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**COVER NOTE**

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| From:            | Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director |
| date of receipt: | 28 April 2025                                                                       |
| To:              | Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union         |

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|          |                                                                                                                                                                                             |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Subject: | ANNEX to the COMMISSION REGULATION (EU) .../... of XXX amending Regulation (EU) 2023/915 as regards maximum levels of inorganic arsenic in fish and other seafood (Text with EEA relevance) |
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Delegations will find attached document D(2025) 106246 annex.

Encl.: D(2025) 106246 annex



EUROPEAN  
COMMISSION

Brussels, XXX  
PLAN/1241/2023 Rev1 ANNEX  
(POOL/E2/2023/1241/1241-EN  
ANNEX.docx) D106246/02  
[...] (2025) XXX draft

ANNEX

ANNEX

to the

COMMISSION REGULATION (EU) .../...

amending Regulation (EU) 2023/915 as regards maximum levels of inorganic arsenic in  
fish and other seafood.

ANNEX

In Annex I to Regulation (EU) 2023/915, in section 3 (Metals and other elements), subsection 3.4 (Arsenic) is amended as follows:

(1) the second row is replaced by the following:

|  |  |                                                                             |                                                                                          |
|--|--|-----------------------------------------------------------------------------|------------------------------------------------------------------------------------------|
|  |  | Inorganic arsenic<br>(sum of As <sup>(III)</sup> and<br>As <sup>(V)</sup> ) | The maximum level for inorganic arsenic applies to products listed in<br>3.4.1 to 3.4.8. |
|--|--|-----------------------------------------------------------------------------|------------------------------------------------------------------------------------------|

;

(2) entry 3.4.5 and the row above are replaced by the following:

|         |                                               |      |                                                                                                                                                                                                                                           |
|---------|-----------------------------------------------|------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3.4.5   | Muscle meat of the following fish:            |      | The maximum level applies to the wet weight.<br>Where fish are intended to be eaten whole, the maximum level<br>applies to the whole fish.<br>In case of dried, diluted, processed and/or compound food, Article<br>3(1) and (2) applies. |
| 3.4.5.1 | Species other than those listed under 3.4.5.2 | 0,10 |                                                                                                                                                                                                                                           |

|         |                                                                                                                                                                                                                                                                                           |      |                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3.4.5.2 | Anglerfish, monkfish and giant stargazer ( <i>Lophius</i> species; <i>Kathetostoma giganteum</i> ), flatfishes ( <i>Pleuronectiformes</i> species), haddock ( <i>Melanogrammus aeglefinus</i> ), herring ( <i>Clupea</i> species), ray ( <i>Rajidae</i> species) and shark (all species). | 0,50 |                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 3.4.6   | Crustaceans                                                                                                                                                                                                                                                                               |      | <p>The maximum level applies to the wet weight.</p> <p>The maximum level applies to muscle meat from appendages and abdomen, which means that the cephalothorax of crustaceans is excluded. In case of crabs and crab-like crustaceans (<i>Brachyura</i> and <i>Anomura</i>) the maximum level applies to the muscle meat from appendages.</p> <p>In case of dried, diluted, processed and/or compound food, Article 3(1) and (2) applies.</p> |
| 3.4.6.1 | Crabs and crab-like crustaceans ( <i>Brachyura</i> and <i>Anomura</i> ), prawn and shrimps (all species).                                                                                                                                                                                 | 0,10 |                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 3.4.6.2 | Crustaceans other than those listed under 3.4.6.1 and 3.4.6.3.                                                                                                                                                                                                                            | 0,20 |                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 3.4.6.3 | Langoustine ( <i>Nephrops norvegicus</i> ) and rock lobster ( <i>Jasus</i> species)                                                                                                                                                                                                       | 1,5  |                                                                                                                                                                                                                                                                                                                                                                                                                                                |

|         |                                                        |               |                                                                                                                                                                                                                                                 |
|---------|--------------------------------------------------------|---------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3.4.7   | Bivalve molluscs                                       |               | The maximum level applies to the wet weight.<br>In case of <i>Pecten maximus</i> , the maximum level applies to the adductor muscle and gonad only.<br>In case of dried, diluted, processed and/or compound food, Article 3(1) and (2) applies. |
| 3.4.7.1 | Scallops                                               | 0,10          |                                                                                                                                                                                                                                                 |
| 3.4.7.2 | Bivalve molluscs other than those listed under 3.4.7.1 | 0,50          |                                                                                                                                                                                                                                                 |
| 3.4.8   | Cephalopods                                            | 0,050         | The maximum level applies to the wet weight.<br>The maximum level applies to the animal without viscera.<br>In case of dried, diluted, processed and/or compound food, Article 3(1) and (2) applies.                                            |
|         |                                                        | Total arsenic | The maximum level for total arsenic applies to the products listed in 3.4.9.                                                                                                                                                                    |
| 3.4.9   | Salt                                                   | 0,50          |                                                                                                                                                                                                                                                 |