

Regulations concerning abattoirs and processing plants for aquaculture animals.

Issued by the Ministry of Fisheries and Coastal Affairs on 30 October 2006 pursuant to Article 3, Article 7 second paragraph and Article 19 third paragraph of Act No. 124 of 19 December 2003 relating to food production and food safety etc. (Food Act), cf. delegation of authority decision No. 884 of 5 May 2004 and delegation of authority decision of 19 December 2003 no. 1790 and Act No. 73 of 20 December 1974 relating to animal welfare, cf. delegation of authority decision of 6 February 2004 no. 307.

Chapter 1. Purpose, scope and definitions

Article 1 Purpose

The purpose of these regulations is to promote good health in aquaculture animals and ensure good fish welfare.

Article 2 Scope

These regulations apply to Norwegian land territory and territorial waters, the continental shelf and the Norwegian Economic Zone.

These regulations apply to premises at which the slaughtering or processing of aquaculture animals takes place, including dispatch centres handling molluscs which are aquaculture animals.

These regulations do not apply to:

- a) processing at a retailer's premises intended for direct sale to consumers, including institutional kitchens, canteens, restaurants, cafés and the like,
- b) the slaughtering and processing of marine mammals, and
- c) short-term storage pens at abattoirs.

Article 3 Definitions

In these regulations:

- a) *Aquaculture animal(s)* means(s): All life stages, including sexual products and resting stages of all aquatic animals farmed at an aquaculture establishment or an aquaculture area for molluscs, including all aquatic animals which have lived in the wild and which are intended for an aquaculture establishment or an aquaculture area for molluscs.
- b) *Aquatic animal(s)* mean(s):
 1. fish belonging to the superclass *Agnatha*, and fish belonging to the classes *Chondrichthyes* and *Osteichthyes*
 2. molluscs belonging to the phylum *Mollusca*
 3. shellfish belonging to the subphylum *Crustacea*
- c) *Effluent water* means: liquid from the slaughtering or processing process, including cleaning water from the production premises.
- d) *Slaughtering* means: stunning and killing of fish
- e) *Processing* means: processing an aquaculture animal before consumption using any kind of action or technique which changes the aquaculture animal's anatomical whole, such as splitting, cleaning, decapitating, cutting, filleting defrosting, which generates waste or by-products and which can cause the spread of disease.

Chapter 2. Requirements for applications and licensing

Article 4 Requirements for approval

Establishing, operating, expanding, moving or changing the nature of operations at a abattoir or processing plant shall first be approved by the Norwegian Food Safety Authority.

Article 5 *Requirements for application for licensing*

The application for approval shall contain the data necessary to assess whether approval may be granted, and which terms and conditions may have to be set.

The application for approval shall at the least contain the following data:

- a) The name of the abattoir or processing establishment, the person responsible for operation, the address, telephone number, facsimile number and any e-mail address and mobile telephone number.
- b) A map and coordinates describing the location of the premises, and a drawing of the abattoir or processing establishment.
- c) System for treating effluent water.
- d) Species of aquaculture animals to be slaughtered or processed at the abattoir or processing plant, production and extent of operation.
- e) An internal control system demonstrating that requirements for sound operation in terms of preventing infection and promoting welfare, including log-keeping requirements, can be met.
- f) Which methods and facilities have been selected for sedation, stunning and killing of the fish, and documentation that these have been tried and tested and found suitable.

Additional data may be required if necessary to assess whether approval can be granted.

Article 6 *Factors assessed in approval*

The abattoir and processing plant shall:

- a) be situated so as to address the necessary concerns for preventing the spread of infection to nearby aquaculture establishments and wild stocks,
- b) be built to meet the requirements concerning the treatment of effluent water and animal waste,
- c) have drainage of effluent water to a separate sewage system; if necessary drainage shall also include effluent water from unloading areas and other areas exposed to animal waste, and
- d) have storage facilities for animal waste that are separate from the production premises and with the necessary capacity for temporary storage.
- e) have technical appliances and equipment suitable with respect to the welfare of the fish.
- f) have an internal control system demonstrating that requirements for sound operation in terms of preventing infection and promoting fish welfare, including log-keeping requirements, can be fulfilled.

Terms and conditions may be set when approval is granted.

The provisions in the first and second paragraphs will not be an impediment to floating, mobile abattoirs being approved under special conditions.

Article 7 *Amendment and withdrawal of approval*

Approval pursuant to Article 4 may be amended or withdrawn if there have been material breaches of the terms and conditions of the approval or material violations of provisions of or pursuant to the Food Act or Animal Welfare Act.

Chapter 3. Sanitary and hygienic requirements for the operation of abattoirs and processing plants

Article 8 *General sanitary requirements*

Operation shall be under proper sanitary and hygienic conditions. It must be ensured that personnel, work clothes, equipment, objects, used packaging etc do not spread infection.

Animal waste and effluent water shall be kept separated. All effluent water shall be treated pursuant to the requirements stipulated in Regulations No. 192 of 20 February 1997 relating to disinfection of intake water to and effluent water from aquaculture related operations. Animal waste shall be handled pursuant to the requirements stipulated in Regulations No. 1148 of 5 November 1999 relating to transport and handling of animal waste and establishments treating animal waste.

