Mineral oil hydrocarbons in food

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Draft Commission Regulation amending Regulation (EU) 2023/915 as regards maximum levels of mineral oil aromatic hydrocarbons in food

Draft Annex [on maximum levels]

Draft Commission Recommendation on the monitoring of mineral oil hydrocarbons in food

Draft Commission Implementing Regulation amending Regulation (EC) No 333/2007 as regards the methods of sampling and analysis for the control of levels of mineral oil hydrocarbons in foodstuffs

Draft Annex [on sampling and analysis]

What is changing and why?

MOAH maximum levels

As mineral oil aromatic hydrocarbons (MOAH) are dangerous to humans, the European Union (EU) is proposing to set maximum permitted levels of MOAH in certain foods (see Table 1).

The EU proposal is a significant change compared to the situation today. Currently, EU Member States can withdraw products or recall them from the market where MOAH levels are higher than the following limits of quantification (LOQ):

- 0.5 mg/kg for dry foods with a low fat/oil content (≤4% fat/oil)
- 1 mg/kg for foods with a higher fat/oil content (>4% fat/oil, ≤50% fat/oil)
- 2 mg/kg for fats/oils or foods with >50% fat/oil.

But these limits are not set in EU law. The EU now intends to reinforce these limits by establishing maximum levels in law.

Commission recommendations for EU Member State monitoring

For certain foods, the European Commission also recommends EU Member States, in collaboration with food operators, to monitor:

- MOAH (in foods for which maximum levels have not been set)
- mineral oil saturated hydrocarbons (MOSH)

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For these monitoring purposes, “indicative levels” will be set for MOAH (see Table 2) and MOSH (see Table 3).

If MOAH or MOSH in these foods exceed the recommended indicative levels, these products will not necessarily be excluded from the EU market, but the source of contamination should be investigated. When EU Member States, based on a national risk assessment, consider that a particular product is not safe because levels of MOAH or MOSH are very high, that product will not be permitted onto the market.

Sampling and laboratory analysis

To ensure that controls of MOSH and MOAH by competent authorities are carried out consistently, the EU has also developed detailed requirements for sampling methods and laboratory analyses (see Draft Annex on sampling and analysis).

Actions

Suppliers should increase monitoring of MOSH and MOAH to identify any presence of these substances in their products. When MOSH and MOAH are identified in food, operators should check all steps of the supply process, identify the sources of contamination, and develop measures to avoid further contamination of their products.

Further guidance can be found in the European Commission’s updated Frequently Asked Questions document.

Timeline

The maximum levels for MOAH were approved on 13 May 2026 by EU Member States; formal adoption is targeted for October 2026.

The new maximum levels will apply from **1 January 2027**, except in the specific cases listed in Table 1 where a later application date applies.

For more information see the full record on the AGRINFO website – where you can also view the latest AGRINFO Update newsletters and search the database.

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Tables & Figures

Table 1
Proposed maximum levels for mineral oil aromatic hydrocarbons[1,2]

Product	Maximum levels (MLs) (mg/kg)	Notes
Oilseeds and oil fruits	2.0	
Animal and vegetable fats and oils	This category does not include essential oils, lampante and crude olive pomace oil	
Maize, rapeseed, sunflower, soyabean, linseed oils; dairy butter and fat	2.0	For products placed on the market for the final consumer or used an ingredient in food
	2.0 from 1 Jan 2030	Where these are sold for further refining and labelled as such
Groundnut, sesame, coconut, cereal germ oils	6.0 from 1 Jan 2027 4.0 from 1 Jan 2028 2.0 from 1 Jan 2030	For products placed on the market for the final consumer or used an ingredient in food
	2.0 from 1 Jan 2030	Where these are sold for further refining and labelled as such
Grape seed, cotton seed, blackcurrant seed, argan oils	10.0 from 1 Jan 2027 5.0 from 1 Jan 2028 2.0 from 1 Jan 2030	For products placed on the market for the final consumer or used an ingredient in food
	2.0 from 1 Jan 2030	Where these are sold for further refining and labelled as such
Olive pomace oil; refined olive pomace oil	10.0 from 1 Mar 2028 5.0 from 1 Mar 2029 2.0 from 1 Jan 2030	
Fish oils; oils from other marine organisms and algae	10.0 from 1 Jan 2027 5.0 from 1 Jan 2030	For products placed on the market for the final consumer or used an ingredient in food
	2.0 from 1 Jan 2030	Where these are sold for further refining and labelled as such
Other oils and fats	4.0 from 1 Mar 2027 2.0 from 1 Jan 2028	For products placed on the market for the final consumer or used an ingredient in food (includes cocoa butter)
	2.0 from 1 Jan 2030	Where these are sold for further refining and labelled as such
Products derived from maize, rapeseed, sunflower, soyabean, and linseed oils; and dairy butter and fat or “other oils and fats” containing >50% fat/oil content (and only containing these fats and oils)	2.0 from 1 Jan 2028	Products “derived from fats and oils” are defined as products containing >80% of fats and oils
Tree nuts	2.0	
Pulses	0.50	
Cereal grains (including rice)	0.50	

