

## European Commission Holds MOH Stakeholder Forum

Last week a European Commission (EC) stakeholder forum on mineral oil hydrocarbons (MOH) was held. The forum included a presentation from the EC, as well as 13 presentations from stakeholders.

Here is a recap of the discussions:

Representatives from many industries, including, but not limited to, spice, coffee, tea, olive oil, cocoa and oilseeds were among the stakeholders presenting and many commented on issues similar to those the omega-3 industry faces, such as mitigation challenges and problems with analytical methodology. There was no detailed discussion about these issues and the EC requested occurrence data be submitted to illustrate the problems.

Some issues were raised by stakeholders on more than one occasion and met with pushback from the Commission.

- When stakeholders mentioned that a particular food was not consumed extensively, the Commission commented that the volume or amount of a particular food was irrelevant given that MOAH (mineral oil aromatic hydrocarbons) are genotoxic.
- When stakeholders criticized the use of the ALARA (as low as reasonably achievable) principle in combination with using a certain limit of quantification (LOQ) as the maximum limit (ML), or aspects of EFSA's Scientific Opinion *Update of the risk assessment of mineral oil hydrocarbons in food*, the Commission defended both.
- When stakeholders commented that MLs should not be adopted for raw materials, the response was always that if an ML is not adopted for the raw material, then there is no incentive to mitigate in upstream operations (often occurring in third countries outside the EU).
- When stakeholders asked for a transition period, the Commission pushed back that this was not a new issue, and the industry has been informed since 2017, so no transition period is necessary. Also, these are genotoxic substances.

As far as a timeline is concerned, discussions with the EU Member States will continue in Quarters 2 and 3 of 2024 and a vote will take place in either Quarter 3 or 4. In the meantime, the Commission was very clear that the Standing Committee on Plants, Animals, Food and Feed's [statement of 21 April 2022](#) remains valid. The EC commented that MLs may enter into force in Q1 2025.

Closing remarks from the EC included:

- The possibility for stakeholders to submit further written comments to [veerle.vanheusden@ec.europa.eu](mailto:veerle.vanheusden@ec.europa.eu) by 27 February 2024
- This information should detail for which commodities the proposed MLs and indicative levels (ILs) cannot be achieved yet, supported by the following information/data:
  - Reasons why the ML/IL cannot be achieved yet, and why this may be the case for a part of the production, while the majority of the production complies
  - Sources of the contamination
  - Mitigation measures already/to be implemented
  - A proposed timeline for complying with the proposed MLs
  - Raw occurrence data on samples on which good practices were used:
    - Analytical concentration of each sample
    - LOQ for each sample
    - Information on the applied mitigation measures for the concerned batch
    - Sampling year

[Click here](#) for a copy of the forum agenda. Once the presentations are made available to participants, GOED will share them with the membership. Members can obtain more detailed information about what different stakeholders presented and the position of the EC on various discussion points by contacting [Harry Rice](#) or [Gerard Bannenberg](#).

GOED last reported on MOH and this stakeholder forum on [20 December 2023](#).