

SEA FISH INDUSTRY AUTHORITY



Minutes of the

Seafish Food Legislation Expert Group

Meeting at the Wesley Hotel, Euston Street, London on Tuesday 20 January 2015

Present:

Mike Short	Food and Drink Federation
Martyn Boyers	British Ports Association Fishing Ports Working Group
Catherine Pazderka	British Retail Consortium
Chris Leftwich	National Association of British Market Authorities
Tim Silverthorne	National Federation of Fishmongers
Michael Bates	Scottish Seafood Association
David Jarrad	Shellfish Association of Great Britain
Hefin Davies	Food Standards Agency
Oliver Hamilton	Defra – Food Information Food Policy Unit
Peter Wilson	Seafish and meeting Chairman/Secretary
Fiona Wright	Seafish
Ivan Bartolo	Seafish
Cristina Fernandez	Seafish

Apologies:

Malcolm Morrison	Scottish Fishermen's Federation
Su Dakin	British Frozen Food Federation
Steve Norton	Federation of British Port Wholesale Fish Merchants
Greg Howard	National Federation of Fish Friers
Gemma Hume	Better Regulation Delivery Office

1. Welcome by the Chair and apologies for absence

Peter Wilson welcomed everyone to the meeting.

2. Minutes of last meeting held on 13 May 2014

The minutes of the last meeting were approved as a correct record.

3. Seafood Labelling – regulations now in force

Both the food Information to consumers (FIC) and common organisation of the markets (CMO) regulations had come into force on December 13th last year. This

appeared to have passed without incident and today was an opportunity to raise and discuss any outstanding issues.

Seafish had undertaken a number of industry seminars over the past twelve months around the UK with a further two scheduled in Wales during February. Seafish had also posted seafood guidance on both FIC and CMO consumer labelling on its website as had the Commission. Defra had also made published guidance on the FIC. Seafish had also met with the Food Safety Authority Ireland and the Irish Sea Fisheries Protection Authority who had also drafted guidance on the new food labelling.

Seafish had also had to respond to a large number of enquiries from industry, mainly seafood processors.

Oliver Hamilton explained that the Commission working group was still dealing with outstanding issues at a meeting the previous week. They had run out of time and so some issues were not addressed and so there will be another meeting in February. Member States are split on some of the issues.

He also pointed out that businesses could go to Trading Standards for advice. Fiona Wright added that Trading Standards Departments have also been approaching Seafish for advice as well and we had provided one of the labelling seminars specifically for them last year.

Tim Silverthorne explained that he had concerns with mixed supply sourcing and different interpretations by different trading standards officers. Within the trade catch information is usually provided on invoices which his local trading standards are happy with but is concerned that some may require this on labels as well.

Steve Norton also had concerns with different interpretation by trading standards officers with the many mobile traders that operate out of Grimsby and had asked that this be raised. They cover a big area and he was concerned that they may be subject to different interpretations on enforcement when moving between different local authorities. Guidance is being developed.

On catch areas Olive Hamilton confirmed that there was no need to refer to the North East Atlantic or FAO 27 but would need the name of the sub area instead and a name meaningful to the consumer. The Commission has suggested 'shores around the British Isles' as an example for this. He considered that alpha numeric sub areas should be permitted due to lack of space for the full name. What is meaningful to the consumer is information that the consumer makes a purchase decision on.

On the transfer of catch information within the trade Chris Leftwich asked if the information was still required to be given electronically. Peter Wilson confirmed that this was the case but it did not appear to be a priority with the focus on getting the information requirements complied with first.

Chris Leftwich also reported that there was to be an EU Food and Veterinary Office inspection at Billingsgate on labelling in retail in February.

4. Expert Group Review – Better Regulation Delivery Office

Peter Wilson explained that Seafish were reviewing their industry discussion groups. The last review of FLEG had been in 2009. Members had concluded then that the group was a good forum for facilitating discussion between seafood industry sectors and government departments and agencies. A number of recommendations had been made and there was now more focus on specific industry issues such as labelling and consumer information. There was also a monthly newsletter and an office in Brussels.

As part of this further review there was a need to consider the effectiveness of the group moving forward and possible change both to its scope and membership.

Coincidentally the Better Regulation Delivery Office (BRDO) which sits within the Business, Innovation and Skills Department had approached Seafish and asked to consider FLEG becoming one of their business 'expert groups' to provide expertise on seafood. These groups represent a particular product sector or topic with representation on the group from relevant businesses and regulators. Although these groups operate and discuss relevant issues independently they can network with each other and raise issues for discussion within different groups and seek resolution through an enforcement group with the influence to resolve issues more easily. This enforcement group effectively replaces the now defunct LACORS group that was able to issue guidance to local authorities. The expert groups can also be used by regulators as a consultation body and have the added weight on feeding directly into a government department overseen by the business minister.

