

European Food Safety Authority

██████████
Via Carlo Magno 1/A
43126 Parma
ITALY

Subject: disclosure of all contamination data of mineral oils in food and packaging

Date: 14-06-2016

Dear Sir,

Research by foodwatch since 2015 showed that a lot of food products are contaminated with aromatic hydrocarbons from mineral oils (MOAH) and saturated hydrocarbons from mineral oil (MOSH). As expressed by the European Food Safety Authority (EFSA) in 2012 in her Scientific Opinion on Mineral Oil Hydrocarbons in Food¹, the CONTAM Panel considers the exposure to MOAH through food to be of potential concern due to its mutagenic and carcinogenic properties. Also exposure to MOSH via food in Europe is considered of potential concern as MOSH can cumulate in organs and might have critical effects.

foodwatch² is an independent, non-profit organization who campaigns for the right of consumers to know exactly what they are buying and to enjoy good food that is healthy and uncontaminated. As the environmental and other contamination of food products with MOSH and MOAH presents a health risk to consumers, foodwatch, in accordance with Regulation (EC) No 1049/2001 (the "PAD Regulation")³, hereby requests from EFSA:

- **To disclose all measurement concerning contamination data on mineral oils in food and food packaging which has been submitted to the European Food Safety Authority (EFSA) between 2006 until this date, either by member states, companies or other third parties. This data includes the unique sample number, date of examination / sampling, product name, product type, brand, company, manufacturer, type of product packaging, country of origin, detected amount of MOSH and / or MOAH and any other information which is associated with these measurements. If possible, we would like to receive the data digitally, preferably in one or more Excel files.**
- **To disclose all other documents from 2006 until date which shows information about the contamination of food or packaging of food products with MOSH and MOAH.**

¹ <https://www.efsa.europa.eu/en/efsajournal/pub/2704>

² <http://www.foodwatch.org/en/about-foodwatch/>

³ http://www.europarl.europa.eu/RegData/PDF/r1049_en.pdf

As this PAD requests for critical information about the environment and the safety of our food, in accordance with the Aarhus Convention⁴ ratified by Council Decision 2005/370/EC⁵ and EFSA's adopted decision concerning access to documents⁶, foodwatch strongly emphasizes that **all relevant data elements should be disclosed, including the name of the product, brand, company, manufacturer and country of origin**. These data elements hold critical information to assess the presence of these contaminants in our environment and food and allows us to identify which products are safe and which companies, brands, manufacturers or countries have produced and/or sold contaminated products. Disclosing this data is therefore vital for public health as it will allow us to discern between high and low risk products.

If you refrain from disclosing some of the requested data available to you, we ask you, as required by Article 3.1.b and 3.2 of EFSA's adopted decision concerning access to documents, and Article 4 of the Aarhus convention, to duly justify for each non-disclosed data element and data provider:

1. how disclosure will seriously affect the commercial interest of parties; and
2. why this perceived effect outweighs our right to obtain essential information about the environment and safety of our food

In accordance with the PAD Regulation we ask you to disclose the requested information within the legal 15 working days timeframe. If (part of) our request cannot be met (within the requested timeframe), we ask you to consolidate with us, stating the specific reasons why (part of) the data cannot be disclosed (on time), and how we might amend our request to facilitate the progress of disclosure.

With kind regards,

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⁴ <http://www.unece.org/fileadmin/DAM/env/pp/documents/cep43e.pdf>

⁵ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2005:124:0001:0003:EN:PDF>

⁶ <https://www.efsa.europa.eu/sites/default/files/assets/docsaccess.pdf>