

Ministry of Agriculture, Livestock and Food Supply  
– MAPA

Your ref:  
Our ref: 2023/192340  
Date: 14.09.2023  
Org.no: 985 399 077

Att.: Agricultural Defense Secretariat

Norwegian Food Safety Authority



## **PUBLIC CONSULTATION SDA/MAPA ORDINANCE NO. 832 OF 29<sup>TH</sup> JUNE 2023 – REMARKS FROM NORWEGIAN FOOD SAFETY AUTHORITY**

The Norwegian Food Safety Authority (NSFA) presents its highest compliments to the Brazilian Ministry of Agriculture, Livestock and Food Supply – MAPA. We would like to express our appreciation for the opportunity to comment on the Technical Regulation concerning frozen fish. Norwegian legislation in this field follows the international standards in Codex Alimentarius. The relevant standards for frozen fish are Codex Stan 36-1981 Standard for Quick Frozen Finfish, Eviscerated or Uneviscerated, Codex Stan 165-1989 Standard for Quick Frozen Blocks of Fish Fillet, Minced Fish Flesh and Mixtures of Fillet and Minced Fish Flesh, and Codex Stan 190-1995 Standard for Quick Frozen Fish Fillets.

With reference to WTO TBT-notification G/TBT/N/BRA/1487 regarding SDA/MAPA Ordinance no. 832 on the draft of technical regulation on identity and quality for frozen fish, frozen brined fish, and frozen brined fish for canning, the NFSA would like to provide our comments. Our complete comments are provided in the attached spreadsheet<sup>1</sup>.

First of all, it would be helpful if Article 8 VIII, Article 13 and Article 13§ 1 and 2 could be aligned with the relevant international standards in order to ensure that the regulation provides clarity for competent authorities in exporting countries, as well as seafood importers and exporters. In this regard we like to note that according to Article VI in the Memorandum of Understanding<sup>2</sup> between Norway and Brazil of 2003 "sampling plans and internationally recognized tables of defects, such as those of Codex Alimentarius, shall be used". This is also reflected in the approved health certificates for farmed and wild-caught fish from Norway to Brazil.

With regards to Article 10 IV, concerning salt content in fish tissue, we would like to inform you that the Norwegian Seafood Federation<sup>3</sup> has commissioned a report from NOFIMA<sup>4</sup> "Salt Content in Herring"<sup>5</sup>. According to this report there is a significant increase of salt in herring that has been cooled in refrigerated seawater (RSW) and that the concentration of salt is even higher than 188 mg Na/100g muscle tissue. Although NFSA has not commissioned this report, we would like to express our support to the findings in this report, and to note the need for increasing the values of salt in fish higher than 188 mg Na/100 g muscle tissue. Please find the report<sup>5</sup>, and Norwegian Seafood Federation's public consultation<sup>6</sup> on Article 10 IV attached.

Furthermore, with regards to parasites, we are concerned that the draft technical regulation, if not aligned with the Codex standards, could cause a trade barrier for export of frozen fish from Norway. The effects may be that the inspectors at import control are granted a lot of latitude, which may result in a non-uniform interpretation of the regulation.

On a further note, the NFSA would like to point out that the WTO notification was only notified as a TBT notification. The WTO Agreement on the Application of Sanitary and Phytosanitary Measures (SPS Agreement) Annex A (1) letter (b) describes as SPS measures applied “to protect human or animal life or health within the territory of the Member from risks arising from additives, contaminants, toxins or disease-causing organisms in foods, beverages or feedstuffs”. In our opinion, parts of the regulation should also have been notified as an SPS notification as well.

We hope you find our comments useful. We welcome your feedback and are ready to discuss the comments in further detail.

Yours sincerely

Marius Kallerud Beck  
Acting head of section

*This document has been electronically approved, and sent without signature.  
Documents that require a signature will also be sent as a paper copy.*

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- 1 NFSA public consultation frozen fish regulation.xls
- 2 MoU between the Kingdom of Norway and the Federal Republic of Brazil on Technical, Hygienic and Sanitary Provisions Governing Bilateral Trade in Fishery and Aquaculture Products and By-products.
- 3 Norwegian Seafood Federation – A national association for the fisheries and aquaculture industry in Norway ([www.sjomatnorge.no](http://www.sjomatnorge.no))
- 4 NOFIMA – Norwegian food research institute and development within the fields of aquaculture, fisheries, and food ([www.nofima.no](http://www.nofima.no))
- 5 Report “Salt content in herring” – NOFIMA 2023, both English and Portuguese versions (documents 4 a) and b) )
- 6 Public consultation Norwegian Seafood Federation, Article 10 IV (document 5)

#### **Attachments**

1. NFSA public consultation frozen fish regulation
2. MoU between the Kingdom of Norway and the Federal Republic of Brazil on Technical, Hygienic and Sanitary Provisions Governing Bilateral Trade in Fishery and Aquaculture Products and By-products
3. Public consultation Norwegian Seafood Federation
4. Reports “Salt content in herring” NOFIMA 2023 – a) English official version and b) Portuguese unofficially translated version
5. Public consultation Norwegian Seafood Council