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Food Risk Insights

Eurofins Food Testing Ireland Ltd

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In Focus

Emerging issues, trends and legislative changes

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Welcome to the January 2026 food risk insights from Eurofins Food Testing UK Ltd.'s Compliance and Risk Management Team. This edition features the latest regulation changes, recalls and allergen warnings and, as always, the latest EC food fraud statistics.

We are here to offer expert advice and support; to help you manage the ever-evolving risks faced by food businesses.

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EU 'Breakfast Directive'

Directive (EU) 2024/1438 of the European Parliament, which, among other things, amends Directive 2001/113/EC on jams, jellies and chestnut purée, Directive 2001/110/EC on honey, and Directive 2001/112/EC on fruit juices, comes into force on **14 June 2026**.

It aims to promote the reformulation of foods with high sugar content and to facilitate the transition to a healthy and sustainable diet. It is also intended to contribute to better consumer information on honey. Products manufactured and labelled in accordance with the previous regulations before 14 June 2026 may continue to be marketed until stocks are exhausted.

Soft drinks levy extended

In 2025 the UK government announced that the Soft Drinks Industry Levy will be expanded to cover more high sugar drinks, including milk-based beverages, with companies having until January 2028 to remove sugar or face the new charge. While the deadline may seem far away now, many feel it'll be here before they know it, and note that time is needed for reformulation, market testing, and raising customer awareness.

The changes will apply the charge to pre-packaged milk based and milk alternative drinks with added sugar, like supermarket milkshakes, flavoured milks, sweetened yoghurt drinks, chocolate milk drinks and ready-to-drink coffees. **The new lower sugar threshold for the UK's Soft Drinks Industry Levy (SDIL) will be 4.5g per 100ml.**

The levy will apply not apply to open-top drinks in cafes or restaurants.

Infant formula recall

Six weeks after ByHeart Inc. began recalling its popular organic baby formula amid a nationwide outbreak of infant botulism, the US Food and Drug Administration (FDA) confirmed that it had previously warned infant formula manufacturers, more than two years earlier, to strengthen food safety controls. The March 2023 letter set out steps to prevent pathogen contamination in formula products.

Concern following this outbreak has prompted new work by the Codex Alimentarius International Food Standards Committee on the Codex infant formula guidance. It will a conduct risk assessment on *Clostridium botulinum* and update its scientific advice on *Cronobacter* and *Salmonella* spp. in powdered infant formula. The decision was supported by World Health Organization (WHO), the Food and Agriculture Organization of the United Nations (FAO), the EU, the USA and many other countries.

In Europe Nestle have voluntarily recalled limited batches of NAN Stage 1 infant formula (and equivalent brands) sold in a number of countries. No confirmed cases of illness have been reported so far. The presence of *Bacillus cereus* detected on a production line at the site manufacturing the affected batches was the reason for the recall.

Acrylamide, furan and methyl furans

In 2018, benchmark values for the content of acrylamide in various foods were set in accordance with Regulation (EU) 2017/2158 to help minimise acrylamide levels in food. Acrylamide still remains a significant public health concern in GB and the EU, particularly because dietary exposure levels have not consistently decreased and current regulations rely mostly on non-binding benchmarks. Both GB & the EU are actively reviewing and considering new, stricter legally binding maximum levels for certain foods.

In 2025 the UK Food Standards Agency (FSA) working jointly with Food Standards Scotland (FSS) issued a call for data on acrylamide levels in food. This consultation's aim was to gather a representative dataset reflecting the true reality of acrylamide levels in order that any future regulatory measures reflect the true situation on the ground and are proportional and achievable.

Meanwhile the EU is actively reviewing and considering stricter regulations for acrylamide limits in various foods, with discussions ongoing at the technical level.

The EU Commission has also compiled an initial draft for the introduction of maximum levels for the sum of furan, 2-methylfuran and 3-methylfuran in baby food. Alongside other aspects, it refers to the Scientific Opinion of the European Food Safety Authority (EFSA) from 2017, stating that the intake of furan and methylfurans, in particular from jarred baby food, can pose a significant health risk for infants and young children.

