

Fisheries and Marine Resources (Import of Fish and Fish Products) Regulations 2012

GN No. 27 of 2012

FISHERIES AND MARINE RESOURCES ACT

Regulations made by Minister under section 74 of the Fisheries and Marine Resources Act

1. These regulations may be cited as the **Fisheries and Marine Resources (Import of Fish and Fish Products) Regulations 2012**.

2. In these regulations –

“Act” means the Fisheries and Marine Resources Act;

“authorised officer” means any officer designated as such by the Permanent Secretary for the purpose of ensuring compliance with the regulations, including inspection and clearance of fish or fish products at the ports of entry, cold rooms, warehouses, sale points, retail outlets, fish farms and fish quarantine facilities;

“competent authority” means the body designated by the government of the country of origin or exporting country to verify and certify fish and fish products meant for export;

“consignment” means a quantity of fish or fish product covered by the same health certificate, conveyed by the same means of transport and coming from the same country;

“custom area” has the same meaning as in the Customs Act;

“documentary check” means the examination of the health certificate and other commercial documents accompanying the consignment;

“fish” means any seawater, fresh water organisms or aquatic animals, whether from the wild or farmed –

- (a) excluding mammals, reptiles and frogs; and
- (b) including all edible forms, parts and products of such animals;

“fish products” –

- (a) mean processed, unprocessed or any edible form of fish; and
- (b) includes –

- (i) fish feed, fishmeal, fish based products; or
- (ii) any products derived from fish intended for human consumption or for animal feeding;

“freeport zone” has the same meaning as in the Freeport Act;

“import” means –

- (a) to bring, or cause to be brought, any fish or fish products into the airport or any harbour of Mauritius;
- (b) to bring any fish or fish products into the customs area, or cause to be brought into the customs area;
- (c) to remove any fish or fish products from the freeport zone for sale on the local market; and
- (d) to remove fish or fish products from foreign fishing vessels calling at the port for trade purposes;

“importer” means a person, a fish business operator, a company or his agent responsible for the import of any fish or fish products into Mauritius;

“physical check” means visual inspection and check on the fish, transport system, packaging, labelling, temperature, sampling for laboratory testing and any other check necessary to verify compliance with the regulations;

“registered person” means a person who is issued with a registration certificate under regulation 4;

“safe” means having no adverse health effects on human when the fish is ingested;

“traceability” means the ability to trace, follow and identify –

- (a) a product unit or batch;
- (b) the producer, manufacturer, processor, supplier; and
- (c) any other product information,

useful to the consumer through all the stages of production, processing, storage, distribution and retail sale.

3. (1) These regulations shall apply to the import of any fish or fish product into Mauritius.

(2) Notwithstanding paragraph (1), these regulations shall not apply to the import of –

- (a) fish or fish product intended for personal consumption not exceeding 5 kilogrammes;
- (b) fish or fish product intended for pre-market approval;
- (c) samples intended for laboratory analyses;
- (d) live ornamental fish, intended for personal aquarium, not more than 10 units;
- (e) fish and fish product meant for storage, processing, or re-export by a registered freeport operator;
- (f) fish and fish product in custom area for transshipment;
- (g) fish and fish product exported to foreign market and subsequently returned to the initial exporter;
- (h) fish by foreign fishing vessels trading with the freeport operators;
- (i) fish for research purposes.

(3) Any fish or fish product exempted under paragraph (2) shall be inspected and approved by an authorized officer at the port of entry.

4. (1) No person shall import into Mauritius, a consignment of fish or fish product, unless he is registered with the Permanent Secretary.

(2) A person shall apply to be registered with the Permanent Secretary in such form and manner as he may determine.

(3) On receipt of an application, the Permanent Secretary may require the applicant to submit such additional information as may be necessary to consider his application.

(4) (a) A registration certificate may be issued to the applicant –

- (i) if he satisfies the registration criteria specified in the First Schedule;

(ii) under such terms and conditions as the Permanent Secretary may determine.

(b) The registration certificate shall be –

(i) valid for a period of one year, starting from January and ending in December;

(ii) renewed annually.

