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European Union Comments

CODEX COMMITTEE ON FISH AND FISHERY PRODUCTS

Thirty-third Session

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AGENDA ITEM 6

Proposed Draft Code of Practice on the Processing of Scallop Meat (CX/14/33/8)

Mixed Competence.
Member States Vote.

The European Union and its Member States (EUMS) would like to submit the following comments:

(i) General comments

As a general comment, the EUMS would like to suggest that the scope of this proposed draft Code of Practice is further clarified. It is currently unclear whether or not whole scallops intended for shucking at on-land processing factory are included within the scope. Specific guidance is given in some sections but not in all of them.

Considering that:

> -It is clearly indicated in the Standard for Live and Raw Bivalve Molluscs (CODEX STAN 292-2008) that it does not apply to scallops when the final product is the adductor muscle only.
>
> - The draft Standard for raw, fresh and quick frozen scallop products states that whole scallops (live, fresh or frozen in which the shell and all viscera are attached) are included in the Standard for Live and Raw Bivalve Molluscs (CODEX STAN 292-2008).

It is our understanding that whole scallops intended for shucking at a shore-based processing factory are covered by the standard for live and raw bivalve molluscs (CODEX STAN 292-2008) and the code of practice for fish and fishery products (CAC/RCP 52-2003, section 7 processing of live and raw bivalve molluscs).

Thus, the EUMS would like to suggest supplementing the proposed draft Code of Practice with an introduction (to present the objectives) and a new section dedicated to the scope of this proposed draft Code of Practice.

Taking as example other already available Codes of Practice, the following text could be used as a starting point.

Introduction

This section will address the general processing steps and technical guidance to be employed by scallop meat manufacturers which could vary from country to country. Potential hazards and defects at each processing step starting from raw material reception and ending with final

product distribution will also be identified. In addition, each processing step will include technical guidance for controlling the identified hazards and defects that help ensuring consumer safety and product quality. It has been developed in complement to the *Code of practice for fish and fishery products (section 7 – processing of live and raw bivalve molluscs*) *and the Standard for Live and Raw Bivalve Molluscs* to provide specific guidance on processing practices of scallop meat to meet international requirements.

~~**This section provides examples of potential hazards and defects and describes technological guidelines, which can be used to develop control measures and corrective actions**~~. At a particular step, only the hazards and defects which are likely to be introduced or controlled at that step are listed. It should be recognised that in preparing a Hazard Analysis and Critical Control Point **(**HACCP**)** and/or Defect Action Point **(**DAP**)** plan it is essential to consult Section 5 which provides guidance for the application of the principles of the HACCP and DAP analysis. **The application of Good Manufacturing Practices (GMP), Hazard Analysis Critical Control Point (HACCP) and "defect action point" (DAP) approaches for these products should be promoted to ensure consumer health and safety as well as scallop meat quality.** However, within the scope of this Code of Practice it is not possible to give details of critical limits, monitoring, record keeping and verification for each of the steps since these are specific to particular hazards and defects and to the control measures used.

As stressed by this Code, the application of appropriate elements of the pre-requisite program (Section 3) and HACCP principles (Section 5) at these steps will provide the processor with reasonable assurance that the essential quality, composition and labelling provisions of the Draft Standard for Raw, Fresh and Quick Frozen Scallop Products (under development) will be maintained and food safety issues controlled.

The commercial harvest practices of scallops can be quite variable. For instance, shucking can occur on board scallop vessels equipped for such operations or in **on-land ~~shore~~** processing facilities. For long fishing voyages, scallops are shucked and washed on deck in totes with fresh **~~salt~~ sea**water or a fresh **~~salt~~ sea**water and ice solution, then drained, bagged and stored below deck with freshwater ice. The exposure time to water during washing and melting ice during storage can affect both the product quality and composition. For the product to meet international and/or regulatory standards aimed to prevent consumer fraud and unfair trade practices, scallopers and processors should have controls in place that prevent addition of freshwater to the product to the extent attainable and practical, using proper equipment and handling practices.

New Section – Scope

The Standard for Live and Raw Bivalve Molluscs states that it does not apply to scallops when the final product is the adductor muscle only. As a results, the processing steps covered by this *Code* start with live scallops.

