

January 2015

Dear Sir / Madam,

**Food Safety Policy Update - January 2015**

Please find attached the latest issue of our periodic update bulletin that provides you with information on the key developments within Food Safety Policy at the Food Standards Agency (FSA).

This summary of news items details the areas covered in this bulletin and clicking on the associated link will take you directly to the relevant material.

Should you have any enquiries regarding information presented, please feel free to contact the Directorate Support Unit ([DSU@foodstandards.gsi.gov.uk](mailto:DSU@foodstandards.gsi.gov.uk)).

I would be grateful for your feedback on whether you would like the update to continue and how it can be improved. Please send any comments to me at [benjamin.nketiah@foodstandards.gsi.gov.uk](mailto:benjamin.nketiah@foodstandards.gsi.gov.uk).

Yours faithfully,

Benjamin Nketiah  
Directorate Support Unit

FOOD SAFETY POLICY UPDATE: January 2015

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## Process Contaminants

### Acrylamide

The 2011-2013 survey of acrylamide and furan in UK retail foods was published in Sept 2014. The results and outcomes of the survey and the accompanying contractor's final report can be found at:

<http://www.food.gov.uk/science/research/surveillance/food-surveys/food-survey-information-sheets-2014/acrylamide-and-furan>

The FSA is continuing to survey levels of acrylamide and furan in UK retail foods and the results of the current 2014 surveillance are likely to be published during mid-2015. Further details of the on-going programme of surveillance can be found at:

<http://www.food.gov.uk/science/research/chemical-safety-research/pc-research/fs102075>

The FSA has recently completed a study to establish the extent to which consumers are exposed to acrylamide as a result of home cooking. The results of this targeted research are likely to be published during the first half of 2015. Further information can be found at:

<http://www.food.gov.uk/science/research/chemical-safety-research/pc-research/fs102070>

The European Food Safety Authority (EFSA) in the summer launched an open consultation on their draft scientific opinion on acrylamide in food. Developed by the EFSA Panel on Contaminants in the Food Chain (CONTAM), this is the first full risk assessment of acrylamide in food conducted by EFSA.

EFSA is scheduled to hold a public scientific meeting in Dec 2014 to discuss the results of the online consultation phase with all the contributing stakeholders and other relevant parties. The CONTAM Panel will review the results of the entire process prior to adoption of a finalised opinion from EFSA expected during the first half of 2015. Further information can be found at:

<http://www.efsa.europa.eu/en/topics/topic/acrylamide.htm>

### **N-nitroso compounds (NOC)**

The FSA has commissioned a research study to investigate the types and levels of nitrosamines present in a range of processed foods. The outcomes and results of the study are expected to be published in the first half of 2016. Further information can be found at:

<http://www.food.gov.uk/science/research/chemical-safety-research/pc-research/fs102076>

### **Ethyl Carbamate**

The Commission is considering options for a more formal Code of Practice (CoP) for the prevention and reduction of ethyl carbamate contamination in stone fruit spirits and stone fruit marc spirits. Commission Recommendation 2010/133/EU recommended that Member States monitor the levels of ethyl carbamate in stone fruit spirits and stone fruit marc spirits. The EFSA evaluation of these monitoring data was published on 28 March 2014. More than 80 % of the analytical results in 'Spirits made from stone fruits' and more than 95 % of the analytical results in 'Spirits made from fruits other than stone fruits' were below the target value of 1 mg/l.

The possibility of reducing the target value of 1mg/l will be considered although there are no plans to set a maximum level for ethyl carbamate in Commission Regulation 1881/2006. Stakeholders should send any comments they have on the current wording of the CoP and the target value of 1mg/kg to

[Benjamin.Nketiah@foodstandards.gsi.gov.uk](mailto:Benjamin.Nketiah@foodstandards.gsi.gov.uk)

CoP within Commission Recommendation 2010/133/EU:

