EUROPEAN FEDERATION OF THE TRADE
IN DRIED FRUIT & EDIBLE NUTS • PROCESSED FRUIT & VEGETABLES
PROCESSED FISHERY PRODUCTS • SPICES • HONEY

FRUCOM JOINT WORKING GROUPS-
DRIED FRUIT AND NUTS
FOOD SAFETY PART

14 October 2022

PESTICIDES

Captan

- Captan is a widely used fungicide.
- The WTO notification on renewing the approval of the active substance Captan (28 September 2022)
- Captan will be renewed, with the restriction to be only used in greenhouses.
- This decision only concerns the placing on the market of this substance and plant protection products containing it. Separate action will likely be taken on MRLs.
- In order for an active substance to be approved in accordance with Regulation (EC) No 1107/2009 (concerning the placing of plant protection products on the market), it must be demonstrated that the substance is not harmful to human health, G/TBT/N/EU/928 - 2 - animal health or the environment.

- The European Food Safety Authority (EFSA) concluded that Captan is a:
  - Risk to wild non-target terrestrial vertebrates,
  - Risk to wild non-target terrestrial organisms other than vertebrates,
  - Risk to aquatic organisms.

- Proposed date of adoption: 1st quarter 2023

Glyphosate

- The European Chemicals Agency performed their Risk Assessment Committee (RAC) opinion. **RAC committee concluded to keep glyphosate's current classification.**
- RAC has concluded that the existing classifications for glyphosate as a substance that **causes serious eye damage and is toxic to aquatic life with long lasting effects should be retained.** The committee found that the available scientific evidence did not meet the criteria to classify glyphosate for specific target organ toxicity, or as a carcinogenic, mutagenic or reprotoxic substance.

- The RAC conclusion can be found from here: clh_explanatory_note_glyphosate_24925_en clh_opinion_glyphosate_24928_en
- After RAC's opinion EFSA (the European Food Safety Authority) starts its peer review. Expected to be finalized in summer of 2023.
- The Commission will start its review after ECHA and EFSA, this is expected to be in late 2023 / early 2024. Glyphosate is currently approved for use in the EU until 15 December 2022.
- The Standing Committee on Plants, Animals, Food and Feed Section Phytopharmaceuticals - Legislation will have a meeting on 13 - 14 October 2022. Given that the assessment of the active substance glyphosate has therefore been delayed for reasons beyond the control of the applicant, it is necessary to extend the approval period of that active substance to provide the time necessary to complete the assessment required in order to take a decision on the application for a renewal of its approval. **The draft proposes an extension for approval of the active substance glyphosate until 15.12.2023.**

Neonics

"In line with EUs policy for sustainable pesticide use, the Commission will soon propose, for the first time ever, a measure that follows up on its commitment to take account of global environmental considerations when deciding on maximum residue levels in food. Imported food containing measurable residues of prohibited substances should, over time, not be marketed in the EU. This will contribute to a virtuous circle and encourage third countries to also limit or prohibit the use of these pesticides, already banned in the EU".

Clothianidin and thiamethoxam are neonicotinoid (neonics) insecticides. The most recent risk assessments for bees from the exposure to these substances conducted by EFSA found that, due to their intrinsic properties, the exposure from outdoor use of clothianidin and thiamethoxam leads to unacceptable risks for bees, or such risks could not be excluded based on the available data.

Restricted to be used only in permanent greenhouses only and required that the resulting crops stayed within a permanent greenhouse during their entire life cycle. The applicants for the renewal of approval of clothianidin, and thiamethoxam have withdrawn their applications.

MRL to 0.01 (mg/kg) for all fruits, for example currently MRL for table grapes: clothianidin 0.7 and for thiamethoxam 0.4

Proposed date of adoption: 2nd quarter 2023

Neonics

- The Commission “will reflect on options of including environmental aspects in the risk assessment regarding ITs of substances no longer approved in the EU, while still respecting WTO legislation”.
- The EU will seek to ensure importance of sustainability in all EU bilateral trade agreements.
- **EU Green Diplomacy to encourage the adoption of European standards outside the EU.**

Proposal for a Regulation on Sustainable Use of plant protection products

The EU has published its proposal for a regulation on the sustainable use of plant protection products and amending Regulation (EU) 2021/2115.

