

**2003 GUIDE TO FOOD LABELLING AND ADVERTISING**

**Chapter 15**

**Fish and Fish Products**



## Chapter 15

### Fish and Fish Products

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## Chapter 15

### Fish and Fish Products

The term “fish” means any marine animal, including fish, shellfish, crustaceans and also other marine animals such as marine mammals. The labelling requirements presented in this Chapter apply to all of those animals and any parts, products or by-products thereof.

#### 15.1 Fish Labelling Reference Documents

In addition to the *Food and Drugs Act / Food and Drug Regulations (FDA/FDR)* and the *Consumer Packaging and Labelling Act and Regulations (CPLA/CPLR)*, labelling of domestic (processed in federally registered establishments) and imported fish and fish products is regulated by the *Fish Inspection Act (FIA)* and the *Fish Inspection Regulations (FIR)*. Fish labelling policies can also be found in the following reference documents:

- *Quality Management Program Inspection Policies*, Chapter 3, Facilities Inspection Manual, at <http://www.inspection.gc.ca/english/anima/fispoi/manman/fimmii/toctdme.shtml>

- *Imported Fish and Fish Products Inspection Policies*, Chapter 3, Fish Products Inspection Manual, at <http://www.inspection.gc.ca/english/anima/fispoi/manman/fpimip/toctdme.shtml>

- *Fish Products Standards and Methods Manual*, at <http://www.inspection.gc.ca/english/anima/fispoi/manman/samnem/toctdme.shtml>

- *Fish Products Inspection Manual*, at <http://www.inspection.gc.ca/english/anima/fispoi/manman/fimmii/toctdme.shtml>

- *Canadian Shellfish Sanitation Program*, at <http://www.inspection.gc.ca/english/anima/fispoi/manman/cssppccsm/toctdme.shtml>

- *Guide to Permitted Additives in Fish and Fish Products*, at <http://www.inspection.gc.ca/english/anima/fispoi/product/additi/guidee.shtml>

- *The Canadian Fish List*, at <http://www.inspection.gc.ca/english/anima/fispoi/fishlist/canadahomee.shtml>

- *Questions and Answers*, at <http://www.inspection.gc.ca/english/anima/fispoi/product/questions/indexe.shtml>

#### 15.2 Common Name [25(1), 25(2)(b), 26(1), 27, FIR]

(i) In addition to names prescribed by the *FDR*, the name of a fish/fish product is:

- the name prescribed by the *FIR*: lobster cocktail (38, *FIR*), tomalley (39, *FIR*), lobster paste (40, *FIR*), shrimp cocktail (72, *FIR*), fish sticks (51, *FIR*), fish and chips (52, *FIR*),  
or
- the name prescribed for the species in CFIA's "***The Canadian Fish List***",

- or  
the name set down in the applicable product standard in the *Fish Products Standards and Methods Manual*,
- or  
if not otherwise prescribed, the name by which the fish product is commonly known, e.g. fish cakes, seafood salad, caviar, solomon gundy.

When a prescribed common name is used, the product must comply with the compositional standard established for that product by the *FDR*, *FIR* or other applicable standards.

- (ii) All of the words in the common name of a fish/fish product must be indicated in letters not less than **3.2 mm** (1/8 inch) in height on the principal display panel of the package.
- (iii) The common name on **canned** fish must be shown in letters of equal height and prominence and indicate whether the product has been prepared
  - by mincing, flaking or other special process;
  - from selected parts of fish;
  - for dietetic use.
- (iv) The geographic location where the fish has been harvested may be added to the common name, however this is optional.
- (v) Common (marketing) names for species new to the Canadian market will be assigned according to the procedures outlined in Bulletin 26 in the *Fish Products Inspection Manual*.

### 15.3 Net Quantity

[25(1)(b), and (c), 26(1)(b), *FIR*]

- (i) The net quantity declaration on prepackaged fish is mandatory unless the container or label states that the contents are to be weighed at the time of retail sale (catch weight).
- (ii) The net quantity declaration on consumer packages (canned, and other than canned containing 900 g or less of fish) must appear in letters not less than **3.2 mm** in height.

