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HPLC is not the method used for compliance with the EU 432/2012

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To: EFSA Press <Press.Press@efsa.europa.eu>, BRAY Edward <Edward.BRAY@efsa.europa.eu>, anca.paduraru@ec.europa.eu, agogonaki@efet.gr, Samona Aspasia <asamona@efet.gr>, news@notismarias.gr

Dear all,

I have written several times over the last year. This is the final attempt before this goes to the court of justice and the European parliament.

Here it is in black and white. EFSA scientific opinion contradicts their own advice to the national food safety agencies of the EU. EFSA is falsely claiming that HPLC was the method used for compliance for EU 432/2012 health claim labeling regulation.

EFSA is bound by their own charter to use scientific evidence to back up their opinions. In this case they have not done so.

EFSA has wilfully misinterpreted the scientific basis for this health claim and has consequently caused great financial losses to the MED region olive growers over the last 7 years of needless time consuming debate, misinformation and accrued losses by the olive growers this health claim was supposed to help..

The olive growers have been threatened with fines and seizures of their olive oils if they do not comply with the HPLC method of measurement. Since the HPLC method was not used for establishing the minimum required polyphenols it cannot be used for compliance. This is especially egregious because HPLC under measures the phenolic content by at least 50% as compared with the method that was used in the Euroolive study HPLC MS/MS that established the minimum requirement of polyphenols that must be present in the olive oil to place the health claim of the label. 5mg per 20gm of olive oil.

Several olive grower groups, associations and co-ops are considering lawsuits so I suggest you act quickly to rectify your error and prepare to pay damages for your negligence. I suggest next time you hire people with no hidden agendas... because this is too flagrant of an error to be an "honest" mistake

Act accordingly

Best regards

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EFSA scientific opinion (see attached)

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In a multicentre (six centres in Finland, Denmark, Germany, Italy and Spain), randomised, cross-over, controlled human intervention study, olive oils with high (366 mg/kg olive oil, i.e. 8.0 mg/day; hydroxytyrosol content 63.5 mg/L, tyrosol 24.4 mg/L, and oleuropein derivatives 327.2 mg/L **as measured by HPLC**) moderate (164 mg/kg olive oil, i.e. 3.6 mg/day, hydroxytyrosol content approx. 28.5 mg/L), and low (2.7 mg/kg olive oil, i.e. 0.1 mg/day, no hydroxytyrosol) phenolic content were consumed (25 mL/day) by 200 male subjects for three weeks (Covas et al., 2006b). The phenolic composition and content of the olive oils used in this study are reported by **de la Torre-Carbot et al. (2010)**.

Your own reference below contradicts your statement suggesting as measured by HPLC (see attached original)

de la Torre-Carbot et al. (2010). (see attached)

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Materials and Methods

Olive oil characteristics and analysis. The oils used were specially prepared for the study. The total phenol concentration of the oils was measured by HPLC-diode array detection (DAD) (Hewlett-Packard-1050 with an automatic injector and DAD 1050 series instrument) and HPLC-tandem MS (HPLC-MS/MS) (Agilent 1100) equipped with an autosampler and coupled to an API3000 triple-quadrupole mass spectrometer (PE Sciex) **(48)**.

48. De La Torre-Carbot K, Jauregui O, Gimeno E, Castellote AI, Lamuela-Raventos RM, Lopez-Sabater MC. Characterization and quantification of phenolic compounds in olive oils by solid-phase extraction, HPLC DAD, and HPLC-MS/MS. J Agric Food Chem. 2005;53:4331–40.

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2 attachments



de la Torre-Carbot. J Nutr 2010.pdf
518K



Scientific opinion-2011-EFSA_Journal.pdf
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