S.I. 24 of 2022

EXPORT OF FISHERY PRODUCT ACT

(Cap 265)

Export of Fishery Products (Sanitary) (Amendment) Regulations, 2022

In exercise of the powers conferred by section 13 of the Export of Fishery Products Act, the Minister for Industry makes the following regulations —

Citation

1. These regulations may be cited as the Export of Fishery Products (Sanitary) (Amendment) Regulations, 2022.

Amendment of S.I. 82 of 2010 as last amended by S.I. 55 2011

2. The Export of Fishery Products (Sanitary) Regulations, 2010 is amended in Schedule 10 as follows —

(a) by repealing the heading "Heavy metal contaminants present in the aquatic environment" and the details thereunder and substituting therefor the following tables —

"**Heavy metal contaminants present in the aquatic environment**

1. Batches of fishery products in which the levels of heavy metal contaminants exceed the maximum limits indicated in the following tables shall be regarded as unfit for human consumption.

(A) Maximum level for lead

Substrate	**Maximum level (mg/kg wet weight)**
Muscle meat of all fish	0.3
Crustaceans (meat from appendages and abdomen excluding cephalothorax of crustaceans)	0.3
Cephalopodes (without viscera)	0.3
Bivalves Molluscs	1.5

(B) Maximum level for cadmium

Substrate	**Maximum level (mg/kg wet weight)**
Muscle meat of all fish except where indicated below	0.050
Muscle meat of the following fish: Tuna *(Thunnus species, Katsuwonus pelamis, Euthynnus species*)	0.10
Muscle meat of the following fish: Bullet tuna *(Auxis species)*	0.15
Muscle meat of the following fish: Swordfish (*xiphias gladius*) Sardine (*Sardina pilchardus*)	0.25
Crustaceans *(muscle meat from appendages and abdomen*)	0.5
Bivalves molluscs	1.0
Cephalopods (*without viscera*)	1.0

(C) Maximum level for mercury

Substrate	**Maximum levels (mg/kg wet weight)**
Fishery products and muscle meat of fish excluding species listed below. The maximum level for crustaceans applies to muscle meat from appendages and abdomen. In case of crabs and crabs like crustaceans it applies to muscle meat from appendages	0.5
Muscle meat of the following fish: Bonito *(sarda sarda)* Marlin *(makaira species)* Plain bonito (*Orcynopsis unicolor)* Sail fish *(Istiophorus platypterus)* Shark *(all species)* Swordfish *(Xiphias gladius*)	1.0
Tuna *(Thunnus species, Euthynnus species, Katsuwonus pelamis)*	1.0

2. Sampling and analysis shall be conducted in accordance with CEN Standards Foodstuff-Determination of trace elements Performance criteria and general consideration' or other equivalent recognised method.

3. Laboratories shall use a validated analytical method with a detection limit at least one tenth of the MRL indicated in the above Table. The validation shall include a certified reference material in the collaborative trial test materials.

(b) by repealing the heading "Organochlorine contaminants present in the aquatic environment" and the details thereunder and substituting therefor the following —

"Organochlorine contaminants present in the aquatic environment

Batches of fishery products in which the levels of dioxins, dioxins-like PCBs (DL-PCB) and non-dioxins like PCBs (NDL-PCB) and their congeners exceed the limit indicated in the following table shall be regarded as unfit for human consumption.

Fishery products	**Maximum levels**		
	Sum of dioxins (WHO-PCDD/ F-TEQ) ([1])	**Sum of dioxins and dioxins-like PCBs (WHO-PCDD/F-PCB-TEQ)**	**Sum of PCB 28, PCB 52, PCB 101,PCB 138, PCB 153, and PCB 180**
Muscles meat of fish and fishery products and products thereof with the exception of marine oils	3.5 pg/g wet weight	6.5 pg/g wet weight	75ng/g wet weight
Fish liver and derived products	n/a	20.0 pg/g wet weight ([2])	200 ng/g wet weight ([2])
Marine oils (fish body oil, fish liver oil, and oils of other marine organisms intended for human consumption)	1.75 pg/g fat	6.0 pg/g fat	200.0 ng/g fat

([1]) Dioxins (sum of polychlorinated dibenzo-para-dioxins (PCDDs) and polychlorinated dibenzofurans (PCDFs), expressed as World Health Organisation (WHO) toxic equivalent using the WHO-toxic equivalency factor (WHO-TEFs) and sum of dioxins and dioxin- like PCBs

(sum of PCDDs PCDFs and polychlorinated biphenyls (PCBs), expressed as WHO toxic equivalent using the WHO-TEFs, as described in the WHO-TEFs for human risk assessment based on the conclusion of the WHO meeting in Stockholm, Sweden , 15 to 18 June 1997 (Van den Berg et al., (1198) Toxic Equivalency Factors (TEFs) for PCBs, PCDDs, PCDFs for Human and Wildlife, Environmental Health Perspectives, 106 (12) , 775)

([2]) In the case of canned fish liver, the maximum level applies to the whole edible content of the can.

(c) by inserting after the heading "Permitted Additives" and tables thereunder the following —

"**Polycyclic Aromatic Hydrocarbons**

Batches of fishery products in which the levels of Polycyclic Aromatic Hydrocarbon exceed the maximum limits indicated in the following table shall be regarded as unfit for human consumption.

Substrate	**Maximum level (µg/kg)**	
	Benzo (a) pyrene	Sum of benzo (a) pyrene, benz (a) anthracene, benzo (b) flourantene and chrysene
Muscle meat of smoked fish and smoke fishery products	2.0	12.0

MADE this 25th day of February, 2022.

DEVIKA VIDOT
MINISTER FOR INVESTMENT, ENTREPRENEURSHIP AND INDUSTRY