

To: Interested Parties

18 February 2008

Reference: FIN 02/2008

Dear Sir or Madam

EUROPEAN COMMISSION PROPOSAL TO AMEND IMPORT RULES FOR FISH OIL

This letter provides an update on progress of the restricted working group that is considering fish oil import conditions with the European Commission and builds on information contained in FIN 12/2007 of 17 December 2007. It also asks for views of interested parties on the attached proposal and on the parameters and standards for crude and refined oils **as soon as possible but by 26 February 2008 at the latest.**

The group met on 17 January 2008 and received presentations from a number of trade organisations including:

- E.U. Fish Processors Association / E.U. Federation of National Organisations of Importers and Exporters of Fish (AIPCE-CEP)
- EU Fishmeal
- Global Organisation for EPA and DHA Omega-3 (GOED)
- The European Federation of Associations of Health Product Manufacturers (EHPM)

The International Fishmeal and Fish Oil Association (IFFO) were also present to help inform discussions.

The European Commission have now had time to develop draft proposals in relation to fish oil which are shown in Annex I. These were received by the Agency on 15 February. Please note that the draft may not necessarily represent the views of the Commission or the Food Standards Agency and the document that is presented for formal adoption may differ.

The Agency is now seeking your views on the proposals and also on which parameters and standards may be suitable for inclusion in the two tables indicated (for crude and refined oils).

The next meeting of the restricted working group is being held on 27 February and therefore it would be helpful to receive **views of interested parties by close of play 26 February.** I apologise for the short period of time available for a response.

Further Information

If you need any further information please let me know. You may also be aware that we have an imports section on the Food Standards Agency's website that can be found at www.food.gov.uk/imports

Yours sincerely

Mark Ball
Imported Food and Food Standards Enforcement Division

Annex I
Draft Proposals for further discussion by the Restricted Working Group.

Brussels, 15.2.2008

Draft

COMMISSION REGULATION (EC) No .../..

of [...]

amending Annex III to Regulation (EC) No 853/2004 of the European Parliament and the Council laying down specific hygiene rules for food of animal origin

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,
Having regard to Regulation (EC) No 853/2004 of the European Parliament and the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin¹, and in particular Article 10(1) thereof,
Whereas:

- (1) [\[Initial capital...\]](#).
- (2) The measures provided for in this Regulation are in accordance with the opinion of the [\[...\]](#) Committee,

HAS ADOPTED THIS REGULATION:

Article 1

[Annex III to Regulation \(EC\) No 853/2004](#) is amended in accordance with the [Annex to this Regulation](#).

Article 2

This Regulation shall enter into force on the [\[20th\]](#) day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

¹ OJ L 139, 30.4.2004, p. 55 ; corrected version OJ L 226, 25.6.2004, p. 22. Regulation as last amended by [Commission Regulation \(EC\) No 1243/2007](#) (OJ L 281, 25.10.2007, p. 8).

Done at Brussels, [...]

For the Commission

[...]

Member of the Commission

ANNEX

In Annex III to Regulation (EC) No 853/2004 Section VIII is amended as follows:

- 1 In Chapter III, Part E is hereby deleted;
- 2 Chapter IV is replaced by the following:

'Chapter IV: REQUIREMENTS FOR PROCESSED FISHERY PRODUCTS

Food business operators must ensure compliance with the following requirements, where relevant, in establishments handling processed fishery products.

A. REQUIREMENTS FOR COOKING OF CRUSTACEANS AND MOLLUSCS

1. Rapid cooling must follow cooking. Water used for this purpose must be potable water or, on board vessels, clean water. If no other method of preservation is used, cooling must continue until a temperature approaching that of melting ice is reached.
2. Shelling or shucking must be carried out hygienically, avoiding contamination of the product. Where such operations are done by hand, workers must pay particular attention to washing their hands.
3. After shelling or shucking, cooked products must be frozen immediately, or be chilled as soon as possible to the temperature laid down in Chapter VII.

B. REQUIREMENTS FOR FISH OIL INTENDED FOR HUMAN CONSUMPTION

1. Raw materials used in the preparation of fish oil for human consumption must:
 - (a) come from establishments, including vessels, registered or approved pursuant to Regulation (EC) No 852/2004 or in accordance with this Regulation;
 - (b) derive from fish which are fit for human consumption and reasonably fresh and comply with specific limits laid down for total volatile nitrogen;

(c) be transported and stored in hygienic conditions and chilled as soon as possible, unless they are processed within 36 hours after loading.

2. The production process for fish oil must ensure that:

(a) all raw material intended to produce crude oil is subject to a heat treatment of at least 90 degrees for 10 minutes followed by appropriate pressing, separation, centrifugation and purification steps.

(b) the crude oil obtained in accordance with point (a) is subject to further processing, refinement and purification steps in order to improve its physico-chemical quality before being placed on the market for the final consumer.

3. A food business operator may produce and store both fish oil for human consumption and fish oil and fish meal not intended for human consumption in the same establishment provided that the raw materials and the production process comply with the requirements applying to fish oil intended for human consumption.

4. Fish oil, depending on the type, must comply with the following requirements:(a) Crude fish oil for further processing must comply with the parameters set out in the following table.

Table Crude oil

(b) Fish oil for human consumption must comply with the parameters set out in the following table.

Table refined oil