

**Conference for Food Protection
2012 Issue Form**

**Internal Number: 002
Issue: 2012 III-017**

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:

Thawing Vacuum Packaged Frozen Fish

Issue you would like the Conference to consider:

Some small, independent retail grocery stores and food service establishments have stored commercially processed and reduced oxygen packaged frozen fish in their refrigerated seafood service cases/ coolers in a thawed state despite warning labels to use immediately after thawing on boxes of frozen fishery products.

In addition, some retail food establishments may re-package bulk frozen fish in a reduced oxygen package for convenience and hold the fish frozen without use of a warning label for thawing, and not understand the food safety significance of the thawing step for vacuum packaged frozen fish.

Address the food safety concern regarding the thawing of frozen vacuum packaged fish in the Food and Drug Administrations' next edition of the Food Code.

Public Health Significance:

Section 3-502.12 (C) of the U.S. Food and Drug Administrations' 2009 Food Code offers an exception or allowance for the packaging of frozen fish using a reduced oxygen packaging method as long as the *fish was frozen before, during, and after packaging*.

The spores of *Clostridium botulinum* are very common in nature. They have been found in the gills and viscera of fin fish, crabs, and shellfish. *C. botulinum type E* is the most common form found in fresh water and marine environments. Types A and B are generally found on land, but may also be occasionally found in the water. It should be assumed that *C. botulinum* will be present in any raw fishery product, particularly in the viscera.

There are a number of strategies to prevent *C. botulinum* toxin formation during processing, storage and distribution of finished fishery products.

In Chapter 13, Clostridium botulinum Toxin Formation (A Biological Hazard) of the U.S.

Food and Drug Administration's Fish and Fisheries Products Hazards and Controls

Guidance, Third Edition, June 2001, the requirement for the commercial seafood processor who manufactures frozen, reduced oxygen packaged fishery products states:

- Control in frozen, reduced oxygen packaged fishery products

If your product is immediately frozen after processing, maintained frozen throughout distribution, and labeled to be held frozen and to be thawed under refrigeration immediately

before use (e.g. " Important, keep frozen until used, thaw under refrigeration immediately before use"), then formation of C. botulinum toxin may not be a significant hazard.

Recommended Solution: The Conference recommends...:

that a letter be sent to the FDA requesting the 2009 Food Code (as modified by the Supplement issued in 2011) be amended adding informational items (allowances) to Section 3-501.13, Thawing, and Section 3-502.12, Reduced Oxygen Packaging, Criteria as follows (new language in underline format):

1- Add the following language for thawing of reduced oxygen frozen fish after the exception sentence in Section 3-502.12(c):

To control C. botulinum toxin formation, reduced oxygen packaged fish must be held frozen until used or removed from ROP during the thawing process.

2- Add an informational only statement to section 3-501.13, Thawing:

(E) Frozen, reduced oxygen packaged fishery products must be kept frozen until used, or removed from ROP during the thawing process.

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