Maximum levels of food additives in tuna

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European Commission sets maximum levels for ascorbic acid (E300), sodium ascorbate (E301), and calcium ascorbate (E302) in tuna

Commission Regulation (EU) 2022/1923 amending Annex II to Regulation (EC) No 1333/2008 of the European Parliament and of the Council as regards the use of ascorbic acid (E300), sodium ascorbate (E301) and calcium ascorbate (E302) in tuna

Update

This Regulation on food additives introduces maximum levels of ascorbic acid (E300), sodium ascorbate (E301), and calcium ascorbate (E302) in tuna.

Impacted products

tuna

What is changing?

The Commission has amended Regulation 1333/2008 (Annex II, Part E) with maximum levels of ascorbic acid (E300), sodium ascorbate (E301), and calcium ascorbate (E302) applied as antioxidants in thawed tuna sold as fresh tuna (unprocessed) or marinated tuna (processed).

The new maximum level for E300, E301, and E302 in tuna is **300 mg/kg**, in both thawed tuna sold as fresh tuna (unprocessed) and marinated tuna (processed).

This replaces the previous maximum level for these additives at “quantum satis”.

E300, E301, and E302 are authorised singly or in combination (expressed as ascorbic acid). When in combination, the maximum limit applies to the sum of these substances.

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Why?

The use of high amounts of these food additives in tuna for canning to artificially restore the colour of fresh tuna flesh provides an opportunity to deceptively market tuna for canning as fresh tuna, selling it at a higher price, misleading consumers about the product and exposing them to the risk of histamine poisoning.

Timeline

Notified 23 May 2022; adopted **10 October 2022**.

What are the major implications for exporting countries?

Consignments of fresh or frozen tuna loins destined for the EU market can become subject to stricter border controls if exporting countries are found to be non-compliant with the general conditions for inclusion and use of these food additives (E300, E301, E302) in such products, in accordance with good manufacturing practice. Systematic or persistent non-compliance with the EU Regulations regarding these food additives may lead to temporary suspension of access to the EU market for these goods from implicated exporters.

Recommended Actions

Competent authorities in exporting countries must ensure that producers of tuna to be sold as fresh tuna (unprocessed) or marinated tuna (processed) use these food additives in accordance with good manufacturing practice and in compliance with the latest EU Regulations.

Background

Competent authorities regularly report cases where tuna loins sold as fresh are found to contain these food additives (E300, E301, E302) in amounts higher than necessary to achieve the typical antioxidant effect on fresh tuna. The competent authorities suspect that these food additives are being used in tuna for canning to restore their colour and place them on the market as fresh.

In the interest of legal certainty, and to ensure a high level of consumer protection and fair practices in food trade, the European Commission has set a maximum level of use in tuna of the additives in food categories 09.1.1 and 09.2 in Regulation 1333/2008 (Annex II, Part E).

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Resources

EFSA (2015) Scientific Opinion on the re-evaluation of ascorbic acid (E 300), sodium ascorbate (E 301) and calcium ascorbate (E 302) as food additives. EFSA Journal, 13(5): 4087.

Sources

Commission Regulation (EU) 2022/1923

Amendment: Annex II to Regulation (EC) No 1333/2008

Regulation (EU) 2017/625

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