

**Codex Committee on Fish and Fishery Products
(31st Session)**

Tromsø, Norway

(11-16 April 2011)

European Union comments on Circular Letter 2009/29-FFP - Part B.8

The European Union and its Member States (EUMS) are pleased to submit the following comments to Circular Letter 2009/29-FFP part B.8.

B-8. Proposed Draft Revision of the Procedure for the Inclusion of Additional Species in Standards for Fish and Fishery Products (para. 123, Appendix VIII).

The EUMS suggest some amendments to alleviate the main concerns expressed during the last session of the Codex Committee on Fish and Fishery products (Agadir – 28 September – 2 October 2009), on the following issues:

The scope of the inclusion procedure:

Recalling that the original intent of the Committee was to establish a formal procedure for inclusion of new species only in those standards where species are listed by their (scientific) names in the scope and also noting that only 4 adopted standards mention such lists¹, it is suggested to amend slightly para. 1, to clarify this issue:

“1. This procedure only applies to the standards falling within the mandate of the Codex Committee on Fish and Fishery products, for which a list containing only scientific names of species has been drawn up.”

The use of the Codex elaboration procedure, whether accelerated (steps 1 to 5) or ‘normal’ (steps 1 to 8)

The draft proposal in Appendix VIII is consistent with the previous decision of the CAC (1997) to use the accelerated procedure to deal with requests to include new fish species in existing standards. At the last session of the Committee, some delegations expressed concern that the use of the accelerated procedure might not be appropriate in view of the technical complexity of the matter. However, the Committee did come to a final conclusion on this topic.

If, in the future, in the text of the inclusion procedure, the Committee confirms that it needs the normal 8-step elaboration procedure, the current draft proposal could be slightly amended to relax the constraints built in the schedule, as currently worded, as follows:

In order to help the implementation of the inclusion procedure, the EUMS propose a flow-diagram to be attached as an annex representing the different steps of the procedure according to the Procedural Manual.

¹ CODEX STANDARD FOR CANNED SARDINES AND SARDINE-TYPE PRODUCTS (CODEX STAN 94 – 1981); CODEX STANDARD FOR CANNED TUNA AND BONITO (CODEX STAN 70 – 1981); CODEX STANDARD FOR CANNED SALMON (CODEX STAN 3 – 1991); STANDARD FOR SALTED ATLANTIC HERRING AND SALTED SPRAT (CODEX STAN 244 – 2004).

In order to help the Codex members to decide using either the accelerated procedure or the normal 8-step procedure, two flow charts have been prepared (see Annex 1).

~~“5. When the Committee agrees to propose new work to the Commission, the Committee, in order to ensure the transparency of data and the quality of sensory testing, decides, based on the proposals by the applicant, on:~~

~~(...)~~

~~6. The Committee:~~

~~i) forwards the proposal for new work (on amending the standard) to the Commission for decision.~~

~~At the same time, subject to approval of the new work by the Commission, the Committee:~~

~~ii) assigns to members, represented at the meeting, the tasks of coordinating the test, collecting the samples and performing the sensory tests, to the applying country represented at the meeting, in compliance with the requirements established by the Committee.~~

~~iii) establishes an electronic working group in charge of reviewing the results of the sensory evaluation and drafting a report for consideration by the next session of the Committee~~

~~(...)~~”

Another amendment in section I – para 6ii (new)

The draft proposed procedure describes succinctly the task distribution especially that the members represented at the meeting have to coordinate, to collect samples and to perform the sensory tests. It should be more suitable to propose that the applying country performs these tasks with the support of voluntary members.

The revision of the heading in section II-4

The draft proposed procedure describes the process for submission of an application for inclusion of a new species separately from the content of the evidentiary dossier: Section I deals with the process and the content of the submission is addressed in Section II. Therefore, the tasks assigned to the electronic working group are explained in section I – para. 6(ii) and 7 of Section 1.

The current text in section II-4 is out of place; it is inconsistent with the tasks assigned to the Committee in para. 5 and with the terms of reference of the working group, in para. 6 (ii) and 7.

This part of the text can be deleted.