Some of those trade bodies and Seafish staff that currently attend FLEG also sit on the BRDO labelling and hygiene groups which have proven effective in resolving issues. Although FLEG already provides a forum for discussing seafood issues with regulators its inclusion within the BRDO expert group hub would enhance its status and provide it with a more effective means of achieving resolution on behalf of the seafood sector.

There was overall agreement that becoming a seafood expert group within the BRDO hub would be of benefit to the group and worth taking further. However, a number of specific issues regarding the membership of the group were discussed and required resolution.

Scope

The group generally deals with more onshore related issues such as hygiene, labelling, traceability and charging and does not get involved with marine issues despite having fishermen's representation. This was mainly because Seafish used to have a parallel marine legislation expert group. Seafish was no longer able to support this group and proposed extending the scope to include some marine issues. Concern was expressed that such issues would be too sector specific and not particularly relevant to most members. However, Seafish was considering

extending the membership to widen industry representation and expertise and marine specific issues would only need to be considered by those trade bodies representing the catching sector.

ACTION: There was a need to discuss the inclusion of marine issues with the catching sector representation on the group and consider the available expertise within Seafish to deal with it.

The group has also included import and export issues led by Ivan Bartolo. However, Seafish and BFFF also have an Importers Forum with membership from trade bodies and individual businesses together with government departments. There was some discussion over integration with this group and concerns expressed. However, as Ivan Bartolo was to take over the secretariat role of the Importers Forum it was worth considering him reporting back between the two on issues of relevance.

ACTION: Discuss this with the Importers Forum.

Membership

Industry membership should remain with trade bodies. Currently FLEG operates with a core of members invited to meetings and a second group kept informed. This had originally been done in part to limit operating costs but also over concerns that the group would become more difficult to manage. However, this did limit the breadth of industry representation and expertise and Seafish thought it would be more effective to widen the core membership. Attendance at meetings would to some extent be dependent upon the issues to be discussed and it was thought unlikely that everyone would need to attend each meeting.

Government representation also needs consideration. Currently some departments are directly involved with others such as the devolved administrations kept informed but not engaged with directly. There is a need to review this and also consider the inclusion of enforcement representation. It was suggested that the onus should be on the England representative to communicate with the regions.

ACTION: Consider existing government department representation and involvement of trading standards.

Meeting agendas

This would continue to be set by Seafish as now but in order to function as a BRDO expert group this would have to take into account any requests for views from other expert groups. There was also a need for individual trade bodies to consider industry issues that they might wish to bring to the meeting.

Venue

London was considered to be the best venue as it was generally more accessible although it was acknowledged this was not the case for everyone, particularly those having to travel from Scotland. There was a need to consider ways of getting better engagement.

ACTION: Consider ways of getting better engagement with those trade bodies and government departments that are remote from London.

Frequency of meetings

This should remain on a four monthly basis but meetings could be convened more frequently if needed or more immediate issues dealt with by smaller sub groups and use of conference calls.

Remit

ACTION: This would require some redrafting but should remain much as it is now.

Funding

BRDO were looking in to possible availability of funding.

5. Official Controls Review – hygiene charges update

Hefin Davies FSA

Peter Wilson explained that since the last meeting in May, Hefin had provided updates on progress with negotiation on the draft regulation. In the last update in December there was still no agreement on the scope of mandatory charging and no major changes made.

Hefin reported that the text remained the same as did the UK position that Member States should be able to determine how, when and where charges should apply instead of having charges imposed under EU regulation. Consensus on charging remained polarised and the text was currently under review in Government Departments. The text was due to be discussed within the EU Parliament. Once agreement has been reached a transition period for compliance will apply.

David Jarrad reiterated his concern that to apply charging to the undertaking of sanitary surveys for molluscan shellfish harvesting areas could wipe out the industry. He would endeavour to lobby the EU Parliament via the European Mollusc Producers association.

6. Any other business

6.1 China –cadmium in crab: Ivan Bartolo mentioned that he was to attend a meeting with Defra the following day regarding exports of brown crab to China. This was an expanding area of trade, but UK exporters were complaining that shipments of UK crabs were being rejected by the Chinese on the basis of high cadmium content. This was likely because of the higher content of cadmium in the brown meat

compared to the white meat. The EU sets cadmium limits for the white meat but not the brown meat, whereas it is thought that the Chinese system does not distinguish between the two. Most UK crab exporters had now stopped their exports. Defra was consulting with industry prior to making an approach to the Chinese authorities.

6.2 Catherine Pazderka informed that this would be her last meeting as she was leaving BRC. Peter Wilson thanked Catherine for her contribution to the group over the past few years and wished her well.

7. Date of Next Meeting

The next meeting will take place on Tuesday 12 May 2015 at the Friends House, 173 Euston Road, London.

Peter Wilson
Secretary to the Seafish Food Legislation Expert Group
March 2015