

## Article 31 Group of Experts

### Meeting on 8-9 June 2011, opinion related to the accident in Fukushima

#### Measures with regard to food, feed and cosmetics imported into the EU after the accident in Fukushima

##### **1. Import of food and feed from Japan:**

The Experts confirm their conclusion in 1998 (Publication Radiation Protection 105), that the maximum permitted levels pre-established for future accidents in Regulation 3954/87 are still valid; there is neither a reason to revise their rationale nor to recalculate the maximum permitted levels; however, as soon as new dose coefficients will be published by ICRP, it should be checked whether there would be any significant impact on resulting doses to the population. It does not seem warranted to revise this Regulation beyond the scope of the recast procedure.

The Experts confirm that the small amount of food and feed imported from Japan into the EU does not necessitate, from the point of view of radiation protection, lower levels than those pre-established in Regulation 3954/87. However, public and political understanding is that any level is a borderline between safe and unsafe food and feed. This, together with the fact that Japan is committed to not exporting food and feed above the action levels (for food) applied in Japan, are good grounds to continue checking compliance with this commitment at the same levels (as laid down in Commission implementing Regulation N° 351), as long as such checks are considered to be necessary.

The Experts confirm that since 1987 there has been a difference between the levels applying to the sum of all radionuclides in the category which includes caesium-134 and caesium-137 in Regulation 3954/87 and those applying to the sum of caesium-134 (meanwhile decayed) and caesium-137 for the import from third countries affected by the Chernobyl accident. While the latter Regulation (733/2008/EC) has recently been extended, without modification, to 2020, the Experts are of the opinion that the fact that now also food from Japan is being controlled does not call for a revision of this Regulation.

The need for import controls or restrictions, as such, is not within the remit of Article 31. Nevertheless, as in Regulation 3954/87, the basis for such measures should remain the likelihood of a dose to an individual to exceed 1 mSv in a year, which would seem to exclude situations where the volume of importation is small and the potential levels of radioactivity not very high compared to the maximum permitted activity concentration levels as defined in

Regulation 3954/87/Euratom. The continued need for such controls, or any other measures where applicable, should be assessed on the basis of the optimisation principle, allowing for the benefit of avoiding potential radiation exposure as well as for the cost of controls and for the need to provide reassurance to consumers or to allow for consumer preferences.

In order to prepare for the event of a future accident affecting the European territory, the Experts recommend national authorities, together with the European Commission, to explore approaches based on stakeholder involvement in the decision making process on measures in the actual emergency situation in relation to food. This stakeholder process should allow full transparency on the rationale, dose reference level, assumptions and scientific data.

## **2. Import of cosmetics**

The Experts confirm that the exposure pathways for cosmetic products, possibly containing traces of radioactivity through vegetal or animal products used in their manufacture, are very different from those for food or feed. Nevertheless, for the sake of consistency these may be treated in the same way as foodstuffs, and the same maximum permitted levels may be applied. On the other hand, the use of ingredients known to be contaminated should be regarded as a non-justified practice.

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