

L.N. 392 of 2002

**FOOD SAFETY ACT, 2002
(ACT XIV of 2002)**

Contaminants in Food Regulations 2002

IN exercise of the powers conferred by article 10 of the Food Safety Act, the Minister of Health has made the following regulations:-

1. The title of these regulations is the Contaminants in Foods Regulations, 2002 and shall come into force on the 1st March, 2003. Citation and commencement.

2.1 These regulations concern contaminants contained in food. Scope and Applicability.

2.2 These regulations shall not apply to contaminants which are the subject of more specific rules.

3.1 In these regulations, unless the context otherwise requires, the following definitions shall apply: Definitions.

(a) 'contaminant' means any substance not intentionally added to food which is present in such food as a result of the production (including operations carried out in crop husbandry, animal husbandry and veterinary medicine), manufacture, processing, preparation, treatment, packing, packaging, transport or holding of such food, or as a result of environmental contamination. Extraneous matter, such as, for example, insect fragments, animal hair, etc., is not covered by this definition.

4.1 Food containing a contaminant in an amount which is unacceptable from the public health viewpoint and in particular at a toxicological level shall not be placed on the market. General provisions.

4.2 Contaminant levels shall be kept as low as can reasonably be achieved by following good practices at all the stages referred to in paragraph 3.1.

5.1 The maximum levels for certain contaminants in foodstuffs indicated in the Schedule to these regulations may not be exceeded. Specific Provisions.

Where applicable, the maximum levels specified apply to the edible part of the foodstuffs mentioned.

5.2 The official sampling methods and performance criteria for methods of analysis shall be those laid down by the Schedule.

5.3 In the case of products, other than those mentioned under regulation 7.1, which are dried, diluted, processed or composed of more than one ingredient, the maximum level applicable shall be that laid down in the Schedule, taking into account respectively:

- (a) changes of the concentration of the contaminant caused by drying or dilution processes,
- (b) changes of the concentration of the contaminant caused by processing,
- (c) the relative proportions of the ingredients in the product, and
- (d) the analytical limit of quantification.

The first subparagraph shall apply in so far as no specific maximum levels are fixed for these dried, diluted, processed or compound products.

5.4 The maximum levels specified in the Schedule shall apply also to food intended for infants and young children, taking into account respectively, the changes of the concentration of the contaminant caused by drying, dilution or processing and the relative concentrations of the ingredients in the product.

5.5 Without prejudice to regulations 6.1 and 7.3, it is prohibited to use products as food ingredients for the production of compound foodstuffs which do not comply with the maximum levels set in the Schedule.

Nitrates.

6.1 The Superintendent of Public Health, after consultation with the Director responsible for Plant Health and the Head of the Directorate responsible for foodstuffs within the Malta Standards Authority, may, where justified, authorise for a transitional period the placing on the

market of fresh lettuces and fresh spinach, grown and intended for consumption in Malta, with nitrate levels higher than those set as maximum levels in the Schedule provided that codes of good agricultural practice are applied to achieve gradual progress towards the levels laid down in these regulations.

6.2 The transitional period referred to in regulation 6.1 may not exceed 1 January, 2005 in the case of lettuces.

7.1 The maximum limits of aflatoxins applicable to the products, ^{Mycotoxins.} as laid down in points 2(1) and 2(4) of the Schedule shall also be applicable to processed products thereof in so far as no specific maximum limits are fixed for such processed products.

7.2 With regard to aflatoxins and ochratoxin A in products mentioned in point 2 of the Schedule, it is prohibited:

(a) to mix products complying with the maximum levels laid down in the Schedule with products exceeding these maximum levels or to mix products to be subjected to a sorting technique or physical treatment with products intended for direct human consumption or as an ingredient in foodstuffs,

(b) to use products which do not comply with the maximum levels laid down in point 2 of the Schedule as an ingredient for the manufacture of other foodstuffs,

(c) to detoxify products by chemical treatments.