Note: Where the area of the principal display panel is greater than 258 square centimeters, the minimum type height of numerals in the net quantity must comply with the height prescribed in Section 14 of *CPLR*.

- (iii) The following specified fish products must indicate the net content as follows:
  - oysters in the shell, expressed either by weight **OR** in bushels **OR** in pecks **OR** by count;
  - canned fish packed in water, expressed as the drained weight;
  - canned shellfish and crustaceans, expressed as the drained weight;
  - oyster and clam meats that are not frozen, expressed by the weight **OR** in fluid measures **OR** by count;

- fish frozen with glaze, excluding the weight of the glaze;
  - fish packed in brine or vinegar solution (e.g. lobster meat, marinated fish), expressed as the drained weight.
- (iv) The words “net weight” or “drained weight” can be used only on fish products that contain only edible parts. If the product also contains inedible parts such as shells, the word “weight” alone must be used.
- (v) Weight declarations such as “made from X lb” (e.g. for peeled shrimp) or “net weight when packed” (e.g. live mussels) are unacceptable.
- (vi) Declaration of an approximate portion size on **institutional** packages is considered non-mandatory information, and e.g. the statement “about 60 g/portion” is acceptable.
- (vii) The net weight on shipping containers (master cartons) or on institutional packages can be expressed either in metric or Imperial units.

#### 15.4 Grade, Size, Class, Count, Moisture Content [26(1)(c); 26(2), *FIR*]

- (i) The *FIR* require that grade, size, class, count or moisture content must be shown on the principal display panel for certain fish products as follows:
- in the case of pickled fish, with the grade, class and size of the fish;
  - in the case of boneless or semi-boneless salted fish, with the grade of the fish;
  - in the case of bloaters, with the grade and count of the fish;
  - in the case of fillets, with the grade of the fish;
  - in the case of frozen Atlantic smelts, with the size of the fish;
  - in the case of salted fish, other than boneless or semi-boneless salted fish, with the grade and class of the fish, the size or count of the fish and the designation for moisture content;
  - in the case of Atlantic oysters in the shell, with the shape designation; and
  - in the case of dried squid, with the grade designation.
- (ii) On containers of 900 g or less, the grade, size, class, count and moisture content, where applicable must be shown on the principal display panel, in minimum type height of **3.2 mm**.

#### 15.5 Quality Designations [29, *FIR*]

- (i) A quality designation can be used only when a standard for that quality has been prescribed in the *FIR*, and the product meets that standard, e.g. “Fancy Shape” designation on Atlantic oysters is permitted when the oysters meet the requirements indicated in Section **65(a)** of *FIR*.
- (ii) Quality claims, where it is clear that the processor or importer or distributor is declaring responsibility for the quality, are permitted, e.g. “All Company X products meet our highest standards. If you have any questions or comments please write to us at: Company X, 123 Main St., Town, Province, Postal Code” would be an acceptable statement.
- (iii) General statements such as “Quality products from XX”, “Satisfaction guaranteed”, “Guaranteed quality”, etc. are also acceptable.

**15.6 Country of Origin** [6(2)(c), *FIR*]

The name of the country of origin must be clearly identified on the label of any fish or fish product imported into Canada. The wording “Product of \_\_\_/Produit de, d’, des, du \_\_\_” must be used to clearly identify the name of the country of origin. For domestic products, the declaration “Product of Canada/Produit du Canada” is not required, however it can be shown on the label, as appropriate.

