



EUROPEAN FEDERATION OF THE TRADE
EUROPEAN FEDERATION OF THE TRADE IN DRIED FRUIT, EDIBLE NUTS,
PROCESSED FRUIT & VEGETABLES AND PROCESSED FISHERY PRODUCTS



November 2020

To DG SANTE: Pesticides and biocides Unit, Food Unit, Health Protection Unit, Trade-related controls, residues and feed safety Unit, Country knowledge and enforcement Unit, Health and food safety Unit

Joint letter on multi-country recalls due to ethylene oxide in sesame seeds from India

Dear all,

The signatories have been following with concern the food safety incident related to sesame seeds originated from India, as notified via the Rapid Alert System for Food and Feed (RASFF). In September 2020, Belgium notified the presence of high levels of ethylene oxide in certain batches of sesame seeds originating from India and placed on the EU market. The residues of ethylene oxide present in the sesame seeds exceeded the Maximum Residue Level (MRL) of 0,05 mg/kg, which is stipulated in Annex I of Regulation (EC) No 396/2005 on maximum residue levels of pesticides in or on food and feed of plant and animal origin¹. Sesame seeds contaminated with ethylene oxide have reached a large number of EU Member States as well as non-EU countries. The ongoing incident has been affecting several sectors that use sesame seeds as an ingredient, including the sectors represented by the signatories.

With this letter, we would like to share our views on the approach taken by the EU Member States' competent authorities to address this food safety incident. On 9 October, the European Commission (EC) organised an emergency meeting with the Member States. We understand that Member States agreed that all sesame seeds exceeding the MRL of 0.05 mg/kg and products containing such sesame seeds would have to be recalled/withdrawn from the EU market.

While food safety is an absolute priority for the signatories, we are very much concerned about the approach taken by most EU Member States with regard to the recall/withdrawal of composite

¹ <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=celex%3A32005R0396>



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products that were placed on the market without knowledge of the contamination². It is the signatories understanding that Article 20 of Regulation (EC) No 396/2005 should be in this case strictly followed and enforced. Article 20 indicates that it is necessary to consider the MRL applicable to each of the ingredients, in order to estimate the MRL applicable to the final composite product. The signatories, therefore, urge the European Commission to promote a harmonised approach across the EU, for the sake of citizens' health based on harmonised and legally sound measures. Notably, the signatories take the view that:

- All unprocessed lots of sesame seeds imported in the EU from India, for which the level of ethylene oxide exceeds the 0.05 mg/kg MRL, should not be further processed and should be withdrawn from the food and feed chain.
- The decision to withdraw/recall B2B and B2C food products manufactured with sesame seeds containing residues of ethylene oxide and which were produced and placed on the market without knowledge of the contamination should be based on Article 20 of Regulation (EC) No 396/2005.

Lastly, it is our understanding that different approaches to the **estimation of the analytical measurement uncertainty associated with the analytical results** have been applied across the EU Member States. We, therefore, call upon the European Commission to promote compliance with the indications outlined in sections E7 to E11 of the "[Analytical Quality Control and Method Validation Procedures for Pesticide Residues Analysis in Food & Feed](#)" (2019), as well as in the RASFF "[Guidelines for the Calculation of Consumer Intake and Evaluation of the Risk for Pesticide Residues](#)" (2016).

We kindly ask you to consider our comments in your future discussions with the EU Member States and we remain at your disposal to discuss this topic in further detail.

Sincerely,

Anna Boulova, Secretary General

European Federation of the Trade in Dried Fruit, Edible Nuts, Processed Fruit & Vegetables, Processed Fishery Products, Spices and Honey (FRUCOM)

² i.e. before the national competent authorities officially informed the operators about the sesame seeds batches involved in the food safety incident.



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