In summary: According to the proposal, each Member State shall contribute, through the adoption and achievement of national targets to achieving by 2030

1) **a 50 % Union wide reduction of both the use and risk of chemical plant protection products ('Union 2030 reduction target 1'),**
2) **the use of more hazardous plant protection products ('Union 2030 reduction target 2'), compared to the average of the years 2015, 2016 and 2017 (collectively referred to as 'the Union 2030 reduction targets').**

The EU rules on the sustainable use of pesticides aim to protect human health and the environment from the possible risks and impact of pesticides.

The rules encourage reducing pesticides through:

- integrated pest management
- alternatives to chemical pesticides.

This initiative reviews to what extent these objectives have been met and options for further reducing pesticide use to help meet the goals of the Farm to Fork Strategy and the European Green Deal.

Increased controls for organics

The Commission has been highlighting that the main motivation which is very fundamental to the new control approach is to protect consumers; as buyers of organic product care about pesticides and residues and the providing guarantees in terms of the logo.

With this principle, the Commission has observed increased notifications in the **OFIS system** from 2019 to 2021.

The Commission has found in notifications above MRLs most commonly for:

Azoxystrobin, cypermethrin, gibberellic acid, phosphonic acid, thiabendazole.

Top notifications countries:

India, Turkey, China, UK, Peru

Top Products include for example sesame seeds, honey, and lentils

SO2

Background:

Food preservation is an important function of SO2 and of sulphites as derivatives for fishery products

No alternatives in many food uses exist. Alternatives are significantly more costly and not an improvement

Sulphur dioxide (SO2) is currently ongoing re-classification process under Classification Labelling and Packaging Regulation (1272/2008)

If SO2 will be re-classified its direct derivates sulphites will be also re-classified

Status quo:

RAC: does not endorse mutagenicity as well as skin sensitizer classifications. The official decision not yet done.

In parallel, there is a discussion at EFSA and the COM timeline for the EFSA opinion is Q3-Q4 2022

Pesticides project

- Meeting on results
- Collection of new data
- Identifying problematic substances
- Updating policy documents
- Website: https://mrl.frucom.eu/home

Thank you!

Changes in Active Substances: approvals and conditions

Pesticides Extension of approvals

- The expiration of approval for **Flufenacet, Deltamethrin, Fosthiazate, Chlorotoluron, Daminozide, Prosulfocarb, MCPA, Fludioxonil, Clomazone, Bensulfuron, Sodium 5-nitroguaiacolate, Sodium o-nitrophenolate, Sodium p-nitrophenolate, Tebufenpyrad, Tri-allate, Triflusulfuron, Sulphur, Tetraconazole, Prohexadione, 8-hydroxyquinoline, Fenpyrazamine, Flumetralin and Esfenvalerate the date is replaced by 31 October 2023.** (EU) 2022/1480
- **The expiration of approval for Tritosulfuron, Chlormequat, Propaquizafop, Quizalofop-P-ethyl and Quizalofop-P-tefuryl, the date is replaced by 30 November 2023. (EU) 2022/1480**

- **The expiration of approval for Amidosulfuron, Nicosulfuron, Clofentezine, Dicamba, Difenoconazole, Lenacil, Picloram, Bifenox, Diflufenican, Fenoxaprop-P, Fenpropidin, Dimethachlor, Etofenprox, Penconazole, Paraffin oils, 2-phenylphenol (including its salts such as the sodium salt), the date is replaced by 31 December 2023.**

Extension of approvals

- **Low-risk active substance sheep fat, (EU) 2022/1474.** The representative uses of sheep fat are: repellent on deciduous and coniferous trees in forestry. Expiration of approval: 30 October 2037.
- **Straight Chain Lepidopteran Pheromones** (acetates) as low-risk active substances, and **Straight Chain Lepidopteran Pheromones** (aldehydes and alcohols). The updated expiration of approval: 30.08.2037.

