Maximum levels of ochratoxin A

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New ochratoxin A maximum levels on certain dried fruits, liquorice, herbs, herbal infusions, oilseeds, nuts, cocoa powder, non-alcoholic malt beverages and date syrup from 1 January

Commission Regulation (EU) 2022/1370 of 5 August 2022 amending Regulation (EC) No 1881/2006 as regards maximum levels of ochratoxin A in certain foodstuffs

Update

On 8 August 2022, the European Commission published a Regulation introducing maximum levels for ochratoxin A on dried fruit other than dried vine fruit, certain liquorice products, dried herbs, certain ingredients for herbal infusions, certain oilseeds, pistachio nuts and cocoa powder, non-alcoholic malt beverages and date syrup. It also proposes to lower the maximum level for ochratoxin A in dried vine fruit, roasted coffee and soluble coffee.

Impacted products

dried fruit, liquorice products, dried herbs, herbal infusions, oilseeds, pistachio nuts, cocoa powder, non-alcoholic malt beverages, date syrup

What is changing?

Table 1 will replace the existing entry for ochratoxin A in Regulation 1881/2006 (subsequently replaced by Regulation (EU) 2023/915). Changes are highlighted.

Why?

In 2020 EFSA updated its scientific advice on ochr) Because significant levels of ochratoxin A have been found in foods other than those already regulated, the Commission proposes to introduce maximum levels for these foods.consumer groups. Ochratoxin A maximum levels have already been established for certain foods under Regulation 1881/2006

(subsequently replaced by Regulation (EU) 2023/915). Because significant levels of ochratoxin A have been found in foods other than those already regulated, the Commission proposes to introduce maximum levels for these foods.

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Timeline

Date of publication: 8 August 2022.

Date of application: 1 January 2023.

Products lawfully placed on the market before 1 January 2023 may remain on the market until their date of minimum durability or use-by date (even if they exceed the new maximum levels).

What are the major implications for exporting countries?

EU imports are regularly tested for the presence of ochratoxin A. In the first 8 months of 2022, exceedances of maximum ochratoxin A levels were reported 33 times, most commonly in relation to dried fruit, flour and rice.

Recommended Actions

Exporters of products covered by this Regulation must review their current storage and inspection procedures in anticipation of of the new levels entering into force on 1 January 2023. The EU will undertake systematic controls of imported consignments for the presence of ochratoxin A.

Resources

EFSA (2020) Risk assessment of ochratoxin A in food. EFSA Journal, 18(5): 6113.

Sources

Commission Regulation 2022/1370

Commission Regulation (EU) 2023/915

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Tables & Figures

Table 1
Maximum levels of ochratoxin A

Foodstuffs		Maximum level (µg/kg)	
		New	Current
2.2.1	Unprocessed cereals	5.0	5.0
2.2.2	All products, derived/processed from unprocessed cereals, with the exception of foodstuffs listed in 2.2.3, 2.2.4, 2.2.5, 2.2.12 and 2.2.13	3.0	3.0
2.2.3	Bakery wares, cereal snacks and breakfast cereals		None
	- products not containing oilseeds, nuts or dried fruit	**2.0**	
	- products containing at least 20% dried vine fruit and/or dried figs	**4.0**	
	- other products containing oilseeds, nuts and/or dried fruit	**3.0**	
2.2.4	Non-alcoholic malt beverages	**3.0**	None
2.2.5	Wheat gluten not placed on the market for the final consumer	**8.0**	None
2.2.6	Dried fruit		
	- dried vine fruit (currants, raisins and sultanas) and dried figs	**8.0**	10.0
	- other dried fruit	**2.0**	None
2.2.7	Date syrup	**15**	None
2.2.8	Roasted coffee		
	- roasted coffee beans and ground roasted coffee, excluding soluble coffee	**3.0**	5.0
	- soluble coffee (instant coffee)	**5.0**	10.0
2.2.9	Wine (including sparkling wine, excluding liqueur wine and wine with an alcoholic strength of not less than 15% vol.) and fruit wine	2.0	2.0
2.2.10	Aromatised wine, aromatised wine-based drinks and aromatised wine-product cocktails	2.0	2.0
2.2.11	Grape juice. Concentrated grape juice as reconstituted, grape nectar, grape must and concentrated grape must as reconstituted, placed on the market for the final consumer	2.0	2.0
2.2.12	Processed cereal-based foods for infants and young children and baby foods	0.50	0.50
2.2.13	Dietary foods for special medical purposes intended for infants and young children	0.50	0.50
2.2.14	Spices, including dried spices, except *Capsicum* spp.	**15**	None
	Capsicum spp. (dried fruits thereof, whole or ground, including chillies, chilli powder, cayenne or paprika)	**20**	
	Mixtures of spices	**15**	
2.2.15	Liquorice (*Glycyrrhiza glabra, Glycyrrhiza inflata* and other species)		None
	- liquorice root, including as an ingredient in herbal infusions	**20**	
	- liquorice extract for use in food in particular beverages and confectionary	**80**	
	- liquorice confectionary containing ≥97% liquorice extract on dry basis	**50**	
	- other liquorice confectionary	**10.0**	
2.2.16	Dried herbs	**10.0**	None
2.2.17	Ginger roots for use in herbal infusions	**15**	None
	Marshmallow roots, dandelion roots and orange blossoms for use in herbal infusions or in coffee substitutes	**20**	None
2.2.18	Sunflower seeds, pumpkin seeds, (water) melon seeds, hemp seeds, soybeans	**5.0**	None
2.2.19	Pistachios to be subjected to sorting, or other physical treatment, before placing on the market for final consumer or use as ingredient in food	**10.0**	None
	Pistachios placed on the market for final consumer or use as ingredient in foodstuffs	**5.0**	None
2.2.20	Cocoa powder	**3.0**	None

Source: Commission Regulation (EU) 2022/1370, Annex

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