**15.7 Use of the “Canada Inspected” logo**

[28, *FIR*; Bulletin 41, *Fish Products Inspection Manual*]

- (i) All fish establishments registered under the *FIR* are entitled to use the “Canada Inspected” logo on fish products processed as part of the establishment’s Quality Management Program (QMP).
- (ii) Only fish products that are considered “Product of Canada” can bear the logo.
- (iii) There are no restrictions as to the size or the colour of the logo, however the logo must be separate and distinct, and must not interfere with any mandatory labelling requirements. Permitted examples of “Canada Inspected” logo are shown in Bulletin 41 of the *Fish Products Inspection Manual*.
- (iv) The registration number of the establishment may be included in the logo.

**15.8 Molluscan Shellfish**

[26(1)(f), *FIR*; *Canadian Shellfish Sanitation Program Manual*; Bulletin 36, *Fish Products Inspection Manual* (provincial legislation)]

**15.8.1. Label Information on Live Molluscan Shellfish**

- (i) In addition to the mandatory information that must be present on all food labels, the *FIR* requires that the label for **bivalve molluscs in the shell** must be correctly and legibly marked to show the date of processing and the location from which the bivalve molluscs were harvested.

The label must also indicate **either** a “best before” date, **OR** the date the molluscs were harvested. This date must be expressed on the label in the manner required in B.01.007(4)(d) and (5), (eg. 97 JA 15 for January 15<sup>th</sup> 1997). The full year can be written out for clarity, e.g. 2003 JA 05. The statement “keep refrigerated” and the certification number of the registered establishment where the shellfish were processed must be also present on the label.

- (ii) When live molluscs were wet-stored or relayed for more than 14 days, the harvesting date is the date when the molluscs were removed from the wet storage or relay site.
- (iii) When live molluscs were depurated, it must be indicated on the label.

**15.8.2 Label Information on Raw Shucked Molluscan Shellfish**

- (i) In addition to the mandatory information that must be present on all food labels, the label on shucked molluscan shellfish sold **fresh** must indicate the registered establishment’s certification number, the processing date\*, the “best before” date and the statement “Keep refrigerated”. The “best before” date must be expressed on the label in the manner required in B.01.007(4)(d) and (5), *FDR* (eg. 97 JA 15 for January 15<sup>th</sup> 1997). The full year can be written out for clarity, e.g.



2003 JA 05. Where shucked meats were processed from depurated molluscan shellfish, it must be indicated on the label.

- (ii) In addition to the mandatory information that must be present on all food labels, the label on shucked molluscan shellfish sold **frozen** must indicate the registered establishment's certification number, the processing date\*, and the word "frozen" which must be immediately adjacent to the common name of the shellfish, and it must be in the letter type of equal prominence to the common name. Where shucked meats were processed from depurated molluscan shellfish, it must be indicated on the label.

\* For packages with a capacity of 64 fluid ounces or more the label must show "date shucked" instead of the processing day. "Date shucked" must be present on the lid and also on the side wall or on the bottom of the container.

### 15.9 Other Mandatory Information

Other mandatory labelling information as per appropriate regulations and standards are required on fish/fish products as follows:

- (i) Fish packed to exclude air and which have been smoked or to which liquid smoke or liquid smoke flavour concentrate has been added and which:
- contains less than nine per cent of salt; or
  - has not been heat processed after sealing at a temperature and for a time sufficient to destroy all spores of the species *Clostridium botulinum*; or
  - is not customarily cooked prior to use

require the statement "**Keep frozen prior to use**"/ "**Garder congelé jusqu'à utilisation**" on the principal display panel in letter size equal to the letters used in the common name [B.21.025].

Note: Smoked fish packed with oxygen permeable screens (**2,000 cc/ m<sup>2</sup>/24 h at 24°C and 1 atm**) needs no freezing and can be stored under refrigeration conditions. The statement "keep frozen prior to use" is not required, however the statement "Keep refrigerated" must be present, and the shelf life indicated on the label **cannot exceed 14 days**. The information on oxygen permeability of the packaging material must be available to an inspector up to retail level.

- (ii) Descriptive terms are required on some prepacked fish products:
- In the case of canned fish, descriptive terms must be printed in the letters not less than one-half of the letters used for the common name [25(3), *FIR*].
  - In the case of fish, other than canned fish, descriptive terms are required if their absence would make the label false, misleading or deceptive [27, *FIR*].

