

Fisheries and Marine Resources (Import of Fish and Fish Products) (Amendment) Regulations 2016

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THE FISHERIES AND MARINE RESOURCES ACT

Regulations made by the 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) (Amendment) Regulations 2016.

2. In these regulations -

—principal regulations means the Fisheries and Marine Resources (Import of Fish and Fish Products) Regulations 2012.

3. Regulation 2 of the principal regulations is amended –

(a) in the definition of —traceability -

(i) by deleting the words —useful to the consumer ;

(ii) by deleting the full stop and replacing it by a semicolon;

(b) by inserting, in the appropriate alphabetical order, the following new definitions –

—biotoxins means poisonous substances -

(a) naturally present in fish or fish products; or

(b) accumulated by animals feeding on toxin-producing algae or in water containing

toxins produced by such organisms;

—CITES means the Convention on International Trade in Endangered Species of Wild

Fauna and Flora done at Washington on 3 March 1973;

—Codex Alimentarius means the collection of internationally recognised standards, codes

of practice, guidelines and other recommendations relating to foods, food production and

food safety;

—contaminant means any biological or chemical agent, foreign matter or other substance,

not intentionally added to food, that may compromise food safety or suitability;

—contamination means the introduction or occurrence of a contaminant in fish or fish

products;

—dressed , in relation to a portion of fish, means the portion remaining after heading and

gutting;

—FAO means Food and Agriculture Organisation;

—label means any document in written or pictorial form;

—OIE means the Office International de Epizooties or World Organisation for Animal Health;

—residue means any foreign substance, including its metabolites, which remains in fish before harvesting as a result of application or accidental exposure;

—TradeNet has the same meaning as in the Customs Act.

4. Regulation 3 of the principal regulations is amended -

(a) in paragraph (2), by revoking subparagraph (d) and replacing it by the following subparagraph -

(d) not more than 5 units of live ornamental fish by an incoming passenger and meant for a personal aquarium or to be kept as pets;

(b) by adding the following new paragraph -

(4) Any live fish exempted under paragraph (2)(d) shall be authorised by the

Permanent Secretary before being imported and comply with such conditions as he

may impose.

5. Regulation 4 of the principal regulations is amended -

(a) by revoking paragraphs (1) and (2) and replacing them by the following paragraphs -

(1) No person shall import into Mauritius a consignment of fish or fish products

unless -

(a) he is registered with the Permanent Secretary; and

(b) where the consignment is intended for re-exportation, he is registered

with the competent authority.

(2) Every application for registration as an importer under paragraph (1)(a)

shall be made in such form and manner as the Permanent Secretary may determine.

(b) in paragraph (4)(a) -

(i) by deleting the word —may and replacing it by the word —shall ;

(ii) in sub subparagraph (ii), by deleting the word —under and replacing it by the

word —on ;

(iii) by adding the following new sub subparagraph, the full stop at the end of sub

subparagraph (ii) being deleted and replaced by the words —; and —

(iii) not later than 5 working days from the date on which the

application or, as the case may be, the additional information

is received.

(c) in paragraph (5)(b), by deleting the words —specified in the First Schedule and

replacing them by the words —for registration ;

(d) by adding the following new paragraph -

(7) An application for registration with the Permanent Secretary or for the

renewal of a registration certificate, and the issue of a registration certificate shall be

made electronically through the TradeNet or, in exceptional or unforeseen

circumstances, in such other manner as the Permanent Secretary may determine.

6. Regulation 5 of the principal regulations is amended -

(a) in paragraph (1)(b), by adding the words —electronically through the TradeNet or, in

exceptional or unforeseen circumstances, in such manner as the Permanent

Secretary may determine ;

(b) in paragraph (3) -

(i) by deleting the words —The consignment of fish or fish product and replacing

them by the words —Every consignment of fish or fish products ;

(ii) by deleting the words —hygienic standards and replacing them by the words

—hygienic conditions and standards ;

(iii) in subparagraph (b), by deleting the words — — General Principles of Food

Hygiene and the Code of Practice for Fish and Fishery Products (CAC/RCP 52-

2003, Rev) ;

(iv) in subparagraph (c), by deleting the words —set out and replacing them by the

word —determined .

