

codex alimentarius commission



FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS

WORLD
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ORGANIZATION



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Agenda Item 5

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**JOINT FAO/WHO FOOD STANDARDS PROGRAMME
CODEX COMMITTEE ON FISH AND FISHERY PRODUCTS
Twenty-ninth Session
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**DRAFT STANDARD FOR STURGEON CAVIAR
COMMENTS AT STEP 6
(Canada, European Community and New Zealand)**

CANADA

General Comments

Canada notes that the general approach of this draft standard deviates somewhat from the existing Codex Fish and Fishery Products standards. We would like to offer our comments aimed to make this standard consistent with adopted Codex Fish Standards.

Specific Comments

TITLE

Canada is of the opinion that this standard should be applied to sturgeon caviar only, and that a subsequent standard be developed for application to roe from other species.

Proposed change:

[DRAFT STANDARD FOR STURGEON CAVIAR

~~DRAFT STANDARD FOR STURGEON AND [PADDLEFISH] CAVIAR~~

~~DRAFT STANDARD FOR CAVIAR FROM THE ACIPENSERIFORMES ORDER]~~

SECTION 1 - SCOPE

As previously noted, this standard should be applied only to caviar from sturgeon.

Rationale:

CITES requirements should not be included in Codex standards. We note that Codex and CITES have both important but separate mandates. The mandate of Codex is to develop international standards and norms for consumer health protection and fair practices in the food trade. The CITES mandate includes supporting the sustainable catch and trade of sturgeon and other species. Means to achieve each organization's mandate should be deliberated and decided within the respective forums.

Proposed changes:

[1) This standard applies to granular sturgeon caviar of the fish of the *Acipenseridae* family.]

~~[2) This standard applied to caviar prepared from fish eggs of sturgeon and paddlefish.]~~

~~[3) This standard applied to caviar from fish eggs of the Acipenseriformes order.]~~

SECTION 2 – DESCRIPTION

Section 2.1 – Definitions

Proposed change

Caviar: the product made from fish eggs of the ~~[Acipenseriformes order]~~ **Acipenseridae family** by treating with **food grade salt, with or without the addition of food additives** ~~or mixture of salt with a food additive.~~

Section 2.2 – Product Definition

Proposed change

The product is prepared from fish eggs of sturgeon fishes belonging to the Acipenseridae family (four genera *Acipenser*, *Huso*, *Pseudoscaphirhynchus* and *Scaphirhynchus* and hybrid species of these genera) ~~[and from fish eggs of the fishes belonging to the polyodontidae family (two genera: *Polyodon* and *Psephurus*).~~

Section 2.3 - Process Definition

Proposed changes:

2.3.1 *The product, after suitable preliminary preparation of the caviar, shall be subject to treatment or conditions sufficient to prevent the growth of spore and non-spore forming pathogenic microorganisms and shall comply with the conditions laid down hereafter.*

The product shall be prepared by salting fish eggs with food grade salt, with or without the addition of food additives. ~~packed in containers, and chilled to the temperatures of 0C to -4C so as to maintain the quality during storage, transportation and marketing.~~

The product shall be packed in metal tins coated on the inside with stable food lacquer or enamel, glass jars, or other suitable food-grade containers.

The product should be chilled to temperatures of 0C to -4C so as to maintain the quality and safety of the caviar during storage, transportation and marketing.

Freezing as well as frozen storage of caviar is not permitted due to the deterioration in quality.

Proposed changes

2.3.2 *Re-packaging of the product from larger to smaller containers under controlled conditions **which maintain the quality and safety of the product** shall be permitted. No mixing of caviar grain from different lots shall be permitted.*

~~*The time for packaging should be minimized so as to maintain low temperatures and to prevent contamination by microbial hazards and foreign materials.*~~

Rationale:

Regarding the suggested deletion from Section 2.3.2, we are of the opinion that these hygienic and processing provisions are covered more appropriately in the Code of Practice for Fish and Fishery Products. The Code of Practice for Fish and Fishery Products, which incorporates general principles of food hygiene and provides technical guidance on the application of HACCP and Defect Action Point (DAP) analysis, should adequately address hygienic handling practices and quality preservation for this product.

SECTION 3 – ESSENTIAL COMPOSITION AND QUALITY FACTORS

Section 3.1 – Raw Material

Proposed change

Caviar shall be prepared from ovaries extracted from sound and wholesome ~~[Acipenseriformes]~~ **fishes** sturgeons of biological species of the genera described in Section 2.2, which are of a quality fit to be sold fresh for human consumption.

