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EUROPEAN COMMISSION

Brussels, 10.1.2011
C(2010) 9681 final

COMMISSION RECOMMENDATION

of 10.1.2011

on investigations into the levels of acrylamide in food

(Text with EEA relevance)

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 292 thereof

Whereas,

- (1) The food industry, Member States and the Commission have undertaken extensive efforts since 2002 in order to investigate pathways of formation and to reduce the levels of acrylamide in processed foods.
- (2) The Confederation of the Food and Drink Industry (CIAA) developed a "toolbox"¹ containing tools that can be used selectively by food producers in line with their particular needs to lower acrylamide levels in their products. In addition short brochures containing information about the most important tools for each sector were developed, an activity that was supported by and contributed to by regulators.
- (3) Acrylamide levels in food have been monitored by Member States from 2007 – 2009 under Commission Recommendation 2007/331/EC of 3 May 2007². This monitoring exercise has been extended by Commission Recommendation 2010/307/EU of 3 June 2010³. The monitoring exercise is targeted to those foodstuffs that are known to contain high acrylamide levels and/or contribute significantly to the human dietary intake. Monitoring results are so far available for the years 2007 and 2008.
- (4) The results for 2007 have been compiled by the European Food Safety Authority (hereinafter – the EFSA) in the Scientific Report on "Results on the monitoring of acrylamide levels in food"⁴, of 30 April 2009. The report also includes acrylamide results for 2003 – 2006 collected from the Member States and compiled by the Commission's Joint Research Centre's Institute for Reference Materials and Measurements. The EFSA concluded that there was no consistent trend across food

¹ The "toolbox", developed by the Confederation of the Food and Drink Industry (CIAA) contains 13 different parameters ("tools"), grouped together in 4 main categories ("toolbox compartments") that can be used selectively by food producers in line with their particular needs in order to lower acrylamide levels in their products. The 4 compartments refer to agronomical factors, the food recipe, processing and final preparation. The toolbox can be found at the following link: http://ec.europa.eu/food/food/chemicalsafety/contaminants/ciaa_acrylamide_toolbox09.pdf

² OJ L 123, 12.5.2007, p. 33.

³ OJ L 137, 3.6.2010, p. 4.

⁴ EFSA Scientific Report (2009) 285, 1-26.

groups towards lower levels of acrylamide and that it was not clear at that stage if the acrylamide toolbox had achieved its desired effects.

- (5) The results for the year 2008 have been compiled by the EFSA in the Scientific Report on "Results on acrylamide levels in food from monitoring year 2008" of 28 April 2010⁵. EFSA concluded that there was a more apparent trend towards lower levels than in the reporting year 2007, but stated also that this was limited to certain food groups. In the majority of food groups the levels remained stable and in a few food groups increases were observed. EFSA concluded that it would become clearer from the results obtained in the coming years whether this represents a general trend towards lower levels over time.
- (6) In order to get a better overview on the reasons for acrylamide levels in some foodstuffs that are significantly higher than the levels in comparable products of the same product category, it is appropriate that Member States competent authorities carry out investigations into the reasons for these levels by examining the production and processing methods used by food business operators. The findings of the investigations should be reported to the Commission on a regular basis who will make the findings available to all the Member States.
- (7) Investigations are recommended if the acrylamide level found in the monitoring exercise pursuant to Recommendation 2010/307/EU in a specific foodstuff exceeds the indicative value in the Annex of this Recommendation. Indicative values have been set for the food categories of Recommendation 2010/307/EU, with the exception of the products in sections 3 (products for home cooking) and 10 (Other products). Acrylamide formation during home cooking is out of the scope of this recommendation, the category "other products" contains products that are relevant in particular Member States only.
- (8) Indicative values are only intended to indicate the need for an investigation. They are not safety thresholds. Therefore, enforcement action and/or the issuing of a Rapid Alert should only be undertaken on the basis of a sound risk assessment carried out on a case by case basis, but not merely because an indicative value is exceeded.
- (9) Investigations by the Member States' competent authorities should include the food business operator's Hazard Analysis and Critical Control Points (HACCP) or similar system⁶ with a view to exploring with the food business operator whether relevant processing steps susceptible for the formation of acrylamide have been identified and whether appropriate measures have been taken to control them. In doing so, the competent authorities should assess the extent to which currently known options for the minimisation of acrylamide levels, e.g. those proposed in the Codex Code of Practice for acrylamide and the CIAA acrylamide "toolbox", have been implemented by the food business operator.
- (10) On the basis of the results of the investigations obtained during the years 2011 and 2012 in application of this recommendation and on the basis of the monitoring results obtained in application of Commission Recommendations 2007/331/EC and

⁵ EFSA Journal 2010; 8(5):1599.