(c) in paragraph (5), by adding the following new subparagraphs, the existing provision

being lettered as subparagraph (a) -

(b) The health certificate referred to in subparagraph (a) shall be scanned

and forwarded electronically through the TradeNet or, in exceptional or unforeseen

circumstances, in such manner as the Permanent Secretary may determine.

(c) Without prejudice to paragraph 8 of the Second Schedule, a health

certificate issued by the Competent Authority shall be as specified in Codex

Alimentarius or as the Permanent Secretary may determine.

(d) The health certificate shall be issued in -

(i) the English language; or

(ii) the language used by the exporting country, with a translation in

English.

(d) in paragraph (7), by deleting the word —properly and replacing it by the word

—appropriately .

7. Regulation 6 of the principal regulations is amended -

(a) by inserting, after paragraph (2), the following new paragraph -

(2A) Any notification, request or submission of document under paragraph (2)

shall be effected electronically through the TradeNet or, in exceptional or

unforeseen circumstances, in such manner as the Permanent Secretary may

determine.

(b) in paragraph (3), by deleting the words —inspected and approved and replacing them

by the word —released ;

(c) in paragraph (6) -

(i) in subparagraph (g), by deleting the words —through laboratory analysis ;

(ii) in subparagraph (i), by inserting, after the words —presence of', the word —visible ;

(d) in paragraph (7) -

(i) in subparagraph (a) -

(A) by revoking sub subparagraph (iii) and replacing it by the following sub

subparagraph -

(iii) it is not accompanied by the relevant import documents;

(B) in sub subparagraph (iv)(B), by deleting the word —and ; -

(C) in sub subparagraph (v), by deleting the words —it is listed by and replacing

them by the words —the fish is listed in ;

(D) by adding the following new sub subparagraphs, the full stop at the end of

sub subparagraph (v) being deleted and replaced by a semicolon –

(vi) there is evidence that the fish is originating from

illegal, unreported or unregulated fishing;

(vii) the fish is not gutted when in the chilled or frozen

state;

(viii) spoilage and decomposition of the product are evident;

(ix) the product represents a risk to human health due to

contamination; or

(x) the product is not appropriately labelled.

(ii) in subparagraph (b) -

(A) in sub subparagraph (i), by inserting, after the word —quarantine , the words —, or call

for further physical examination ;

(B) in sub subparagraph (iii), by inserting, after the word —goods , the words —on request

from the competent authority of the exporting country ;

(C) in sub subparagraph (iv), by adding the words —with the approval of the Permanent

Secretary ;

(iii) in subparagraph (c)(ii), by deleting the. words —, the Codex or European Union and

replacing them by the words —or the Codex Alimentarius ;

(iv) by revoking subparagraphs (d) and (e) and replacing them by the following subparagraphs

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(d) The importer shall bear all the costs involved -

(i) for the destruction of any consignment of fish or fish products

forfeited and seized;

(ii) for the re-shipment of goods condemned by the

Permanent Secretary; and

(iii) where the consignment is detained for quarantine and for

laboratory analyses, for further investigation.

(e) The Permanent Secretary shall, in such manner as he may

determine, dispose of any consignment of fish or fish products forfeited or seized.

8. Regulation 7 of the principal regulations is amended -

(a) in paragraph (3), by deleting the words —a sampling protocol as specified by the

Codex Alimentarius and replacing them by the words —such sampling plan as the

Permanent Secretary may determine ;

(b) in paragraph (6), by deleting the words —consignment shall be subject to and

replacing them by the words —authorised officer may request for ;

(c) in paragraph (7), by deleting the word —reveal and replacing it by the word —is ;

(d) by revoking paragraph (8) and replacing it by the following paragraph -

(8) The importer shall be liable for any costs incurred for the destruction of any product seized under paragraph (7).

