

Discussion on *European Guide to Good Practice for Smoked Fishes and/or Salted and or/ Marinated*

José Ignacio de la Fuente
ESSA Guide Working Group (SPAIN)

ESSA is an Association formed by **European Smoked Fish Producers** created to achieve the following **Basic Objectives**:

- **Food Safety Protection** of these Perishable products in all **Europe**.
- **Promote Quality** and **Correct Information** to **Consumers**.
- **Prevent** any type of **Crisis** in **Europe** affecting the **Sector**.

ESSA was created in **2008** from companies associated in **AIPCE-CEP** and its National Federations. Since then, **Companies** from different **European Countries** have **joined the Association**:

- **Spain**
- **France**
- **United Kingdom**
- **Netherlands**
- **Finland**
- **Poland** (left at the end 2015)
- **Greece**

Concerns about FOOD SAFETY

- **Cold Smoked Fish** is one of the most **Perishable food product**.
- **Main Hazard** is the proliferation *Listeria monocytogenes*.
- **Quality** depends on **Raw Material, Processing** and **Storage Conditions**.

(Duffes F. *Improving the control of Listeria monocytogenes in cold smoked salmon. Trends in Food Science & Technology* 10 (1999) 211 -216).

FOOD SAFETY → *Raw Material*

2008 → 2012 Creation and Implementation *Listeria monocytogenes* database.

Objective:

- a) Share **Microbiological Results** from **Raw Materials** analysis delivered from **Packaging Stations** to Factories.
- a) Improve **knowledge**, Quality of **Raw Material purchases** and protect **Consumer's Safety**.

FOOD SAFETY → *Processing Conditions*

2012 → 2015 Elaboration of the “*European Guide to Good Practice for Smoked Fishes and/ or Salted and or/ Marinated.*”

Objectives:

- a) Create a **Tool for all European fish Smokers** to have basic **Information** to produce **Safety Products**.
- b) That will cover the **Requirements** set by the **Current Europeans Regulations**.
- c) Provides **Consumers Accurate** and **Truthful Information**.

STEPS ACCOMPLISHED

2012: Approval decision to develop the Guide of good practice. General Assembly (22th February 2012).

2012 → 2015: 12 technical meetings were done to elaborate the Guide. All ESSA members, during this period, were invited to participate and include their comments.

2015: First Version was approved in General Assembly (29th April 2015).

STEPS ACCOMPLISHED

2016: Presentation to AIPCE-CEP (30th June 2016).

2017: Presentation *Direction General Health and Food Safety. European Commission – DG SANTE* (January 2017).

2017: Assessment by Official Bodies of 5 Member States (Spain, France, Ireland, Poland and Germany) and Norway of the Guide. Evaluation and proposals for improvement points (30th June 2017).

2017: Review of the Guide and elaboration Final version (October 2017).

GUIDE REVIEW

- **Practically 100 % of the Remarks** made by Member States (and Norway) **have been included** in the final version.
- With the **exception** of the allegations regarding the **Time/Temperatures** of the “***Stiffening***” ***technological process*** during ***Slicing***.

SUMMARY

- ESSA is an Association created to protect the **Safety, Quality** and the **Protection of Fish Customers** in all Europe.
- To reach these Objectives, has developed different **tools**:
 - a) ***Listeria monocytogenes Data Base*** (Raw Materials).
 - b) The ***European Guide to Good Practice for Smoked Fishes and/ or Salted and or/ Marinated*** (Processing).
- The Guide has been **elaborated** during **three years** with **the opened participation all associated members**.
- A **final version** of the guide has been edited with the **collaboration** of various **Official Bodies** from **different Member States**.
- Almost **all the notes** have been **included except** those **contrary** to the Current **Legislation** and / or the previous **decisions taken by the European Commission**.

THANKS for your Attention!!

ESSA
Avenue Jules Bordet 142,
1140 Brussels
+32 2 761 16 74
essa@agep.eu

ANNEX

**REMARKS NOT INCLUDED IN THE FINAL
VERSION OF THE GUIDE**

- **Some of these claims can not be included** because they are **not recognized** by **Current Regulations** or by Standard such as the ***Codex Alimentarius***.
- Example:
Intermediate temperatures for **Storage** and **Transport** of smoked fish **are not allowed**.
Intermediate temperatures are **only allowed** during the **Technological Step** for **Slicing** during a **Short Period of Time**.

