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MINISTRY OF AGRICULTURE, FISHERIES
AND LOCAL GOVERNMENT

S.I. No. 33 of 2004

THE FOOD ACT

(Chapter 236)

THE FOOD (SEAFOOD PROCESSING AND
INSPECTION) (AMENDMENT) REGULATIONS, 2004

The Minister, in exercise of the powers conferred by section 11 of the Food Act, makes the following regulations -

1.
These Regulations which amend the Food (Seafood Processing and Inspection) Regulations, may be cited as the Food (Seafood Processing and Inspection) (Amendment) Regulations, 2004.

Citation.
S.I. 87 of 2002.
2.
Regulation 2 of the principal Regulations is amended by the insertion in the appropriate alphabetical order of the following definition -

“commercial fishing vessel” means a vessel which has been granted a permit under section 11(1) of the Fisheries Resources (Jurisdiction and Conservation) Act;”

Amends regulation 2 of the principal Regulations.
Ch. 244.
3.
Regulation 3 of the principal Regulations is revoked and replaced as follows -
“3(1) Subject to paragraph (2), these regulations apply to -
(a)
seafood intended for export and domestic wholesale trade;
(b)
seafood holding stations;
(c)
seafood processing plants;
(d)
seafood export plants;
(e)
commercial fishing vessels; and
(f)
factory vessels.
(2)These Regulations do not apply to quantities of one hundred pounds (45.4 kilograms) or less of seafood that is imported for personal consumption or use.”

Revokes and replaces regulation 3 of the principal Regulations.
4.
The principal Regulations are amended by the insertion of the following as Regulation 17A -
“Requirements for commercial fishing vessels.

Amends the principal Regulations.

17A. In the case of a commercial fishing vessel, the following conditions apply -
(a)
the commercial fishing vessels must meet the requirements of Schedule 1A;
(b)
the seafood handling requirements of Schedule 2 and Schedule 5 must be met”.
5.
Paragraph (1) of regulation 22 of the principal Regulations is deleted and the following substituted therefor -
“(1) No person shall harvest, unload, handle, hold or transport seafood intended for processing unless the harvesting, unloading, handling, holding or transporting meets the requirements of Schedule 1A, Schedule 2 and Schedule 5.”

Amends regulation 22 of the principal Regulations.
6.
Section 1(12)(b) of Schedule 1 of the principal Regulations is deleted and the following substituted therefor -
“(b) are equipped with an accurate indicating thermometer or a temperature measuring device, and a temperature recording device so installed as to accurately show the temperature within the compartment and should be fitted with an automatic control to regulate temperature or with an automatic alarm system to indicate a significant temperature change in a manual operation. Charts must be available for inspection by an authorized officer at least during the period when the room is in

Amends Schedule 1 of the principal Regulations.

use.”.

7.

The principal Regulations are amended by the insertion immediately following Schedule 1 of the following as Schedule 1A -

“Schedule 1A

Commercial Fishing Vessel Requirements

1.

The general hygiene conditions applicable to seafood products on board commercial fishing vessels are as follows -

- (1)The sections of vessels or the containers reserved for the storage of seafood products must not contain objects or products liable to transmit harmful properties or abnormal characteristics to the foodstuffs. These sections or containers must be so designed as to allow them to be cleaned easily and to ensure that melted water cannot remain in contact with the seafood products.
- (2)When used, the sections of vessels or the containers reserved for the storage of seafood products must be completely clean and, in particular must not be capable of being contaminated by the fuel used for the propulsion of the vessel or by bilge water.
- (3)As soon as the seafood is taken on board, the seafood must be protected from contamination and from the effects of the sun or any other source of heat. When the seafood is washed the water used must be either fresh potable water, or clean seawater, so as not to impair the quality of the seafood.
- (4)The seafood must be handled and stored in such a way as to prevent bruising. The use of spiked instruments shall be tolerated for the moving of large fish or fish which might injure the handler, provided the flesh of the fish is not damaged.
- (5)Seafood other than those kept alive must undergo cold treatment as soon as possible after loading. However, in the case of fishing vessels where cooling is not possible, the fish must not be kept on board for more than eight hours.
- (6)Ice used for the chilling of the seafood product must be made from potable water or clean seawater. Before use, it must be stored under conditions that prevent its contamination.
- (7)After the seafood has been unloaded, the container, equipment and sections of vessels which are directly in contact with the seafood products must be cleaned with potable water or clean seawater.
- (8)Where fish is headed and/or gutted on board, such operations must be carried out hygienically and the products must be washed immediately and thoroughly with fresh potable water or clean seawater. The viscera and parts which may pose a threat to public health must be removed and set apart from products intended for human consumption. Livers and roes intended for human consumption must be refrigerated or frozen.
- (9)Equipment used for gutting, heading and the removal of fins, and containers and equipment in contact with the fishery products, must be made of or coated with a material which is water-proof, resistant to decay, smooth and easy to clean and disinfect. This equipment, when used must be completely clean.
- (10)Staff assigned to the handling of fishery products shall be required to maintain a high standard of cleanliness.

2.

