CODEX ALIMENTARIUS COMMISSION

Food and Agriculture Organization of the United Nations

World Health Organization

Viale delle Terme di Caracalla, 00153 Rome, Italy - Tel: (+39) 06 57051 - E-mail: codex@fao.org - www.codexalimentarius.org

Agenda Item 15 **CRD10(REV)[1]**

ORIGINAL LANGUAGE

JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON CONTAMINANTS IN FOODS

13th Session
Yogyakarta, Indonesia, 29 April – 3 May 2019

DISCUSSION PAPER ON THE ESTABLISHMENT OF MAXIMUM LEVELS FOR METHYLMERCURY IN ADDITIONAL FISH SPECIES

Comments submitted by European Union, Japan, Kenya, United States of America

European Union

For EU consumers, it appears that the 95th percentile dietary exposure for mercury is close to or above the tolerable weekly intake (TWI) for all age groups and that high fish consumers can be exposed to up to 6 times the TWI, which might include pregnant women, making unborn children the most vulnerable group for health risks related to mercury. In view of the public health risks related to the consumer exposure to mercury, the EU believes that it is not appropriate to state that only species with an average methylmercury concentration greater than 0.3 mg/kg present a risk of an exceedance of the PTWI, as also species containing lower methylmercury concentrations add to the overall dietary exposure.

As regards the prioritisation of species for which work should be started for the development of new MLs, the EU supports to focus on species with an average methylmercury concentration greater than or equal to 0.3 mg/kg and a production exceeding 9000 tonnes. The EU agrees with the work programme which is proposed between 2019 and 2022, the consideration of MLs for the identified species and the further collection of data on the ratio of methylmercury to total mercury for the listed species. Furthermore, the EU supports the recommendation of further data collection for the species listed in paragraph 24 of the discussion paper.

Japan

GSCTFF states that only for fish species that are important for trade, MLs should be established. As for additional fish species for which maximum levels for methylmercury are to be set, in the discussion paper they were selected on a basis of the production volume, regardless of their importance in trade. We believe it necessary to take into consideration their trade volume (import volume or export volume). According to the paper, the FAO taxonomic coding will be used for identification of fish species. However, we should pay careful attention to whether the coding is useful for identification of additional fish species.

The CCCF has generally used the violation rates of 2-3%. For minor fish species, setting higher ML by applying lower violation rate would not lead to significant health concerns. If there will be significant increase in health concerns, a lower ML should be set.

Kenya

COMMENTS

Kenya supports the discussion paper and the work of the EWG for it is very crucial to consider safety MLs for marine fish species for human health safety issues

JUSTIFICATION

Methylmercury is a health hazard through accumulation in the body, hence establishment of MLs is critical in all fish species meant for consumption

[1] Comments of Republic of Korea have been removed and compiled in CRD23.

United States

- The United States considers it premature to propose new work to derive MLs for the 14 fish species/groupings listed in the recommendations. The primary reason is that few methylmercury data are available, and CCCF12 had agreed that for future ML development, data on both methylmercury and total mercury would need to be available, as it was shown that for certain fish species the ratio of methylmercury to total mercury was very low [and] it could not always be assumed that total mercury would be mostly present as methylmercury.
    - Specifically, methylmercury data are available for only one (anglerfish) of 14 identified fish species/groupings. Methylmercury data are needed for the other 13 species/groupings.
    - For anglerfish, more data are needed to address questions about the ratio of mean methylmercury to total mercury (0.62 mg/kg methylmercury/0.15 mg/kg total mercury).
    - The agreed upon framework for identifying species for ML elaboration was to use a screening concentration of 0.3 mg/kg mean methylmercury, but proposals to begin work are based on mean total mercury. This may be misleading for fish species/groupings for which mean total mercury is close to the 0.3 mg/kg cutoff.
    - It is unlikely that significant new data collection for methylmercury in the identified species could be completed by deadlines for data submission in fall 2019.
- Further consideration is needed regarding data groupings for developing MLs. Two of the 14 identified fish groupings (ling, cutlassfish) have mean total mercury concentrations below 0.3 mg/kg, but they are included for evaluation because some individual member species in the groupings have mean total mercury concentrations above 0.3 mg/kg.
- Further clarification is needed as to what makes a dataset for a particular fish grouping geographically representative, when data are available from only one or a few regions of the world.
- Data on international trade is needed for determining whether there is significant trade internationally for the 14 identified species. For example, if fish production and trade is confined to one region, is it significant internationally?
- If work on MLs is approved, we recommend only approving work for the first set of species/groupings, rather than the three sets of species/groupings, given the lack of methylmercury data and the desirability of adhering to proposed timelines.