(5) The Permanent Secretary may cancel or refuse to renew the registration certificate where the person –

(a) is convicted of an offence under, or fails to comply with, the Act or these regulations;

(b) no longer complies with the criteria specified in the First Schedule; or

(c) is not a fit and proper person.

(6) The application for renewal of the registration certificate shall be submitted to the Permanent Secretary at least 15 days before the expiry.

5.(1) No person shall import any fish or fish product unless he –

(a) complies with the general requirements specified in the Second Schedule;

(b) pays an annual import fee as specified in the Third Schedule.

(2) The annual import fee shall be paid to the Director-General, Mauritius Revenue Authority, before importing any consignment of fish.

(3) The consignment of fish or fish product intended for import shall be produced, caught, handled, processed, stored, packaged and transported under sanitary and hygienic standards –

(a) specified in the Fourth schedule;

(b) as spelt out in the Codex Alimentarius – General Principles of Food Hygiene and the Code of Practice for Fish and Fishery Products (CAC/RCP 52-2003, Rev); or

(c) as may be set out by the Permanent Secretary.

(4) □ The importer shall ensure that the products meet the standards specified at paragraph (3).

(5) □ All the consignments of fish or fish products shall be accompanied by a health certificate issued by the competent authority of the country of origin or the exporting country.

(6) □ The importer shall ensure that the fish or fish product imported into Mauritius have adequate information on the product for its traceability throughout the supply chain.

(7) □ Any fish or fish product, imported for the purpose of sale, shall be properly packaged and labeled to indicate such information as specified in the Fifth Schedule.

6. □ (1) □ An authorized officer may, for the purpose of the Act or these regulations, enter and inspect any premises, boat, vessel, transport vehicle, reefer container, warehouse or cold storage facility where the fish or fish product is stored.

(2) □ On arrival of the consignment, the registered person, importer or his agent shall –

(a) □ notify the authorized officer of the date of arrival of the consignment at least 48 hours in advance;

(b) □ submit relevant import documents for verification;

(c) □ request for an inspection at the port of entry; and

(d) □ make arrangement for inspection of the consignment at the port of entry.

(3) □ The importer shall ensure that the consignment of fish, or fish product, is not removed from the port before it is inspected and approved by an authorized officer.

(4) □ Any consignment of fish or fish product, landed at the port of entry, shall be inspected in the presence of the importer or his agent.

(5) □ Where an inspection is being carried out, the authorized officer may –

(a) □ require the importer to produce any document in relation to the business;

(b) □ check the whole consignment, or parts thereof, as may be deemed appropriate;

(c) □ open as many boxes, containers or packages as he may deem fit;

(d) collect appropriate number of samples for identification and laboratory analysis;

(6) The authorized officer may carry out a physical check on the consignment to verify –

- (a) the species of fish in the consignment;
- (b) the quantity as mentioned in the import documents;
- (c) the quality of the product through organoleptic assessment;
- (d) compliance with temperature requirements;
- (e) the cold chain during transport;
- (f) the freshness criteria for fresh or chilled fish as specified in the Sixth Schedule;
- (g) the general hygiene condition of the fish through laboratory analysis;
- (h) packaging and labelling of the products; or
- (i) presence of parasites

(7) (a) The consignment of fish, or fish product, shall not be released where –
(i) the fish is scheduled as toxic fish in the Toxic Fish Regulations 2004;

(ii) organoleptic examination reveals any doubt as to –

(A) the freshness of the fish; or

(B) the presence of other conditions which may affect human health;

(iii) it is meant for processing and export to the European Union, but is not accompanied by a catch document.

(iv) it is not certified fit for human consumption by –

(A) the competent authority of the country of origin; or

(B) the exporting country; and

(v) it is listed by the Convention on International Trade in Endangered Species.

(b) Where the fish or fish product is suspected of being contaminated, adulterated or in breach of the regulations, the authorized officer may –

(i) put the consignment on hold for quarantine or laboratory analysis;

(ii) detain the consignment for further investigation;

(iii) order re-shipment of the goods; or

(iv) seize the consignment for destruction.

(c) The fish or fish product shall be considered unfit for human consumption if –

(i) organoleptic, chemical, physical or microbiological checks show that they are not in compliance with the regulation;

(ii) the edible parts of the product contain contaminants or residues in excess of limits specified at the Fourth Schedule, the Codex or European Union;

(iii) the product is derived from poisonous fish.

