

APPENDIX VI**PROJECT DOCUMENT FOR NEW WORK ON MLS FOR METHYLMERCURY IN
ORANGE ROUGHY, ~~AND~~ PINK CUSK-EEL ~~AND~~ PATAGONIAN TOOTHFISH****1. Purpose and Scope of the new work**

This work aims to establish Maximum Levels (MLs) for methylmercury in orange roughy, ~~and~~ pink cusk-eel ~~and~~ Patagonian toothfish.

2. Relevance and timeliness

The current MLs for methylmercury in fish (tuna: 1.2 mg/kg, alfonsino: 1.5 mg/kg, marlin: 1.7 mg/kg and shark: 1.6 mg/kg) were adopted in 2018¹. These MLs replaced Guideline Levels (GLs) encompassing all predatory and non-predatory fish species, with the decision of the CAC that consideration should be given to establishment of MLs rather than GLs (REP18/CF, paragraph 81). A recommendation had been previously made that discussion could be commenced on considering MLs for other species in the GEMS/Food database, with a preliminary analysis presented in the supporting discussion paper (CX/CF 17/11/12, paragraph 15). With the establishment of an agreed upon framework at CCCF12 to apply the “as low as reasonably achievable” (ALARA) principle in the establishment of MLs for methylmercury in fish, it is timely to undertake work to derive MLs for additional fish species.

3. Main aspects to be covered

ML(s) for methylmercury in additional fish species, taking into account the following:

- a. Results of discussions of the CCCF
- b. Risk assessments by JECFA
- c. Conclusions of the Joint FAO/WHO Expert Consultation on the Risks and Benefits of Fish Consumption
- d. Achievability of the MLs

The following species of fish have been identified as having average levels of methylmercury sufficient to exceed the selection criterion of 0.3 mg/kg.

Orange roughy Patagonian toothfish Pink cusk-eel

4. Assessment against the criteria for the establishment of work priorities

Consumer protection from the point of view of health, food safety, ensuring fair practices in the food trade and taking into account the identified needs of developing countries.

The new work will derive ML(s) for methylmercury in fish species identified as having average levels of methylmercury sufficient to exceed the selection criterion of 0.3 mg/kg.

Diversification of national legislation and actual or potential impediments to international trade.

The international trade of fish and fishery products is increasing, and the new work will provide internationally-harmonized standards. The three fish species are of equivalent or greater trade value to species presently with MLs

Work already undertaken by other international organizations in this field and/or suggested by the relevant international intergovernmental body(ies).

The proposed work to establish MLs for methylmercury in the identified fish species globally has not been undertaken by any other international organizations nor suggested by any relevant international intergovernmental bodies.

Consideration of the global magnitude of the problem or issue

The consumption and international trade of fish and fishery products are increasing globally, thus this work is of worldwide interest and becoming increasingly significant.

¹ General Standard for Contaminants in Food and Feed (CXS 193-1995)

5. Relevance to Codex Strategic Goals

The proposed work falls under the following Codex Strategic Goals of the Codex Strategic Plan 2020-25

Strategic Goal 1: Address current, emerging and critical issues in a timely manner

This work was proposed in response to needs identified by Members in relation to food safety, nutrition and fair practices in the food trade. There is already significant trade in fish species which potentially have methylmercury levels that exceed the selection criterion of 0.3 mg/kg.

Strategic Goal 2: Develop standards based on science and Codex risk-analysis principles

This work will use the scientific advice of the joint FAO/WHO expert bodies to the fullest extent possible. Also, all relevant factors will be fully considered in exploring risk management options.

Strategic Goal 4: Facilitate the participation of all Codex Members throughout the standard setting process

Due to the international interest in the trade and consumption of fish, this work will support and embrace all aspects of this objective by requiring participation of both developed and developing countries to conduct the work.

6. Information on the relationship between the proposal and other existing Codex documents

This new work is recommended following the criteria for establishing MLs in food and feed as outlined in the *Standard for Contaminants in Food and Feed* (CXS 193-1995).

7. Identification of any requirement for and availability of expert scientific advice

Expert scientific advice has been already provided by the Joint FAO/WHO Expert Committee on Food Additives (JECFA) and the Joint FAO/WHO Expert Consultation on the Risks and Benefits of Fish Consumption.

8. Identification of any need for technical input to the standard from external bodies

A need for additional technical input from external bodies has not been identified.

9. The proposed timeline for completion of the new work, including the starting date, proposed date of adoption at Step 5 and the proposed date for the adoption by the Commission, the timeframe for developing a standard should not normally exceed 5 years.

Identified species	Timeframe
Pink cusk-eel Orange roughy	Step 5/8: CCCF15 (2022)
Patagonian toothfish	Step 5/8: CCCF16 (2023)