STATUTORY RULES OF NORTHERN IRELAND

2006 No. 116

FOOD

The Fish Labelling (Amendment) Regulations (Northern Ireland) 2006

Made - - - -	*6th March 2006*
Coming into operation	*6th April 2006*

The Department of Health, Social Services and Public Safety(**1**), makes the following Regulations in exercise of the powers conferred on it by Articles 15(1)(e) and (f), 16(2), 25 (1) and (3), 26(3) and 47(2) of the Food Safety (Northern Ireland) Order 1991(**2**).

In accordance with Article 47(3A) of that Order, it has had regard to relevant advice given by the Food Standards Agency.

As required by Article 9 of Regulation (EC) No. 178/2002 of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety(**3**), there has been open and transparent public consultation during the preparation and evaluation of the Regulations.

Citation and commencement

1. These Regulations may be cited as the Fish Labelling (Amendment) Regulations (Northern Ireland) 2006 and shall come into operation on 6th April 2006.

Amendment of the Fish Labelling Regulations (Northern Ireland) 2003

2. The Fish Labelling Regulations (Northern Ireland) 2003(**4**) are amended as follows —

(a) at the end of regulation 4(2) insert —

"and shall be a name prescribed by law for the purposes of paragraph (1).''; and

(b) for the Schedule substitute the contents of the Schedule to these Regulations.

(**1**) Formerly the Department of Health and Social Services; see S.I. 1999/283 (N.I.1) Article 3(6)

(**2**) S.I. 1991/762 (N.I.7) as amended by S.I. 1996/1663 (N.I.12) and paragraphs 26 to 42 of Schedule 5 and Schedule 6 to the Food Standards Act 1999 c. 28, S.R. 2004 Nos. 482 and 505

(**3**) OJ No. L31, 1.2.2002, p.1. That Regulation was last amended by Regulation (EC) No. 1642/2003 of the European Parliament and of the Council. (OJ No.L245, 29.9.2003, p4)

(**4**) S.R. 2003 No. 160

Sealed with the Official Seal of the Department of Health, Social Services and Public Safety on 6th March 2006.

Dr Andrew McCormick
A senior officer of the
Department of Health, Social Services and
Public Safety

SCHEDULE

"SCHEDULE Regulation 4

COMMERCIAL DESIGNATIONS

1. Subject to paragraphs 2 and 3, the commercial designation for any species of fish specified in column 2 of the following Table shall be a name specified for that species in the corresponding entry in column 1.

2. A customary name may be used for any species of fish which has been subjected to smoking or any similar process, unless the name of the species in column 2 of the Table is followed by an asterisk. In such cases the name used for the food when the fish is smoked shall be either —

(a) a name specified for that species in column 1 of the Table preceded by "smoked"; or

(b) except in the case of *Salmo salar* (L.), "smoked Pacific salmon".

3. Paragraph 1, as read with the Table, shall not apply to fish regulated by Council Regulation (EEC) No. 2136/89(**5**) as amended by Commission Regulation (EC) No. 1181/2003(**6**) laying down common marketing standards for preserved sardines, or Council Regulation (EEC) No. 1536/92(**7**) laying down common marketing standards for preserved tuna and bonito.

Column 1 *Commercial designation*	*Column 2* *Species of fish*
Sea Fish	
Anchovy	All species of the family *Engraulidae*
Argentines	All species of the family *Argentinidae*
Barracuda	All species of *Sphyraena*
Barramundi	*Lates calcarifer*
Bass *or* Sea bass	*Dicentrarchus labrax* (L.)
Japanese sea bass	*Lateolabrax japonicus*
Spotted sea bass	*Dicentrarchus punctatus*
Southern rock bass	*Paralabrax callaensis*
Bigeye	All species of *Priacanthus*
Bluefish *or* Tailor	*Pomatomus saltatrix*
Bogue	*Boops boops*
Bonito	All species of *Sarda*
	All species of *Euthynnus*, with the exception of *Euthynnus (Katsuwonus) pelamis*
	All species of *Auxis*
Brill	*Scophthalmus rhombus* (L.)