Similar to acrylamide, furan is a process contaminant which evolves within the production and preparation of food during thermal processing (sterilising, roasting, baking etc.). So far, reducing sugars, amino acids, ascorbic acid, unsaturated fatty acids and carotenoids have been identified as possible precursors. The formation of furan is relevant e.g. in roasted coffee, canned and jarred food including baby food, baked goods, cereals and crackers. 2- and 3-methylfuran as well as 2,5-dimethylfuran are also formed during heat treatment of food and can co-occur with furan. Other alkylfurans such as 2-pentylfuran and 2-ethylfuran have also been reported recently in the literature.

Due to the high volatility of furan and methylfurans, levels may also decrease again during processing, thus heating and processing conditions are crucial factors.

EUDR delay

The EU Council has formally adopted a targeted update to the EU Deforestation Regulation (EUDR); Regulation (EU) 2023/1115 on deforestation-free products, aimed at streamlining implementation and helping operators, traders and competent authorities prepare for its practical rollout.

The revision simplifies due diligence requirements and delays the regulation's application until 30 December 2026, with an additional six months for micro and small operators, addressing concerns about administrative burden and IT readiness while maintaining the EUDR's deforestation goals. It also removes low risk printed products, such as books and newspapers, from the regulation's scope.

The EUDR aims to halt the EU's contribution to global deforestation and forest degradation by ensuring key commodities such as cattle, cocoa, coffee, oil palm, rubber, soya, and wood are deforestation free. It is a key part of the European Commission's European Green Deal, fighting climate change and biodiversity loss.

Listeria monocytogenes regulation changes from 2026

⚠ **From 1 July 2026, EU Regulation 2024/2895 will update the microbiological criteria for *Listeria monocytogenes* in many ready-to-eat (RTE) foods, amending Regulation (EC) 2073/2005** with the intention to enhance consumer safety.

Under the new rules, RTE foods that support *Listeria monocytogenes* growth (other than infant formula or those for special medical purposes) must either meet the criterion of *Listeria monocytogenes* not detected in 25 g throughout the product's shelf life or the food business must be able to demonstrate that levels do not exceed 100 cfu/g. This is a shift from previous requirements, which applied the not detected in 25g limit only while the product was under the manufacturer's control.

Some food businesses had previously relied on test results meeting this 'not detected' criterion while the product was under their control despite there being no guarantee of a complete absence of *Listeria monocytogenes* in their product, and did not collect evidence that the level would not exceed 100 cfu/g by the end of shelf-life. Food businesses most affected include some of those producing RTE items exposed to the environment post-cooking or without a microbiological kill-step, such as cold smoked fish, soft cheeses, cooked sliced meats, salads, sandwiches, pâté, and fresh cream cakes.

While the regulation is not adopted into UK law, it applies to products sold in the EU and Northern Ireland (NI), meaning exporters and distributors must ensure compliance.

If you produce or handle RTE foods for the EU or NI markets we would recommend reviewing your hygiene and environmental monitoring protocols and results, assessing your current shelf-life data and your microbiological testing strategy.

UK issues first safety guidance for cell-cultivated product

These are the first in a series of guidance documents from the Food Standards Agency (FSA) & Food Standards Scotland (FSS). The first clarifies that cell-cultivated products made from animal cells often referred to as "lab-grown meat" are classified as products of animal origin, meaning existing food safety regulations apply during production. The second sets out guidance on allergenicity and how nutritional quality will be assessed as part of the approval process for all cell-cultivated products. **Read more**

Warning with Dubai style chocolate continue

While reviewing sampling data from products on sale to check whether they meet the required food safety and labelling standards the Food Standards Agency (FSA) is advising consumers with allergies to avoid Dubai style chocolate as a precaution. A recent allergen alert for the FSA highlighting an issue with presence of undeclared peanuts.

