member States may have. **If you would like to submit data on T2 and HT2, please send it to the address above.**

Fusarium in the 2007 harvest

Discussed at WG 14 September

At the Working Group meeting on 14 September, discussions arose regarding the levels of fusarium toxins in the 2007 harvest. The Commission made a request for any monitoring/surveillance data for this year. **If you have any data that you would like to submit, please send it to the above address.**

NITRATES

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

Nitrates

Discussed at WG 14 September

As mentioned in previous Interested Party letters, the European Food Safety Authority (EFSA) is currently undertaking a risk-benefit evaluation of nitrates. **The results of this evaluation are due next year.** Nitrate limits have been in place for lettuce and spinach since 1997 and current limits can be found in Commission Regulation 1881/2006. The UK currently has a derogation from these limits, but this will end next year. The UK conducts monitoring of nitrate levels in lettuce and spinach annually, the results of which are submitted to the Commission.

PROCESS CONTAMINANTS

For further information or to submit comments or data on process contaminants, please contact Nina Webber at: Nina.Webber@foodstandards.gsi.gov.uk.

Ethyl carbamate

Discussed WG 29th October

The ESFA opinion on ethyl carbamate has now been adopted. EFSA concluded that ethyl carbamate in alcoholic beverages could present a health concern particularly with respect to stone fruit brandies and tequila. EFSA recommended

that mitigation measures should be taken to reduce the levels of ethyl carbamate in certain alcoholic beverages such as fruit brandies with a focus on the reduction of hydrocyanic acid and other precursors of ethyl carbamate. Copies of the EFSA opinion on ethyl carbamate can be obtained at the following web link:

http://www.efsa.europa.eu/EFSA/efsa_locale-1178620753812_1178655060600.htm

Acrylamide

Discussed WG 29th October

Work has been ongoing on updating the CIAA toolbox and a new revision is to be released early in December. The toolbox was recently presented at the Commission Working Group on food additives. References are made within the Toolbox to 'food additives' and 'processing aids'. Clarification of the classification of these compounds is being sought.

INORGANIC CONTAMINANTS

For further information or to submit comments or data on Inorganic Contaminants, please contact Christina Baskaran at:

christina.baskaran@foodstandards.gsi.gov.uk

Heavy metals in food supplements

Discussed WG 29th October

There was a consensus that limits were needed for lead and cadmium, but not mercury, in food supplements, but there was uncertainty about the status of algal products. Tea, coffee, herbs and spices are also still under consideration. **As long as discussions continue there is an opportunity to submit further supporting data.**

Simplification of maximum levels for cadmium in fish

Discussed WG 29th October

There was general agreement for the future simplification of the cadmium limits in fish, from four to two categories (0.1 and 0.3 mg/kg). This might also provide the opportunity for relaxation of limits in some species as long as this is supported by appropriate data. **Relevant data, especially for large pelagic fish species, will be welcome.**

EFSA opinion on cadmium and lead

Discussed WG 29th October

EFSA has been asked by the commission to provide an update of the opinion on cadmium and lead. **Data is being sought on occurrence of cadmium and lead in all foods, especially cereal products.** This can include instances where the level found has exceeded a regulatory limit. EFSA have set a deadline on submission of data on cadmium of **30 November**.

Maximum levels for composite processed products

Discussed WG 29th October

There was a lack of enthusiasm for the idea of applying limits to processed products. However, the Commission is considering producing internal guidelines and therefore **any data demonstrating a consistent processing factor would be of value.**

Cadmium in bivalve molluscs

Discussed WG 29th October

There were discussions on reviewing the maximum limit for cadmium in bivalve molluscs to on the basis that some geographical regions suffer high natural levels of cadmium. This is complicated by confusion over whether measurements should include or exclude viscera. **The Commission has asked for Member States to submit relevant data.**

Summary of calls for data for heavy metals

There are opportunities to ensure that, where new limits are introduced, these are set at proportionate levels so that consumers are protected without placing an unnecessary burden on industry. Data for the following are required:

Lead and cadmium: food supplements, algal products, herbs, spices, tea, coffee, cereals and cereal products.

Cadmium: fish (especially predatory, such as shark, marlin and large tuna species); bivalve molluscs; crustaceans.

For the purposes of assessing risk, EFSA will welcome data for lead and cadmium in any food products. Data for cadmium should be submitted by **30 November**.

DIOXINS, PCBs, PAHs

For further information or to submit comments or data on Dioxins, PCBs, or PAHs, please contact David Mortimer at:

David.Mortimer@foodstandards.gsi.gov.uk

PAHs

The Commission is still considering the introduction of limits for benzo(a)pyrene in food supplements, especially herbal supplements, and beverages. It will await the outcome of an EFSA opinion in March 2008 before making concrete proposals. As long as discussions continue there is an opportunity to submit further supporting data. **Data for PAHs in food supplements, herbs and spices, tea and coffee will be of particular value in formulating the UK position.**

Requests for a derogation from Regulation 1881/2006 for smoked fish and cocoa butter and relaxation of the limit for canned smoked fish were not discussed in detail and previous discussions on PAH limits for chocolate confectionery were not followed up. However, the Commission indicated that it had made considerable efforts to find alternative solutions to the problems surrounding smoked and dried fish particularly from West Africa and will be presenting these at the next Working Group. In the meantime, any relevant data will be taken into account.

Summary of calls for data for PAHs

There are opportunities to ensure that, where new limits are introduced, these are set at proportionate levels so that consumers are protected without placing an unnecessary burden on industry. PAH data for the following are required:

Smoked fish, dried fish, canned smoked fish, food/herbal supplements, dried herbs, spices, tea, coffee, cocoa butter, chocolate products.

Dioxins

Discussed WG 13 September

Much of the meeting was taken up with discussions on the dioxin contamination of guar gum. The original measures put in place requiring the testing of all incoming batches have been lifted but Member States were asked to remain vigilant with respect to products from India Glycols Ltd and to remind food operators to ensure the quality and safety of their guar gum based raw materials. Progress on the modification of the existing limits for dioxins and dioxin-like PCBs in liver, to be expressed on a whole weight rather than fat basis, was hampered by the lack of contribution either in data or positions from most other Member States, but the Commission intends to put concrete proposals to the next meeting. There were also discussions on the introduction of a limit for

canned fish liver. At present, fish liver is excluded from the Regulation 1881/2006 either as liver or as a fisheries product. However, a number of Member States have taken action on canned fish liver on the basis of the limit for dioxins and PCBs in fish oil. In order to provide a consistent approach, the Commission wishes to introduce a limit specifically for fish liver. Finally, despite opposition from a number of Member States including the UK, the Commission is pressing ahead with plans to introduce harmonised limits for non dioxin-like PCBs (for which about 8 Member States currently have national limits).

If you require clarification or wish to submit data or express views relating to any of the above items, please contact

David.Mortimer@foodstandards.gsi.gov.uk