

SEA FISH INDUSTRY AUTHORITY



Minutes of the

Seafish Food Legislation Expert Group Meeting

Held in London on 14 October 2010

Present:

Ole Norgaard	Seafish Board Member and Chairman to the Expert Group
Ian Farley	The British Frozen Food Federation (BFFF)
Susan Church	UK Food Comp
Emily Antcliffe	Defra Food Policy Unit (<i>item 5</i>)
Andy Carroll	Defra Fisheries Policy (<i>up to Item 8</i>)
Andrea O'Shaughnessy	Marine Management Organisation (MMO)
Sylvia Ancore	FSA Hygiene and Microbiology
Claudia Martins	FSA Hygiene and Microbiology
Mike Short	Food and Drink Federation
Peter Wilson	Seafish Legislation/Secretary to the Expert Group
Ivan Bartolo	Seafish Legislation
Fiona Wright	Seafish Legislation
Tricia Jordan	Seafish (minutes)

Apologies:

Linda Cross	Seafish Board Member
Martyn Boyers	British Ports Association Fishing Ports Working Group (BPAFP)
Steve Norton	The Federation of British Port Wholesale Fish Merchants (FBPWFM)
David Jarrad	Shellfish Association of Great Britain
Tim Silverthorne	National Federation of Fishmongers
Dale Rodmell	National Federation of Fishermen's Organisation (NFFO)
Malcolm Morrison	Scottish Fishermen's Federation
Chris Leftwich	National Association of British Market Authorities
Janet McKenzie	Defra Food Policy Unit
Malcolm McLeod	Superintendent Billingsgate Market
Kevin McAnally	UK Border Agency
Karen Green	Seafish Communications
Bill Crook	The National Federation of Fish Friers (NFFF)

1. Welcome by the Chairman and apologies for absence

The Chairman welcomed everyone to the meeting and in particular Susan Church, Emily Antcliffe and Andy Carroll.

2. Minutes of last meeting held on 20 April 2010

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

3. Legislation newsletter

This is intended to improve the departments communication with industry by issuing a monthly newsletter. The notes for the cancelled July meeting became the first and there have been two further monthly issues.

The newsletter will be kept short with only updates included, past issues accessible via internet for further information and the contact details of the person leading on each item included to facilitate industry communication.

Once the content and format is agreed it will be promoted via the Seafish e-alerts 2000+ circulation. So far feedback has been positive with requests to be included on circulation and reciprocal information on topics received. Feedback was asked for on content and format, circulation and relevance of topics and detail.

Ian Farley found the newsletter very positive and asked whether the newsletter would be placed on Seafish website or a sign-up facility. Fiona Wright advised that the newsletter would be placed on the website and circulated to committee members via e-alert.

4. Food Composition Review

Susan Church explained that UK Food Comp is a 4 year project to manage the Department of Health's nutrient analysis program and associated work. This will include analytical surveys, identification of additional data sources and the publication of data. The amount of sampling for analysis is cost limited so their seafood survey will focus on those species with highest market share and where current data is considered inadequate. Most commonly consumed processed fish and composite dishes are also to be considered and possible fish and processed products for inclusion were described.

Susan was looking for help with nutrient data on fish and fish products and assistance with information to help them estimate nutrients for composite products such as recipes for fish pies.

Fiona Wright added that Seafish had already been helping with marketing data to develop the most appropriate sampling plan.

The Chairman pointed out that the marketing companies AC Nielson and TNS should be able to provide data as should SAGB with regard to shellfish. He also thought that the relevant authorities in other countries should be able to provide information on specific species that they traded in with the UK.

Mike Short suggested Susan email him as he could arrange meetings with FDF fish processing companies.

ACTION: Susan agreed to forward her slide presentation to Peter Wilson for circulation to members present.

5. Country of Origin Labelling – Defra guidance

Policy responsibility on food origin and associated labelling recently moved from FSA to Defra. Emily Antcliffe gave an overview of the intention to introduce new country of origin labelling rules. Voluntary guidance on meat products, dairy and dairy products should be drafted by November this year. A review of the voluntary code will take place early next year involving trade associations such as the British Hospitality Association, BRC, FDF and British Services Association. The code currently covers unprocessed meat and dairy products although eggs may be dealt with separately. Fish was not included in the guidance as there is legislation covering this already.