<http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:052:0053:0057:EN:PDF>

## **Environmental Contaminants (Inorganic)**

### **Perchlorate**

Following a European Commission statement in 2013 as regards the presence of perchlorate in food, the FSA commissioned a research study to investigate the levels of perchlorate in a wide range of fruit and vegetables (and other foods such as milk

and infant foods) consumed in the UK. The final report will be published in the first half of 2016. The Commission statement and details of the FSA research study can be found at:

[http://ec.europa.eu/food/food/chemicalsafety/contaminants/statement-perchlorate\\_en.pdf](http://ec.europa.eu/food/food/chemicalsafety/contaminants/statement-perchlorate_en.pdf)

<http://www.food.gov.uk/science/research/chemical-safety-research/fs102077>

EFSA at the request of the European Commission has produced a scientific opinion on perchlorate in food, in particular fruits and vegetables. The EFSA Panel on Contaminants in the Food Chain (CONTAM Panel) recommended that more data should be collected on the occurrence of perchlorate in food, especially for vegetables, infant formula, and milk and dairy products. EFSA's scientific opinion can be found at: <http://www.efsa.europa.eu/en/efsajournal/pub/3869.htm>

It is likely that a Commission Recommendation for monitoring perchlorate levels in a range of foods for at least the next two years will be prepared for endorsement in Jan 2015. It is expected that the data obtained from such monitoring will be used for discussions at EU level on the possible setting of maximum levels for perchlorate in food. In the interim period, data collected so far by Member States is to be submitted by February 2015 for consideration by the Commission in March 2015. If deemed sufficient the data will be used to review current provisional action levels and inform discussions on maximum levels for perchlorate in food.

## **Chlorate**

Chlorate residues have recently been found in fresh produce (fruits and vegetables) possibly due to the use of chlorinated/disinfected wash water. Chlorate, as a pesticide is banned in the EU. No agreement was reached on setting the maximum levels and as a result, national authorities have been asked to set their own statutory levels. This means instead of applying specific limits it was agreed that member states would decide what actions to take on the basis of case-by-case risk assessments. The Commission has requested a scientific opinion from EFSA on chlorates. The UK, like some other Member States, is collecting data to forward to the Commission by end of December 2014, ahead of a possible EFSA opinion by mid-2015.

## **Lead**

The European Commission's proposals for new maximum limits for lead in certain foods (and revisions to existing maximum limits) are close to being agreed and will be included as an amendment to Commission Regulation (EC) No. 1881/2006 once finalised.

The existing maximum level for lead in infant formulae and follow on formulae of 0.02mg/kg applies to the products ready to use (marketed as such or after reconstitution as instructed by the manufacturer). Separate maximum levels are proposed for lead in infant formulae and follow-on formulae marketed as powder (0.05mg/kg) and infant formulae and follow-on formulae marketed as liquid (0.01mg/kg).

New maximum levels are proposed for lead in ready-to-eat meals for infants and young children (0.05mg/kg); cereal based foods for infants and young children (0.05mg/kg); other food for infants and young children marketed as liquids or after reconstitution (0.03mg/kg) and other food for infants and young children to be prepared by steeping, brewing, infusion or decoction [extraction by boiling] of (1.5mg/kg).

A reduction in the maximum limit for lead in Cephalopods from 1mg/kg to 0.30mg/kg is proposed. New maximum limits have been put forward for lead in honey (0.10mg/kg) oilseeds (0.10mg/kg), sweet corn (0.10mg/kg) and fruiting vegetables other than sweet corn (0.05mg/kg)

A reduction in the maximum limit for lead in fruit juices, concentrated fruit juices as reconstituted and fruit nectars from 0.05mg/kg to 0.03mg/kg is proposed, although this may be subject to further discussion. A lower limit for lead in wine, cider, perry and fruit wine from the 2014 harvest (0.15mg/kg) is also proposed.

A limit for lead tea of 1mg/kg (“the dried leaves and stalks, fermented or otherwise of *Camellia sinensis*”) had been proposed by the Commission in mid-2014. However, this has been put on hold for the time being as the FSA, along with some other Member States felt that more data was required on lead levels in tea before a maximum limit could be considered. The FSA is currently carrying out a small study on lead levels in tea to provide these data.

