

To: Interested Parties

23 July 2007

Reference: FIN 09/2007

Dear Sir or Madam

THE STATUS OF BULK IMPORTS OF RAW FISH OIL

As you will be aware, Commission Regulation (EC) No 1662/2006 brought fish oil within the scope of the fishery products definition, adding new requirements as Part E in Section VIII, Chapter III on fish oil for human consumption under Regulation (EC) No 853/2004. Part E requires that raw materials used in the preparation of fish oil for human consumption be derived from fishery products deemed fit for human consumption, be prepared in an approved establishment or vessel and transported and stored in a hygienic condition.

By way of derogation from this requirement, as laid out in Article 1 of Commission Regulation (EC) No 1666/2006, food business operators may continue until 31 October 2007 to import bulk quantities of fish oils from establishments in third countries, previously approved (by third country competent authorities) for that purpose.

However, concern has been expressed by stakeholders in relation to these changes to the importation of bulk quantities of raw fish oil for subsequent refining and it was requested that such importations from third countries be allowed to continue after 31 October 2007 under the previous conditions.

As a consequence, this issue was raised by the Agency at the Standing Committee of Food Chain and Animal Health meeting on 18 July, when Member States unanimously agreed to a one year extension of the derogation period for this trade in bulk raw fish oil, whilst maintaining a high level of public health protection. Further consideration will be given to this issue to review the import conditions for such oil.

Whilst the extended derogation has been agreed it will not take effect in law until the amending community and, if required, national implementing legislation, is in place.



The advice contained in this email should not be taken as an authoritative statement of the law or its interpretation. The opinion of your Home Authority or other enforcement authorities may differ. Only the courts can decide whether in particular circumstances an offence has been committed.

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 and can be found at www.food.gov.uk/imports

Yours sincerely

Ian Grist
Imported Food Division