

Opinion of the
Group of Experts referred to in Article 31 of the Euratom Treaty
on the
Prolongation of the latest Post-Chernobyl Regulation – Council Regulation 733/2008 amended by
Council Regulation 1048/2009

(Adopted by the Group of Experts referred to in Article 31 of the Euratom Treaty at the meeting on
15 November 2018)

The *Group of Experts referred to in Article 31 of the Euratom Treaty* takes note of the fact that the latest Post-Chernobyl Regulation providing the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power station – Council Regulation 733/2008¹ amended by Council Regulation 1048/2009² – will expire on 31 March 2020. This regulation is supplemented by Commission Regulation (EC) 1635/2006 laying down detailed rules for the application of Council Regulation (EEC) 737/90 (which has been replaced by Council Regulation 733/2008).

Regulation 733/2008 lays down maximum permitted levels of radioactivity in agricultural products intended for human consumption. The accumulated maximum radioactive level in terms of ¹³⁴Cs and ¹³⁷Cs are 370 Bq/kg for milk, milk products and infant foodstuffs and 600 Bq/kg for all other products. Member States need to check compliance of food products originating in third countries affected by the Chernobyl accident with the maximum permitted levels before the product is released for free circulation.

The Commission services consulted the Group of Experts at this stage seeking the opinion of the Group on the necessity for the establishment of measures prolonging the validity of the above-mentioned Regulation beyond 31 March 2020.

The Experts noted that certain products originating in third countries affected by the Chernobyl accident still show radioactive caesium contaminations exceeding the above-mentioned maximum permitted levels. There is evidence that the ¹³⁷Cs contamination following the Chernobyl accident remains high for a number of products originating from species living and growing in forests and wooded areas. This is linked to continued high levels of radiocaesium in this ecosystem and its physical half-life of 30 years.

The Group of Experts therefore recommends extending the Post-Chernobyl measures beyond 31 March 2020 for another period of 10 years.

The Group of Experts confirmed that the currently applicable maximum permitted levels of radioactivity in terms of ¹³⁴Cs and ¹³⁷Cs of 370 Bq/kg for milk, milk products and infant foodstuffs and

¹ Council Regulation (EC) No 733/2008 of 15 July 2008 on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power station (codified version), Official of the European Union, L 201, 30.07.2008, p. 1 – 7.

² Council Regulation (EC) No 1048/2009 of 23 October 2009 amending Regulation (EC) No 733/2008 on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power station, Official of the European Union, L 290, 6.11.2009, p. 4–4

600 Bq/kg for all other products provides an adequate level of protection of the health of members of the public and should therefore be maintained.

Finally, in order to maintain an effective and harmonised approach within the European Atomic Energy Community, the Group of Experts considers that the provisions for these protection measures need to be laid down in a legally binding instrument.



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