Additional hygiene conditions applicable to commercial fishing vessels are -

- (1)Fishing vessels which refrigerate or freeze seafood products must be quipped with holds, tanks or containers for the storage of refrigerated or frozen seafood products at the appropriate temperature. These holds shall be separated from the machinery space and the quarters reserved for the crew by partitions that are sufficiently impervious to prevent any contamination of the stored seafood products.
- (2)The inside surface of the holds, tanks or containers shall be water-proof and easy to wash and disinfect. It shall consist of a smooth material or, failing that, smooth paint maintained in good condition, not being capable of transmitting to the seafood products, substances harmful to human health.
- (3)The holds shall be designed to ensure that melted water cannot remain in contact with the seafood products.
- (4)Containers used for storage of seafood products must ensure their preservation under satisfactory conditions of hygiene and, in particular, allow drainage of melted water. These containers, when used must be completely clean.
- (5)The working decks, the equipment and the holds, tanks and containers shall be cleaned after each use. Potable water or clean seawater shall be used for this purpose. Disinfection, the removal of insects or rat extermination shall be carried out whenever necessary.
- (6)Cleaning products, disinfectants, insecticides and all potentially toxic substances shall be stored in locked premises or cupboards. Their use must not present any risk of contamination of the seafood product.
- (7)If seafood products are frozen on board, the vessel must meet the requirements of section 2 of Schedule I. When freezing in brine is used. the brine shall not be a source of contamination for the seafood product.
- (8)Vessels equipped for chilling of fishery products in cooled seawater. either chilled by ice or refrigerated by mechanical means, shall comply with the following requirements:
 - (i) tanks must be equipped with adequate seawater filling and drainage installations and must incorporate devices for achieving uniform temperature throughout the tanks;
 - (ii)

Insertion of
new
Schedule
1A into the
principal
Regulations.

tanks must have a means for recording temperature connected to a temperature sensor positioned in the section of the tank where temperatures are highest;

(iii) the operation of the tank or container system must secure a chilling rate which ensures the mix of fish and seawater reaches 3 °C in a maximum of six hours after loading and 0 °C in a maximum of sixteen hours after loading;

(iv) after each unloading, the tanks, circulation systems and containers must be completely emptied and thoroughly cleaned using potable water or clean seawater. They should only be filled with clean seawater;

(v) the date and the number of the tank must be clearly indicated on the temperature recordings which must be kept available for review by authorized officers.

(9)The Minister or an authorized officer shall keep up to date for control purposes a list of the vessels equipped in accordance with points 7 or 8, with the exception however of vessels equipped with removable containers and which are not engaged regularly in preserving fish in chilled seawater.

(10)Vessel owners or their representatives shall take all the measures necessary to prevent persons liable to contaminate fishery products from handling them, until there is evidence that such persons can do so without risk.".

8. Section 3(5) of Schedule 3 of the principal Regulations is deleted and the following substituted therefor -
“(5) all refrigerated rooms must be equipped with an accurate indicating thermometer or a temperature measuring device, and a temperature recording device so installed as to accurately show the temperature within the compartment and should be fitted with an automatic control to regulate temperature or with an automatic alarm system to indicate a significant temperature change in a manual operation. Charts must be available for inspection by an authorized officer at least during the period when the room is in use.”.

Amends
Schedule 3
of the
principal
Regulations.

9. Section 5(4) of Schedule 4 of the principal Regulations is deleted and the following substituted therefor -
“(4) all refrigerated rooms must be equipped with an accurate indicating thermometer or a temperature measuring device, and a temperature recording device so installed as to accurately show the temperature within the compartment and should be fitted with an automatic control to regulate temperature or with an automatic alarm system to indicate a significant temperature change in a manual operation. Charts must be available for inspection by an authorized officer at least during the period when the room is in use.”.

Amends
Schedule 4
of the
principal
Regulations.

10. Schedule 13 of the principal Regulations is amended by the deletion of the items following the heading "Maximum Tolerance Levels for Toxic Elements in Seafood Products" and the substitution therefor of the following -
“

Amends
Schedule 13
of the
principal
Regulation.

Product	Lead (Pb)	Cadmium (Cd)	Mercury
1. Fish	0.2	0.05	
2. Crustaceans	0.5	0.5	
3. Bivalve Molluscs	1.0	1.0	
4. Fishery Products, except those listed at (5) below			0.5
5. Anglerfish (lophlus spp.) Atlantic catfish (Anarhichas lupus), bass (Dicentrarchus labrax), blue ling (Molva dipterygia), bonito (Sarda spp.) eel (Anguilla spp.), halibut (Hippoglossus hippoglossus) little tuna (Euthynnus spp.) Marlin (Makaira spp.) pike (Esox lucius), plain bonito (Orcynopsis unicolor), Portuguese dogfish (Centroscymnes coelolepis), rays (Raja sp.), redfish (Sebastes marinus, S. mentella, S. viviparous), sail fish (Istiophorus platypterus), scabbard fish (Lepidopus caudatus, Aphanopus carbo), shark (all species), snake mackerel (Lepidocybium flavobrunneum, Ruvettus pretiosus, Gempylus serpens), sturgeon (Acipenser spp.), swordfish (Xiphias gladius, tuna Thunnus spp.)			1.0

Made this 22nd day of May, 2004.
Signed
V. ALFRED GRAY
Minister Responsible for the Manufacture, Processing and Preserving of Food

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