

**European Union comments for the  
CODEX COMMITTEE ON CONTAMINANTS IN FOOD  
12th Session**

**Utrecht, the Netherlands, 12-16 March 2018**

**Agenda Item 7**

**Request for comments at step 4 on proposed draft maximum levels for  
methylmercury in fish including associated sampling plans  
(CL 2018/3-CF)**

*European Union Competence  
European Union Vote*

The European Union (EU) welcomes and appreciates the work on the revision of the maximum levels for mercury by the electronic Working Group led by The Netherlands and co-chaired by New Zealand and Canada.

In general, the EU considers that the MLs should be lowered wherever possible. The EU MLs are currently lower than the Codex MLs proposed in Appendix I – part I. In view of the public health concerns identified for the exposure to mercury, the EU can for the time being not support Codex MLs, which would result, when implemented in EU legislation, in an increase of the EU MLs for mercury in fish.

The EU supports adding a footnote to the MLs that they apply to fresh and processed fish and fish products, so that Codex MLs will also apply to canned fish. This should avoid that non-compliant fish will be processed in cans.

The EU supports the addition of a footnote on additional risk management measures to be added to all proposed MLs for fish. The EU would like to make the following re-phrasing suggestion:

*Adverse effects due to methylmercury exposure may outweigh the benefits of consumption of certain fish species compliant with the MLs, when frequently consuming this fish species, particularly by pregnant women, infants, toddlers and children up to 12 years old. The development of additional RM measures (e.g. consumption advice) may be necessary at a national level to restrict exposure in order to avoid unacceptably high levels of methylmercury.*

The EU would like to comment that for the proposed sampling plan in the definition of 'lot', it should be added that: 'In the case of fish, also the size of fish shall be comparable'. The EU agrees with the proposed sampling plan.

The EU would prefer only the setting of performance criteria for analytical methods, but can also agree on a listing of analytical methods.