



**NATIONAL AGENCY FOR FOOD AND DRUG ADMINISTRATION
AND CONTROL**

CANNED FISH REGULATIONS 2019

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(ending 9th March, 2020).

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CANNED FISH REGULATIONS 2019

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CANNED FISH REGULATIONS, 2019

[] Commencement

In exercise of the powers conferred on it Sections 5 and 30 of the National Agency for Food and Drugs Administration and Control Act Cap N1 Laws of the Federation of Nigeria (LFN) 2004 and Section 12 of the Food, Drugs and Related Products (Registration, Etc.) Act Cap F33 LFN 2004 and all other powers enabling it in that behalf, the Governing Council of the National Agency for Food and Drug Administration and Control with the approval of the Honorable Minister of Health makes the following Regulations –

1. **Scope of Application**

These Regulations shall apply to canned fish manufactured, imported, exported, advertised, sold, distributed or used in Nigeria.

2. **Prohibition**

A person shall not manufacture, import, export, advertise, distribute, sell or use canned fish in Nigeria except it has been registered in accordance with the provision of these Regulations.

3. **Raw materials**

Canned fish shall be processed from fresh or frozen fish of a quality fit for human consumption and shall comply with the requirements of First Schedule.

4. **Ingredients**

- (a) The product shall be presented in one of the following packing media: own juice, brine or water, edible oil, tomato sauce or curry or any other media as may be permitted by the Agency.
- (b) The packing medium and all other ingredients used shall be of food grade quality and conform to all applicable standards.

5. **Presentation**

- (1) Presentations of canned fish shall comply with the provisions of these Regulations and shall;
 - (a) be adequately described, accurate and shall not be misleading.
 - (b) not show any visible external defects
- (2) The content of the can shall not display any appreciable disintegration when opened.
- (3) The product shall have the odour, flavor and colour characteristic of the fish species
- (4) The presentations of the different types of canned fish shall be as specified in Second Schedule.

6. **Processing**

- (1) The processor shall demonstrate by principle and practice the adoption, implementation and recording of
 - (a) Good Manufacturing Practices

- (b) Hazard Analysis and Critical Control Point program
- (2) The processing temperature and time shall ensure the proper cooking and adequate sterilization of the finished product.

7. Decomposition

Canned Fish products shall not contain more than 10 mg/100 g of histamine based on the average of the sample unit tested.

8. Labelling

- (a) In addition to the provisions of the Pre-packaged Food, Water and Ice Labelling Regulations, 2019, the following shall be indicated on the label of a canned fish:
 - (a) The label shall not contain descriptive terms that may mislead or confuse the consumer. Where there is a pictorial representation, the fish shall bear reasonable likeness to the type of fish.
 - (b) The name of the product may be qualified or accompanied by a term descriptive of the colour of the product, provided that the term "white" shall be used only for *Thunnus alalunga* and the terms "light", "dark" and "blend" shall be used only in accordance with any rules of the country in which the product is sold.
 - (c) The name of the packing medium shall form part of the name of the food.
 - (d) Where a mixture of species of the same genus are used, they shall be indicated on the label.
 - (e) Where the fish has been smoked or smoke-flavoured, this information shall appear on the label in close proximity to the name.

9. Hygiene

- (1) The final product shall be free from any foreign material that poses a threat to human health.
- (2) When tested by appropriate methods of sampling and examination the product shall be free from micro-organisms capable of development under normal conditions of storage.
- (3) The product shall not contain any other substance including substances derived from microorganisms in amounts which may represent a hazard to health.
- (4) The product shall be free from container integrity defects which may compromise the hermetic seal.

10. Packaging

- (1) Canned products shall be packed in suitable containers, free from rust and hermetically sealed.
- (2) Cans shall be lacquered, non-toxic and shall not affect the quality of the fish.
- (3) The lacquer shall not be soluble in oil or brine
- (4) The can exterior shall be free from major dents, rust, perforations and steam distortions.

11. Offences and Penalties.

- (1) Any person who contravenes any of the provisions of these Regulations shall be guilty of an offence and liable on conviction. In case of :
 - (a) an individual, to imprisonment for a term not exceeding one year or to a fine not exceeding N500,000 or to both such imprisonment and fine; and

- (b) a body corporate, to a fine not exceeding N750, 000.
- (2) Where an offence under these Regulations is committed by a body corporate, firm or other association of individuals every:-
- (a) director, manager, secretary or other similar officer of the body corporate;
 - (b) partner or officer of the firm
 - (c) trustee of the body concerned;
 - (d) person concerned in the management of the affairs of the association ;or
 - (e) person who purports to act in a capacity referred to in paragraphs (a) to (d) of this sub-regulation, is severally liable to be proceeded against and punished for that offence in the same manner as if he had himself committed the offence, unless he proves that the act or omission constituting the offence took place without his knowledge, consent or connivance.

12. Forfeiture after conviction

- (1) A person convicted of an offence under these Regulations shall forfeit to the Federal Government-
- (a) any asset or property constituting proceeds derived from or obtained, directly or indirectly, as a result of the offence;
 - (b) any of the person's property or instrumentalities used in any manner to commit or to facilitate the commission of the offence.
- (2) In this regulation, "proceeds" means any property derived or obtained, directly or indirectly, through the commission of the offence.

13. Interpretation

In these Regulations, unless the context otherwise requires:

Brine means a solution of salt in water;

Canned fish means commercially sterile fish in hermetically sealed containers;

Decomposition means the deterioration of fish and their products including texture breakdown and causing a persistent and distinct objectionable odour or flavor;

Hermetically sealed containers means containers sealed to protect the contents against the entry of micro-organisms during and after heat treatment

Histamine means a biogenic amine endogenous in human tissue and is released in response to a variety of immunologic and non-immunologic signals.

