Report to SafeFish on the meeting of the
Codex Committee on Fish and Fishery Products
Bali, Indonesia
1-5 October 2012

Executive Summary

Successful outcomes for the Australian seafood industry were achieved at the 32nd Session of the Codex Committee on Fish and Fish Products. These outcomes were supported by active contribution by SafeFish and Australian seafood industry representatives, particularly on key items such as the biotoxin testing methodology criteria, the abalone Standard, the scallop Standard and the scallop Code of Practice. Continued involvement by SafeFish and engagement by Australian seafood industry representatives will be important if Australia is to play a lead role in the development of international fish and fishery product standards.

For Australia, highlights from the 32nd Session included:

- Integration of Australia's recommendations into the Proposed Draft Standard for Fresh/Live and Frozen Abalone (*Haliotis* spp.) and subsequent progression of the draft Standard to Step 8, for adoption.
- Following significant engagement in the margins of the meeting and during the physical working group meeting, the development proposed biotoxin testing methodology criteria which alleviated the debate regarding the mouse bioassay, negated the need for additional work on 'screening methods' and, in broader terms, aligned with Australia's position.

In preparation for the 33rd Session, SafeFish should continue to provide active technical contribution to DAFF. Effort should continue to be directed towards active participation relevant working groups, including the working groups on scallops, food additives and histamines, and to the provision of sound, scientifically justified written comments on draft documents.

Matters referred to the Commission and other Committees (only matters relevant to SafeFish included):

Agenda Item	Commission / Committee	Reason for referral
Matters Referred - Criterion for *Salmonella* in the Standard for Live and Raw Bivalve Molluscs	Commission	Forward, for adoption, the amendments to the Standard for Live and Raw Bivalve Molluscs and the Code of Practice.
Guidelines on the Application of General Principles of Food Hygiene to the Control of Viruses in Food	Commission	Forward, for adoption, amendments made to the Code of Practice for Fish and Fishery Products to reference the Guidelines.
	Committee on Food Labelling (optional)	Delegates have been encouraged to bring to the attention of CCFH the need for further guidance on sampling approaches for viruses and interpretation of PCR results with respect to Annex 1 on Bivalve Molluscs.
Draft Standard for Smoked Fish, Smoke-Flavoured Fish and Smoke-Dried Fish	Committee on Food Additives	Request advice on the inclusion of "carrier" as a functional class for INS 1400 in the *Class Names and the International Numbering System for Food Additives* (smoked flavoured fish). Noting that they are not technologically justified for the specific foods in the Standard, propose the insertion of a note to specify that (some) additives in GSFA 09.2.5 were not allowed.
	Commission	Forward at Step 8, for adoption.
Draft Standard for Fresh/Live and Frozen Abalone	Commission	Forward at Step 8, for adoption.
Proposed Draft Performance Criteria for Reference and Confirmatory Methods for Marine Biotoxins in the Standard for Raw and Live Bivalve Molluscs	Committee on Methods of Analysis and Sampling.	Request clarification on whether methods should meet both LOD and LOQ or either of the two.
	Commission	Forward at Step 5, for adoption.
Proposed Draft Performance Criteria for Screening Methods for Marine Biotoxins in the standard for Raw and Live Bivalve Molluscs	Commission	Inform the Commission of discontinuation of this work.
Amendment to the Standard For Quick Frozen Fish Sticks (Nitrogen Factor for South Atlantic Hake)	Commission	Forward at Step 5/8, for adoption with the recommendation to omit Steps 6 and 7.
Proposed Draft Standard for Fresh/Live and Frozen Abalone (*Haliotis spp*.)	Committee on Contaminants in Foods	Seek endorsement of the biotoxin levels for abalone as those in the Standard for Raw and Live Bivalve Molluscs.
	Commission	Forward for adoption at Step 5.
Proposed Draft Amendment to the Standard for Quick Frozen Fish Sticks (Nitrogen Factors)	Commission	Forward at Step 5/8, for adoption with the recommendation to omit Steps 6 and 7.