Pesticides

Extension of approvals

Penflufen (EU) 2022/1468: The Commission has concluded that the available data is not sufficient to determine the relevance of the metabolite M01 (penflufen-3-hydroxy-butyl), which is predicted to occur above 0,1 µg/L in all relevant groundwater scenarios when seed potato tubers treated with penflufen are planted, as the information required in Implementing Regulation (EU) No 1031/2013 has not been provided. Therefore, it is necessary and appropriate to restrict the approval of penflufen and prohibit the treatment of seed potato tubers before or during planting, while it is possible to maintain the use of penflufen to treat cereal seeds, since safe uses have been demonstrated.
Member States shall, where necessary, amend or withdraw existing authorisations for plant protection products containing penflufen as active substance by 26 March 2023.

Non-approvals

Calcium propionate, basic substance. EFSA concluded that the intended uses and doses raise a concern regarding possible adverse effects of calcium propionate on non-target organisms, including bees and non-target arthropods, earthworms and other soil macro-organisms, soil micro-organisms, and organisms involved in biological methods of sewage treatment.
Black soap E470a: the approval criteria for basic substances are not fulfilled. (EU) 2022/1444

Non-approvals

- **1,3-dichloropropene,** nematicide used for fruiting vegetables. (EU) 2022/740
  - RA could not be finalized for: for consumers, operators, workers, bystanders and residents and identified potential concerns for groundwater, non-target arthropods (including bees), birds and mammals, and soil organisms for all representative uses.
- **Penflufen,** fungicide used on potatoes. (WTO notification)
  - Absence of submission of the confirmatory data as requested
- **Isopyrazam,** fungicide used on cereals.

  MS shall withdraw authorisations for plant protection products containing isopyrazam as active substance by 8 September 2022.

  Any grace period granted by Member States in accordance with Article 46 of Regulation (EC) No 1107/2009 shall expire by 8 December 2022.
- **Chloropicrin,** soil fumigant used on strawberries

  Applicant withdrew its application for the approval of chloropicrin

Changes in

MRLs for Fruits and nuts

WTO notification

Revision of MRLs for the following:

WTO notification: Cycloxydim including degradation and reaction products which can be determined as 3- (3-thianyl)glutaric acid Sdioxide (BH 517-TGSO2)

Citrus fruits 0.09

Tree nuts 0.09

Pome fruits 0.09

Stone fruits 0.09

Grapes 0.4

Cane fruits 0.09

Other small fruits and berries than grapes, strawberries and cane fruits 0.09

Miscellaneous fruits 0.09

Peanuts 0.09

WTO notification

Cyfluthrin (cyfluthrin including other mixtures of constituent isomers (sum of isomers)) (F)

Citrus fruits 0.3

Tree nuts 0.01

Apples 0.1

Pears 0.1

Quinces 0.01

Medlars 0.01

Loquats/Japanese medlars 0.01

Other pome fruits 0.01

Stone fruits 0.01

Berries and small fruits 0.01

Miscellaneous fruits 0.01

Revision of MRLs for the following:

Cyflumetofen (sum of isomers)

Cherries (sweet) 0.01

Plums 0.01

Other stone fruits than Apricots, Cherries (sweet), Peaches, Plums 0.01

Cane fruits 0.01

Blueberries 0,01

Cranberries 0,01

Currants (black, red and white) 0,01

Gooseberries (green, red and yellow) 0,01

Rose hips 0,01

Mulberries (black and white) 0,01

Elderberries 0,01

Others 0,01

Miscellaneous fruits, excluding Kaki 0.01

Peanuts 0.01

WTO notification

Penthiopyrad (F)

Apricots 3

Peaches 3

Sum of metobromuron and 4- bromophenylurea, expressed as metobromuron

Fruits, fresh or frozen: tree- and groundnuts 0.02

This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union (not published yet). It shall apply 6 months after entry into force.

