

Voluntary Report – Voluntary - Public Distribution

Date: December 04, 2022

Report Number: EG2022-0027

Report Name: Updates to Egypt's National Food Safety Authority Issues
Technical Regulation for the Maximum Residue Levels of Chemical
Contaminates in Food

Country: Egypt

Post: Cairo

Report Category: Agricultural Situation, Sanitary/Phytosanitary/Food Safety, Trade Policy
Monitoring

Prepared By: Shaza Omar and Jenny Morgan

Approved By: Jenny Morgan

Report Highlights:

This report is an update to GAIN report number EG2022-0022. The report includes English translation of the National Food Safety Authority (NFSA) Decision of Board of Directors No. 6/2022 concerning the binding technical basis for maximum residue levels (MRLs) for chemical contaminants in food. English translation of the appendices attached to this report. Corrected to add the attachments.

DECISION NO. 6/ 2022

The decision covers chemical contaminants in food and introduces maximum residue levels (MRLs). The decision contains 12 articles and five appendices (attached) that categorize food groups, chemical containments, MRLs of chemical containments in foods and methods for their testing and detection. See ([GAIN EG2022-0022 Egypt's National Food Safety Authority Issues Technical Regulation for the Maximum Residue Levels of Chemical Contaminants in Food](#))

Translation begins

The National Food Safety Authority

Decision of the Board of Directors No.6 of the Year 2022

On

The Technical Regulations Governing the Permissible Maximum Levels for Chemical Contaminants in Food

Board of Directors (BOD)

After reviewing the Constitution,

Law No. 48 of the Year 1941 on Combating Fraud and Deception and the Amendments thereto,

Law No. 10 of the Year 1966 on Food Control and Handling Regulation,

Law No. 1 of the Year 2017 on the Enactment of the Law on the National Food Safety Authority (NFSA),

Decree of the Prime Minister No. 412 of the Year 2019 on the Enactment of the Executive Regulations implementing the Law on NFSA,

Decree of the Minister of Trade and Industry No. 266 of the Year 2011 on the Obligation of Production and Handling in Accordance with the Standards,

Submissions by NFSA Competent Technical Committee, and

Approval of NFSA BOD in the meeting held on September 3, 2022 on the Adoption of the Technical Regulations Governing the Permissible Maximum Levels for Chemical Contaminants in Food,

Decided the Following:

Article (1)

Definitions

The following terms shall, in application of the provisions of the present law, have the meanings assigned thereto:

“NFSA” shall mean the National Food Safety Authority.

“Law” shall mean Law No. 1 of the Year 2017 on the Enactment of the Law on NFSA.

“Codex Alimentarius Commission (CAC)” shall mean the Commission which is one of the UN bodies established by way of agreement between the Food and Agriculture Organization (FAO) and World Health Organization (WHO) in 1963. CAC issues food standards and is the WTO reference body in case of disagreement between the member states.

“Official Controls” shall mean official controls performed by NFSA with a view to verifying compliance with the law and food safety related legislation.

“Food Business Operators (FBOs)” shall mean the natural or legal persons responsible for ensuring that the requirements of the law and food safety related legislation are fulfilled within the food business establishment under the control thereof.

“Food Handling” shall mean one or more operations of food production, manufacture, offering or displaying for sale, storage, preserving, wrapping, transportation, delivery, importation, exportation, or the licensing or approval for any of these activities.

“Hazard” shall mean the level of a potential hazard in food with the probability of an adverse effect on human health and of the severity of that effect, consequential to a hazard.

“Contamination” shall mean the introduction or occurrence of a contaminant in food.

“Chemical Contaminants in Food” shall mean any chemical that has not been intentionally added to food; that is produced in food as a result of some processes that take place during the production stages (including manufacturing, preparation, processing, packaging, transportation or preservation of this food), or as a result of environmental contamination, which can generally affect the safety and/or quality of food. Such term may not include fragments and residues of insects, rodents and other foreign materials.

