RECOMMENDATIONS

COMMISSION RECOMMENDATION

of 4 April 2014

on the reduction of the presence of cadmium in foodstuffs

(Text with EEA relevance)

(2014/193/EU)

THE EUROPEAN COMMISSION,

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

Whereas:

(1) Commission Regulation (EC) No 1881/2006 of 19 December 2006 setting maximum levels for certain contaminants in foodstuffs ([1]) sets maximum levels for cadmium in a range of foodstuffs.

(2) The Scientific Panel on Contaminants in the Food Chain (Contam Panel) of the European Food Safety Authority (EFSA) adopted an opinion on cadmium in food on 30 January 2009 ([2]). In this opinion, EFSA established a new Tolerable Weekly Intake (TWI) of 2,5 μg/kg bodyweight. In its statement on the 'Re-assessment of the tolerable weekly intake for cadmium established by the Contam Panel in 2009' ([3]) EFSA took into account the recent risk assessment carried out by the Joint FAO/WHO Expert Committee on Food Additives (JECFA) ([4]) and confirmed the TWI of 2,5 μg/kg bodyweight.

(3) In the scientific opinion the Contam Panel concluded that the mean dietary exposures in European countries are close to or slightly exceeding the TWI of 2,5 μg/kg bodyweight. Certain subgroups of the population may exceed the TWI by about two-fold. The Contam Panel further concluded that, although adverse effects on kidney function are unlikely to occur for an individual exposed at this level, exposure to cadmium at the population level should be reduced.

(4) According to the scientific opinion of the Contam Panel, the food groups that contribute to the major part of the dietary cadmium exposure, primarily because of the high consumption, were: cereals and cereals products, vegetables, nuts and pulses, starchy roots or potatoes and meat and meat products. Highest cadmium concentrations were detected in the food commodities seaweed, fish and seafood, chocolate and foods for special dietary uses as well as in fungi, oilseeds and edible offal.

(5) Maximum levels for cadmium have been established in 2001 in a range of foodstuffs, including cereals, vegetables, meat, fish, seafood, offals and food supplements. Taking into consideration the recent EFSA conclusions, new maximum levels for baby foods and chocolate/cocoa products have been considered and it is expected that these levels will be adopted shortly.

(6) Furthermore, following the scientific opinions on cadmium of the Contam Panel, the Commission also investigated the possibilities to reduce some of the existing maximum levels for cadmium in foodstuffs that are major contributors to exposure (e.g. cereals, vegetables, potatoes).

(7) The Commission considers that an immediate reduction of the maximum levels would be difficult to achieve. Cadmium presence in foodstuffs is not uniform, but highly variable depending for instance on the geographical location of the growing area (different levels of natural cadmium presence in soil due to different distribution in the earth crust), on the availability of cadmium from soil (different extent of transfer from the soil to the plants depending on the pH of the soil and other soil components), different plant varieties with different patterns of cadmium accumulation, but also of anthropogenic factors such as agricultural use of sewage sludge, manure or

([1]) OJ L 364, 20.12.2006, p. 5.
([2]) *The EFSA Journal* (2009) 980, 1-139.
([3]) *The EFSA Journal* (2011);9(2):1975.
([4]) WHO Food Additives Series 64, 73rd meeting of the Joint FAO/WHO Expert Committee on Food Additives (JECFA), World Health Organisation, Geneva, 2011.

phosphate fertilisers and other factors. Concerning the presence of cadmium in phosphate fertilisers, on which work is ongoing, the Commission is aware of the need to take action in accordance with its risk reduction strategy for cadmium and cadmium oxide adopted in 2008 ([1]).

(8) However, some mitigation methods for reduction of cadmium presence in foods already exist but need some time to be fully implemented by farmers and food business operators. In some cases existing methods need to be specifically adapted to the crops and geographical areas for which they are to be applied and to be better communicated and promoted to farmers in order to achieve reductions in cadmium levels in food in the medium/long term. It is therefore appropriate that Member States take the necessary steps to ensure that the already available mitigation methods are communicated and promoted to farmers and started or continued to be implemented with a view to reducing cadmium levels in food. Where necessary, further research and investigations should be carried out to fill any possible gaps in knowledge on mitigation methods.

(9) The progress of the effects of the measures taken should be regularly monitored and reported to the Commission. Further occurrence data on cadmium should be collected and regularly reported to EFSA to enable the Commission to reassess the situation by 31 December 2018 with a view to deciding about further appropriate measures.

HAS ADOPTED THIS RECOMMENDATION:

(1) Member States should ensure that available mitigation measures for reduction of cadmium levels in food, in particular in cereals, vegetables and potatoes, are progressively implemented by farmers and food business operators. This includes effective ways of communicating and promoting known mitigation methods to farmers and food business operators.

(2) Member States should ensure that where further knowledge is needed to identify the appropriate mitigation measures, e.g. for a certain crop or in a specific geographical area, investigations/research is carried out to fill these gaps in knowledge.

(3) Member States should regularly monitor the progress of the mitigation measures implemented by collecting occurrence data on cadmium levels in food. Member States should ensure that

1. the analytical results are provided on a regular basis to EFSA for compilation into a single database and that
2. a report on the progress with the implementation of this recommendation is provided to the European Commission in December 2015 followed by a final report at the latest in February 2018. In these reports, particular attention should be given to those cadmium levels close to or exceeding the maximum levels.

(4) The sampling and analysis should be performed in accordance with the provisions provided for in Commission Regulation (EC) No 333/2007 of 28 March 2007 laying down methods of sampling and analysis for the official control of the levels of lead, cadmium, mercury, inorganic tin, 3-MCPD and polycyclic aromatic hydrocarbons in foodstuffs ([2]).

Done at Brussels, 4 April 2014.

For the Commission

Tonio BORG

Member of the Commission

([1]) Communication from the Commission on the results of the risk evaluation and the risk reduction strategies for the substances: cadmium and cadmium oxide (OJ C 149, 14.6.2008, p. 6).

([2]) OJ L 88, 29.3.2007, p. 29.