9. The principal regulations are amended by inserting, after regulation 7, the following new regulation —

7A. Any person who imports a consignment of fish or fish products into Mauritius without being registered with the Permanent Secretary or without payment of the annual import fee, shall register himself with the Permanent Secretary on payment of the additional fee specified in the Third Schedule, in addition to the annual import fee.

10. Regulation 9 of the principal regulations is amended by inserting, after the words —a fine , the words —of not less than 100,000 rupees but .

11. The principal regulations are amended by revoking the First, Second, Third, Fourth, Fifth and Sixth Schedules and replacing them by the First, Second, Third, Fourth, Fifth and Sixth Schedules set out in the Schedule to these regulations, respectively.

12. These regulations shall come into operation on 1 March 2016.

Made by the Minister on 19 February 2016.

SCHEDULE

[Regulation 10]

FIRST SCHEDULE

[Regulation 4(4)]

CRITERIA FOR REGISTRATION

1. Every person intending to import any fish or fish products into Mauritius shall hold -

(a) a valid business registration card issued under the Business Registration Act; or

(b) a certificate of incorporation issued by the Registrar of Companies.

2. Every person shall provide the name, address, phone, email address, if available, and

proof of his residential address or location of the company.

3. The applicant shall have access to appropriate storage facilities commensurate with the

product intended for import.

4. (1) The applicant shall, for the purpose of importing frozen fish or fish products, have

access to cold storage facilities capable of maintaining the temperature of the product at -18 degrees celsius or colder.

(2) The cold room shall be fitted with a continuous recording temperature device capable of recording temperature at not more than one degree celsius intervals so as to ensure effective temperature control.

(3) The applicant shall have available appropriate facilities for the transport of frozen fish or fish products.

(4) The refrigeration equipment in the vehicle shall be capable of maintaining the temperature of the product at not more than -18 degrees celsius, with maximum temperature fluctuation of 3 degrees celsius during transportation.

5. (1) Every person shall, for the purpose of importing chilled fish or fish products, have access to chilled storage facilities capable of maintaining the temperature of the product as close as possible to 0 degree celsius, but not more than 4 degrees celsius.

(2) Every person shall, for the transport of chilled fish or fish products, have access to vehicles capable of maintaining the temperature of the product as close as possible to 0 degree celsius but not more than 4 degrees celsius.

6. Every person shall, for the purpose of importing dried, salted and canned fish or fish

products, have access to appropriate storage facilities which shall have good hygienic and

sanitary conditions.

7. (1) Every person intending to import whole fish initially frozen in brine for the purpose of

canning shall have access to cold storage facilities capable of maintaining the temperature of

the fish at not more than -9 degrees celsius.

(2) Any vehicle which is used for the transport of whole fish initially frozen in brine, from

the site of unloading to the cold store or from cold store to an establishment to be thawed on

arrival for the purpose of preparation or processing, shall be approved by the Competent

Authority.

SECOND SCHEDULE

[Regulation 5(1)(a)]

REQUIREMENTS FOR IMPORT OF FISH OR

FISH PRODUCTS

1. (1) Any fish or fish product intended for import shall be approved by an authorised

officer designated by the Permanent Secretary.

(2) The importer shall, before any import, provide to the authorised officer, where

applicable, the following details regarding the consignment -

(a) the common and scientific name of the fish;

(b) the quantity intended for import;

(c) the country of origin or source of supply;

(d) the name of the establishment or farm or fishing vessel exporting the fish;

(e) the registration and approval number of the exporting establishment;

(f) particulars of the Competent Authority in the exporting country;

(g) the type of products intended for import;

(h) the mode of transportation;

(i) the type of packaging;

(j) the purpose of import;

(k) the place of storage;

(l) the transport and distribution;

(m) the name of product retailers; and

(n) the percentage of glazing.

(3) The authorised officer may request the person to provide such additional information

as he may determine.

2. No fish species specified in the Fisheries and Marine Resources (Toxic Fish) Regulations

2004 shall be imported, except bourgeois fish from Seychelles intended for use in hotels which

meets the requirements of these regulations.

3. No fish species specified in CITES shall be imported unless authorised by the Permanent

Secretary.