Work program of the Codex Committee on Fish and Fishery Products that may require SafeFish furture participation

Work Item	Details	Australian Participation
Draft Standard for Smoked Fish, Smoke-flavoured Fish and Smoke-dried Fish (remaining additives)	33CCFFP (Step 6)	Consider additives and, if required, provide written comment for 33CCFFP
Draft Standard for Quick Frozen Scallop Adductor Muscle Meat	33CCFFP (Step 6)	Consider and, if required, provide written comment for 33CCFFP
Proposed Draft Code of Practice on the Processing of Scallop Meat	33CCFFP (Step 2/3) - eWG	Actively participate in eWG and, if required, provide written comment for 33CCFFP
Proposed Draft Performance Criteria for Reference and Confirmatory Methods for Marine Biotoxins in the Standard for Raw and Live Bivalve Molluscs	36CAC (adoption Step 5) 33CCFFP (Step 5)	Following adoption, consider and, if required, provide written comment for 33CCFFP
Discussion paper on Nitrogen Factors	33CCFFP (development of discussion paper for consideration)	Consider discussion paper and, if required, provide written comment for 33CCFFP
Proposed Food Additive Provisions in Standards for Fish and Fishery Products	33CCFFP - eWG	Actively participate in eWG and, if required, provide written comment for 33CCFFP
Discussion Paper on Histamine	33CCPPF - eWG	Actively participate in eWG and, if required, provide written comment for 33CCFFP
Discussion Paper on Code of Practice for Fish Sauce	33CCFFP (Step 3)	Consider draft CoP and, if required, provide written comment for 33CCFFP

Summary of the agenda items relevant to SafeFish at CCFFP32.

Agenda Item 2a – Matters Referred

1.Review of Guideline levels for methylmercury

Associated CRD(s) – nil

The Committee agreed that the discussion regarding the review of the guideline levels for methylmercury in fish and predatory fish should be undertaken by CCCF and that CCFFP should be kept informed / consulted throughout the process.

Potential Action point(s) for SafeFish

1. **Provide input, where relevant, into the review process on the guideline levels for methylmercury in fish and predatory fish.**

2.Criterion for Salmonella in the Standard for Live and Raw Bivalve Molluscs

Associated CRD(s) – nil

The Committee agreed to remove the criterion for *Salmonella* from the Standard for Live and Raw Bivalve Molluscs based on the conclusions of the FAO and WHO Expert Group on *Salmonella* in bivalves. This decision aligned with the Australian position.

The Committee also agreed to amend the Code of Practice for Fish and Fishery Products to include, at the end of Section 7.2.2.2, the following (as recommended by CCFH):

"When appropriate, taking into account the epidemiological situation as indicated by the results of environmental monitoring and/or surveillance, the competent authority may decide to implement a criterion for *Salmonella."*

The Committee agreed to send these amendments to the Commission for adoption.

3.Standard for Fish Sauce
Associated CRD(s) – nil

The Committee agreed to set an ML of 200 mg/kg (as tartrates) for the provision of tartrates, as recommended by CCFA. This decision aligned with the Australian position.

5. Guidelines on the Application of General Principles of Food Hygiene to the Control of Viruses in Food
Associated CRD(s) – nil

While the Committee noted and supported the recent adoption of the Guidelines, the following reservations were made:

a. CCFFP should have been consulted earlier in the development of the Guidelines, particularly on Annex 1 on Control of Hepatitis A Virus (HAV) and Norovirus (NoV) in Bivalves. Regardless, as the Code of Practice for Fish and Fishery Products also contains a Section on bivalves, it was agreed to introduce a reference to Annex 1 into Section 7.1.
b. The Committee noted the proposal that there would be benefit in developing further guidance documents to support Annex 1, particularly with regard to sampling approaches for viruses and interpretation of PCR results. The Committee encouraged delegates to bring this matter to the attention of CCFH. This approach aligned with the Australian position.