## Arsenic

The Commission’s proposal for EU maximum limits for inorganic arsenic in rice and rice products is still under discussion and there may be some further splitting of the limits that have currently been proposed. These limits are expected to be agreed in January 2015 and will apply from mid-2015. There may be a transition period before the limit for rice destined for the production of foods for infants and young children applies, although the timing of this has not been agreed. It is also anticipated that the Commission’s proposal for a limit for puffed rice may be removed.

### *Current proposed limits*

	Proposed maximum limits for inorganic arsenic* (mg/kg)
Non-parboiled milled rice (polished or white rice)	0.20
Parboiled rice and husked rice	0.25
Puffed rice, rice wafer, rice cracker and rice doughnut	0.30
Rice destined for the production of foods for infants and young children	0.10

\*sum of As(III) and As(V). Rice, husked rice, milled rice and parboiled rice are defined in Codex Standard 198-1995.

## Mercury

The EFSA Panel on Dietetic Products, Nutrition and Allergies (NDA) published their Scientific Opinion on health benefits of seafood (fish and shellfish) consumption in relation to health risks associated with exposure to methylmercury in July 2014. They concluded that consumption of about 1-2 servings of seafood per week and up to 3-4 servings per week during pregnancy have been associated with better functional outcomes of neurodevelopment in children compared to no consumption of seafood. Such amounts have also been associated with a lower risk of coronary heart disease mortality in adults. These associations include beneficial and adverse effects of nutrients and non-nutrients (i.e. including contaminants such as methylmercury) contained in seafood. No additional benefits on neurodevelopmental outcomes and no benefit on coronary heart disease mortality risk might be expected at higher intakes.

Scientific Opinion on seafood consumption v methylmercury:  
<http://www.efsa.europa.eu/en/efsajournal/pub/3761.htm>

## Chromium

The EFSA Panel on Contaminants in the Food Chain (CONTAM) published their Scientific Opinion on the risks to public health related to the presence of chromium in food and drinking water in March 2014. The Panel considered that all chromium in food is present as Cr(III) and the exposures from food do not raise concerns for public health. In the case of drinking water, the Panel considered all chromium in water as Cr(VI). Overall, the exposures indicated a low concern regarding Cr(VI) intake via drinking water for all age groups when considering the mean chronic (long-term) exposures. To improve the risk assessment, there is a need for data on the content of Cr(III) and Cr(VI) in food and drinking water.

Scientific Opinion on Chromium:  
<http://www.efsa.europa.eu/en/efsajournal/pub/3595.htm>

## Agricultural Contaminants

### Ochratoxin A in capsicum spp.

Regulation (EC) No 594/2012, amending Regulation 1881/2006, sets the maximum levels (MLs) for ochratoxin A in spices and mixtures of spices containing one or more of named spices at 15µg/kg. For paprika (*Capsicum* spp.) this limit would be applicable only from January 2015 – as it was shown that this limit was not achievable and a higher ML of 30µg/kg was introduced while the possible impact of good agricultural/manufacturing practices (GAP/GMP) was closely examined.

Although efforts have been taken to implement GAP/GMP and there have been significant reductions in OTA levels in *Capsicum* spp. through these measures, occurrence data indicate that a considerable proportion of products will not be able

to comply with the lower 15 µg/kg limit - especially those from the major producers like Spain and exporters such as Peru and China. The request, therefore, has been for the higher ML to be retained and negotiations are ongoing at the EC's expert Working Group. In order to keep exposures as low as possible, while taking the achievability into consideration, a value in between 15 and 30 µg/kg might be set. A decision is expected in early 2015.

### **Tropane alkaloids**

EFSA published its scientific opinion on tropane alkaloids in food in 2013. Very limited occurrence data were available and a reliable exposure estimate was only possible for one food and one age class (toddlers). The opinion concluded that based on the limited information, the dietary exposure of toddlers could be up to seven times the group Acute Reference Dose (ARfD) and could exceed the group ARfD on approximately 11 to 18 % of consumption days. It also recommended that there was a need for more occurrence data and monitoring of tropane alkaloids in food. The Commission got agreement from Member States (MSs) that more data would be collected for tropane alkaloids in various foods, in particular infant foods. However some MSs have indicated that they would want maximum levels (MLs) to be set based on the ARfD. Discussions on this are also ongoing at the expert WG meetings during 2015.

