
Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EC) No 333/2007. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

ANNEX

PART C

SAMPLE PREPARATION AND ANALYSIS

C.2. SAMPLE PREPARATION

C.2.1. Precautions and general considerations

The basic requirement is to obtain a representative and homogeneous laboratory sample without introducing secondary contamination.

All of the sample material received by the laboratory shall be used for the preparation of the laboratory sample.

Compliance with maximum levels laid down in Regulation (EC) No 1881/2006 shall be established on the basis of the levels determined in the laboratory samples.

C.2.2. Specific sample preparation procedures

[^{F1}C.2.2.1] Specific procedures for lead, cadmium, mercury, inorganic tin and inorganic arsenic

The analyst shall ensure that samples do not become contaminated during sample preparation. Wherever possible, apparatus and equipment coming into contact with the sample shall not contain those metals to be determined and be made of inert materials, e.g. plastics such as polypropylene, polytetrafluoroethylene (PTFE) etc. These should be acid cleaned to minimise the risk of contamination. High quality stainless steel may be used for cutting edges.

There are many satisfactory specific sample preparation procedures which may be used for the products under consideration. For those aspects not specifically covered by this Regulation, the CEN Standard 'Foodstuffs. Determination of elements and their chemical species. General considerations and specific requirements'⁽¹⁾ has been found to be satisfactory but other sample preparation methods may be equally valid.

In the case of inorganic tin, care shall be taken to ensure that all the material is taken into solution as losses are known to occur readily, particularly because of hydrolysis to insoluble hydrated Sn(IV) oxide species.]

Textual Amendments

- F1** Substituted by [Commission Regulation \(EU\) 2016/582 of 15 April 2016 amending Regulation \(EC\) No 333/2007 as regards the analysis of inorganic arsenic, lead and polycyclic aromatic hydrocarbons and certain performance criteria for analysis \(Text with EEA relevance\).](#)

[^{F2}C.2.2.2] Specific procedures for polycyclic aromatic hydrocarbons

The analyst shall ensure that samples do not become contaminated during sample preparation. Containers shall be rinsed with high purity acetone or hexane before use to minimise the risk of contamination. Wherever possible, apparatus and equipment coming into contact with the sample shall be made of inert materials such as aluminium, glass or polished stainless steel. Plastics such as polypropylene or PTFE shall be avoided because the analytes can adsorb onto these materials.

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[^{F3}For the analysis of PAH in cocoa and cocoa derived products, the determination of the fat content is performed in accordance with AOAC Official method 963.15 for the determination of the fat content of cocoa beans and derived products. Equivalent fat determination procedures can be applied for which it can be demonstrated that the used fat determination procedure provides an equal (equivalent) fat content value.]]

Textual Amendments

- F3** Inserted by [Commission Regulation \(EU\) 2016/582 of 15 April 2016 amending Regulation \(EC\) No 333/2007 as regards the analysis of inorganic arsenic, lead and polycyclic aromatic hydrocarbons and certain performance criteria for analysis \(Text with EEA relevance\)](#).

Textual Amendments

- F2** Substituted by [Commission Regulation \(EU\) No 836/2011 of 19 August 2011 amending Regulation \(EC\) No 333/2007 laying down the methods of sampling and analysis for the official control of the levels of lead, cadmium, mercury, inorganic tin, 3-MCPD and benzo\(a\)pyrene in foodstuffs \(Text with EEA relevance\)](#).

C.2.3. Treatment of the sample as received in the laboratory

The complete aggregate sample shall be finely ground (where relevant) and thoroughly mixed using a process that has been demonstrated to achieve complete homogenisation.

C.2.4. Samples for enforcement, defence and referee purposes

The samples for enforcement, defence and referee purposes shall be taken from the homogenised material unless this conflicts with the rules of the Member States on sampling as regards the rights of the food business operator.

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- (1) [^{F1}Standard EN 13804:2013, 'Foodstuffs. Determination of elements and their chemical species. General considerations and specific requirements', CEN, Rue de Stassart 36, B-1050 Brussels.]

Textual Amendments

- F1** Substituted by [Commission Regulation \(EU\) 2016/582 of 15 April 2016 amending Regulation \(EC\) No 333/2007 as regards the analysis of inorganic arsenic, lead and polycyclic aromatic hydrocarbons and certain performance criteria for analysis \(Text with EEA relevance\).](#)

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Changes and effects yet to be applied to the whole legislation item and associated provisions

- Signature words omitted by [S.I. 2019/639 reg. 29](#)
- Annex para. B.1.1 words omitted by [S.I. 2019/639 reg. 30\(a\)](#) (This amendment not applied to legislation.gov.uk. Reg. 30 substituted immediately before IP completion day by [S.I. 2020/1504, regs. 1\(2\), 8\(10\)](#))
- Annex para. C.3.3.1 words omitted by [S.I. 2019/639 reg. 30\(e\)](#) (This amendment not applied to legislation.gov.uk. Reg. 30 substituted immediately before IP completion day by [S.I. 2020/1504, regs. 1\(2\), 8\(10\)](#))
- Annex para. B words omitted by virtue of [S.I. 2019/639, reg. 30\(a\)](#) (as substituted) by [S.I. 2020/1504 reg. 8\(10\)](#)
- Annex para. C words omitted by virtue of [S.I. 2019/639, reg. 30\(e\)](#) (as substituted) by [S.I. 2020/1504 reg. 8\(10\)](#)
- Annex para. B.1.6 words substituted by [S.I. 2019/639 reg. 30\(b\)](#) (This amendment not applied to legislation.gov.uk. Reg. 30 substituted immediately before IP completion day by [S.I. 2020/1504, regs. 1\(2\), 8\(10\)](#))
- Annex para. B.1.8 words substituted by [S.I. 2019/639 reg. 30\(c\)](#) (This amendment not applied to legislation.gov.uk. Reg. 30 substituted immediately before IP completion day by [S.I. 2020/1504, regs. 1\(2\), 8\(10\)](#))
- Annex para. C.2.4 words substituted by [S.I. 2019/639 reg. 30\(d\)](#) (This amendment not applied to legislation.gov.uk. Reg. 30 substituted immediately before IP completion day by [S.I. 2020/1504, regs. 1\(2\), 8\(10\)](#))
- Annex para. B words substituted by [S.I. 2019/639, reg. 30\(b\)](#) (as substituted) by [S.I. 2020/1504 reg. 8\(10\)](#)
- Annex para. B words substituted by [S.I. 2019/639, reg. 30\(c\)](#) (as substituted) by [S.I. 2020/1504 reg. 8\(10\)](#)
- Annex para. C words substituted by [S.I. 2019/639, reg. 30\(d\)](#) (as substituted) by [S.I. 2020/1504 reg. 8\(10\)](#)