   Note: In discussing this issue in the margins, quad countries and Japan agreed that further guidance should be developed**.** The following points can be used to support Austrlaia's position on this issue:

   The Guideline suggests that in some circumstances testing of bivalve shellfish for HAV and NoV may be useful to assist in the management of impacted production areas. The introduction of virus testing into food control legislation is a major undertaking and there are still several significant issues that need to be addressed prior to implementing testing within a regulatory framework.

   1. *Sampling Approaches*

   An important element of virus testing for regulatory control purposes (e.g. monitoring and surveillance) is a good understanding of appropriate sampling strategies (including microbiological criteria) to use in specific circumstances (e.g. lot clearance, production area monitoring, growing area classification). However, information on bivalve sampling approaches for virus testing purposes is limited at the moment; therefore, it is important that

guidance is provided to enable competent authorities to devise appropriate sampling/monitoring strategies. The guidance developed would need to consider current information on the variability in virus content between individual shellfish, appropriate numbers of shellfish to pool to comprise a sample, and the number of samples that should be analysed in different circumstances.

2. *Interpretation of PCR Results*

3. *Despite the progress towards standardized virus detection methods for bivalves, there are still difficulties in interpreting virus test results. The key issues primarily relate to:*

i. *The minimum detection level of the PCR based methods are not as low as the minimum infective dose – this means that very low levels of virus contamination may not be detected. This could result in a 'false negative' scenario.*

ii. *Non-infectious NoV may be present in shellfish (e.g. as a result of virus inactivation within the shellfish themselves, or uptake of non-infectious particles from the environment). This could result in a 'false positive' scenario.*

The 'false positive' scenario may occur more frequently in shellfish that are sourced from production areas in which effluent from sewage treatment plants is discharged and potentially impacts shellfish. Such effluent may contain viruses that have been rendered non-infectious through the sewage treatment process and via the action of environmental factors such as UV and seawater temperature. This scenario could give rise to the uptake of non-infectious viruses and may result in low baseline levels that are of no public health significance.

Because of the issues noted above, it may be appropriate for risk management responses to positive virus results for bivalves to be modulated depending on several different risk factors. The development of a decision tree/tool may assist in providing a consistent framework for regulatory risk management decisions which take in consideration a range of these key risk factors, such as the level of virus detected, bacterial indicator loading, presence/absence of illness, and the general environment in which shellfish are grown. This tool would make a useful appendix to the Guideline to provide a consistent risk basis for decision making in response to virus positive/negative results.

Potential Action point(s) for SafeFish

1. **Provide the above feedback regarding the need for further guidance on Annex 1 to CCFH.**

Agenda Item 2b - Matters Arising from the Work of FAO and WHO

Associated CRD(s) – nil

The Committee was provided with information on:

- the conclusion of the FAO WHO Expert Group Meeting on *Salmonella* in bivalve molluscs (link to agenda item 2a, 3)
- work regarding *Vibrio* spp
- the conclusions of the FAO WHO Joint Expert Meeting on the public health risks of histamine and other biogenic amines in fish and fishery products (linked to agenda item 14), and
- the Joint FAO WHO Export Meeting on Foodborne Parasites.

The FAO also informed the Committee about the publication of Fisheries and Aquaculture Technical Paper 551 which includes updated papers prepared for the Joint FAO WHO IOC Expert Meeting on biotoxins in bivalve molluscs.

Agenda Item 3 – Draft Standard for Smoked Fish, Smoke-flavoured Fish and Smoke-dried Fish
Associated CRD(s) – 4,5,7,7,8,10,14,16,19,20,24.

Following further consideration on the section on food additives, and noting that the rest of the document had been held at Step 7, the Committee agreed to advance the Draft Standard for Smoked Fish, Smoke-flavoured fish and Smoke-dried fish to Step 8 for adoption by the Commission.