Use of molecular data:

An example is presented in Annex 2

European Union suggested amendments on Appendix VIII in ALINORM 10/33/18 – Proposed draft Procedure for the Inclusion of Additional Species in Standards for Fish and Fishery Products

1. This procedure only applies to the standards falling within the mandate of the Codex Committee on Fish and Fishery products, for which a list **containing only scientific names** of species has been drawn up.
2. This procedure will not be applied to any species currently included in a standard.

I. SUBMISSION OF AN APPLICATION FOR INCLUSION

3. The Codex Member requesting the inclusion of an additional species in an existing Codex standard, in the form of a draft amendment to the standard, shall provide before the next session of the Committee, for comments by the Codex Members), with information relating to the description of the species, its resources and the economic data shown in the evidentiary dossier below, at the same time as the project document required by Part 2-1 Elaboration Procedure.
4. The information provided at this stage should enable the Committee and later on the Commission, to decide whether the request is consistent with the Codex criteria for the establishment of work priorities, and specifically:
 - i) if the candidate species is described precisely enough to assess its taxonomic relationship with the species already listed in the relevant Codex standard,
 - ii) if the candidate species can be identified in international trade, including in processed products,
 - iii) if the candidate species is fished (or farmed in aquaculture), processed and traded at a level to justifying its inclusion in an international standard (see section II.2 & II. 3 below).
5. ~~When the Committee agrees to propose new work to the Commission~~, the Committee, in order to ensure the transparency of data and the quality of sensory testing, decides, based on the proposals by the applicant, on:
 - i) the selection of three laboratories;
 - ii) the choice of the species selected for the comparison, including, where appropriate, the reference species;
 - iii) the methods of sensory analysis to be used;
 - iv) the sampling plan to be used.
6. **The Committee:**
 - ⇒ forwards the proposal for new work (on amending the standard) to the Commission for decision. ~~At the same time, subject to approval of the new work by the Commission, the Committee:~~
 - ii) assigns ~~to members, represented at the meeting,~~ the tasks of coordinating the test, collecting the samples and performing the sensory tests, to **the applying country represented at the meeting**, in compliance with the requirements established by the Committee.

- iii) establishes an electronic working group in charge of reviewing the results of the sensory evaluation—and drafting a report for consideration by the next session of the Committee.
7. The report on the sensory evaluation should make clear whether the products manufactured using the candidate species are or are not significantly different from products covered by the standard in question, and specifically products derived from the reference species, where appropriate.
8. The Committee will assess, on the basis of this report, whether products prepared using the candidate species show sensory characteristics close to those of the species already covered by the standard
9. In the affirmative, the Committee forwards to the Commission for adoption the draft amendment to the standard ~~at step 5 of the accelerated procedure.~~

II EVIDENTIARY DOSSIER

II.1) CANDIDATE SPECIES DESCRIPTION:

(To be used for assessing the proposal against the general criterion and specific criterion (d))²

To be valid, information provided in this chapter of the evidentiary dossier should originate from an internationally recognised scientific institution(s).

Species description includes, in order to allow identification of the products **(both as fish and commercial processed product)**:

- (a) an attestation from an appropriate recognised institution regarding the scientific name;
- (b) the trade designations used;
- (c) morphological and anatomical characteristics (with a draft or a picture);
- (d) taxonomical position of the candidate species in relation to all the species listed in the Codex standard, presented in the form of a diagram or a list³; the reference of the database(s) used for taxonomic classification (for example FAO database) or bibliographic references;
- (e) molecular data, achieved with recognized and appropriate methods (e.g. electrophoretic protein profile and/or specific DNA sequence⁴).

² This is referring to the chapter “Criteria for the establishment of work priorities” – p. 37 of the 18th English version of the Procedural Manual.

³ Presentation using the customary Linnaean terminology for the ranking of the candidate species and the species (and/or taxa) mentioned in the Codex standard, and their higher taxa, until the closest common taxon: Kingdom, Phylum, Class, Order, Family, Genus, Species and/or super- or sub-rankings of these. For example, Kingdom: Animalia, Phylum : Chordata, Sub-phylum: Vertebrata, Super-Class: Gnathostomata, Class: Actinopterygii (=Osteichthyes), Order : Acipenseriformes, Family: Acipenseridae, Sub-family: Acipenserinae, Genus: Acipenser, Species: sturio (Linnaeus, 1758).