Lacquered means a range of clear or coloured wood finishes that dry by solvent evaporation or a curing process that produces a hard, durable finish.

Raw materials means fresh and frozen fish and/or their parts that may be utilized to produce fish products intended for human consumption.

Smoking means a process of treating fish by exposing it to smoke from smouldering wood or plant materials.

14. **Citation**

These Regulations may be cited as Canned Fish Regulations, 2019.

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FIRST SCHEDULE
Raw materials for canned fish

S/N	Type of canned fish	Raw material
1.	Canned Mackerel	(a) <i>Scomber scombrus</i> (Atlantic mackerel) (b) <i>Scomber japonicas</i> (Chub mackerel) (c) Other species of <i>Scomber</i> (d) <i>Decapterus maruadsi</i> (Japanese scad) (e) <i>Rastrelliger kanagurta</i> (Indian mackerel) (f) Other species of <i>Rastrelliger</i> (g) <i>Cololabis saira</i> (Mackerel pike) (h) Species of <i>Scomberomorus</i> (i) Species of <i>Auxis</i>
2.	Canned sardines or sardine type products	(a) <i>Sardina pilchardus</i> (b) <i>Sardinops melanostictus</i> , <i>S. neopilchardus</i> , <i>S. ocellatus</i> , <i>S. sagax</i> , <i>S. caeruleus</i> , (c) <i>Sardinella aurita</i> , <i>S. brasiliensis</i> , <i>S. maderensis</i> , <i>S. longiceps</i> , <i>S. gibbosa</i> (d) <i>Clupea harengus</i> (e) <i>Clupea bentincki</i> (f) <i>Sprattus sprattus</i> (g) <i>Hyperlophus vittatus</i> (h) <i>Nematalosa vlaminghi</i> (i) <i>Etrumeus teres</i> (j) <i>Ethmidium maculatum</i> (k) <i>Engraulis anchoita</i> , <i>E. mordax</i> , <i>E. ringens</i> (l) <i>Opisthonema oglinum</i>
3.	Canned Tuna and Bonito	(a) <i>Euthynnus alletteratus</i> (little tunny) (b) <i>Euthynnus lineatus</i> (little tunny or black skipjack) (c) <i>Euthynnus affinis</i> (kawakawa or little tuna) (d) <i>Katsuwonus pelamis</i> (skipjack) (e) <i>Thunnus albacares</i> (yellow-fin tuna) (f) <i>Thunnus tonggol</i> or <i>Neothunnus rarus</i> (longtailed tuna or northern bluefin tuna) (g) <i>Thunnus obesus</i> (big-eyed tuna) (h) <i>Thunnus atlanticus</i> (black-fin tuna) (i) <i>Thunnus alalunga</i> (albacore) (j) <i>Thunnus maccoyii</i> (southern bluefin tuna) (k) <i>Thunnus orientalis</i> (oriental tuna) (l) <i>Thunnus thynnus</i> (bluefin tuna)

		(m) The species of fish <i>Sarda chiliensis</i> , <i>Sarda lineolata</i> or <i>Sarda sarda</i> after it has been canned, shall be designated as "Bonito" or "Bonito Tuna".
	Canned Salmon	<ul style="list-style-type: none"> (a) <i>Salmo salar</i> (b) <i>Oncorhynchus nerka</i> (c) <i>Oncorhynchus kisutch</i> (d) <i>Oncorhynchus tshawytscha</i> (e) <i>Oncorhynchus gorbuscha</i> (f) <i>Oncorhynchus keta</i> (g) <i>Oncorhynchus masou</i>

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SECOND SCHEDULE
Presentation of canned fish

S/N	Type of canned fish	Presentation
1.	Canned Sardine	<p>(1) Shall:</p> <p>(a) contains at least two fish in each can</p> <p>(b) contains only one fish species</p> <p>(2) The head and gills shall be completely removed; and scales and/or tail may be removed.</p> <p>(3) The fish may be eviscerated. If eviscerated, it shall be practically free from visceral parts other than roe, milt or kidney. If ungutted, it shall be practically free from undigested feed or used feed.</p>
2.	Canned Tuna	<p>Shall be presented as:</p> <p>(a) Solid (skin-on or skinless): fish cut into transverse segments which are placed in the can with the planes of their transverse cut ends parallel to the ends of the can. The proportion of free flakes or chunks shall not exceed 18% of the drained weight of the container.</p> <p>(b) Chunk; pieces of fish most of which have dimensions of not less than 1.2 cm in each direction and in which the original muscle structure is retained. The proportion of pieces of flesh of which the dimensions are less than 1.2 cm shall not exceed 30% of the drained weight of the container.</p> <p>(c) Flake or flakes a mixture of particles and pieces of fish most of which have dimensions less than 1.2 cm in each direction but in which the muscular structure of the flesh is retained. The proportion of pieces of flesh of which the dimensions are less than 1.2 cm exceed 30% of the drained weight of the container.</p> <p>(d) Grated or shredded a mixture of particles of cooked fish that have been reduced to a uniform size, in which particles are discrete and do not comprise a paste.</p> <p>(e) Any other presentation shall be permitted provided that it is sufficiently distinctive from other forms of presentation laid down in these Regulations.</p>
3.	Canned salmon	<p>Shall consist of sections which are cut transversely from the fish and which are filled vertically into the can. The sections shall be packed so</p>

		that the cut surfaces are approximately parallel with the ends of the container.
4.	Canned Mackerel	Shall be presented as steaks, fillets in a variety of sauces, or as a cold smoked product.

MADE at Abuja thisday of2019

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Inuwa Abdulkadir Esq
Chairman Governing Council
National Agency for Food and Drug Administration and Control (NAFDAC)

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