Food Additives
A successful in-session working group was convened to consider the food additive provisions. During the working group meeting, participants considered each of the proposed food additives in line with the provisions in the Procedural Manual, and for technological justification to be provided for any additive recommended for inclusion.

While consensus was achieved on most food additive provisions, the following were returned to Step 6 for further consideration at the next session:

- Brilliant Blue FCF and Caramel 1-plain caramel: no clear technological justification
- Caramel 1-plain caramel: no clear technological justification
- Sodium nitrites: some delegations (Canada and EU) expressed concerns with the use of sodium nitrite stating that nitrites can combine with amines in fish proteins to produce carcinogenic nitrosamines. However, the delegation of the US advised that sodium nitrite was widely used to control *Clostridium botulinum* (in salmon; less salt is needed)

The Committee also agreed to request advice from CCFA on the inclusion of "carrier" as a functional class for INS 1400 in the *Class Names and the International Numbering System for Food Additives* and, noting that they are not technologically justified for the specific foods in the Standard, propose to CCFA the insertion of a note to specify that (some) additives in GSFA 09.2.5 were not allowed.

Potential Action point(s) for SafeFish

1. **If relevant, consider the additives that remain at Step 6 and, if used by the Australian industry, provide input to the technological justification for use.**

Agenda Item 4 – Draft Standard for Quick Frozen Scallop Adductor Muscle Meat
Associated CRD(s) – 8,10,15,17,18,20,22,23.

The Committee agreed to return the draft Standard to Step 6 for comments and consideration prior to the next Session.

Successful progress was made on further developing the draft Standard. However, more work is required. There will be opportunity for the Australian seafood industry to provide comment on the

revised document. While Australia supported most of the amendments made to the draft Standard, the Australian delegation considers further comment should be made on:

- the title (the reorganization of the title changes the intent);
- Section 3.1 and 3.2 (clarity regarding safety and wholesomeness);
- Section 7.3 (there was significant debate regarding the decision to require both the percentage of scallop meat and the percentage of added water to clearly appear on the label. Australia supported the proposal made by one delegation to state that 'the percentage of scallop meat and/or added water must clearly appear on the label').

Potential Action point(s) for SafeFish

1. **Assess and provide written comments on the revised draft Standard.**

Agenda Item 5 – Draft Standard for Live Abalone and for Raw Fresh Chilled or Frozen Abalone for Direct Consumption or for Further Processing

Associated CRD(s) – 5,7,8,10,15,22,23.

Following minor amendments during plenary, the Committee agreed to advance the draft Standard to Step 8 for adoption by the Codex Alimentarius Commission.

The Committee agreed to minor changes to the standard, including those proposed by Australia (eg. Remove requirement to immerse in water during thawing (II-8.5). Taking scientific data presented during plenary, and noting that different results may be achieved for different species, Australia did not dispute the need for raw fresh chilled or frozen abalone, including product which has had the viscera and epithelium removed, to comply with the requirements for biotoxins which apply for live abalone, that is:

> *"I-5.2 Abalone from some geographical areas have been found to accumulate certain marine biotoxins. It is up to the Competent Authority (using a risk assessment) to determine whether a risk exists in any geographical areas under its control and if so, put in the necessary mechanisms to ensure that the part of the abalone to be consumed, meets with the marine biotoxin levels in the Standard for Live and Raw Bivalve Molluscs (CODEX STAN 292-2008). The risk assessments should be undertaken in accordance with the Working Principles for Risk Analysis for Food Safety for Application by Governments (CAC/GL 62-2007)."*

Agenda Item 6 – Proposed Draft Code of Practice on the Processing of Scallop Meat

Associated CRD(s) – 2,8,10,13,22.

A physical working group on the Draft Code of Practice on the Processing of Scallop was held on Sunday, 30 September 2012. Australia actively participated in this working group. As a result of the work achieved during the physical working group and in plenary, the Committee agreed to return the

draft Code of Practice to Step 2/3 for re-drafting by an electronic working group for comments and consideration prior to the next session.

