Ethylene Oxide

A serious concern which was brought forward in the ECMA Food Safety Committee, is the contamination of foodstuffs with Ethylene Oxide.
This issue started last year with a first RASFF notification by the Belgian food safety authorities in early September. (Ref 2020.3678)
Sesame seeds - in this specific case - imported from India, were contaminated with a "pesticide residue", Ethylene Oxide and sold to many food companies across Europe.
A check of the RASFF Database shows that the food safety authorities have since issued 648 notifications, involving many more imported source products, such as herbs and the thickening additive locust bean gum, as well as the products in which those ingredients have been used (bakery products, cereals, diary products, ice cream, meat …).

According to food industry sources this has led to 200 recalls on the belgian market and thousands of recalls by retailers and food companies across Europe.
As certain food companies also seem to be questioning the packaging suppliers, it is important to note that all RASFF alerts are relate to "food" and none are classified within the category "food contact materials".
In the ECMA Food Safety Committee the assessment made was that the alerts have no relation to our sector.
Ethylen oxide is basically a highly reactive gas, used in the production of various chemicals. Ethylen oxide is very hazardous as well as a CMR substance (Carcinogenic, Mutagenic, Reportoxic). Outside Europe the gas is still used for the decontamination of surfaces as well as foodstuffs and can therefore be found as a residue in imported foods. Its use is forbidden in Europe in e.g. plant protection aids, in biocides for disinfection it would be allowed in cases where no food contact appears.

Ethylene oxide is nevertheless present on several positive lists for manufacturing Food Contact Materials but always with very low SML values. The detection in food is mostly set as "not detectable" (Swiss Ink Ordinance, Plastics Regulation 10/2011). The use of the substance in very low amounts is also included in BfR 36, within the sections "retention agents", "dispersion and floating agents" and "defoamers" and in the adhesive section of the US Code of federal regulations (FDA 175.105).
All this means the contamination does not originate from food contact materials; however a total exclusion of any migration can not be guaranteed. It is in this respect valuable to contact your suppliers and to assess the obtained statements.
It may in view of the "non detectable" SML also be necessary to perform testing.

Article published in Food Safety News: https://www.foodsafetynews.com/2021/07/ethylene-oxide-scandal-spreads-to-food-additive/

Mineral oils France

The announced clarifying ministerial decree on mineral oils is still not available. (FC update 29/09/21)
Unofficial sources have confirmed the inks, adhesives and all other compounds "applied on" the packaging will most likely fall within the scope.
Mineral oils will be banned above certain concentrations, MOSH C16-C35 above 0.1% by weight, MOAH (3-7 rings) above 1ppm, MOAH (1-2 rings) above 0.1% by weight.
The national measure requires a TRIS notification that allows for comments, which ECMA will certainly do.
The measure is expected to enter into force 12 or 18 months after formal adoption.