This Code covers the preparation and handling of fresh Scallop Meat and Roe-on Scallops **both** on board long haul harvesting vessels **and in on-land processing facilities**. It also covers the preparation and handling at the processing facility of fresh Scallop Meat or Roe-on Scallops with **~~our~~** without added water and quick frozen Scallop Meat or Roe-on Scallops with or without added solution of water and phosphate. This code also addresses the control of unintentional and intentional addition of freshwater during processing and the addition of phosphate solutions to enhance water retention. The example of the flow diagram (Figure X.1) will illustrate some of the common steps involved in the processing of scallop products.

Figure X.1

The EUMS consider that the Figure X.1 should be amended in order to also include the possibility to prepare and handle these products in on-land processing facilities

(ii) Specific comments

X.2.1.1. Marine Biotoxins

Marine biotoxins such as paralytic shellfish poisoning (PSP), amnesic shellfish poisoning (ASP) and diarrhetic shellfish poisoning (DSP) are not reasonably likely to present a ~~hazard~~ **health risk** in properly processed commercial scallop adductor muscle meat. Scientific data ~~has~~ have shown that ~~when present,~~ **PSP,** ~~ASP~~ ~~**and DSP**~~ **marine biotoxins**, **when present in scallops** are concentrated in the viscera **and levels found in adductor muscle meat and roe are much lower**. ~~[~~**However, especially with high levels of contamination,** ~~during periods of high toxicity~~, toxins can ~~-~~accumulate **in** ~~at a hazardous level~~ ~~in roe-on~~ scallop**'s meat with or without roe at levels that could present a health risk for the consumer**. ~~and~~ Preventive measures should be in place in accordance with **the limits set in** the *Standard for Live and Raw Bivalve Molluscs* (CODEX STAN 292-2008)~~]~~ Biotoxins may also migrate into the adductor muscle (meat) if the viscera and roe are not removed while the scallop is alive. ~~**Scientific information is still limited for toxins in some scallop species therefore the hazard analysis will need to consider marine biotoxins in scallop meat as a potential hazard. This hazard will be excluded or included based upon the species, processing methods, and the available country specific scientific evidence data for toxins in that species.**~~ During shucking to produce Scallop Meat, incomplete removal of the viscera and roe could occur and may introduce biotoxin and pathogen health hazards associated with whole bivalves.

Consequently, marine biotoxins should be considered as a potential hazard in all scallops products (roe-on or meat) based upon the species, processing methods and the available country specific evidence data for toxins in that species (i.e. historical data on former toxic episodes...).

EUMS Comments:

Even if, being aware of paragraph 55 of the Report of the 32nd session of the Codex Committee on Fish and Fishery Products which states:

> *55. The Committee agreed to amend section 5.2 (of the Scallop standard) by moving the footnote into the text as a new 5.2 (i) as the information in this provision was important and one of the reasons why scallop meat was not included in the Standard for Live and Raw Bivalve Molluscs (5.2 i) Scallop Meat- When prepared in accordance with the Code of Practice for Fish and Fishery Products (CAC/RCP 52-2003)-sectionX"(under elaboration), marine biotoxins are not reasonably likely to present a hazard in scallop meat. While the hazards analysis will consider marine biotoxins as a potential hazard, this hazard will be excluded or included based upon the species and the available data for toxins in that species),*

The EUMS still have concerns on how the regulatory authorities will make sure (and communicate the information to the country where scallop meat will be sent in case of trade) that the specific scientific evidence data for toxins in the species are sufficient to make it possible to harvest scallops from areas that are not monitored. Moreover, and even if the probability is very low, since algal blooms and toxins are dynamic and unpredictable phenomenon, an unusual toxic episodes may occur and lead to contamination of the shellfish.

The EUMS are therefore of the opinion that the risk regarding muscle contamination is underestimated in case of high toxicity period, especially if there is no requirements for monitoring; there should be no distinction in the level of risk associated with scallop meat alone or with roe.

Regarding amnesic shellfish poisoning toxins (ASP), Amzil et al. (2009)1 has shown that domoic acid was mainly accumulated in the digestive gland (>95%), <5% was found in the gonad tissue (due to the intestinal loop within the gonad), and no toxins were detected in muscle.

1 http://archimer.ifremer.fr/doc/00015/12577/9447.pdf

This study suggests that, in the case of ASP, muscle and roe are of lesser concern with respect to marine biotoxin contamination that the whole scallop with gut on.

