

EN
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Answer given by Mr Várhelyi
on behalf of the European Commission
(11.3.2025)

In accordance with Article 2 of Regulation (EEC) 315/93¹, the maximum levels (MLs) for contaminants in food are established on the basis of occurrence data, taking into account the ‘As Low As Reasonably Achievable’ principle. In 2022, MLs for mercury in several fish species were revised based on the most recent occurrence data, which showed that there was no margin to further reduce the ML for tuna, which was maintained at 1.0 mg/kg².

Therefore, the Commission, while acknowledging that fish consumption has also beneficial health effects, has published on its website general consumption advice³ related to fish contaminated with mercury and several Member States have issued further detailed consumption advice tailor made to the species which are consumed by their citizens.

The Commission would like to recall that the enforcement of EU food safety rules is under Member States’ responsibility. In this context, the Commission has adopted Commission Delegated Regulation (EU) 2022/931⁴ and Commission Implementing Regulation (EU) 2022/932⁵ setting out rules on the combinations of contaminants and commodity groups (including mercury in fish) to be sampled by Member States and the sampling strategy, to ensure that official controls are efficiently targeted in all Member States.

¹ <https://eur-lex.europa.eu/eli/reg/1993/315/oj>

² Regulation (EU) 2023/915 has codified all existing maximum levels including the one for mercury in fresh tuna. <https://eur-lex.europa.eu/eli/reg/2023/915/oj>

³ https://food.ec.europa.eu/food-safety/chemical-safety/contaminants/catalogue/mercury_en

⁴ Commission Delegated Regulation (EU) 2022/931 of 23 March 2022 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council by laying down rules for the performance of official controls as regards contaminants in food OJ L 162, 17.6.2022, p. 7–12 ELI: http://data.europa.eu/eli/reg_del/2022/931/oj

⁵ Commission Implementing Regulation (EU) 2022/932 of 9 June 2022 on uniform practical arrangements for the performance of official controls as regards contaminants in food, on specific additional content of multi-annual national control plans and specific additional arrangements for their preparation. OJ L 162, 17.6.2022, p. 13–22. ELI: http://data.europa.eu/eli/reg_impl/2022/932/oj