

BIM Guidance Note for Seafood Retailers

Labelling Requirements for Sale of Seafood

1. Non-prepacked fishery and aquaculture products

The following requirements apply to fishery and aquaculture products that are sold:

- (i) Loose e.g. from a wet fish display.
- (ii) Packed for direct sale (i.e. packed on the same premises from which it is sold).
- (iii) Packed at the consumers request.

The requirements apply to fishery and aquaculture products to which no other ingredient except salt has been added and includes: live fish, fresh chilled and frozen whole fish and fish fillets, other fish meat (whether minced or not), dried salted or brined fish, smoked fish (whether hot or cold smoked), crustaceans (except when they are both cooked and peeled), molluscs (except when cooked), seaweeds and other algae.

The following information must be displayed either on the label or on a billboard or poster:

- Commercial name
- Scientific name
- Production method
- Category of fishing gear used (wild caught fish)
- Catch or production area
- Allergen information
- Whether the product has been defrosted (with some exceptions)
- Price.

For loose product, it is recommended that the information is given on a counter label in close proximity to the product to which it relates (rather than on a billboard or poster).

For products packed for direct sale, it is recommended that the information is given on the packaging (rather than on a billboard or poster).

This will assist the consumer in making informed choices and budgetary decisions.

■ **Commercial name:**

This is the common name of the species of fish e.g. cod, salmon and mackerel.

The Fishery and Aquaculture Products Commercial Designations List for Ireland is available on the Sea-Fisheries Protection Authority (SFPA) website at: [http://www.sfpa.ie/SeafoodSafety/RegistrationApprovalofBusinesses/FishSpeciesList\(CommercialDesignationsList\).aspx](http://www.sfpa.ie/SeafoodSafety/RegistrationApprovalofBusinesses/FishSpeciesList(CommercialDesignationsList).aspx).

■ **Scientific name:**

Example: *Gadus morhua* (cod), *Scomber scombrus* (mackerel), *Nephrops norvegicus* (Dublin Bay prawn or langoustine).

■ **Production method:**

- For fish produced through aquaculture (farmed species) the word “**farmed**” must be used.
- For fish caught at sea the word “**caught**” must be used.
- For fish caught in fresh water, the statement “**caught in fresh water**” must be used.

■ **Category of fishing gear used:**

Information on the category of fishing gear used to capture the fish. This is only required for wild caught fish. The categories of fishing gear are:

- Seines
- Trawls
- Gillnets and similar nets
- Surrounding nets and lift nets
- Hooks and lines
- Dredges
- Pots and traps.

In addition, more detailed information on the fishing gear used as listed in Regulation (EU) No 1379/2013 may be given.

■ **Catch or production area:**

- For farmed species the **country** of origin must be stated.
- For fish caught at sea the **catch area** must be given:
 - Fish caught in the Northeast Atlantic or in the Mediterranean and Black Sea areas must display the name of the **sub-area** or **division**, along with a name that is easy for the consumer to understand or a map or pictogram.
 - Fish caught anywhere else in the world, only the **area name** in writing is needed e.g. Northwest Atlantic.
 - Further details of fishing areas is available on the Food and Agriculture Organization of the United Nations (FAO) website at: <http://www.fao.org/fishery/area/search/en>.
- For fish caught in fresh water, - both the name of the **body of water** and the **country** where the product was caught must be given.

If the fish originates from only one country, or only one catch area, then only this one country or catch area can be stated on the label. It is not acceptable to list two or three countries of origin on a label when the product only comes from one of those countries.

In addition, a more precise indication of the catch or production area may be given provided it is clear, unambiguous and verifiable.

Mixed batches

- If a batch on display or in a pack consists of fish from different catch areas or countries, the origin that is most representative of the fish in that pack or on display must be stated along with an indication that some of the fish has come from another area.
- Where a mixed product is offered for sale consisting of the same species but which has been derived from different production methods, the production method for each batch must be stated.

■ **Allergen information:**

Fish, crustaceans and molluscs are all allergens. Where the name of the food clearly refers to the name of the allergen, there is no need for a separate allergen statement.

For fish species that are very familiar to the Irish consumer and as such are easily recognised as “fish” there is no need to include the word “fish” once the species name is clearly written on the label/notice on or beside the product.

For lesser known fish and shellfish species that the consumer may not be familiar with, it may not be clear that the product is an allergen or which is the correct allergen category (fish, crustacean or mollusc). The allergen information must be provided in writing, either on the label or by other suitable written means such as an allergen chart in the shop.

If there is any doubt about the need to include the word fish, crustacean or mollusc, it should be included to give the consumer clear information.

For further information on provision of allergen information, see BIM Guidance Note for Seafood Retailers: Allergen Information for Consumers and the Seafood Retailer Allergen Chart Template.

