

To: Relevant food business operators

26/07/2011

Dear Sir/Madam

ACTION REQUIRED TO ENSURE THAT WHOLE KING SCALLOPS MEET FOOD SAFETY REQUIREMENTS

This letter is for caterers and retailers that purchase whole King Scallops and suppliers of these products. It provides important information about a specific food safety issue associated with the product and legal requirements applicable across Europe to ensure that consumers are properly protected.

Food safety issues

Shellfish such as scallops can accumulate toxins from naturally occurring marine algae that, when consumed, are capable of causing severe illness in humans. There are several classes of toxins recognised as potential contaminants in EU waters, however this letter relates specifically to Amnesic Shellfish Poisoning (ASP). There have been recent incidents identified where whole King Scallops from UK waters have had to be withdrawn from the market, both in the UK and in other Member States, due to contamination with ASP toxins above the regulatory limit.

There is no known antidote for ASP toxins and poisoning can have serious consequences. Symptoms include:

- Vomiting, diarrhoea and abdominal cramps
- Disorientation and memory loss (in serious cases, permanent loss of short-term memory)
- Seizures
- Renal failure
- Coma (in a small number of cases death may follow due to a combination of the above).

The toxins are **not** eliminated by cooking.

Technical and processing issues

The legal standards for whole King Scallops require that they do not exceed the legal limit for ASP toxins (20mg/Kg of Domoic Acid) when placed on the market. For much of the year, it is unlikely that whole King Scallops from significant areas within UK waters will meet this standard. However, the practice of 'shucking', where the viscera are removed, will in most cases be capable of reducing levels of toxins to the required levels. Proper shucking,

that ensures removal of toxins to the required level, is a skilled process that includes a product rinsing stage. Shucked product is normally supplied separated from the shell, but it is possible to leave the edible parts of a shucked scallop attached to a half-shell.

It is apparent from recent industry feedback that some caterers and retailers have a strong preference for whole King Scallops as a means of assuring themselves that the product has been hand-dived, is fresh and also that no additional water has been absorbed during processing. In view of the naturally occurring ASP toxin levels likely to be present in scallops, it is essential that all whole King Scallops supplied from approved establishments are subject to a regime of end-product testing that is fully representative of the shellfish being supplied.

Requirements for caterers

Caterers and retailers can ensure compliance with this requirement by purchasing products originating from approved establishments. These products must be accompanied by an identification mark, with the establishment identifier inside an oval border. Scallops supplied to retailers and caterers must only be placed on the market by an approved establishment, other than small quantities supplied directly to a local retailer or caterer. Caterers and retailers purchasing small quantities of locally landed whole scallops directly from the fisherman will need to have in place documented food safety management procedures that ensure that the product they sell to consumers meets the regulatory requirements.

Requirements for operators of Approved Establishments

All products supplied to an approved establishment must be accompanied by a registration document that provides accurate information about where the scallops were harvested. Regulations require that food businesses supplying scallops implement a system of 'own checks' to ensure that the scallops meet the regulatory requirements. End-product testing must be capable of proving that toxin levels are within legal limits. This information along with the monitoring of the harvesting grounds can be used to inform risk assessments. During 'high risk' periods the system of 'own checks' employed to adequately prevent non-compliant whole King Scallops being placed on the market must be representative of the batch as a whole. This is likely to equate to positive release of each individual landing. It will be for operators to demonstrate the evidence they are relying on to support any exception to this level of testing.

Specific advice on end-product testing can be obtained from the Food Standards Agency's (FSA) website at:

<http://www.food.gov.uk/northernireland/safetyhygieneni/shellfishmonitoringni/endproducttestingshellfishtoxins/>

Enforcement issues

The FSA has issued letters reminding enforcement authorities about the legal requirements and the food safety issues involved. Food safety is of paramount importance to the FSA and this action also addresses concerns recently expressed by some compliant food business operators who are conducting end-product testing. These businesses believe that they are losing trade to competitors who are not carrying out appropriate end-product testing. The letters alert authorities to the probability that whole King Scallops from

significant areas within UK waters are unlikely to meet the requirements for ASP toxins during much of the year and as there is a significant trade in whole scallops, it is likely that there are significant quantities of non-compliant contaminated products being traded that may pose a risk to public health. Enforcement authorities have been directed to ensure that end-product testing is carried out by all operators in a consistent manner and to use their enforcement powers if necessary to achieve this. In addition to the legal obligation to supply safe food complying with regulatory requirements, food businesses have a legal obligation to withdraw/recall non-compliant products from the market.

Should you have any further enquiries relating to compliance, please contact your local Environmental Health Department.

Yours faithfully

Rachel Patrick
Local Authority Delivery Team