



# AIPCE-CEP Monthly Newsletter

## October 2018

### Contents

Extract from the Official Journal .....	2
Health and Food Audits and Analysis reports.....	3
RASFF .....	4
Bivalve molluscs and products thereof.....	4
Cephalopods and products thereof .....	5
Crustaceans and products thereof.....	5
Fish and fish products .....	6

## Extract from the Official Journal

- [Commission Regulation \(EU\) 2018/1224 of 6 September 2018 establishing a prohibition of fishing for Norway lobster in the Functional Unit 16 of ICES Subarea 7 by vessels flying the flag of Ireland](#)
- [Commission Regulation \(EU\) 2018/1225 of 6 September 2018 establishing a prohibition of fishing for Bluefin tuna in the Atlantic Ocean, east of 45° W, and Mediterranean by vessels flying the flag of Portugal](#)
- [Commission Regulation \(EU\) 2018/1226 of 6 September 2018 establishing a prohibition of fishing for greater forkbeard in the Union and international waters of VIII and IX by vessels flying the flag of Portugal](#)
- [Commission Regulation \(EU\) 2018/1227 of 6 September 2018 establishing a prohibition of fishing for Bigeye tuna in the Atlantic Ocean by vessels flying the flag of Portugal](#)
- [Commission Delegated Regulation \(EU\) 2018/1253 of 28 June 2018 correcting Delegated Regulation \(EU\) 2016/2374 establishing a discard plan for certain demersal fisheries in South-Western waters](#)
- [Council Decision \(EU\) 2018/1257 of 18 September 2018 on the signing, on behalf of the European Union, of the Agreement to Prevent Unregulated High Seas Fisheries in the Central Arctic Ocean](#)
- [Commission Implementing Decision \(EU\) 2018/1283 of 24 August 2018 laying down rules on the format and timetables for the submission of annual data collection reports in the fisheries and aquaculture sectors \(\*notified under document C\(2018\) 5270\*\)](#)
- [Case C-15/17: Judgment of the Court \(Third Chamber\) of 11 July 2018 \(request for a preliminary ruling from the Korkein oikeus — Finland\) — Bosphorus Queen Shipping Ltd Corp. v Rajavartiolaitos \(Reference for a preliminary ruling — Montego Bay Convention — Article 220\(6\) — Powers of the coastal State — Jurisdiction of the Court to interpret provisions of international law — Directive 2005/35/EC — Ship-source pollution — Article 7\(2\) — Marpol Convention 73/78 — Oil spill in the exclusive economic zone from a foreign vessel in transit — Circumstances in which a coastal State may instigate proceedings against a foreign vessel — Freedom of navigation — Protection of the marine environment — Major damage or threat of major damage to the coastline, related interests or any resources in the territorial sea or exclusive economic zone — Clear objective evidence\)](#)
- [Information communicated by Member States regarding closure of fisheries \(IRELAND- Norway lobster, \*Nephrops norvegicus\*\)](#)
- [Information communicated by Member States regarding closure of fisheries \(PORTUGAL- Bluefin tuna, \*Thunnus Thynnus\*\)](#)
- [Information communicated by Member States regarding closure of fisheries \(PORTUGAL- Greater forkbeard, \*Phycis blennoides\*\)](#)
- [Information communicated by Member States regarding closure of fisheries \(PORTUGAL- Bigeye tuna, \*Thunnus obesus\*\)](#)
- [Information communicated by Member States regarding closure of fisheries \(ALL MEMBER STATES- Redfish, \*Sebastes spp\*\)](#)