Ian Farley was concerned that BFFF did not appear to have been included in the initial stakeholder consultation. Emily Antcliffe understood that they had been informed but agreed to now deal directly with Ian.

Fiona Wright explained that she was currently drafting industry origin guidance for seafood and would discuss this with Emily and also forward a copy of Seafish's fish labelling guide.

Following the recent restructure at Defra, Emily agreed to forward their new organisation chart to Fiona Wright.

ACTION: Fiona Wright to forward a copy of Seafish's fish labelling guide to Defra.

ACTION: Emily to forward new organisation chart.

6. Fisheries Control Regulation

Peter Wilson explained that draft Commission implementing measures were currently under discussion and made it clear that the catch information to be made available to the consumer applied to fresh and not processed products, thereby not extending the scope of the fish marketing regulations.

A requirement to provide the consumer with the scientific name remains. This is currently a voluntary measure and having discussed this with FSA and Seafish, Defra agreed to raise this with the Commission. The requirement to inform the

consumer if seafood has previously been frozen or not should not cause problems as it is already a requirement to inform if previously frozen in the UK.

The requirement for stipulated catch information such as catch dates and vessel names to be included as product goes through the processing chain to retail now allows for batches to be split or merged and information to be added when available. This is to be included with the origin information that is currently required with product to retail so in theory should not cause problems. However, Peter Wilson remained concerned that this could be an issue for smaller processors. He had agreed with Defra that this was in effect now and enforcement issue and intended to meet with Defra and FDF to discuss further. There was also a need to inform the trade.

Mike Short advised that FDF are having ongoing discussions with Defra on the fisheries control regulation and thought that for his members this should not be a problem. He was also happy to discuss this further with Seafish.

7. Border controls

Kevin McAnally from the UK Border Agency had not been able to attend. Ivan Bartolo reported that the contract for the original electronic border controls system had been withdrawn and a more lightweight version was now being considered. The EU had also expressed concern with the with intended information gathering from European citizens.

8. Import issues (Ivan Bartolo)

IUU - catch certificates: From 15 August DG Mare now require catch certificates to contain the weight of the consignment for import, not the actual catch weight as requested in the standard catch certificate. Defra acted quickly to produce guidance and although initially this was not well received by importers, all parties are complying with the new requirements.

Andy Carroll reported that the EU were considering new catch certificates for fish such as swordfish, big eye, skipjack, yellowfin and albacore caught in areas covered by certain Regional Fisheries Management Organisations.

IUU - guidance: In updated guidance, fish that return to freshwater rivers for breeding require a catch certificate if caught in marine waters and that fish that are not caught from a vessel do not require a catch certificate. Third countries are recommended to register their “non-vessel based fisheries” with the Commission.

IUU – landings to third countries: The Commission have written to Member States to advise that consignments of fishery products, which are unloaded from an EU fishing vessel in a third country prior to despatch to the EU, should be considered as third country imports and as such be subject to veterinary checks at BIPs.

Crystal violet: FSA has issued advice to Border Inspection Posts on the layout of the analysis certificate. This follows some confusion where values of CV were being reported below the limit of detection quoted in the certificate. This was particularly relevant to imports of crustacea from Bangladesh which have to be accompanied by a test certificate.

Ian Farley enquired if veterinary residues analysis extended to other dyes such as 'Victoria blue' or others on the horizon such as "Victoria pure blue". Ivan agreed to look into this and report back.

ACTION: Iva Bartolo report back on the analysis of other dyes

9. Hygiene Regulations (Claudia Martins)

Marine gastropods: Confirmed that gastropods have now been removed from the shellfish harvesting water classification requirements. Official controls now takes place at the fish market, dispatch centre or processing establishment as with wild scallops.

Algal toxins: The FSA are trying to introduce chemical (LCMS) testing next year to replace the bioassay testing of bivalve molluscs for DSP toxin.

Sushi: Following a recent EFSA opinion that the risk to human health from nematodes in pellet fed farmed Atlantic salmon was negligible the Commission are to amend the legislation.

