Commission Regulation (EU) 2015/1125 of 10 July 2015 amending Regulation (EC) No 1881/2006 as regards maximum levels for polycyclic aromatic hydrocarbons in Katsuobushi (dried bonito) and certain smoked Baltic herring (Text with EEA relevance)

COMMISSION REGULATION (EU) 2015/1125

of 10 July 2015

amending Regulation (EC) No 1881/2006 as regards maximum levels for polycyclic aromatic hydrocarbons in Katsuobushi (dried bonito) and certain smoked Baltic herring

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EEC) No 315/93 of 8 February 1993 laying down Community procedures for contaminants in food[(1)], and in particular Article 2(3) thereof,

Whereas:

(1) Commission Regulation (EC) No 1881/2006[(2)] sets maximum levels for polycyclic aromatic hydrocarbons (PAHs) in food.

(2) According to that Regulation, maximum levels for PAHs must be safe and as low as reasonably achievable (ALARA) based upon good manufacturing, drying and agricultural/fishery practices. In 2011, data for smoked fish have shown that lower maximum levels of PAHs were achievable and they were laid down by Commission Regulation (EU) No 835/2011[(3)] Nevertheless, adaptations of smoking technology were necessary in some cases. Therefore a transitional period of three years was granted before the lower maximum levels become applicable as from 1 September 2014.

(3) *Katsuobushi* is a traditional Japanese food product made from bonito. Its manufacturing process involves filleting, boiling and deboning followed by smoking/drying process over combusting woods. Recent evidence has been provided by the Japanese authorities demonstrating that, despite the application of good smoking practices to the extent possible, the lower levels for PAHs are not achievable for that product. Therefore it is appropriate to change the current maximum levels of PAHs in *Katsuobushi* into those applicable before 1 September 2014.

(4) The product name '*Sprotid*' is a general traditional name in Estonia for a product which traditionally can contain both sprat (*Sprattus sprattus*) and Baltic herring (*Clupea harengus membras*) depending on the season and availability. Both fishes are of comparable size and are classified as small scale fish. The label of '*Sprotid*' mentions if the product contains sprats or Baltic herring or a mixture, with the ratio of each fish species present. The smoking procedure for this small Baltic herring is the same as

Changes to legislation: *There are currently no known outstanding effects for the Commission Regulation (EU) 2015/1125. (See end of Document for details)*

the one applied to sprats and consequently levels of PAHs in small Baltic herring are similar to those found in smoked sprat. Therefore it is appropriate to establish he same maximum level for smoked small Baltic herring and canned smoked small herring as for smoked sprats and canned smoked sprats.

(5) Legislation related to the common organisation of the markets in fishery and aquaculture products has been replaced necessitating changes to certain endnotes. The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EC) No 1881/2006 is amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 10 July 2015.

For the Commission

The President

Jean-Claude JUNCKER

***Changes to legislation:** There are currently no known outstanding effects for the Commission Regulation (EU) 2015/1125. (See end of Document for details)*

ANNEX

The Annex to Regulation (EC) No 1881/2006 is amended as follows:

(1) Section 6: *Polycyclic aromatic hydrocarbons* is replaced by the following:

SECTION 6: POLYCYCLIC AROMATIC HYDROCARBONS

Foodstuffs		**Maximum levels (µg/kg)**	
6.1	Benzo(a)pyrene, benz(a)anthracene, benzo(b)fluoranthene and chrysene	Benzo(a)pyrene	Sum of benzo(a)pyrene, benz(a)anthracene, benzo(b)fluoranthene and chrysene ([45])
6.1.1	Oils and fats (excluding cocoa butter and coconut oil) intended for direct human consumption or use as an ingredient in food	2,0	10,0
6.1.2	Cocoa beans and derived products	5,0 µg/kg fat as from 1.4.2013	35,0 µg/kg fat as from 1.4.2013 until 31.3.2015 30,0 µg/kg fat as from 1.4.2015
6.1.3	Coconut oil intended for direct human consumption or use as an ingredient in food	2,0	20,0
6.1.4	Smoked meat and smoked meat products	5,0 until 31.8.2014 2,0 as from 1.9.2014	30,0 as from 1.9.2012 until 31.8.2014 12,0 as from 1.9.2014
6.1.5	Muscle meat of smoked fish and smoked fishery products ([25]) ([36]), excluding fishery products listed in points 6.1.6 and 6.1.7. The maximum level for smoked crustaceans applies	5,0 until 31.8.2014 2,0 as from 1.9.2014	30,0 as from 1.9.2012 until 31.8.2014 12,0 as from 1.9.2014