

Changing Regulations Worldwide and the Challenges Faced by Suppliers

Alfons van Gulick, European Spice Association

Gaspare Colletti, Canadian Spice Association

Kelley Poole, American Spice Trade Association

Rao Giridhar, Griffith Laboratories

esa

**european
space
association**

Alfons van Gulick

Chairman European Spice Association

CEO Nedspice Group

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What is ESA and how does ESA work?



ESA Mission Statement

The European Spice Association is to be the leading voice of the European Spice Industry in the interests of members, the industry as a whole, food manufacturers and consumers alike.

ESA wants to ensure the use of clean and safe spices and herbs.

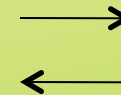
ESA Represents

- some 400 direct and indirect members
- divided over 20 countries
- of which 17 countries in Europe
- with 330 million consumers
- will be expanded into EU of 27 countries
- with 502 million consumers

General Assembly



Board of Directors



General Secretariat

**Technical
Committee**

**Marketing
Committee**

Work Groups

Adulteration

MRL/OTA

**Quality
Minima
Standards**

**Product
Information
Standardization**

**Food
Additives**

Documents published



- **European Spice Association Quality Minima Document**
- **Dehydration Factors for Products of the Spice Industry**
- **General Guidelines for Good Agricultural Practices - Spices, from International Organisation of Spice Trade Associations (IOSTA)**
- **ESA Adulteration Awareness Paper**
- **ESA List of Culinary Herbs and Spices**
- **ESA Position Statement on Allergen Labelling**
- **Product Information Standard**
- **Advice on Illegal Dyes**
- **Declaration of traces of gluten in spices**

What is driving the quality requirements for spices in the European market?

Pressure on the European spice industry is coming from

- Consumers
- Retailers
- Legislation
- Industry clients

} Market

A good relationship between producer and processor with respect to partnership, sustainability, honesty, clarity, transparency is absolutely necessary

Consumers



Consumers demand higher quality

Consumer organisations, NGO's, set own standards, e.g.

- only 50% of permitted pesticide MRLs should be detectable in a product
- no “cocktails” of pesticide residues in products
- sustainability in the supply chain should be demonstrated

Retailers

Retailers anticipate consumer demands and set high standards

Retailers control the quality of products and audit suppliers with consequences for the spice industry

Retailers require from spice industry:

- HACCP concept in place
- Application of standards, e.g. BRC standard, IFS standard
- Traceability
- Sustainability

Food industry



Food industry demands higher standards from suppliers and controls the quality of food ingredients

Food hygiene is an important issue in EU; Hygiene levels in food industry are high and require better hygiene of spices

Composite convenient products require custom made spice/herb/additive solutions supplied by the spice industry

Commercial Labs



Commercial labs develop new methods of analysis for new applications

Commercial labs compete in decreasing the limit of detection even below 0.01 mg/kg

Unexpected substances have been discovered in products:

- nicotine in boletus,
- biphenyl in nutmeg and mace,
- dioxins in dried basil

Legislation



Harmonisation in EU food legislation continues

Consumer protection is becoming more and more important, no matter how small a risk is, examples:

- Sudan red,
- Coumarine,
- OTA,
- Nicotine,
- Biphenyl.

Spices are no longer overlooked by legislation.

Even minor crops/low consumption are considered by legislators.

Recent issues on the quality of herbs and spices:

- Nicotine was detected in mushrooms (e.g. boletus)
- Biphenyl was detected nutmeg and mace
- Dioxins were detected in paprika powder, dried basil, marjoram
- Ochratoxin A is set at 30 ppb in paprika until 30.6.2012.
After that date it will be reduced to 15 ppb.

The Spice industry must follow these trends:

Ingredient suppliers (spice industry) in the EU must have full control over their supply chain – **traceability**

Audit reports

- from processors in origin,
- to logistic partners and
- to processors in EU

must be available

Certificates about pesticide residues and contaminants must be available

Buyers and legislators require from the spice industry:

- GAP, GMP and Good Storage Practice in origin
- Processing and storage must be up to high standards
- Certificate of product origin and test methods must be reliable
- No contaminants and adulterants in the grind
- Transparency about fillers in the grind
- Tests (sampling, methods) must be harmonised/certified

Can origin follow ?