7.3 Groundnuts, nuts and dried fruit not complying with the maximum levels of aflatoxins laid down in the first entry of point 2 of the Schedule and cereals not complying with the maximum levels laid down in the fourth entry of point 2 can be placed on the market provided that these products:

(a) are not intended for direct human consumption or used as an ingredient in foodstuffs,

(b) comply with the maximum levels laid down in the second entry of point 2 of the Schedule for groundnuts and the third entry of point 2 of the Schedule for nuts and dried fruit,

(c) are subjected to a secondary treatment involving sorting or other physical treatments and that after this treatment the maximum limits laid down in the first and fourth entries of point 2 of the Schedule are not exceeded, and this treatment does not result in other harmful residues,

(d) are labelled clearly showing their destination, and bearing the indication 'product must be subjected to sorting or other physical treatment to reduce aflatoxin contamination before human consumption or use as an ingredient in foodstuffs'.

Arsenic.

8.1 The general and specific limits for arsenic given in Part 6 of the Schedule shall not apply to:

(a) fish, edible seaweed, or any product containing fish or edible seaweed, where arsenic is naturally present at levels above 1 mg/kg in that fish or seaweed;

(b) any food other than a specified food, fish or edible seaweed which contains arsenic in excess of 1 mg/kg provided that such excess is a result of a specified food as an ingredient, and the increase in the arsenic is proportional to the amount of the specified food used;

(c) hops or hop concentrates intended for use in commercial brewing;

(d) any food for which the maximum arsenic limit is prescribed by any other provisions.

Lead.

9.1 Lead in excess of 1 mg/kg may be present in:

(i) a food containing two or more ingredients, provided

(a) not less than 10 % by weight of the food consists of an ingredient for which a higher quantity of lead is permitted, and

(b) the limits specified in the Schedule would not be exceeded if the ingredients were sold separately;

(ii) an additive premix consisting of a mixture of two or more substances for use as an ingredient in the preparation of food, which is in a container labelled with a conspicuous, clear and legible statement to the effect that it is an additive premix and is not intended for retail sale, provided the limits specified in the Schedule would not be exceeded if the ingredients were sold separately.

10.1 The Contaminants in Food Regulations, 2002 are hereby repealed. Repeal of L.N. 81 of 2002.

Schedule

Maximum Levels for Certain Contaminants in Foodstuffs

1. Nitrates

Product	Maximum level (mg NO ₃ /kg)		Sampling method	Reference analysis method
1.1 Fresh spinach ¹ (<i>Spinacia oleracea</i>)	Harvested 1 November to 31 March	3000	Directive 79/700/EEC	
	1 April to 31 October	2500		
1.2 Preserved, deep-frozen or frozen spinach		2000	Directive 79/700/EEC	
1.3 Fresh lettuce (<i>Lactuca sativa L.</i>) (protected and open-grown lettuce) excluding lettuce listed in point 1.4 below	Harvested 1 October to 31 March: - lettuce grown under cover	4500 ²	Directive 79/700/EEC; However, the minimum number of units per laboratory sample is 10	
	- lettuce grown in the open air	4000 ²		
Harvested 1 April to 30 September: - lettuce grown under cover	3500 ²			
- lettuce grown in the open air	2500 ²			
1.4 "Iceberg" type lettuces ³	Lettuce grown under cover	2500 ²	Directive 79/700/EEC; However, the minimum number of units per laboratory sample is 10	
	Lettuce grown in the open air	2000 ²		

¹ The maximum levels for fresh spinach do not apply to fresh spinach to be subjected to processing and which is directly transported in bulk from field to processing plant.

² In the absence of appropriate labelling, indicating the production method, the level established for open grown lettuce applies.

³ Described in Commission Regulation (EC) No 1543/2001 of 27 July 2001, laying down the marketing standard for lettuces and curled-leaved and broad-leaved (Batavian) endives (OJ L 203, 28.7.2001,p.9).

