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Additional EU Maximum Levels for Ochratoxin A on the Horizon

Report Categories:
SP2 - Prevent or Resolve Barriers to Trade that Hinder U.S. Food and Agricultural Exports
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Report Highlights:
The EU has started to discuss the expansion of the group of products subject to a maximum level for Ochratoxin A (OTA) to include dried figs and dried apricots or all dried fruit, mixtures of spices, sunflower and pumpkin seeds, pistachios, hazelnuts or all tree nuts, liquorice placed on the market for the final consumer, herbs and herbal teas, and cocoa powder. Maximum levels have been proposed for further discussion. Any comments on these proposals, including data that stakeholders might have on OTA levels in these foodstuffs are welcomed by the EU. The proposal will be discussed further and once agreement has been reached, will be included in the legislation for contaminants in food.

General Information:

Earlier this year, the EU started to discuss the setting of maximum levels for Ochratoxin A (OTA) in products that are not covered by the scope of the existing EU contaminants legislation, but in which OTA was found in recent years. See: https://www.food.gov.uk/enforcement/regulation/europeleg/june-2107-stakeholder-update-on-rapidly-developing-policy-on-food-contaminants

Maximum levels (MLs) have been in place for OTA in foodstuffs such as cereals, dried vine fruit, coffee and some spices for several years. Recently, high levels of OTA were found in some other foods. In response to these findings, the Commission has proposed setting MLs for these commodities, by evaluating some occurrence data for these foods. The following MLs have been proposed for further discussion - dried figs and dried apricots or all dried fruit (10 µg/kg), mixtures of spices (15 µg/kg), sunflower and pumpkin seeds, pistachios, hazelnuts or all tree nuts (5 µg/kg), liquorice placed on the market for the final consumer (10 µg/kg), herbs and herbal teas (10 µg/kg) and cocoa powder (2 µg/kg). Any comments on these proposals, including data that stakeholders might have on OTA levels in these foodstuffs are welcomed by the EU.

The proposal will be discussed further and once agreement has been reached, will be included in the legislation for contaminants in food.

Background Information:

Current OTA Legislation in the EU

Commission Regulation (EC) No 1881/2006 sets maximum OTA levels in a series of food products, including cereal and grape based foods, spices, coffee and liquorice. Disregarding products that are typically consumed in very low quantities (such as spices, liquorice...) the highest level in this EU legislation is set at 10 ppb for OTA in dried vine fruits (currants, raisins and sultanas).

The Netherlands also enforces national levels on a number of products including nuts, peanuts, cocoa and dried fruits. Dutch national legislation (http://wetten.overheid.nl/BWBR0005758/2016-10-06, article 12.1) stipulates that mycotoxins that could be harmful to public health should be absent in foods, drinks and raw materials. A level is associated with this for use in daily practice. The information required is derived from EFSA opinions, SANCO documents and draft regulations that have not yet been published or in force.

Next Steps

The European Commission will engage with stakeholder on this issue later this year and further discussed amongst EU experts.

Other Background Information

Opinion of the Scientific Panel on contaminants in the food chain [CONTAM] related to ochratoxin A in food, **Question Number** EFSA-Q-2005-154

Recent scientific information on the toxicity of Ochratoxin A, EFSA Journal 2010; 8(6):1626 [7 pp.], **Question Number** EFSA-Q-2010-00038