

No. 6 – December 2018

News from the BfR

The German Federal Institute for Risk Assessment (Bundesinstitut für Risikobewertung (BfR)) published, amongst others, the following:

- **Brucellosis:** The risk of an infection with bacteria of the *Brucella* species through heat-untreated mare's milk in Germany is considered low. Nevertheless, the BfR advises to implement a heat treatment of at least two minutes at 72°C (Statement No. 028/2018 dated 5 September 2018).
- **African swine fever (Asf):** On 14 September 2018, the BfR published updated questions and answers regarding Asf. In the additional Press Release (No. 28/2018 dated 14 September 2018), it is explained that the Asf virus does not present any danger to human health. However, the press release includes advice regarding kitchen hygiene and preparation, since raw meat may also contain other pathogens.
- **Listeriosis:** In Press Release No. 30/2018 dated 27 September 2018, the BfR recommends everyone to comply with all the rules of hygiene and consumption in order to prevent infections with listeria. In this respect, the information sheet "Schutz vor Lebensmittelinfektionen mit Listerien" provides comprehensive tips for consumers (only in German: (<https://www.bfr.bund.de/cm/350/verbrauchertipps-schutz-vor-lebensmittelinfektionen-mit-listerien.pdf>)).

Statements of the ALTS

The working group of experts (ALTS) that deals with the field of food hygiene and food of animal origin made decisions, amongst others, concerning the following subjects at its 81st working conference:

- **Indian cream cheese (Paneer) – Positioning within the cheese regulation:** "Paneer" must be classed as unripened cheese in the sense of the German cheese regulation. The cheese group must be indicated as the designation.
- **Declaration of the heat treatment of yogurt products:** The obligation regarding labelling about heat treatment, which is regulated on a national basis via the milk product regulation, is not contradictory to the labelling provision according to Appendix VI Part A No. 1 of the Food Information Regulation (Regulation (EU) No. 1169/2011) but represents a permissible concretion to avoid misleading anyone.

- **Labelling of acidity regulators regarding acid curd cheese production:** For technological reasons, sodium hydrogen carbonate or calcium carbonate are employed as acidity regulators during the acid curd cheese production and must be classed as additives and not as processing aids. They must, therefore, be marked in the list of ingredients.
- **The addition of animal protein preparations to meat products – histological evidence, legal assessment:** The histological examination is suitable for the evidence of product-untypical protein preparations or can point to possible additives. Such additions to meat products must have technological or taste reasons and must not result in misleading consumers. Furthermore, the ALTS intends on creating a collection of corresponding histological images.

Note: Statements of the ALTS are not legally binding, but they can be considered as expert opinions.

The respective exact wording is published in German at www.bvl.bund.de (→ [direct link to the ALTS](#)).

Modifications Regarding Pesticides

- **Pesticides with the active agent fenamidone:** The Federal Office of Consumer Protection and Food Safety (BVL) revoked the approval of pesticides with the active agent fenamidone as of 14 February 2019 (in German: https://www.bvl.bund.de/DE/04_Pflanzenschutz_mittel/06_Fachmeldungen/2018/2018_10_26_Fa_Widerruf_Fenamidone.html).
- **Pesticides with the active agents pymetrozine, thiram and diquat:** With the Implementing Provisions (EU) 2018/1501, 2018/1500 and 2018/1532, the European Commission stipulated the revoking of the approval for these three active agents. For further information (in German), please refer to https://www.bvl.bund.de/DE/04_Pflanzenschutz_mittel/06_Fachmeldungen/2018/2018_10_25_Fa_Nichterneuerung_Genehmigungen_Pymetrozin_Thiram_Deiquat.html.
- **Maximum residue levels (MRL):** With the regulations (EU) Nos. 2018/1514, 2018/1515 and 2018/1516, the MRL of the following pesticide active agents were modified: abamectin, acibenzolar-S-methyl, clopyralid, diphenylamine, emamectin, fenhexamid, fenpyrazamine,

fluazifop-p, isofetamid, oxadixyl, *Pasteuria nishizawae* Pn 1, penoxsulam, talc E 553b, tebuconazole, triflumizole and triflumuron.

With the correction of Regulation (EU) 2018/832, the MRL for flubendiamide in cherries and peaches were modified (Official Journal L 247 dated 3 October 2018, page 9).

