

E-2184/06EN

Answer given by Mr Kyprianou
on behalf of the Commission
(29.6.2006)

The limits of Diarrhetic Shellfish Poisoning (DSP)/lipophilic toxins groups in live bivalve molluscs are established in Annex III, Section VII, Chapter V (2) of Regulation (EC) No 853/2004 of the Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin¹.

These limits were established on the basis of the results of working groups meetings held in Brussels in 2001. The participants to the working groups (representatives of the European Laboratory network on marine biotoxins, the Director of the Community Reference Laboratory (CRL) for marine biotoxins in Vigo, private scientists universally recognised as expert in the field of marine biotoxins) provided the Commission with the scientific basis and an appropriate risk assessment for fixing the limits currently established in the Community legislation.

The Commission is aware of the results of the Joint Food and Agriculture Organisation (FAO)/ Intergovernmental Oceanographic Commission (IOC)/ World Health Organisation (WHO) ad hoc expert consultation on biotoxins in bivalve molluscs held in Oslo in September 2004.

The Commission's Directorate-General for Health and Consumer Protection (DG SANCO) organised, in March 2006, a meeting to discuss the report of the Joint FAO/IOC/WHO and, in particular, the limits proposed for marine biotoxins, with the participation of representatives of some Member States (Spain, Ireland, Lithuania, Germany and the United Kingdom) and the Director of the Community Reference Laboratory (CRL) for marine biotoxins. This group, following the analysis of the report, proposed to maintain the current limits for lipophilic toxins with the exception of yessotoxins and pectenotoxins which were proposed for deregulation. The outcomes of this meeting were discussed during a CODEX ad hoc working group² held in Ottawa (Canada) in April 2006 where the European proposal to maintain the current limits for marine biotoxins (with the exception for yessotoxins and pectenotoxins) was unanimously accepted by the participants.

The results of this CODEX ad hoc working group will be discussed in the forthcoming next CODEX Committee for fish and fishery products (September 2006). Only once all the steps for a formal adoption of the report by the CODEX are completed, will the Commission envisage the possibility to change its legislation for pectenotoxins and yessotoxins.

¹ OJ L 139, 30.4.2004

² The CODEX working group was composed by representatives of Canada, Chile, EC, Denmark, France, Ireland, Japan, New Zealand, Norway, South Africa, Thailand, United Kingdom, United States and FAO