(d) (i) The importer shall not be entitled to any compensation for the fish or fish products forfeited and seized.

(ii) The Permanent Secretary shall dispose of any consignment of fish or fish product, forfeited or seized in the manner he may deem fit

(e) The importer shall bear all the cost incurred for the destruction or re-shipment of goods condemned by an authorized officer.

(8) The authorized officer may release the consignment if it satisfies the requirements of these regulations.

(9) The consignment shall be removed from the customs area only if the authorized officer gives a written or electronic approval to the Director-General of customs department.

7.(1) An authorized officer may collect samples of fish or fish product, from any consignment imported into Mauritius, for the purpose of identification and laboratory analysis.

(2)□The samples shall be collected at the ports of entry or any other place where the fish is kept or stored.

(3)□Sampling shall be carried out by an authorized officer in accordance with a sampling protocol as specified by the Codex or Alimentarius or European Union.

(4)□Samples shall be tested by a laboratory designated by the Permanent Secretary.

(5)□The test methods used for analysis shall be validated by the laboratory against the standard methods.

(6)□Where the result is positive for a particular test, the consignment shall be subject to re-sampling and testing.

(7)□Where the test result for re-sampled product reveal positive, the whole lot, batch or consignment shall be seized and destroyed as deemed appropriate by the Permanent Secretary.

(8)□The importer of any product seized and destroyed under paragraph (7) shall not be entitled to any compensation.

8.□Any person intending to import any fish or fish product shall register himself, or his company with the Ministry of Fisheries within 30 days as from the coming into operation of these regulations.

9.□Any person who contravenes these regulations shall commit an offence and shall, on conviction, be liable to a fine not exceeding 500,000 rupees and to imprisonment for a term not exceeding 2 years.

10.□The regulations shall come in operation on 8 March 2012.

Made by the Minister on 2 March 2012.

FIRST SCHEDULE
[Regulation 4(4)]

CRITERIA FOR REGISTRATION OF IMPORTERS

1. The person intending to import any fish or fish product into Mauritius shall be holder of –
 - (a) a valid trade Licence issued by the Municipality or District Council.
 - (b) a Food Handlers Certificate issued by the Ministry of Health and Quality of Life.
 - (c) a certificate of incorporation issued by the registrar of companies.
 2. The person shall provide the name, address, phone, e-mail address and proof of his residential address or location of the company.
 3. The applicant shall have appropriate storage facilities commensurate with the product intended for import.
 4. The applicant shall, for the purpose of importing frozen fish or fish product, have cold storage facilities capable of maintaining the temperature of product at -18°C or colder.
 5. The cold room shall be fitted with a temperature recording device to ensure effective temperature control.
 6. The person shall, for the purpose of importing chilled fish or fish products, have chilled storage facilities capable of maintaining the temperature of the product as close as possible to 0°C, but not more than +4°C.
 7. Dried, salted and canned fish or fish products shall be stored in appropriate storage facilities under good hygienic and sanitary conditions.
 8. Appropriate facilities shall be available for the transport of frozen fish or fish products. The refrigeration equipment in the vehicle shall be capable of maintaining the temperature of the product at -18°C, with minimal temperature fluctuation during transportation.
 9. Chilled fish shall be transported in vehicles capable of maintaining the temperature of the product as close as possible to 0°C.
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SECOND SCHEDULE
[Regulation 5(1)(a)]

GENERAL REQUIREMENTS FOR THE IMPORT OF FISH OR FISH PRODUCT

- 1.** The importer shall, in advance, provide to the Permanent Secretary –
 - (a) the common and scientific name of the fish;
 - (b) the quantity intended for import;
 - (c) the country of origin/source of supply;
 - (d) the name of establishment or farm or fishing vessel exporting the fish;
 - (e) registration and approval number of the exporting establishment;
 - (f) the name of the Competent Authority in the exporting country;
 - (g) type of products intended for import;
 - (h) purpose of import;
 - (i) place of storage;
 - (j) transport and distribution; and
 - (k) retail sale.
- 2.** Toxic fish species specified in Toxic Fish Regulations 2004 shall not be imported, except bourgeois fish from Seychelles intended for the hotels.
- 3.** Fish species listed by the Convention on International Trade of Endangered fish species (CITES) shall not be imported unless authorized by the Permanent Secretary.
- 4.** (1) The fish shall not originate from illegal, unreported and unregulated fishing activities.

