

Following the opinion in 2012 of the European Food Safety Authority (EFSA) on the health risks related to mercury in food<sup>1</sup> which concluded that the dietary exposure of EU consumers to mercury raises health concerns, the Commission established maximum levels (MLs) for mercury in fish. In accordance with Article 2 of Regulation (EEC) 315/93<sup>2</sup>, the 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, the MLs for mercury in various fish species were lowered on the basis of the most recent occurrence data, which showed that there was no margin to further reduce the ML for tuna, and it was, therefore, maintained at 1.0 mg/kg<sup>3</sup>. At this stage no new data are available that would allow a further lowering of the ML for mercury in tuna. The Commission is also not aware of any scientific information which would require an update of the conclusions of EFSA on the current health risks related to the exposure to mercury from food.

EFSA opinion includes the health benefits of seafood consumption in relation to health risks associated with the exposure to mercury.<sup>4</sup> The Commission, while acknowledging that fish consumption has also beneficial health effects, has published on its website general consumption advice<sup>5</sup> 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. Further measures on the restriction of tuna consumption for vulnerable consumers lie within the competence of the Member States.

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<sup>1</sup> <https://efsa.onlinelibrary.wiley.com/doi/pdf/10.2903/j.efsa.2012.2985>

<sup>2</sup> <https://eur-lex.europa.eu/eli/reg/1993/315/oj>

<sup>3</sup> 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>

<sup>4</sup> <https://www.efsa.europa.eu/en/efsajournal/pub/3761>

<sup>5</sup> [https://food.ec.europa.eu/food-safety/chemical-safety/contaminants/catalogue/mercury\\_en](https://food.ec.europa.eu/food-safety/chemical-safety/contaminants/catalogue/mercury_en)