

*This draft has not been adopted or endorsed by the European Commission. Any views expressed are the preliminary views of the Commission services and may not in any circumstances be regarded as stating an official position of the Commission. The information transmitted is intended only for the Member State or entity to which it is addressed for discussions and may contain confidential and/or privileged material.*

**SANTE PLAN 2023/1241 Rev.3**

**ANNEX**

**to the**

**COMMISSION REGULATION (EU) No .../...**

**amending Regulation (EU) No 2023/915 as regards maximum levels for inorganic arsenic in fish and other seafood.**

**ANNEX**

In Section 3: Metals and other elements of the Annex to Regulation (EU) No 2023/915, the second row is replaced by the following:

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		Inorganic arsenic (sum of As(III) and As(V))	The maximum level for inorganic arsenic applies to products listed in 3.4.1 to 3.4.8.
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In Section 3: Metals and other elements of the Annex to Regulation (EU) No 2023/915, subsection 3.4 (Arsenic), entry 3.4.5 and the row above are replaced by the following:

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3.4.5	Muscle meat of the following fish		<p>The maximum level applies to the wet weight.</p> <p>Where fish are intended to be eaten whole, the maximum level applies to the whole fish.</p> <p>In case of dried, diluted, processed and/or compound food, Article 3(1) and (2) apply.</p>
3.4.5.1	Species other than those listed under 3.4.5.1	0,10	
3.4.5.2	Anglerfish, monkfish and giant stargazers ( <i>Lophius spp.</i> ; <i>Kathetostoma giganteum</i> ), flatfishes ( <i>Pleuronectiformes species</i> ), haddock ( <i>Melanogrammus aeglefinus</i> ), herring ( <i>Clupea species</i> ), rays ( <i>Rajidae species</i> ) and shark (all species).	0,50	

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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) apply.</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	
3.4.6.4	Lanoustine ( <i>Nephrops norvegicus</i> ) and rock lobster ( <i>Palinuridae</i> species)	1,5	
3.4.7	Bivalve molluscs		<p>The maximum level applies to the wet weight.</p> <p>In case of <i>Pecten maximus</i>, the maximum level applies to the adductor muscle and gonad only.</p> <p>In case of dried, diluted, processed and/or compound food, Articles 3(1) and (2) apply.</p>

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3.4.7.1	Scallops	0,10 mg/kg	
3.4.7.2	Bivalve molluscs other than those listed under 3.4.7.1 and 3.4.7.3.	0,50 mg/kg	
3.4.8	Cephalopods	0,050 mg/kg	The maximum level applies to the wet weight. The maximum level applies to the animal without viscera. In case of dried, diluted, processed and/or compound food, Articles 3(1) and (2) apply.
		Total arsenic	Total arsenic
3.4.9	Salt	0,50	The maximum level for total arsenic applies to the products listed in 3.4.9.