2. Mycotoxins

Product	Maximum level (µg/kg)			Sampling method	Performance criteria for methods of analysis
	B ₁	B ₁ +B ₂ +G ₁ +G ₂	M ₁		
2.1 AFLATOXINS					
2.1.1 <i>Groundnuts, nuts and dried fruit</i>					
2.1.1.1 Groundnuts, nuts and dried fruit and processed products of these, intended for direct human consumption or as an ingredient in foodstuffs	2 ⁴	4 ⁴	-	Directive 98/53/EC	Directive 98/53/EC
2.1.1.2 Groundnuts to be subjected to sorting, or other physical treatment, before human consumption or use as an ingredient in foodstuffs	8 ⁴	15 ⁴	-	Directive 98/53/EC	Directive 98/53/EC
2.1.1.3 Nuts and dried fruit to be subjected to sorting, or other physical treatment, before human consumption or use as an ingredient in foodstuffs	5 ⁴	10 ⁴	-	Directive 98/53/EC	Directive 98/53/EC
2.1.2 <i>Cereals (including buckwheat, Fagopyrum spp.)</i>					
2.1.2.1 Cereals (including buckwheat, <i>Fagopyrum</i> sp.) and processed products of these intended for direct human consumption or as an ingredient in foodstuffs	2	4	-	Directive 98/53/EC	Directive 98/53/EC
2.1.2.2 Cereals (including buckwheat,	2	4	-	Directive 98/53/EC	Directive 98/53/EC

⁴ The maximum limits apply to the edible part of groundnuts, nuts and dried fruits. If 'nuts in shell' are analysed, it is assumed when calculating the aflatoxin content that all the contamination is on the edible part.

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Product	Maximum level ($\mu\text{g}/\text{kg}$)			Sampling method	Performance criteria for methods of analysis
	B ₁	B ₁ +B ₂ +G ₁ +G ₂	M ₁		
<i>Fagopyrum</i> sp.) to be subjected to sorting, or other physical treatment, before human consumption or use as an ingredient in foodstuffs					
2.1.3 Raw milk					
Raw milk, milk for the manufacture of milk-based products and heat-treated milk	-	-	0.05	Directive 98/53/EC	Directive 98/53/EC
2.1.4 Spices					
Following species of spices: — <i>Capsicum</i> spp. (dried fruits thereof, whole or ground, including chillies, chilli powder, cayenne and paprika) — <i>Piper</i> spp. (fruits thereof, including white and black pepper) — <i>Myristica fragrans</i> (nutmeg) — <i>Zingiber officinale</i> (ginger) — <i>Curcuma longa</i> (turmeric)	5	10	-	Directive 98/53/EC	Directive 98/53/EC

Product	Maximum levels (µg/kg or ppb)	Sampling method	Reference analysis method
2.2 OCHRATOXIN A			
<i>2.2.1 Cereals (including rice and buckwheat) and derived cereal products</i>			
2.2.1.1 Raw cereal grains (including raw rice and buckwheat)	5	Commission Directive 2002/27/EC ⁵	Commission Directive 2002/27/EC
2.2.1.2 All products derived from cereals (including processed cereal products and cereal grains intended for direct human consumption)	3	Commission Directive 2002/27/EC	Commission Directive 2002/27/EC
<i>2.2.2 Dried vine fruit</i>			
2.2.2.1 Dried vine fruit (currants, raisins and sultanas)	10	Commission Directive 2002/27/EC	Commission Directive 2002/27/EC

⁵ OJ L 75, 16.3.2002, p. 44.

3. Heavy metals

Product	Maximum level (mg/kg wet weight)	Performance criteria for sampling	Performance criteria for methods of analysis
3.1 LEAD (Pb)			
Cow's milk (Raw milk, milk for the manufacture of milk-based products and heat-treated milk)	0.02	Directive 2001/22/EC	Directive 2001/22/EC
Condensed milk (including evaporated milk)	0.5	Directive 2001/22/EC	Directive 2001/22/EC
Sugars with a sulphated ash content not exceeding 0.25 per cent of the dry matter	0.5	Directive 2001/22/EC	Directive 2001/22/EC
Sugars with a sulphated ash content exceeding 0.25 per cent of the dry matter but not exceeding 1.0 per cent of the dry matter	1.0	Directive 2001/22/EC	Directive 2001/22/EC
Sugars with a sulphated ash content exceeding 1.0 per cent of the dry matter but not for further refining	5.0	Directive 2001/22/EC	Directive 2001/22/EC
Sugars with a sulphated ash content exceeding 1.0 per cent of the dry matter for further refining	10.0	Directive 2001/22/EC	Directive 2001/22/EC
Cocoa powder	2.0 (calculated on the dry fat-free substance)	Directive 2001/22/EC	Directive 2001/22/EC
Tea	5.0	Directive 2001/22/EC	Directive 2001/22/EC
Infant formulae and follow-on formulae	0.02	Directive 2001/22/EC	Directive 2001/22/EC
Other infant foods (foods which are specially prepared for infants and young children and are described expressly or by implication as such, except infant formulae and follow-on formulae, rusks and dried, dehydrated or concentrated infant foods)	0.2	Directive 2001/22/EC	Directive 2001/22/EC
Rusks	0.5	Directive 2001/22/EC	Directive 2001/22/EC
Meat of bovine animals, sheep, pig and poultry	0.1	Directive 2001/22/EC	Directive 2001/22/EC