The European Food Safety Authority (EFSA) delivered a scientific opinion on the risks to human and animal health related to the presence of tropane alkaloids (TAs) in food and feed. For further information please refer to the link below:

<http://www.efsa.europa.eu/en/efsajournal/pub/3386.htm>

### **Aflatoxins**

From 3 September 2014 a new Commission Regulation (EU) 884/2014 imposes special conditions governing the import of certain foodstuffs from certain non-EU countries due to contamination risk by aflatoxins. It repeals and replaces Commission Regulation 1152/2009. These special conditions include that specified products can only enter the UK through specific ports or airports approved as designated points of Entry (DPE). Consignments must be accompanied by a health certificate and results of sampling and analysis. Sampling of consignments would be done at designated points of import (DPI).

### **Ergot alkaloids in cereals and cereal products**

Following the publication of EFSA's scientific opinion on ergot alkaloids in food, the EC has been considering risk management measures. While occurrence data are being collected on levels of ergot alkaloids in various cereal grains and products, an ML of 0.05% (0.5 g/kg) has been proposed on the levels of ergot sclerotia present in unprocessed grain (excepting corn and rice) that is intended for the food chain.

It has also been proposed that MLs will be set for the alkaloids from 2017 when more data will be available. Please send any occurrence data you might have on



ergot alkaloids in cereal grains and cereal products. These will be useful in formulating the UK position when MLs are set.

## **Erucic acid**

MLs for erucic acid have been included in the contaminants legislation (EC No. 1881/2006) with a consequent repeal of the Council Directive 76/621/EEC. In the UK, MLs for erucic acid have already been incorporated in the Contaminants in Food Regulations 2013. Sampling procedures and methods of analyses of erucic acid are prescribed by Commission Directive 80/891/EEC. As the methods described are no longer fit for purpose, Directive 80/891/EEC will be repealed and performance criteria for the analysis will be incorporated into Commission Regulation (EC) No 333/2007 laying down methods of sampling and analysis for the official control of heavy metals, 3-MCPD and PAHs.

This has been voted on at the Standing Committee on Plants, Animals, Food and Feed: Toxicology section on 28 November 2014 and will be subsequently published.

## **Beauvericin and enniatins**

Beauvericin and enniatins are mycotoxins produced by various *Fusarium* species. The European Commission asked EFSA for a scientific opinion on the risk to human and animal health related to the presence of beauvericin and enniatins in food and feed. For further information please refer to the link below:

<http://www.efsa.europa.eu/en/efsajournal/pub/3802.htm>

## **Environmental Contaminants (organic)**

### **Dioxins and PCBs**

#### Baltic Salmon

The possibility of fish from the Baltic that is non-compliant with the limits for dioxins and PCBs entering the open market is still a concern. Additional safeguarding measures are under discussion but member states from the Baltic region have yet to reach agreement. Therefore, although the selling of Baltic salmon and herring is not illegal, food businesses are again reminded to ensure that it is compliant with the limits set out in Commission Regulation 1259/2011.

#### PCBs in dogfish

Spiny dogfish (spurdog; *Squalus acanthias*) has no total allowable catch allocated as there are concerns about its sustainability. Nevertheless, it is a permitted by-catch. Following representations and supporting data from producers and importers, it has been agreed that the limit for non dioxin-like PCBs will be relaxed to 200 ng/g wet weight. This is because accumulation of non dioxin-like PCBs appears to be a special characteristic of spiny dogfish.

### Guar gum

Although no pentachlorophenol-contaminated guar gum has entered the EU since special measures were introduced (Commission Regulation 258/2010), contamination is still being found in India and investigations into sources have been inadequate. Therefore, the measures will remain in place but are being realigned with other special measures legislation through a new Commission Implementing Regulation.

