

TRANSLATED FROM THE ICELANDIC

GOVERNMENT GAZETTE A. No. 55/1963

A C I

Respecting Control and Inspection
of Fish and Fish Produce

THE PRESIDENT OF ICELAND

makes known:- The Althing (Legislative Assembly) have passed the present Act and I have ratified it by means of my approval:-

Art. 1

In the present Act the following definitions apply:-

Fish:- Fish which is caught in the sea, including herring, crustaceans and molluscs, intended for human consumption.

Fish produce:- Produce made from fish caught in the sea and intended for human consumption.

Control:- Regular observation and sampling when applicable for the purpose of following conditions and the modes of production of a firm and the handling, quality and grading of goods.

Inspection:- Observation and grading of the entire goods having regard to specific grades of quality or standards.

4. Control and inspection of fish and fish produce.
5. Control of shipping, loading and handling of fish and fish produce being exported.
6. Issue of certificates relating to control and inspection by the Fish Inspection.
7. Prohibition against processing of fish below a specified minimum size or fish which has been caught in regions or during a season giving cause for assuming that it be faulty.
8. Prohibition against fish processing plant receiving more fish than they can process prior to its being spoiled.
9. Requirements respecting the education and experience of the Director of the State Fish Inspection and the Chiefs of the individual divisions thereof, Chief Fish Inspectors, Fish Inspectors and Foremen engaged in fish processing.
10. Sphere of activities of employees of the State Fish Inspection.

Subject to the approval of the Minister, the Director of Fish Inspection is authorized to issue instructions relating to details of execution under the present Act.

Regulations and other instructions which have been laid down under Acts Nos. 46/1948 and 42/1960 remain in force as far as applicable.

The present Act does not apply to salted herring.

Art. 2

All fish landed shall be subject to control until it has been processed or disposed of in another manner.

All fish or fish produce exported shall be subject to control or inspected unless both factors apply. Sample consignments and own catch carried by fishing vessels to foreign markets shall, however, be exempt provided the catch has not been landed here. Regulations relating to these exports may be laid down.

Art. 3

The Minister of Fisheries shall, after consultation with the State Fish Inspection, the Fish Industry Research Institute and the chief unions of fishing vessel owners, seamen and owners of fish processing plant, lay down Regulations and issue letters of instructions relating to the execution of the present Act, and these shall i.a. stipulate the following points to ensure that fish and fish produce exported from Iceland be quality and wholesome goods:-

1. Outfit and sanitation of fishing vessels, fish processing plant and transport gear for fish.
2. Handling, storage and transport of fish and fish produce.
3. Modes of production, packing and marking as well as quality standards for fish and fish produce.

Art. 4

The State Fish Inspection undertake control and inspection of fish and fish produce in accordance with the present Act. The Minister of Fisheries has the superior supervision of these matters.

The State Fish Inspection shall be divided into a Fresh and Frozen Fish Division on the one hand and a Salt and Stock Fish Division on the other.

The Minister may increase the number of divisions as and when necessary. The Fish Industry Research Institute shall be charged with the control of canned goods and the inspection of medicinal fish oil.

Art. 5

The tasks set for the Fresh and Frozen Fish Divisions are as follows:-

1. Control of outfit and sanitation of fishing vessels, fish processing plant and transport gear for fish.
2. Control of quality and handling of fresh and iced fish intended for processing or export.
3. Control of production, handling, storage and export of frozen fish and fish produce.
4. Quality and size grading of fresh and frozen fish as decided upon by the Minister.
5. Granting of guidance respecting the processing of fish within the scope of the Division when required or desired.

Art. 6

The tasks set for the Salt and Stock Fish Division are as follows:-

1. Control of sanitation of salt and stock fish plant.
2. Control of production, handling, storage and export of salt fish, salted fish produce and stock fish.
3. Quality inspection and size grading of salt fish and stock fish for export.
4. Granting of guidance respecting the processing of salt fish and stock fish when required or desired.

Art. 7

The Fish Industry Research Institute will, acting in consultation with the State Fish Inspection and the chief unions of producers in the various branches of production, undertake such research and tests as are required on account of the control and inspection of fish and fish produce.

Art. 8

The Minister of Fisheries will appoint a Director of Fish Inspection, Chiefs of Divisions and Chief Fish Inspectors after having received applications and recommendations.

Upon the appointment of Chiefs of Divisions, Chief Fish Inspectors and the engagement of other employees at the State Fish Inspection, the opinion of the proposed

superior official of the employee concerned shall be sought.

Art. 9

The Director of Fish Inspection undertakes the management of the State Fish Inspection and the superior supervision of all control and inspection of fish and fish produce in Iceland.

There shall be two Chiefs of Division. Each will manage his Division of the State Fish Inspection, cf. Art. 4, and the control and fish inspection coming under the Division. They will supervise the work of Chief Fish Inspectors.

Chief Fish Inspectors represent the Director of Fish Inspection and Chiefs of Division in individual parts of the country and supervise all control and inspection within their jurisdiction. They shall be as many as required and as authorized in the Budget. It is permissible that a Chief Fish Inspector perform fish inspection and control for two or more Divisions.

Art. 10

Fish Inspectors working under the auspices of the State Fish Inspection shall, acting under the supervision of Chief Fish Inspectors, execute the control and inspection provided for in the present Act.

