Public consultation Ordinance No. 832, 29th June 2023
Remarks from the Norwegian Food Saftey Authority

Identificação do item /Item	Texto da minuta/Text of minute	Sugestão/Suggestion	Justificativa/Justification
Art. 8º	**O peixe congelado deve atender as seguintes características sensoriais:** *Frozen fish must meet the following sensory characteristics:*		
	VIII - ausência de infecção muscular por parasitas, com aspecto repugnante; *VIII- absence of muscular infection by parasites, with a repugnant apprearance;*	VIII- absence of muscular infection by parasites, according Article 13, §1,	"*....absence of muscular infection by parasites, with a repugnant appearance* ". This wording "*repugnant appearance* " is not in accordance with the Codex standards (165-1989 and 190-1995). It allows for an approximate assessment and makes a uniform interpretation of the regulations difficult. Measurable parameters must be used to provide a concrete scope for interpretation.
Art. 10º	**O peixe congelado deve cumprir com os seguintes parâmetros físico-químicos:** *Frozen fish must comply with the following physicochemical parameters:*		

	IV - o teor de sódio deve ser no máximo 188mg (cento e oitenta e oito miligramas) de Na/100g (cem gramas) de tecido muscular; *IV - the sodium content must be a maximum of 188mg (one hundred and eighty-eight milligrams) of Na/100g (one hundred grams) of muscle tissue;*		NFSA are pleased to observe that Brasil has increased the maximum sodium levels in muscle tissue. This is of great importance for the Norwegian seafood industry, especially with regards to fish cooled in refrigerated seawater (RSW). The Norwegian Seafood Federation has commissioned, from Nofima, a report regarding "the salt contents in herring". Please find this report attached. NFSA´s mandate complies only to SPS requirements, however, we would like to support the findings in this report, and also the comments from the Norwegian Seafood Federation concerning this requirement. Please find this attached.
Art. 13º	**Os produtos, de que trata esta Portaria, não devem apresentar infecção muscular por parasitas com aspecto repugnante, lesões infecciosas, ectoparasitas, conter impurezas, ou substâncias estranhas de qualquer natureza, e nem exceder a taxa de elementos defeituosos num lote.** *The products, dealt with in this Ordinance, must not present muscular infection by parasites with a repugnant appearance, infectious lesions, ectoparasites, contain impurities or foreign substances of any nature, nor exceed the rate of defective in a batch.*	The products, dealt with in this Ordinance, must not present muscular infection by parasites in accordance with Article 13. §1 , infectious lesions, ectoparasites, contain impurities or foreign substances of any nature, nor exceed the rate of defective in a batch.	" *.....must not present muscular infection by parasites with a repugnant appearance, ...* ." This wording **"***repugnant appearance* "is not in accordance with the Codex standards 165-1989 and 190-1995. It allows for an approximate assessment and makes a uniform interpretation of the regulations difficult. Measurable parameters must be used to provide a concrete scope for interpretation.

	§1° Considera-se unidade defeituosa em um lote, o peixe que apresente, por quilograma de amostra, dois ou mais parasitas encapsulados, com mais de 3mm (três milímetros) de diâmetro; ou a presença de um parasita não encapsulado, com mais de 10mm (dez milímetros), observados com ou sem auxílio de iluminação. *§1st Defective unit in a lot is considered to be fish that presents, per kilogram of sample, two or more encapsulated parasites, with more than 3mm (three millimeters) in diameter; or the presence of a non-encapsulated parasite, with more than 10mm (ten millimeters), observed with or without the aid of lighting.*	§1^{o} Defective unit in a lot is considered to be: - fish fillets, or - blocks of cohering fish flesh prepared from fillets or minced fish flesh that presents, per kilogram of sample, two or more encapsulated parasites, with more than 3mm (three millimeters) in diameter; or the presence of a non-encapsulated parasite, with more than 10mm (ten millimeters), observed using non-destructive methods with or without the aid of lighting.	With regards to the codex standards 165-1989 and 190-1995, the requirements for visual parasites is only applicable for fish fillet and minced fish flesh. However, for whole gutted and ungutted fish this requirement seems to be very strict. This is not in accordance with the Codex standard 36-198 concerning whole fish for further processing that does not have any requirements for parasites. Please add which type of products this requirement applies to. It is unclear whether destructive methods can be used. However, according to the Codex standards (190-1995 and 165-1989) non-destructive methods should be used.

