

ANTIGUA AND BARBUDA



FISHERIES (SEAFOOD) REGULATIONS, 2022.

STATUTORY INSTRUMENT

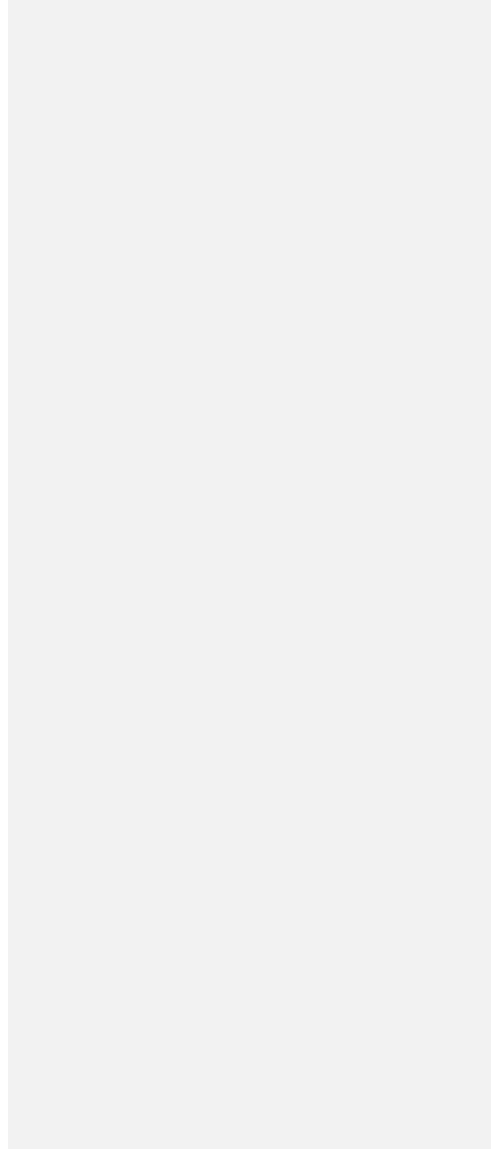
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ANTIGUA AND BARBUDA
FISHERIES (SEAFOOD) REGULATIONS, 2022

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ANTIGUA AND BARBUDA
FISHERIES (SEAFOOD) REGULATIONS, 2022

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2022, No. 47

The Fisheries (Seafood) Regulations, 2022, made by the Minister under section 76 of the Fisheries Act, No. 22 of 2006.

PART I – PRELIMINARY

1. Short title

These Regulations may be cited as the Fisheries (Seafood) Regulations, 2022.

2. Interpretation

In these Regulations—

“Act” means the Fisheries Act, 2006 (No. 22 of 2006);

“adulteration” means intentionally debasing the quality of fish and fish products offered for sale or further processing either by species substitution, dilution, misrepresentation of food, ingredients, labelling or packaging or any other modification falling outside of permissible technical regulations for economic gain.

“adulterate” means to make impure in order to give a false impression or value or to hide defects, by the addition of a foreign, inferior or inert substance to fish and fish products or by the exclusion, or removal of a valuable or necessary ingredient.

“authorised officer” means persons or category of persons designated as authorised officers under section 2 of the Fisheries Act, 2006, who have valid qualification and training in food hygiene and food safety to include but not limited to Good Manufacturing Practices, Hazard Analysis Critical Control Point, and Sanitation Standard Operating Procedures;

“batch” means a quantity of fish and fishery products obtained under practically identical circumstances;

“chilling” means the process of cooling fish and fishery products to a temperature approaching that of melting ice or ice water, nearest possible to 0°C and below 5°C;

“chilled” means kept at a temperature approaching that of melting ice or ice water, nearest possible to 0°C and below 5°C in the thermal centre;

“chill room” means a storage room meeting the temperature requirements of regulation 27 (2) (a) and the requirements of regulation 20 (2) (h);

“cleaning” means the removal of objectionable matter from surfaces;

“clean freshwater” is freshwater which does not contain micro-organisms, objectionable substances or toxic plankton in quantities capable of directly or indirectly affecting the health quality or safety of food;

“clean seawater” is seawater or briny water which does not contain micro-organisms, objectionable substances or toxic marine plankton in quantities capable of directly or indirectly affecting the health quality or safety of food;

“cold storage” means a storage room meeting the temperature requirements of regulation 27 (2) (b) and the requirements of regulation 20 (2) (h);

“contamination” means the presence in fish and fishery products of any substance not intentionally added to the fish or fishery product which may compromise food safety or suitability, as a result of the handling or holding of such food or as a result of environmental agent;

“corrective action” means a procedure followed when a deviation from the critical limit occurs at a critical control point;

“critical control point” means an operation, practice, procedure, location or process at which control can be exercised over one or more factors to eliminate, prevent or minimize a hazard;

“critical limit” means a level or limit which once exceeded makes it critical, i.e. a criterion that must be met to control each critical control point;

“disinfection” means the application of hygienically satisfactory chemical or physical agents and processes to clean surfaces with the intention of eliminating micro-organisms;

“fish market” means any designated premises on or in which fish or fish products are bought and sold including temporary or mobile premises;

“fish processing establishment” means any vessel or premises on or in which fish and fishery products are processed, prepared for packaging or processing and, where appropriate, frozen, packaged or stored, but does not include public fish markets;

Commented [IH1]: Seems to contradict definition above

“fishery product” means any product intended for human consumption that consist wholly or partially of fishery resource and includes food products where fish is the substantial ingredient;

“Fisheries Regulations” means the Fisheries Regulations, 2013 (No. 2 of 2013);

“fresh fish or fishery product” means any fish or fishery product whether whole or prepared, including products packaged under vacuum or in a modified atmosphere, which have not undergone any treatment to ensure preservation other than chilling;

“frozen” means that the fish or fishery product has undergone a freezing process to reach a core temperature of minus 18°C or lower after temperature stabilization;

“handling” means catching, slaughtering, receiving, processing, preparing, storing, transporting, freezing, chilling or packaging of fish and fishery products;

“hazard” means anything in the total food handling operation that might contaminate the food and make it unsafe for the consumer, or that can mislead the consumer. Contaminants can be biological (micro-organisms, parasites), chemical (histamine, pesticides) or physical (dirt, dust);

“Hazard Analysis Critical Control Point (HACCP)” means a preventative-based food safety system which identifies, evaluates, and controls significant hazards, as described in the Recommended International Code of Practice - General Principles of Food Hygiene including the Annex on HACCP System and Guidelines for its Application, as adopted by the Codex Alimentarius Commission;

“Minister” means the Minister responsible for Fisheries;

“organoleptic” means quality as assessed by means of sight, smell, touch, or taste.

“packaging” means the procedure of protecting fish and fishery products by a wrapper, a container or any other suitable device;

“place for sale” means the act of selling, placing, holding, delivering, offering or displaying for sale or attempting to sell, place, hold, deliver, offer or display for sale;

“potable water” means fresh water fit for human consumption, of a standard not lower than the one contained in the latest edition of the “Guidelines for Drinking Water Quality”, World Health Organization;

“prepared products” means any fish or fishery product which has undergone an operation affecting its anatomical wholeness, such as gutting, heading, slicing, filleting, tailing, shucking, butchering, mincing and chopping;

“processed products” means any fish or fishery product which has undergone a chemical or physical process such as the heating, smoking, salting, dehydration or marinating of chilled or frozen products, whether or not associated with other foodstuff, or a combination of these processes;

“Sanitation Standard Operating Procedures (SSOPs)” means planned procedures resulting from the process of systematically considering the production process and physical facility of fish processing establishments, ice plants and fish markets, and establishing the steps required to ensure a safe and unadulterated product;

“suitable corrosion-resistant material” means impervious material, which is free from pits, crevices and scale, is non-toxic and unaffected by seawater, ice, fish slime or any other corrosive substance with which it is likely to come in contact. Its surface must be smooth and it must be capable of withstanding exposure to repeated cleaning, including the use of detergents.

PART II – GENERAL MEASURES

3. Technical Regulations

(1) The Minister may prescribe technical regulations published in the Gazette for the purpose of ensuring the safety and quality of fish and fishery products intended for human consumption to be sold in or outside of Antigua and Barbuda.