“Biological Toxins” shall mean toxic compounds naturally produced by a living organism in or on food. Such toxins are not harmful to the organisms themselves, but may be harmful to other organisms, including humans, when ingested. Such chemical compounds have diverse structures and different biological functions and toxicity levels.

“Mycotoxins” shall mean toxic compounds that are naturally produced by certain types of fungi that may enter the food chain at any stage.

“Inherent Plant Toxins” shall mean toxins produced by plants as a natural defense mechanism against predators, insects, microorganisms, or as a result of environmental stress.

“Aquatic Biotoxins” shall mean toxic substances naturally existed in certain species of fish and fishery products; accumulated by aquatic organisms that feed on toxin-producing algae; or existed in water containing toxins produced by such organisms, e.g. fish toxins and shellfish toxins.

“Phycotoxins” shall mean natural compounds produced by microalgae by accumulation in the food chain. Such toxins may be concentrated in some fish species or various aquatic organisms.

“Environmental Contaminants” shall mean chemicals that are environmentally stable and do not decompose easily and transfer through the food chain. They enter the environment as a result of some industrial activities or may be as a result of human activities.

“Processing Contaminants” shall mean substances formed in food during some processing operations such as heat treatment, fermentation, smoking or drying.

“Maximum Levels for Chemical Contaminants” shall mean the maximum level of a contaminant and/or biotoxin in a specific food that may not be exceeded as determined by an acceptable method for analyzing chemical contaminants to ensure that the food meets the food safety requirements issued by NFSA. The maximum levels for chemical contaminants shall be expressed in milligrams per kilogram of food or in micrograms per kilogram, unless otherwise specified.

“Reduction Measures” shall mean reduction measures stipulated in the present decision, which are based on scientific and technical knowledge that has been proven to lead to lower levels of contaminants formed during some processing operations (e.g. acrylamide) without adversely affecting product quality and safety.

“Standard Levels” shall mean the performance indicators that shall be used to verify the effectiveness of reduction measures, and shall be based on experience and existence in food categories. Such levels shall be established as low as reasonably achievable with the implementation of all relevant reduction measures and related good practices.

“As Low as Reasonably Achievable (ALARA)” shall mean keeping contaminant to the lowest level. This can reasonably be achieved by following good practices throughout the food chain.

“Infants” shall mean children under the age of 12 months.

“Young Children” shall mean children aged between 1 and 3 years.

“Infant Formulae” shall mean foodstuffs intended for particular nutritional use by infants during the first months of life and satisfying by themselves the nutritional requirements of such infants until the introduction of appropriate complementary feeding.

“Follow-Up Formulae” shall mean foodstuffs intended for particular nutritional use by infants when appropriate complementary feeding is introduced.

“Ready-to-eat Foods” shall mean food prepared for direct consumption.

“Food Intended for Further Processing” shall mean food subject to further processing or additional treatments before being used for direct consumption.

Article (2)

Objective

This decision shall aim to define the approach applied by NFSA to manage risks related to contaminants and to define maximum levels for chemical contaminants for chemical contaminants in food to control the levels of chemical contaminants and ensure compliance thereof in accordance with CAC publications and international standards related to food contaminants.

Article (3)

Scope

Such technical regulations shall be concerned with the basic requirements for dealing with chemical contaminants in foods, whether of a plant or animal origin.

The present decision shall be applied to all types of handled foods specified in such decision, whether locally produced, imported or exported, as well as to food establishments, and operators and suppliers thereof.