4. No fish shall be caught in contravention of any rules laid down by an international or

regional fisheries management organisation.

5. Fish or fish products shall only be imported from an establishment, a fishing vessel, factory

vessel, fish farm or a company registered and approved for export by the Competent Authority

of the exporting country.

6. The establishment or company exporting fish or fish products to Mauritius shall implement

food safety management system and procedures based on HAC.CP principles specified in the

Codex Alimentarius.

7. Every consignment shall be accompanied by a health certificate stating that -

(a) the product is fit for human consumption; and

(b) the fish has or the fish products have been produced, caught, handled, processed,

packaged, labelled, stored and transported under sanitary and hygienic standards as

spelt out in the Codex Alimentarius.

8. Where the fish is meant for processing and re-export to the European Union, the health

certificate shall be in accordance with the format acceptable to the Competent Authority.

9. Tuna and tuna like 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 long line fishing vessel calling at the port to sell fish to an importer shall be

registered or recognised by the Indian Ocean Tuna Commission or any other international or

regional fisheries management organisation.

11. Every consignment of fish shall be accompanied by a certificate of origin.

12. Live fish and sea shells shall be accompanied by a CITES certificate issued by CITES

office in the country of origin.

13. No shark fin shall be landed from a fishing boat or vessel unless -

(a) the weight of the fin is less than 5 per cent of the total dressed weight of the shark

carcass on board the boat or vessel; and

(b) the carcass and the fins are on board the same boat or vessel.

14. No shark fin known to have been transshipped on high seas shall be landed at the port.

15. An importer shall have in place systems and procedures to trace the fish and identify other

business operators to whom the fish was sold.

16. An importer shall have effective recall procedures in place to withdraw the product from the

market —

(a) in case of disease outbreak;

(b) for food safety reasons; or

(c) as and when the Permanent Secretary may determine.

17. An importer shall keep records and documents on the consignment of fish for a period of

not less than the shelf life or durability of the product plus one year.

18. Any chilled and frozen fish intended for human consumption shall be gutted unless it is

meant for use as bait or for processing using heat treatment.

19. Any whole fish initially frozen in brine and intended for canning may be imported in the ungutted form.

20. (1) Any chilled fish intended for human consumption shall be maintained and stored at a temperature as close as possible to the temperature of melting ice or 0 degree celsius.

(2) Any frozen fish intended for human consumption shall be maintained and stored at a temperature of not more than -18 degrees celsius.

(3) Any whole fish initially frozen in brine which is intended for canning may be kept and stored at a temperature not exceeding -9 degrees celsius.

21. (1) No hermetically sealed container shall be imported unless it is produced in such a way as to render the product free from pathogenic microorganisms for the period declared shelf life.

(2) Every container shall be embossed or indelibly marked in code or clear to identify the producing factory, date of production and contents of the container.

(3) A decoding list for deciphering the embossed codes emanating from the canning factory shall be produced before any import.

(4) The can shall not have leakage or swelling.

(5) The can shall be free from any serious defect and rust.

22. (1) Salted and smoked fish shall be produced according to the Code of Practice set out by the Codex Alimentarius.

(2) (a) Salted fish shall be properly packaged, labelled and maintained at a temperature as close as possible to 0 degree celsius when chilled.

(b) Salted fish intended to be stored or sold at an ambient temperature shall achieve a water activity not exceeding 0.85.

(3) Smoked fish shall be maintained at a temperature as close as possible to 0 degree celsius when chilled or at a temperature not exceeding -18 degrees celsius when frozen.

(4) Smoked fish shall not contain polycyclic aromatic hydrocarbons in excess of levels specified by the Codex Alimentarius.

(5) Smoked fish shall be free from pathogenic microorganisms.

23. Any ingredient, preservative or food additives used in the production of processed fish and fish products shall be clearly indicated on the label in accordance with the Codex Alimentarius.

24. No fish shall contain heavy metals more than the maximum limits specified in the Codex

Alimentarius or determined by the Permanent Secretary.

25. Fish or fish products shall be free from parasites and viruses capable of causing infection in human beings or animals.