Rationale:

As previously indicated, we are of the opinion that this standard should apply only to caviar from sturgeon.

SECTION 7 – LABELLING

Section 7.1 – The Name of the Food

Proposed changes

Delete section 7.1.2

~~[7.1.2 For the *Polyodontidae* family, the name of the food shall be “paddlefish caviar”.]~~

7.1.4 For hybrids, the common name ~~shall~~ **may** be supplemented with the word hybrid, and the parent sturgeon species may be shown according to Annex B, e.g. <<Hybrid sturgeon caviar>> or <<Sturgeon HUSXRut hybrid caviars>>.

Rationale:

The suggested change allows the respective competent authorities to regulate the labeling accordingly.

Section 7.3 – Country of Origin

Proposed change:

Delete the following provision:

~~The country of origin of the product shall be declared.~~

Rationale:

Canada believes that section 4.5 and in particular sub-section 4.5.1 of the General Standard for the Labelling of Prepackaged Foods which states, “The country of origin of the food shall be declared if its omission would mislead or deceive the consumer”, is clear enough and that there is no need to include additional provision in this standard. Whether an omission of the country of origin is deemed misleading or deceptive should be left up to each country to decide. As appropriate, countries have the right to establish country of origin labelling (COOL) provision in national legislation provided it meets a legitimate objective and/or a health objective. However, we are of the view that it is not necessary to extend mandatory COOL in international standards.

We also suggest adding the following new section:

Proposed change:

Section 7.? - Labelling of Non-retail Containers:

“Information specified above shall be given either on the container or in accompanying documents, except that the name of the product, lot identification, and the name and address of the manufacturer or packer, as well as storage instructions, shall appear on the container.

However, lot identification, and the name and address of the manufacturer or packer may be replaced by an identification mark provided that such a mark is clearly identifiable with the accompanying documents.”

Rationale:

This amendment is consistent with Codex Fish Standards and conforms with the Food labelling provisions as stipulated in the Codex Procedural Manual.

SECTION 8 – SAMPLING, EXAMINATION AND ANALYSIS

Section 8.2.1 - Sensory and Physical/Chemical Examination

Proposed change (title):

“Section 8.2.1 - Sensory and Physical ~~Chemical~~ Examination”.

Proposed changes (text):

“Samples taken for sensory and physical ~~chemical~~ examination shall be assessed by ~~experts~~ **persons** trained in such examination and in accordance with methods elaborated in ~~Sections 8.2.1–8.2.2, Annex A~~ and in the Guidelines for the Sensory Evaluation of Fish and Shellfish in Laboratories (CAC/GL 31 - 1999).”

Rationale:

Regarding the title and the provision, we noted the following inconsistencies with existing Codex Fish and Fishery Product Standards:

- The inclusion of chemical examination in this section is unusual since this section has been traditionally reserved for the examination of product defects (i.e. extraneous material, sensory attributes, etc). We recommend deleting the term “*chemical*” used in this section;
- With respect to the clause, “. . . shall be assessed by *experts* trained in such examination. . .,” we note that the “expert” status differs from existing Codex fish standards that presently only stipulate that any *person* trained in sensory and physical examinations can conduct such examinations.

SECTION 9 – DEFINITION OF DEFECTS**Section 9.1 Foreign Matter**Proposed change:

The presence in the sample unit of any matter which has not been derived from [~~Acipenseriformes~~] eggs....

Rationale:

This standard should only apply to sturgeon caviar.

Section 9.3 - Consistency and ConditionProposed change:

The presence of excessive fluid leakage from the eggs and burst egg membranes.

Rationale:

Consideration should be given to include reference to excessive juices being released from the eggs and burst eggs since these may be undesirable characteristics as well.

Section 9.4 – Extraneous MaterialProposed change:

Membranes, viscera and fat clusters shall be absent from finished caviar.

Rationale:

The presence of viscera is a workmanship defect which should be addressed by proper sorting and processing. We are of the view that this workmanship defect is unacceptable because it is aesthetically undesirable to consumers.

ANNEX AProposed changes:

Title: *Table 1 – IDENTIFICATION CODES OF STURGEON [~~PADDLEFISH~~] SPECIES*

Table contents: Deletion of the paddlefish species from the table.

