

SEA FISH INDUSTRY AUTHORITY



Minutes of the
Seafish Seafood Regulation Expert Group
Meeting at Food Standards Scotland 24 September 2015

Present:

Andrew Ironside	Fraserburgh Harbour Master
Sandy Watt	Peterhead Harbour
Michael Bates	Scottish Seafood Association
Jess Sparks	Seafood Scotland
Gordon Hart	Marine Scotland
Stuart Downes	Marine Scotland
Stephen Hendry	Food Standards Scotland
Peter Wilson	Seafish and meeting Chairman/Secretary
Fiona Wright	Seafish

Apologies:

Malcolm Morrison	Scottish Fishermen's Federation
------------------	---------------------------------

1. Welcome by the Chair and apologies for absence

Peter Wilson welcomed everyone to the meeting and thanked Stephen Hendry for providing the meeting room at the Food Standards Scotland offices.

2. Seafood Regulation Expert Group as an Expert Panel

Peter Wilson explained that the Better Regulation Delivery Office (BRDO), part of the Business Innovation and Skills Department, had established business and enforcement panels to discuss and agree on the interpretation of legal requirements in England and Wales. To assist them in this a number of interest specific panels were being set up and currently included food labelling and hygiene. The Seafish Food Legislation Expert Group with its trade body representation had been invited to become a seafood expert panel. In accepting this, the name had been changed to the Seafood Regulation Expert Group. This would continue to provide a forum for discussion of issues relating to legislation but could now seek agreed interpretation on legal issues and be asked for opinion on seafood related matters. It was understood that the BRDO was considering a dialogue with Scotland.

The Seafood Regulation Expert Group will continue to meet three times a year in London which does cause difficulty for those on Scotland due to the time and cost of travel. However, it is important to have engagement with Scotland and the meeting had been convened in Aberdeen today due to the need to discuss the current introduction of traceability requirements. A number of other agenda items were also relevant.

3. Fisheries Control – traceability on fish markets

The 2009 Fisheries Control regulations introduced a traceability requirement whereby catch information had to be available throughout the supply chain. The 2013 Common Organisation of the Markets (CMO) regulation had subsequently extended the information provided to the consumer to include the fishing method and for fish caught in the North East Atlantic the catch sub area or division. As previously all fish landed directly from fishing vessels had to have come from the North East Atlantic the traceability requirements had often not been applied by industry nor enforced. As fish sold on markets in the UK come from a number of different catch areas and with a variety of fishing methods there was a need for this information to go through the supply chain. With fish processed often within a few hours of leaving the market and sent to customers it was now necessary for buyers to have the information at point of sale.

The regulations require this information to be available no later than first sale. A Commission Food and Veterinary Office inspection earlier this year had noted that this was generally not happening at the ports visited and had raised this with the UK Competent Authorities. Seafish was now working with Marine Scotland and Food Standards Scotland to develop guidance and help industry comply. Seafish were also updating their existing Fisheries Control and CMO guides and combining these into a single document.

It was pointed out that the catch information is already available in the form of fishing vessel and sales notes returns to fisheries departments. However, this is not available to buyers on the market. Such returns are not required until 48 hours after landing and sale. It was agreed that this needed to be made clear in the guidance.

Although both Peterhead and Fraserburgh markets were represented at the meeting together with the processors there was a need to engage with the fishermen and salesmen as well. Peter Wilson suggested attending the North East White Fish Supplies Forum. Jess Sparks agreed to raise this with its Chairman. Marine Scotland also suggested holding a further stakeholder meeting.

Gordon Hart explained that cost associated with the need for new or modification to equipment such as on board weighing should meet with EU funding criteria.

Both Peterhead and Fraserburgh markets were currently in the process of digitalising their auctions and could take this into account in the system design.

It was suggested that other parts of the UK should be included by informing Seafood England, Wales and Northern Ireland.

4. Animal By-Products Regulation and the landing obligation

Peter Wilson explained that Seafish has established a discard action group to take forward issues around the EU landing obligations under the Common Fisheries Policy. Fiona Wright sits on this group and provides input on the regulations.

Fiona pointed out that the majority of fish that would have been discarded as over quota or below minimum size would have to be landed. A problem that had not been considered is that fish not intended for human consumption becomes an animal by-product and must be handled as required under the EU Animal By-product Regulations (ABPR). Although this did not apply whilst the fish was on the fishing vessel it did on landing. This is where the problem began as facilities ashore would have to be approved under the ABPR and separated from fish going into the food chain. There were clearly cost implications with this, particularly at markets where the fish was landed. There was a need for a UK wide approach to dealing with this and Fiona was liaising with defra.

A new issue was that those accepting this fish for disposal under the ABPR be required to provide sales notes to fisheries departments under the buyers and sellers control measures. With fish potentially coming from many fishing vessels this would require a lot of paperwork and possibly deter such businesses from accepting fish.

5. New minimum residue limits in the food chain

For many years the EU has moved toward limiting residues of any chemical material in food (or water), with particular emphasis on chlorinated compounds, but also on biocides in general. This activity has focused on residues and has not taken into account the potential negative food hygiene impacts

There is a change to the pesticides regulation which as a consequence limits residues in foods due to the dual use of chemicals that are used both as pesticides and also food safe sanitisers. There is concern that setting maximum residue limits of biocides in foods will severely limit biocide use, with negative effects on food microbiological safety.

However, since biocide limits are covered under pesticide legislation, and pesticide minimum residue limits do not, at the moment, apply to seafood, the seafood sector is currently largely immune to these developments.

The Chilled Food Association are leading on this and are currently gathering data and creating awareness in the EU. The Seafish office in Brussels is helping with this.

6. Official controls review and hygiene charges

The EU Official Controls Regulation stipulates how controls on products of animal origin are to be undertaken in Member States. It includes mandatory charging for inspections on businesses involved in the handling and processing of some products and applies to fishing vessels, fish markets and secondary processing. Charges are currently based on throughput and interestingly do not apply to primary processing.

The regulations are under review and the Commission are proposing that charging is extended and based upon actual cost. As yet there had been no agreement between Member States, the UK view being that charging should be left to national measures. The latest draft includes charging for imports, new and updated approvals and application to all sectors including retail. Charging would also apply to any action as a result of non-compliance. Inevitably this would increase business costs from the tonnage based system. Discussions are now taking place between the Commission, Parliament and Council of Ministers.

7. Determination of deglazed net weight

From December of last year new food labelling regulation requires frozen seafood product to be labelled with the net weight exclusive of glaze. However, as there is no prescribed EU methodology for determining deglazed net weight it is difficult for enforcement officers to check the weight given. CODEX does include methodologies for some seafood products. WELMEC, an EU group of experts on weights and measures from Member States have also produced their own guidance.

The Commission have now proposed that the CODEX methodology be used for official controls purpose with WELMEC for products not covered by CODEX. In the UK businesses have been modifying CODEX to suit their own needs and there is some concern that any move to basic CODEX would be a backward step. However, the Commission proposal is for enforcement purpose and so it would not necessarily be the case that industry would have to use it but would have to demonstrate equivalence. Currently there is some disagreement on the proposal between Member States.

Peter Wilson
Secretary to the Seafood Regulation Expert Group
November 2015