(2) Subject to sub-regulation (1), the Chief Fisheries Officer may prescribe conditions concerning, but not limited to the following—

- a)* conditions necessary to meet any requirements regarding the quality and safety of fish and fishery products of countries to which export of fish and fishery products is carried out or intended to be carried out;
- b)* conditions for the hygienic handling of fish and fishery products on board fishing vessels;

- c)* conditions for the handling of live fish, aquaculture fish or bivalve molluscs;
- d)* conditions relating to premises used as, and equipment used in, fish processing establishments;
- e)* conditions for handling fish and fishery products in fish processing establishments including, but not limited to, the processes of canning, salting, smoking, drying and cooking;
- f)* conditions for the hygienic handling of fish in fish markets;
- g)* conditions for the hygienic handling of fish during landing, storage, transport and packaging;
- h)* conditions for the hygienic handling of fish and fishery products when placed for sale;
- i)* conditions for the marking of fish and fishery products;
- j)* the establishment and maintenance of records regarding all aspects of the handling of fish and fishery products, including provisions governing the storage, use and exchange of the information;
- k)* conditions for laboratories;
- l)* procedures and methods for sampling plans and analyses.

(3) In establishing technical regulations under regulation 3 the Minister shall ensure that such regulations conform to relevant international and regional standards and are applied only to the extent necessary to protect human or animal life or health.

4. Approvals and licences

- (1) It is prohibited to carry out any of the following activities without first making an application to and obtaining an approval or a licence from the Chief Fisheries Officer—
- a)* the construction, reconstruction, adapting or operation of fish processing establishments;
 - b)* the operation of ice plants in respect of their use or intended use for production of ice to the fishing industry;

- c) the operation of laboratories for use by the management of a fish processing establishment;
- d) the discharging, unloading or placing for sale imported fish or fishery products for human consumption in Antigua and Barbuda;

(2) Applications, approvals and licences shall be in the forms prescribed in Schedule I.

(3) In considering the applications under this regulation the Chief Fisheries Officer shall ensure the proper consultation with any other Government Authority having duties and powers relevant to the activity applied for.

(4) The approval or licence is only valid for the owner or owners specified in the approval or licence. The approval or licence is automatically revoked if the specified activity expires before the licence expires.

(5) An application may be refused on any of the following grounds—

- a) the activities fail to meet relevant requirements of the Act, the Fisheries Regulations, the Fisheries (Seafood) Regulations, any technical regulations and other legislation relating to the quality and safety of fish and fishery products;
- b) where it is evident that such approval would contravene the accepted practices pursuant to the Act and regulations made thereunder, and would be detrimental to the proper management and sustainability of the fish processing industry;
- c) where the Chief Fisheries Officer has reason to believe that the applicant, in view of any previous convictions for fisheries offences or in relating to the safe and hygienic handling of fish and fishery products, will not comply with the requirements relevant to the approval or licence.

(6) An approval or a licence may be wholly or partially revoked when the activity no longer satisfies the relevant requirements and the owner has been given a reasonable time to rectify any shortcomings and the time limit has been exceeded.

(7) Submission of application and the subsequent approval of a licence to construct, reconstruct or adapt a fish processing establishment under these regulations shall in no way exempt the applicant from the provisions of the Physical Planning Act or other relevant legislation;

(8) The fee payable for applications or for the issue or renewal of a licence is the amount prescribed in Schedule II.

5. Approval of fish markets

(1) The Minister may, after consultation with the relevant government authorities and other relevant stakeholders and after he is satisfied that the construction and operation of fish markets meet relevant requirements and applicable standards relating to the hygienic handling of fish and fishery products, by Notice in the *Gazette* declare approved fish markets.

(2) No person shall place for sale any fish or fishery product in a fish market except in approved fish markets where such have been declared.

(3) The Minister may by notice make exemptions from the requirements in sub-regulation (2) for events not exceeding two weeks provided that the relevant requirements and applicable standards relating to the hygienic handling of fish and fishery products are met.

6. Prohibited fish and fishery products

(1) A person shall not place for sale, import or export or attempt to do so –

- a) any poisonous fish;
- b) fish or fishery products containing in their edible parts more than the acceptable levels of biotoxins;
- c) fish or fishery products containing in their edible parts more than the acceptable levels of heavy metal;
- d) levels of heavy metal;
- e) radioactive fish or fishery products.

(2) The Chief Fisheries Officer may by Notice publish in the *Gazette*, publish a list of prohibited fish and fishery products.

PART III – PLACE FOR SALE, EXPORT AND IMPORT

7. Place for sale

(1) Subject to sub-regulation (2), no person shall place for sale any fish or fishery products for human consumption in Antigua and Barbuda unless –

- (a) their handling has been in compliance with all relevant provisions of Parts V to VIII of these Regulations and all relevant standards established pursuant to regulation 3, and;

- (b) they have been processed, prepared for packaging or processing and, where appropriate, frozen, stored and packaged in licensed fish processing establishments fulfilling all the relevant requirements of Part VII of these Regulations.

(2) Persons holding, at the time of entry into force of these Regulations, a licence to use a premises as a fish processing establishment, a fishing licence, or an approval to export fish and fishery products, shall be granted a reasonable time to comply with any requirements involving

substantial investments in terms of money, time or training. The extra time granted shall be relative to the required investments and the regulations of the importing country, where relevant, but it shall in no instance extend beyond two years after the entry into force of these Regulations.

8. Export

(1) Subject to sub-regulation (3), no person shall export or attempt to export any fish or fishery products intended for human consumption unless—

- (a) their handling has been in compliance with all relevant provisions of Parts V to VIII of these Regulations and all relevant standards established pursuant to regulation 3;
- (b) they have been processed, prepared for packaging or processing and, where appropriate, frozen, stored and packaged in licensed fish processing establishments fulfilling all the relevant requirements of Part VII of these Regulations.

(2) Subject to sub-regulation (3), each shipment of fish and fishery products considered to be one batch shall be issued a health certificate and a Catch Certificate, by the authorised officer, which shall accompany the shipment. The certificates provided in Schedule III shall serve as models and shall be subject to updates by the Chief Fisheries Officer based on the requirements of the importing country or to facilitate local management of international trade.

(3) The Chief Fisheries Officer may make exemptions from specific requirements of sub-regulations (1) and (2)—

- (a) as long as this does not lead to the application of standards and technical regulations less than equivalent to those of the country of destination, or;
- (b) if necessary to fulfil obligations under bilateral or international agreements to which Antigua and Barbuda is a party.

(4) The Chief Fisheries Officer or the authorised officer shall be notified of any shipment at least 48 hours or 2 business days in advance for live fish, fresh fish and fishery products and at least 7 days in advance for frozen products.

9. Import

(1) Subject to sub-regulation (3) no person shall discharge, unload or place for sale imported fish or fishery products for human consumption in Antigua and Barbuda unless they are of a quality and safety at least equal to what is required for domestic sale.

(2) Subject to sub-regulation (3) no person shall discharge, unload or place for sale imported fish or fishery products for human consumption unless the authorised officer has screened the following documents—

- a)* a valid import licence issued by the relevant authority;
- b)* a valid bill of lading;
- c)* a valid health certificate issued by the competent authority of the country of origin;
- d)* evidence on availability of storage facilities and distribution channels within Antigua and Barbuda;
- e)* total quantity and value of the import.
- f)* any other permits, licenses or certificates that may be required.

(3) The Chief Fisheries Officer may make exemptions from specific requirements of sub-regulations (1) and (2) where this is necessary to fulfil obligations under bilateral or international agreements to which Antigua and Barbuda is a party.

PART IV – FISHING VESSELS, LANDING, AND FISH MARKETS

10. Fishing Vessels

(1) Any areas or containers used for storing fish and fishery products shall—

- a)* be kept and maintained in a satisfactory state of cleanliness and repair so that they do not constitute a source of contamination for the fish and fishery products;
- b)* be designed in such a way and be made of such watertight and corrosion resistant material as to ensure both the protection from contamination and the preservation under sufficiently hygienic conditions of fish and fishery products;
- c)* be easy to clean and disinfect and provide adequate drainage of melt water;

- d)* at all times be kept free of objects and substances which may contaminate the fish and fishery products, and in particular they must be kept free from oil residue, fuel and waste water;
- e)* be protected against insects, rodents, birds and other vermin;
- f)* before and after use be cleaned with potable water or clean seawater and, disinfected.