(2) It shall not have been caught in contravention with any international fishery conservation and management measures to which Mauritius is a party.
- 5.** The fish or fish product shall be imported only from an establishment, fishing vessel, factory vessel, a fish farm or any company registered and approved for export by the competent authority of the exporting country.
- 6.** The establishment or company, exporting the fish or fish product to Mauritius, shall implement food safety management system and procedures based on HACCP principles.
- 7.** The consignment shall be accompanied by a health certificate stating that –
 - (a) the product is fit for human consumption.

- (b) the fish or fish product has been produced, caught, handled, processed, packaged, labelled, stored and transported under sanitary and hygienic standards as spelt out in the Codex Alimentarius – General Principles of Food Hygiene and the Code of Practice for Fish and Fishery Products (CAC/RCP 52-2003, Rev);
8. Where the fish is meant for processing and export to the European Union, the health certificate shall state that the fish has been produced, caught, handled, processed, packaged, labelled, stored, and transported according to sanitary and hygienic standards specified in the European Union legislations.
9. Tuna and other pelagic fish species shall be accompanied by a catch document validated by the competent authority of the Flag State of the fishing vessel.
10. Any tuna fishing vessel calling at the port shall be registered or recognized by the Indian Ocean Tuna Commission or any other Regional Fisheries Management Organisations.
11. Any fish imported for processing and re-export to the European Union shall –
- (a) originate from an European Union approved establishment; and
 - (b) be accompanied by a catch certificate validated by the competent authority of the Flag State of the fishing vessel.
12. All consignments of fish shall be accompanied by a certificate of origin.
13. Live fish and sea shells shall be accompanied by a CITES certificate issued by the competent authority of the country of origin.
14. Shark fins shall not be landed from fishing boat or vessel unless the weight of fin does not exceed 5% of the total weight of shark carcass on board the boat or vessel.
15. No shark fin shall be landed, unless the carcass and the fins are on board the same boat/vessel.
16. Shark fin known to have been transshipped at high seas shall not be landed at the port.
17. The importer shall have in place systems and procedures to trace the fish and identify other business operators to whom the fish was sold.
18. The importer shall have recall procedures in place to withdraw the product from the market in case of disease outbreak or for food safety reasons.
19. The person shall keep records and documents on the consignment of fish for at least 3 years.
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THIRD SCHEDULE
[Regulation 5(1b)]

	FEE (Rs)
Annual import of fish and fish products, per calendar year, starting from January and ending in December	25,000

FOURTH SCHEDULE
[Regulation 5(3)]

1. General requirements for all fishing boats/vessels

(1) The boats and vessels used for fishing and harvesting shall be designed and constructed in such a way to meet the basic structural and equipment requirements to ensure hygienic and quality handling of fish.

(2) Construction shall facilitate ample drainage.

(3) The boats and vessels must have good supply of clean water with adequate pressure.

(4) The surfaces with which the fish might come into contact shall be made of corrosion resistant, impervious, smooth, non-toxic materials that are light coloured, smooth and easily cleanable.

(5) Adequate facilities shall be provided for the handling, gutting, washing and storage of fish.

(6) Boats or vessels shall be designed and constructed in such a way to avoid contamination of product with bilge water, scales, slime, sewage, smoke, fuel, oil, grease or any other objectionable matter.

(7) The intake of water shall be located in such a position as to avoid contamination.

(8) The equipment used on board the vessels shall be designed for rapid and efficient handling without causing mechanical damage to the fish.

(9) Disposal of waste shall be done in a hygienic manner.

2. Requirements for boats/vessels handling fresh fish

(1) Boats and vessels designed to preserve fish for more than 24 hours shall be equipped with holds, tanks or containers for the storage of fish at a temperature as close as possible to the temperature of melting ice (0°C).

(2) Holds and containers shall commensurate with the size and species of fish and be so designed to prevent melt water to remain in contact with the fish.