- [Case T-58/14: Judgment of the General Court of 13 July 2018 — Stührk Delikatessen Import v Commission \(Competition — Agreements, decisions and concerted practices — Belgian, German, French and Dutch markets in North Sea shrimp — Decision finding an infringement of Article 101 TFEU — Price fixing and the exchange of commercially sensitive information — Single and continuous infringement — Fines — Principle that offences and penalties must be defined by law — 2006 guidelines on the setting of fines — Mitigating factors — Substantially limited involvement — Cooperation during the administrative procedure — Maximum of 10 % of total turnover — Article 23\(2\) of Regulation \(EC\) No 1/2003 — Paragraph 37 of the 2006 guidelines on the setting of fines — Equal treatment — Obligation to state reasons\)](#)
- [European Parliament resolution of 13 June 2017 on the status of fish stocks and the socio-economic situation of the fishing sector in the Mediterranean \(2016/2079\(INI\)\)](#)
- [European Parliament resolution of 6 July 2017 on promoting cohesion and development in the outermost regions of the EU: implementation of Article 349 of the TFEU \(2016/2250\(INI\)\)](#)
- [Amendments adopted by the European Parliament on 14 September 2017 on the proposal for a regulation of the European Parliament and of the Council on establishing a multi-annual plan for demersal stocks in the North Sea and the fisheries exploiting those stocks and repealing Council Regulation \(EC\) No 676/2007 and Council Regulation \(EC\) No 1342/2008 \(COM\(2016\)0493 — C8-0336/2016 — 2016/0238\(COD\)\)](#)
- [European Parliament resolution of 3 October 2017 on EU political relations with ASEAN \(2017/2026\(INI\)\)](#)

## Health and Food Audits and Analysis reports

Country	Audit number	Title	Audit Period
Argentina	2018-6398	fishery products	Jan-Feb 2018 <a href="#">Report details</a>
Poland	2018-6338	Processed animal proteins	May 2018 <a href="#">Report details</a>
Estonia	2018-6321	Import control system	Feb 2018 <a href="#">Report details</a>

## RASFF

### Bivalve molluscs and products thereof

	Classification ▼ ▲	Date of case ▼ ▲	Reference ▼ ▲	Notifying country ▼ ▲	Subject	Risk decision ▼ ▲	
1.	alert	26/09/2018	2018.2686	France	too high count of Escherichia coli (930 MPN/100g) in live clams (Venus verrucosa) from Portugal, purified in France	serious	<a href="#">Details</a>
2.	alert	19/09/2018	2018.2623	Italy	Amnesic Shellfish Poisoning (ASP) toxins (38.01 mg/kg - ppm) in live scallops (Pecten Jacobaeus) from Belgium	serious	<a href="#">Details</a>
3.	border rejection	14/09/2018	2018.2586	Portugal	unauthorised operator (vessel) for frozen jumbo squid (Dosidicus gigas) from China	not serious	<a href="#">Details</a>
4.	alert	13/09/2018	2018.2575	Italy	too high count of Escherichia coli (up to 1300 MPN/100g) in live mussels from Italy	serious	<a href="#">Details</a>
5.	alert	05/09/2018	2018.2499	France	too high count of Escherichia coli (2400 /100g) in live mussels from France	serious	<a href="#">Details</a>

## Cephalopods and products thereof

	Classification ▼ ▲	Date of case ▼ ▲	Reference ▼ ▲	Notifying country ▼ ▲	Subject	Risk decision ▼ ▲	
1.	border rejection	26/09/2018	2018.2683	Cyprus	poor temperature control (- 6 °C) and absence of labelling (no labels on the boxes with the details of the consignment) on chilled octopus ( <i>Octopus vulgaris</i> ) from the Philippines	not serious	<a href="#">Details</a>
2.	border rejection	17/09/2018	2018.2599	Portugal	unauthorised operator (vessel) for frozen squid rings ( <i>Illex Argentinus</i> ) from China	not serious	<a href="#">Details</a>

## Crustaceans and products thereof

	Classification ▼ ▲	Date of case ▼ ▲	Reference ▼ ▲	Notifying country ▼ ▲	Subject	Risk decision ▼ ▲	
1.	border rejection	26/09/2018	2018.2690	United Kingdom	spoilage and poor temperature control (- 7 °C) of frozen shrimps ( <i>Penaeus vannamei</i> ) from India	not serious	<a href="#">Details</a>
2.	alert	24/09/2018	2018.2663	Estonia	cadmium (0.729 mg/kg - ppm) in frozen cooked prawns from Greenland, via Denmark	serious	<a href="#">Details</a>
3.	information for attention	12/09/2018	2018.2563	Italy	sulphite (130 mg/kg - ppm) undeclared in chilled red shelled shrimps	serious	<a href="#">Details</a>