However, regarding paralytic shellfish poisoning toxins (PSP), levels in muscle and roe may be of high concern. This is based on the Canadian Shellfish Sanitation program (Manual of Operations, Chapter 11 - Control of Marine Biotoxins) statement that marketing of the scallops *Placopecten magellanicus* with roe attached is not permitted in the Bay of Fundy. In addition, all lots of *Placopecten magellanicus* harvested in some other Canadian areas, and which are packed whole or with roe attached, must be sampled for toxicity content prior to release for market. It is mentioned in a note that the purple-hinged rock scallop (*Crassedoma giganteum/Hinnites multirugosus*) accumulates PSP toxins in the adductor muscle2.

The EUMS are of the opinion that the statement *("Scientific information is still limited for toxins in some scallop species therefore the hazard analysis will need to consider marine biotoxins in scallop meat as a potential hazard. This hazard will be excluded or included based upon the species, processing methods, and the available country specific scientific evidence data for toxins in that species.")* is restrictive and gives the impression that the marine biotoxins hazard is only related to species.

As already indicated, algal blooms and toxins are dynamic and unpredictable phenomenon, and even if data are available, an unusual toxic episode may occur and lead to contamination of the shellfish.

The EUMS support the deletion of the square brackets and the retention of the text with some amendments. The EUMS propose the deletion of text '*During periods of high toxicity*'. This text is not considered a scientific definition whereas definite limits are established for edible parts in the CODEX STAN 292-2008.

X.2.2.1 Parasites

The EUMS suggest to add «**Products shall not contain readily visible living parasites**.» in order to put it in line with the draft standard.

X.2,2,3 Added water undeclared or exceeding level declared

In the case of scallop products processed with a solution of water and phosphate or added water alone, proper processing controls should be in place to ensure that the amount of water added is consistent with the **percentage of** water ~~**declaration**~~ **indicated** on the label (to avoid unfair trade practice or consumer fraud).

EUMS Comment:

For the sake of consistency with the standard.

X.3.1.1 Scallop Landing/Deck Dump

- Preventive measures such as on-board biotoxin screening methods should be used when the intent is to produce scallop meat **or roe-on scallops** for which marine biotoxins cannot be excluded as a hazard.

EUMS comment:

As indicated above, the EUMS are of the opinion that there should be no distinction in the level of risk associated with scallop meat alone or with roe.

2 http://www.inspection.gc.ca/food/fish-and-seafood/manuals/canadian-shellfish-sanitation-program/eng/1351609988326/1351610579883?chap=13

X. 3.1.3 Shucking

- ~~[~~**~~Dead~~** **S**callops **showing evident signs of death** observed during shucking should be discarded because, once scallop dies, biotoxins, if present in the viscera ~~**and roe**~~ can migrate into the meat. In addition, the quality of the meat and roe in dead whole scallops may be unacceptable because the time of death is unknown.~~]~~

- Removal of the viscera and roe in live freshly harvested scallops prevents toxin migration of biotoxins, if present, into the adductor muscle (meat).

- For Scallop Meat, care should be taken to ensure that the viscera and roe are completely removed. **If there is information from monitoring of the harvesting area or from on-board biotoxin screening that toxins are present in the viscera, control measures should be in place to ensure the adductor muscle meat of scallops are safe for human consumption (i.e. further testing of the meat).**

- For Roe-on Scallops, care should be taken to ensure that the viscera ~~is~~ **are** removed. If ~~biotoxins are~~ **information from monitoring of the harvesting area or from on-board biotoxin screening show that toxins** are present in the viscera control measures should be in place to ensure the roe-on scallops are safe for human consumption (i.e. further ~~sampling~~ **testing** of the roe).

EUMS Comments:

If there is no monitoring of the production area or end-product testing, we are wondering how it will be possible to know if toxins are present in the viscera or in the viscera and roe. This comment is for both roe-on scallops and for scallop meat.

X.3.1.7 Chilled storage

The EUMS fully support the last bullet point since the fact that measures should be taken to avoid water uptake during the harvesting period have already been discussed and was accepted as a compromise.

X.3.2.1 Scallop Reception

- ~~[~~For the marketing of roe-on scallops **or scallop meat when the risk analysis identifies marine biotoxins as a potential hazard**, a processor should have a process in place to ensure that the ~~toxicity~~ **toxin** content meets the regulatory requirements of the official agency having jurisdiction over the harvest area. This could be accomplished by adhering to a toxin monitoring programs or end product testing.~~]~~

EUMS Comments: As indicated above, the EUMS are of the opinion that there should be no distinction in the level of risk associated with scallop meat alone or with roe.