(3) The boat/vessel shall have on board ice making machines or carry ice in sufficient amount from land based establishments.

(4) The mix of fish, ice and water shall reach not more than 3°C 6 hours after loading and not more than 0°C after 16 hours.

(5) The ice used on board shall be made from clean seawater or potable water to avoid contamination of the product.

(6) Finely divided ice shall be used to obtain maximum contact with the fish for rapid cooling of fish to a temperature as close as possible to 0°C.

3. Requirements for freezer vessel

(1) The freezer vessel shall –

(a) be designed and equipped to preserve fish for more than 24 hours;

(b) have on board a freezing equipment to lower the temperature in all parts of the fish to achieve a temperature of not more than -18°C;

(c) have refrigeration devices capable of maintaining the temperature of the fish in storage holds at -18°C or colder;

(2) The storage holds shall be fitted with temperature recording devices.

(3) The fish shall be frozen immediately after gutting and washing operations.

(4) The freezer vessel shall meet all the hygienic requirements for vessel design, construction and maintenance as set out by Codex Alimentarius.

4. Requirements for factory vessel

(1) The factory vessel shall be designed and constructed in such a way as to allow sufficient space or working area for the hygienic preparation and processing of fish.

(2) The vessel must have a receiving and processing area for taking the fish on board.

(3) The working areas in a factory vessel shall –

- (a) be easy to clean and disinfect and prevent any contamination of the product;
- (b) be designed to protect the fish from adverse effects of the sun wind and dust;
- (c) have in place hygienic system for conveying fish from receiving to working area;
- (d) be supplied with clean water or potable water.

(4) The vessel must have separate room for the storage of raw materials and finished products.

(5) Packaging materials shall be kept in a place designated for that purpose.

(6) The water used for washing fish shall be clean water or potable water.

(7) Factory vessels producing frozen fish shall have freezing equipment meeting the requirements for freezer vessel.

(8)(a) Provision shall be made for hygienic disposal of waste.

(b) Containers for offal and waste material shall be clearly identifiable, suitably constructed with a fitted lid and made of impervious material.

(9) Adequate hand washing and toilet facilities shall be provided for use by staff in handling and processing areas to prevent contamination.

(10) Factory vessels shall comply with all hygienic and sanitary requirement recommended by Codex Alimentarius.

5. Brine frozen fish

(1) Where freezing in brine of whole fish intended for canning is practiced, a temperature of not more than -9°C must be achieved in all parts of the product.

(2) The brine shall not be a source of contamination for the product.

6. Requirements for fish handling premises

(1)□The fish handling and processing establishments shall be designed and constructed in such a manner as to provide good hygienic practices, facilitate cleaning, disinfection, maintenance and repair.

(2)□The layout, design, construction, sitting and size of premises shall –

(a)□provide sufficient working space to allow for hygienic operations and minimize airborne and cross contamination;

(b)□prevent accumulation of dirt, shedding of particles, flaking of paints and formation of condensation or undesirable mould on surfaces;

(c)□provide protection against pests and vermin and have an effective pest control programme in place;

(d)□provide suitable temperature controlled environment, protection against contamination and good handling and storage conditions.

(3)□The building shall be maintained free of undergrowth, rubbish, and stagnant water and shall be externally fenced.

(4)□External opening windows of building shall be fitted with washable fine mesh screens.

(5)□The doors shall be fitted with plastic strip curtains.

(6)□The facility must include a product flow-through pattern that is designed to prevent potential sources of contamination, minimize process delays and prevent cross contamination of finished product from raw materials.

(7)□The fish handling premises must have a supply of potable water or clean water with adequate pressure.

(8)□Separate facilities shall be provided for washing hand and fish.

(9)□Washbasins for hand washing shall be located in a suitable place, designated for that purpose and provided with running water.

(10)□(a)□The establishment must be properly ventilated. Ventilation grill and ducts shall be fitted with washable mesh screens or insect proof air filters.

(b)□The ventilation system shall be constructed so as to enable easy cleaning and replacement of parts.

(11)□The facility shall have adequate natural or artificial lighting to enable operation in a hygienic manner.

(12) □ Distinct rooms for each activity or process shall be available.