~~{*Polyodon spathula* — SPA}~~

~~{*Psephurus gladius* — GLA}~~

Rationale:

The standard should only apply to caviar from sturgeon species.

EUROPEAN COMMUNITY

The ECMS wish to propose the following amendments to the Draft Standard for Sturgeon Caviar

Title and scope:

The ECMS had proposed at the 28th session that the CITES provisions be taken into account in the Codex standard: the Annexes to CITES included all fish of the Acipenseriformes order, and not just those of the

Acipenseridae family. However, in view of the opposition voiced by numerous States when CRD 23 was presented to the Codex Committee, and in a spirit of compromise, the ECMS propose that the scope of the standard be limited to sturgeon caviar.

2.1 Definitions:

Various delegations having expressed misgivings about the use of the terms "oocytes" and "ovocytes", it is proposed that the expression "non-ovulated egg" be used. This proposal satisfies the different points of view and thus resolves the problem of which term to use, which is based on a translation-related difference. Also, in using the term "non-ovulated egg" the standard excludes eggs extracted using massage, these being ovulated eggs.

The wording proposed is therefore as follows:

"Fish eggs: non ovulated eggs separated from the connective tissue of ovaries".

2.2 Product definition:

For the reasons given above it is proposed that the wording be amended as follows:

"The product is prepared from fish eggs of sturgeon fishes belonging to the *Acipenseridae* family...".

As regards the salt content referred to in the second paragraph, it is proposed that this be set at 3g/100g in the water phase, as tastes these days are veering towards less salty products.

The wording proposed is therefore as follows:

« The salt content of the product is equal to or above 3g/100g and below or equal to 5g/100g in the end product.»

2.3 Process definition:

A distinction should be made between the temperature at the wholesale stage and the retail stage. The packing of the product into containers intended for sale to the end consumer and the retailing of the product should be done at temperatures of between +2 and +4° C; temperatures of between 0° and – 4° C apply only to storage, transportation and wholesaling of the unpackaged product.

It is therefore proposed that the paragraph be reworded as follows:

« The product shall be prepared by salting fish eggs with food grade salt, with or without food additives. During packaging, storage and retail, the product temperature is between +2 and +4°C, whereas for wholesale business, including storage and transportation, the temperatures are between 0° and –4°C. Both of these temperatures ought to maintain the quality of the product.»

4. Additives:

The ECMS suggest to ask JECFA to evaluate the two additives authorised by the EC legislation and propose to transmit the Community dossier relating to them.

7.1.5 Name of the product:

["The label shall be in compliance with the CITES labelling requirement".]

It is proposed that the text between square brackets be deleted, as the application of the CITES rules does not depend on their being quoted in the Codex standard.

8.2 Sensory and Physical/Chemical Examination:

"Samples taken for sensory and physical/chemical examination shall be assessed by a person trained in such examination ...".

The term "person trained in such examination" seems insufficient to guarantee that staff conducting such examinations have the requisite competence. It is proposed that the wording be amended as follows:

"Samples taken for sensory and physical/chemical examination shall be assessed by an expert trained in such examination ...".

9. Definition of defects:

"The sample unit shall be considered as defective when it exhibits any of the properties defined in sections 9-1 to 9-4."

For greater precision, the wording should emphasise that these defects must be obvious. The following wording is proposed:

« The sample unit shall be considered as defective when it exhibits any of the properties defined in sections 9-1 to 9-4. These defects have to be obvious.»

Annex A:

The ECMS propose that the Table be left as it is. In view of the huge number of hybrids to come, it will be impossible to keep the Table up-to-date and bring it to a conclusion.

NEW ZEALAND

New Zealand is pleased to offer the following comments in relation to the above Circular Letter.

New Zealand understood that the scope of the proposed draft standard for caviar as it was elaborated up until CCFFP was to apply only to those fish species commonly known as sturgeon (*Acipenseridae* family). The move to include other quite different species such as paddlefish is significantly extending the scope of the standard beyond the original intent of the standard and consequently New Zealand is of the view that either:

- (1) The standard's scope should remain as it was previously and apply only to sturgeon caviar products of the *Acipenseridae* family; or
- (2) The standard should contain a significantly expanded scope so that it is a standard that applies to all fish roe products. To achieve this, the standard would need to be elaborated without specifying the species to which it could be applied. Elaboration of such a standard would have the benefit of CCFFP not be placed in the position of having to elaborate a further standard for non-sturgeon fish-roe products such as those produced from, for example, lumpfish.