For instance, uniform rectangular portions of breaded minced fish require "made from minced fish"/ "fait de poisson haché" in close proximity to the common name, and in letters not less than one-half of the letters used for the common name [51(4), *FIR*].

- (iii) Fish products that have received some heat treatment but are **not** ready-to eat products (e.g. frozen blanched crab legs, frozen “browned” breaded fish portions), and which may be perceived as such by consumers, must be labelled as follows [Bulletin 37, FPIM]:
- the information that the product is not ready-to eat must be indicated in the common name or in descriptive terms, e.g. “Blanched crab legs”;
  - the label must bear cooking instructions and the statement that the product must be cooked before serving;
  - if the product is frozen, the cooking instruction must indicate a proper heat treatment from the frozen stage;
  - an indication of proper storage conditions and the durable life (if applicable) must be present on the label.
- (iv) The labels of all cans of tuna must indicate the colour of the fish flesh (49, *FIR*):
- “white meat tuna” or “white tuna” (only tuna of the species *Thunnus alalunga* or *Thunnus germo*),
  - “light meat tuna” or “light tuna”;
  - “dark meat tuna” or “dark tuna”.
- (v) Each container of whitefish must be marked in English **or** French with the name of the lake of origin of the whitefish, including the name of the province, and the words “dressed whitefish” or “round whitefish” or “whitefish fillets”, as the case may be.

#### 15.10 Code Markings [31, 32, 33, 6(2)(a), 6(3), *FIR*]

- (i) Code markings are required on cartons and cases in which containers of domestically processed or imported fish are packed. These markings must identify the name of the establishment and indicate the day, month and year of processing.
- (ii) Code markings are required on every container of pickled, spiced or marinated fish and must identify the name of the establishment and indicate the day, month and year of processing.
- (iii) Every hermetically sealed container of fish that has been sterilized, must be embossed or otherwise permanently marked to identify the name of the establishment; indicate the day, month and year of processing; and for some products identify the product.
- (iv) The meaning of code markings must be available to an inspector.

#### 15.11 Nutrition Labelling

Amendments to the *Food and Drug Regulations* will make nutrition labelling mandatory for most prepackaged products by December 12, 2005. Small companies with revenues from the sale of food of less than \$1 million in Canada for the 12 months prior to December 12, 2002 have a five year transition period. These regulations affect processed products. More details on the requirements for nutrition labelling can be found in Chapters 5 and 6 of this *Guide*.

Note that prepackaged raw, single ingredient marine or fresh water animal products are exempted from showing a Nutrition Facts table on the label under B.01.401(2)(iv). However, the exemption may be lost

under certain conditions, including when a nutrient content claim is made on the product. See 5.3 of this *Guide* for further information.

### 15.12 Nutrient Content Claims and Diet-Related Health Claims

Nutrient content claims and diet-related health claims can be made on some fish products. For more information on the conditions for making these claims, refer to Chapters 7 and 8 of this *Guide* respectively.

### 15.13 Labels on Shipping Containers [6(2)(a), 26(1)(f), 26(3), 31(1), *FIR*]

- (i) Labels of shipping containers (master cartons) for fish and fish products containing labelled retail packages, require:
  - common name of the fish;
  - name of the manufacturer;
  - day, month and year of processing; and
  - the harvest location for bivalve molluscs in the shell.
- (ii) All mandatory information normally applied on consumer packages is required on shipping containers with bulk fish, or containing fish packages with no labels (for institutional use).
- (iii) The label information can be in either English **or** French, and net quantity expressed in either metric **or** Imperial units.
- (iv) Protective wrappings are normally associated with bulk packaging, or with products that cannot be transported without adversely affecting its quality e.g. blocks of shrimp. Where fish are held within a protective wrapping, inside a properly labelled shipping container, then these protective wrappings are not considered to be inner packages and do not require labelling.