### **Brominated flame retardants (BFRs)**

The monitoring recommendation for BFRs (2014/118) in food has been published. It can be found at: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2014:065:0039:0040:EN:PDF>.

Food businesses possessing any data for BFRs in food are invited to submit it for inclusion in future negotiations.

### **Polycyclic Aromatic Hydrocarbons (PAHs)**

#### Traditional smoked meat and fish products

Related concerns have been expressed by small producers in a number of member states about their ability to meet the lower limits of 2.0 and 12.0 µg/kg for benzo(a)pyrene and PAH4 respectively. It was therefore agreed that small-scale, traditional producers of smoked meat and fish products will be permitted a derogation from the lower limits for products placed only on the *national* market. They will, however, remain subject to the previous limits of 5.0 and 30.0 µg/kg and businesses will be expected to investigate means of reducing the PAH levels in their products. This applies only in those member states that asked to be covered by the derogation, which include the United Kingdom.

#### Katsuobushi (smoked bonito)

Katsuobushi is a heavily smoked and dried traditional Japanese fish product used for stock and seasoning. Compliance with the new lower PAH limit for smoked fisheries products has been shown to be difficult. Discussions have been taking place with a view to retaining higher limits specifically for Katsuobushi. ***Businesses aware of any similar smoked fisheries products used exclusively for stock and seasoning and which may have issues of compliance should contact the FSA as a matter of urgency, since negotiations are nearing a conclusion.***

#### Smoked herring

A separate entry was included in Commission Regulation 835/2011 for smoked sprats, mainly at the request of Latvia for whom smoked sprats are an important national product. However, it has become apparent that sprats are interchangeable with small herring, depending on season and availability. It is therefore intended to introduce an amendment to the existing regulation to include smoked herring under a certain size with smoked sprats, since the contamination issue is one of surface to volume ratio rather than species.

### Supplements, herbs, spices and teas

When PAH limits were first introduced in 2005, the Commission shelved plans to include supplements due to a lack of data. However, in Commission Regulation 835/2011, in which the PAH limits were amended, recital 21 made specific reference to the need to collect data and consider the need for limits. The Commission has recently indicated its intention to progress this and has suggested limits of 10.0 and 50.0 µg/kg for BaP and PAH4, respectively. As the 'supplements' category is not clearly defined in terms of food type and as there is already evidence that herbs, spices and teas may also contain high levels of PAHs (in absolute terms), negotiations have been extended to these ingredients and products. It may be necessary to introduce several sub-categories for regulation and for some products to be excluded, if this can be justified on a scientific basis.

To assist in preparing the UK position, we will need supporting evidence in the form of data and other relevant information such as reasons why PAH levels are high other than due to poor practices during drying (which is the assumed reason for PAH contamination), times needed to make any process changes in order to reduce PAH levels, etc.

### Banana chips fried in coconut oil

There have been a number of PAH contamination incidents and border rejections due to raised levels of PAHs in banana chips. An investigation in the UK suggests that the problem is limited to some, but not all, batches fried in coconut oil (a known risk for PAHs). Banana chips fried in palm oil or sun-dried do not appear to be a concern. Where PAH contamination is high, this cannot be explained by the use of compliant coconut oil and the cause must therefore be use of non-compliant coconut oil, a processing effect and/or poor manufacturing practice. Some member states are pressing for limits to be set and the Commission has initially proposed 2.0 and 20.0 µg/kg for BaP and PAH4 (the same limits as for coconut oil).

It is unclear whether the proposed limits are sufficiently protective of vulnerable populations. Importers of banana chips are requested to provide any available data and to contact their suppliers with a view to measuring and, if necessary, reducing PAH levels in their products.

### **Ukrainian Sunflower Oil**

Following a contamination incident in 2008 in which a large consignment of sunflower oil from Ukraine was contaminated with mineral oil, special conditions governing the import of sunflower oil originating in or consigned from Ukraine were introduced through Regulation 1151/2009. As there has been no further incidence of contamination, this regulation has now been repealed through Commission Implementing Regulation (EU) No 853/2014.