Product	Maximum level (mg/kg wet weight)	Performance criteria for sampling	Performance criteria for methods of analysis
Edible offal of cattle, sheep, pig and poultry	0.5	Directive 2001/22/EC	Directive 2001/22/EC
Corned beef	2.0	Directive 2001/22/EC	Directive 2001/22/EC
Game, game pâté	10.0 (excluding discrete particles of shot)	Directive 2001/22/EC	Directive 2001/22/EC
Muscle meat of fish, excluding fish species listed in the entry below	0.2	Directive 2001/22/EC	Directive 2001/22/EC
Muscle meat of bonito (<i>Sarda sarda</i>), common two-banded sunbream (<i>Diplodus vulgaris</i>), eel (<i>Anguilla anguilla</i>), grey mullet (<i>Mugil labrosus labrosus</i>), grunt (<i>Pomadasys benneti</i>), horse mackerel or scad (<i>Trachurus trachurus</i>), sardine (<i>Sardina pilchardus</i>), sardinops (<i>Sardinops species</i>), spotted seabass (<i>Dicentrarchus punctatus</i>), tuna (<i>Thunnus species</i> and <i>Euthynnys species</i>), wedge sole (<i>Dicologlossa cuneata</i>)	0.4	Directive 2001/22/EC	Directive 2001/22/EC
Bivalve molluscs	1.5	Directive 2001/22/EC	Directive 2001/22/EC
Dried fish	5.0	Directive 2001/22/EC	Directive 2001/22/EC
Crustaceans, excluding brown meat of crab	0.5	Directive 2001/22/EC	Directive 2001/22/EC
Other shellfish	10.0	Directive 2001/22/EC	Directive 2001/22/EC
Cephalopods (without viscera)	1.0	Directive 2001/22/EC	Directive 2001/22/EC
Cereals (including buckwheat), legumes and pulses	0.2	Directive 2001/22/EC	Directive 2001/22/EC
Vegetables, excluding brassica, leafy vegetables, fresh herbs and all fungi. For potatoes, the maximum level applies to peeled potatoes	0.1	Directive 2001/22/EC	Directive 2001/22/EC

Product	Maximum level (mg/kg wet weight)	Performance criteria for sampling	Performance criteria for methods of analysis
Brassica, leafy vegetables and all cultivated fungi	0.3	Directive 2001/22/EC	Directive 2001/22/EC
Fruits, excluding berries and small fruits	0.1	Directive 2001/22/EC	Directive 2001/22/EC
Berries and small fruits	0.2	Directive 2001/22/EC	Directive 2001/22/EC
Dried or dehydrated fruit or vegetables	2.0	Directive 2001/22/EC	Directive 2001/22/EC
Dried herbs, spices (including ground spices and curry powder) and mustard (including prepared mustard)	10.0	Directive 2001/22/EC	Directive 2001/22/EC
Pickles and sauces	2.0	Directive 2001/22/EC	Directive 2001/22/EC
Tomato purée, paste or powder, the total solids content of which is not less than 15 per cent but less than 25 per cent	2.0	Directive 2001/22/EC	Directive 2001/22/EC
Tomato purée, paste or powder, the total solids content of which is not less than 25 per cent	3.0	Directive 2001/22/EC	Directive 2001/22/EC
Glacé angelica	2.0	Directive 2001/22/EC	Directive 2001/22/EC
Hydrolysed protein	2.0	Directive 2001/22/EC	Directive 2001/22/EC
Yeast, yeast products, excluding yeast extracts	5.0 (calculated on the dry matter)	Directive 2001/22/EC	Directive 2001/22/EC
Yeast extracts	2.0	Directive 2001/22/EC	Directive 2001/22/EC
Hops	10.0	Directive 2001/22/EC	Directive 2001/22/EC
Fats and oils, including milk fat	0.1	Directive 2001/22/EC	Directive 2001/22/EC
Fruit juices, concentrated fruit juices (for direct consumption) and fruit nectars	0.05	Directive 2001/22/EC	Directive 2001/22/EC
Soft drinks for consumption without dilution	0.2	Directive 2001/22/EC	Directive 2001/22/EC
Non-alcoholic beverages, ready to drink, not otherwise specified	0.2	Directive 2001/22/EC	Directive 2001/22/EC