WTO notification

Cyromazine

Fruits, fresh or frozen; tree nuts 0.01

Peanuts 0.01

Calcium phosphide

Fruits, fresh or frozen; tree nuts 0.01

Peanuts 0.01

Topramezone

Fruits, fresh or frozen; tree nuts 0.005

Peanuts 0.005

This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union (not yet published). It shall apply from (the date will be 6 months after entry into force).

WTO notification

Flutriafol

cucurbits with inedible peel 0.3

Thiabendazole (R)

Mangoes 5

Triadimenol (any ratio of constituent isomers)

Fruits, fresh or frozen; tree nuts 0.01

Peanuts 0.01

Didecyldimethylammonium chloride (mixture of alkyl-quaternary ammonium salts with alkyl chain lengths of C8, C10 and C12)

Fruits, fresh or frozen; tree nuts 0.05

Peanuts 0.05

WTO notification

Kumquats 0.01
Carambolas 0.01
Kaki/Japanese persimmons 0.01
Jambuls/jambolans 0.01
Other miscellaneous fruits with edible peel 0.01
Miscellaneous fruits with inedible peel, small 0.01
Avocados 0.02
Bananas 0.01
Mangoes 0.01
Papayas 0.01 0,01
Granate apples/pomegranates 0.01
Cherimoyas 0.01
Guavas 0.01
Pineapples 0.01
Breadfruits 0.01
Durians 0.01
Soursops/guanabanas 0.01
Miscellaneous fruits with inedible peel, large 0,01
Peanuts 0.02

Nicotine
Citrus fruits 0.01
Tree nuts 0.02
Pome fruits 0.01
Grapes 0.01
Strawberries 0.01
Cane fruits 0.01
Blueberries 0.01
Cranberries 0.01
Currants (black, red and white 0.01
Gooseberries (green, red and yellow) 0.01
Rose hips 0.2
Mulberries (black and white) 0.01
Azaroles/Mediterranean medlars 0.01
Elderberries 0.01
Other miscellaneous fruits with inedible peel, large 0.01
Dates 0.01
Figs 0.01
Table olives 0.02

(EU) 2022/1346, (EU) 2022/1343

1,4-dimethylnaphthalene (R) (F)
Fruits, fresh or frozen; tree nuts 0.05
Peanuts 0.05
8-hydroxyquinoline
Tree nuts 0.02
Table olives 0.02
Avocado 0.02
Peanuts 0.02
Pinoxaden
Fruits, fresh or frozen; tree nuts 0.03
Peanuts 0.03
Valifenalate
Grapes 1

Acequinocyl (F)
Tree nuts 0.01
Pome fruits 0.4
Peaches 0.1
Plums 0.03
Grapes 0.8
Chlorantraniliprole (F)
Tree nuts 0.03
Pome fruits 0.4
Cane fruits 1.5
Azaroles/Mediterranean medlars 1
Kumquats 0.7

(EU) 2022/1343

Emamectin B1a and its salts, expressed as emamectin B1a (free base) (R) (F)

Grapefruits 0,002
Oranges 0,003
Lemons 0,003
Limes 0,002
Mandarins 0,003
Others citrus fruits 0,002
Tree nuts 0,005
Plums 0.015
Other Stone fruits (0140990) 0.002
Grapes 0.04
Cane fruits 0.002
Other small fruits and berries (0154000) 0.002
Miscellaneous fruits with edible peel except table olives 0.002
Table olives 0.005
Miscellaneous fruits with inedible peel, small except kiwi 0.002
Kiwi 0.15
Miscellaneous fruits with inedible peel, large except Avocado 0.005

EU) 2022/1324

Boscalid (R) (F)
Cherries 5
Mango 2

Fenazaquin (F)
Tree nuts, except coconuts (0.01) 0.02

Fluazifop-P (sum of all the constituent isomers of fluazifop, its esters and its conjugates, expressed as fluazifop)
Cane fruits 0.8
Blueberries 0.3
Currants 0.3
Gooseberries 0.3
Rose hips 0.3

Flupyradifurone
Acocado 0.6

Fluxapyroxad (F)
Grapefruits 0.6
Oranges 1.5
Lemons 1
Limes 1
Mandarins 1
Kumquats 1