(2) Working equipment, such as cutting tables and knives, used for gutting, **finning**, chopping or heading shall be made of corrosion resistant materials, easy to clean and disinfect.

Commented [IH2]: add a section on prohibited processing method for shark finning somewhere in the document

(3) Ice used for chilling shall be made of potable water or clean seawater, and shall prior to use be kept under hygienic conditions.

(4) If poisonous and harmful materials, including pesticides, cleaning and disinfecting agents, are stored on board the vessel, they shall be kept in separate compartments, reserved and marked specifically for this purpose.

(5) If possible from a safety, technical and commercial point of view, fish weighing more than 1.4 kg (3 lb) whole, shall be, with the exception of fish marketed live, gutted as soon as possible after being taken on board and subsequently washed using potable water or clean seawater.

(6) Fish and fishery products shall—

- a)* as soon as they are taken on board the fishing vessel be discharged in a clean and hygienic environment designed for that purpose;
- b)* not come in contact with bilge water, oil, fuel or other objectionable substances or objects that will contaminate the product;
- c)* be handled and kept in such a way that they are protected against physical damages and the drying effect of the sun and wind;
- d)* be, with the exception of fish marketed live, chilled as soon as possible after being taken on board.

11. Landing

(1) Equipment used during unloading and landing shall be constructed of material easy to clean and disinfect and must be kept in a good state of repair and cleanliness. Equipment and handling practices that cause unnecessary damage to the edible parts of the fish and fishery products shall not be used.

(2) During unloading and landing, fish and fishery products shall be protected from sun, dust, wind and other contaminants. If possible from a safety, technical and commercial point of view, fish

weighing more than 1.4 kg (3 lb) whole, shall be, with the exception of fish marketed live, gutted as soon as possible after landing and subsequently washed using potable water.

(3) During unloading and landing, dogs, cats or any other animals shall be excluded from the areas where fish and fishery products are handled.

(4) Unloading and landing of fish and fishery products shall proceed rapidly. After landing, fish and fishery products shall be transported without delay to their place of destination. If necessary they shall be chilled.

12. Fish Market

Parts of fish markets where fish and fishery products are displayed for sale shall comply with the following Technical Regulations -

- a) have access to adequate supplies of potable water which shall be used for all purposes;
- b) floors shall be constructed of durable, waterproof, non-absorbent material that is easy to clean and disinfect and gently sloped to provide adequate drainage of water;
- c) have a hygienic waste disposal system for solid, semi-solid and liquid wastes;
- d) be equipped with sanitary facilities with an appropriate number of wash basins and flush lavatories. Wash basins shall be supplied with materials for cleaning the hands and single use hand towels or automatic hand drying facilities;
- e) working areas, equipment and instruments shall be kept clean, in good repair and be maintained in an orderly, sanitary and hygienic condition, so that they do not constitute a source of contamination for the fish and fishery products. They shall only be used for work on fishery products, unless authorised for use on other foodstuff;
- f) be cleaned regularly. The fish market shall be cleaned at least before the daily operations and at the end of each day. Containers and crates must be cleaned regularly, at least before and after use. Containers and crates must be cleaned and rinsed using potable water and, where necessary, disinfected;
- g) be kept free from rodents, insects and any other vermin. Insecticides, fumigants, rodenticides and other harmful substances shall be used in such a way as to prevent the possible contamination of fish and fishery products, food contact surfaces and packaging materials;
- h) persons working there shall wash their hands at least each time before work is resumed. Wounds to the hands must be covered by a waterproof dressing;
- i) be closable and kept closed if the Chief Fisheries Officer so requires;

- j) smoking, spitting, eating and drinking shall be prohibited and there shall be signs saying this displayed in prominent positions;
- k) have special watertight receptacles made of corrosion resistant material where fishery products unfit for human consumption shall be kept;
- l) have adequate lighting;
- m) if necessary have access to sufficiently large chill rooms.

(2) The Chief Fisheries Officer may make exemptions for Fish Markets from specific requirements of sub-regulation (1), based on the nature and scale of the operations.

PART V – AQUACULTURE FISH, LIVE FISH

13. Aquaculture Fish

Aquaculture fish shall be slaughtered under appropriate conditions of hygiene and in accordance with the conditions prescribed in these Regulations. They must not be soiled with earth, slime or faeces. If not frozen or processed immediately after being slaughtered, they shall be kept chilled.

14. Live Fish

(1) Fish to be placed on the market live shall at all times be kept under the most suitable survival conditions.

(2) Fish processing establishments keeping live fish must have appropriate fittings ensuring the best survival conditions provided with clean seawater or clean freshwater, as appropriate.

(3) In closed recirculated systems, holding tanks and other accessories on trucks used to deliver water for in-house aquariums should be limited to those used to transport clean seawater or clean freshwater.

PART VI – FISH PROCESSING ESTABLISHMENTS

15. Quality management programme

(1) The management of fish processing establishments shall cause to be prepared and submit to the Chief Fisheries Officer a written quality management programme based on the application of HACCP principles ensuring that, at all stages of the handling of fish and fishery products, the requirements of these Regulations are complied with. The Chief Fisheries Officer may approve the use of guides of Good Manufacturing Practices (GMPs) and Sanitation Standard Operating Procedures (SSOPs) drawn up by appropriate professional organizations and with the direction of the authorised officers as part of the quality management programme.

(2) The management of all fish processing establishments shall employ at least one individual who has successfully completed an approved course of instruction in the application of HACCP principles.

(3) Notwithstanding sub-regulation (1) and (2), the Chief Fisheries Officer may specify special guides based upon the class of vessel and scale of fish processing operation in cooperation with regional and international agencies.

16. Multidisciplinary team

(1) To develop and establish the quality management programme, the management of fish processing establishments shall assemble a multidisciplinary team which shall consist of qualified personnel involved in all aspects of the handling of the fish or fishery product in the establishment. The team shall—

- a) describe the products in terms of composition, structure and physio-chemical factors, processing, packaging system, storage and distribution conditions, required shelf life, instructions for use and any microbiological or chemical criteria applicable;
- b) identify the intended use of the products by end user or consumer and also point out any potential for faulty storage or use of the product;
- c) construct a flow diagram outlining in sequence all steps of the process from receiving the raw material to placing the end product on the market including sufficient technical information;
- d) confirm the flow diagram in the fish processing establishment during operating hours, and amend it according to observations done.

(2) Based on the amended flow diagram the multidisciplinary team shall—

- a) list all potential biological, chemical or physical hazards that may reasonably be expected to occur at each step;
- b) consider and describe the control measures, if any, that can be used to prevent or eliminate a hazard or reduce the impact or occurrence of a hazard to acceptable levels;
- c) identify critical control points for the control of a hazard and ensure that appropriate control measures are effectively designed and implemented to this end;
- d) establish critical limits for each control measure associated with each critical control point corresponding to the extreme values acceptable with regards to the quality and safety of the fish and fishery product.

(3) To ensure the effective control of each critical point and compliance with the specified critical limits the multidisciplinary team shall—

- a) establish an appropriate monitoring and checking system for each critical control point in which the monitoring system describes the observations and measurements

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to be performed to enable the detection of loss of control at a given critical control point in time for corrective action to be taken;

- b)* establish a corrective action plan describing corrective actions to be taken if the parameter monitored indicates a trend towards loss of control or has deviated from its specified critical limits.

(4) The management of fish processing establishments shall ensure that a verification procedure is developed and implemented based on the methods and procedures specified by the multidisciplinary team.

17. Laboratory checks

To confirm that the quality management programme complies effectively with regulations 15 and 16, the management of fish processing establishments shall, if possible, take samples for analyses in an approved laboratory for the purpose of checking cleaning and disinfection methods and for the purpose of checking compliance with applicable standards prescribed by these Regulations or in standards established pursuant to regulation 3.