The above **Statements** are **based**:

- a) On **Standards** such as the ***Codex Alimentarius***.
- b) On **Official Communications** carried out by **DG SANTE**.

A) Codex Alimentarius (CAC/RCP 52-2003)

Section 12.1.16 Storage:

- **Chilled Storage:** *“The facility should be capable of maintaining the **temperature of the fish between 0 °C and +4 °C**”.*
- **Frozen Storage:** *“The facility should be capable of maintaining the **temperature of the fish at or colder than –18 °C**, and with minimal temperature fluctuations”.*

NO INTERMEDIATE STORAGE TEMPERATURE ARE ALLOWED. ONLY PERMITTED DURING THE TECHNOLOGICAL PROCESSING STEP FOR SLICING.

Section 12.1.13 Slicing:

*“ The smoked fillets may be cold tempered (e.g. **partially frozen to -5 °C to -12 °C**) for a **short time period** to stabilise the fish flesh to facilitate mechanical slicing”.*

B) Official Communications DG SANTE



EUROPEAN COMMISSION
HEALTH AND CONSUMERS DIRECTORATE-GENERAL
Directorate G - Veterinary and International Affairs
Unit G4 - Food, Alert system and training
Head of Unit

Brussels,
SANCO/G4/LJ/ca (2012)

Dear Ms. Grikšaitė,

Subject: Freezing of fishery products as a part of the production process

I refer to your enquiry dated 9 February in cooperation with European Smoked Salmon Association (ESSA) for clarification of rules when the technological process requires the temperature to be lowered to below 0°C during parts of the production process.

Both provisions of the hygiene Regulations and the requirement for labelling, presentation and advertising of foods is relevant for your questions. It should be noted that there is a difference between those cases where a fishery product is frozen to ensure preservation and those cases the temperature has been reduced to below 0°C for other reasons.

It is allowed to reduce the temperature to below 0°C as an integrated part of the production process for other purposes than to ensure preservation of a fishery product. Codex Alimentarius refers to such practice in connection with the slicing procedure in Section 12.1 (Processing of Smoked Fish) in its Code of Practice for Fish and Fishery Products (CAC/RCP 52-2003): "The smoked fillets may be cold tempered (e.g. partially frozen to -5°C to -12°C) for a short time period to stabilise the fish flesh to facilitate mechanical slicing." Since such smoked fish has not been stored as a frozen fishery product to ensure preservation in accordance with Point 1 of Chapter VII of Section VIII of Annex III to Regulation (EC) No 853/2004 it is not considered to have been a frozen fishery product according to the hygiene Regulations.

On the other hand it should be noted that when fishery products are stored as a frozen product to ensure preservation, a temperature above -18°C is not allowed according to Chapter VII of Section VIII of Annex III to Regulation (EC) No 853/2004. Therefore, if not being deemed to be an integrated part of the production process, storage of frozen fishery products to ensure preservation at a temperature of -4°C or -9°C for a period of up to 1 month, as you mention in your enquiry, is not allowed.

You also refer to the situation where frozen fishery products after the production process are stored at -18°C for 6 months before delivered to the clients. This is regarded as cold storage of frozen fishery products and the labelling, presentation and advertising of consumer packages must comply with the requirements laid down in Directive 2000/13/EC. In particular, the labelling and the method used must not mislead the purchaser, in particular as to the characteristics, properties and durability of the food. The practise of offering for sale thawed fishery products labelled as 'fresh' or 'chilled' could clearly lead the consumer to be misled.

In addition, the name under which the product is sold shall include or be accompanied by particulars as to the physical condition of the food or the specific treatment which it has undergone, in all cases where omission of such information could create confusion in the mind of the purchaser. The Directive mentions some examples in this regard: freeze-dried, deep-frozen, smoked etc. The notions "thawed" or "defrosted" are not expressly listed.

It is up to the national authorities of the Member States to assess the misleading character of the food labels. For this purpose, they should take into consideration all particulars/ the presentation of the label, as well as the perception of their national consumers.

The current rules on labelling have been recently reviewed. The new Regulation (EC) No 1169/2011 on food information to consumers, that shall be applicable from 13 December 2014, requires that if the food has been frozen before sale and which is sold defrosted, the name of the food shall be accompanied by the designation "defrosted".

Please note that ultimately it is for the Court of Justice to provide conclusive interpretations of EU law.

Yours sincerely,



Koen Van Dyck



ESSA

European Salmon Smokers Association



B) Official Communications DG SANTE

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