Isofetamid
Blueberries 4
Currants 4
Gooseberries 4
Rose hips 4

Metaflumizone (sum of E- and Z- isomers)
Oranges 3
Lemons 2
Limes 2

(EU) 2022/1321

Fluoride ion
Citrus fruits 0.2
Almonds 30
Brazil nuts 30
Cashew nuts 30
Chestnuts 30
Coconuts 15
Hazelnuts/cobnuts 30
Macadamias 30
Pecans 30
Pine nut kernels 30
Pistachios 30
Walnuts 30
Others tree nuts 30
Pome fruits 0.2
Stone fruits 0.2
Grapes 02
Strawberries 0.2
Cane fruits 0.2
Blueberries 0.2
Cranberries 0.2
Currants (black, red and white) 0.2
Gooseberries (green, red and yellow) 0.2
Mulberries (black and white) 0.2
Azaroles/Mediterranean medlars 0.2
Others small fruits and berries (0154990) 0.2,
Miscellaneous fruits 0.2
Oxyfluorfen (F)
Fruits, fresh or frozen; tree nuts 0.01
Peanuts 0.01

EU 2022/1324

Boscalid (R) (F)
Cherries 5
Mango 2

Fenazaquin (F)
Tree nuts, except coconuts (0.01) 0.02

Fluazifop-P (sum of all the constituent isomers of fluazifop, its esters and its conjugates, expressed as fluazifop)
Cane fruits 0.8
Blueberries 0.3
Currants 0.3
Gooseberries 0.3
Rose hips 0.3

Flupyradifurone
Acocado 0.6

Fluxapyroxad (F)
Grapefruits 0.6
Oranges 1.5
Lemons 1
Limes 1
Mandarins 1
Kumquats 1

Isofetamid
Blueberries 4
Currants 4
Gooseberries 4
Rose hips 4

Metaflumizone (sum of E- and Z- isomers)
Oranges 3
Lemons 2
Limes 2

(EU) 2022/1321, (EU) 2022/1290, (EU) 2022/1363

Quinmerac (sum of quinmerac and its metabolites BH 518-2 and BH 518-4 expressed as quinmerac) (R)
Citrus fruits 0.1
Tree nuts 0.15
Pome fruits 0.1
Stone fruits 0.1
Berries and small fruits 0.1
Miscellaneous fruits, except table olives and avocados 0.1
Table olives 0.15
Avocados 0.15
Peanuts 0.15
Sulfuryl fluoride
Coconut 3
Tree nuts others (0120990) 0.01

New MRLs for Dodine (mg/kg)
Citrus fruits 1.5

New MRLs for Cymoxanil (mg/kg)
Grapes 0.05

(EU) 2022/1406

Methoxyfenozide (F)
Apples 0.01
Pears 0.01
Other Pome fruits (0130990) 0.01
Peaches 0.01
Other Stone fruits (0140990) 0.01
Honey 0.05
Spinosad (spinosad, sum of spinosyn A and spinosyn D) (F)

Honey 0.05

Thiram (expressed as thiram)
Fruits, fresh or frozen; tree nuts 0.05
Peanuts 0.05

(EU) 2022/1406

Propoxur

Citrus fruits 0.005
Tree nuts 0.01
Stone fruits 0.005
Berries and small fruits 0.005
Miscellaneous fruits with edible peel
Dates 0.005
Figs 0.005
Table olives 0.01
Kumquats 0.005
Carambolas 0.005
Kaki/Japanese persimmons 0.005
Jambuls/jambolans 0.005
Others miscellaneous fruits with edible peel 0.005
Miscellaneous fruits with inedible peel small 0.005
Avocados 0.01
Bananas 0.005
Mangoes 0.005
Papayas 0.005
Granate apples/pomegranates 0.005
Cherimoyas 0.005
Guavas 0.005
Pineapples 0.005
Breadfruits 0.005
Durians 0.005
Soursops/guanabanas 0.005
Others 0.005
Peanuts 0.01

Thiram (expressed as thiram)
Fruits, fresh or frozen; tree nuts 0.05
Peanuts 0.05

Mineral oil hydrocarbons in food

EFSA risk assessment ongoing

The need for a harmonised approach at EU level (request from the Member States).