18. Measures in case of health risk

Where the results of checks referred to in regulation 17 or any information at the disposal of the management of a fish processing establishment reveal a health risk or suggests a health risk might exist in the fish processing establishment, the management shall take such measures as may be appropriate, including the recall of any fish and fishery products, and shall notify the Chief Fisheries Officer, who shall take appropriate action.

19. Validating programme

To confirm that the quality management programme complies effectively with regulations 15 to 18 the Chief Fisheries Officer may establish a validation or auditing programme and take samples for analysis as appropriate.

20. Conditions relating to premises and equipment

(1) The location of the fish processing establishments shall be such as to preclude contamination of fish and fishery products and they shall—

- (a)* be located away from sources of odour, dust, emissions of any kind and air contamination caused by quarries, asphalt plants, rubbish dumps, cement depots, chemical plants and the like;
- (b)* along with the surrounding area be kept free of objectionable odour, smoke, dust, overgrown vegetation or other possible contamination;
- (c)* not be constructed in areas that are prone to be flooded or waterlogged.

(2) The design and construction of the fish processing establishments shall be such as to preclude contamination of fish and fishery products and keep separate the clean and pre-op parts of the building and they shall—

- (a) be designed and constructed so that it is fully protected against the possible entry and harbouring of pests such as insects, rodents, birds and other vermin and to permit easy and thorough cleaning at all times;
- (b) have openings such as outside doors, windows and vents in good working condition and fitted with exclusion devices such as screens, air curtains or other such devices to prevent entry of pests;
- (c) be designed and constructed so that working areas where fish and fishery products are handled shall be completely separated and sealed from any part of the building used as living area;
- (d) be spacious enough so as to prevent over-crowding of equipment or personnel, well-constructed and kept in a state of functional operation and repair at all times;
- (e) at instances where contamination is likely to occur, have separation of operations by means of location, partition, airflow or other effective means;
- (f) except when only handling live fish, have chill rooms for storage of fish and fishery products large enough and constructed so as to accommodate both catch and ice if necessary. The chill room shall be kept at a temperature not exceeding 5°C;
- (g) if they have refrigerated rooms, design them so as to allow thorough cleaning and maintenance of proper hygiene at all times. The walls and floors shall be non-toxic, non-skid and resistant to very low temperatures. The doors shall be protected with plastic curtains to minimize temperature fluctuation. All refrigerated rooms shall be equipped with an accurate indicating thermometer in a place where it can easily be read, a temperature measuring apparatus located in the area furthest away from the cold source where the temperature in the storage room is the highest and an automatic temperature control device and shall be fitted with an automatic alarm system to alert personnel of any significant temperature changes;
- (h) have working equipment, such as cutting tables, containers and knives made of corrosion-resistant materials, easy to clean and disinfect;

- (i) have an appropriate number of clearly identifiable waste receptacles for each step in the process line. Special watertight containers made of corrosion resistant material shall be used to keep processing waste that cannot be discharged in the waste water disposal system. Special premises shall be provided for storage of such containers if they are not emptied at least at the end of each working day;
- (j) have a hygienic waste disposal system for solid, semi-solid and liquid wastes;
- (k) have an abundance and continuous supply of potable water of adequate pressure and temperature, as well as appropriate facilities for its storage and distribution. Such facilities shall be protected from the entrance of insects, rodents and flood and their surrounding shall be kept clean;
- (l) have an adequate number of changing-rooms with smooth, water-proof, washable walls and floors, wash basins and flush toilets. Wash basin taps shall not be hand operable. Wash basins shall be supplied with hand washing detergents and single use hand towels or automatic hand drying facilities and a conspicuously placed sign to instructing all to wash their hands after using the toilet;
- (m) have toilet facilities with light coloured surfaces, well lit, ventilated by a direct opening to the outside or by an adequate mechanical ventilated system and kept in a sanitary and hygienic condition at all times. Drainage lines from the toilets shall drain directly into a septic tank or a central sewage plant and these shall be kept in a state of functional operation and repair at all times;
- (n) not have lunchroom, toilet facilities, changing areas and storerooms opening directly into the working areas where fish and fishery products are received, processed, prepared, stored, frozen, or packaged;
- (o) have, if necessary, adequate facilities for cleaning and disinfecting transport vehicle;
- (p) be provided throughout with adequate natural or mechanical ventilation;
- (r) have a ventilation system designed and installed in such a way that the air does not flow from the receiving and pre-processing areas to the final processing and final packaging areas, and that it prevents the build-up of excessive heat, vapour, condensation, the growth of moulds and other such contaminants that are likely to affect the safety of the fish and fishery products. All ventilation

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openings shall be equipped with appropriate covers that are collapsible and easy to clean.

(3) The design and construction of working areas where fish and fishery products are received, processed, prepared, stored, frozen, or packaged shall meet the following standards—

- (a) floors shall be constructed of durable, waterproof, non-absorbent material that is easy to clean and disinfect and gently sloped to provide drainage of water;
- (b) walls and ceilings shall be constructed of non-absorbent, light coloured, non-toxic materials that are designed to facilitate easy and proper maintenance and cleaning;
- (c) ceilings shall be designed and constructed so as to prevent the accumulation of dust or dirt and to prevent condensation and shall be at least 3 meters (10 feet) in height, smooth, free from cracks and waterproof;
- (d) windows or similar openings shall be constructed of material that allow for appropriate illumination and so constructed to prevent the accumulation of dirt and filth and to facilitate easy cleaning;
- (e) doors shall be made from durable non-corrosive non-absorbent materials which are easy to clean. All doors through which fish and fishery products enters or exits shall be of a light colour, flat surface, waterproof, washable, self-closing and of sufficient width;
- (f) a footbath shall be placed so that all persons entering the working area need to pass through it. The footbath shall be so constructed that it cannot be evaded by persons entering and must have a minimum depth of 10 cm and be maintained at all times with an adequate supply of an appropriate sanitizing solution;
- (g) they shall have at least one wash basin with taps that is not hand operated and is supplied with hand washing detergents and single use hand towels or automatic hand drying facilities for washing and drying of hands;
- (h) all electrical plugs, switches, distribution panel or other such electrical installations shall be properly covered, protected and clearly marked;
- (i) all drains shall be constructed of smooth impervious material and designed in such a way as to deal with the maximum flow of water (liquid) without overflowing or flooding. Each drainage inlet shall be equipped with a deep seal trap that is conveniently located, easily accessible and easy to clean;

- (j) in areas where water is used there shall be at least two (2) drains for each 37 square meters (400 square feet) of floor space. The drainage line must have an inside diameter of at least 10-cm (4 inches);
- (k) they shall have natural or artificial lighting, the intensity of which shall be a minimum of 300 lux for processing area, hand washing area, changing room and freezer room, 540 lux for inspection points or points where the processed product is examined closely and 50 lux for corridor and other point of entry of the establishment. Artificial light shall not alter the colour of the fish and fishery products;
- (l) all lights within the processing room shall be properly secured and covered with a protective shield to prevent contamination of the product in the event of breakage;
- (m) they shall have adequate facilities for cleaning the premises, equipment and utensils;
- (n) they shall have a system for waste treatment and disposal that shall be operated in an adequate manner so that it does not constitute a source of contamination where food is exposed.