Article (4)

NFSA

NFSA shall:

1. Develop and improve measures to ensure the reduction of consumer exposure to chemical contaminants through eating handled foods, including setting and updating maximum levels for chemical contaminants for such contaminants;
2. In cases where there are no maximum levels for chemical contaminants issued by NFSA in this regard, Rapid Risk Analysis (RRA) methodology shall be applied after the detection of chemical contaminants;
3. Develop and implement programs to monitor and investigate the levels of chemical contaminants in handled foods to verify compliance with maximum levels for chemical contaminants issued by NFSA, and use the results of surveillance and data obtained to enhance the modernization of the risk management approach for such contaminants;
4. Develop performance standards and prepare a list of approved analytical methods for contaminants to ensure compliance of FBOs with NFSA's contaminant requirements; and
5. Establish the sampling conditions that will be applied to prove the food compliance with maximum levels for chemical contaminants issued by NFSA.

Article (5)

FBO's Obligations

FBOs shall:

1. Take all procedures and measures to ensure that contaminants in handled foods do not exceed maximum levels for chemical contaminants issued by NFSA, and to ensure that such

- contaminants do not exceed the levels that may be harmful to consumer health in the event that there are no maximum levels for chemical contaminants issued by NFSA for such contaminants;
2. Reduce maximum levels for chemical contaminants of contaminants in handled foods ALARA;
 3. Take preventive measures to reduce contaminants, including all procedures and measures to reduce the possibility of contaminants in handled foods, in particular the necessary measures in accordance with Code of Practice Concerning Source Directed Measures to Reduce Contamination of Foods with Chemicals (CAC/RCP 49-2001), including but not limited to:
 - a) Measures to prevent sources of contamination from reaching food (e.g. by limiting exposure to sources of environmental contamination);
 - b) Apply technical measures that contribute to preventing and/or controlling the sources of food contaminants throughout food handling; and
 - c) Take measures to specify and exclude contaminated foods from the food supply chain; and
 4. Document control and preventive measures put in place to prevent and reduce the likelihood of contamination and materials used in food fraud through all stages of food supply and production chain, and shall upon request present such documents to NFSA.

Article (6)

Maximum Levels for Chemical Contaminants in Food

This decision includes a list of appendices (permissible maximum levels for chemical contaminants in food) attached to this decision; such appendices are updated periodically in accordance with Codex updates or relevant international standards.

Appendix (1): A list of food categories.

Appendix (2): A list of chemical contaminants in food.

Appendix (3): A list of permissible maximum levels for chemical contaminants in different food categories (classified according to chemical contaminants).

Appendix (4): A list of permissible maximum levels for chemical contaminants in different food categories (classified according to food categories in consistent with Appendix 3).

Appendix (5): Requirements for inspection and testing methods for chemical contaminants in terms of performance standards and measurement devices.

Article (7)

General Requirements and Rules Governing Compliance with the Maximum Levels for Chemical Contaminants in Food

1. The foodstuffs listed in Appendix (1) may not be placed on the market where such foodstuffs contain a contaminant at a level exceeding the maximum levels set out in Appendix (3) or where such foodstuffs contain a contaminant that pose a risk to the health of Egyptian consumer in accordance with the principles of risk analysis and through examining toxicity information, as well as analytical and food consumption data.