⁴ When the country does not have access to this type of method, it may obtain existing data from scientific institutions recognised at international level or request that a competent laboratory perform the analyses in order to have reference data for the description and identification of the species. Moreover, there are public access databases on the internet such as Fishtrace or Fishbol.

II.2) INFORMATION ON EXISTING AND POTENTIAL RESOURCES⁵

(To be used for assessing the proposal against the general criterion and specific criteria (a), (b) & (c))⁽¹⁾

- (a) Localisation of the main capture grounds on the FAO map “Major Fishing Areas for Statistical Purposes”;
- (b) Yearly catches generally for the past 5 years;
- (c) Where available, estimate of volume of stocks present in the natural environment with sufficient age distribution demonstrating that the product will continue to be traded internationally in the foreseeable future,
- (d) Marketing data on the aquaculture production of the candidate species: annual production marketed for human consumption generally for the past 5 years.

II.3) PROCESSING AND MARKETING

(To be used for assessing the proposal against the general criterion and specific criteria (a), (b) & (c))⁽¹⁾

- (a) Data on international trade of the species (raw material) and processed products obtained from it: Yearly quantity and values (generally for the past 5 years);
- (b) Data on candidate species processing (reporting separately products intended for animal feed): types of marketed products, processing procedures, annual production (generally for the past 5 years); percentage of these products likely to conform to the relevant Codex standard;

II.4) COMPARISON SENSORY CHARACTERISTICS OF THE CANDIDATE PRODUCT WITH THE PRODUCTS COVERED BY THE STANDARD

(To be used for assessing the proposal against the General Criterion)⁽¹⁾

~~The working group will be charged with comparing the sensory characteristics of the candidate product against the product(s) covered by the standard and implementing the methodology necessary for this comparison, which will include identifying and carrying out the following:~~

- ~~the three testing laboratories;~~
- ~~the species chosen for the comparison;~~
- ~~the methods of sensory analysis to be used;~~
- ~~the sampling plan;~~
- ~~the sensory analysis report.~~

~~**COMMENT:** Due to time constraints, the working group could not fully discussed whether the insertion of the above paragraph is consistent with the mandate defined for the electronic working group in the new section I – para. 6(ii).~~

II.4.1) RECOMMENDATIONS FOR THE PERFORMANCE OF THE SENSORY EVALUATION

The sensory evaluation of fish and fishery products is used to check either a product derived from a new species is of a quality or possesses sensory attributes close to those of species already covered by the standard.

⁵ *The information supplied can be complemented by FAO statistical publications (FAO Yearbook, Fishery Statistics “Capture production”, “Aquaculture production” and “Commodities”), or by other internationally recognised publications.*

The sensory evaluation is influenced by different environmental factors. The conditions under which tests are organised have a significant impact on the quality of the results. The use of correct sampling procedures, organisation of tests, operating methods and the rigorous presentation and interpretation of the results are necessary to ensure that the products being evaluated present a broad spectrum of similar organoleptic properties.

II.4.2) Selection of 3 laboratories

The laboratories that will carry out the sensory analysis are selected by the Committee. The three selected laboratories shall have a panel trained in sensory analysis of fishery products and should be accredited if possible. It is recommended that selected laboratories carry out interlaboratory comparison tests in order to verify that their results are consistent for each panel and their efficiency.

The Committee may, upon consideration of rationale submitted by the member making the application, agree to sensory evaluation by either one or two laboratories.

II.4.3) Scope of the comparison

(a) The comparison may be limited to processed products from the candidate species and from a maximum of three species from the list shown in the current Codex standard, including, where appropriate, the reference species. These species should be representative of the range of sensory ~~qualities~~ characteristics of those species included in the standard.

(b) All the samples should have been processed following the relevant specifications.

II.4.4) Implementation of the tests

The performance of the tests should conform to the *Codex Guidelines for the Sensory evaluation of Fish and Shellfish in laboratories – CAC - GL 31-1999*⁶.

II.4.5) Methods to be used

The methods should be in accordance with the *General Criteria for the Selection of Methods of Analysis*⁷ or, where relevant, with the *General Criteria for the Selection of Single-Laboratory Validation Methods*⁸ laid out in the *Codex Principles for the Establishment of Codex Methods of Analysis*⁹. Preference shall be given to the methods drawn up by international organisations and of which the reliability has been established with regard to the appropriate criteria.