21. Conditions of hygiene

(1) Premises and equipment shall be subject to the following general standards of hygiene—

- (a) the general sanitary hygienic condition shall be of a high standard and all operations involving fish and fishery products shall be carried out under strict hygienic and sanitary conditions;
- (b) equipment and utensils shall be cleaned and sanitized in a manner that protects the fish and fishery products, food contact surface or packaging from possible contamination;
- (c) all surfaces, containers, trays, or other equipment and material employed that may come in contact with fish and fishery products, must be of suitable corrosion resistant, non-toxic material that is smooth and easy to clean and sanitize;
- (d) equipment that is stationary shall be installed in a manner that permits easy access, cleaning and disinfection under the equipment;

- (e) toxic substances and materials such as copper, cadmium or lead paint, enamelware or porcelain shall not be used on surfaces that may come in contact with fish or fishery products;
 - (f) effective measures should be taken to prevent pests from infiltrating into any area of the establishment to prevent possible contamination of fish, food contact surfaces or package materials. Rodents, insects and any other vermin must be systematically exterminated in the premises;
 - (g) insecticides, fumigants, rodenticides and other harmful substances shall be used only under proper supervision by experienced or trained personnel, and shall be used in such a way as to prevent the possible contamination of fish and fishery products, food contact surfaces and packaging materials;
 - (h) detergents, disinfectants and similar substances used in cleaning and sanitizing procedures must be approved by the Chief Fisheries Officer and used in such a way that they do not have adverse effects on the machinery, equipment or fish and fishery products;
 - (i) detergents and disinfectants, insecticides, fumigants, rodenticides and other potentially toxic substances must be identified, labelled, held and stored in a separate lockable area and in a manner that protects against contamination of the fish and fishery products, food contact surfaces and packaging material;
 - (j) potable water must be used for all purposes except, fire-fighting and the cooling of refrigeration equipment. If water other than potable water is used, there shall be no cross connection between waterlines for potable water and waterlines for the other source. Waterlines and outlets must be clearly marked and be identifiable at all times;
 - (k) in instances where water is used from cisterns and tanks, the source shall be inspected at regular intervals to ensure that the water is free of contamination and is of the required quality. Such water must be tested regularly to ensure that it meets the required standards of potable water, including chlorine residual levels. Cisterns and tanks shall be cleaned and disinfected at regular intervals and at least once each 6 months;
- (l) residual water shall be treated and eliminated in such a way that it does not contaminate the environment or the supply of potable water.
- (2) Working areas where fish or fishery products are received, processed, prepared, stored, frozen, or packaged and equipment and instruments used there shall meet the following standards—

- (a) working areas, equipment and instruments shall be kept clean, in good repair and be maintained in an orderly, sanitary and hygienic condition, so that they do not constitute a source of contamination for the fish and fishery products;
- (b) working areas, instruments and equipment must be used only for work on fish and fishery products;
- (c) fixtures, ducts and pipes shall not be suspended over working areas where drip or condensation may contaminate food, raw materials or food contact surfaces;
- (d) drains in and around the working area where fish and fishery products are handled shall be cleaned and disinfected at the end of each working day;
- (e) waste must not be allowed to accumulate in working areas. It shall either be continuously disposed of or be placed in leak proof covered containers which are easy to clean and disinfect. Special premises shall be provided for storage of such containers if they are not emptied at least at the end of each working day. Containers and premises set aside for waste must be thoroughly cleaned and disinfected between and after uses. Waste stored in containers or premises must not constitute a source of contamination for the establishment or of pollution of its surroundings.

(2) The manager of a fish processing establishment shall take all requisite measures to prevent persons liable to contaminate fish and fishery products from working on and

handling them until there is evidence that such person can do so without risk. In particular the manager shall require that—

- (a) all employees working in areas where fish and fishery products are handled have in their possession a valid medical certificate, showing no evidence of any infectious or contagious disease
- (b) any worker who by medical examination or supervisory observation shows signs or appears to have an illness, open lesion including boils, sores or infected wounds or any other abnormal source of microbial contamination by which there is the
- (c) likelihood that the fish or fishery product, food contact surfaces or packaging material may become contaminated, shall be excluded from the processing plant or room or from any operation which may result in such contamination until the condition is wholly corrected;

Commented [IH6]: check public health act

- (d) workers shall undergo a medical examination before returning to work after any infectious or contagious illness;
 - (e) in the event of an epidemic or other clinical reasons, all employees undergo medical examination.
- (4) The highest possible standard of cleanliness is required of the staff, that is to say—
- (a) all persons who through their functions come in direct contact with fish or fishery products, food contact surfaces and packaging material are required to practice and maintain a high degree of personal hygiene and sanitary practice while on the job, to the extent necessary to prevent any possible contamination of the product;
 - (b) all staff working directly in working areas where fish and fishery products are received, processed, prepared, stored, frozen, or packaged or other areas where a high level of hygiene and sanitary practices is required, shall wear clean light-coloured protective clothing suitable to the operation including, footwear and headgear, and, where appropriate, waterproof aprons. The clothes shall be buttoned up completely and the headgear shall cover the hair completely. These articles must be either washable or disposable. Protective clothing shall be washed separately;
 - (c) in instances where gloves are used to handle and manipulate the product they shall be maintained in an intact, clean and sanitary condition and shall be of an impermeable material;
 - (d) all staff shall sanitise their hands before entering the working area where fish and fishery products are received, processed, prepared, stored, frozen, or packaged. All staff working in such area shall wash and disinfect their hands, gloves and boots before entering;
 - (e) all staff directly involved in receiving, processing, preparing, storing, transporting, freezing, chilling or packaging of fish and fishery products shall wash their hands thoroughly with soap or an approved cleaning agent before starting work each day, after each use of the toilet, before resuming work and whenever it becomes necessary;
 - (f) staff shall remove unsecured objects, such as rings, necklaces, earrings, bracelets, watches, cellular phones and other such devices while in working areas where fish and fishery products are received, processed, prepared, stored, frozen, or packaged. If such objects cannot be removed, they shall be

covered by material which can be maintained in an intact and sanitary condition and which effectively protects against the contamination by these objects of the fish and fishery products, food contact surfaces or packaging materials;

- (g) clothing or other personal effects shall be stored in areas other than where fish and fishery products are exposed or processed or where equipment or utensils are washed and cleaned;
- (h) sanitary clothing, including gloves, headgear and footwear shall be for exclusive use inside the working areas where fish and fishery products are received, processed, prepared, stored, frozen, or packaged;
- (i) all persons visiting the processing plant must comply with all precautions and instructions that apply to staff;
- (j) smoking, spitting, eating, drinking and chewing of gum in areas where fish and fishery products are handled or stored is prohibited;
- (k) staff shall eat and drink only in areas designated for such purpose. The eating area shall be independent of the working areas where fish and fishery products are received, processed, prepared, stored, frozen, or packaged and shall be cleaned after regularly scheduled work breaks and lunch period to prevent food particles from attracting vermin and insects.

22. Visual inspection

(1) During production and before they are released for human consumption, fish and fishery products shall be subject to a visual inspection for the purpose of detecting and removing any visible parasites. Visual inspection shall be carried out on a representative number of samples.

(2) Visual parasite means, for the purpose of these Regulations, a parasite or group of parasites of a dimension, colour and texture clearly distinguishable from fish tissue. Visual inspection means, for the purpose of these Regulations, a non-destructive examination of fish and fishery products without optical means of magnifying and carried out under good light conditions.

(3) Fish, fishery products or parts thereof which are obviously infected with parasites, and which have been removed, shall not be sold or attempted to be sold for human consumption.

23. Conditions for fresh products

(1) When unpackaged fish and fishery products are not dispatched, prepared or processed immediately after reaching the fish processing establishment, they shall be stored or displayed

chilled in the establishment. Re-icing shall be carried out as often as is necessary. Adequate facilities shall be available at the processing plant to maintain fish in a chilled condition at the required level of temperature.

(2) Ice used for chilling shall be made of potable water, and shall prior to use be kept under hygienic conditions. All refrigerated vehicles, ice boxes or similar utensils used to transport ice shall have the necessary protective covers to safeguard the ice from sources of contamination and shall be kept in a sanitary manner at all times. Ice or its melt water shall not be reused after it has been in contact with the fish or fishery product, or with contaminated work surfaces or iceboxes.

(3) Pre-packaged fresh fish and fishery products shall be chilled on ice or in refrigerated chill rooms.

(4) Gutting and heading shall be carried out hygienically. The fish products must be washed thoroughly with potable water immediately after such operations.

(5) Guts and parts that may constitute a danger to public health shall be separated from and removed from the vicinity of products intended for human consumption.

(6) Operations such as filleting and slicing must be carried out in such a way as to avoid contamination or spoilage of fillets and slices, and in a place other than that used for heading and gutting. Fillets and slices must not remain on the worktable longer than is necessary. Fillets and slices to be sold fresh must be chilled as soon as possible after preparation.

