

## Joint statement of the Member States regarding the presence of Mineral Oil Aromatic Hydrocarbons (MOAH) in food, including food for infants and young children.<sup>1</sup>

Following recent findings of the presence of mineral oil aromatic hydrocarbons (MOAH) in certain foods, the Commission services requested the relevant competent authorities and food business operators to follow-up on the findings and to sample and to analyse the products (*stock cubes and other products*) which have been found to contain MOAH, to perform investigations on the source of contamination (*ingredients, food additives, food contact materials, lubricants and others*) and to report on the outcome of the investigations. It is appropriate that Member States and food business operators perform controls on the presence of MOAH in microcrystalline wax (*petroleum wax, synthetic paraffin*) and its potential migration to food, to confirm whether the use of microcrystalline wax in food contact materials is a source of the contamination of food by MOAH and take, if necessary, measures to prevent the occurrence of MOAH in food. It should also be checked whether microcrystalline wax, used in food contact materials is claimed to be E905 (*microcrystalline wax authorised for specific food additive uses*) and, if this is the case, whether it complies with the specifications of E905, in particular as regards the presence of benzo[a]pyrene.

For the sampling and analysis, the JRC has published a “Guidance on sampling methods, on the performance criteria for the analytical methods and on the reporting of the analytical results (<https://publications.jrc.ec.europa.eu/repository/handle/JRC115694>).

If the quantified presence of MOAH, which are possible genotoxic carcinogens, in food including food for infants and young children is confirmed by an official control, the products concerned should be withdrawn and, if necessary, recalled from the market on the basis of Article 14 of the General Food Law (Regulation (EC) 178/2002), to ensure a high level of human health protection. In this regard the Member States also stress the responsibilities of food business operators in accordance with Article 19 of the General Food Law.

In order to ensure a uniform enforcement approach throughout the EU, the Member States agreed to withdraw and, if necessary, to recall products from the market, when the sum of the concentrations of MOAH in food are at or above the following maximum LOQs:

- 0.5 mg/kg for dry foods with a low fat/oil content ( $\leq 4\%$  fat/oil)
- 1 mg/kg for foods with a higher fat/oil content ( $> 4\%$  fat/oil)
- 2 mg/kg for fats/ oils

Analysis and sampling should be done according to the provisions of Regulation (EC) No 333/2007.

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<sup>1</sup> This statement replaces the statement of the SC PAFF of 23 June 2020 on Presence of mineral oil aromatic hydrocarbons (MOAH) in infant formula and follow-on formula – conclusion on harmonised risk management measures.