### **9<sup>th</sup> Codex Committee on Contaminants in Food**

The 9<sup>th</sup> session of the Codex Committee on Contaminants in Food (CCCF) will take place in New Delhi, India from 16 - 20 March 2015. The provisional agenda can be

found at [http://www.codexalimentarius.org/download/report/923/cf09\\_01e.pdf](http://www.codexalimentarius.org/download/report/923/cf09_01e.pdf) together with links to those documents that have currently been made available.

Should stakeholders wish to discuss any of the agenda items with the Food Standards Agency, including the UK position in advance of either the EU Coordination meeting on 4<sup>th</sup> March or the 9<sup>th</sup> session of CCCF in March, please contact Benjamin Nketiah at the address above.

## Food Allergy Update

### **New food allergen labelling and information rules went live on 13 December 2014**

On 13 December 2014, the allergen information provisions under the EU Food Information for Consumers Regulation (No.1169/2011) will be applied. This means that all food businesses have to provide information about the allergenic ingredients used in food (including drinks) sold or provided by them. These new requirements affect businesses providing food sold prepacked and non-prepacked (loose) such as food sold in a restaurant or takeaway and bakeries, delicatessens and instructional caterers (e.g. hospitals and schools). There are 14 major allergens which need to be declared:

- Cereals containing gluten namely wheat (such as spelt and Khorasan wheat), barley, rye and oats
- Crustaceans
- Eggs
- Fish
- Peanuts
- Soybeans
- Milk
- Nuts namely almonds, hazelnuts, walnuts, pecan nuts, Brazil nuts, pistachio, cashew, Macadamia or Queensland nut
- Celery
- Mustard
- Sesame
- Sulphur dioxide or sulphites (where added and is present at >10mg/kg in the finished product)
- Lupin
- Molluscs

More information, including detailed guidance and a supplement Q&A, advisory leaflets, e-learning training and a range of other business support tools, are available from the FSA's website:

[www.food.gov.uk/allergen-resources](http://www.food.gov.uk/allergen-resources)

## Food Enzymes, Additives and Caffeine Update

### Union list of food enzymes

Work is proceeding on the establishment of a positive (Union) list of food enzymes and the deadline for applications is **10 March 2015**. For dossiers submitted after this deadline, the food enzyme is unlikely to appear on the initial positive list, but will be added to the list at a later date once the evaluation has been completed.

Around 90 applications have been submitted to the Commission so far and EFSA has already started the work of evaluating with opinions published on four enzymes already. Once EFSA's evaluations of the enzymes submitted before the 10 March deadline are completed, the Commission will prepare the initial positive list after consulting Member States on the technological need and whether consumers are likely to be misled by the use of the enzyme. The likely timing of the initial positive is not yet known but will become clearer once the number of applications is known.

### Food Additives

There have been a number of amendments to the EU food additive Regulations in the last few months, some of these are listed below.

#### Meat preparations

[Commission Regulation \(EU\) No 601/2014](#) amended Annex II to Regulation (EC) No 1333/2008 as regards the food categories of meat and the use of certain food additives in meat preparations came into force in June 2014.

This amendment permits additional additives not previously sanctioned in fresh meat preparations within the EU to be used in a range of traditional and non-traditional products.

#### Caramels in beer

[Commission Regulation \(EU\) No 505/2014](#) amended Annex II to Regulation (EC) No 1333/2008 as regards the use of caramel colours (E 150a-d) in beer and malt beverages. The amendment changed the permitted maximum levels to take account of the outcome of a safety re-evaluation undertaken by EFSA, and also clarified that caramel colours may be used in malt beverages as well as in beer. Due to potential exposure concerns numerical maximum levels have been introduced for beer, however, these levels have been established to recognise the levels needed in certain traditional UK products (porter, old ale etc.).

#### Aluminium lake colours

[Commission Regulation \(EU\) No 923/2014](#) amended Annex II of Regulation (EC) No 1333/2008 to permit the continued use of aluminium lakes of riboflavins (E101) and of cochineal, carminic acid, carmines (E 120) in certain additional food categories (Surimi, fish spreads, fish roe, salmon substitutes, spirits and aromatised wines, red marbled cheese and certain meat preparations).