(7) Containers used for the display or storage of fresh fish and fishery products shall be designed in such a way and be made of such watertight and corrosion resistant material as to ensure both the protection from contamination and their preservation under sufficiently hygienic conditions and they shall provide adequate drainage of melt water.

24. Conditions for frozen products

(1) Fish processing establishments shall, if freezing fish or fishery products or keeping frozen fish or fishery products stored, have—

- a)* freezing equipment sufficiently powerful to achieve rapid reduction in the temperature so that the temperatures laid down in regulation 27. (2) (*b*) can be obtained in the product;
- b)* freezing equipment sufficiently powerful to keep products in storage rooms at a temperature not exceeding those laid down in regulation 27. (2) (*b*).

(2) Refrigerated rooms shall comply with the requirements in regulation 20 (2) (*h*).

(3) Temperature charts shall be available for inspections by authorized officers at least during the period in which the fish and fishery products are stored.

25. Conditions for thawing products

(1) Fish processing establishments shall, if carrying out thawing operations, comply with the following requirements—

- a) fish and fishery products shall be thawed under hygienic conditions, their contamination shall be avoided and there shall be adequate drainage for any melt water produced;
- b) thawing of fish and fishery products shall be done under controlled conditions in a chiller or insulated storage container.

(2) After thawing, fish and fishery products must be handled in accordance with the requirements of these Regulations. When they are prepared or processed these operations shall be carried out without delay. If displayed for sale the unsold fish and fishery products shall not be put back into storage as frozen fish or fishery product, they shall be stored in chill rooms.

26. Records and monthly returns

The management of fish processing establishments shall—

- (a) establish a record keeping system which provides for an easy retrieval of all documents related to the quality management programme, including corrective actions, verification procedures and the results of any checks and test;
- (b) maintain accurate records relating to the operations carried out in the fish processing establishment including the quantity, species and quality of fish imported, received, processed, prepared, packaged, sold or exported;
- (c) records shall be available for 2 years;

PART VII – STORAGE, TRANSPORTATION, PACKING AND MARKING

27. Storage and Transport

(1) Storage and transport of fish and fishery products shall be performed under satisfactory sanitary conditions avoiding every contamination of the fish and fishery products.

(2) Fish and fishery products shall during storage and transport be kept at temperatures laid down in these Regulations, and in particular—

- a) fresh or thawed fish and fishery products shall be kept at the temperature of melting ice or ice water, above 0°C and under 5°C;

(4) Packaging materials shall be stored in an enclosure away from any area where fish and fishery products are received, processed, prepared, stored, frozen, or packaged and be protected from dust and contamination. Such enclosure shall be used solely for storing of packaging materials.

29. Marking

Consignments of fish and fishery products sold to domestic commercial establishments or for export from a fish processing establishment shall be accompanied with the following information by means of labelling or accompanying document—

- a) conditions for subsequent handling or use of the fish and fishery products;
- b) the country of dispatch;
- c) identification of the fish processing establishment by means of its official identification number and registered name;
- d) batch number;
- e) date of production and packaging.

PART VIII – CONTROL AND MONITORING

30. Inspection guides

The Chief Fisheries Officer may, in addition to the requirements for control and monitoring specified in these Regulations, establish inspection guides whereby authorised officers carry out—

- a) checks on fishing vessels;
- b) checks on the conditions of landing;
- c) checks on the conditions of fish markets;
- d) inspections, at regular intervals, of fish processing establishments;
- e) checks on storage and transport conditions.

31. Special checks

(1) The authorised officers shall inspect each batch of fish and fishery products intended for export, and otherwise at intervals decided by the Chief Fisheries Officer, at the time of landing or before first sale to check whether they are fit for human consumption. The inspection shall comprise of an organoleptic check carried out by sampling.

(2) Where the organoleptic check reveals that the fish and fishery products are not fit for human consumption, measures shall be taken to withdraw them from circulation. No fish or fishery product which has undergone deterioration or any form of decomposition or that has been

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contaminated with extraneous matter to an extent that has made it unfit for human consumption shall be sold, attempted to be sold or used for further processing.

(3) Chemical checks or microbiological analysis shall be conducted when organoleptic checks cannot ascertain the freshness of the product.

32. Contaminants

(1) Fish and fishery products must not contain in their edible parts unacceptable levels of contaminants present in the aquatic environment, such as heavy metals or organochlorinated substances.

(2) The Chief Fisheries Officer may, as necessary, and in cooperation with any relevant Government Authority, establish a sampling and monitoring system for the control of the following parameters—

- a) TVB-N (Total Volatile Basic Nitrogen) and TMA-N (Trimethylamine-Nitrogen). The Chief Fisheries Officer shall specify the level of these parameters for each category of traded species;
- b) Histamine;
- c) levels of contamination in the edible parts of fish and fishery products from contaminants present in the aquatic environment.

(3) To this effect, the Chief Fisheries Officer shall determine the sampling plans and method of analysis to check chemical parameters in fish products and the acceptable levels of the chemical parameters prescribed by technical regulations published by Notice in the Gazette.

33. Sampling plans and analysis for micro- biological criteria

Where there is need to protect the public health, the Chief Fisheries Officer may, in cooperation with any relevant Government Authority, establish sampling plans and approved methods of analysis for micro-biological criteria prescribed by technical regulations published by Notice in the Gazette.

PART IX – MISCELLANEOUS PROVISIONS

34. Falsification of documents

No person shall falsify or unlawfully alter, destroy, erase or obliterate any declaration, certificate or other document made or issued or required to be kept under these Regulations or pursuant to regulation 3, or any label or mark placed on any container in accordance with these Regulations.

35. Compounding of offences

The Minister may, in pursuance of section 74 of the Act, require any person charged with an offence, other than an offence under sections 58 and 66 of the Act, to sign a statement in the prescribed form, admitting to the commission of the offence and expressing willingness that the offence be dealt with in accordance with section 74 of the Act.

36. Offences and penalties

Any person contravening any of the provisions of these Regulations established pursuant to regulation 3 commits an offence and is liable on summary conviction to a fine not exceeding fifty thousand dollars.

SCHEDULE I FORM A

Commented [HS9]: Insert Model Catch Certificate

APPLICATION FORM FOR A LICENCE TO OPERATE A FISH PROCESSING ESTABLISHMENT

FISHERIES (SEAFOOD) REGULATIONS 2022

INSTRUCTIONS: Answer all the questions on this form by filling in the spaces provided.

Underline Surnames.

For “address” provide as much detail as possible.

If not applicable, write NA – leave no blanks.

Specify units of measurement if not metric.

DOCUMENTS TO BE SUBMITTED WITH APPLICATION

Certified copy of the business registration certificate

Documentation giving a full description of the premises including a plan of the premises, a description of the location, design and construction of the premises

A plan detailing the standards relating to working areas, premises, equipment and staff and plans for a quality management programme

ADDRESS TO: The Chief Fisheries Officer,
Fisheries Division, Ministry of Agriculture, Fisheries and Barbuda Affairs
Lower North Street, St John's, Antigua, W.I.

NOTE: The application shall be renewed as often as necessary after any major changes in the infrastructure, equipment, handling or processing procedures or after changes in the types and nature of the finished product.

I hereby apply for a licence to operate the fish processing establishment described below:

I. Details of applicant and premises

Name of applicant (if applicant is a registered company, give name and address and registered number):.....

Address of applicant:

E-mail: **Telephone:**

Name of premises:

State whether applicant is owner of lessee of premises:

Address of proposed premises:

E-mail: **Telephone:**

Name of landlord (if applicable):

Address of landlord:.....

E-mail: **Telephone:**

Provide details of any joint ventures or contractual agreements with or in Antigua and Barbuda in connection with the proposed operations

.....

II. Details of fish handling operations

Species of fish to be handled:

.....

Sources of supply:

.....

Nature of operation(s):

.....

Number of persons to be employed by the operation:

.....

III. Declaration by applicant

I apply for a fish processing establishment licence in respect of the premises described above. I declare that the above information is true, complete and correct. I understand I am required to report to the Chief Fisheries Officer any changes to the information given on this form and further understand that failure to do so may render me liable to prosecution.