Live aquaculture animals shall not be removed from the abattoir or processing plant unless they are intended for direct entry into the food chain.

Article 9 *Log-keeping and notification*

Receipt of aquaculture animals or aquaculture animal products into, or removal of aquaculture animal products from the abattoir or processing plant, shall be logged in a log.

The Norwegian Food Safety Authority shall be notified immediately if there is:

- a) reason to suspect a disease on lists 1, 2, or 3 or
- b) technical failure or other factors which have led to significant repercussions on fish welfare.

Chapter 4. Fish welfare requirements for operation of abattoirs

Article 10 *General welfare requirements*

Fish shall be protected from the risk of unnecessary stress, pain and suffering.

The fish shall be killed as soon as possible after arriving at the abattoir.

The number of fish slaughtered per unit of time shall be reasonable according to welfare requirements. The competent authority can set an upper limit on the rate of slaughter.

Article 11 *Competence*

The person(s) responsible for the abattoir shall have the necessary knowledge regarding fish welfare and shall ensure there are enough personnel with the necessary knowledge to ensure the welfare of the fish at any given time.

The necessary competence is to be ensured via a theoretical and practical training programme which shall be documented. The person(s) responsible for the abattoir is/are responsible for seeing to it that such training programmes have been put in place for the personnel concerned.

Article 12 *Methods and technical appliances*

Methods, technical appliances and equipment used on the fish shall be suitable with respect to fish welfare.

New methods and technical solutions must be tried and tested and found to be sound before use.

Faults and defects at installations and in technical appliances and equipment must be fixed immediately.

If operation depends on electricity to ensure fish welfare, there must be a reliable and adequate electricity supply and/or access to a back-up generator and back-up oxygen with the necessary capacity.

Article 13 *Handling and sedation*

Fish shall be handled carefully and proceed through the plant to the killing stage without undue delay.

Sedation shall be done properly, and the fish shall be ensured proper water quality when being crowded together and sedated.

Live chilling as a method of sedation shall be performed properly without a drop in temperature that is too rapid or using a temperature that is too low. CO₂ may be added if the welfare of the fish can be documented throughout the process.

Article 14 *Stunning*

Fish must be stunned before or at the same time as they are killed and remain unconscious until death supervenes. Stunning shall occur using a suitable method which does not cause the fish significant stress or pain. If necessary, the fish shall be sedated or immobilized properly prior to being stunned.

It is prohibited to stun fish using gas, including CO₂, or any other substance that blocks the uptake of oxygen, as well as salt, ammonium chloride and other chemicals with a similar effect.

Article 15 *Killing*

The fish shall be killed immediately after being stunned, and a check must take place prior to any further processing to ensure it is dead. The fish must die as a result of blood loss from the brain. Other killing methods may be used if it can be documented that they are proper.

Chapter 5. Administrative decisions and penalties

Article 16 *Inspection and decisions*

The Norwegian Food Safety Authority conducts inspection and makes decisions to effect the provisions given in or pursuant to this regulation.

Article 17 *Dispensations*

In special cases the Norwegian Food Safety Authority may grant dispensations from the provisions of these regulations, provided that such does not contravene Norway's international obligations, including the EEA Agreement.

Article 18 *Penalties*

Wilful or negligent violations of these regulations or decisions made in pursuance thereof are punishable pursuant to Article 28 of the Food Act and Article 31 of the Animal Welfare Act.

Article 19 *Entry into force and transitional arrangements*

These regulations enter into force on 1 January 2007.

Abattoirs and processing plants established prior to 30 August 2002 are exempt from the requirement in Article 6 letter a. This does not apply however if the abattoir or processing plant wants to expand, move or change its operations.

Article 11 second paragraph concerning documentation of competency enters into force on 1 January 2008. Article 14 second paragraph concerning the prohibition of CO₂ as a method of stunning enters into force on 1 January 2010.

Article 20 *Amendments to other regulations*

1. The regulations of 30 August 2002 relating to abattoirs and processing plants for aquatic animals from aquaculture and sea graze operations are repealed.
2. In Regulations No 66 of 14 June 1996: Quality Regulation for fish and fish goods, the following amendments are made:

a) Article 9-4 *Stunning* shall read: Stunning is allowed only when using proper methods that do not harm the fish.

b) Article 21-2 subsection 2 *Labelling of wholesale packaged raw and semi-processed material* shall read: Whole or gutted farmed fish shall in addition be labelled with the fish farmer's organisation and site numbers.

c) Article 9-1 subsection 1 *Industry's duty of notification* shall read: Fish farmers are obliged to notify the Norwegian Food Safety Authority in sufficient time prior to lifting for harvest. At the latest notification shall occur as soon as the fish are deprived of feed. Notification shall be in writing or electronically on the form stipulated by the Norwegian Food Safety Authority, cf. Article 9-2. The deadline for submitting the form is 24.00 hrs on Thursday of the week prior to slaughtering.