MOAH/MOSH

Mineral oil aromatic hydrocarbons (MOAH) and mineral oil saturated hydrocarbons (MOSH) are components of mineral oils and may be harmful to health. They have been detected in a wide range of foods and ingredients and are also found in animal feed, food supplements, medicines and cosmetics.

Mineral oils do not intentionally belong in food; however, they are frequently detected due to unintentional contamination. Sources include environmental contamination, the use of lubricants in machinery, processing aids, food or feed additives, and migration from food contact materials. As a result, food manufacturers and distributors face enormous challenges in identifying the source and point of contamination.

The European Commission has been working towards establishing maximum levels (ML) for MOAH in food. Adoption of draft EU legislation setting MOAH limits was originally planned for the end of 2025 but is now expected in 2026. It remains unclear whether the anticipated date of application will be moved from 2027.

Draft Revision 7 proposes specific maximum levels for MOAH (C10-C50) and includes the following product groups:

- Oilseeds and oil fruits
- Animal and vegetable fats and oils >50% fat
- Tree nuts
- Pulses
- Cereal grains and cereal products (ML depending on fat content)
- Milk
- Dairy products (ML depending on fat content)
- Cocoa beans (from 2030), cocoa mass, cocoa powder
- Confectionary, cocoa and chocolate products (ML depending on fat content)
- Spices and dried herbs, tea and herbal infusions as food ingredient
- Baby food (ML depending on fat content)
- Food supplements
- Food additives produced from food sources
- Processed and compound foods containing certain ingredients listed above (from 2030, ML depending on fat content)

In addition, a proposal for a monitoring recommendation for MOSH is currently under discussion in order to define requirements for risk minimisation by means of MOSH indicative values.

Climate change and food safety

Climate change is creating major challenges for global food safety by altering temperature, humidity, rainfall patterns and the frequency of extreme weather events, all of which affect farming practices, crop yields and area of crop cultivation.

Research has shown that climate-related factors, including extreme weather and flooding, can facilitate the spread of pests, influencing the movement of disease carrying vectors, microbes, plants insects and birds, and enabling new pests to establish in previously unsuitable areas. This in turn increases the risk and severity of foodborne diseases and contaminants.

Mycotoxin production (including aflatoxin, ochratoxin A, deoxynivalenol [DON], T-2 and HT-2 toxins, as well as zearalenone [ZEN] and fumonisins) is one area which has drawn widespread interest as they can affect many staple crops. Mycotoxins produced by certain species of fungi can affect the health of infected plants and enter the food chain via contaminated food and feed crops (cereals, legumes, nuts). Temperature and humidity are important factors influencing fungal growth, crop infection and mycotoxin levels.