2. The maximum levels specified in the appendices shall apply to the edible parts of foodstuffs concerned unless otherwise specified.
3. The permissible maximum levels for contaminants set forth in this decision shall apply to foods for infant and young children unless otherwise specified in other technical regulations.
4. Prohibited foodstuffs due to containing contaminants are prohibited to be mixed or blended with other foodstuffs fit for consumption. Final products resulting from mixing or blending shall be deemed prohibited products regardless of the level of contaminants.
5. Foodstuffs to be subjected to sorting or other physical treatment to reduce contamination levels is prohibited to be mixed with foodstuffs intended for direct human consumption or with foodstuffs intended for use as a food ingredient.
6. Foodstuffs containing biological contaminants (Mycotoxins) may not be deliberately detoxified by any of chemical treatments.
7. Shipments of peanuts, other oilseeds, cereals and derived products thereof shall be clearly labelled showing their intended use, provided that the lot identification code shall be indelibly marked on each individual package, box etc. of the shipment and on the original document accompanying the shipment/lot.
8. Where the detection of a contaminant in foodstuffs which are dried, processed or composed of more than one ingredient and such contaminant is not listed in the permissible maximum levels for chemical contaminants, accurate description of food product as well as the changes in the level of chemical contaminants caused by processing treatments (i.e. concentration, drying, or dilution operations, etc. shall be taken into account when establishing the maximum levels for chemical contaminants.
9. If no maximum levels for contaminants in foodstuffs which are dried, diluted, processed or composed, are specified in the appendices, the following requirements shall be fulfilled:
 - (a) The specific concentration or dilution factor for the drying, dilution, processing and/or mixing operations or for the dried, diluted, processed and/or compound foodstuffs concerned shall be provided and justified by FBOs.
 - (b) If FBOs do not provide such factor or if NFSA deems that factor inappropriate in view of the justification given, NFSA shall directly define that factor based on the references of the relevant international organizations or on the available information with a view to providing the maximum protection of consumer health.
10. FBOs processing foods that are likely to be contaminated with processing contaminants (e.g. Acrylamide) shall apply reduction measures and good practices to verify that contaminant levels are reduced to levels below standard levels in accordance with relevant international legislation and standards, and shall provide NFSA with information on the results of periodic analyses of each

food, a description of products analyzed, dilution measures taken and practices applied to reduce the levels and percentages of processing contaminants that exceed standard levels.

11. If the levels for processing contaminants are above the standards levels, NFSA is entitled to take appropriate measures according to the risk assessment.
12. NFSA shall take appropriate measures based on a risk-based approach to deal with non-compliance in order to take an appropriate decision according to the assessment of risk degree (taking recall, withdrawal, holding or destruction decisions as well as requesting corrective actions, or providing advice to producers and/or consumers).
13. Analysis laboratories shall adopt appropriate analytical methods for the purpose of estimating the levels for chemical contaminants in accordance with NFSA's requirements and requirements of the appropriate approved methods (Appendix 5).

Article (8)

Policy of Compliance and Enforcement for Contaminants Not Covered by the Maximum Levels in This Decision

1. Where the detection of a chemical contaminant not covered by maximum levels for contaminants listed in this decision and that may pose a potential risk to consumer health or the safety of the food supply chain, NFSA shall take the necessary measures intended to control risks in accordance with Guidelines for Rapid Risk Analysis Following Instances of Detection of Contaminants in Food Where There is No Regulatory Level – CXG 92-2019, and shall in particular:
 - (a) Notify FBOs of the detection of contaminants in foods as soon as possible;
 - (b) Carry out a rapid risk assessment as soon as practicable, provide all data to support risk assessment, and share the results of risk assessment with FBOs, including information regarding assumptions and uncertainty factors;
 - (c) Establish and implement a risk management procedure to protect consumers and the safety of food supplies; and
 - (d) Introduce and implement risk management measures according to the level of risk that is determined for a particular case, including taking recall, withdraw, detention or destruction decisions as well as requesting corrective actions, or providing advice to producers and/or consumers.

Article (9)

These appendices shall be deemed part and parcel of the present decision, and shall be reviewed periodically in accordance with the applicable international standards in order to take measures required for updating according to recommendations of NFSA's competent technical committee.

Article (10)

NFSA/BOD may add, change, amend, or delete any contaminant, food product or permissible maximum level listed in the tables attached to this decision within the competence of NFSA/BOD to ensure consumer health and safety, and in light of the applicable international standards.

Article (11)

NFSA/BOD shall take all required decisions implementing this decision, and any other provision contrary to what is stated in the present decision shall be repealed.

Article (12)

This decision shall be published in the supplement of the Egyptian Official Gazette (Al-Waqae Al-Misriyya), and shall enter into force on the following day of publication. A one-year period shall be granted for adjustment of status from date of publication.

Chairman of the Board of Directors
Prof. Dr. Hussein Mansour

Attachments:

[Appendices NFSA 108 6 .pdf](#)