Product	Maximum level (mg/kg wet weight)	Performance criteria for sampling	Performance criteria for methods of analysis
Wines (including sparkling wines and excluding liqueur wines), aromatised wines, aromatised wine-based drinks and aromatised wine-product cocktails, and ciders, perry and fruit wines. Maximum level applies to products produced from the 2001 fruit harvest onwards	0.2	Directive 2001/22/EC	Directive 2001/22/EC
Beer	0.2	Directive 2001/22/EC	Directive 2001/22/EC
Brandy, geneva, gin, rum, whisky, vodka	0.2	Directive 2001/22/EC	Directive 2001/22/EC
Water ices or other similar frozen confections	0.2	Directive 2001/22/EC	Directive 2001/22/EC
Ice cream or other similar frozen confections (excluding water ices and similar frozen confections)	0.5	Directive 2001/22/EC	Directive 2001/22/EC
Flavourings	10.0	Directive 2001/22/EC	Directive 2001/22/EC
Chemicals for use in or with foodstuffs and not otherwise specified	10.0	Directive 2001/22/EC	Directive 2001/22/EC
Other foodstuffs, without prejudice to regulation 9.1	1.0	Directive 2001/22/EC	Directive 2001/22/EC
2. CADMIUM (Cd)			
Meat of bovine animals, sheep, pig and poultry, excluding offal	0.05	Directive 2001/22/EC	Directive 2001/22/EC
Horsemeat	0.2	Directive 2001/22/EC	Directive 2001/22/EC
Liver of cattle, sheep, pig and poultry	0.5	Directive 2001/22/EC	Directive 2001/22/EC
Kidney of cattle, sheep, pig and poultry	1.0	Directive 2001/22/EC	Directive 2001/22/EC
Muscle meat of fish, excluding fish species listed in the entry below	0.05	Directive 2001/22/EC	Directive 2001/22/EC

Product	Maximum level (mg/kg wet weight)	Performance criteria for sampling	Performance criteria for methods of analysis
Muscle meat of bonito (<i>Sarda sarda</i>), common two-banded sunbream (<i>Diplodus vulgaris</i>), eel (<i>Anguilla anguilla</i>), European anchovy (<i>Engraulis encrasicolus</i>), grey mullet (<i>Mugil labrosus labrosus</i>), horse mackerel or scad (<i>Trachurus trachurus</i>), louvar or luvar (<i>Luvarus imperialis</i>), sardine (<i>Sardina pilchardus</i>), sardinops (<i>Sardinops species</i>), tuna (<i>Thunnus species</i> and <i>Euthynnus species</i>), wedge sole (<i>Dicologlossa cuneata</i>)	0.1	Directive 2001/22/EC	Directive 2001/22/EC
Crustaceans, excluding brown meat of crab and excluding head and thorax meat of lobster and similar large crustaceans (<i>Nephropidae</i> and <i>Palinuridae</i>)	0.5	Directive 2001/22/EC	Directive 2001/22/EC
Bivalve molluscs	1.0	Directive 2001/22/EC	Directive 2001/22/EC
Cephalopods (without viscera)	1.0	Directive 2001/22/EC	Directive 2001/22/EC
Cereals, excluding bran, germ, wheat grain and rice	0.1	Directive 2001/22/EC	Directive 2001/22/EC
Bran, germ, wheat grain and rice	0.2	Directive 2001/22/EC	Directive 2001/22/EC
Soybeans	0.2	Directive 2001/22/EC	Directive 2001/22/EC
Vegetables and fruits, excluding leafy vegetables, fresh herbs, all fungi, stem vegetables, root vegetables and potatoes	0.05	Directive 2001/22/EC	Directive 2001/22/EC
Leafy vegetables, fresh herbs, celeriac and all cultivated fungi	0.2	Directive 2001/22/EC	Directive 2001/22/EC
Stem vegetables, root vegetables and potatoes (peeled), excluding celeriac	0.1	Directive 2001/22/EC	Directive 2001/22/EC
3. MERCURY (Hg)			