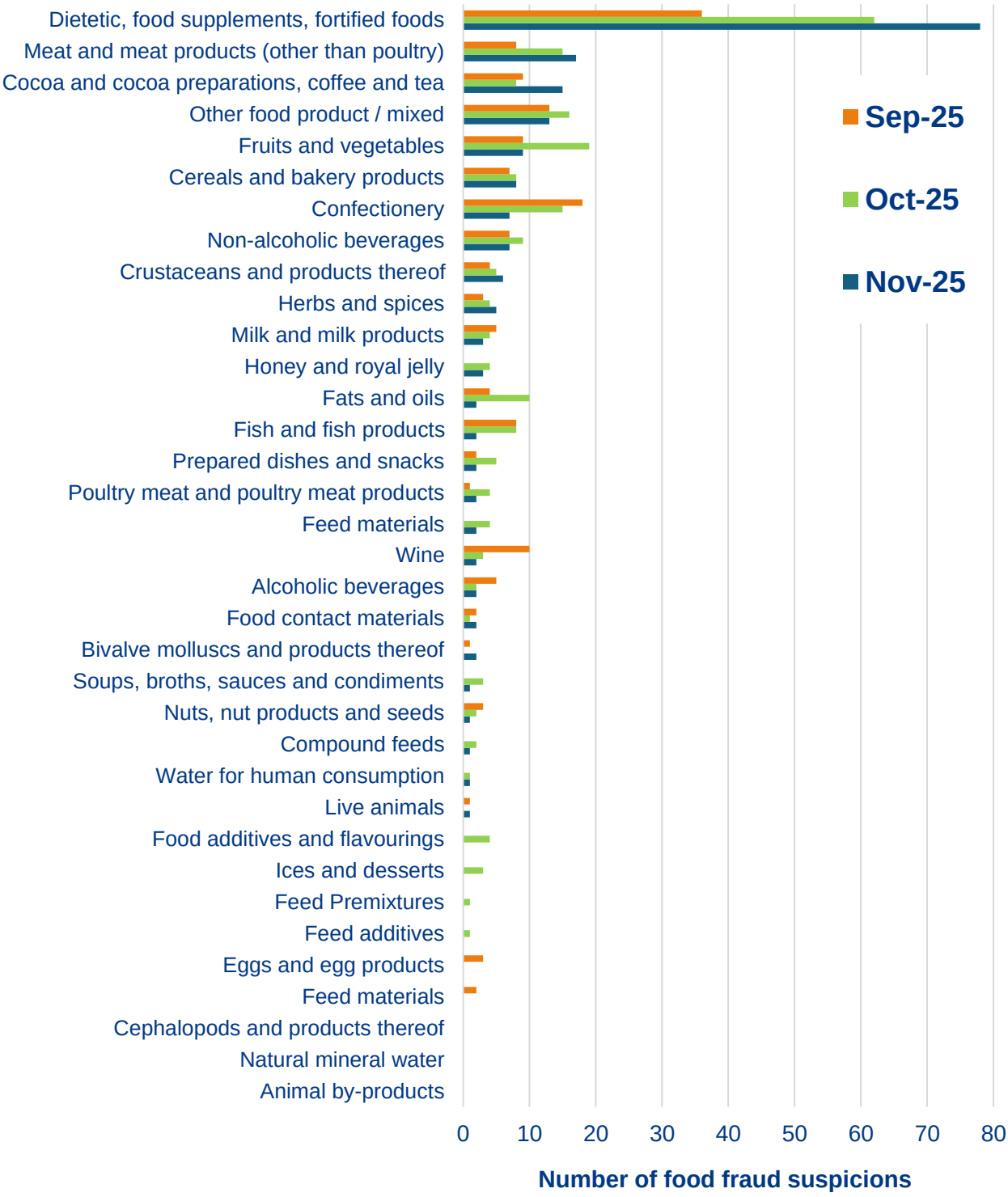
In marine environments, warmer surface waters and increased nutrient runoff are driving the growth of toxin-producing algae, leading to more frequent seafood contamination. Rising sea temperatures may be contributing to an increase in native marine algae which can produce toxins and leads to toxin build-up in molluscs.

Climatic factors also strongly influence the presence of phytoplankton, the microscopic algae found in marine and freshwater ecosystems that form a key part of the diet for many fish and other aquatic species. As some phytoplankton species can produce potent toxins, bioaccumulation of these toxins in the food-chain occurs, posing a risk of seafood poisoning from large predatory fish species. Ciguatera poisoning from consumption of large reef fish such as barracuda and snapper is a notable example.

Similarly, cyanobacteria, naturally occurring bacteria that form blooms on the surfaces of fresh and seawater, are valued for their nutritional properties and used as “natural” food supplements. However a wide variety of cyanobacteria produce cyanotoxins, and their prevalence is expected to grow under global warming and other environmental changes, including increased nutrient availability.

Changing climatic conditions will therefore play a key role in shaping future food and feed safety assessments, with implications for human and animal health, plant health and the environment.

Summary of Food Fraud Suspicions



Source: https://food.ec.europa.eu/food-safety/acn/ffn-monthly_en

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Food Risk Insights

The Eurofins Compliance and Risk Management Team can work with you to identify and mitigate risks within your business, whether they be microbiological, contaminants, allergens, pesticides, authenticity (food fraud) or risks to your supply chain such as price changes or climate fluctuations.

We are here to work with you to protect your customers, brand and reputation.

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