MOAH may contain genotoxic carcinogens, enforcement action should be taken on the basis or Art. 14 of Regulation (EC) No 178/2002.

RASFF notifications have been issued for some of these products and it appears that the use of E905 (microcrystalline wax, petroleum wax, synthetic paraffin) in food contact materials

Before EFSA assessment is ready, the follow-up should be done in accordance with the approach summarised by the Commission, which was circulated via the RASFF.

Some Member States requested to define harmonized limits of quantification (LOQs) for different food groups, in order to have the same cut-off values for enforcement throughout the EU. Performance requirements for LOQs in Table II of the JRC Guidance of maximum

0.5 mg/kg for dry foods with a low fat/oil content (< 4% fat/oil),

1 mg/kg for foods with a higher fat/oil content (> 4% fat/oil),

2 mg/kg for fats/ oils should be considered for this.

Mineral oil hydrocarbons in food

The associations raised the following issues:

-**Clarity**: the Commission should provide clarity on the categories, scope, and what actions follow a finding.

-**Guidance** for implementation of the statement is needed.

- **Support to sensitise** –raise awareness to the Third Countries with a WTO notification.

- Analytical challenges

1) Addressing the reliability of analytical data in complex food matrices.

2) Continuation of JRC work on an improvement of the analytical method.

3) Establishing reliable test methods before setting limits.

-Scientific base

1) Finalisation of the updated EFSA risk assessment should be awaited.

2) Amendment of the JRC Guidance according to toxicological effects and specific C-fractions.

- Risk management (RM)

– the associations support that RM measures are developed in consultation with food business operators and are based on solid science.

The Commission stated that these points are valid and will be discussed with the Member States on the 19th of October. The goal of the statement was to harmonize LOQs between the Member States. The Commission will perform its own evaluation after the EFSA opinion, which will still take according to the Commission 1-2 years.

ETO as an additive

The Commission published a regulation (EU) 2022/1396 amending the Annex to Regulation (EU) No 231/2012 laying down specifications for food additives listed in Annexes II and III to Regulation (EC) No 1333/2008 as regards the presence of ethylene oxide in food additives.

In order to ensure a high level of protection of human health, it is therefore appropriate to lay down that the presence of ethylene oxide, irrespective of its origin, is not authorised for in food additives**. No residue above 0,1 mg/kg, irrespective of its origin, of ethylene oxide (sum of ethylene oxide and 2-chloro-ethanol expressed as ethylene oxide shall be present in food additives listed in Annexes II and III to Regulation (EC) No 1333/2008, including mixtures of food additives.**

This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union (published 12.08.2022).

OFFICIAL CONTROLS ARTICLES 66 AND 67, STATUS QUO SEPTEMBER 2022

FRUCOM received from the Commission the latest information regarding the draft on official controls, articles 66 and 67. The draft is currently in consultation with the relevant Commission services, including the legal services.

Next: the Commission will present the draft act to the Standing Committee committee for discussion, possibly later this year. The Commission policy officer in charge of the draft articles 66 & 67 could not yet indicate the date for the next discussion.

.html , http://www.pops.int/

MONITORING RECOMMENDATION OF PERFLUOROALKYL SUBSTANCES (PFASS) IN FOOD

Perfluoroalkyl substances (PFASs) were used and some of them still are widely used in industrial and consumer applications including stain-resistant coatings for fabrics and carpets, oil-resistant coatings for paper and board food contact materials, firefighting foams, mining and oil well surfactants, floor polishes and insecticide formulations. Their widespread use, together with their persistency in the environment has resulted in a widespread environmental contamination. Contamination of food with these substances is mainly the result of bioaccumulation in aquatic and terrestrial food chains, and of the use of food contact materials containing PFASs. Perfluoroctane sulfonic acid (PFOS) and perfluorooctanoic acid (PFOA) and their salts are the PFASs which are found in food and in humans in the highest concentrations.

The Member States, in collaboration with food business operators, should monitor during the years 2022, 2023, 2024 and 2025 the presence of PFASs in food.

