and if this limitation is desirable, it should be put into the appropriate instruments covering olive oil.

2.4. *Article 1.4 b)*

2.4.1. This seems acceptable except possibly for one point: dichloromethane is used to get particular flavour extracts from several plants in particular: cassia bark, cinnamon bark, vanilla beans and tonquin beans. The annual production of these is very small indeed and the resulting dichloromethane residues in the food supply would be less than 1:10 000 of those contributed by decaffeinated tea and coffee. Subject to agreement by the SCF, these could therefore be authorized if used below the current limit of detection of 50 µg/kg in the finished product as consumed.

2.5. *Article 1.4 c)*

2.5.1. Among the discontinued solvents in Part III is cyclohexane, and that because the SCF did not have adequate safety-in-use tests available in time. The Committee regrets that the industry did not heed the SCF requirement in good time.

2.5.2. This solvent has a particular use in preparing a very limited number of flavours.The Committee has been informed that Industry has now agreed a testing protocol with the SCF and tests will be carried out for evaluation by the SCF during 1992. Permission for this solvent therefore should continue during 1992 with continuation thereafter only if the results of the tests are acceptable to the SCF.

Done at Brussels, 26 May 1992.

The Chairman
of the Economic and Social Committee

Michael GEUENICH

Opinion on the proposal for a Council Regulation (EEC) laying down Community procedures for contaminants in food [1]

(92/C 223/08)

On 2 March 1992 the Council decided to consult the Economic and Social Committee, under Article 100 A of the Treaty establishing the European Economic Community, on the abovementioned proposal.

The Section for Protection of the Environment, Public Health and Consumer Affairs, which was responsible for preparing the Committee's work on the subject, adopted its Opinion on 5 May 1992. The Rapporteur was Mr Gardner.

At its 297th Plenary Session (meeting of 26 May 1992) the Economic and Social Committee unanimously adopted the following Opinion.

1. Introduction

1.1. Contaminants in food are impurities from sources generally present in the environment which get into the food but are not intentionally added. They include such diverse items as heavy metals (lead, copper, etc.), naturally present in the soil, radio-activity from minerals in the sub-soil, mycotoxins, polycyclic aromatic hydrocarbons (from smoke), etc.

1.2. Such contaminants have always been present in food though they are changing in kind. Thus for water, a major contamination problem used to be lead from pipes. Now it is considered to be nitrates. Furthermore, in recent years, advances in analytical techniques have shown contaminants to be present where previously they could often not be detected. They need regulation only where they are present at toxicologically significant levels. Individual countries have different ways of dealing with these, often based on historical national considerations. Given the forthcoming Market without Frontiers, the Committee therefore agrees that harmonization is necessary.

[1] OJ No C 57, 4. 3. 1992, p. 11.

2. General comments

The proposal deals with those contaminants at levels which may be toxicologically unacceptable and regulates those following advice by the Scientific Committee for Food (SCF). It therefore does so on a factual basis, transparent to all Member States and the Committee approves the proposal subject to some detailed comments.

3. Detailed comments

3.1. *Article 3.3*

This implies that there is always a reference method of analysis. In many cases, no one method exists and there are several equivalent ones, depending to some extent on national resources and levels of equipment. The second and third indents should therefore be changed to:

'— Analytical limits detectable by generally available methods;

— A reference to one or more methods of sampling and analysis which can be applied.'

3.1.1. To ensure uniformity, there must be provision for establishing a list of acceptable methods. This should be done by the procedure in Article 8 and using as far as possible available tested methods such as the Association of Official Analytical Chemists (AOAC), the International Organization for Standardization (ISO), etc.

3.2. *Article 6.2*

To ensure transparency and possible secondary barriers to inter-Community trade, the following words should be added at the end:

'after having taken action in accordance with Article 5 where necessary.'

3.3. *Article 8*

This provides for an advisory committee to work out detailed provisions where appropriate. This should be changed to a regulatory committee.

Done at Brussels, 26 May 1992.

The Chairman
of the Economic and Social Committee

Michael GEUENICH