

SEAFOOD SAFETY SAVVY: A HACCP UPDATE

from the Connecticut Sea Grant College Program, University of Connecticut
and the Cooperative Extension & Sea Grant Programs, University of Rhode Island

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A Message from the Editors:

Welcome to the ninth edition of our newsletter. In this issue, we cover Country of Origin Labeling Program and histamine control for harvesters. Keep in mind that all previous issues of this newsletter can be found on the internet at <www.seagrant.uconn.edu> for your perusal.

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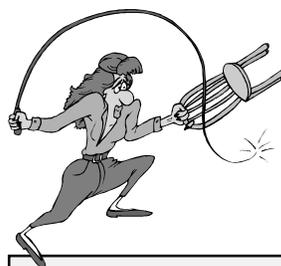
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Country of Origin Labeling Program - It's Mandatory!

Country of Origin Labeling (COOL) is another pre-requisite program that MANY of you will need to pay attention to and comply with as of September 30, 2004. ***While the USDA has not yet issued its final rule***, we anticipate that the start date for COOL will be firm nonetheless. This information contained in this article may change slightly in the final rule.

Where does COOL come from?

The USDA issued this proposed rule as required by the 2002 Farm Bill. Public Law 107-171 requires **retailers** to inform consumers of the country of origin for all "covered commodities" including **farm-raised and wild-caught fish and shellfish**. A retailer in this case is defined as anyone who buys and sells fruits and



Additional Training Course Offerings

TENTATIVE COURSE DATES

Segment Two Course
(Practical for Internet Course)
September 22, 2004
Groton CT

Seafood HACCP Training Course
October 12-14, 2004
Groton CT

All classes must have a minimum number of registered participants to be held. For more information on any of these classes, please contact Nancy or Lori.

vegetables solely for retail, with a cumulative value during the calendar year of more than \$230,000. Food service establishments, such as restaurants and bars, are exempt, as are butcher shops, fish markets, and small grocery stores that purchase less than the dollar amount of produce. Those who export only are not covered by this regulation unless the country to which the product is being exported requires this labeling.

Covered commodities are excluded from mandatory COOL if they are an ingredient in a processed food item. If a fish or seafood item has undergone physical or chemical change, or has been substantially combined with other food components resulting in a different retail item and is no longer marketed as the original/specific

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seafood commodity, it is excluded from the law. A couple of examples are fish flesh that has been restructured and made into fish sticks, or a "seafood medley", respectively.

Products Covered by COOL

All fresh, chilled, frozen, cooked, breaded, and canned fish and shellfish items are covered by these rules. Fish or shellfish with small amounts of seasonings, preservatives, or breadings are NOT exempt.

Products Exempted from COOL

Examples of exempted processed products include restructured shrimp or fish sticks, smoked and cured products, bag of seafood medley, stuffed salmon, or surimi.

What Fish and Shellfish ARE Covered, and What Do You Have to Do?

Strictly speaking, unless you know that your product is EXCLUSIVELY sold to food service establishments or small retail markets, practically speaking, it would be prudent to label products as a precaution. Very few processors or firms are absolutely certain that their product will not be sold by someone, perhaps a distributor, to a retail store that falls under COOL requirements. *Therefore, most processors will still have to label their products as a precaution. It doesn't take much effort.*

Farm-Raised or Wild-Caught?

The law also requires fish and shellfish products to be labeled either as **farm-raised or wild**. **Farm-raised fish and shellfish** are those commodities that have been harvested in controlled or selected environments, including ocean ranches (e.g. penned) fish and shellfish confined in managed beds. For example, mussels on rope culture and oysters on leased land would be considered farm-raised. **Wild fish and shellfish** means fish and shellfish, regardless of origin, that have been harvested in the wild. Fillets, steaks, and nuggets made

from either farm-raised or wild-caught fish must be labeled as such.

What Does the Label Have to Look Like?

While there are no requirements as to font size or location on the label, the country of origin and method of production (i.e. wild-caught or farm-raised), must be in English, legible, and not conflict with or obscure other required information.

When Can a U.S. Country of Origin Label be Used?