	Classification	Date of case	Reference	Notifying country	Subject	Risk decision	
					(Aristaeomorpha foliacea) from Egypt		
4.	alert	07/09/2018	2018.2535	Denmark	Listeria monocytogenes (<10 CFU/g) in shrimps in brine from Poland	serious	<a href="#">Details</a>
5.	border rejection	07/09/2018	2018.2532	Denmark	prohibited substance nitrofuran (metabolite) furazolidone (AOZ) (>100 µg/kg - ppb) in frozen pandalid shrimps (Pandalidae) from India	serious	<a href="#">Details</a>
6.	border rejection	05/09/2018	2018.2500	Spain	too high content of E 452 - polyphosphates (745 mg/kg - ppm) in frozen shrimps from China	not serious	<a href="#">Details</a>
7.	border rejection	05/09/2018	2018.2493	Spain	poor temperature control (>-9; >0 °C) of frozen shrimps ( Penaeus vannamei ) from Panama	undecided	<a href="#">Details</a>

### Fish and fish products

	Classification	Date of case	Reference	Notifying country	Subject	Risk decision	
1.	alert	28/09/2018	2018.2734	Italy	undeclared sesame and soya in chilled	serious	<a href="#">Details</a>

	Classification ▼ ▲	Date of case ▼ ▲	Reference ▼ ▲	Notifying country ▼ ▲	Subject	Risk decision ▼ ▲	
					salmon preparation from Germany		
2.	information for attention	28/09/2018	2018.2729	France	mercury (2.4 mg/kg - ppm) in thawed vacuum-packed swordfish loins ( <i>Xiphias gladius</i> ) from Spain	serious	<a href="#">Details</a>
3.	alert	28/09/2018	2018.2738	Cyprus	mercury (2.6 mg/kg - ppm) in frozen shortfin mako shark loins ( <i>Isurus oxyrinchus</i> ) from Portugal	serious	<a href="#">Details</a>
4.	alert	28/09/2018	2018.2732	Germany	unauthorised substance leucomalachite green (up to 10 µg/kg - ppb) in trouts from Germany	undecided	<a href="#">Details</a>
5.	alert	28/09/2018	2018.2731	Italy	mercury (2.2 mg/kg - ppm) in thawed vacuum-packed swordfish loins ( <i>Xiphias gladius</i> ) from Spain	serious	<a href="#">Details</a>
6.	alert	28/09/2018	2018.2730	Italy	mercury (1.76 mg/kg - ppm) in thawed vacuum-packed swordfish loins ( <i>Xiphias gladius</i> ) from Spain	serious	<a href="#">Details</a>
7.	border rejection	28/09/2018	2018.2728	Germany	spoilage of frozen argentine hake	not serious	<a href="#">Details</a>

	Classification ▼ ▲	Date of case ▼ ▲	Reference ▼ ▲	Notifying country ▼ ▲	Subject	Risk decision ▼ ▲	
					(Merluccius hubbsi) from Uruguay		
8.	border rejection	27/09/2018	2018.2712	Spain	poor temperature control (-9.8; -12.6; -13.2 °C) of frozen surimi from India	not serious	<a href="#">Details</a>
9.	border rejection	27/09/2018	2018.2715	Spain	poor temperature control (between -9 and -5) °C) of frozen hake fish (Meluccius spp.) from Namibia	not serious	<a href="#">Details</a>
10.	information for follow-up	26/09/2018	2018.2699	Netherlands	Listeria monocytogenes (<10 CFU/g) in frozen herring from Norway	undecided	<a href="#">Details</a>
11.	information for attention	26/09/2018	2018.2689	Italy	parasitic infestation (presumably Anisakis) of chilled mackerel (Scomber scombrus) from Norway	not serious	<a href="#">Details</a>
12.	border rejection	26/09/2018	2018.2702	France	mercury (0.74; 0.726 mg/kg - ppm) in redcoat (Sargocentron rubrum) from Vietnam	serious	<a href="#">Details</a>
13.	information for follow-up	26/09/2018	2018.2687	France	unsuitable means of transport for bulk swordfish (Xiphias Gladius) from Italy	not serious	<a href="#">Details</a>
14.	information for attention	25/09/2018	2018.2672	Switzerland	mercury (2.05 mg/kg - ppm) in chilled swordfish fillets (Xiphias gladius) from	serious	<a href="#">Details</a>