⁶ Regulation (EC) No. 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs, OJ L 139, 30.4.2004, p. 1.

2010/307/EU, the Commission will assess the situation by 31 December 2012 and decide about the need for other appropriate measures.

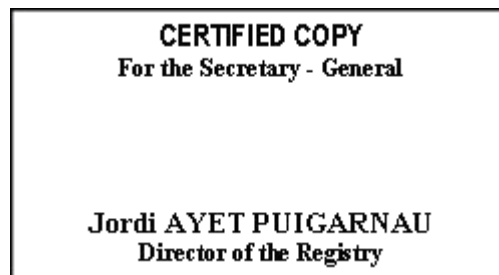
HAS ADOPTED THIS RECOMMENDATION:

It is recommended that the Member States

1. carry out further investigations into the production and processing methods used by food producers in cases where the level of acrylamide in a foodstuff, tested in the monitoring exercise pursuant to Recommendation 2010/307/EU, exceeds the acrylamide indicative value set for the respective food category in the Annex to this recommendation. The investigations should include the food business operator's Hazard Analysis and Critical Control Points (HACCP) or similar system with a view to exploring with the food business operator whether relevant processing steps susceptible for the formation of acrylamide have been identified and whether appropriate measures have been taken to control them. The investigations should in particular elucidate the extent to which currently known options for the minimisation of acrylamide levels, e.g. those proposed in the Codex Code of Practice for acrylamide and the CIAA acrylamide "toolbox", have been implemented by the food business operator.
2. report the findings to the Commission in time to enable the assessment by 31 December 2012.

Done at Brussels, 10.1.2011

For the Commission
John DALLI
Member of the Commission



ANNEX

Indicative acrylamide values based on the EFSA monitoring data from 2007 - 2008

Foodstuff	Indicative value [µg/kg]	Comment
French fries ready-to-eat	600	Product sold as ready-to-eat, as defined in Part C.1. of the Annex to Recommendation 2010/307/EU
Potato crisps	1000	Product as sold, as defined in Part C.2. of the Annex to Recommendation 2010/307/EU
Soft bread	150	Product as sold, as defined in Part C.4. of the Annex to Recommendation 2010/307/EU
Breakfast cereals (excl. muesli and porridge)	400	Product as sold, as defined in Part C.5. of the Annex to Recommendation 2010/307/EU
Biscuits, crackers, wafers, crisp bread and similar, excl. ginger bread	500	Product as sold, as defined in Part C.6. of the Annex to Recommendation 2010/307/EU
Roast coffee	450	Product as sold, as defined in Part C.7.1. of the Annex to Recommendation 2010/307/EU
Instant (soluble) coffee	900	Product as sold, as defined in Part C.7.2. of the Annex to Recommendation 2010/307/EU
Baby foods, other than processed cereal based foods ⁷	80	Product as sold, as defined in Part C.8. of the Annex to Recommendation 2010/307/EU

⁷ as defined in Article 1(2)(b) of Commission Directive 2006/125/EC of 5 December 2006 on processed cereal-based foods and baby foods for infants and young children (OJ L 339, 6.12.2006, p. 16).

Foodstuff	Indicative value [µg/kg]	Comment
Biscuits and rusks for infants and young children	250	Product as sold, as defined in Part C.9.1. of the Annex to Recommendation 2010/307/EU
Processed cereal based foods for infants and young children ⁸ , excl. biscuits and rusks	100	Product as sold, as defined in Part C.9.2. of the Annex to Recommendation 2010/307/EU

⁸ as defined in Article 1(2)(a) of Commission Directive 2006/125/EC of 5 December 2006 on processed cereal-based foods and baby foods for infants and young children (OJ L 339, 6.12.2006, p. 16).