26. Every result of microbiological analysis shall be within such limits as may be specified in the Codex Alimentarius or determined by the Permanent Secretary.

THIRD SCHEDULE

[Regulations 5(1)(b) and 7A]

FEES

FOURTH SCHEDULE

[Regulation 5(3)]

STANDARDS IN EXPORTING COUNTRY

1. Requirements for all fishing boats or vessels

(1) Every boat or vessel used for fishing and harvesting shall be designed and constructed in such a way so as to meet the basic structural and equipment requirements to ensure hygienic and quality handling of fish.

(2) Every construction shall facilitate ample drainage.

(3) Every boat or vessel shall have a good supply of clean water with adequate pressure.

(4) The surfaces with which the fish may come into contact shall be made of corrosion

(Rs)

Import of fish or fish products, per calendar

year, starting from January and ending in

December

25,000 per annum

Penalty for the import of fish or fish products

without registration

10,000

resistant, impervious, smooth, non-toxic materials that are easily cleanable.

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

applicable, for gutting and washing.

(6) Every boat or vessel shall be designed and constructed in such a way so as 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 of fish, without causing mechanical damage to the fish.

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

2. Requirements for boats or vessels handling fresh fish

(1) Every boat or vessel 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 degree celsius to 4 degrees celsius).

(2) Every hold and container shall be commensurate with the size and species of fish and so designed to prevent melt water remaining in contact with the fish.

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

(4) The mix of fish, ice and water shall reach not more than 3 degrees celsius 6 hours after loading and not more than 0 degree celsius 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 may be used to obtain maximum contact with the fish for rapid

cooling of fish to a temperature as close as possible to 0 degree celsius.

3. Requirements for freezer vessels

(1) Every freezer vessel shall -

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

(b) have on board freezing equipment capable of lowering temperature in all parts of

the fish to not more than -18 degrees celsius; and

(c) have refrigeration devices capable of maintaining the temperature of the fish in

storage holds at -18 degrees celsius or colder.

(2) A storage hold shall be fitted with a temperature recording devices as specified in

paragraph 4(2) of the First Schedule.

(3) The fish shall be frozen as rapidly as possible after gutting and washing operations.

(4) The vessels shall meet all the hygienic requirements for vessel design, construction

and maintenance specified in the Codex Alimentarius.

4. Requirements for factory vessels

(1) Every 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) Every vessel shall have a receiving and processing area for taking the fish on board.

(3) A working area in a factory vessel shall -

(a) be easy to clean and disinfect, and to 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 a hygienic system for conveying fish from receiving to working

area; and

(d) be supplied with clean water or potable water.

(4) Every vessel shall have separate rooms for the storage of raw materials and finished

products.

(5) Every packaging material shall be kept in a place designed for that purpose.

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

(7) Every factory vessel producing frozen fish shall have freezing equipment meeting the

requirements for freezer vessels.

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

(b) Every container 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) Every factory vessel shall comply with all hygienic and sanitary requirement recommended by the Codex Alimentarius.

5. Brine frozen fish

(1) Where freezing in brine of whole fish intended for canning is practised, a temperature of not more than -9 degrees celsius shall be required.

(2) No brine shall be a source of contamination for the product.

6. Requirements for fish handling premises

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

(2) The layout, design, construction, siting and size of premises shall —

(a) provide sufficient working space to allow for hygienic operations;

(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; and

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

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

(4) Every external opening in a building where fish are handled and stored shall be screened against pest entry.

(5) (a) The facility shall include a product flow-through pattern that is designed —

(i) to prevent potential sources of contamination; and

(ii) to minimise process delays and prevent cross-contamination of finished product from raw materials.

(b) The production and storage operations shall be so designed to preclude the possibility of contamination of raw materials with intermediate or finished products.

(6) Every fish handling premises shall have a regular supply of potable or clean water with adequate pressure.

(7) Facilities shall be provided, exclusively, for hand washing, utensil washing and fish washing.

(8) Washbasins for hand washing shall -

(a) be located in a suitable place designed for that purpose;

(b) be provided with running water at a suitable temperature and soap in an appropriate dispenser; and

(c) where applicable, be provided with hand drying facilities.