Further investigation of the causes of the contamination should be carried out when the following indicative levels are exceeded: 0,010 µg/kg for PFOS, 0,010 µg/kg for PFOA, 0,005 µg/kg for PFNA and 0,015 µg/kg for PFHxS in fruits, vegetables (except wild fungi), starchy roots and tubers.

MONITORING RECOMMENDATION OF PERFLUOROALKYL SUBSTANCES (PFASS) IN FOOD

Sample preparation and analyses for the official control of the levels of PFASs in foodstuffs for which maximum levels have been established by Regulation (EC) No 1881/2006 shall be carried out in accordance with the methods set out in the Annex to this Regulation.
The regulation also defines provisions for material to be sampled, incremental samples, preparation of the aggregate sample, replicate samples, precautions, sealing and labeling of samples, packaging and transmission of samples, sampling plans, sample preparation and analysis, reporting and interpretation of results and interpretation of results.

Weight or volume of lot/sublot (in kilogram or litre)	**Minimum number of incremental samples to be taken**
< 50	3
≥ 50 and ≤ 500	5
> 500	10

Number of packages or units in the lot/sublot	**Number of packages or units to be taken**
≤ 25	at least 1 package or unit
26 -100	about 5 %, at least 2 packages or units
> 100	about 5 %, at maximum 10 packages or units

NEW MLS FOR HYDROCYANIC ACID

Hydrocyanic acid is a highly toxic substance. While it is not present in food at toxicologically relevant levels, it is released when plant-derived foods containing cyanogenic glycosides are chewed or otherwise processed and those glycosides enter into contact with hydrolytic enzymes. As hydrocyanic acid always forms as a mixture of non-dissociated acid and dissociated cyanide ions, the health-based guidance value is calculated for this mixture, referred to as 'cyanide'.

Maximum levels for hydrocyanic acid should therefore be set in certain foodstuffs to ensure a high level of human health protection.

The new maximum levels mg/kg:

Unprocessed whole, ground, milled, cracked, chopped linseed with the exception of foodstuffs listed in below 250

Unprocessed whole, ground, milled, cracked, chopped linseed placed on the market for the final consumer 150

Unprocessed whole, ground, milled, cracked, chopped almonds placed on the market for the final consumer 35

Foodstuffs listed in the Annex, lawfully placed on the market before 1 January 2023, may remain on the market until their date of minimum durability or use-by date.

This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union (published 05.08.2022**). It shall apply from 1 January 2023.**

NEW MLS FOR OCHRATOXIN A (OTA)

Ochratoxin A is a mycotoxin naturally produced by fungi of the genus *Aspergillus* and *Penicillium* and is found as a contaminant in a wide variety of foods, such as cereals and cereal products, coffee beans, dried fruits, wine and grape juice, spices, and licorice. Ochratoxin A is formed during sun drying and storage of crops.

The new maximum levels (µg/kg):

Dried vine fruit (currants, raisins, and sultanas) and dried figs 8.0

Other dried fruit 2.0

Date syrup 15

Sunflower seeds, pumpkin seeds, (water) melon seeds hempseeds, soybeans 5,0

Pistachios to be subjected to sorting, or other physical treatment, before placing on the market for final consumer or use as an ingredient in food 10.0

Pistachios placed on the market for final consumer or use as an ingredient in foodstuffs 5.0

Foodstuffs listed in the Annex, lawfully placed on the market before 1 January 2023, may remain on the market until their date of minimum durability or use-by date.

It shall apply from 1 January 2023.

CONSULTATION ON REPEALING AND REPLACING (EC) NO 1881/2006 SETTING MAXIMUM LEVELS FOR CERTAIN CONTAMINANTS IN FOOD

New provisions (in comparison with the current Commission Regulation (EC) No 1881/2006) have been included, in particular maximum levels for certain substances which have been agreed by Member States but which have not been published in the Official Journal of the EU so far.

