

EN
E-003001/2024
Answer given by Mr Várhelyi
on behalf of the European Commission
(11.3.2025)

When information becomes available that indicates that a contaminant might cause a health risk to consumers, for example because of its carcinogenicity, the Commission requests the European Food Safety Authority (EFSA) to assess the risk. If EFSA concludes that there is a risk, the Commission can establish maximum levels (MLs) for the contaminant in food under Regulation (EU) 2023/915¹, which has been done for mercury in fish.

In relation to the press reports referred to by the Honourable Member, according to the available official control data, Member States have not identified non-compliances for canned tuna.

The enforcement of EU food safety rules and the reduction of levels of contaminants in the marine environment² are Member States' competences. In this context, the Commission has adopted Delegated Regulation (EU) 2022/931³ and Implementing Regulation (EU) 2022/932⁴ setting out rules on the combinations of contaminants and commodity groups (including mercury in fish) to be sampled by the Member States and the sampling strategy, to ensure that they are efficiently targeted in all Member States. Official controls on contaminants in food have to comply with relevant requirements on sampling and analysis, to ensure the reliability of the controls.

When the MLs for contaminants in food are exceeded, Member States have the responsibility to take the appropriate actions such as market withdrawals, recalls and other penalties for operators to ensure that these foods are no longer available to consumers. Furthermore, via the Rapid Alert System of Food and Feed⁵, Member States inform each other on such non-compliances, so that the necessary measures are taken also in other Member States.

¹ Commission Regulation (EU) 2023/915 of 25 April 2023 on maximum levels for certain contaminants in food and repealing Regulation (EC) No 1881/2006. OJ L 119, 5.5.2023, p. 103, ELI: <http://data.europa.eu/eli/reg/2023/915/oj>

² Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive) OJ L 164, 25.6.2008, p. 19–40 ELI: <http://data.europa.eu/eli/dir/2008/56/oj>

³ 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

⁴ 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

⁵ <https://webgate.ec.europa.eu/rasff-window/screen/search?event=SearchForm&cleanSearch=1>