(9) (a) Every establishment shall be maintained at an appropriate temperature to facilitate good hygienic practices during operations.

(b) The ventilation system shall be so constructed to preclude pest entry and enable effective cleaning and replacement of parts.

(10) The facility shall have adequate natural or artificial lighting to enable operations in a hygienic manner.

(11) Distinct areas for each activity or process shall be available.

(12) Every working surface that comes into contact with fish or fish products shall be in good condition, clean, smooth, nonabsorbent and inert to food, detergents and disinfectants.

(13) An effective drainage system shall be in place to prevent accumulation of water.

(14) (a) Every fish handling and processing establishment shall have an adequate number of flush lavatories.

(b) No lavatory shall open directly into a room where fish or fish products are processed or stored.

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

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

(17) (a) Every person requiring access to open food areas shall be provided with suitable protective clothing, including head covering and, where applicable, footwear. -

(b) Sufficient locker rooms shall be provided for the storage of the equipment

specified in sub subparagraph (a).

(18) Food waste, non-edible by-products and other refuse shall be stored and disposed of hygienically in clearly designated and covered waste bins.

(19) Subject to these regulations, the facility shall comply with all hygienic and sanitary requirements specified in the Codex Alimentarius.

7. Requirements for storage facilities

(1) Chilled storage facilities shall be capable of maintaining temperature of the fish as close as possible to the temperature of melting ice of not less than 0 degree celsius and not more than 4 degrees celsius.

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

(3) Every chill room shall be equipped with an accurate temperature recording device as specified in paragraph 4(2) of the First Schedule.

(4) Every storage facility shall be capable of maintaining the temperature of the fish at not more than -18 degrees celsius in all parts of the fish, with minimal upward fluctuation of not

more than 3 degrees celsius.

(5) Every cold room shall be equipped with an accurate temperature recording device

capable of recording temperature not more than one degree celsius interval.

(6) Whole fish initially frozen in brine intended for canning shall be stored and transported

at a temperature of not more than -9 degrees celsius.

8. Transportation of fish

(1) Every transport vehicle shall be designed and constructed in such a way that —

(a) its walls, floors and ceilings are made, where appropriate, of corrosion resistant

material with smooth and non-absorbent surfaces;

(b) its floor is adequately drained;

(c) it provides protection against contamination, exposure to extreme temperatures

and drying effects of sun or wind; and

(d) it permits a free flow of chilled or frozen air around the load of fish.

(2) Every transport vehicle shall maintain the temperature of—

(a) chilled fish as close as possible to 0 degree celsius but not exceeding 4 degrees

celsius;

(b) frozen fish at -18 degrees celsius or colder, in all parts of the product, with a short upward fluctuation of not more than 3 degrees celsius.

(3) Brine frozen fish intended for canning shall be maintained at a temperature of not more -9 degrees celsius during transportation.

9. Wrapping and packaging requirements

(1) The packaging material used shall be clean, sound, durable and sufficient for its intended use and of recognised food contact 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 to fat and oil.

(4) Frozen fish shall be adequately wrapped on board factory 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 or any substance intended to be incorporated in the fish was supplied shall be identifiable.

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

(4) Every operator shall have in place a documented procedure that enables identification and, where necessary, withdrawal or recall of products from the supply chain.

(5) Fully documented records shall be maintained to facilitate procedures referred to in paragraphs (1) to (4).

(6) Withdrawn or recalled products shall be held securely under supervision until disposed of in accordance with instructions given by the Competent Authority.

11. Personnel

(1) Personal hygiene shall be maintained to avoid contamination of the fish or fish products.

(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 the

preparation, handling or transportation of fish.

(3) Every employee shall wear appropriate protective clothing, head coverings, and, where applicable, footwear.

(4) Every person working in a facility shall maintain a high degree of personal cleanliness.

(5) (a) Fish business operators shall have rules in place for the entry of any individual into a food handling or storage area.

(b) The rules shall be displayed at all entry points to handling or storage areas.