(13) □ The working surfaces that come into contact with fish or fish product shall be in good condition, clean, smooth, non-absorbent and inert to food, detergents, and disinfectants.

(14) □ The building shall be equipped with hand washing facilities, taps, soap dispensers and single use hand towels.

(15) □ A proper drainage system shall be in place throughout the building to prevent accumulation of water.

(16) □ Fish handling and processing establishment shall have adequate number of flush lavatories. The lavatories shall not open directly into rooms where fish or fish products are processed or stored.

(17) □ Wrapping and packaging materials shall be kept separate from the raw materials and stored in a room designated for that purpose.

(18) □ Raw materials and finished products shall be stored separately.

(19) □ Sufficient locker rooms shall be available.

(20) □ Food waste, non-edible by-products and other refuse shall be stored and disposed of hygienically.

(21) □ The facility shall comply with all hygienic and sanitary requirements recommended by Codex Alimentarius.

7. □ Requirement for storage facility

(1) □ Chilled storage facility shall be capable of maintaining temperature of the fish as close as possible to the temperature of melting ice (0°C).

(2) □ The storage facility shall be designed to allow drainage of melt water to prevent contamination of the fish.

(3) □ The chill room shall be equipped with a calibrated indicating thermometer.

(4) □ Frozen storage facility shall be capable of maintaining the temperature of the fish at -18°C or colder in all parts of the fish, with minimal upward fluctuation of 3°C.

(5) □ The refrigeration store shall be equipped with a calibrated indicating thermometer and shall be fitted with a temperature recording device.

(6) □ Whole fish initially frozen in brine intended for canning may be stored and transported at a temperature of not more than -9°C.

8. □ Transportation of fish

- (1) The transport vehicles shall be designed and constructed such that –
 - (a) □ the walls, floors and ceilings, where appropriate are made of corrosion resistant material with smooth, non-absorbent surfaces;
 - (b) □ the floor is adequately drained;
 - (c) □ provides protection against contamination, exposure to extreme temperatures and drying effects of sun or wind.
 - (d) □ it permits free flow of chilled or frozen air around the load of fish.
- (2) □ The transport vehicles shall maintain the temperature of –
 - (b) □ chilled fish as close as possible to 0°C;
 - (b) □ frozen fish at -18°C or colder, in all parts of the product, possibly with a short upward fluctuation of not more than 3°C.
- (3) □ Brine frozen fish intended for canning shall be maintained at a temperature of -9°C during transportation.
- (4) □ The person need not comply with paragraph 8 (3) when fish in brine is transported from cold store to an establishment to be thawed on arrival for the purpose of processing, if the journey is short and the operation is approved by the Permanent Secretary.

9. □ Wrapping and packaging requirements

- (1) □ The packaging material used shall be clean, sound, durable sufficient for its intended use and of food grade material.
- (2) □ The receptacles in which fresh fish is kept under ice shall be water-resistant.
- (3) □ The packaging material for pre-fried products shall be impermeable for fat and oil.
- (4) □ Frozen fish shall be adequately wrapped on board fishing vessels before landing.
- (5) □ The wrapping material shall not be a source of contamination and shall not be exposed to risk of contamination.
- (6) □ Packages shall be appropriately lot coded for product tracing.

10. Traceability and recall

(1) Fish and any other substances incorporated into the fish shall be traceable through all the stages of production, processing and distribution.

(2) The supplier from whom the fish was imported shall be identifiable.

(3) Systems and procedures shall be in place to identify the other operators, to whom their products have been supplied.

(4) The company shall have in place a documented recall procedure that enables identification, and where necessary removal or recall of potentially harmful products from the supply chain.

(5) Fully documented records shall be maintained for different stages of production, processing, storage and distribution to allow proper tracing and recall of products.

(6) Recalled products shall be held under supervision until disposed appropriately or destroyed.

11. Personnel

(1) Personal hygiene shall be maintained to avoid contamination of product.

(2) Any person who is known to be suffering from, or who is a carrier of any communicable disease or has an infected wound or open lesion shall not be engaged in preparation, handling or transportation of fish.

(3) Personnel shall wear appropriate protective clothing, head coverings, and foot wear.

(4) All persons working in a facility shall maintain a high degree of personal cleanliness.