Product	Maximum level (mg/kg wet weight)	Performance criteria for sampling	Performance criteria for methods of analysis
Fishery products, except those in the entry below	0.5	Directive 2001/22/EC	Directive 2001/22/EC
Anglerfish (<i>Lophius</i> spp.) Atlantic catfish (<i>Anarhichas lupus</i>) Bass (<i>Dicentrarchus labrax</i>) Blue ling (<i>Molva dipterygia</i>) Bonito (<i>Sarda</i> spp.) Eel (<i>Anguilla</i> spp.) Emperor or orange roughy (<i>Hoplostethus atlanticus</i>) Grenadier (<i>Coryphaenoides rupestris</i>) Halibut (<i>Hippoglossus hippoglossus</i>) Marlin (<i>Makaira</i> spp.) Pike (<i>Esox lucius</i>) Plain bonito (<i>Orcynopsis unicolor</i>) Portuguese dogfish (<i>Centroscymnes coelolepis</i>) Rays (<i>Raja</i> spp.) Redfish (<i>Sebastes marinus</i> , <i>S. mentella</i> , <i>S. viviparus</i>) Sail fish (<i>Istiophorus platypterus</i>) Scabbard fish (<i>Lepidopus caudatus</i> , <i>Aphanopus carbo</i>) Shark (all species) Snake mackarel (<i>Lepidocybium flavobrunneum</i> , <i>Ruvettus pretiosus</i> , <i>Gempylus serpens</i>) Sturgeon (<i>Acipenser</i> spp.) Swordfish (<i>Xiphias gladius</i>) Tuna (<i>Thunnus</i> spp. and <i>Euthynnus</i> spp.)	1.0	Directive 2001/22/EC	Directive 2001/22/EC
4. TIN (Sn)			
Canned foods	200		
5. ARSENIC (As)			
Non-alcoholic beverages, ready to drink and not otherwise specified in this Schedule	0.1		

Product	Maximum level (mg/kg wet weight)	Performance criteria for sampling	Performance criteria for methods of analysis
Alcoholic beverages, not otherwise specified in this Schedule	0.2		
Black beer, and mixtures of black beer and rum	0.5		
Soft drinks intended for consumption after dilution, and undiluted fruit juices (including concentrates)	0.5		
Ice cream, frozen confections and other similar commodities	0.5		
Onions, dehydrated	2.0		
Hops, dried, other than those intended for use in commercial brewing	2.0		
Liquorice (dried extract)	2.0		
Gelatine	2.0		
Yeast and yeast products other than brewers' yeast intended for manufacture of yeast products	2.0 (calculated on dry matter)		
Brewers' yeast intended for use by manufacturers in the manufacture of yeast products	5.0 (calculated on dry matter)		
Chicory (dried and roasted)	4.0		
Herbs (dried)	5.0		
Finings and clearing agents	5.0		
Hops and concentrates other than those intended for use in commercial brewing	5.0		
Spices, including mustard	5.0 (calculated on dry matter)		
Flavourings	3.0		
Chemicals for use in or with foodstuffs and not otherwise specified	2.0		
Other foodstuffs, without prejudice to regulation 8.1	1.0		

5. Dioxins

Dioxin (sum of polychlorinated dibenzo-*para*-dioxins (PCDDs) and polychlorinated dibenzofurans(PCDFs) expressed in World Health Organisation (WHO) toxic equivalents, using the WHO-TEFs (toxic equivalency factors, 1997)