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Table 1
Continued

Product		Maximum levels (MLs) (mg/kg)	Notes
Products (except oils, see MLs above) containing >80% cereals with fat/oil content:[3,4]			
<4%		0.50	
≥4% and ≤50%		1.0	
Milk		0.50	
Dairy products with fat/oil content:[3]			
<4%		0.50	
≥4% and ≤50%		1.0	
>50%		2.0	
Cocoa beans		2.0 from 1 Jan 2030	
Cocoa mass		2.0	
Cocoa powder and fat-reduced cocoa powder		1.0	
Spices, dried herbs, dry tea and dry herbal infusions that are used as an ingredient in food, dry instant tea, and dry instant herbal infusions		10.0 from 1 Jan 2027 5.0 from 1 Jan 2030	
Foods for infants and young children[5] with fat/oil content:[3]			
<4%		0.50	
≥4% and ≤50%		1.0	
>50%		2.0	
Food supplements		10.0 from 1 Jan 2027 5.0 from 1 Jan 2030	
Food additives		Where food additives are produced from oils or fats, the raw material must comply with the MLs for oils and fats "placed on the market to the final consumer or used as an ingredient in food". Other raw materials from which food additives are derived must comply with the MLs in this Regulation. The ML for the food additive can be calculated, taking into account a processing factor.[6]	
Processed and compound foods[7] containing ingredients for which there are MLs in this Regulation			
From 1 Jan 2027 to 31 Dec 2029		If no specific ML established, ML must be calculated in accordance with Regulation 2023/195, Art. 3 (see "What is changing")	
From 1 Jan 2030, where whole product has fat/oil content:[3]	<4%	0.50	For tea and herbal infusions, these MLs apply only to instant tea, instant herbal infusions, and tea and herbal infusions that are used as an ingredient in food
	≥4% and ≤50%	1.0	
	>50%	2.0	
Compound foods containing ≥15% spices, and/or dried herbs, and/or dry tea			
From 1 Jan 2030, where content of these ingredients is:	≥75%	5.0	
	≥50% and <75%	3.5	
	≥15% and <50%	2.0	

1. Mineral oil aromatic hydrocarbons (≥C10 to ≤C50).
2. To be added to Annex of Regulation 2023/915.
3. "Fat/oil content": declared fat/oil content or, if not present, content determined by the competent authority.
4. ML does not apply to cereals used for the production of beer or distillates, provided the remaining cereal residue is not placed on the market as food.
5. Includes infant formulas, follow-on formulas, young-child formulas, food for special medical purposes intended for infants and young children, baby food, processed cereal-based food for infants and young children, and drinks for infants and young children.
6. The processing factor reflects changes in concentration of mineral oil aromatic hydrocarbons (MOAH) resulting from drying, diluting, or other processing.
7. This does not include the categories foods for infants and young children, food supplements, or food additives.

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Source: Draft Annex [on maximum levels]

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Table 2 Indicative maximum levels for mineral oil aromatic hydrocarbons[1]		
Products	Indicative levels (mg/kg)	Notes
Coffee beans, instant coffee (dried products), cereal grains used to produce beer or distillates	1.0	Residue from cereals in beer production must not be placed on the market as food for final consumers
Processed vegetables, processed fruits, processed meat and offal, processed fish and other seafood, processed eggs, animal- and vegetable-based fats and oils sold for further refining (and labelled as such)	2.0	
Tea and herbal infusions (dried product)	5.0	Not including instant tea/herbal infusions, or when used as an ingredient in food for which maximum levels are set
Essential oils	10	
1. Mineral oil aromatic hydrocarbons (MOAH) ≥C10 to ≤C50. AGRINFO www.agrinfo.eu		

Source: Draft Commission Recommendation on the monitoring of mineral oil hydrocarbons in food

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Table 3 Indicative maximum levels for mineral oil saturated hydrocarbons	
Product	Indicative levels (mg/kg)
Olive pomace oil, grapeseed oil, blackcurrant seed oil, cottonseed oil, cereal germ oil, safflower oil, essential oils, fish oils and oils from other marine organisms and algae, and products derived from these[1]	50
Linseed oil, maize oil, rapeseed oil, sunflower oil, soybean oil, cocoa butter, spices, dried herbs, tea (dried products), herbal infusions (dried products), food supplements, products derived from these[1]	15
Other animal and vegetable fats and oils, and products derived from these[1]	30
Cocoa beans, cocoa and chocolate products other than cocoa butter, confectionary other than cocoa and chocolate products, processed meat and offal, processed fish and other seafood and processed eggs	10
Oilseeds, oil fruits, tree nuts, pulses, cereal grains, cereal based foods[2], milk, dairy, coffee beans, eggs, dry infant and dry follow-on formulae, cereal based foods for infants and young children and baby food, processed vegetables, processed fruits	5.0
Liquid infant and follow-on formulae, drinks for infants and young children placed on the market and labelled as such	1.0
1. Products derived from fats and oils are defined as products containing more than 80% of fats and oils. 2. Products derived from cereals are defined as products containing more than 80% of cereal products, excluding cereal germ oils. AGRINFO www.agrinfo.eu	

Source: Draft Commission Recommendation on the monitoring of mineral oil hydrocarbons in food

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