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(*Codex Procedural Manual, 18th edition, page 110 - English version*)

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(*Codex Procedural Manual, 18th edition, page 110- English version*)

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⁹ (*Codex Procedural Manual, 18th edition, page 109 - English version*)

ANNEX 1: Flow charts : inclusion procedure

Diagram of the accelerated procedure for the inclusion of new species in the Codex standards on fish and fishery products

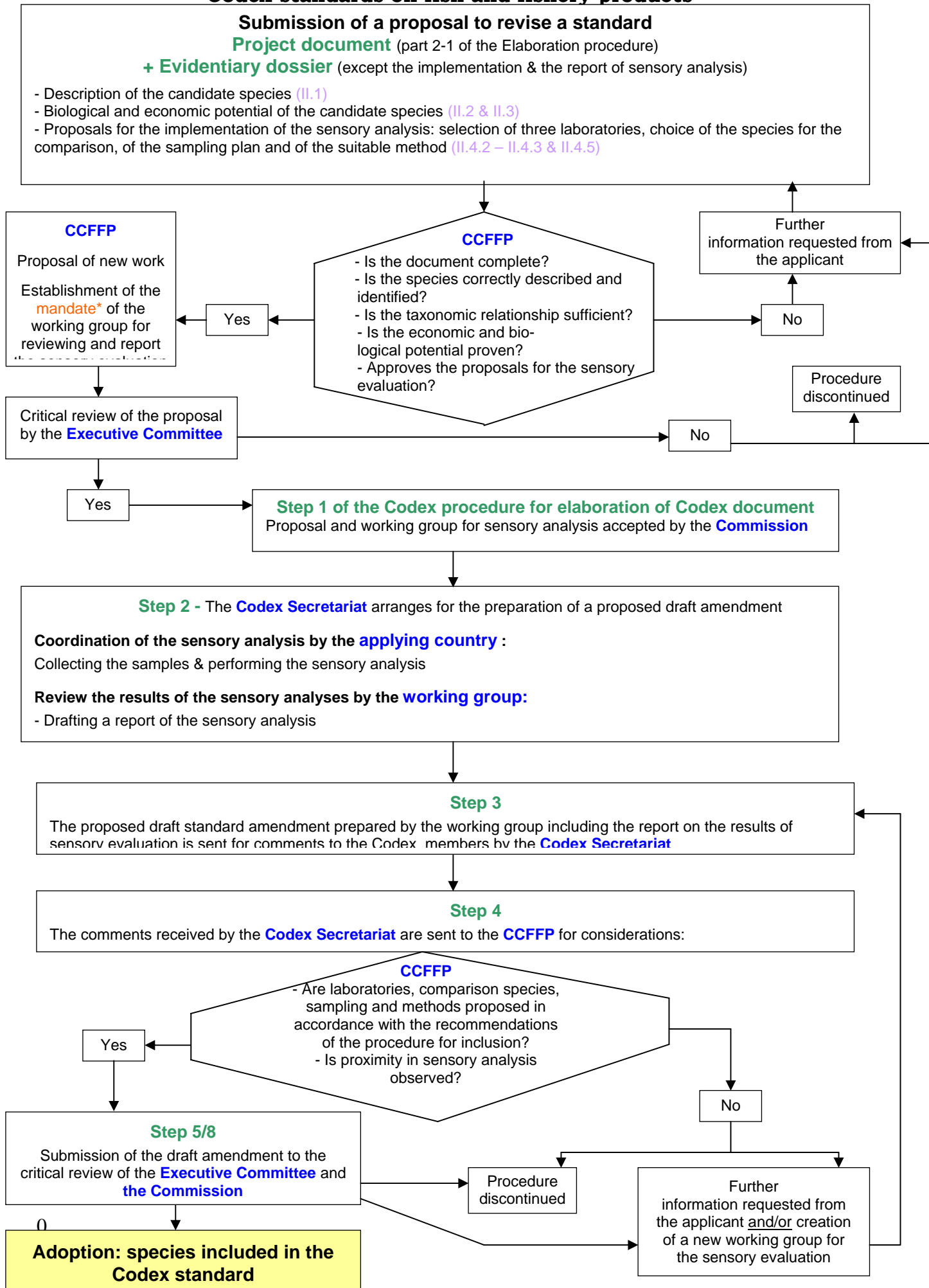
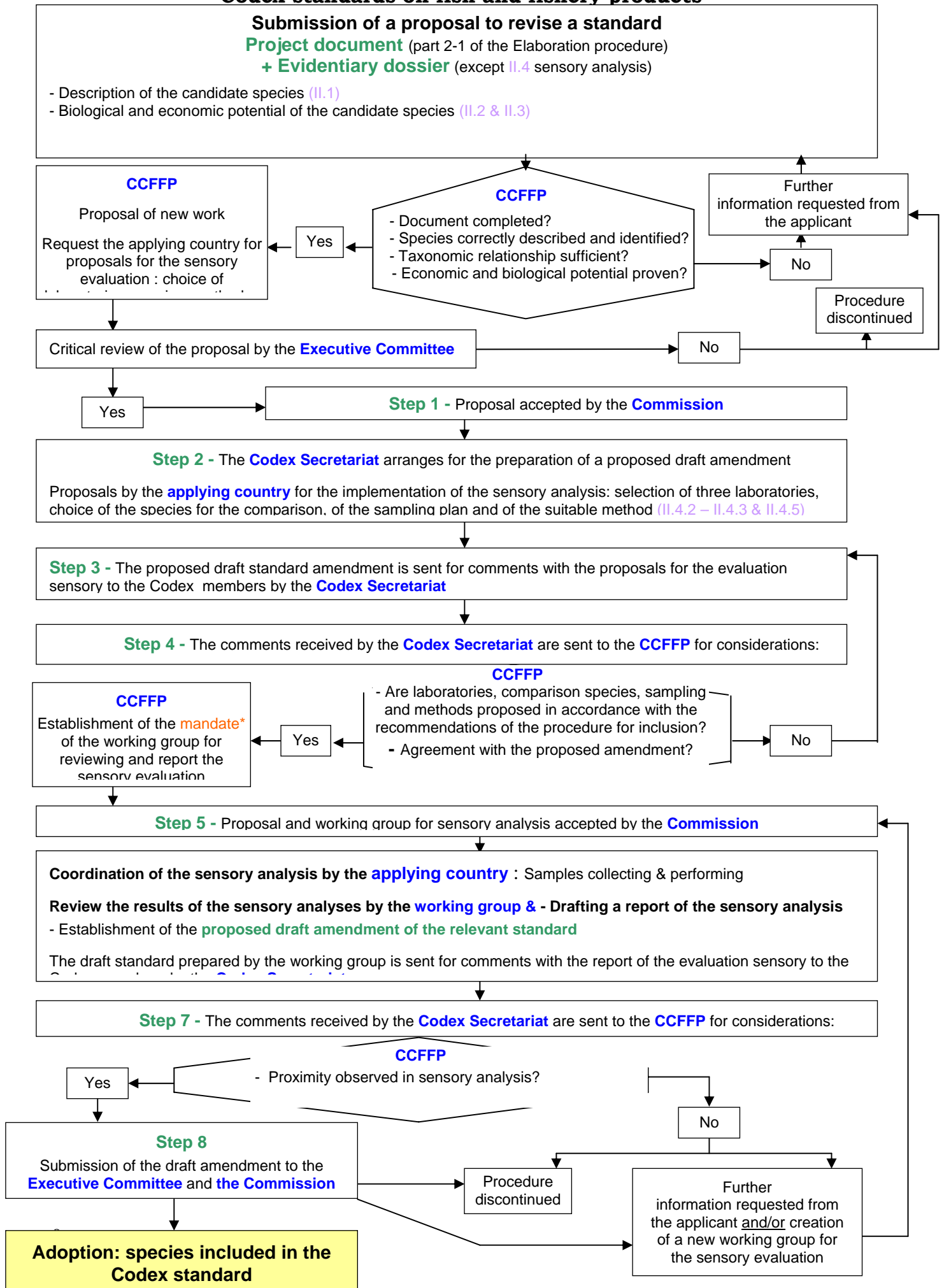


Diagram of the 8-step procedure for the inclusion of new species in the Codex standards on fish and fishery products



ANNEX 2: Example of use of molecular data.



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