Current Developments from the Law on Additives

■ Low-substituted hydroxypropylcellulose (L-HPC): With Regulation (EU) 2018/1461 of the Commission from 28 September 2018, L-HPC was approved as a coating agent for solid food supplements (compressed solids) and obtained the E number E 463a (Official Journal L 245 dated 1 October 2018, page 1). The regulation came into force on 21 October.

■ Sorbitan monostearate (E 491), sorbitan tristearate (E 492) and sorbitan monopalmitate (E 495): With Regulation (EU) 2018/1462 dated 28 September 2018, the specifications of E 491, E 492 and E 495 were modified in such a manner that in each case the specification "solidification range" was replaced by the "identification test" – "by means of the acid value, iodine value (at the utmost 4), gas chromatography" (Official Journal L 245 dated 1 October 2018, page 6). The regulation came into force on 21 October 2018.

■ Cochineal (E 120): The specifications (and, in the English version, also the designation) of E 120 were modified by Regulation (EU) 2018/1472 dated 28 September 2018 (Official Journal L 247 dated 3 October 2018, page 1). The regulation came into force on 23 October 2018 and will only apply from 23 October 2019.

■ Additives in food supplements: Appendix II of Regulation (EC) No. 1333/2008 was modified with regard to food category 17 and the use of food additives in food supplements (Regulation (EU) 2018/1497 dated 8 October 2018, Official Journal L 253, page 36). The category 17 title was amended to "Food supplements as defined in Directive 2002/46/EC". Subcategory 17.3 was deleted, and categories 17.1 and 17.2 were renamed accordingly. The entire content of category 17 was revised. The regulation came into force on 29 October 2018.

Sentences

■ Advertising with the statement "To be used like Crème Fraîche" is misleading: With the sentence from 6 July 2018, the District Court of Hamburg decided that advertising a milk-mix product that is

made of vegetable fat and milk with the slogan "To be used like Crème fraîche" is likely to be misleading (Ref. 315 O 425/17). The sentence is not in force.

■ Indication of the number of pralines: On 25 October 2018, the Higher Regional Court of Frankfurt on the Main decided that a manufacturer of candies, that are sold individually (each of them enveloped with a heat-sealed foil) in a secondary packaging, must indicate on the secondary packaging, how many individual packages are contained (Ref. 6 U 175/17). The sentence is not in force. An appeal on points of law can still be lodged at the Federal High Court of Justice.

Miscellaneous

■ Novel Food - lactit: With the Implementing Regulation (EU) 2018/1293 of the Commission from 26 September 2018, the conditions for the use of lactit were modified (Official Journal L 243 dated 27 September 2018, page 2).

■ Specifications "lactose-free" and "galactose-free": The work group "Fragen der Ernährung" (questions of nutrition) of the Lebensmittelchemische Gesellschaft (LChG) published an updated position paper regarding the specifications "lactose-free" and "galactose-free". The latter can be downloaded in German at

<https://www.gdch.de/netzwerk-strukturen/fachstrukturen/lebensmittelchemische-gesellschaft/arbeitsgruppen/fragen-der-ernaehrung.html>.

■ Baking agents – BLL directive: The German Federation for Food Law and Food Science (Bund für Lebensmittelrecht und Lebensmittelkunde e.V. (BLL)) published the revised version of the "Richtlinie für die Backtriebmittel Backpulver, Hirschhornsalz und Pottasche" (a directive for the baking agents baking powder, ammonium carbonate and potash) in German at

<https://www.bll.de/de/infomaterial/richtlinien>.

■ Reduction of plasticiser introductions – BNN strategy: In the download area of its website, the Bundesverband Naturkost Naturwaren (BNN) e.V. published the "Strategy to achieve further reductions in the plasticiser contamination of edible oils and fats"

(https://n-bnn.de/sites/default/dateien/bilder/Downloads/Update%20Strategie%20Weichmachereintraege_EN.pdf).

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EC Alert Notifications

Following are notifications chosen from the European Rapid Alert System for Food. Considered were alerts, information and border rejections which arrived **between 11 September 2018 and 6 November 2018**.

