EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES

The Director-General

Brussels
MARE.C.3/NG

Subject: MAC advice on potential contamination from Per- and Polyfluoroalkyl Substances (PFAS) in fishery and aquaculture products.

Dear Ms Bermúdez,

I would like to thank the Market Advisory Council (MAC) for its advice regarding Per- and Polyfluoroalkyl Substances (PFAS). We appreciate the insights and recommendations put forward in the context of potential contamination from PFAS in fishery and aquaculture products. The below replies have been prepared by the relevant responsible Commission services:

a) Take action to limit pollution at source, including through EU-wide PFAS restrictions, collaboration with waste management facilities, the upholding of all the environmental objectives of the Water Framework Directive and its enforcement, and the swift adoption of the updated quality standards for surface and groundwater.

Several individual PFAS are already restricted in the EU, as well as all PFAS used in fire-fighting foams. The European Chemicals Agency (ECHA) is currently assessing a proposal by five national authorities to restrict the whole PFAS group. ECHA will transmit their final opinion on the matter by the end of 2026, and the Commission will then swiftly present its restriction proposal. In parallel, under the Water Framework Directive, the lists of water pollutants that pose risks to nature and human health have been updated to include groups of PFAS in surface and groundwaters, ensuring that they will be monitored and more strictly controlled in those waters. Member States will have to transpose the updated legislation by late December 2027 and should take it into account when planning monitoring and measures in their 4th River Basin Management Plans. In surface waters, the listed PFAS should be monitored in biota. PFAS in waste is also subject to increasing attention, including through ongoing Commission studies. For urban wastewater, the revised Urban Wastewater Treatment Directive (EU) 2024/3019, effective from 1 January 2025, includes specific requirements for monitoring PFAS.

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b) *Undertake further research on the lifespan of PFAS, variation of PFAS concentration across aquatic species, PFAS contamination flows from land to sea, impacts on food production and food security, human exposure to PFAS (particularly due to contaminated food), consumption patterns, and overall impacts on consumer trust.*

Following an opinion by the European Food Safety Authority (EFSA) published in 2020, maximum levels for PFOS, PFOA, PFNA and PFHxS and the sum of PFOS, PFOA, PFNA and PFHxS in eggs, fish meat, crustaceans, bivalve molluscs, meat and offal of farmed and wild animals were established by means of Regulation (EU) 2022/2388. In addition, the recast Drinking Water Directive (2020/2184/EU) introduced PFAS as new regulated parameters with associated parametric values to address growing concerns over exposure risks. Since January 2026 Member States have had to take the measures necessary to ensure that water intended for human consumption complies with these parametric values. In light of scientific progress since the adoption of the recast Drinking Water Directive in 2020, and to take into account the latest scientific knowledge on the potential health effects of PFAS, the Commission has signed an agreement with the World Health Organisation (WHO) to identify the relevant PFAS in drinking water and recommend updated health-based values for these relevant PFAS.

When new occurrence data for PFAS become available (see also point c), which require an update of the EFSA consumer exposure assessment on PFAS in food, DG SANTE may ask EFSA for an updated exposure assessment.

As pollutants in the sea ultimately contaminate seafood intended for human consumption, it is important for both environmental and human health reasons to ensure that the levels of contaminants in the marine environment remain low and within safe limits. That is why the Marine Strategy Framework Directive requires the Member States to ensure that the level of contaminants in edible tissues of seafood does not exceed certain levels and take measures to achieve the associated good environmental status.

c) *Promote harmonised monitoring, and data sharing between regulators and operators.*

In the context of the One-Substance-One-Assessment initiative, the Commission is developing a Common Data Platform. The intention is to make it easier for regulators in different sectors to access data from other sectors. In this context, it is important that data and metadata are collected in formats compatible with the platform.

The Commission fully supports further monitoring of PFAS in fish and other seafood and recommends that these data be submitted to EFSA in the SSD (Standard Sample Description) format. Through Commission Recommendation (EU) 2022/1431, Member States and Food Business Operators (FBOs) were recommended to carry out such monitoring from 2022-2025. Data collected after that period will be considered for further discussions on maximum levels (MLs). For questions on the format, EFSA can be contacted at data.collection@efsa.europa.eu.

