Brussels, 26 January 2010

Environment and Health NGOs' [i] comments on labelling of foodstuffs: Environment Committee's report on the proposed regulation on food information to consumers
[Discussion of amendments in ENVI, 27 January 2010 – Sommer report]

The Health and Environment NGOs welcome the Commission's proposal on an EU regulation on the provision of food information to consumers.

Our interest in this report concerns the information consumers will receive about the presence of the toxic mercury. We therefore especially **welcome the submission of amendment 541** concerning labelling of the **mercury content** of *meat from large predatory fish or foodstuffs containing meat from these fish species.* The amendment would add: *'contains methylmercury- not recommended for pregnant or breastfeeding women, women who might become pregnant, and children'* to be added immediately after the list of ingredients. In absence of a list of ingredients, the statement should accompany the name of the food.

Mercury is highly toxic, causing damage to the human nervous system at even relatively low levels of exposure.[ii] Mercury travels globally throughout the atmosphere and becomes deposited in soils and water. Microbial metabolism then creates the most toxic form of mercury, methylmercury, whose damage to the human brain and nervous system is well documented. In particular, it can damage the brain of babies before birth, and children while their brains are still developing. It readily passes both the placental and the blood-brain barrier, therefore, exposures during pregnancy are of highest concern. Exposure to mercury is also linked to kidney and liver damage, and the impairment of cardiovascular, immune and reproductive systems.

Methylmercury has the capacity to collect in *human and animal bodies* (bioaccumulate) and to concentrate up food chains (biomagnify), especially in the **largest, oldest predatory fish** which are at the top of the fish food chain. *This is why the Commission's Directorate-General for Health and Consumer Protection has recommended that women who are breastfeeding or who are or might become pregnant should limit their consumption of large predatory fish, such as swordfish, shark, marlin, pike and tuna*[iii].

We therefore urge you to support amendment 541:

Multiple studies demonstrate the need for better information to consumers:

- The Zero Mercury Working Group released in February 2009 a study *"Mercury in fish, a global health hazard"*, where fish were tested for their mercury content in six countries in Europe, among others,. For the EU, two clear concerns emerge – adults and children who eat greater-than-average amounts of fish may get excessive methymercury exposure *even if* the average mercury level in their fish is relatively modest, and people who prefer to eat predatory, mercury-accumulating species can easily be exposed to excessive methylmercury doses if they eat those fish often.[iv] (the executive summary of the report is also available in ES, FR, PT)

- The EU Commission Extended Impact Assessment on Mercury noted that there is evidence of continuing exposures at or above the recommended 'safe' levels among some of the European population, and especially in coastal areas of Mediterranean countries and the Arctic[1]. Initial indications from various studies are that European exposure could be equivalent to that in the

[1] Extended Impact Assessment – Communication from the Commission to the Council and the European Parliament on Community Strategy Concerning Mercury, SEC(2005) 101, p.5

USA, where it is estimated that one in six women could bear a mercury-damaged child. A US study[v] estimates that between 300,000-600,000 babies born each year suffer from intelligence loss due to methylmercury exposure, which costs an estimated 8.7 billion dollars a year in lost earnings to the economy..[vi]

Several Member States and other countries, such as U.S., Australia and New Zealand, have already issued specific advice to vulnerable groups to limit their intake or abstain from the intake of certain species of fish with regard to methylmercury intake.

This proposed amendment is in line to the EU Strategy on mercury (January 2005), which the European Parliament supported in March 2006[vii]. The Mercury Strategy's key aim is to reduce mercury levels in the environment and human exposure, especially from methylmercury in fish.[viii]

To conclude – providing health/safety information to fish consumers regarding methylmercury intake should be a priority for to help vulnerable groups make informed decisions. Targeted consumer safety labelling is an appropriate approach in this case.

We would also like to note that, we support the adoption of an EU harmonised front-of-pack colour coding scheme to help people in choosing a healthy diet. This scheme would use red, amber and green coding to show high, medium or low levels of nutrients important for public health (i.e. fat, saturated fat, sugar and salt). Therefore, we welcome **amendment 431** and urge you to support it. Colour coding should at a minimum be applied to processed foods whose nutritional content is the most difficult for consumers to understand (e.g. ready to eat meals, pre-packaged snacks, prepared products from animal origin). We would therefore support **amendments 470 and 575**.

Thank you in advance for considering our recommendations (Amendments **541, 431, 470, 575**) during your discussion on the amendments at the Environment Committee meeting on the 27th January 2010.

For more information please contact:

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[i] Environmental and Health NGOS include
The European Environmental Bureau, (EEB), www.eeb.org, is a federation of more than 145 environmental citizens' organisations based in all EU Member States and most Accession Countries, as well as in a few neighbouring countries. These organisations range from local and national, to European and international. The aim of the EEB is to protect and improve the environment of Europe and to enable the citizens of Europe to play their part in achieving that goal.
The Zero Mercury Working Group (ZMWG), (www.zeromercury.org) is an international coalition of more than 80 public interest environmental and health non-governmental organizations from 42 countries from around the world formed in 2005 by the European Environmental Bureau and the Mercury Policy Project. ZMWG strives for zero supply, demand, and emissions of mercury from all anthropogenic sources, with the goal of reducing mercury in the global environment to a minimum. Our mission is to advocate and support the adoption and implementation of a legally binding instrument which contains mandatory obligations to eliminate where feasible, and otherwise minimize, the global supply and trade of mercury, the global demand for mercury, anthropogenic releases of mercury to the environment, and human and wildlife exposure to mercury.
The Health and Environment Alliance (HEAL) (www.env-health.org) raises awareness of how environmental protection improves people's health, and works to strengthen European policies. We do this by creating better representation of expertise and evidence from the health community in decision making processes. HEAL a diverse network of over 60 citizens', patients', health professionals', women's and environmental groups. Our members include international and Europe-wide organisations, as well as national and local groups.
[ii] World Health Organization (WHO), 1991, Environmental Health Criteria 118, Inorganic Mercury, WHO, Geneva.
[iii] EFSA communication on methylmercury in fish, 2004,
http://www.efsa.europa.eu/cs/BlobServer/DocumentSet/note_methylmercury_af09_doc0602_en1.pdf?ssbinary=true
[iv] http://www.zeromercury.org/International_developments/FULL_FISH_REPORT_FINAL+.pdf
[v] Mount Sinai study: Public health and economic consequences of Methyl Mercury Toxicity to the Developing Brain, February 28, 2005 http://ehp.niehs.nih.gov/members/2005/7743/7743.pdf
[vi] US EPA http://www.epa.gov/waterscience/fish/advice/mercupd.pdf
[vii] http://www.europarl.europa.eu/sides/getDoc.do?language=EN&pubRef=-//EP//TEXT+TA+P6-TA-2006-0078+0+DOC+XML+V0//EN
[viii] EU Strategy on mercury, http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52005DC0020:EN:NOT