

COMMISSION RECOMMENDATION (EU) 2016/1111
of 6 July 2016
on the monitoring of nickel 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) Nickel is a metal occurring widely in the earth's surface. Nickel is present in food and drinking water due to natural and anthropogenic activity.
- (2) The Hellenic Food Authority asked the European Food Safety Authority ('EFSA') to evaluate the risk to human health from the presence of nickel in food, particularly in vegetables.
- (3) The EFSA Scientific Panel on Contaminants in the Food Chain (CONTAM Panel) decided to extend the risk assessment to drinking water and adopted the Scientific Opinion on the risks to public health related to the presence of nickel in food and drinking water ⁽¹⁾. This opinion identified reproductive and developmental toxicity as the critical effect for the risk characterization of chronic oral exposure to nickel. Eczematous flare-up reactions and worsening of allergic reactions were identified as the critical effect for acute oral exposure to nickel of nickel-sensitized humans.
- (4) Data related to occurrence of nickel in food and drinking water was collected in 15 different European countries. However, as 80 % of the total collected data were collected in one Member State, a geographically more wide spread data set would be needed to verify the occurrence of nickel in food throughout the Union.
- (5) For certain food groups considered as main contributors to dietary exposure in the EFSA Scientific Opinion, only limited occurrence data were available. In view of possible future risk management measures, a better view on the nickel content in food commodities belonging to these food groups would be advisable,

HAS ADOPTED THIS RECOMMENDATION:

1. Member States should, with the active involvement of food business operators and other interested parties, perform monitoring of the presence of nickel in food during 2016, 2017 and 2018. The monitoring should focus on cereals, cereal-based products, infant formula, follow-on formula, processed cereal-based food for infants and young children, baby food, food for special medical purposes intended specifically for infants and young children, food supplements, legumes, nuts and oil seeds, milk and dairy products, alcoholic and non-alcoholic beverages, sugar and confectionery (including cocoa and chocolate), fruits, vegetables and vegetable products (including fungi), dry tea leaves, dry parts of other plants used for herbal infusions and bivalve molluscs.
2. The sampling procedures should be performed in accordance with the provisions laid down in Commission Regulation (EC) No 333/2007 ⁽²⁾ in order to ensure that the samples are representative for the sampled lot.
3. The samples should be analysed as marketed. The analysis of total nickel should be performed in accordance with Standard EN 13804:2013, 'Foodstuffs — Determination of elements and their chemical species — General considerations and specific requirements', preferably by making use of an analytical method based on flame atomic absorption spectrometry (FAAS) or graphite furnace atomic absorption spectrometry (GFAAS), inductively coupled plasma optical emission spectrometry (ICP-OES) or mass spectrometry (ICP-MS).

⁽¹⁾ EFSA CONTAM Panel (EFSA Panel on Contaminants in the Food Chain), 2015. Scientific Opinion on the risks to public health related to the presence of nickel in food and drinking water. EFSA Journal 2015;13(2):4002, 202 pp. doi:10.2903/j.efsa.2015.4002

⁽²⁾ Commission Regulation (EC) No 333/2007 of 28 March 2007 laying down the methods of sampling and analysis for the control of the levels of trace elements and processing contaminants in foodstuffs (OJ L 88, 29.3.2007, p. 29).

4. Member States, food business operators and other interested parties should provide to EFSA the monitoring data expressed on whole weight basis with the information and in the electronic reporting format as set out by EFSA for compilation into one database by 1 October of 2016, 2017 and 2018. Available occurrence data from preceding years that have not yet been provided should be transmitted according to the same modalities at the earliest occasion.

Done at Brussels, 6 July 2016.

For the Commission
Vytenis ANDRIUKAITIS
Member of the Commission
