Maximum Levels for Acrylamide

Feedback to the European Commission

Document addressed to the European Commission by SAFE – Safe Food Advocacy Europe ASBL

SAFE thanks the Commission for allowing Consumer Organisations and interested stakeholders to express their comments on the suggested acrylamide levels in baby foods.

In addition, SAFE congratulates the Commission for taking the initiative to establish maximum binding levels for acrylamide in certain food products, as provided for in recital (15) of the Regulation 2017/2158 establishing mitigation measures and benchmark measures for the reduction of the presence of acrylamide in food.

While SAFE appreciates the fact that the possible suggested maximum levels were shared with us and open for comments, we would like to point out the following elements that are worthy of concern:

1. BABY FOODS

Recent tests on acrylamide in food conducted by several consumer organisations across Europe stress the urgency to set maximum binding values to limit the presence of the chemical compound, especially with regard to food products consumed by infants and young children. 13% of the baby foods resulted to be above the benchmark levels, 7.7% of the potato crisps and 6.3% of the biscuits for infants and young children. Those results clearly reveal the ineffectiveness of non-binding reference values and therefore highlight the need to define mandatory levels to guarantee that food manufactures are legally bound to comply with them.

As regards baby foods, the current Commission Regulation 2017/2158 on acrylamide provides for a benchmark level of 40 µg/kg and, according to the new proposal, there is a plan to set a higher maximum level up to 50 µg/kg. SAFE is strongly concerned about the impact this higher value could have on the health of the youngest consumers and encourages the Commission to reconsider the setting of the maximum level 10µg/kg higher than the benchmark level. SAFE believes this higher maximum level would inhibit manufacturers from reducing the content of acrylamide in their products.

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Moreover, in line with the precautionary principle, SAFE believes the Commission should propose setting the maximum levels below the current benchmark value of 40 µg/kg. Studies conducted by the European Food Safety Authority reveal that the acrylamide content in baby foods could be lower than the current benchmark level, reaching a minimum value of 1 µg/kg. Therefore, a lower binding level would encourage food operators to take the necessary measures to reach those achievable lower acrylamide levels for foods consumed by infants and young children.

2. BISCUITS AND RUSKS FOR INFANTS AND YOUNG CHILDREN

With regard to biscuits and rusks for infants and young children, although there is not an increase in comparison to the current benchmark values, SAFE fosters the adoption of maximum binding levels well below the suggested value of 150 µg/kg. The guiding principle must be a constant reduction of the levels of acrylamide for those foods largely consumed by infants and young children. A lower legal maximum value would oblige food operators to be more vigilant about the content of acrylamide in their products and therefore ensure a higher protection among the most vulnerable.

Most importantly, attention should be drawn to the distinction provided for by the Regulation between foods for infants and young children and other types of food, such as *"biscuits and wafers"* whose benchmark level is 350 µg/kg. The latter, although they are sometimes not directly marketed as baby foods, are consumed by children below 3 years of age. According to tests carried out by various European consumer organisations, for 44 products falling under the category of *"biscuits and wafers"* and identified as frequently consumed by children, almost two thirds were not in compliance with the benchmark values (150 µg/kg instead of 350 µg/kg for standard biscuits). Therefore, in view of achieving an adequate and effective protection of infants and young children, SAFE proposes that all standard biscuits clearly marketed to children through the use of cartoon characters which fall under the group of *"biscuits and wafers"* should have the same maximum level than *"biscuits and rusks for infants and young children".*

3. ADDITIONAL REMARKS

Among the foods whose maximum levels of acrylamide are not going to be legally established and are largely consumed by young children there are potato crisps. Investigations conducted by one of SAFE's members, Il Salvagente, found that out of eighteen tested samples, seven had an acrylamide level above 800 µg/kg, exceeding the benchmark value set out by the European Union of 750 µg/kg. The highest concentration of acrylamide found in a sample was 1600 µg/kg, a value that is more than double the benchmark level. Those results clearly show that the goal of effectively reducing the presence of acrylamide in food products has not been achieved and relying on benchmark levels does not protect consumers' health. Thus, SAFE encourages the adoption of a legal limit for this carcinogenic

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substance. If the aim of these suggested maximum levels is to protect the health of the youngest, all those foods should be covered by a binding limit which obliges producers to take action to ensure that acrylamide levels are as low as reasonably achievable.

4. CONCLUSIONS

SAFE congratulates the Commission for taking a step forward in limiting the exposure of acrylamide by infants and young children and for taking the initiative to define maximum levels for those foods.

We take this opportunity to point out that the maximum levels for baby foods and biscuits and rusks for infants and young children cannot be higher than the current benchmark value, so that the objective to effectively protect the health of youngest consumers can be achieved.

SAFE recommends the Commission to establish maximum levels for acrylamide also on similar types of food largely consumed by young children, such as biscuits and wafers, where a third of products reach the benchmark value or exceed it. With particular reference to those biscuits and wafers who are directly marketed to children through the use of appealing packaging, we strongly encourage to establish the same maximum level of those falling under the category of *"biscuits and rusks for infants and young children"*.

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