(6) Every person involved in fish handling, processing, packaging and distribution shall comply with the personal hygiene requirements specified in the Codex Alimentarius.

12. Parasites

(1) Fish species contaminated with parasites shall not be exported unless the fish has been visually examined for parasites.

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

(3) Where the internal temperature of the fish is not more than 60 degrees celsius,

herring, mackerel, sprat, atlantic and pacific salmon which undergo cold smoking process shall

be subjected to a temperature of -20 degrees celsius before export.

13. Biotoxins

(1) No fish species belonging to the Canthigasteridae, Diodontidae, Molidae or

Tetraodontidae families shall be exported to Mauritius.

(2) Fish species belonging to the Gempylidae family intended to be sold directly to the

public may only be placed on the market in wrapped and packaged form and appropriately

labelled to provide the consumer information on risks related to the presence of substances with

adverse gastrointestinal effects.

(3) Fish and bivalve molluscs shall comply with the acceptable toxin levels specified in

the Codex Alimentarius.

14. Histamine

Fish species associated with high amount of histidine shall comply with the histamine limits

specified in the Codex Alimentarius.

15. Total volatile basic nitrogen

The total volatile basic nitrogen (TVB-N) in fresh or chilled fish shall be as specified in the

Codex Alimentarius.

16. Residues and contaminants

(1) The level of residues and contaminants in fish shall be monitored by the Competent

Authority of the exporting country to ensure safety of the product.

(2) Every fish shall comply with the maximum limits of contaminants specified in the

Codex Alimentarius.

17. Hazard analysis critical control point

Fish or fish products shall be produced, processed, packaged, stored and distributed under

food safety management systems based on principles of HACCP as laid down in the Codex

Alimentarius.

18. General requirements for handling of fish

(1) (a) No fish or fish products shall be acceptable if they are known to contain parasites,

undesirable microorganisms, pesticides, veterinary drugs or toxic, decomposed or objectionable

matter likely to render the product unfit for human consumption.

(b) The products referred to in sub subparagraph (a) shall be disposed of in an appropriate manner.

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

(3) (a) Fish shall be handled correctly with particular attention to time and temperature.

(b) Chilled fish shall be gutted hygienically and washed with clean or potable water before storage at a temperature as close as possible to 0 degree celsius.

(4) (a) Fresh fish, fillets, shellfish and their products that are to be chilled shall be held at a temperature as close as possible to 0 degree celsius.

(b) Packaged fresh fish shall be stored at a temperature as close as possible to 0 degree celsius.

(5) Chilling shall commence as soon as possible after capture.

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

(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) Physical damage to fish shall be avoided during sorting and transfer.

(10) Fish shall not be exposed to environmental contaminants.

(11) Finely divided ice shall be used to minimise damage and maximise cooling capacity.

(12) (a) Fresh fish shall, as far as practicable, be gutted, gilled hygienically and washed thoroughly with clean water or potable water before freezing.

(b) Gutting shall be done immediately after capture.

(13) (a) Operations such as filleting and cutting shall be done hygienically to avoid contamination and spoilage of the product.

(b) Fish fillets shall not be exposed on working tables 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 ice or cooled water on board vessels.

(16) Frozen fish shall be produced from good quality fresh fish and shall be maintained at a temperature of not more than -18 degrees celsius in all parts of the product except for brine frozen fish.

(17) (a) The cold chain shall not be interrupted.

(b) Minor temperature fluctuations shall be permitted during handling, 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 vessels.

(20) Frozen fish intended for smoking shall be thawed rapidly to a temperature not exceeding 7 degrees celsius.

19. Requirements for fish processing

(1) Any type of fish processing shall comply with all the sanitary and hygiene requirements specified in the Codex Alimentarius.

(2) The fish processing establishment shall be registered and approved by the

Competent Authority of the exporting country.

20. Requirements for live fish

(1) (a) Live fish shall be certified by the Competent Authority of the country of origin or exporting country.

(b) The health certificate issued by the Competent Authority shall be in accordance with the model specified OIE - Aquatic Animal Health Code.

(2) The fish shall be free from diseases listed by the OIE.