■ **Defrosted products:**

For fishery and aquaculture products (as outlined at the start of this section) that have been frozen but are defrosted prior to sale, the word “defrosted” must be included on the label, billboard or poster. The only exemptions are:

- Ingredients present in the final product.
- Foods for which freezing is a technologically necessary step in the production process.
- Fishery and Aquaculture products previously frozen for health and safety purposes in accordance with Annex III, Section VIII of Regulation 853/2004 (in order to kill parasites). This applies to certain fishery products intended to be consumed raw or marinated/salted where the presence of parasites could pose a health risk to the consumer.
- Fishery and aquaculture products which have been defrosted before the process of smoking, salting, cooking, pickling, drying or a combination of any of these processes.

These exemptions only apply if the consumer is not being misled and the business has back-up data to show why the exemption applies.

■ **Price:**

The price must be displayed in the shop either on the label or on a billboard or poster in the shop. The price per kilogram or the actual selling price e.g. price per fillet must be given.

Organic products (non-prepacked)

Retailers selling non-prepacked organic fish and fish products must be registered with the Department of Agriculture, Food and the Marine as an organic operator. They must:

- Submit their operations to inspection and certification by one of the five recognised inspection and certification bodies.
- Register with the Organic Unit of the Department of Agriculture, Food and the Marine.

The label must state “certified organic” and include the code of the organic certification body. The EU organic logo can also be used on a voluntary basis for non-prepacked products.

2. Non-prepacked value-added products

The following requirements apply to value-added products such as “fish cakes” that are sold:

- (i) Loose e.g. from a wet fish display.*
- (ii) Packed for direct sale (i.e. packed on the same premises from which it is sold).*
- (iii) Packed at the consumers request.*

The following information must be displayed either on the label or on a billboard or poster:

- Product name e.g. fish cakes, cod goujons, marinated salmon.
- Allergen Information: The allergen information must be provided in writing, either on the label e.g. “Contains fish, eggs & milk” or by other suitable written means such as an allergen chart in the shop. There is no need to include an ingredient list on these products but if an ingredient list is given, then the allergen information must be highlighted in the list of ingredients. See Section 1 for further details on provision of allergen information.
- Price.

Cooked or ready-to-eat products:

Any cooked or ready-to-eat products must be segregated from raw products during all stages of delivery, storage, preparation and display and should be clearly labelled to prevent the risk of cross-contamination.

Label examples

(The information can alternatively be made available to the consumer on a poster or billboard)

<p>European Lobster <i>Homarus gammarus</i></p> <p>Caught in the Celtic Sea North (off South Coast of Ireland)</p> <p>Using Pots and traps</p> <p>€35/Kg</p> <p>Crustacean</p>	<p>American Lobster <i>Homarus americanus</i></p> <p>Caught in Northwest Atlantic (Canadian coastal waters)*</p> <p>Using Pots and traps</p> <p>€24/Kg</p> <p>Crustacean</p>
<p>Dublin Bay Prawns <i>Nephrops norvegicus</i></p> <p>Caught in the Porcupine Bank (off West Coast of Ireland)</p> <p>by Trawls</p> <p>€25/Kg</p> <p>Crustacean</p>	<p>Hake <i>Merluccius merluccius</i></p> <p>Caught in the Celtic Sea North</p> <p>using Gillnets and similar nets</p> <p>€17/Kg</p> <p>Fish</p> 
<p>Gigas Oysters <i>Crassostrea gigas</i></p> <p>Farmed in Ireland (Carlingford Lough)*</p> <p>€12/Kg</p> <p>Molluscs</p>	<p>Salmon <i>Salmo salar</i></p> <p>Farmed in Ireland</p> <p>€12 each</p> <p>Fish</p>
<p>Rainbow Trout <i>Oncorhynchus mykiss</i></p> <p>Farmed in Ireland (Co Kilkenny)*</p> <p>€2.50 per fillet</p> <p>Fish</p>	<p>Fish Cakes</p> <p>Contains fish, egg & milk</p> <p>€2.00 each</p>

*Optional more precise catch or production area

3. Prepacked products

Prepacked products, packed on another premises, even if owned by the same business must be labelled in full. The label must comply with criteria outlined in Regulation (EU) No 1169/2011 on the provision of food information to the consumer (FIC) in addition to any other relevant labelling requirements.

Prepacked foods are defined as: “any single item for presentation as such to the final consumer and to mass caterers, consisting of a food and the packaging into which it was put before being offered for sale, whether such packaging encloses the food completely or only partially, but in any event in such a way that the contents cannot be altered without opening or changing the packaging” (prepacked food does not cover foods packed on the sales premises at the consumer’s request or prepacked for direct sale).