.....
Applicant

.....
Date

Application No. [xxxxx] : for official purpose

**SCHEDULE I
FORM B**

**APPLICATION FORM FOR THE CONSTRUCTION, RECONSTRUCTION OR
ADAPTING OF A FISH PROCESSING ESTABLISHMENT
FISHERIES (SEAFOOD) REGULATIONS 2022**

INSTRUCTIONS – Answer all the questions on this form by filling in the spaces provided.
Underline Surnames.
For “address” provide as much detail as possible.
If not applicable, write NA – leave no blanks.
Specify units of measurement if not metric.

DOCUMENTS TO BE SUBMITTED WITH APPLICATION
Certified copy of the business registration certificate
Documentation giving a full description of the premises including a plan of the premises, a description of the location, design and construction of the premises

ADDRESS TO: The Chief Fisheries Officer,
Fisheries Division, Ministry of Agriculture, Lands, Fisheries and Barbuda Affairs Lower North Street, St John’s, Antigua, W.I.

I hereby apply for an approval for the construction, reconstruction or adapting the fish processing establishment described below:

I. Details of applicant and premises

Name of applicant (if applicant is a registered company, give name and address and registered number):.....

Address of applicant:

E-mail :..... Telephone:.....

Name of premises:

State whether applicant is owner of lessee of premises:

Address of proposed premises:

E-mail: Telephone:

Name of landlord (if applicable):

Address of landlord.....

E-mail: Telephone:

II. Details of construction, reconstruction or adaptation plans

Construct [] Reconstruct [] Adaptation []

.....
.....
.....

III. Declaration by applicant

I apply for an approval to construct, reconstruct or adapt the premises described above. I declare that the above information is true, complete and correct. I understand I am required to report to the Chief Fisheries Officer any changes to the information given on this form and further understand that failure to do so may render me liable to prosecution.

.....
Applicant

.....
Date

Application No. [xxxxx] : for official purpose

**SCHEDULE I
FORM C**

**APPLICATION FORM FOR A LICENCE TO OPERATE AN ICE PLANT
FISHERIES (SEAFOOD) REGULATIONS 2022**

INSTRUCTIONS – Answer all the questions on this form by filling in the spaces provided.
Underline Surnames.
For “address” provide as much detail as possible.
If not applicable, write NA – leave no blanks.
Specify units of measurement if not metric.

DOCUMENTS TO BE SUBMITTED WITH APPLICATION

Certified copy of the business registration certificate
Documentation giving a full description of the premises including a plan of the premises, a description of the location, design and construction of the premises
A plan detailing the standards relating to working areas, premises, equipment and staff and plans for a quality management programme

ADDRESS TO: The Chief Fisheries Officer,
Fisheries Division, Ministry of Agriculture, Lands, Fisheries and Barbuda Affairs
Lower North Street, St John’s, Antigua, W.I.

NOTE: The application shall be renewed as often as necessary after any major changes in the infrastructure or the refrigeration equipment.

I hereby apply for a licence to operate an ice plant in respect of its use or intended use for production of ice to the fisheries industry.

I. Details of applicant and premises

Name of applicant (if applicant is a registered company, give name and address and registered number):.....

Address of applicant:

E-mail :..... Telephone:

Name of premises:

State whether applicant is owner of lessee of premises:

Address of proposed premises:

Fax: Telephone:

Name of landlord (if applicable):

Address of landlord.....

E-mail: Telephone:

II. Details of ice plant

Daily Production capacity:
.....

Water source:
.....

Ice type: Plate [] Crushed [] Flaked [] Cube [] Other []

III. Declaration by applicant

I apply for a licence to operate an ice plant in respect of its use or intended use for production of ice to the fisheries industry in respect of the premises described above. I declare that the above information is true, complete and correct. I understand I am required to report to the Chief Fisheries Officer any changes to the information given on this form and further understand that failure to do so may render me liable to prosecution.

.....
Applicant

.....
Date

Application No. [xxxxx] : for official purpose

**SCHEDULE I
FORM D**

**APPLICATION FORM FOR A LICENCE TO OPERATE A LABORATORY
FISHERIES (SEAFOOD) REGULATIONS 2022**

INSTRUCTIONS – Answer all the questions on this form by filling in the spaces provided.
Underline Surnames.
For “address” provide as much detail as possible.
If not applicable, write NA – leave no blanks.
Specify units of measurement if not metric.

DOCUMENTS TO BE SUBMITTED WITH APPLICATION

Certified copy of the business registration certificate
Documentation giving a full description of the premises including a plan of the premises, a description of the location, design and construction of the premises
A plan detailing the standards relating to working areas, premises, equipment and staff and plans for a quality management programme

ADDRESS TO: The Chief Fisheries Officer,
Fisheries Division, Ministry of Agriculture, Lands, Fisheries and Barbuda Affairs
Lower North Street, St John’s, Antigua, W.I.

NOTE: The application shall be renewed as often as necessary after any major changes in the infrastructure or the refrigeration equipment.

I hereby apply for a licence to operate a laboratory for use by a person operating a fish processing establishment.

I. Details of applicant and premises

Name of applicant (if applicant is a registered company, give name and address and registered number):

Address of applicant:

E-mail..... Telephone:

Name of premises:

State whether applicant is owner of lessee of premises:

Address of proposed premises:

E-mail: Telephone:

Name of landlord (if applicable):

Address of landlord.....

E-mail: Telephone:

II. Details of laboratory

Tests to be conducted:
.....

Reference laboratory:
.....

III. Declaration by applicant

I apply for a licence to operate a laboratory for use by a person operating a fish processing establishment in respect of the premises described above. I declare that the above information is true, complete and correct. I understand I am required to report to the Chief Fisheries Officer any changes to the information given on this form and further understand that failure to do so may render me liable to prosecution.

.....
Applicant

.....
Date

Application No. [xxxxx] : for official purpose

**SCHEDULE I
FORM E**

**APPLICATION FORM FOR A LICENCE TO IMPORT FISH AND FISHERY
PRODUCTS INTENDED FOR HUMAN CONSUMPTION
FISHERIES (SEAFOOD) REGULATIONS 2022**

INSTRUCTIONS – Answer all the questions on this form by filling in the spaces provided.
Underline Surnames.
For “address” provide as much detail as possible.
If not applicable, write NA – leave no blanks.
Specify units of measurement if not metric.

ADDRESS TO: The Chief Fisheries Officer,
Fisheries Division, Ministry of Agriculture, Lands, Fisheries and
Barbuda Affairs
Lower North Street, St John’s, Antigua, W.I.

NOTE: The application shall be renewed as often as necessary after any major changes in the activities described.

I hereby apply for a licence to import fish and fishery products intended for human consumption into Antigua and Barbuda.

I. Details of applicant and premises

Name of applicant (if applicant is a registered company, give name and address and registered number):.....

Address of applicant:

E-mail:..... Telephone:

Name of premises: (if any).....

Address of premises:

E-mail: Telephone:

II. Details of importing activity

Species and condition (fresh, live or frozen) of fish to be imported:

.....
.....
.....
.....
.....
.....

Country of origin:

Description of storage facilities and distribution channels within Antigua and Barbuda:

.....
.....
.....

III. Declaration by applicant

I apply for an import licence in respect of the activities described above. I declare that the above information is true, complete and correct. I understand I am required to report to the Chief Fisheries Officer any changes to the information given on this form and further understand that failure to do so may render me liable to prosecution.

.....
Applicant

.....
Date

Application No. [xxxxx] : for official purpose

SCHEDULE I
FORM F

FISH PROCESSING ESTABLISHMENT LICENCE
FISHERIES (SEAFOOD) REGULATIONS 2022

Number of licence: Reference number of related application:.....

Licence period: From / / / - To - / / /

I. Details of licence holder and premises

Name of licence holder (if a registered company; name, address and registered number):

.....

Address of licence holder:

.....

E-mail..... Telephone:

Name of premises:

Address of premises:

E-mail: Telephone:

II. Details of licensed activity

Species of fish authorised:

.....

