

**European Union comments for the  
CODEX COMMITTEE ON CONTAMINANTS IN FOOD  
11th Session**

**Rio de Janeiro, Brazil, 3 – 7 April 2017**

**Agenda Item 12**

**Discussion paper on maximum levels for methylmercury in fish  
(CX/CF 17/11/12)**

*European Union Competence  
European Union Vote*

The European Union (EU) welcomes the discussion paper on maximum levels for methylmercury in fish prepared by the electronic Working Group chaired by The Netherlands and co-chaired by New-Zealand and Canada.

The EU believes that setting maximum levels for mercury in fish in combination with food consumption advice is indispensable for proper risk management. As mercury content in different fish species varies substantially, the EU considers that differentiated maximum levels should be established for the fish species that contribute most to dietary exposure.

The EU considers that the maximum levels should be established based on the ALARA principle. The risk and benefits of the different relevant fish species should be further highlighted using food consumption advice, for example by the use of a footnote specifying that national competent authorities should develop food consumption advice based on national fish consumption patterns.

As regards the setting of maximum levels for tuna, the EU prefers to limit the setting of MLs to the species level. As many countries use processing factor for canned products, the EU sees no need for setting specific MLs for canned tuna.

The EU agrees to set MLs for Alfonsino, Kingfish/Amberjack, Marlin, Shark, Dogfish and Swordfish. The EU further agrees to the proposals in the discussion paper to gather data and to start discussions on further fish species.

Finally, the EU would like to reiterate the possibility to set MLs for total mercury rather than for methylmercury for reasons of simplicity and feasibility for official food control laboratories as well as food business operators. In order to be able to implement health-protecting MLs for mercury on a global scale, analytical methods to control compliance with future MLs should easily be incorporated in daily routine analysis of laboratories. Therefore, from a risk manager's point of view, MLs for total mercury would ensure an at least equal and

most often even higher level of consumer protection, as this measure would be based on a conservative approach (assuming that 100% of mercury in fish is present in the methylated form) and on analytical methods that are already widely available, easy to handle and low in cost.