

## 3-MCPD - Regulatory measures under discussion at EU level

Following the publication of EC Regulation 2018/290 “on maximum levels of glycidyl fatty acid esters in vegetable oils and fats, infant formula, follow-on formula and foods for special medical purposes intended for infants and young children”, the European Commission presented a proposal on maximum levels of 3-MCPDe in the same food categories, including vegetable oils and fats.

In the past months, the “Environmental Contaminants expert group” composed by the European Commission and the representatives of 28 EU Member States discussed the proposal several times. The last meeting took place on 11 December 2018, where the group debated the approach of a split limit within the vegetable oils and fats category.

**We do not support a split limit within the vegetable oils and fats category** for the following reasons:

- A split limit would not be consistent with the usual process contaminants risk management. If a certain level is considered “safe”, then it should be the same one for all foods within the same category, without any discrimination. It would be appropriate to follow the same approach used for regulatory measures on GEs, where one maximum limit was established for all vegetable oils.
- Consumers’ health should be the priority. The EU should allow consumers to feel and be safe, regardless the type of vegetable oil they may include in their diets. A split limit would, instead, compromise consumers’ health, freedom of choice and trust.
- The EU should acknowledge and encourage the continuous efforts (in terms of research and investments) made by industry through mitigation measures aimed at reaching as low as possible levels of 3-MCPDs. In fact, the final level of 3-MCPDs is not just connected to the type of vegetable oil used, but is mainly due to the quality and freshness of the raw material, as well as to the process parameters followed. Every vegetable oil, when processed in the correct way, can achieve low levels of 3-MCPDs. A split limit, would not be an incentive to continue investing in these mitigation measures; instead, it would simply reflect what is already achieved.
- A split limit would, in addition, cause increased and unnecessary burden for Member States when performing official controls.

Moreover, the proposal also foresees that in case of mixture of vegetable oils and fats used as ingredients in food, each oil should comply with the respective limit, unless the quantitative composition of the mixture is not determined: in this case, the mixture shall respect the higher limit (2500 µg/kg). This means that, to avoid the complexities of calculations, food business operators will most likely choose not to disclose the composition of their mixtures so that they will just have to respect the higher limit of 2500 µg/kg limit.

Therefore, the split-level proposal would de facto allow a higher level of contaminants for most vegetable oils and fats used as ingredients in food, to the clear detriment of consumer's health.

In view of the above elements, we support:

- **A SINGLE limit of 2500 ug/kg (2.5 ppm) by 2020 for ALL vegetable oils and fats** for final consumers or for use as an ingredient in food;
- **A revision of the limit** within three years after the entering into force of the above limit;

An **appropriate transitional period** to allow small suppliers and users to adapt to the new limits.

Contact:

Malta Chamber of Commerce, Enterprise and Industry  
Andre' Fenech, Head -Policy Development  
Tel: +356 21 233 873  
Email: [andre.fenech@maltachamber.org.mt](mailto:andre.fenech@maltachamber.org.mt)