(5) Fish business operators shall ensure that personnel do not smoke, spit, chew or eat, sneeze, cough and wear jewellery or watch in the fish handling and processing areas.

(6) All persons involved in fish handling, processing and distribution shall comply with the personal hygiene requirements specified in Codex Alimentarius or the European Union.

12. Parasites

(1) Fish species most likely to be contaminated with parasites shall not be offered for sale unless the fish has been visually examined for parasites.

(2) Fish intended for raw consumption shall be frozen at -20°C in all parts of the product for not less than 24 hours.

(3) Herring, mackerel, sprat, Atlantic and pacific salmon which undergo cold smoking process where the internal temperature of the fish is not more than 60°C shall be subjected to a temperature of -20°C before consumption.

13. Toxins

(1) The importer shall ensure that toxic fish species including fish species belonging to the Canthigasteridae, Diodontidae, Molidae and Tetraodontidae families are not imported.

(2) Fish species belonging to the Gempylidae family may be imported in wrapped and packaged form and appropriately labelled to provide consumer information on risks related to the presence of substances with adverse gastrointestinal effects.

(3) The products shall comply with the acceptable toxin limits provided by Codex Alimentarius or the European Union.

14. Histamine

(1) The importer shall ensure that fish species associated with high amount of histidine comply with the histamine limits specified by the Codex Alimentarius or European Union.

(2) The histamine content shall be less than 100 ppm for one sample and the combined value of 2 samples shall not exceed 200 ppm.

15. Total Volatile Nitrogen

(1) The total volatile basic nitrogen TVB-N shall not exceed 25 mg of N per 100g of fish flesh.

(2) Unprocessed fish shall not be placed on the market if chemical tests reveal that the limits of TVB-N specified above or by Codex Alimentarius or the European Union have been exceeded.

16. Residues and Contaminants

(1) The level of residues and contaminants shall be constantly monitored to ensure safety of the product.

(2) □ The fish shall comply with the maximum level of contaminants provided for by Codex Alimentarius or European Union.

17. □ Hazard Analysis Critical Control Point system

The fish or fish product shall be produced, processed, packaged, stored and distributed under food safety management systems based on principles of HACCP as laid down in Codex Alimentarius.

18. □ General requirements for handling of fish

(1) □ No fish or fish product shall be acceptable if they are known to contain parasites, undesirable micro-organisms, pesticides, veterinary drugs or toxic, decomposed or objectionable matter likely to be harmful to human health. Such products shall be disposed of in a proper manner.

(2) □ Fish shall be protected against any source of contamination likely to render the fish unfit for human consumption at all the stages of production, processing and distribution.

(3) □ Fish shall be handled properly with particular attention to time and temperature.

(4) □ Fresh fish, fillets, shell fish and their products that are to be chilled shall be held at a temperature as close as possible to 0°C. Packaged fresh fish shall be chilled to a temperature as close as possible to 0°C.

(5) □ Chilling shall commence as soon as possible.

(6) □ Sufficient and adequate ice or chilled or refrigerated water systems where appropriate shall be employed to ensure that fish are kept chilled at a temperature as close as possible to 0°C.

(7) □ Fish shall be stored in shallow layers and surrounded by finely divided melting ice.

(8) □ Chilled or refrigerated water systems shall be designed and maintained to provide adequate cooling or freezing capacities during peak loads.

(9) □ Avoid physical damage to fish during sorting and transfer.

(10) □ Fish shall not be trampled or stood upon and shall not be exposed to weather inclement.

(11) □ Finely divided ice shall be used to minimize damage and maximize cooling capacity.

(12)□ Fresh fish shall be headed, gutted, gilled hygienically and washed thoroughly with clean water or potable water before freezing. Gutting shall be done immediately after capture.

(13)□ Operation such as filleting and cutting shall be done hygienically to avoid contamination and spoilage of the product. Fish fillets shall not be exposed on working table beyond the time necessary for their preparation.

(14)□ Fish fillets and slices shall be wrapped, packaged and chilled after preparation.

(15)□ Whole and gutted fish shall be transported and stored in cooled water on board vessels.

(16)□ Frozen fish shall be produced from good quality fresh fish and must be maintained at a temperature of not more than -18°C in parts of the product.

