



Brussels, **XXX**
SANTE/11059/2016 - revision 1
[...] (2016) **XXX** draft

ANNEXES 1 to 3

ANNEXES

to the

Commission Regulation (EU)

on the application of codes of good practice to reduce the presence of acrylamide in food.

ANNEXES

to the

Commission Regulation (EU)

on the application of codes of good practice to reduce the presence of acrylamide in food.

**WORKING DOCUMENT – DOES NOT
NECESSARILY REPRESENT THE VIEWS OF
THE EUROPEAN COMMISSION SERVICES**

ANNEX I

CODES OF GOOD PRACTICE

The following Codes of Practice have been endorsed by the Standing Committee on Plants, Animals, Food and Feed on XXX and are available in all EU languages on the website of the DG Health and Food Safety of the European Commission at (website)

1) Food business operators, with the exception of food business operators referred to in point 2 of this Annex, producing food products covered by these Codes of Practice shall apply the following Codes of Practice.

Code of practice for managing acrylamide formation in foods, developed by FoodDrinkEurope.

Mitigation measures for mandatory application by food business operators for

- products based on raw potatoes
- sliced potato crisps
- French fries and other cut (deep fried) potato products
- dough-based potato crisps, snacks and crackers
- cereal-based products
- fine bakery wares (including ginger bread and crisp bread)
- breakfast cereals
- coffee
- coffee substitutes mainly containing cereals
- coffee substitutes mainly containing chicory
- baby biscuits and infant cereals
- baby jar foods (low-acid and prune-based foods)

Code of Practice for managing acrylamide formation during the production of bread and bread products, developed by the International Association of Plant Bakers (AiBi)

Mitigation measures for mandatory application by food business operators for

- bread and bread products

2) Food business operators, which place on the market directly to the consumer ready-to-eat food, operating in the eating out sector, hospitality industry, craft, micro- and small food enterprises shall apply the following Codes of Practice

Code of Practice for managing acrylamide formation during the production of food in the hospitality industry, developed by Hospitality Europe (HOTREC)

Code of Practice for managing acrylamide formation during the production of food in craft, micro and small food enterprises, developed by the European Association of craft, small and medium-sized enterprises (UEAPME)

Code of Practice for managing acrylamide formation during the production of food in the eating out sector, developed by the Branded Food and Beverage Service Chains Association (Serving Europe)

(Note: Reference is made to the Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises- OJ L 124, 20.5.2003, p. 36 for the definition of micro and small enterprises. However it has to be stressed that it only relates to enterprises that place on the market directly to the consumer ready-to-eat food. UEAPME has indicated to provide a possible alternative concrete proposal for consideration which includes also the craft, micro- and small food business operators which mainly place food on the market ready-to-eat directly to the consumer but also partly via third parties (to be provided by the latest on Monday 5 September 2016. UEAPME and HOTREC are requested to provide the final Code of Practice by Monday 5 September 2016)

ANNEX II

GENERAL REQUIREMENTS

1) Requirements for food business operators, producing food products covered by the Codes of Practice referred to in point 1 of Annex I:

a) They shall select incoming materials on characteristics, as provided for in the Code of practice, which influence the formation of acrylamide during the production process. Clear acceptance and rejection criteria for these characteristics must be established. These criteria must be underpinned by evidence that by applying these selection criteria, the final product contains levels of acrylamide lower than the indicative value.

b) They shall apply a continuous programme of analysis on acrylamide in finished products. Analysis of acrylamide can be replaced by colour measurement provided that a statistical correlation between the colour and the acrylamide level is available.

Food business operators shall ensure that a representative sample for analysis on acrylamide is taken for each product

- at least every three months for every specific product of potato based products (sliced potato products, French fries and other cut (deep fried), potato products, dough-based potato crisps, snacks and crackers), produced under the same conditions. If the conditions of production change, a representative sample for analysis on acrylamide must be taken immediately.

- at least every month for every specific product of cereal-based products, fine bakery wares (including ginger bread and crisp bread), breakfast cereals, coffee, coffee substitutes mainly containing cereals, coffee substitutes mainly containing chicory, baby biscuits and infant cereals, baby jar foods (low-acid and prune-based foods) and bread and bread products produced under the same conditions. If the conditions of production change, a representative sample for analysis on acrylamide must be taken immediately.

*(Note: I refer to recital 4 for explanation of the difference in frequency. Several comments were made as regards this proposal for frequency of sampling and analysis for every specific product. **Any concrete alternative proposal for monitoring, respecting the reasoning referred to in recital 4 and which provides evidence to be as effective as the abovementioned proposal shall be taken into consideration.***

c) They shall make the analytical results obtained from the continuous programme of analysis every year available to the competent authority with details on the product, production process and mitigation measures taken to reduce the levels of acrylamide. Evidence must be provided of the corrective measures that have been taken when levels above the indicative values were observed.

2) Requirements for food business operators referred to in point 2 of Annex I

a) They shall ensure a selection on incoming materials on characteristics, as provided for in the relevant Codes of practice, which influence the formation of acrylamide during the production.

b) They shall make the colour guides referred to in the relevant Codes of practice available at their premises to their staff preparing the food.

c) They shall display these colour guides at their premises visible and readable for their customers to raise awareness.

ANNEX III

INDICATIVE VALUES

Indicative values established in this Annex are intended to serve as benchmark to verify the effectiveness of the application of the Codes of Practice. They are not safety thresholds. Therefore, enforcement action and/or the issuing of a Rapid Alert shall only be undertaken on the basis of a sound risk assessment carried out on a case by case basis, but not merely because an indicative value is exceeded.

Food	Indicative value [µg/kg]	Comment
French fries ready-to-eat	600	Product sold as ready-to-eat
Potato crisps from fresh potatoes and from potato dough Potato-based crackers	1000	Product as sold
Soft bread (a) Wheat based bread (b) Soft bread other than wheat based bread	80 150	Product as sold
Breakfast cereals (excl. porridge) - bran products and whole grain cereals, gun puffed grain (gun puffed only relevant if labelled) - wheat and rye based products (*) - maize, oat, spelt, barley and rice based products (*) (* non-whole grain and/or non-bran based cereals. The cereal present in the largest quantity determines the category.	400 300 200	Product as sold

Biscuits and wafers	500	Product as sold
Crackers with the exception of potato based crackers	500	
Crispbread	450	
Ginger bread	1000	
Products similar to the other products in this category	500	
Roast coffee	450	Product as sold
Instant (soluble) coffee	900	Product as sold
Coffee substitutes		Product as sold
(a) coffee substitutes mainly based on cereals	2000	
(b) other coffee substitutes	4000	
Baby foods, other than processed cereal based foods ¹		Product as sold
(a) not containing prunes	50	
(b) containing prunes	80	
Biscuits and rusks for infants and young children	200	Product as sold
Processed cereal based foods for infants and young children ¹ , excl. biscuits and rusks	50	Product as sold

¹ As defined in Regulation (EU) No 609/2013 of the European Parliament and of the Council of 12 June 2013 on food intended for infants and young children, food for special medical purposes, and total diet replacement for weight control and repealing Council Directive 92/52/EEC, Commission Directives 96/8/EC, 1999/21/EC, 2006/125/EC and 2006/141/EC, Directive 2009/39/EC of the European Parliament and of the Council and Commission Regulations (EC) No 41/2009 and (EC) No 953/2009 (OJ L181, 29.6.2013, p. 35)