Products	Maximum levels (PCDD + PCDF) ⁶ pg WHO-PCDD/F-TEQ/g fat or product)	Performance criteria for sampling	Performance criteria for the methods of analysis
Meat and meat products ⁷ originating from — Ruminants (bovine animals, sheep) — Poultry and farmed game — Pigs	3 pg WHO-PCDD/F-TEQ/g fat ⁸ 2 pg WHO-PCDD/F-TEQ/g fat ⁸ 1 pg WHO-PCDD/F-TEQ/g fat ⁸		
Liver and derived products	6 pg WHO-PCDD/F-TEQ/g fat ⁸		
Muscle meat of fish and fishery products ⁹ and products thereof	4 pg WHO-PCDD/F-TEQ/g fresh weight		
Milk ¹⁰ and milk products, including butter fat	3 pg WHO-PCDD/F-TEQ/g fat ⁸		
Hen eggs and egg products ^{11 12}	3 pg WHO-PCDD/F-TEQ/g fat ⁸		

⁶ Upperbound concentrations; upperbound concentrations are calculated assuming that all values of the different congeners less than the limit of determination are equal to the limit of determination.

⁷ Meat of bovine animals, sheep, pig, poultry and farmed game as defined in Article 2(a) of Council Directive 64/433/EEC (OJ L 121, 29.7.1964, p. 2012/64), as last amended by Directive 95/23/EC (OJ L 243, 11.10.1995, p. 7) and Article 2(1) of Council Directive 71/118/EEC (OJ L 55, 8.3.1971, p. 23), as last amended by Directive 97/64/EC (OJ L 24, 30.1.1998, p.31), and Article 2(2) of Council Directive 91/495/EEC (OJ L 268, 24.9.1991, p. 41) as last amended by Directive 94/65/EC (OJ L 368, 31.12.1994, p. 10), excluding edible offal as defined in Article 2(e) of Directive 64/433/EEC and Article 2(5) of Directive 71/118/EEC.

⁸ The maximum levels are not applicable for food products containing < 1 % fat.

⁹ Muscle meat of fish and fishery products as defined in categories (a), (b), (c), (e) and (f) of the list in Article 1 of Council Regulation (EC) No 104/2000 (OJ L 17, 21.1.2000, p. 22). The maximum level applies to crustaceans excluding the brown meat of crab and to cephalopods without viscera.

¹⁰ Milk (raw milk, milk for the manufacture of milk-based products and heat treated milk)

¹¹ Hen eggs and egg products as defined in Article 2 of Council Directive 89/437/EEC (OJ L 212, 22.7.1989, p. 87), as last amended by Council Directive 96/23/EC (OJ L 125, 23.5.1996, p. 10).

Products	Maximum levels (PCDD + PCDF) ⁶ pg WHO-PCDD/F-TEQ/g fat or product)	Performance criteria for sampling	Performance criteria for the methods of analysis
<p>Oils and fats</p> <p>— <i>Animal fat</i></p> <p>— from ruminants</p> <p>— from poultry and farmed game</p> <p>— from pigs</p> <p>— mixed animal fat</p> <p>— <i>Vegetable oil</i></p> <p>— <i>fish oil intended for human consumption</i></p>	<p>3 pg WHO-PCDD/F-TEQ/g fat</p> <p>2 pg WHO-PCDD/F-TEQ/g fat</p> <p>1 pg WHO-PCDD/F-TEQ/g fat</p> <p>2 pg WHO-PCDD/F-TEQ/g fat</p> <p>0,75 pg WHO-PCDD/F-TEQ/g fat</p> <p>2 pg WHO-PCDD/F-TEQ/g fat</p>		

¹² Free-range or semi-intensive eggs as defined in Article 18 of Commission Regulation (EEC) No 1274/91 (OJ L 121, 16.5.1991, p. 11), as last amended by Commission Regulation (EC) No 1651/2001 (OJ L 220, 15.8.2001, p. 5), must comply with the maximum level laid down as from 10 January 2004.

6. Other contaminants

Product	Maximum level (mg/kg wet weight)	Performance criteria for sampling	Performance criteria for methods of analysis
1) 3-MONOCHLORO- PROPANE-1,2-DIOL (3-MCPD)			
Hydrolysed vegetable protein ¹³	0.02	Directive 2001/22/EC	Directive 2001/22/EC
Soy sauce ¹³	0.02	Directive 2001/22/EC	Directive 2001/22/EC

¹³ Maximum level is given for the liquid product containing 40% dry matter, corresponding to a maximum level of 0.05 mg/kg in the dry matter. The level needs to be adjusted proportionally according to the dry matter content of the products.