(17)□ The cold chain shall not be interrupted. Minor temperature fluctuations are permitted during handling, preparation, wrapping and transport.

(18)□ Thawing of fish shall be undertaken in such a way as to avoid contamination and at a temperature commensurate with the process type.

(19)□ Land based establishments that freeze fish shall comply with the requirements for freezer vessel.

(20)□ Frozen fish intended for smoking shall be thawed rapidly to a temperature not exceeding 7°C .

19.□ Requirement for fish processing

Any fish intended for processing shall comply with all the hygiene requirements for the type of processing specified in Codex Alimentarius.

20.□ Requirements for live fish

(1)□ The live fish shall be certified by the Competent Authority of the country of origin or exporting country.

(2)□ The fish shall be free from diseases listed by Office Internationale de Epizooties.

(3)□ Fish species intended for import shall be authorized by the Permanent Secretary.

(4) (a) The live fish shall be imported from a disease free area.

(b) The country shall not be listed by OIE.

21. Requirements for fish originating from aquaculture

(1) Aquaculture establishments shall operate in a responsible way and comply with the recommendations of the Code of Conduct for Responsible Fisheries in order to minimize any adverse impact on human health and the environment, including any potential ecological changes.

(2) The fish farm shall operate under effective fish health and welfare management programmes.

(3) The fish farm shall be registered and approved for aquaculture production by the Competent Authority of the country of origin.

(4) Feeds used in aquaculture shall comply with the Code of Practice on Good Animal Feeding (CAC/RCP 54-2004). Feed ingredients shall not contain unsafe levels of pesticide, chemical contaminants, microbial toxins or other adulterated substances.

(5) The farm shall have in place the Residue Monitoring Plan to ensure good aquaculture practices.

(6) The fish shall not contain residues above the Maximum Residue Limits set out by Codex Alimentarius or the European Union.

(7) The fish shall not contain prohibited substances or their metabolites.

(8) The fish shall be free from diseases that are likely to be transmissible to humans.

(9) The fish shall be produced, caught, handled, processed, packaged, stored and distributed under hygienic standards specified by Codex Alimentarius.

FIFTH SCHEDULE

[Regulation 5(6)]

All fish or fish products imported into Mauritius shall be properly labelled to indicate –

(a) common name of fish or fish product used in Mauritius;

(b) Scientific name of fish or fish product;

- (c) country of origin
- (d) name of importer or code as applicable;
- (e) registration number of importer;
- (f) name and address of the exporting establishment;
- (g) date of manufacture, production or processing;
- (h) date of expiry;
- (i) instruction on storage conditions;
- (j) type of processing or preparation or specific treatment it has undergone;
- (k) the net weight of fish or fish product (g/kg);
- (l) percentage glazing if applicable;
- (m) the ingredients if applicable;
- (n) the name and code of food additives, if applicable;
- (o) type of packing (normal, vacuum or modified atmosphere packing);
- (p) code number, lot number or batch number of the product.

SIXTH SCHEDULE
[Regulation 6(6)(vi)]

FRESHNESS CRITERIA

1. (a) Fish business operators must carry out organoleptic examination to ensure that the fish comply with the freshness criteria.

(b) Sensory evaluation shall indicate acceptability or rejection of the product.

2. The fish is acceptable if –

(a) the skin is bright, shining or opalescent;

- (b) the outer slime is transparent;
- (c) the eyes are convex, black pupil and cornea translucent;
- (d) the gills are dark red or bright red and mucus translucent;
- (e) the Peritonium (in gutted fish) glossy, brilliant, difficult to tear from flesh; and
- (f) the internal odour of gills and flesh is fresh and seaweedy.

3. The fish is considered unacceptable when –

- (a) the skin is dull, gritty, marked bleaching and shrinkage;
 - (b) the outer slime is yellow-brown, very clotted and thick;
 - (c) the eyes are completely sunken, grey pupil and cornea opaque and discoloured;
 - (d) the gills are brown, bleached, mucus yellowish grey and clotted;
 - (e) the Peritonium is gritty, easily torn from the flesh; and
 - (g) internal odour of gills and flesh smells amines, ammonia, acetic, butyric, sulphide, faecal, putrid or rancid.
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