Source:

https://www.bvl.bund.de/EN/01_Food/01_tasks/04_RapidAlertSystem/01_RASFF_notifications/RASFF_notifications_node.html

(extracts of the RASFF, anonymized and shortened by editorial preparation at the BVL)

Reason for Notifying	Product	Country of Origin	Notes	Number
Mycotoxins				
Aflatoxins total: 198	nuts, nut products, figs, pistachios, peanuts, almonds, melon kernels, apricot kernels			149
	popcorn maize	France (partly raw mat. from Portugal)	B1: 17.3 µg/kg; total: 40.7 µg/kg	27
	chili, paprika powder	Ethiopia, Germany (raw mat. Spain, China, India)	B1: 7.63 µg/kg; total: 18.34 µg/kg	5
	banku flour	Ghana		13
	basmati rice, red rice, red rice product	Pakistan, Sri Lanka	B1: up 32.2 µg/kg; total: up 39.4 µg/kg	3
Ochratoxin A	raisins, sultanas, mulberries	Turkey	up 47 µg/kg	4
	chili powder, paprika powder	India, Germany, Spain	36 µg/kg	11
	popcorn maize	France (partly raw mat. Portugal)	8.7 µg/kg	27
	rice	Sri Lanka	13.6 µg/kg	2
	coffee beans	Poland (raw mat. Netherlands)	5.9 µg/kg	1
	pistachio	USA	35 µg/kg	11
	spice mixture berbere, nutmeg	unknown, Indonesia		2
	soy beans, soy product	India		2
Patulin	apple puree	Chile	22.2 – 39.8 µg/kg	1
Heavy Metals / Other Metals				
Lead	pastry, food supplement, salami	France, Netherlands, unknown		7
Cadmium	organic cocoa powder	Austria	1.22 mg/kg	1
	prawns	Greenland	0.729 mg/kg	4
	swordfish, swordfish fillets	Italy, Spain	5.9 mg/kg	4
	celery, spinach	Poland, Netherlands	up 0.33 mg/kg	4
Mercury	fish / fish products, langoustines		up 5.9 mg/kg	50
Other Contaminants / Residues				
Benzo(a)pyrene, PAH	sunflower oil, palm oil	Russian Federation, Sierra Leone		11
	spice	Cameroon	PAH: 82.4 µg/kg	11

Reason for Notifying	Product	Country of Origin	Notes	Number
	garlic	China	Benzo(a)pyrene: 20.39 µg/kg; PAH: 127.63 µg/kg	3
	chlorella powder	Poland with raw mat. from China	Benzo(a)pyrene: 46.7 µg/kg; PAH: 229 µg/kg	1
	food supplement	Hungary, Belgium (partly raw mat. UK)	Benzo(a)pyrene: up 20.4 µg/kg; PAH: up 739 µg/kg	10
Dioxin	chicken breast	Belgium	1.98 pg WHO TEQ/g	1
Radioactivity	chanterelles	Belarus, Russian Federation	up 1,124 Bq/kg	2
Acrylamide	pastry	Netherlands	216.1 µg/kg	3
3-Monochloropropane- 1,2-diol (3-MCPD)	soy sauce	Philippines	up 1,860 µg/kg	35
Glycidyl esters	vegetable oil	Netherlands		3
Tropan alkaloids (Atropin, Scopolamin)	organic muesli	Austria	Atropin: 60.7 µg/kg; Scopolamin: 38.8 µg/kg	4
Morphine	poppy	Poland		8
Shellfish poisoning toxins (ASP)	pilgrim`s shells	Belgium		4
Ergot (<i>Claviceps purpurea</i>)	rye	Luxembourg		2
Histamine	fish / fish products		up 1,510 mg/kg	21
Hydrocyanic acid	apricot kernels, bitter almonds	Turkey, China	1,390 mg/kg	2
Iodine	algae, organic algae, brown algae	China, Japan, Rep. of Korea, Netherlands, Spain, unknown, Hongkong	up 36 mg/kg	48
Pharmacological Active Substances				
1,3-Dimethylamylamine (DMAA)	food supplement	unknown (via UK)		4
2,4-Dinitrophenol (DNP)	food supplement	China, Hongkong, India, Malaysia, USA, UK, unknown		24
Abamectin	corned beef	Brazil	106 µg/kg	3
Anthraquinone	organic green tea	Germany		3
Diclofenac	chicken meat	Poland	200 µg/kg	7
Malachite green, Leucomalachite green, Crystal violet	barramundi, trouts, pangasius	Vietnam, Germany		8
Naproxen	horsemeat	Brazil		1
Nitrofurantoin/ -metabolites	prawns, white tiger prawns	India		5

