FOOD STANDARDS AGENCY
SCOTLAND
Buidheann Inbhe-Bìdhe an Alba

To: Interested parties

Sco/Fish/03/11/01

25 October 2001

Dear Sir/Madam,

OUTCOME OF STANDING VETERINARY COMMITTEE (23/24 OCTOBER) RE PROPOSAL FOR A COMMISSION DECISION FOR A TIERED APPROACH TO THE HARVESTING AND MARKETING OF KING SCALLOPS FROM WATERS AFFECTED BY AMNESIC SHELLFISH POISONING

1. As you will be aware, over the last year, at the request of the scallop industry, the Food Standards Agency has been investigating with the European Commission, the possibility of introducing a tiered approach to the harvesting and marketing of king scallops from waters affected by Amnesic Shellfish Poisoning (ASP). The purpose of the investigation was to provide fishermen with the possibility of being able to process those parts of the scallop which remain below safe levels, even when current EU action levels are exceeded in the whole animal. It has however to be borne in mind that ASP is a very dangerous toxin and the over-riding consideration is to ensure that public health is not put at risk.

2. At yesterday's meeting of the Standing Veterinary Committee, technical approval for the tiered approach was agreed. The operation of a tiered approach would, based on current ASP incident levels, lead to an end to large scale fishing bans on king scallops whilst not compromising consumer safety. The decision itself does not represent a change to the existing overall toxin level considered necessary to protect public health – this remains at 20 micrograms per gram of scallop flesh.

3. The European Commission has confirmed that in the absence of a tiered system, Member States are required to close production areas as soon as the EU action level of 20 micrograms per gram of scallop flesh has been exceeded in the whole animal. Under the tiered approach, roe and/or the white meat could be harvested if toxin levels in the respective parts were below 4.6 micrograms per gram of scallop flesh and tests on the whole animal demonstrated levels below 250. The level of 4.6, which was based on scientific advice from a group of leading European experts on algal toxins, will ensure that

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there is only a very slight risk that any batch of scallops may exceed the Community action level of 20 at the point of marketing. In addition every batch of scallop products will have to undergo end product testing prior to being placed on the market. This will ensure that consumers are protected against the possibility of any increased risk to public health.

4. The FSA lobbied the Commission very strongly about the proportionality of requiring both trigger levels and end product testing of every batch of product at the Commission Working Group meeting on this issue on 1 October, proposing that an either/or approach would provide sufficient guarantees in respect of public health protection. However, this view was not shared by other Member States or by the Commission and the dual measures were therefore retained.

5. In light of the outcome of yesterday's meeting and current scientific advice, the FSA is considering interim advice to the scallop industry and to enforcement bodies on the controls which will operate as development of the infrastructure necessary to support the tiered regime is taken forward. The FSAS and the Scottish Executive have already met to discuss possible options and these are now being urgently developed with a view to consulting interested parties within the next few weeks. The Scottish Scallop Advisory Committee, made up of industry, enforcement and government officials will also be meeting within the next few weeks to discuss the available options. Through these measures we aim to continue to work closely with key stakeholders in developing a practical way to introduce the new regime.

Yours faithfully,

MARTIN REID