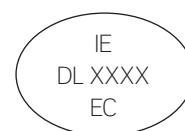
The following mandatory information must appear directly on the package or on an attached label:

- Name of the food (may need to include the word defrosted if relevant - there are exceptions).
- List of ingredients.
- Allergens/intolerances - highlighted in list of ingredients or “contains x” - for single ingredient products (not required where the name clearly refers to the name of the allergen).
- Quantity of certain ingredients.
- Net quantity (same field of vision as name).
 - Glaze
If the product has been glazed the declared net weight must exclude the glaze. Examples of options allowed for a 200g product.
 - Net weight (without glaze) = 200g
 - Net weight = 200g and drained net weight = 200g
 - Net weight = drained net weight = 200g
 - Drained net weight = 200g.
- Date of minimum durability or the “use-by” date (for live bivalve molluscs, the date of minimum durability should be replaced by the statement “these animals must be alive when sold”).
- Special storage conditions and/or conditions of use.
- Name and address of the food business operator.
- Country of origin or place of provenance - where its absence may mislead or where required under product specific legislation.
- Nutrition declaration (there are some exemptions including unprocessed products that comprise of a single ingredient or category of ingredients, see Annex V to Regulation (EU) No 1169/2011 for further details).
- Instructions for use (where necessary) example cooking, reheating or preparation instructions.
- Batch or lot number (the durability date can double up as a lot provided it is sufficiently precise to identify a particular batch).

Where relevant, the following information must also be included:

- Date of packaging for live bivalve molluscs.
- Date of freezing or date of first freezing for frozen unprocessed fishery products.
- Fish packaged with packaging gases must state “Packaged in a protective atmosphere”.

- Identification mark: This is a unique identification mark which indicates that the product has originated in a premises approved by the Sea Fisheries Protection Authority (SFPA) or other competent authority. It takes the form of an oval shaped mark and includes reference to the country where produced, the premises approval number and the EU community mark, usually the letters EC. (Note: if the product was produced outside the EU, the identification mark may take a different format).



- The commercial name, scientific name, production method, catch/production area and the category of fishing gear used will also need to be stated on the label for fish to which no other ingredient except salt has been added (as described in Section 1).

- **Organic Products (prepacked)**

The label must include:

- The words “certified organic”.
- The code of the organic certification body.
- The EU organic logo.
- Licence no. (only mandatory if the name and address of the producer/packer does not appear on the packaging).
- Country of origin or a reference to EU agriculture/non-EU agriculture.



The information must be presented in the correct format in terms of size and location on the packaging, as outlined in the relevant legislation.

5. Food Information - General

The information provided in this guidance note aims to assist seafood retailers in applying best practices as well as meeting their legal requirements on provision of food information to consumers.

The fundamental rule of food labelling regulations is that the consumer is not misled. Food information must be accurate, clear, unambiguous and verifiable.

For further details of any additional requirements or voluntary information, check the relevant legislation.

References

- Regulation (EU) No 1169/2011 on the provision of food information to consumers.
- Regulation (EU) No 1379/2013 on the common organisation of the markets in fishery and aquaculture products.
- Directive 2011/91/EU on indications or marks identifying the lot to which a foodstuff belongs.
- S.I. No.121 of 2016 European Union (Labelling of Fishery and Aquaculture products) Regulations 2016.
- S.I. No.556 of 2014 European Union (Provision of Food Information to Consumers) Regulation 2014.
- European Commission website: http://ec.europa.eu/fisheries/cfp/market/faq/index_en.htm "How to apply Regulation (EU) 1379/2013 on the Common Organisation of the Markets of Fishery and Aquaculture Products (CMO)".
- European Commission's guide: A pocket guide to the EU's new fish and aquaculture consumer labels.
- FAO website: <http://www.fao.org/fishery/area/search/en>.
- FSAI website: https://www.fsai.ie/legislation/food_legislation.html.
- FSAI Booklet: Food Information on Prepacked Foods.
- Department of Agriculture Food and the Marine website <http://www.agriculture.gov.ie/>.
- SFPA website: [http://www.sfpa.ie/SeafoodSafety/RegistrationApprovalofBusinesses/FishSpeciesList\(CommercialDesignationsList\).aspx](http://www.sfpa.ie/SeafoodSafety/RegistrationApprovalofBusinesses/FishSpeciesList(CommercialDesignationsList).aspx).
- BIM Guidance Note for Seafood Retailers: Allergen Information for Consumers & The Seafood Retailer Allergen Chart Template.

Further Information

The information contained in this document is for guidance purposes only. If your company is designing new packaging or labels we recommend that you visit the Food Safety Authority of Ireland (FSAI) website www.fsai.ie in advance to ensure that it is fully compliant with all relevant labelling regulations. For further information on Labelling Requirements for Sale of Seafood, contact Eileen Soraghan in BIM, email eileen.soraghan@bim.ie or tel **+353 (0)1 214 4112**