

RECOMMENDATIONS

COMMISSION RECOMMENDATION (EU) 2015/682

of 29 April 2015

on the monitoring of the presence of perchlorate in food

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Whereas:

- (1) Perchlorate occurs naturally in the environment, in deposits of nitrate and potash, and can be formed in the atmosphere and precipitate into soil and groundwater. It also occurs as an environmental contaminant arising from the use of nitrate fertilisers and from the manufacture, use and disposal of ammonium perchlorate used in rocket propellants, explosives, fireworks, flares and air-bag inflators and in other industrial processes. Perchlorate can also be formed during the degradation of sodium hypochlorite used to disinfect water and can contaminate the water supply. Water, soil and fertilisers are considered to be potential sources of perchlorate contamination in food.
- (2) The European Food Safety Authority (EFSA) Panel on Contaminants in the Food Chain (Contam Panel) has provided a scientific opinion on the risks for public health related to the presence of perchlorate in food ⁽¹⁾. The Contam Panel concluded that the chronic dietary exposure to perchlorate is of potential concern, in particular for the high consumers in the younger age groups of the population with mild to moderate iodine deficiency. Furthermore, it is possible that short-term exposure to perchlorate is of concern for breast-fed infants and young children with low iodine intake.
- (3) The Contam Panel recommended that there is a need for more data on the occurrence of perchlorate in food in Europe, especially for vegetables, infant formula, milk and dairy products, to further reduce the uncertainty in the risk assessment. High levels have been found in *Cucurbitaceae* and leaf vegetables especially those grown in glasshouse/under cover. There are not sufficient occurrence data on the presence of perchlorate in food in particular from food sampled after 1 September 2013. The analysis of perchlorate in drinking water should include, if possible, also drinking water not falling under the definition of food as provided for in Regulation (EC) No 178/2002 of the European Parliament and of the Council ⁽²⁾. Mitigation measures have been put in place since 1 September 2013 and the data on perchlorate from samples taken thereafter reflect better the principle 'as low as reasonably achievable' following good practices (i.e. use of fertilisers containing low levels of perchlorate) and the current presence of perchlorate in food.
- (4) It is therefore appropriate to recommend the monitoring of the presence of perchlorate in food,

HAS ADOPTED THIS RECOMMENDATION:

1. Member States should, with the active involvement of food business operators, perform monitoring for the presence of perchlorate in food, and particularly in:

(a) fruits, vegetables and processed products thereof, including juices;

⁽¹⁾ EFSA Contam Panel (EFSA Panel on Contaminants in the Food Chain), 2014. Scientific Opinion on the risks to public health related to the presence of perchlorate in food, in particular fruits and vegetables. *EFSA Journal* 2014; 12(10):3869, 106 pp. doi:10.2903/j.efs.2014.3869

⁽²⁾ 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).

- (b) foods for particular nutritional uses intended for infants and young children as defined in Regulation (EU) No 609/2013 of the European Parliament and of the Council ⁽¹⁾;
- (c) dried herbs and spices; tea; herbal and fruit infusions;
- (d) beverages, including drinking water.

2. In order to ensure that the samples are representative for the sampled lot, Member States should follow the sampling procedures laid down in Annex to Commission Regulation (EC) No 1882/2006 ⁽²⁾ for leafy vegetables and Part B of the Annex to the Commission Regulation (EC) No 333/2007 ⁽³⁾ for other foods within the scope of Regulation (EC) No 333/2007.

3. The following method of analysis provides reliable results:

'Quick Method for the Analysis of Residues of numerous Highly Polar Pesticides in Foods of Plant Origin involving Simultaneous Extraction with Methanol and LC-MS/MS Determination (QuPpe-Method) — Version 7.1' The method can be downloaded from: http://www.crl-pesticides.eu/library/docs/srm/meth_QuPpe.pdf

In addition the article 'Analysis of Perchlorate in Food Samples of Plant Origin Applying the QuPpe-Method and LC-MS/MS' should be consulted in which it is reported how to integrate the environmental contaminant perchlorate into the abovementioned QuPpe multiresidue method. The article can be downloaded from <http://www.analytik-news.de/Fachartikel/Volltext/cvuse2.pdf>

The Limit of Quantification (LOQ) should be targeted not be higher than 2 µg/kg for the analysis of perchlorate in foods for infants and young children, 10 µg/kg in other foods and 20 µg/kg in dried herbs, spices, tea and herbal and fruit infusions.

4. Member States with the active involvement of the food business operators, should perform investigations to identify the factors resulting in the presence of perchlorate in food. In particular, the analysis of the presence of perchlorate in fertiliser, soil, irrigation and processing water is appropriate in situations where these factors are relevant.

5. Member States should ensure that the analytical results are provided on a regular basis and at the latest by the end of February 2016 to EFSA in the EFSA data submission format in line with the requirements of EFSA's Guidance on Standard Sample Description (SSD) for Food and Feed ⁽⁴⁾ and the additional EFSA's specific reporting requirements.

Done at Brussels, 29 April 2015.

For the Commission
Vytenis ANDRIUKAITIS
Member of the Commission

⁽¹⁾ Regulation (EU) No 609/2013 of the European Parliament and of the Council of 12 June 2013 on food intended for infants and young children, food for special medical purposes, and total diet replacement for weight control and repealing Council Directive 92/52/EEC, Commission Directives 96/8/EC, 1999/21/EC, 2006/125/EC and 2006/141/EC, Directive 2009/39/EC of the European Parliament and of the Council and Commission Regulations (EC) No 41/2009 and (EC) No 953/2009 (OJ L 181, 29.6.2013, p. 35).

⁽²⁾ Commission Regulation (EC) No 1882/2006 of 19 December 2006 laying down methods of sampling and analysis for the official control of the levels of nitrates in certain foodstuffs (OJ L 364, 20.12.2006, p. 25).

⁽³⁾ Commission Regulation (EC) No 333/2007 of 28 March 2007 laying down the methods of sampling and analysis for the official control of the levels of lead, cadmium, mercury, inorganic tin, 3-MCPD and polycyclic aromatic hydrocarbons in foodstuffs (OJ L 88, 29.3.2007, p. 29).

⁽⁴⁾ <http://www.efsa.europa.eu/en/datex/datexsubmitdata.htm>