

**Conference for Food Protection
2010 Issue Form**

**Internal Number: 089
Issue: 2010 I-023**

Council Recommendation:	Accepted as Submitted _____	Accepted as Amended _____	No Action _____
Delegate Action:	Accepted _____	Rejected _____	

All information above the line is for conference use only.

Title:

Proper Identification of Seafood Species

Issue you would like the Conference to consider:

The Food Code requires that food offered for human consumption be honestly presented in a manner that does not mislead or misinform the consumer (3-601.12). There are hundreds of different species of FISH that are marketed in the United States. Identifying species of FISH with incorrect names (often referred to as "species substitution") 1) misleads the consumer by representing a less expensive or valued species as a more expensive or valued species or 2) negatively impacts the ability of the consumer, FOOD ESTABLISHMENT and REGULATORY AUTHORITY to accurately assess the potential inherent food safety hazards associated with specific species.

The Food Code currently does not emphasize the importance of properly identifying FISH names.

Public Health Significance:

While species substitution is often viewed as an economic fraud or misbranding issue, the practice can also have public health implications. Proper identification of species of FISH is essential for the correct identification and control of food safety hazards pertinent to specific species and for accurate traceback during foodborne disease outbreak investigations.

CDC analyses of foodborne disease outbreak surveillance data consistently indicate that the primary cause of foodborne disease outbreaks associated with finfish are chemical agents - specifically ciguatoxin and scombrototoxin. Ciguatoxin and scombrototoxin are food safety hazards each associated with specific species. Correct identification of the species that are associated with either ciguatoxin or scombrototoxin formation is essential for proper hazard control as well as proper traceback during foodborne disease outbreak investigations.

Some species of fish may cause illness due to naturally occurring toxins in the fish. Escolar or oilfish naturally contains a strong purgative oil, called gempylotoxin, which may cause intestinal cramping and diarrhea. Print media stories investigating species substitution at restaurants frequently find escolar being represented as tuna. Puffer fish or fugu may contain tetrodotoxin, a potent, sometimes lethal neurotoxin. In 2007 two individuals were sickened by the tetrodotoxin from Puffer fish that was misidentified as monkfish.

Paragraph B of section 3-402.11 of the Food Code identifies specific species of FISH that do not require parasite destruction when the READY-TO-EAT form is raw, raw-marinated, partially cooked, or marinated-partially cooked. Misidentification of a species (for example, escolar being labeled as albacore tuna (*Thunnus alalunga*)) would give the PERSON IN CHARGE at the FOOD ESTABLISHMENT and REGULATORY AUTHORITY the false impression that the parasite destruction controls outlined in the Food Code do not apply.

Recommended Solution: The Conference recommends...:

that a letter be sent to FDA recommending the following additions to the Food Code:

1. That section 3-601.12 be amended as follows:

3-601.12 Honestly Presented.

(A) Food shall be offered for human consumption in a way that does not mislead or misinform the consumer.

(1) FISH shall be identified by the appropriate FDA-acceptable market name or scientific common name.

(B) Food or color additives, colored overwraps, or lights may not be used to misrepresent the true appearance, color, or quality of a food.

2. That section 3-601.12 of Annex 2 - References be amended as follows:

3-601.12 Honestly Presented.

1. Food and Drug Administration, 2009. Guidance for Industry: The Seafood List - FDA's Guide to Acceptable Market Names for Seafood Sold in Interstate Commerce.

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