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To: General Secretariat of the Council
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Subject: ANNEX to the COMMISSION REGULATION (EU) …/… amending Regulation (EC) 1881/2006 as regards maximum levels of pyrrolizidine alkaloids in certain foodstuffs

Delegations will find attached document D067816/03 ANNEX.

Encl.: D067816/03 ANNEX
ANNEX

to the

COMMISSION REGULATION (EU) …/…

amending Regulation (EC) 1881/2006 as regards maximum levels of pyrrolizidine alkaloids in certain foodstuffs
ANNEX

In Section 8 of the Annex to Regulation (EC) No 1881/2006, the following entries are added:

<table>
<thead>
<tr>
<th>Foodstuffs (1)</th>
<th>Maximum level (*) (µg/kg)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>8.4 Pyrrolizidine alkaloids</strong></td>
<td></td>
</tr>
<tr>
<td>8.4.1. Herbal infusions (dried product) (<strong>)(</strong>*) with the exception of the herbal infusions referred to in 8.4.2. and 8.4.4.</td>
<td>200</td>
</tr>
<tr>
<td>8.4.2. Herbal infusions of rooibos, anise (<em>Pimpinella anismum</em>), lemon balm, chamomile, thyme, peppermint, lemon verbena (dried product) and mixtures exclusively composed of these dried herbs (<strong>)(</strong>*) with the exception of the herbal infusions referred to in 8.4.4.</td>
<td>400</td>
</tr>
<tr>
<td>8.4.3. Tea (<em>Camellia sinensis</em>) and flavoured tea (**<strong>)(<em>Camellia sinensis</em>) (dried product) (</strong>*) with the exception of the tea and flavoured tea referred to in 8.4.4.</td>
<td>150</td>
</tr>
<tr>
<td>8.4.4. Tea (<em>Camellia sinensis</em>), flavoured tea (****)(<em>Camellia sinensis</em>) and herbal infusions for infants and young children (dried product)</td>
<td>75</td>
</tr>
<tr>
<td>8.4.5. Tea (<em>Camellia sinensis</em>), flavoured tea (****)(<em>Camellia sinensis</em>) and herbal infusions for infants and young children (liquid)</td>
<td>1,0</td>
</tr>
<tr>
<td>8.4.6. Food supplements containing herbal ingredients including extracts (***) with the exception of the food supplements referred to in 8.4.7.</td>
<td>400</td>
</tr>
<tr>
<td>8.4.7. Pollen based food supplements (***) Pollen and pollen products</td>
<td>500</td>
</tr>
<tr>
<td>8.4.8. Borage leaves (fresh, frozen) placed on the market for the final consumer (***)</td>
<td>750</td>
</tr>
<tr>
<td>8.4.9. Dried herbs with the exception of the dried herbs referred to in 8.4.10. (***)</td>
<td>400</td>
</tr>
<tr>
<td>8.4.10. Borage, lovage, marjoram and oregano (dried) and mixtures exclusively composed of these dried herbs (***)</td>
<td>1000</td>
</tr>
<tr>
<td>8.4.11. Cumin seeds (seed spice)</td>
<td>400</td>
</tr>
</tbody>
</table>

(*) The maximum level refers to the lowerbound sum of the following 21 pyrrolizidine alkaloids:
- intermedine/lycopsamine, intermedine-N-oxide/lycopsamine-N-oxide,
- senecionine/senecivernine, senecionine-N-oxide/senecivernine-N-oxide,
- seneciphylline, seneciphylline-N-oxide,
- retrorsine, retrorsine-N-oxide,
- echimidine, echimidine-N-oxide,
- lasiocarpine, lasiocarpine-N-oxide,
- senkirkine,
- europine, europine-N-oxide,
- heliotrine and heliotrine-N-oxide
and the following additional 14 pyrrolizidine alkaloids known to co-elute with one or more of the above identified 21 pyrrolizidine alkaloids, making use of certain currently used analytical methods

- indicine, echinatine, rinderine (possible co-elution with lycopsamine/intermedine)
- indicine-N-oxide, echinatine-N-oxide, rinderine-N-oxide (possible co-elution with lycopsamine-N-oxide/intermedine-N-oxide)
- integerrimine (possible co-elution with seneciverine and senecionine)
- integerrimine-N-oxide (possible co-elution with seneciverine-N-oxide and senecionine-N-oxide)
- heliosupine (possible co-elution with echimidine)
- heliosupine-N-oxide (possible co-elution with echimidine-N-oxide)
- spartioidine (possible co-elution with seneciphylline)
- spartioidine-N-oxide (possible co-elution with seneciphylline-N-oxide)
- usaramine (possible co-elution with retrorsine)
- usaramine N-oxide (possible co-elution with retrorsine N-oxide)

Pyrrolizidine alkaloids, which can be individually and separately identified with the used method of analysis, shall be quantified and included in the sum.

(**) Without prejudice to more restrictive national rules in certain Member States on the placing of the market of pyrrolizidine alkaloid containing plants.

(***) The terms ‘herbal infusions (dried product)’ and ‘tea (Camellia sinensis) (dried product)’ refer to:

- herbal infusions (dried product) from flowers, leaves and herbs, roots, and any other parts of the plant (in sachets or in bulk) / tea (Camellia sinensis) (dried product) from dried leaves, stalks and flowers (in sachets or in bulk) used for the preparation of herbal infusion (liquid product)/tea (liquid product)
- instant herbal teas/teas. In the case of powdered tea extracts, a concentration factor of 4 has to be applied.


For teas with fruits and other herbs, Article 2 of Regulation (EC) No 1881/2006 applies.’