

Seafish Food Legislation Newsletter

October 2017

Seafish Activities

Reducing Red Tape

FDF Trade Association Round Table

A meeting was held on 14th September with representatives from.

FSA highlighted current board paper where regulatory divergence within the UK is tabled. The papers can be found [here](#).

Defra reported a lot of activity with papers published on citizens rights, trade and Ireland.

A paper has been published on continuity in the availability of goods for the EU and the UK 'Goods on the market' and its meaning is the current discussion. The UK want to retain the current meaning but rest of EU do not. The issue is at what point is food 'on the market' as the entire food chain is covered by food law including primary production.

The Commission have recently published a report on Intellectual property including geographical origin. The report can be found [here](#)

The independent Migration Advisory Committee is to carry out a detailed analysis of the economic and social contributions and costs of EU citizens in Britain.

The Environment Food and Rural Affairs Committee invites evidence on the impact on the UK food and farming sectors of potential new trading arrangements with the EU after Brexit. [Here](#)

The Exit Bill has passed its second reading and it will move to the committee stage around for around 8 days from 9/10/2017

Michael Gove has indicated there will be a food and farming paper in spring 2018 in advance of an agriculture paper. This is related to support that will be given to food and farming when we exit the EU.

Information is needed on production chains and how trade deals could affect food production. The aim is to cut and paste the current agreements. Work is ongoing to map food supply chains. DIT has a survey online mapping product journeys to gain information on key exports.

There is a further meeting specifically for trade issues on 13th October and the regular roundtable on 17th October. For more details on the FDF see [here](#)

Contact f_wright@seafish.co.uk

EU Position paper on Intellectual property rights (including geographical indications).

On September 7, 2017, the European Commission published a position paper on intellectual property rights (including geographical indications) in the context of Brexit negotiations. The European Commission calls for the automatic recognition of an intellectual property right in the UK on the basis of the existing intellectual property right having unitary character within the EU. The EU paper can be found [here](#).

Continuity in the availability of goods for the EU and the UK - a position paper

This paper cover 'goods' and 'goods and services' placed on the market before exit, but crossing the UK/EU border after exit. There are 4 principles proposed to prevent disruption to trade.

These include maintaining the definition of 'placed on the market' as currently under 178/2002, particular consideration is given to food/feed produced before exit but crossing the UK/EU border after exit. It is proposed this should move freely without further testing.

It is also proposed that current traceability mechanisms for food be maintained and that product safety alerts and recalls are maintained.

The paper is available [here](#).

Dual Quality Foods

On 26 September EU Commission issued a set of guidelines on the application of EU food and consumer laws to dual quality products. Based on FIC Regulation and Unfair Commercial Practices directive the guidance establishes a step-by-step approach for the national consumer and food authorities to identify whether the producers are in breach of these laws.

Beside this, Commission is working on a methodology to improve food product comparative tests so that Member States can discuss this issue on a sound and shared

scientific basis that is the same for all. The producers and brand associations have committed to developing a code of conduct for this autumn. The Commission will organise workshops with consumer protection and food safety authorities in September and November. For more details please contact cristina.fernandez@seafish.co.uk

Acrylamide

MEPs voted in favour of the Commissions proposed regulation on Acrylamide. This means that the Commission can progress the regulation as reported in previous newsletters. The regulation sets benchmark levels for acrylamide and a legal requirement to include mitigation measures in a food safety plan.

Contact f_wright@seafish.co.uk

Seafood Regulation Expert Group

A meeting was held on Wednesday 27th September in Edinburgh and the group welcomed first-time attendance from Scottish Shellfish, Scottish Government and Scottish PLaN. The agenda sought a more Scottish focus for the meeting yet facilitated discussions on wider developments in UK/EU seafood regulation with government and the supply chain.

Key points of discussion were:

- US Marine Mammal Protection Act
- Animal By Products- A Scottish Case Study
- Brexit
- Superchilling
- Indian Aquaculture Ban
- Proposed Acrylamide Regulation
- Code of Practice for Smoked Fish
- Access to E-Log Information
- The FSA's Regulating our Future Program
- FSS Consultation: Shellfish Review and Resource Strategy
- Primary Authority

The draft minutes are available from 13th October [here](#)

For more details or to get involved please contact:
hannah.thompson@seafish.co.uk

The Risk of Histamine and How to Prevent It- Seafish Briefing Paper

Following the July meeting of the Seafood Regulation Expert Group; Seafish undertook to produce a short briefing paper for small vessels on histamine. The paper has now been finalised and posted onto the Seafish website [here](#).