	§2° A situação em que a musculatura do peixe apresente parasitas visíveis, ou lesões inflamatórias características, observados sem o auxílio de iluminação ou método invasivo, caracteriza aspecto repugnante. *§2° The situation in which the fish musculature presents visible parasites, or characteristic inflammatory lesions, observed without the aid of lighting or invasive method, characterizes a repugnant appearance.*	§2^{o} In the situation where the musculuture presents visible parasites, or characteristic inflamatory lesion, obseverved without the aid of lighting or destructive method will be considered a defective unit in accordance with §1 (our suggestion for §1).	With regards to the codex standards 36-1981, 165-1989 and 190-1995, the requirements for visual parasites is only applicable for fish fillet and minced fish flesh. In our opinion it is not possible to observe muscular parasites in whole fish. This suggests that whole eviscerated and uneviscerated fish should not be included in this requirement. This is also in accordance with the Codex standard 36-198 concerning whole fish for further processing stating that there are no requirements for parasites fish musculature. Therefore, it is important to add which type of products this requirement applies to. We would also point out that "*...repugnant appearance.* " is not in accordance with the Codex standards 165-1989 and 190-1995. It allows for an approximate assessment and makes a uniform interpretation of the regulations difficult. Measurable parameters must be used to
	§5º Um lote que tenha excedido a taxa de elementos defeituosos, para a presença de parasitas, não poderá ser destinado ao consumo. *§5º A lot that has exceeded the rate of defective elements, for the presence of parasites, cannot be destined for consumption.*	§5º A lot that has exceeded the rate of defective elements, for the presence of parasites, cannot be destined for human consumption.	"... be destined for consumption." To avoid misunderstandings, the same wording should be used throughout the regulation. We propose that ''human '' is added prior to consumption in accordance with Article 9.
Anexo II ***Annex II***			

Tabela 2 ***Table 2***	**Tabela 2: Plano de amostragem NCA de 6.5% (AQL - 6,5), que indica o número de amostras (n) e o número de amostras defeituosas, quanto à presença de lesões e alterações sensoriais toleráveis, em um lote (c), de acordo o peso do produto, em níveis de inspeção I e II. Limite de Qualidade Aceitável (AQL) - 6,5.** *NCA sampling plan of 6.5% (AQL - 6.5), which indicates the number of samples (n) and the number of defective samples, regarding the presence of lesions and tolerable sensory alterations, in a batch (c) , according to the weight of the product, at inspection levels I and II. Acceptable Quality Limit (AQL) - 6.5.*	NCA sampling plan of 6.5% (AQL - 6.5), which indicates the number of samples (n) and the number of defective samples, regarding the presence of lesions and tolerable sensory alterations, in a batch (c) , according to the weight of the product, at inspection levels I and II. Acceptable Quality Limit (AQL) - 6.5. (Source xx.)	For the benefit of importing countries, please refer to the source of AQL 6.5
Anexo II ***Annex II***			
Tabela 3 ***Table 3***	**Tabela 3: Plano de amostragem NCA de 15% (AQL - 15), que indica o número de amostras (n) e o número de amostras defeituosas, quanto à presença de parasitas, em um lote (c), de acordo o peso do produto, em níveis de inspeção I e II. Limite de Qualidade Aceitável (AQL) - 15.** *NCA sampling plan of 15% (AQL - 15), which indicates the number of samples (n) and the number of defective samples, regarding the presence of parasites, in a lot (c), according to the weight of the product, at inspection levels I and II. Acceptable Quality Limit (AQL) - 15.*	NCA sampling plan of 15% (AQL - 15), which indicates the number of samples (n) and the number of defective samples, regarding the presence of parasites, in a lot (c), according to the weight of the product, at inspection levels I and II. Acceptable Quality Limit (AQL) - 15. (Source xx.)	For the benefit of importing countries, please refer to the source of AQL 15.