



EUROPEAN  
COMMISSION

Brussels, **XXX**  
SANTE/11728/2016  
[...](2016) **XXX** draft

**COMMISSION REGULATION (EU) .../...**

of **XXX**

**amending Regulation (EC) No 1881/2006 as regards maximum level of hydrocyanic acid  
in certain raw apricot kernels and derived products**

(Text with EEA relevance)

**WORKING DOCUMENT – DOES NOT  
NECESSARILY REPRESENT THE VIEWS OF  
THE EUROPEAN COMMISSION SERVICES**

**COMMISSION REGULATION (EU) .../...**

of **XXX**

**amending Regulation (EC) No 1881/2006 as regards maximum level of hydrocyanic acid  
in certain unprocessed whole, ground, milled, cracked, chopped apricot kernels**

(Text with EEA relevance)

**WORKING DOCUMENT – DOES NOT  
NECESSARILY REPRESENT THE VIEWS OF  
THE EUROPEAN COMMISSION SERVICES**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EEC) No 315/93 of 8 February 1993 laying down Community procedures for contaminants in food<sup>1</sup>, and in particular Article 2(3) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1881/2006<sup>2</sup> sets maximum levels for certain contaminants in foodstuffs.
- (2) The Scientific Panel on Contaminants in the Food Chain (CONTAM) of the European Food Safety Authority (EFSA) adopted a scientific opinion on acute health risks related to the presence of cyanogenic glycosides in raw apricot kernels and products derived from raw apricot kernels<sup>3</sup>.
- (3) Amygdalin is the major cyanogenic glycoside present in unprocessed apricot kernels and is degraded to hydrocyanic acid (cyanide) by chewing. Cyanide is of high acute toxicity in humans. An acute reference dose (ARfD) of 20 µg/kg bw was derived by the CONTAM Panel for assessing the risks associated with the presence of cyanogenic glycosides in unprocessed whole, ground, milled, cracked, chopped apricot kernels.

<sup>1</sup> OJ L 37, 13.2.1993, p. 1.

<sup>2</sup> Commission Regulation (EC) No 1881/2006 of 19 December 2006 setting maximum levels for certain contaminants in foodstuffs (OJ L 364, 20.12.2006, p. 5).

<sup>3</sup> EFSA CONTAM Panel (EFSA Panel on Contaminants in the Food Chain), 2016. Scientific opinion on the acute health risks related to the presence of cyanogenic glycosides in raw apricot kernels and products derived from raw apricot kernels. EFSA Journal 2016;14(4):4424, 47 pp doi:10.2903/j.efsa.2016.4424

[http://www.efsa.europa.eu/sites/default/files/scientific\\_output/files/main\\_documents/4424.pdf](http://www.efsa.europa.eu/sites/default/files/scientific_output/files/main_documents/4424.pdf)

Taking into account the reported levels of cyanogenic glycosides in unprocessed apricot kernels, the ARfD would be exceeded already by consumption of one small kernel in toddlers, while adults could consume three small kernels. However, consumption of less than half of a large kernel could already exceed the ARfD in adults.

- (4) It is therefore appropriate to establish a strict maximum level for the presence of hydrocyanic acid in unprocessed whole, ground, milled, cracked, chopped apricot kernels and products derived from raw apricot kernels placed on the market for the final consumer.
- (5) EFSA has been requested by the Commission to assess the applicability of the ARfD established for cyanogenic glycosides in unprocessed apricot kernels for other foods in which cyanogenic glycosides are present. It is appropriate to establish the sampling rules to be applied for the control of compliance with the maximum levels.
- (6) Regulation (EC) No 1881/2006 should therefore be amended accordingly.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

#### *Article 1*

The Annex to Regulation (EC) No 1881/2006 is amended in accordance with the Annex to this Regulation.

#### *Article 2*

The sampling for the control of compliance with the maximum levels shall be performed in accordance with the rules set out in part D.2 of Annex I to Commission Regulation (EC) No 401/2006<sup>4</sup>.

#### *Article 3*

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

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

*For the Commission  
The President  
Jean-Claude JUNCKER*

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<sup>4</sup> Commission Regulation (EC) No 401/2006 of 23 February 2006 laying down the methods of sampling and analysis for the official control of the levels of mycotoxins in foodstuffs (OJ L 70, 9.3.2006, p. 12).



EUROPEAN  
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SANTE/11728/2016 ANNEX  
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ANNEX 1

**ANNEX**

**to the**

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in certain raw apricot kernels and derived products**

**EN**

**EN**

## ANNEX

The Annex to Regulation (EC) No 1881/2006 is amended as follows:

(1) In section 8, the following entry is added:

"Foodstuffs <sup>(1)</sup>		
"8.3	<b>Hydrocyanic acid, including hydrocyanic acid bound in cyanogenic glycosides</b>	Maximum level (mg/kg)
8.3.1	Unprocessed whole, ground, milled, cracked, chopped apricot kernels and derived products thereof placed on the market for the final consumer (*) (**) (***)	20.0

(\*) The operator who places these products on the market shall be able to provide evidence of compliance with the maximum level of the marketed product.

(\*\*) 'Unprocessed foodstuffs' as defined in Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on they hygiene of foodstuffs (OJ L 139, 30.4.2004, p. 1)

(\*\*\*) 'Placing on the market' and 'final consumer' as defined in Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety (OJ L 31, 1.2.2002, p. 1)