

THE AQUACULTURE, INLAND AND MARINE PRODUCTS AND
BY-PRODUCTS (INSPECTION, LICENSING AND EXPORT) ACT

REGULATIONS
(under section 37 (1))

THE AQUACULTURE, INLAND AND MARINE PRODUCTS AND BY-PRODUCTS
(INSPECTION, LICENSING AND EXPORT) REGULATIONS, 2000

(Made by the Minister on the 9th day of May, 2000)

L.N. 43/2000
981/2002
40/2006
72/2007

PART I—Preliminary

1. These Regulations may be cited as the Aquaculture, Inland and Marine Products and By-Products (Inspection, Licensing and Export) Regulations, 2000.

Citation.

2. In these Regulations—

Interpretation.

“amenities” includes toilets, showers, locker rooms, change rooms, canteens, kitchens, smoking rooms for staff and sleeping quarters on a vessel;

“approved analyst” means an analyst approved by the competent authority;

“batch” means a quantity of prescribed products of the same type consisting of one or more lots, or parts of lots, from the same licensed processing establishment or licensed vessel or harvested from a production area;

“can” means an immediate container made of metal, glass or other material suitable for use as a hermetically sealed container;

“canned” means preserved by thermal processing and enclosed in a hermetically sealed can;

“carton” means an outer container, case or crate used for packaging an immediate container;

“chemical compound” means any chemical substance that is used in a licensed processing establishment or on a licensed vessel for any purpose other than as a product ingredient;

“chilled”, in relation to prescribed products, means cooled by a process so that the temperature of the product is held between -1° and $+4^{\circ}$ Celsius;

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- “clean” means to remove soil, product residues, dirt, grease or other objectionable matter that may cause contamination of prescribed products;
- “clean sea water” means sea water or brackish water which is free from microbiological contaminants or other toxic substances;
- “coastal zone” means that part of the coast or an estuary or area of sea water which consists of homogenous hydrological systems;
- “Codex” means the **Codex Alimentarius** published by the Codex Alimentarius Commission of the United Nations as amended from time to time;
- “cold store” means a place at a licensed processing establishment or on a licensed vessel in which chilled or frozen prescribed products are stored;
- “container”, in relation to a prescribed product, means the principal covering in which the product is packed;
- “critical control point” means a step, practice, procedure, process or location, that can be controlled in order to prevent, reduce or eliminate a hazard, or minimize the likelihood of its occurrence;
- “declared net contents” means a declaration in a trade description of the net contents of an immediate container of prescribed products;
- “defective”, in relation to a sample unit of prescribed products, means that the sample unit fails to meet tolerance or sample plan conditions specified in Part XIV;
- “depuration” means the removal of impurities from marine species;
- “disinfect” means reduce, by means of hygienically satisfactory chemical agents or physical methods or both, the number of micro-organisms to a level that will not lead to contamination of prescribed products;
- “distribution system” means the public water supply;
- “domestic distribution system” means the pipe-work, fittings and appliances within the curtilage of a licensed processing establishment which are installed between the distribution network and the taps to facilitate the provision of water for human consumption;

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“E.coli” means faecal coliforms which form indole from tryptophan at 44° C plus or minus 0, 2°C within 24 hours;

“essential services” include water, gas, electricity, sewerage drainage and water disposal;

“external cold storage facility” means a cold storage facility that is not located within a licensed processing establishment or on a licensed vessel;

“faecal coliform” means facultative, aerobic gram-negative, non-spore forming, cytochrome oxidase negative, rod-shaped bacteria that are able to ferment lactose with gas production in the presence of bile salts, or other surface active agents with similar growth-inhibiting properties, at 44°C plus or minus 0.2°C within 24 hours;

“fillet” means a portion of the flesh, with or without skin or bone or both, of a prescribed product;

“freezer” means a chamber or equipment used solely for the purpose of freezing prescribed products;

“frozen”, in relation to a prescribed product, cooled in such a manner that the temperature of every part of the product is -18° Celsius or below after thermal stabilization;

“HACCP plan” means Hazard Analysis Critical Point plan prepared pursuant to regulation 93;

“hazard” includes any potential risk to the safety or wholesomeness of a prescribed product or its ingredients that may arise from the presence of biological, microbiological, chemical or physical property during the handling, harvesting and processing of the product;

“housing vessel” means a vessel used only for the housing of fishermen and their equipment at sea;

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“identification code” means a letter, number or combination of letters and numbers that, together with a trade description, uniquely identifies the prescribed products in a carton;

“immediate container”, in relation to a prescribed product, means the container of the product that is not separated from the product by any intervening covering, except lining material;

“ingredient”, in relation to a prescribed product, means any substance (including a product additive) that is—

(a) a constituent of the product; or

(b) present in the product as a result of processing;

“labeling”, in relation to a chemical compound, includes any printed direction, relating to—

(a) the uses, storage or disposal of that chemical compound;

(b) the means of removal of any residue; or

(c) the means of disposal of any waste or packaging in which the chemical substance was contained,

that is affixed to or enclosed in the packaging;

“lot” means a quantity of prescribed products of a given species that has been subjected to the same or similar treatment and has come from the same population area or vessel;

“MPN” means Most Probable Number;

“marine biotoxins” means poisonous substances accumulated by bivalve molluscs feeding on plankton containing toxins;

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- “monitoring” includes inspection, measuring, sampling and analysis, whether periodically or continuously;
- “noxious substance” means any chemical residue, marine biotoxin or other contaminant or prohibited substance;
- “pest” includes any insect, rodent, bird or other vermin;
- “port” includes an airport and a seaport;
- “potable water” means water which meets the standard specified in regulation 75;
- “prescribed products” means aquaculture, inland or marine products and their by-products, for export;
- “product handling area” means an area on a licensed vessel or in a processing establishment in which prescribed products are handled, processed or packaged;
- “sample unit” means such quantity of prescribed products, as may be determined by the competent authority, drawn from a batch for the purpose of representing the batch;
- “shellfish” means oysters, mussels, clams, cockles or scallops, but does not mean the adductor muscle which is extracted from the scallop;
- “sterilization” means the subjecting of equipment diagnostic media or any other like material to heat treatment using water at a specified temperature and for a specified time;
- “storage area” means an area solely used for the storage of packed prescribed products, packaging materials and ingredients;