The food listed in Annex I shall not be placed on the market where they contain a contaminant listed in Annex I at a level exceeding the maximum level set out in Annex I. The maximum levels specified in Annex I shall apply to the edible part of the food concerned, unless otherwise specified in Annex I. In addition to the provisions in point 2, the maximum levels specified in Annex I shall apply to the food as placed on the market, unless otherwise specified in Annex I.

When applying the maximum levels set out in Annex I to food which is dried, diluted, processed or composed of more than one ingredient, the following shall be taken into account:

(a) changes of the concentration of the contaminant caused by drying or dilution processes;

(b) changes of the concentration of the contaminant caused by processing;

(c) the relative proportions of the ingredients in the product;

(d) the analytical limit of quantification.

The purpose of the regulation is to harmonize and clarify issues linked to contaminants in food. **1.0063.01**.ENG&toc=OJ%3AL%3A2022%3A168%3ATOC , https://frucom.eu/circulars/3313:eu-initiative-persistent-organic-pollutants-perfluorohexane-sulfonic-acid-pfhxs.html , http://www.pops.int/

HEXACHLOROBENZENE, A SUBSTANCE USED IN PESTICIDES, IS LISTED IN THE STOCKHOLM CONVENTION (ELIMINATION)

The EU published for information the EU rules to implement the EU's international commitments under the Stockholm Convention on Persistent Organic Pollutants (chemical substances). Hexachlorobenzene, a substance used in pesticides, is listed in Annex A to the Stockholm Convention (elimination) and in Annex I to EU Regulation 2019/1021.

This initiative amends Annex I which currently does not set a limit value for the presence of hexachlorobenzene as unintentional trace contaminant (UTC) in substances, mixtures and articles. The Commission has determined the presence of hexachlorobenzene as an impurity in some substances, mixtures and articles, including pesticides, chlorinated solvents, inks, coatings, paints and toners, wood application, textile application and plastics. In order to clarify the legal situation and facilitate enforcement as regards the use of substances, mixtures or articles containing hexachlorobenzene as an unintentional trace contaminant, a UTC limit of 10 mg/kg (0,001 % by weight) should be set for hexachlorobenzene.

Commission adoption: 08 September 2022

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ADDING SOME HAZARDOUS CHEMICALS AND PESTICIDES TO THE ROTTERDAM CONVENTION

It concerns the inclusion of acetochlor, carbosulfan, chrysotile asbestos, decabromodiphenyl ether, fenthion (ultra low volume (ULV) formulations at or above 640 g active ingredient/L), liquid formulations (emulsifiable concentrate and soluble concentrate) containing paraquat dichloride at or above 276 g/L, corresponding to paraquat ion at or above 200 g/L, and perfluorooctanoic acid (PFOA), its salts and PFOA-related compounds to the Annex III to that Convention.

The Rotterdam Convention (the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade) is a multilateral treaty to promote shared responsibilities in relation to importation of hazardous chemicals.

The chemicals listed in Annex III of the Rotterdam convention include pesticides and industrial chemicals that have been banned.

PERFLUOROHEXANE SULFONIC ACID (PFHXS) PART OF THE STOCKHOLM CONVENTION

The Council has published decision (EU) 2022/997 on the position to be taken on behalf of the European Union at the tenth meeting of the conference of the parties to the Stockholm Convention on persistent organic pollutants as regards the proposal for amendment of annex a to that convention.

The position to be taken on the Union's behalf shall be to support the listing of perfluorohexane sulfonic acid (PFHxS), its salts, and PFHxS-related compounds in annex a to the convention, taking due account of the relevant recommendations of the persistent organic pollutants review committee without specific exemptions.

The Stockholm Convention is an international environmental treaty, that aims to eliminate or restrict their production and use.

Perfluorohexane sulfonic acid (PFHxS) are part of perfluoroalkyl substances (PFAS). PFAS are known to accumulate in the body.

://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv%3AOJ.L_.2022.168.01.0063.01.ENG&toc=OJ%3AL%3A2022%3A168%3ATOC , https://frucom.eu/circulars/3313:eu-initiative-persistent-organic-pollutants-perfluorohexane-sulfonic-acid-pfhxs.html , http://www.pops.int/