(3) The fish exporter shall be registered with and approved by the Competent Authority to export live fish.

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

(b) The exporting country shall not be a country listed by the OIE for aquatic animal diseases at the time of export.

21. Requirements for fish originating from aquaculture

(1) Aquaculture establishments shall operate in a responsible way and comply with the recommendations of the FAO Code of Conduct for Responsible Fisheries in order to minimise

any adverse impact on human health and the environment, including any potential ecological changes.

(2) Fish farms shall operate under effective fish health and welfare management programmes.

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

(4) (a) Feeds used in aquaculture shall comply with the Code of Practice on Good Animal Feeding.

(b) Feed ingredients shall not contain unsafe levels of pesticide, chemical contaminants, microbial toxins or other adulterated substances. .

(5) The farms shall have in place a residue monitoring plan and operate under good aquaculture practices.

(6) No fish shall contain residues of veterinary drugs above the maximum residue limits specified in the Codex Alimentarius.

(7) No fish shall contain the following prohibited substances or their metabolites —

(a) stilbenes, stilbene derivatives, their salt and esters;

(b) aritithyroid agents;

(c) steroids;

(d) resorcylic acid lactones, including zeranol;

(e) beta-agonists;

(f) aristolochia spp and preparations thereof;

(g) chioramphenicol;

(h) chloroform;

(i) chlorpromazine;

(j) colchicine;

(k) dapsone;

(l) dimetridazole;

(m) metronidazole;

(n) nitrofurans, including furazolidone; or

(o) ronidazole.

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

(9) Every fish shall be produced, caught, handled, processed, packaged, stored and

distributed under hygienic standards specified in these regulations and the Codex Alimentarius.

FIFTH SCHEDULE

[Regulation 5(7)]

REQUIREMENTS FOR IMPORT

Every fish or fish product imported into Mauritius shall be properly labelled to indicate -

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

(b) the scientific name of the fish or fish product;

(c) the country of origin;

(d) the name of the importer or code, where applicable;

(e) the registration number of the importer;

(f) the name and address of the exporting establishment, where applicable;

(g) the net weight of the fish or fish product, in grammes or kilogrammes;

(h) the date of expiry, where applicable;

(i) the instructions on storage conditions, where applicable;

(j) the code number, lot number or batch number of the product, where applicable;

(k) the type of processing or preparation or specific treatment it has undergone, where applicable;

(l) the percentage glazing, where applicable;

(m) the ingredients, where applicable;

(n) the name and code of food additives, where applicable;

(o) the type of packing, normal, vacuum or modified atmosphere packing, where applicable; .

(p) the fishing area or FAO fishing zone; and

(q) the date of manufacture, production or processing, where applicable. .

SIXTH SCHEDULE

[Regulation 6(6)(f)]

FRESHNESS CRITERIA FOR FRESH AND CHILLED FISH

1. (1) An authorised officer may carry out organoleptic examinations to ascertain whether fresh or chilled fish complies with the freshness criteria.

(2) The freshness criteria shall indicate acceptability or rejection of the product.

2. The fish may be considered acceptable where -

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

(b) the outer slime is transparent;

(c) its eyes are convex, its pupils are black and its cornea are translucent;

(d) its gills are dark red or bright red and mucus translucent;

(e) in the case of gutted fish, its peritoneum is glossy, brilliant and difficult to tear from

flesh; and

(f) the internal odour of its gills and flesh is fresh and seaweedy.

3. The fish may be considered unacceptable where

(a) its skin is dull, gritty, shrinking and marked bleaching;

(b) the outer slime is yellow-brown, very clotted and thick;

(c) its eyes are completely sunken, its pupils are grey and its cornea are opaque and

discoloured;

(d) its gills are brown and bleached and the mucus is yellowish grey and clotted;

(e) its peritoneum is gritty and easily torn from the flesh;

(f) the internal odour of its gills and flesh smells amines, ammonia, acetic, butyric,

sulphide, faecal, putrid or rancid; and

(g) it is mutilated to such an extent that the muscle structure is significantly exposed to

the external environment.