

To: Trade and Industry representatives (on attached list)

12 March 2008

Reference: FSH/0020

XYREX® PRODUCTS¹, PRAWNFRESH™ AND OTHER SUBSTANCES TO REMOVE SURFACE CONTAMINATION OF FISHERY PRODUCTS

Dear Sir or Madam,

Further to my letters of 21 December and 11 January (copies attached for ease of reference), I am writing to inform you of the latest position.

XyRex® Products

Since I last wrote to you, the FSA has continued its consideration of the issues, and our view is that the evidence available does not support a change to our previous advice. It remains the case, therefore, that **use of XyRex® products in contact with fishery products at any point in the food chain is not permitted.**

Whether XyRex® products may be permitted for use in contact with fishery products in the future is a matter for consideration by the European Commission. It is the Commission, not the FSA, which is responsible for the approvals envisaged by Article 3(2) of Regulation 853/2004. The FSA understands that the company has agreed with the European Commission to submit a dossier in support of an application for approval of XyRex® products under this legislation, and that this will be considered in due course.

As regards the use of XyRex® products as a biocide to clean pipes and tanks, such use is a matter for HSE (Biocides and Pesticides Unit) which takes the UK lead on biocide and disinfectant authorisation. Any questions as to such use should be directed to HSE (Tel: 0845 345 0055 or email biocides@hse.gsi.gov.uk).

Prawnfresh™

Prawnfresh™ contains 4-Hexylresorcinol, which is approved as a food additive (E586) under Directive 2006/52/EC² amending Directive 95/2/EC on food additives other than colours and sweeteners. This legislation permits the use of E586 as an antioxidant on fresh, frozen and deep-frozen crustaceans to a maximum residue

¹ The term "XyRex® products" used in this letter refers to "Ice Active", "U500" and "P3 Plus".

² Implemented in England by the Miscellaneous Food Additives and the Sweeteners in Food (Amendment) (England) Regulations 2007 (and by corresponding Regulations in Wales, Scotland and Northern Ireland).

level of 2 mg/kg in crustacean meat. Food treated with Prawnfresh™ should be labelled in accordance with Directive 2000/13/EC³ relating to the labelling, presentation and advertising of foodstuffs. Pre-packed food should declare in the list of ingredients "Antioxidants: E 586" or "Antioxidants: 4 hexylresorcinol", while food sold loose or pre-packed for direct sale requires a ticket, menu, or notice, at point of sale, indicating the category of additives used e.g. "Antioxidants".

Other substances to remove surface contamination of fishery products

The FSA has recently received many enquiries about other products and substances used in contact with fishery products. At the present time, **there are no substances approved** by the European Commission under Article 3(2) of Regulation 853/2004 to remove surface contamination from products of animal origin. In addition, the hygiene requirements for fishery products set out in Annex III, Section VIII of Regulation 853/2004, make it clear that (whether on land or at sea) only potable water, or where appropriate clean water, may be used to wash fish. Taken together, these two facts mean that processing aids may not be used in contact with fish.

The FSA is aware that there are certain products on the market used in contact with fishery products that contain additives. These may be used as additives in accordance with the relevant legislation mentioned at footnotes 2 and 3.

The information in this letter is being circulated to all enforcement authorities in the UK, and to the industry representative organisations on the list below.

Further information may be obtained from:

i) Jo Storey on Prawnfresh and additives matters (Tel: 020 7276 8584; email: jo.storey@foodstandards.gsi.gov.uk);

ii) Shaheen Zar on enforcement aspects (Tel: 0207 276 8452; email shaheen.zar@foodstandards.gsi.gov.uk); and

iii) myself or Tracy Boshier (Tel: 020 7276 8944; email: tracy.boshier@foodstandards.gsi.gov.uk) for questions on XyRex products and surface decontamination policy issues.

Yours faithfully,

By email

Dr Kevin Hargin
Head, Fish and Shellfish Hygiene Branch
Primary Production Division

³ Implemented by the Food Labelling Regulations 1996 (SI 1499) as amended.

Copy list

The Association of Sea Fisheries Committees of England and Wales

Grimsby Fish Market

Chilled Food Association

The Worshipful Company of Fishmongers

National Federation of Fishermen's Organisations

Prins & Dingemanse (Fruit de Mer Specialist)

British Frozen Food Federation

Billingsgate Market

British Trout Association

UK Association of Frozen Food Producers

Sea Fish Industry Authority

National Association of British Market Authorities

Shellfish Association of Great Britain

Scallop Association

Cumbrian Seafoods

Food and Drink Federation