In parallel, the Commission has announced in the Chemicals Industry Action Plan that it will introduce, in a stepwise approach, an EU-wide PFAS monitoring framework; this will provide regulators, citizens and businesses with clearer information and tools.

d) Following sufficient monitoring data and risk assessments, request a scientific opinion from EFSA on the maximum levels for feed.

By means of Commission Recommendation 2026/1307, Members States in collaboration with feed business operators are recommended to monitor PFAS in feed during 2026, 2027 and 2028. and to submit the data to EFSA. The Commission will assess the EFSA data and, if needed, will consider a mandate to EFSA to assess the transfer of PFAS from feed to food and will then discuss with Member States the possible need for maximum levels for PFAS in feed.

e) When relevant, as a risk management tool, encourage Member States to provide consumption advice linked to fishing areas with high PFAS concentration.

EFSA issued a report on the consumer awareness of national consumption advice for fish and seafood. ([1]) Furthermore, DG SANTE has sent a mandate to EFSA for a risk-benefit assessment of fish consumption in relation to the combined presence of dioxins (PCDD/Fs) and dioxin-like PCBs, perfluoroalkyl substances (PFAS), polybrominated diphenyl ethers (PBDE's), inorganic arsenic, dimethylarsinic acid (DMA) and methylmercury, in fish. The opinion is expected by 31 December 2027. Given that eating habits differ across Member States, this opinion could serve as a reference for Member States to fine-tune their consumption advice on fish and tailor it to the local consumption.

f) In case further regulatory maximum limits are proposed, ensure that these are species specific, reflecting the distinct toxicokinetic pathways and accumulation potentials across aquatic organisms, to avoid disproportionate restrictions on certain sectors without improving food safety outcomes.

In case new or revised maximum levels would be proposed for PFAS in fish and other seafood, these will be determined on the basis of the occurrence data for the different species and following the 'As Low As Reasonably Achievable' principle, when applying good practices. When such new or revised maximum levels for PFAS would be discussed, the Commission will organise a targeted stakeholder consultation. At that stage raw occurrence data should be submitted for specific species, in order to ensure that for each species the appropriate maximum level is established. However, the best way to ensure that FBO data are considered from the start during discussions on MLs, is to submit those data to EFSA.

g) *Consider the establishment of a dedicated fund, financed by the industries responsible for the production, use, or emission of PFAS, in accordance with the "polluter pays principle", to support the costs associated with the monitoring of PFAS contamination in fishery and aquaculture products across the supply chain*.

In relation to monitoring under the Water Framework Directive, the recent amending Directive ([2]) includes an obligation on the Commission to publish a report on the possibility of including an extended producer responsibility mechanism in the Water Framework Directive, covering among other things the feasibility of requiring the producers of products containing the substances listed in the main pollutant lists under the Directive to contribute to relevant monitoring programmes under the Directive.

([1]) https://efsa.onlinelibrary.wiley.com/doi/full/10.2903/j.efsa.2026.9865?af=R

([2]) Directive - EU - 2026/805 - EN - EUR-Lex

Furthermore, in the Water Resilience Strategy, the Commission included a reminder that cleanup should be based on the polluter pays principle, with public money allocated to clean up orphan sites, where no liable entity could be found. If partners are found who are willing to invest alongside the EU, the Commission will put forward a proposal to establish a public-private initiative to achieve a technological breakthrough in feasible and affordable methods for the detection and remediation of PFAS and other persistent chemicals. This applies to pollution from all sectors, in all environmental media, with consequences on all parts of the society.

We remain committed to working closely with the MAC and other relevant stakeholders to address the issues raised in this advice. Should you have any further questions on this reply, please contact Ms Julia Rubeck, our Advisory Councils coordinator, via the functional mailbox MARE-AC@ec.europa.eu.

Yours sincerely,

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