JCCC Brexit subgroup roundtable

Seafish participated in a roundtable organised by the Joint Consultative Customs Committee (JCCC) Brexit sub-group on 5 September 2017. The roundtable was to collect industry thoughts on the Future customs arrangements - a future partnership paper, published by HM Treasury, HMRC and Department for Exiting the EU on 15 August 2017. During the roundtable, participants went through the different negotiated options presented in the paper and expressed concerns with some of the suggested processes and also ways of making the options work. There was widespread support for a substantial interim period to allow new cross-border procedures to be developed, tested and implemented. Seafish subsequently sent some written comments to HMRC expressing the thoughts and concerns gathered from a number of UK importers.

Future customs arrangements - a future partnership paper is available here: <https://www.gov.uk/government/publications/future-customs-arrangements-a-future-partnership-paper>

Contact: ivan.bartolo@seafish.co.uk

Trade Facilitation Expert Panel

Seafish participated in the Trade Facilitation Expert Panel meeting held on 20 September 2017. HMRC, DExEU, DIT and BEIS were represented. The UK government speakers agreed with industry that a substantial transitional period was needed to ensure smooth cross-border transit of goods straight after Brexit, and they intimated that Theresa May's Florence speech will contain some indication about this. Forty existing trade arrangements (Korea, Switzerland etc.) are being examined, the aim being to copy and paste the current agreements into new agreement which will be effective from Day 1. Government departments currently work well together to expedite border controls and they are all cooperating to ensure smooth trade post-Brexit also. Finally, Syed Moinuddin of HMRC said that a Customs Information Paper on the Canadian Comprehensive Economic Trade Arrangement (CETA) had been published. CETA applies (provisionally) from 21 September. DIT will be publishing sector-specific information booklets on CETA.

Contact: ivan.bartolo@seafish.co.uk

Brussels

Market Advisory Council (MAC)

On 26 September the MAC General Assembly was held in Brussels. The following topics were discussed:

- Adoption of the minutes of last General Assembly meeting.
- Budget for year 2.
- Communication on decision of endorsement of new members: AIIPA (Associazione Italiana Industrie Prodotti Alimentari); Danish Seafood Association; Irish South & West Fish Producers Organisation CLG; Associazione Nazionale Conservieri Ittici e delle Tonnare (ANCIT); European Community of Consumer Cooperatives (Euro Coop).
- Work programme year 2.
- Update on the meeting Functioning of the AC, special session, Dublin 15.09.2017.
- Provisional calendar of meetings.

MAC Working groups will meet on 17-18 October.

- WG1 on Production will discuss among other issues on Production and Marketing Plans; EUMOFA; Competitiveness of the Fleet; Fish commercialised in water.
- WG2 on Trade will discuss ongoing trade negotiation agreements; Presentation by MSC on their report Seafood consumers put sustainability before price and brand and Presentation on achievements of the EU IUU Regulation.
- WG3 on Food safety will discuss among other issues use of crystal Violet in Fish; dual quality of fish fingers; commercial designations for fishery products and update on contaminants and heavy metals.

For more details please contact cristina.fernández@seafish.co.uk

Meeting with DG SANTE on superchilling

On 6 September DG SANTE met industry representatives to discuss superchilling and Nile Perch. Superchilling is a technique used to increase the shelf-life of the fish, there is no an EU definition either a common interpretation about this technique. The Commission is willing to open the discussion on new technologies proven that there are in line with the EU legislation and with food safety requirements and they do not mislead consumers. The Commission will discuss during the next Standing Committee with MS on super chilling (there is a general Food Law committee meeting on 16/10, and meeting of Biological safety committee on 18/10).

For more details please contact: cristina.fernandez@seafish.co.uk.

Bivalve Mollusc Shellfish Safety

Seafish Marine Newsletter

This month's Seafish Marine Newsletter includes consultations on:

- England – Ban on Microbeads

And news on:

EU – Study on Ocean Governance from the Fisheries Point of View

- EU – Report on Effect of Recreational Fisheries in Europe and Inclusion in Multi-Annual Plan
- EU – Aquaculture Advisory Council and Markets Advisory Council
- International Convention for the Control and Management of Ships Ballast Water and Sediments
- Welsh National Marine Plan
- England and Wales – Annual Classification Review
- England – EA Charges for Advice

The newsletter can be found [here](#), or contact s_horsfall@seafish.co.uk