Reason for Notifying	Product	Country of Origin	Notes	Number
Sildenafil	food supplement	Latvia, Slovakia, USA, China, Spain		18
Sulfonamides	pork	Italy	(Sulfadimethoxin)	1
Synephrine	food supplement	UK		2
Tadalafil	food supplement	Slovakia, USA		6
Tetracyclines	chicken meat	Poland	(Doxycyclin)	5
Vardenafil	food supplement	UK, Slovakia		8
Yohimbine	food supplement	USA		3
Unauthorized Colours				
Rhodamine B	beets	Lebanon, Syria		6
Miscellaneous				
Parasite infestation with anisakis	codfish fillets, mackerel, anchovy, john dory	Iceland, Spain, France, Morocco		8
Pyrrolizidine alkaloids (PA)	organic chamomile tea	Denmark		1
GMO not authorized	rice noodles	China	(rice)	1
	corn flour	USA		3
Irradiation	ginger, prickly pear extract, food supplement	Singapore, China, Russ. Federation		3
Food dependent disease outbreak	mussels	Spain		8
	raw milk goat cheese	France		1
	horsemeat	Belgium (produced Romania, raw material Hungary)		1
	fish	Italy (raw mat. Spain)		4
	liquid egg white	France (raw mat. Spain, Germany, Netherlands)		11
	chickpeas and beans	unknown (packed in Sweden)		2
	rucola	Italy		3
	salad	France		1
	chocolate	France		3
	strawberries	Poland		8
various foods	UK		20	
Pathogenic Germs				
Salmonella total: 251	meat / meat products			99
	organic mussels, mussels, snails, prawns, tiger prawns	unknown, Greece, Netherlands, Morocco, Bangladesh, Vietnam		14
	liquid egg, liquid egg white	Ukraine, France (partly raw mat. Spain)		10
	cheese cubes, raw milk goat cheese	Netherlands, France		2

Reason for Notifying	Product	Country of Origin	Notes	Number
	milk powder products, whipped cream	Ireland, Belgium		13
	infant formula	France		2
	spices	Spain (partly raw mat. Syria), Guatemala, Egypt, Brazil, Jordan, Poland, Slovakia		49
	sesame, sesame products	India, Turkey, Sudan, Nigeria		37
	organic almonds, almonds, pine nuts	Italy, USA, China		5
	baking mix, ready meal, cornflakes, teff	Hungary, UK, South Africa		8
	organic rucola, salad, organic cornflower leaves	Italy, Netherlands, Albania, Germany		4
	gelatin	Germany (partly packed in Italy)		7
	food supplement	France (raw mat. China)		1
<i>Listeria monocytogenes</i>	meat / meat products	Austria, France, Sweden, Poland, Belgium, Italy, Ireland, Netherlands		33
	fish / fish products	Estonia, Norway, Latvia, Poland, Spain, Netherlands		52
	prawns	Poland		3
	raw milk cheese, sheeps cheese, goat cheese	France, Netherlands		4
	vegetables, corn	Belgium, Poland, Hungary, UK, France		14
	organic tofu with spinach, spinach and chard	Germany, Ireland		4
	falafel	France		10
Shigatoxin producing E.coli	salami slices	Austria		2
	venison	UK		2
	lamb product	unknown		1
	beef	Argentina, Brazil, Netherlands		24
	cheese, raw milk cheese, soft cheese	Italy, Belgium, France		8
	endive salad	Netherlands		3

Reason for Notifying	Product	Country of Origin	Notes	Number
	sunflower seeds	Bulgaria (packed Italy)		4
	sprouts	Germany (raw mat. Italy)		4
<i>Campylobacter (spp., coli, jejuni)</i>	chicken meat, chicken meat products	France, Netherlands, Poland		7
Pathogenic Vibrio	mussels	Italy		1
Norovirus	venus clams, mussels	Thailand, Vietnam, France		4

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