

Nasreen Shah
Food Protection Division
Incident Prevention and Chemical
Risk Management
Food Standards Agency
4th Floor, Zone C
Aviation House
125 Kingsway
London



7 April 2009

Dear Nasreen,

I am writing in response to the consultation on the draft Contaminants in Food (England) Regulations 2009. My response is on behalf of the Sea Fish Industry Authority.

The draft Contaminants in Food (England) Regulations 2009 will replace and update the previous 2007 Regulations with enforcement provisions for higher heavy metal limits for certain species and a new upper limit for dioxins and polychlorinated biphenyls (PCBs) in fish liver. They also introduce ambulatory references, which will allow the England legislation to update automatically when the relevant annex in the European Contaminants Regulation.

We have already welcomed the introduction of the new limits for heavy metals in certain species and the new PCB limit for fish liver and derived products.

We are satisfied that the ambulatory references will reduce the regulatory burden; in the case of food contaminant legislation, limits fixed by the European Commission are, after all, applicable without alteration in national legislation. We would encourage the Food Standards Agency to persist with and, if possible, improve its programme of formal and informal consultations on European contaminant legislation as it is being discussed and drafted.

The guidance to the 2009 Regulation is less detailed but easier to read than previous guidance. The loss of detail in the guidance is acceptable because the guidance contains enough references for the interested reader to source further information if required.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Ivan Bartolo".

Ivan Bartolo
Food Standards Officer
(by e-mail)

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