A Chief of Police will legalize Fish Inspectors in accordance with nomination by the Director of Fish Inspection, and will see to it that they sign an oath to

the effect that they will discharge the duties imposed upon them in their work with application and diligence.

Regulations laid down by the Minister of Fisheries shall stipulate further details relating to the engagement of Fish Inspectors, their sphere of activities and other factors.

Wages to Fish Inspectors for their work and other costs of their work on the inspection of fish shall be paid to them by the owners of the fish as will be further decided in Regulations relating to the work of Fish Inspectors.

Art. 11

The Director of Fish Inspection, Chiefs of Division and Chief Fish Inspectors are subject to duties and enjoy rights as official employees. Their wages shall be subject to the agreements on terms for State employees. They may not engage in any operations connected with fish processing or fish business, nor may they accept any remuneration from owners of fish, fish produce and fish processing plant other than such payment as is fixed in Acts of Law or their letters of instructions.

Art. 12

Employees of the State Fish Inspection are forbidden, subject to liability under the provisions of the Penal Code respecting violation in official employ, to advise unconcerned persons of any matter to be kept

in confidence and of which they have become aware in the course of their duties.

Art. 13

Anyone intending to export fish or fish produce to which the present Act applies shall notify the Chief of Division or Chief Fish Inspector concerned thereof at suitable notice, and the loading of the goods on board ship or other means of conveyance shall take place under the supervision of State Fish Inspection personnel.

Those exporting cargoes of fish shall be in duty bound to have Loading Foremen on board the ships in case these take cargo at more than one port.

Loading Foremen shall abide by the instructions of Chief Fish Inspectors relating to the loading of vessels as it pertains to the inspection, quality, appearance and marking of the goods.

A Chief of Police will legalize Loading Foremen in accordance with nomination by the Director of Fish Inspection, and will see to it that they sign an oath to the effect that they will discharge the duties imposed upon them in their work with application and diligence.

Art. 14

Anyone catching, processing or dealing in fish or fish produce to which the present Act applies shall be in duty bound to grant State Fish Inspection personnel all such information and render them such assistance as may be necessary for them in the execution of control

and inspection. This applies equally to information relating to processing, storage and transport of fish and fish produce and to details of payment of damages or to claims on account of faulty quality of goods or insufficient packing thereof.

State Fish Inspection personnel may gain access to any place where fish or fish produce to which the present Act applies are processed or stored. They are also authorized to take, free of charge, a suitable quantity of samples of fish and fish produce for the purpose of observation, provided that the owners of the fish or fish produce be handed a written report on the conclusions of the investigation.

Art. 15

The Director of Fish Inspection, Chiefs of Division, Chief Fish Inspectors and Inspectors are empowered to stop the receipt of fish as well as processing, packing and export of fish and fish produce in case sanitation and outfit of fishing vessels, fish processing plant or fish transport gear or the handling of catch, quality of raw material or fish produce, its marking, packing or other finish is not in conformity with the rules laid down in accordance with Art. 3 of the present Act. State Fish Inspection personnel shall forthwith notify their superior official of stoppage in accordance with the present paragraph.

In case the receipt, processing, packing or export of fish or fish produce has been suspended in accordance with the authority contained in para. 1, the State Fish Inspection shall permit that the fish or fish produce concerned be utilized in any manner suitable in their judgment. They shall also be in duty bound to permit that shortcomings of goods be improved upon if possible and the ban shall be relaxed when improvement has been effected.

The Director of Fish Inspection will render a decision in case a dispute arise on account of fish inspection or control, but his decision relating to interpretation of the present Act and rules laid down in accordance therewith may be appealed to the Ministry of Fisheries.

Art. 16

In case fresh herring, salted herring, fish oil, canned goods, fish meal or other sea produce not directly subject to control or inspection by the State Fish Inspection, is sold in accordance with samples, or in case it be necessary to obtain an official certificate of quality for these products, based on the testing of samples, the Director of Fish Inspection shall charge a Fish Inspector with undertaking sampling in accordance with instructions from the party performing the test.

Art. 17

Anyone becoming guilty of a violation of the present Act or rules laid down in accordance therewith shall be subject to fines which shall be contributed to the State Treasury.

Lawsuits arising out of violations of the present Act or Regulations laid down thereunder shall be proceeded with as official actions.

Art. 18

Costs incurred through implementation of the present Act shall be paid by the State Treasury.

In order to meet the costs incurred through the execution of fresh fish inspection an export charge on Icelandic sea produce (other than those derived from whaling and seal-hunting) amounting to 1 1/2 per mill. of the f.o.b. value thereof shall be paid. This charge shall be calculated in the same manner as other export charges on the same goods and shall be contributed to the State Treasury.

Art. 19

As of the time the present Act enters into force, the following Acts shall be abrogated

Act No. 46, April 5th, 1948 respecting
fish inspection and handling, processing
and export of fish

Act No. 42, June 9th, 1960 respecting
fresh fish control.

Act No. 42, June 19th, 1933 respecting
processing, reduction and inspection
of medicinal fish oil.

Art. 20

The present Act shall enter into force on
July 1st, 1966.

Given at Reykjavik May 2nd, 1966

Asgeir Asgeirsson
(L. S.)

Egert G. Thorsteinsson

Certified true and faithful translation
of the Icelandic text
of the Act No. 42, June 19th, 1933
respecting processing, reduction and inspection
of medicinal fish oil.
JULY 1, 1966
AUTHENTIC TRANSLATION
REYKJAVIK - ICELAND