



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES

The Director-General

Brussels,
MARE/MARE-C3/NG/ae

Subject: MAC Advice - Analysis for Dioxins and Dioxin-like Polychlorinated Biphenyls (PCBs) in Fish Oil

Dear Mr Pastoor,

Thank you for your email of the 25th of May on behalf of the Market Advisory Council (Ref ARES (2021) 3465262) concerning scientific advice on the analysis frequency for dioxins and dioxin-like polychlorinated biphenyls (PCBs) in fish oil.

Regulation (EC) No 183/2005 defines the frequency and scale of fish oil analysis for the presence of dioxins and dioxin-like PCBs. Annex II determines frequency of analysis that must be carried out by feed business operators producing fish oil. In your note, you highlighted the variation in how these requirements are interpreted in the different Member States, both by official control services, certifying private institutions, and seafood operators. In particular, you emphasised that in many cases the preference is to refer to point (c) (i) of paragraph 2, of section “Dioxin Monitoring for Oils, Fats and Derived Products” of Annex II, which requires 100% of analysis for each batch of fish oil, no matter the size of the lot.

It is acknowledged that analyses carried out by the fish meal and oil industry at certified laboratories on fish oil from farmed salmon are consistently well below the limits set for PCBs. It is also recognised that farmed fish are fed with feed that is already controlled for dioxins and dioxin-like PCB content.

In light of this, it is accepted that there is a reduced risk of a high dioxin and dioxin-like PCB levels in oil sourced from farmed salmon and that a reduced level of analysis is appropriate. Therefore it is provided in point (c) (iii) of paragraph 2 of the above section on dioxin monitoring in Regulation (EC) No 183/2005 that only one representative analysis per 2 000 tonnes as regards fish oil should be taken and analysed. It is also acknowledged that fish oil produced from farmed salmon falls within this category, although it is not explicitly specified in the Regulation.

Mr. Guus Pastoor
Chairman
Market Advisory Council
rue de la Science, 10
B-1000 Brussels
BELGIUM
bestuur@visfederatie.nl

Commission européenne/Europese Commissie, 1049 Bruxelles/Brussel, BELGIQUE/BELGIË - Tel. +32 22991111
Office: J-99 05/014 - Tel. direct line +32 229-50483

charlina.vitcheva@ec.europa.eu

DG SANTE has already discussed this issue in the Working Group for Undesirable Substances in Feed on 8 July 2021 and this interpretation was confirmed by the Member States. The issue will also be raised at the next meeting of the Standing Committee on Plants, Animals, Food and Feed, section Animal Nutrition in September 2021. This will enable a correct interpretation to be reflected in the meeting report, which will also be publicly available. In case of diverging interpretation, official services and operators can refer to this report for the correct interpretation of legislation as regards the categorisation of fish oil produced from farmed fish for the frequency of the controls in the frame of the dioxin monitoring. Although there is no need to change legislation for that purpose, it could be foreseen, in case of a possible future amendment to Regulation (EC) 1831/2003, to add fish oil from farmed fish to point (c) (iii) to avoid any further wrong interpretation.

Given that discussions are ongoing to lower the maximum level for dioxins and dioxin-like PCBs in fish oil, I invite you to send the analytical results, referred to in your advice note, in order to provide evidence of compliance of fish oil produced from farmed fish with the foreseen lower maximum levels for fish oil, under discussion.

I am looking forward to our continued fruitful cooperation. Should you have any further questions on this reply, please contact Ms Pascale COLSON, coordinator of the Advisory Councils (Pascale.COLSON@ec.europa.eu; +32.2.295.62.73), who will forward them to relevant colleagues.

Yours sincerely,

Charlina VITCHEVA

c.c.: Pedro Reis Santos secretary@marketac.eu