Quality in cultivation

Documentation: GAP, water (supply, quality), pesticide application, fertiliser application

Harvest and post-harvest operations

Documentation: time of harvest (growing phase, flowering phase), GHP (hygiene), GMP (product/processing quality)

Drying and storage

Documentation: moisture, hygiene, product quality

Legal requirements for herbs and spices in the EU

How legislation is made in the EU

The Council

Is the voice of the national governments in the decision making process

The Commission

Is the driver of EU integration and **the only one that can propose legislation**

The Parliament

Is the direct link between EU citizens and the EU decision making process

National Governments (via Council) ask for and/or

EU Commission proposes legislation / harmonisation

- ➔ **Common** position of Council **and** Commission endorsed by EU Parliament
- ➔ New legislation comes into force

Legislation applicable to herbs and spices in Europe is

- (harmonised) European legislation **or**
- (non harmonised) national legislation

**Food Legislation in the EU is harmonised
in the main areas :**

(Documents available at <http://europa.eu.int/eur-lex/lex/>)

Food labelling to final consumers, e.g. list of ingredients, allergen labelling, nutrition labelling

Flavourings, definition of flavourings, max. limits for undesired substances (BAP's e.g. coumarine, estragole etc.)

Additives Regulation covering all additives permitted for food in the EU

Pesticide residues Regulation covering the MRL's for all food items

Contaminants Regulation listing max. levels for mycotoxins (aflatoxin, ochratoxin A etc.), heavy metals etc.

EU Basic Legislation:



Regulation (EC) No 178/2002 of 28 January 2002 laying down the **general principles and requirements of food law**, establishing the European Food Safety Authority and laying down procedures in matters of food safety

This regulation lays down the general principles in food law:

Food must be safe, the consumer must not be misled

It addresses amongst others, risk analysis (Art. 6), precautionary principle (Art. 7), food safety requirements (Art. 14), traceability (Art. 18)

Food flavourings

Regulation (EC) No 1334/2008 of the European Parliament and of the Council of 16 December 2008 on flavourings and certain food ingredients with flavouring properties for use in and on foods

This regulation describes conditions for the use of flavourings and food ingredients with flavouring properties

Herbs and spices are „food ingredients with flavouring properties“ and fall into the scope of the regulation

In Annex III Part B max. limits for certain undesirable substances are listed e.g. coumarin in breakfast cereals, safrole in meat and fish products, soups and sauces

Food additives

Regulation (EC) No 1333/2008 of the European Parliament and of the Council of 16 December 2008 on food additives

and

Regulation (EU) No 1129/2011 of 11 November 2011 amending Annex II to Regulation (EC) No 1333/2008 by establishing a **Union list of food additives**

These regulations describe conditions of use for food additives and list all permitted food additives in the EU

Pesticide Residues / Contaminants

Maximum limits for pesticides or contaminants serve two purposes.

If a substance is present in a food up to a fixed limit

- 1.) food is safe,
- 2.) food has been treated following GAP, GMP, stored, transported properly.

ALARA – Principle = As Low As Reasonably Achievable

Pesticide Residues

Regulation (EC) No 396/2005 on maximum residue levels of pesticides in or on food and feed of plant and animal origin and amending Council Directive 91/414/EEC

Regulation (EC) No 178/2006 of 1 February 2006 amending Regulation (EC) No 396/2005 to establish Annex I listing the food and feed products to which maximum levels for pesticide residues apply

Spices and the aromatic herbs can be found in the categories VEGETABLES FRESH OR FROZEN – Fruiting vegetables – Solanacea (**paprika**) and LEAF VEGETABLES – **fresh herbs** and **SPICES** (seeds, fruits and berries, bark, roots etc.)

Pesticide Residues cont.

Regulation (EC) No 149/2008 of 29 January 2008 amending Regulation (EC) No 396/2005 of the European Parliament and of the Council by **establishing Annexes II, III and IV setting maximum residue levels** for products covered by Annex I thereto **(398 pages!)**

The annexes to this regulation are amended regularly

The EU Commission has established a **pesticide data base at the Internet**; interested parties can check the current Maximum Residue Levels for pesticides and food items at:

http://ec.europa.eu/sanco_pesticides/public/index.cfm

Contaminants

Regulation (EC) No 1881/2006 of 19.12. 2006 setting maximum levels for **certain contaminants** in foodstuffs

This regulation covers among others, mycotoxins and heavy metals such as cadmium, lead, and mercury.

The regulation covers among others spices:

- ✓ *Capsicum* ssp (dried fruits including chillies, paprika),
- ✓ *Piper* ssp. (fruits thereof incl. white and black pepper),
- ✓ *Myristica fragrans* (nutmeg),
- ✓ *Zingiber officinale* (ginger),
- ✓ *Curcuma longa* (turmeric).

