

RECOMMENDATIONS

COMMISSION RECOMMENDATION

of 17 March 2010

on the monitoring of perfluoroalkylated substances in food

(Text with EEA relevance)

(2010/161/EU)

THE EUROPEAN COMMISSION,

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

Whereas:

- (1) Perfluoroalkylated substances (PFAS) are widely used in industrial and consumer applications including stain-resistant coatings for fabrics and carpets, oil-resistant coatings for paper products approved for food contact, fire fighting foams, mining and oil well surfactants, floor polishes and insecticide formulations. An important subset are the (per)fluorinated organic surfactants, to which perfluorooctane sulfonate (PFOS) and perfluorooctanoic acid (PFOA) belong.
- (2) Due to this large use PFOS, PFOA, their salts and precursors have been found in the environment, fish, birds and mammals. The European Food Safety Authority (the EFSA) therefore asked its Scientific Panel on Contaminants in the Food chain to prepare an opinion on the importance of food and the relative contribution of the different foodstuffs and food contact materials to human exposure to PFOS and its salts and to advise on further steps in relation to the risk assessment of perfluorinated organic compounds.
- (3) The Scientific Panel on Contaminants in the Food chain adopted a scientific opinion PFOS, PFOA and their salts on 21 February 2008 ⁽¹⁾.
- (4) In this scientific opinion the EFSA considered it unlikely that adverse effects of PFOS and PFOA are occurring in the general population, but noted uncertainties with regards to developmental effects in living organisms.

⁽¹⁾ Opinion of the Scientific Panel on Contaminants in the Food chain on Perfluorooctane sulfonate (PFOS), perfluorooctanoic acid (PFOA) and their salts, *The EFSA Journal* (2008) 653, pp. 1-131.

The EFSA recommended that further data on PFAS levels in food and in humans would be desirable, particularly with respect to monitoring trends in exposure.

- (5) The Stockholm Convention on persistent organic pollutants (POPs) requires contracting parties to undertake monitoring of POPs, their alternatives and candidate POPs and has included PFOS, its salts and perfluorooctane sulfonyl fluoride (PFOSF) in Annex B to the Convention among the substances subject to restrictions on production and use,

HAS ADOPTED THIS RECOMMENDATION:

1. Member States should monitor during 2010 and 2011 the presence of perfluoroalkylated substances in food. The monitoring should include a wide variety of foodstuffs reflecting consumption habits including food of animal origin such as fish, meat, eggs, milk and derived products and food of plant origin in order to enable an accurate estimation of exposure.
2. Member States should follow the sampling procedures as laid down in Annex I to Commission Regulation (EC) No 1883/2006 of 19 December 2006 laying down methods of sampling and analysis for the official control of levels of dioxins and dioxin-like PCBs in certain foodstuffs ⁽²⁾ in order to ensure that the samples are representative for the sampled lot.
3. It is recommended that the Member States carry out the analysis of perfluoroalkylated substances in order to detect the presence of the compounds PFOS and PFOA and, if possible, their precursors such as perfluorooctane sulphonamide (PFOSA), N-ethyl perfluorooctane sulfonamidoethanol (NEtFOSE) and 8:2 fluorotelomer alcohol. The Member States should, if possible, include compounds similar to PFOS and PFOA but with different chain length (C4 – C15) and polyfluoroalkyl phosphate surfactants (PAPS) such as 8:2 diPAPS and 8:2 monoPAPS in order to estimate the relevance of their presence in food.

⁽²⁾ OJ L 364, 20.12.2006, p. 32.

4. Member States should carry out the analysis of perfluoroalkylated substances in accordance with Annex III to Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules ⁽¹⁾ by making use of a method of analysis that has been proven to generate reliable results. Ideally, the recovery rates should be in the 70-120 % range, with limits of quantitation of 1 µg/kg.

5. It is recommended that the Member States provide on a regular basis to the EFSA the monitoring data expressed on whole weight basis with the information and in the

electronic reporting format as set out by the EFSA for compilation into one database. They should also provide the data available from previous years obtained by making use of a method of analysis that has been proven to generate reliable results in order to monitor trends in exposure.

Done at Brussels, 17 March 2010.

For the Commission

John DALLI

Member of the Commission

⁽¹⁾ OJ L 165, 30.4.2004, p. 1.