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Data collection and food classification: challenges for the EU risk manager in the field of contaminants.
-- some considerations --

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General objectives and principles General Food Law

- The objectives of a **high level of protection of human health** and the protection of consumers' interests and of, where appropriate, the protection of animal health and welfare, plant health and the environment shall be pursued by food legislation
- In order to achieve the general objective of a high level of protection of human health, **EU feed / food legislation shall be based on risk analysis** (process consisting of three interconnected components: risk assessment-risk management-risk communication) except where this is not appropriate to the circumstances or the nature of the measure

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General objectives and principles General Food Law

- Risk assessment shall be based on the **available scientific evidence** and undertaken in an **independent, objective and transparent manner**
- The **risk management shall take into account the results of risk assessment**, **other factors legitimate** to the matter under consideration and the precautionary principle where appropriate

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Council Regulation (EEC) 315/93

- Regulatory framework :

  Council Regulation (EEC) No 315/93 of 8 February 1993 laying down Community procedures for contaminants in food

  (this Regulation does not apply to contaminants which are the subject of more specific Community rules, such as pesticide residues, veterinary drug residues, ...)

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Regulation (EEC) 315/93 Provisions

- General provision:
  - food containing a contaminant in an amount which is unacceptable from the public health viewpoint and in particular at a toxicological level shall not be placed on the market
- Good practice:
  - contaminant levels shall be kept as low as can reasonably be achieved following good practices at all stages (ALARA)

Regulation (EEC) 315/93 Provisions

- When necessary for protecting public health maximum levels shall established for specific contaminants --> Procedure for setting maximum levels. This can also include a reference to the sampling and analysis methods to be used.
- Obligatory consultation of the European Food Safety Authority(EFSA) Panel on contaminants in the food chain before provisions having effect upon public health shall be adopted.

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Risk management contaminants – food

- Scientific risk assessment:
  - assessment of the risks related to the presence of a contaminant in foodstuffs for human health / establishment of a tolerable intake / health based guidance value
  - exposure assessment: human exposure (average and 95 percentile) Particular attention to vulnerable groups of population, high level consumers, ...
  - Risk characterisation: human exposure assessed in relation to the health based guidance value

--> is the basis for the measures to be taken

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Risk management contaminants – food

- **Determination of foods/food groups significantly contributing to the exposure**
- **Occurrence data of the contaminant in the various food/food groups**
- Setting a maximum level following the ALARA principle (As Low As Reasonably Achievable - see before prevention versus regulation). The degree of severity of the application of this principle depends on the relation exposure - tolerable intake
- Other appropriate management tools

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Data collection and food classification in the field of contaminants - challenges

- In view of the risk manager a food classification needs to serve
  - the risk assessor for exposure assessment (general population but for groups of population: children, pregnant women, vegetarians,...)
  - the risk manager to enable him to assess the contamination level of a certain food / food category.

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Data collection and food classification in the field of contaminants - challenges

- Current data collection activities (e.g. dioxins and PCBs) highlight the need to come to an unambiguous food classification system
  - Does the « perfect » food classification exist? « Perfect » means a food classification addresses all needs (and future needs) in all relevant policy areas.
  - Many challenges ahead

Data collection and food classification in the field of contaminants - challenges

- « Determination of food and food groups contributing to exposure »
  - differences within a food group: « homogeneous » contamination (no different contamination pattern) : food classification - large groups can be defined e.g. vegetables, cereals
  - « heterogeneous » contamination (different contamination pattern): food classification – incremental e.g. heavy metals in fish

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Data collection and food classification in the field of contaminants - challenges

- Processed and compound foods // Regulation (EC) 1881/2006 – Article 2
  - For dried, diluted, processed or compound foodstuffs: concentration/dilution factors, relative proportion of the ingredients apply insofar no specific EU- MLs have been established for these dried, diluted, processed or compound foodstuffs
  - The specific concentration or dilution factors shall be provided and justified by the food business operator – in the absence thereof competent authority defines the factor based on available information and with the objective of maximum protection of human health.

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Data collection and food classification in the field of contaminants - challenges

- Contamination level dependent on composition and way of preparation

  e.g. acrylamide : « bakery ware » <-> « crackers, crisp bread, wafers, ginger bread. »
- Composite foods – same common name - varying composition : a big challenge
- Maximum level applies to edible part // occurrence data on edible part ? // Not always straightforward → occurrence data referring to same food (category) → not always comparable

Data collection and food classification in the field of contaminants - challenges

- Examples of issues of « relevance » for legislation but not (always) taken into account in food classification systems
  - Fish liver, sheep liver
  - High fiber breakfast cereals
  - Eggs: « cage eggs » versus « free range »
  - Milk: « retail milk » versus « individual farm milk »
  - Liquorice root and liquorice extract
  - Spices (paprika, pepper, nutmeg, ...)
  - Nicotine in *Boletus edulis*
  - ...

  → Difficult to foresee in advance

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Data collection and food classification in the field of contaminants - challenges

- Examples in contaminant field → difficulties to determine (in advance) a food classification that will address **all** future demands for contaminants → flexibility needed
- Food classification has to serve **multiple purposes in different sectors** (food additives, pesticide residues, nutrients, ...) each with their own needs, challenges and difficulties

Conclusions

- Presentation focused on contaminants – but challenges, issues for other legislative fields where food classification is of relevance → as important (or even more important)
- Experience learns that an unambiguous food classification is needed → but many challenges to be addressed.
- This scientific colloquium will contribute to the objective of a food classification that addresses as much needs as possible of all the different applications of relevance