Aflatoxin B1: 5 ppb, Aflatoxin B1 + B2 + G1 + G2: 10 ppb

Ochratoxin A until 30.6.2012: 30 ppb as of 1.7.2012: 15 ppb

Regulation (EC) No. 401/2006 of 23 February 2006 laying down the methods of sampling and analysis for the official control of levels of mycotoxins in foodstuffs

In this Regulation **methods of sampling as well as precision criteria for methods of analysis for official control by enforcement authorities** are defined.

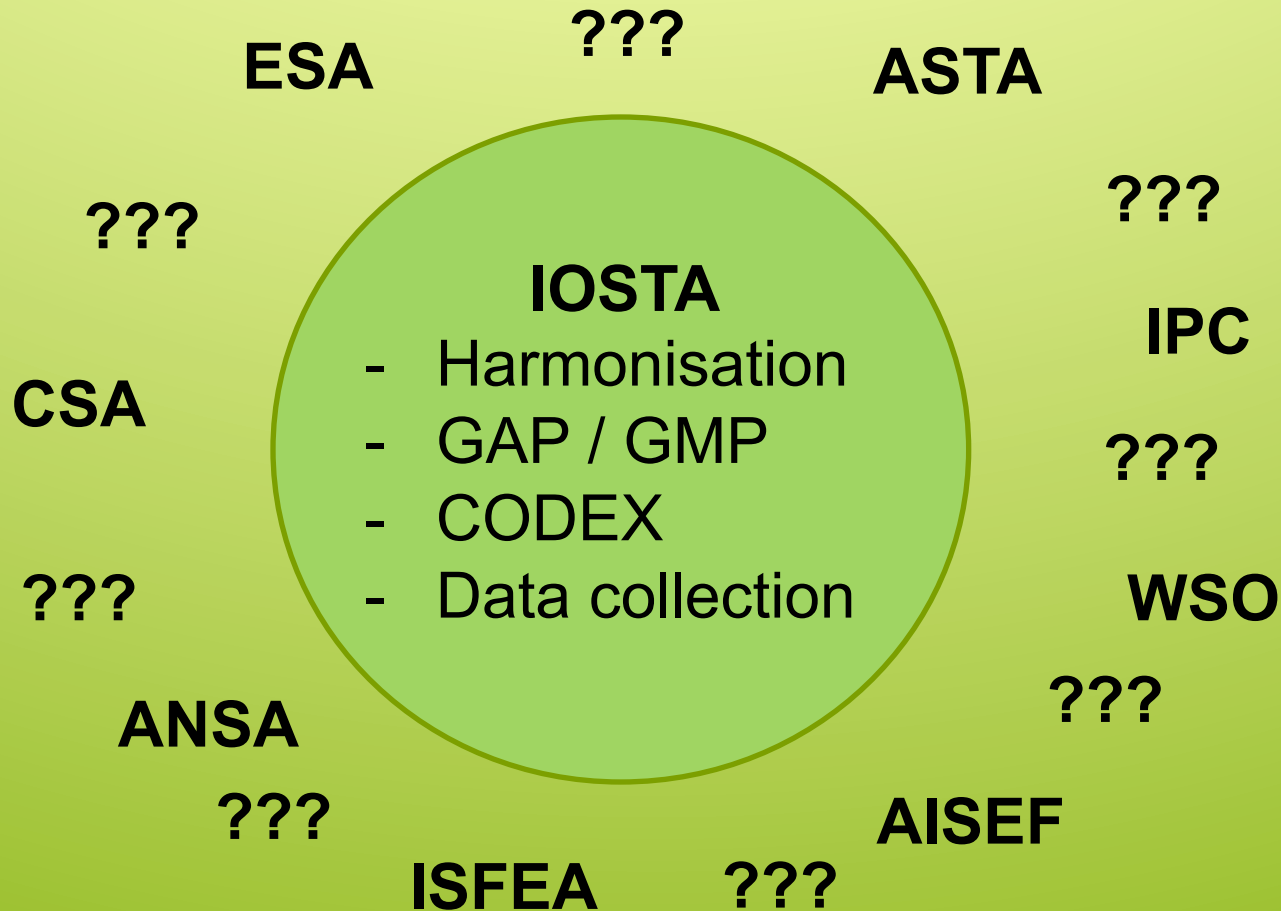
Border Control

Regulation (EC) No 669/2009 of 24 July 2009 as regards the increased level of official controls on imports of certain feed and food of non-animal origin

The EC-Commission wants to keep dangerous products from the EU market by this Regulation; it is amended every 3 months

Defines frequency of checking on certain contaminants before entry into EU

International Cooperation



CREDIBILITY OF OUR SPICE INDUSTRY



Thank you for your attention

ESA Website: www.esa-spices.org

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ESA 2013 Annual Meeting

5,6 & 7 June

The Belfry, Birmingham, UK