## Amending and correcting amendment to Annexes II and III of Regulation (EC) 1333/2008 – an omnibus edition

As a result of the transfer of food additives from the earlier additives Directives to Annexes II and III of Regulation (EC) No 1333/2008, a number of errors have been identified and other provisions need to be further clarified. These are addressed in an omnibus amendment which was adopted at Standing Committee in Brussels on 28 November.

Of particular interest are the following provisions from Directive 95/2/EC which will be clarified/corrected:

- The prohibition of konjac used to produce dehydrated foods intending to be rehydrated upon ingestion.
- Clarification that the level of 4-hexylresorcinol in fresh, frozen or deep frozen crustaceans relates to the maximum residue level in the meat.
- Clarification that the maximum levels of nitrites and nitrates in various meat product food categories should be expressed as sodium salts.

If you would like further details about any of the issues above please contact us at [foodadditives@foodstandards.gsi.gov.uk](mailto:foodadditives@foodstandards.gsi.gov.uk)

### **Consultation on EFSA's draft caffeine opinion**

On the 15<sup>th</sup> January, EFSA issued a public consultation on their draft Scientific Opinion on the safety of caffeine. The deadline for comments is 15 March and more information can be found at

<http://www.efsa.europa.eu/en/consultations/call/150115.htm>

EFSA also intend to hold a stakeholders meeting in the first week of March 2015 and the final opinion is expected to be published in April 2015.

## **Food Contact Materials Update**

### **Recycled Plastics Regulations**

[Commission Regulation \(EC\) No. 282/2008](#) on Recycled Plastics in Contact with Food is in the process of being fully implemented in the EU. The Regulations will in future require the authorisation of recycling processes before recycled plastic materials can be placed on the market. The European Food Safety Authority have been undertaking evaluations of the various recycling processes and the European Commission will shortly authorise the first tranche of these processes by virtue of individual European Commission Decisions.

### **Active and Intelligent Materials (AIMs)**

EFSA is expected to complete its assessment of substances for the manufacture of AIMs, pursuant to Article 8 of Commission Regulation 450/2009, shortly. The deadline for the submission of substances by applicants was 15 July 2011. Once the

Union list of substances has been adopted and published, only substances on this list may be used in active or intelligent materials and allowed to be placed on the market.

### **Bisphenol A (BPA)**

The European Food Safety Authority (EFSA) published its latest [Opinion on BPA](#) on 21 January 2015. EFSA concluded that there are no health concerns for BPA at the estimated levels of exposure and that the dietary exposure for the highest exposed groups (which includes infants, children and adolescents) is below the temporary Total Daily intake (t-TDI) of 4 micrograms per kilogram bodyweight per day (4 µg/kg bw/day).

EFSA also noted that the estimates for aggregated exposure to BPA through dietary and non-dietary sources for the highest exposed groups are considerably below the tolerable intake limit.

## **Radiation and Residues Update**

### **Permitted Radioactive Levels**

The “Council Regulation laying down maximum permitted levels of radioactive contamination of food and feed following a nuclear accident or any other case of radiological emergency” is being discussed in Brussels at the moment. It is likely to come into force at the end of this year or in the spring. This legislation has set up as a method for EU to immediately impose pre-set limits on radioactivity in food and feed in an emergency.

The FSA, with support from UKRep and DECC - who lead on the EU Council Atomic Question Group (AQG) - has been successful in maintaining the substance of the original proposal, including ensuring that no changes are made to the maximum permitted levels (MPLs) already in place for food and feed. There has been one substantive alteration to the text: the introduction of a derogation under specific circumstances, to allow exemptions from these maximum limits for member states.

If the derogation is agreed for inclusion, it will allow member states to set local levels which differ from the MPLs. The derogation will need to be submitted to the EU, with the appropriate justifications, to satisfy a scientific assessment of safety and include radiological exposure assessments. Food so affected under derogation, will not be permitted to be consumed in other member states.