During the working group text up to and including Section X.3.1.6 was amended (CRD2 provides details of amendments made).

During the working group meeting, the main areas subject to debate included:

Scope - Following progress made on the Draft Standard for Quick Frozen Scallop Adductor Muscle Meat, it was agreed that the scope of the CoP should align with the agreed scope of the standards

The definition of viscera: During plenary it was agreed that viscera should be considered separate from roe and that a definition of viscera should be included.

Biotoxin hazards: It was agreed during plenary that scallop products with roe can pose a biotoxin hazard to a level that warrants control measures and therefore the CoP should include information to address biotoxin hazards.

During plenary, the Committee considered of the revisions made in the working group meeting. The Committee agreed that the information provided in CRD2, up to X.2.2.3, could be accepted with minor amendments to reflect the discussions on scope, the definition of viscera and biotoxin hazards. The Committee also agreed that the remainder of the document should be more comprehensively reviewed through the establishment of an electronic working group meeting, led by Canada.

Potential Action point(s) for SafeFish

1. **Support DAFF to contribute in the electronic working group by reviewing the document and providing written comments.**

Agenda Item 7 – Proposed Draft Performance Criteria for Reference and Confirmatory Methods for Marine Biotoxins in the Standard for Raw and Live Bivalve Molluscs
Associated CRD(s) – 4,5,8,10,15,22,23, 26.

This was a key agenda item for Australia. Significant effort by the SafeFish representative was made in the margins of the meeting to facilitate the development of a revised, more widely accepted document.

The Committee agreed to forward the proposed draft to the Commission for adoption at Step 5.

An in-session working group meeting on the draft performance criteria, led by the United States, was held in the margins of the 32nd Session. At the request of the Chair, the working group considered, and further refined, the proposal made by the US in Appendix 1 of CX/FFP 12/32/7. The document presented to the Committee following the working group meeting (CRD26) reflected the discussions Australia was actively involved in during the margins of plenary. Australia was largely comfortable with the document presented to the Committee.

Key points about the revised document:

- **Alignment with the Codex Procedural Manual**, including reference to Type II and Type III methods, as opposed to 'reference' and 'confirmatory' methods. This removed most of the concerns that mouse bioassay for PST could not be included in this standard.
- **Flexibility:** The standard remains flexible enough that new methods that are developed and validated as meeting the criteria will be able to be used without making adjustments to the standard.
- **Applicability of revised criteria**: through greater alignment with information already available in the Codex Procedural Manual, it was considered that the revised document allowed greater flexibility regarding the inclusion of chemical and biological methods

During plenary, it was agreed to include information regarding the need for methods to meet either the minimum applicable range, or the LOD and the LOQ. However, the delegation of Australia pointed out that, in the Codex Procedural Manual, the example given allowed for the method to meet the LOD **or** the LOQ. Given other areas of the Procedural Manual referred to LOD **and** LOQ, the Committee agreed to seek advice from CCMAS.

The Committee also agreed to include information, as proposed by the US, which states "*multi analogue method total toxicity criteria are estimated for the toxin profiles encountered using validated study data*". Australia does not consider this statement necessary, noting it is covered off in the information set out in the Codex Procedural Manual and further consideration should be given as to whether written comments to this effect should be made before the next session.

While the Committee agreed to its removal, noting the difficulty in having certified reference material for each analyte, the delegation of the US may try and have the following statement re-inserted "*Methods must be used with certified reference material for each analyte*".