Under the proposed rule, a covered seafood commodity can bear the U.S. Country of Origin Label only if certain criteria are met. Farm-raised fish and shellfish covered commodities must be derived exclusively from fish or shellfish hatched, raised, and processed in the U.S. to use "**United States Country of Origin**", "**Product of the U.S.**", or simply, "**USA**" on the label.

Wild-caught fish and shellfish must be derived from fish or shellfish harvested in U.S. waters (federal Exclusive Economic Zone, 0-200 miles out) or by a U.S. flag vessel and processed in the U.S. or by a U.S. flag vessel to use "**United States Country of Origin**", "**Product of the U.S.**", or simply, "**USA**" on the label.

When Must a Foreign Country of Origin Label be used?

The country of origin for products produced entirely outside of the United States must be labeled as such with the country or countries at the time the product arrives at the U.S. Port of Entry. These products must also be identified as either farm-raised or wild harvest.

What Happens if the Product is Harvested in One Country and Processed in the U.S.?

Mixed Country of Origin Labeling is required if the product is produced in both foreign countries and the U.S. The label must indicate what process occurred in the foreign country and what process occurred in the United States. An example of this would be "Harvested in X

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(country), Processed in the United States". However, the level of processing that occurs in the U.S. must involve a substantial transformation of the product in order to qualify for this label. Keep in mind the processed food may also be exempted by USDA definition and may not need to be labeled at all. (See box on page 2).

What if I Mix the same Fish or Shellfish from Different Countries?

If a package contains a mix of fish or shellfish of the same commodity but from different countries of origin (e.g. bag of frozen shrimp from multiple countries), the label must list each country in alphabetical order. A retailer cannot use a label that says "May contain (product) from the following countries...".

MORE RECORDS!

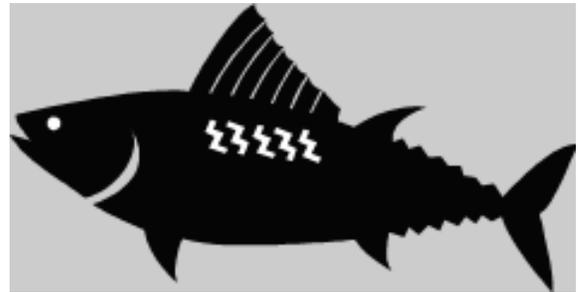
The associated records for products covered by this regulation must be kept for two years from the date of transaction. Whether you supply the product directly or indirectly to a retailer, this record requirement is yours. Make room in that file cabinet! Information on the Country of Origin Labeling and whether the product is farm-raised or wild-caught must be made available to the buyer. Intermediary suppliers that have no direct knowledge of the origin or harvest will not be held liable for mislabeling. Importers must also keep records for two years to provide clear tracking from the point of entry into the U.S. to the immediate recipient.

What are the Retailers' Responsibilities?

Retailers must convey information on Country of Origin and farm-raised versus wild harvest to consumers using a label, stamp, placard, or other clear sign at the final point of sale. Following the final sale of any covered product, evidence that documents or establishes the product's country of origin or its designation as wild or farm-raised must be either kept at the point of sale or reasonably available for at least seven days. After seven days, records can be kept off site for two years.

For more information on COOL, call us or check out the following website: <<http://www.ams.usda.gov/cool/>>.

We want to thank Justin LeBlanc, Vice President of Government Relations with the National Fisheries Institute, for providing much of the information used in this article.



Histamine Control for Harvesters

As you are aware, histamine or scombrototoxin formation in certain fish species is a food safety hazard that a seafood processor handling these fish must address in a HACCP plan. The FDA is very concerned about this particular hazard in seafood and has begun to focus its efforts on making sure those processors that receive these species (e.g. tuna, mackerel, bluefish) for distribution to consumers have harvest records that reflect adequate and timely temperature cool down and control.

As part of a multi-regional educational effort, a brochure was developed for the harvesters that catch and sell these fish species to you for further processing and/or wholesale and distribution. This brochure introduces the problem and describes some histamine prevention methods. It has been enclosed in this newsletter so that you can share it, as appropriate, with harvesters you buy from.

Other educational resources are being developed to complement this brochure. If you need additional copies of this brochure, you can either make copies yourself or contact Lori Pivarnik for some.