Anisakis: Ivan Bartolo reported that the Italian authorities have been rejecting monkfish tails due to presence of Anisakis. The hygiene regulations require fishery products the are 'obviously contaminated' to not be put on the market. However, suspicion is that they are being somewhat overzealous with this as Anisakis related RASFFs in 2010 up to 15 September were Italy 32, Spain 7 and other Member States 4. This had been raised with FSA Scotland who are first responding to the Italian authorities then possibly to raise the issue with the Commission.

Claudia Martins added that the Commission had been asked for more clear definition of 'obviously contaminated' last year.

10. Revision of Code of Practice on Fish Declaration

Fiona Wright explained that the code was now quite dated and had caused problems with Local Authority interpretation of fish blocks as described in the code and their manufacture today. She intends to starting with the list of fish blocks and how they are currently described and update this with suggested alternatives and needs industry input. Products made from these blocks also need consideration.

Ian Farley agreed that there is an issue with fish blocks and asked if it was the intention was to issue a supplement to the code. Fiona Wright advised that it was

the intention to interpret how modern products fit into the code and would be asking industry for information.

ACTION: Fiona Wright to seek input on the COP in Seafish newsletter.

11. Animal By-Products Regulations Enforcement

The project work on free of flesh shell is now complete and the findings show that mollusc shell could potentially have less than 1% flesh remaining to be exempt from the Regulation. Crustacea at present could not using current techniques, but some further work is proposed. Seafish is now working on the implementation SI with Defra. To allow for future technical advances on the removal of flesh we are advising that the text does not refer to individual species and only specifies the criteria that must be met and not how. There will be separate guidance on the processes that would be most suitable for each species and the level of testing that may be required by animal health for approval.

The suggested text requires operators to be able to produce records on of risk based testing procedures and results to demonstrate that material spread to land has less than 1% flesh. Testing must be by an accredited laboratory, but the type and level of testing will be based on historic compliance of the material and process as well as the operator.

Consultations were also held for the draft implementing measures regulation in England and regions. We had already responded to the EU consultation but responded, to suggest bait was included in the derogation for feeding to wild animals.

Ian Farley asked if he could see the text to implementing rules.

ACTION: Fiona Wright to obtain a final copy of the agreed text from Neil Leach for circulation.

12. Any Other Business

12.1 Icelandic and Faroe Islands mackerel quota: Andy Carroll explained that following their recent setting of quotas in excess of their previous share the Coastal State grouping which include the EU were meeting this week to discuss the mackerel quota. In the UK there had been calls for import bans but as processors rely on imports from Iceland and Faroe Islands the UK did not support such a ban.

Fiona Wright agreed to place an update on this in the Seafish newsletter.

12.2 Two a week and shellfish: Peter Wilson reported that there had been no further progress on moves to include shellfish in the two a week message. Fiona Wright added that she had suggested consideration of an alternative approach making use of a trade mark.

Action: Fiona Wright to forward a copy of her 2 a week proposal to the Chairman.

12.3 US Bivalve Imports: Claudia Martins reported that it had been agreed that for the bivalve mollusc import and export trade with the US that businesses be able to demonstrate equivalence rather change controls. The US is to audit relevant Member States individually during 2011 to 2013 and were to visit UK in February 2011. FSA wished to draw up a list of export businesses interested in participating.

ACTION: Approach SAGB to see if any members are involved in export to the US.

12.4 Composite Foods – Certification: Ivan Bartolo considered the draft Composite Foods Regulation to be ambiguous and not east to follow and had pointed this out in a letter to the FSA. Claudia Martins agreed to look into progress with the draft as there need to be clarity.

ACTION: Claudia Martins agreed to look into progress with the draft regulation.

12.5 Residues Directive: Ivan Bartolo reported that the veterinary residues directive is being reviewed. Ivan Bartolo reported that Directive 96/23/EC, which deals with residue monitoring, is being reviewed.

12.6 Permitted colours: Ian Farley enquired if there had been any response made to the recent consultation on permitted colours. Fiona Wright advised that there had not

13. Date and venue of next meeting

This will be at FSA HQ, Aviation House, London on Tuesday 18 January 2011.

Peter Wilson had expressed some concern at the reduced industry attendance at this and the previous meeting. The Chairman asked that this be raised at the next meeting.

ACTION: Include discussion at the January 2011 meeting on improvement to meeting attendance.