Potential Action point(s) for SafeFish

1. **Upon re-circulation for comment, assess the performance criteria and, if required, provide written comments as requested.**

Agenda Item 8 – Proposed Draft Performance Criteria for Screening Methods for Marine Biotoxins in the Standard for Raw and Live Bivalve Molluscs

Associated CRD(s) – 3,4,5,10,22,23,26

The Committee agreed to discontinue development of performance criteria for screening methods. Noting the changes made to the Proposed Draft Performance Criteria for Screening Methods for Marine Biotoxins in the Standard for Raw and Live Bivalve Molluscs, in particular its alignment with the Codex Procedural Manual and the flexibility regarding the inclusion of biological methods, the Committee agreed that there was no longer need to develop performance criteria for screening methods. Australia was comfortable with this outcome.

Note: In response to discussions regarding the use of the mouse bioassay, the delegation of the EU strongly advocated to the Committee that, due to ethical and scientific reasons, an effort should be made to completely replace the mouse bioassay with alternative methods.

Agenda Item 9 – Amendment to the Standard for Quick Frozen Fish Sticks (Nitrogen Factor for South Atlantic Hake)
Associated CRD(s) – 5,14,22.

The Committee agreed to amend the Standard for Quick Frozen Fish Sticks to include nitrogen factors for South Atlantic hake and forward this to the Commission for adoption at Step 5/8, with the recommendation to omit Steps 6 and 7.

Future of the development of nitrogen factors
Following debate as to the need for the establishment of nitrogen factors, the Committee agreed that a discussion paper would be prepared by the US, the UK and NZ with the assistance of interested members and observers, for discussion at the next meeting. The paper is to address the usefulness of nitrogen factors and the need to review, as appropriate, the list of existing nitrogen factors in the Standard.

Agenda Item 11 – Proposed Draft Code of Practice for Fish and Fishery Products (section on Sturgeon Caviar)
Associated CRD(s) – 14,20,21.

The Committee agreed to return the Proposed Draft Code to Step 2/3 for re-drafting by an electronic working group, led by Iran, and for circulation for comment prior to the next session.

Agenda Item 12 – Discussion Paper on Proposed Draft Code of Practice for Fish and Fishery Products (appendices on optional final product requirements)
Associated CRD(s) – 14.

The Committee agreed to continue working on Appendix I: Modified Atmosphere Packing.

The Committee agreed that the Codex Secretariat would circulate Appendices II – XI and request comments on:

- Their relevance
- If needed, then whether the information in the appendices could be integrated into the Code or a relevant Standard; or retained as appendices to the Code.

Potential Action point(s) for SafeFish

1. **Upon circulation for comment, consider Appendix I and, if required, provide written comments as requested.**
2. **Upon circulation for comment, assess the relevance/need for the appendices and, if required, provide written comments as requested.**

Agenda Item 13 – Proposed Food Additive Provisions in Standards for Fish and Fishery Products
Associated CRD(s) – 14.

The Committee agreed to continue work on the consideration of food additives in current standards for fish and fishery products. To achieve this, the Committee agreed to establish an electronic working group, chaired by the United States and the European Union. The successful work on food additive provisions for the Standard for Smoked Fish was considered a useful model to follow.

Potential Action point(s) for SafeFish

1. **Support DAFF to actively participate in the electronic working group.**

Agenda Item 14 – Discussion Paper on Histamine
Associated CRD(s) – 14,25.

The Committee agreed to establish an electronic working group, led by Japan and co-lead by the US, to review the Joint FAO and WHO Expert Meeting on the Public Health Risks on Histamine and Biogenic Amines for Fish and Fishery Products. A proposed mandate for this work was discussed in accordance with the proposal CRD 25.

It was agreed that any work should be conducted in close collaboration with CCFH and, depending on the advice being sought / recommendations being made, CCMAS.

Potential Action point(s) for SafeFish

2. **Support DAFF to actively participate in the electronic working group.**

Agenda Item 15 – Discussion Paper on Code of Practice for Fish Sauce
Associated CRD(s) – 14.

The Committee agreed to submit a new work project document to the Commission for approval. Subject to approval, an electronic working group, led by Thailand and Vietnam, would prepare a proposed draft for circulation and comment at Step 3 prior to the next session.