Type of activity authorised:

.....

III. Conditions

.....
.....
.....
.....

The entity named as licence holder above is hereby licensed in accordance with Section 39 of the Fisheries Act, 2006 to use the premises described above as a fish processing establishment in accordance with the conditions prescribed in this licence, the Fisheries Regulations, 2013, the Fisheries (Seafood) Regulations, 2022.

.....
Signature of the Chief Fisheries Officer

.....
Date

**SCHEDULE I
FORM G**

**LICENCE TO OPERATE ICE PLANT
FISHERIES (SEAFOOD) REGULATIONS 2022**

Number of licence: Reference number of related application:.....

Licence period: From / / /- To - / / /

I. Details of licence holder and premises

Name of licence holder (if a registered company; name, address and registered number):

.....

Address of licence holder:

.....

E-mail..... Telephone:

Name of premises:

Address of premises:

E-mail: Telephone:

II. Conditions

.....

.....

.....

.....

The person named as licence holder above is hereby licensed in accordance with Section 39 of the Fisheries Act, 2006 to operate an ice plant in respect of its use or intended use for production of ice to the fisheries industry in accordance with the conditions prescribed in this licence, the Fisheries Regulations, 2013, the Fisheries (Seafood) Regulations, 2022.

.....
Signature of the Chief Fisheries Officer

.....
Date

**SCHEDULE I
FORM H**

**LICENCE TO OPERATE LABORATORY
FISHERIES (SEAFOOD) REGULATIONS 2022**

Number of licence: Reference number of related application:.....

Licence period: From / / / - To - / / /

I. Details of licence holder and premises

Name of licence holder (if a registered company; name, address and registered number):

.....

Address of licence holder:

.....

E-mail..... **Telephone:**

Name of premises:

Address of premises:

E-mail **Telephone:**

II. Conditions

.....

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.....
.....
The person named as licence holder above is hereby licensed in accordance with Section 39 of the Fisheries Act, 2006 to operate a laboratory for use by a person operating a fish processing establishment in accordance with the conditions prescribed in this licence, the Fisheries Regulations, 2013, the Fisheries (Seafood) Regulations, 2022.

.....
Signature of the Chief Fisheries Officer

.....
Date

SCHEDULE I

FORM J

APPROVAL TO

CONSTRUCT, RECONSTRUCT OR ADAPT A FISH PROCESSING ESTABLISHMENT

FISHERIES (SEAFOOD) REGULATIONS 2022

Number of approval: Reference number of related application:.....

Approval period: From / / /-To- / / /

I. Details of applicant and premises

Name of applicant (if a registered company; name, address and registered number):

.....

Address of applicant:

.....

E-mail..... **Telephone:**

Name of (planned) premises:

Address of premises:

E-mail **Telephone:**

II. Comments and conditions

.....
.....
.....
.....
.....

.....
.....
.....

The person named as applicant above is hereby approved to construct, reconstruct or adapt a fish processing establishment in accordance with the application to do so and any comments and conditions prescribed in this approval.

.....

Signature of the Chief Fisheries Officer

Date

SCHEDULE II**FEES****Part I – Fees upon application for Licences or Approval**

1. Application for a licence to operate or an approval to construct, reconstruct or adapt a fish processing establishment
\$100.00
2. Application for a licence to operate a laboratory for use by the management of a fish processing establishment
\$100.00
3. Application for licence to operate an ice plant in respect of its use or intended use for production of ice to the fishing industry
\$100.00
4. Application for licence to import fish and fishery products
\$20.00

Part II – Licence fees

1. Fish Processing Establishment Licence
\$ 250.00
2. Licence to operate ice plant.
\$ 250.00

3. Licence to operate Laboratory.

\$ 250.00

4. Licence to import fish and fishery products.

\$ 100 per consignment

Part III – Inspection Fees

1. Inspection for exports

\$ 200.00 per consignment

2. Inspection for auditing of Quality Management Programme

\$ 250.00

SCHEDULE III**FORM A****HEALTH CERTIFICATE**

1). All Health Certificates issued under these regulations shall at least include -

- 1) Consignor/Exporter
 - a. Name
 - b. Address
 - c. Tel. No
- 2) Certificate reference No
- 3) Central Competent Authority
- 4) Local Competent Authority
- 5) Consignee / importer
 - a. Name
 - b. Address
 - c. Postal code
 - d. Tel. No
- 6) Operator responsible for the consignment
 - a. Name
 - b. Address
 - c. Postal code
- 7) Country of origin ISO
 - a. Country Name
 - b. Country ISO
- 8) Region of origin & Code
 - a. FAO Fishing Area name

- b. FAO Fishing Area Code
- 9) Country of destination ISO
 - a. Country Name
 - b. Country ISO
- 10) Place of dispatch
 - a. Name
 - b. Address
 - c. Approval No
- 11) Place of destination
 - a. Name
 - b. Address
- 12) Place of loading
- 13) Date and time of departure
- 14) Means of transport (Select applicable means of transportation)
 - a. Aeroplane
 - b. Road vehicle
 - c. Identification:
 - d. Vessel
 - e. Railway
 - f. Other
- 15) Accompanying documents
 - a. Document Type
 - b. Document Number
- 16) Transport conditions

- a. Ambient / Chilled /Frozen (only one may be selected)
- 17) Container No/Seal No
 - 18) Certification of goods for human consumption
 - a. Other certification/purpose where applicable
 - 19) Final Market
 - 20) Total number of packages
 - 21) Quantity
 - a. Total number
 - b. Total net weight (Kg)
 - c. Total gross weight (Kg)
 - 22) Description of goods under the Harmonized Commodity Description and Coding System
 - a. HS Code and Title
 - b. Species (Scientific name)
 - c. Final consumer
 - d. Number of packages
 - e. Nature of commodity
 - f. Vessel/manufacturing plant
 - g. Net weight
 - h. Batch No
 - i. Treatment type
 - j. Cold store
 - k. Type of packaging
- 2). Public health attestation
 - 3). Animal health attestation for fish and crustaceans of aquaculture origin where applicable
 - 4). Transport and labelling requirements

5). Flag State validating authority Official Inspector. The colour or the signature and seal/stamp must be different from that of the other particulars on the form Name

- a. Title / Designation
- b. Signature
- c. Date of signing
- d. Official Stamp / Seal

SCHEDULE III**FORM B****CATCH CERTIFICATE**

- 1). All Catch Certificates issued under these regulations shall at least include -
 - 1).a Certificate number
 - 1).b Name of validating authority:
 - 1) Product Details
 - a) Description of product(s)
 - b) References of applicable conservation and management measures
 - c) Species
 - d) Product code
 - e) Verified weight landed (kg)-where appropriate
 - f) Batch number
 - 2) References of applicable conservation and management measures
 - 3) List of vessels that have provided catches and the quantities by each vessel
 - a) Vessel name
 - b) Vessel registration number
 - c) Quantity (kg)
 - 4) Exporter Details
 - a) Name, address, tel. and fax of exporter
 - b) Signature of the exporter or representative
 - c) Seal/stamp
 - 5) Flag State authority validation. The colour or the signature and seal/stamp must be different from that of the other particulars on the form.
 - a) Name/Title

- b) Signature of the authority of validation
 - c) Date
 - d) Seal /stamp
- 6) Transport details
- a) Country of exportation
 - b) Port/airport/other place of departure
 - c) Exporter signature
 - d) Vessel or Carrier details
 - i) Name and flag
 - ii) Flight number airway bill number
 - iii) Truck nationality and registration number
- 7) Importer declaration
- a) Name and address of Importer
 - b) Signature
 - c) Date
 - d) Seal/Stamp
 - e) Product code and title under the Harmonized Commodity Description and Coding System
- 8) Import control:
- a) Authority
 - b) Place
 - c) Importation status
 - i) Importation authorised, or,
 - ii) Importation suspended/Rejected
 - iii) Verification requested – date

- 9) Place Customs declaration (if issued)
- a) Number
 - b) Date

Place made the 12th day of December, 2022.

Hon. Samantha Marshall,
Minister of Agriculture, Fisheries
and Barbuda Affairs.