(**5**) O.J. No. L212, 22.7.89, p.79
(**6**) O.J. No. L165, 3.7.2003, p17
(**7**) O.J. No. L163, 17.6.92, p.1

Column 1 *Commercial designation*	*Column 2* *Species of fish*
Brisling	*Sprattus sprattus* (L.) when canned
Catfish *or* Rockfish *or* Wolffish	All species of *Anarhichas*
Sea catfish	All species of the family *Ariidae*
Cobia	*Rachycentron canadum*
Cod *or* Codling	*Gadus morhua*
Pacific cod *or* Cod	*Gadus macrocephalus*
Greenland cod *or* Cod	*Gadus ogac*
Saffron cod	*Eleginus gracilis*
Red cod	*Pseudophycis bachus*
Blue cod	*Parapercis colias*
Coley *or* Saithe *or* Coalfish	*Pollachius virens* (L.)
Conger	All species of *Conger*
Croaker *or* Drum *or* Jewfish	All species of the family *Sciaenidae*
	Alternatively, the following may be used
Southern meagre *or* Mulloway	*Argyrosomus hololepidotus*
Meagre	*Argyrosomus regius*
Dab	*Limanda limanda* (L.)
Yellowtail dab *or* Yellowtail flounder	*Limanda ferruginea*
Pacific sand dab	*Citharichthys sordidus*
Yellowfin sole	*Limanda aspera*
Dogfish *or* Flake *or* Huss *or* Rigg *or* Rock Salmon *or* Rock Eel	All species of *Galeorhinus*
	All species of *Mustelus*
	All species of *Scyliorhinus*
	Galeus melastomus
	Squalus acanthias (L.)
Silky shark *or* Shark	*Carcharhinus falciformis*
Blacktip shark *or* Shark	*Carcharhinus limbatus*
Sandbar shark *or* Shark	*Carcharhinus plumbeus*
Basking shark *or* Shark	*Cetorhinus maximus*
Shortfin mako *or* Shortfin mako shark *or* Shark	*Isurus oxyrinchus*
Porbeagle *or* Shark	*Lamna nasus*
Blue shark *or* Shark	*Prionace glauca*

Column 1 *Commercial designation*	*Column 2* *Species of fish*
Whale shark *or* Shark	*Rhincodon typus*
Dory *or* John Dory *or* St Peter's fish	*Zeus faber* (L.)
Eel	All species of *Anguilla*
Emperor	All species of *Lethrinus*
Escolar *or* Snake Mackerel	All species of the family *Gempylidae*
Flounder	*Platichthys flesus* (L.)
Speckled flounder	*Paralichthys woolmani*
Arrowtooth Flounder	Atheresthes stomias
Flying fish	All species of the family *Exocoetidae*
Garfish	*Belone belone*
Greenling	*Ophiodon elongatus*
Grouper	All species of *Mycteroperca*
	All species of *Epinephelus*
Gurnard	All species of the family *Triglidae Peristedion cataphractum* (L.)
Haddock	*Melanogrammus aeglefinus* (L.)
Hake	All species of *Merluccius*
	Alternatively, the following may be used
Cape hake	*Merluccius capensis*
	Merluccius paradoxus
White hake	*Urophycis tenuis*
Halibut	*Hippoglossus hippoglossus* (L.)
	Hippoglossus stenolepis
Greenland halibut, Black halibut *or* Mock halibut	*Reinhardtius hippoglossoides* (Walbaum)
Herring	*Clupea harengus* (L.)
Hilsa	*Tenualosa ilisha*
Hoki	*Macruronus novaezelandiae*
Chilean hoki	*Macruronus magellanicus*
Indian mackerel	All species of *Rastrelliger*
Jack *or* Scad *or* Horse Mackerel *or* Trevally	All species of *Caranx*
	All species of *Hemicaranx*