

Nitrate surveillance: Appendix 3

Name
Address

Reference:
Date:

Dear

re: UK NITRATE monitoring programme

Thank you for your continued support of the UK Nitrate Monitoring Programme by allowing RSK ADAS Ltd to collect field samples of your product, for analysis of nitrate content.

As you may be aware, a new Commission Regulation (EC) No 1258/2011 came into force in December 2011. This new Regulation amends Commission Regulation (EC) No 1881/2006 which sets maximum limits for nitrate levels in lettuce and spinach, together with a statutory requirement for an annual monitoring programme of nitrate levels in certain vegetables.

Commission Regulation (EC) No 1258/2011 has applied in the UK since 1 April 2012 and sets out new, permanent limits in green leafy vegetables. It ends the previous temporary derogations which permitted the UK and some other EU countries to exceed maximum limits, without compromising consumer food safety, for fresh lettuce and spinach grown and intended for consumption on their own respective territories. Limits have also been included for rocket for the first time under this new Regulation. Furthermore, the regulation now allows Member States to communicate results of the monitoring programme to the Commission on a regular basis, rather than the mandatory deadline of June 30 each year. This change will, however, not affect the programme. I am pleased to provide you with the analytical results for a recent sample of your product, collected as part of the monitoring programme, in Table 1. You should be aware that the level of nitrate found in the sample on this occasion exceeds limits set out in Commission Regulation (EC) No 1258/2011

The sample has been re-tested to confirm that the level is above the maximum limit. Both results are shown in Table 1 for your information. The Food Standards Agency does not intend to take any further action on this occasion. It is, however, expected that breaches of limits would be addressed through voluntary review of agronomic practices and regulatory action considered only after persistent breaches that threaten consumer safety. You may wish to be aware, though, that the data collected will be collated, anonymised and submitted by the Agency to the Commission, for statutory monitoring purposes.

Although the information we have provided is simply for your information, if you do find any analytical results for nitrate in produce from your farm that are above the limits specified in Commission Regulation (EC) No1258/2011, then you may wish to verify your application of the Code of Good Agricultural Practice and the controls you have in place.

Any additional data on nitrate in leafy vegetables you may have as part of your own monitoring would be most useful and such information can be submitted to the Food Standards Agency directly or via a Trade Association and will be treated in confidence.

If you have any queries about your results please feel free to contact me at the above address, or for more general queries about the monitoring programme, please contact Mr Ian Smith at the Food Standards Agency (Tel 020 7276 8375).

Yours sincerely

Angela Huckle
Associate Director
ADAS Horticulture
RSK ADAS Ltd

cc: Ian Smith, Food Standards Agency

Table 1: Results of samples taken

Grower	Sampler	Sample Date	Sample ID	Sample type	Variety	Nitrate (mg NO ₃ /kg)	Re-test Nitrate (mg NO ₃ /kg)
-	-	-	-	-	-	-	-

Appendix 1

Maximum permitted levels of nitrates in fresh spinach and lettuce (under Commission Regulation (EU) No 1258/2011)

Products	Maximum permitted levels (mg NO ₃ /kg)
Fresh spinach	/3500
Preserved, deep-frozen or frozen spinach	/2000
Fresh lettuce	Harvested 1 October to 31 March: Lettuce grown under cover /5000 Lettuce grown in the open air /4000 Harvested 1 April to 30 September: Lettuce grown under cover /4000 Lettuce grown in the open air /3000
Iceberg-type lettuce	Lettuce grown under cover /2500 Lettuce grown in the open air /2000

Letter used from January 2021 for samples collected in GB

Date: xxxx

Dear Sir/Madam,

Re: UK Nitrate Monitoring Programme

Thank you for your continued support of the UK Nitrate Monitoring Programme by allowing RSK ADAS Ltd to collect field samples of your product, for analysis of nitrate content.

As you may be aware, GB retained law 1258/2011 came into force in December 2011. This Regulation amends GB retained law 1881/2006 which sets maximum limits for nitrate levels in lettuce and spinach, together with a statutory requirement for Member States to monitor nitrate levels in certain vegetables.

The GB retained law 1258/2011 has applied in the UK since 1 April 2012 and sets out new, permanent limits in green leafy vegetables. It ends the previous temporary derogations which

permitted the UK and some other EU countries to exceed maximum limits, without compromising consumer food safety, for fresh lettuce and spinach grown and intended for consumption on their own respective territories. Limits have also been included for rocket for the first time under this new Regulation. Furthermore, the regulation now allows Member States to communicate results of the monitoring programme to the Commission on a regular basis, rather than the mandatory deadline of June 30 each year. This change will, however, not affect the programme. I am pleased to provide you with the analytical results for a recent sample of your product, collected as part of the monitoring programme, in Table 1. You should be aware that the level of nitrate found in the sample on this occasion exceeds the maximum limits.

The sample has been re-tested to confirm that the level is above the maximum limit. Both results are shown in Table 1 for your information. The Food Standards Agency does not intend to take any further action on this occasion. It is, however, expected that breaches of limits would be addressed through voluntary review of agronomic practices and regulatory action considered only after persistent breaches that threaten consumer safety. You may wish to be aware, though, that the data collected will be collated, anonymised and published by the FSA.

Although the information we have provided is simply for your information, if you do find any analytical results for nitrate in produce from your farm that are above the maximum limits, then you may wish to verify your application of the Code of Good Agricultural Practice and the controls you have in place.

Any additional data on nitrate in leafy vegetables you may have as part of your own monitoring would be most useful and such information can be submitted to the Food Standards Agency directly or via a Trade Association and will be treated in confidence.

If you have any queries about your results please feel free to contact me at the above address, or for more general queries about the monitoring programme, please contact Mr Ian Smith at the Food Standards Agency (Tel 020 7276 8375).

Yours sincerely

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cc: Ian Smith, Food Standards Agency