	Classification ▼ ▲	Date of case ▼ ▲	Reference ▼ ▲	Notifying country ▼ ▲	Subject	Risk decision ▼ ▲	
					unknown origin, via the Netherlands		
15.	information for follow-up	24/09/2018	2018.2665	France	incorrect labelling on frozen head and tail fin cut swordfish ( <i>Xiphias gladius</i> ) from the United Kingdom	undecided	<a href="#">Details</a>
16.	alert	24/09/2018	2018.2654	Italy	too high count of <i>Escherichia coli</i> (1300 MPN/100g) in live mussels ( <i>Mytilus Galloprovincialis</i> ) from Greece	serious	<a href="#">Details</a>
17.	information for follow-up	24/09/2018	2018.2661	France	parasitic infestation with <i>Anisakis</i> of chilled cod loins ( <i>gadus Morhua</i> ) from Iceland, packaged in France	not serious	<a href="#">Details</a>
18.	information for attention	24/09/2018	2018.2660	Italy	mercury (2.10 mg/kg - ppm) in vacuum-packed defrosted swordfish ( <i>Xiphias gladius</i> ) from Spain	serious	<a href="#">Details</a>
19.	border rejection	24/09/2018	2018.2655	Spain	poor temperature control (between -8.3 and -9.6 °C) of frozen Southern hake ( <i>Merluccius australis</i> ) from New Zealand	not serious	<a href="#">Details</a>
20.	information for attention	21/09/2018	2018.2643	Italy	cadmium (0.96 mg/kg - ppm) and mercury (5.9 mg/kg - ppm) in chilled defrosted fillets of	serious	<a href="#">Details</a>

	Classification ▼ ▲	Date of case ▼ ▲	Reference ▼ ▲	Notifying country ▼ ▲	Subject	Risk decision ▼ ▲	
					swordfish ( <i>Xiphias gladius</i> ) from Spain		
21.	information for attention	21/09/2018	2018.2640	Italy	mercury (1.75 mg/kg - ppm) in chilled swordfish from Spain	serious	<a href="#">Details</a>
22.	border rejection	19/09/2018	2018.2628	Spain	poor temperature control (between -4.9 and -9.3 °C) of frozen cape hake ( <i>Merluccius capensis</i> ) and deepwater hake ( <i>Merluccius paradoxus</i> ) from South Africa	undecided	<a href="#">Details</a>
23.	border rejection	19/09/2018	2018.2625	Portugal	unauthorised operator (Vessel: Haili 28//PU Yuan Leng 7) for frozen squid rings ( <i>Illex Argentinus</i> ) from China	not serious	<a href="#">Details</a>
24.	alert	14/09/2018	2018.2595	Austria	bulging packaging of anchovy fillets in sunflower oil from Germany	serious	<a href="#">Details</a>
25.	alert	12/09/2018	2018.2569	Italy	histamine (1735 mg/kg - ppm) in chilled tuna salami from Spain	serious	<a href="#">Details</a>
26.	information for attention	12/09/2018	2018.2572	France	histamine (297.7 mg/kg - ppm) in chilled vacuum-packed yellowfin tuna loins ( <i>Thunnus albacares</i> ) from Sri Lanka	serious	<a href="#">Details</a>

	Classification ▼ ▲	Date of case ▼ ▲	Reference ▼ ▲	Notifying country ▼ ▲	Subject	Risk decision ▼ ▲	
27.	border rejection	12/09/2018	2018.2562	United Kingdom	poor temperature control (from 5.7 to 10.2 °C) of chilled yellowfin tuna ( <i>Thunnus albacares</i> ) from the Maldives	undecided	<a href="#">Details</a>
28.	information for attention	11/09/2018	2018.2544	France	mercury (2.06 mg/kg - ppm) in thawed shark ( <i>Prionace glauca</i> ) steaks from France, with raw material from Spain	serious	<a href="#">Details</a>
29.	information for follow-up	07/09/2018	2018.2536	Italy	parasitic infestation with <i>Anisakis</i> of chilled anchovies ( <i>Engraulis encrasicolus</i> ) from Spain	not serious	<a href="#">Details</a>
30.	border rejection	07/09/2018	2018.2531	United Kingdom	canned sardines from Morocco with improper packaging (leaking)	not serious	<a href="#">Details</a>
31.	alert	06/09/2018	2018.2514	Italy	<i>Listeria monocytogenes</i> (presence /25g) in chilled smoked salmon from Latvia, via Denmark	not serious	<a href="#">Details</a>
32.	border rejection	05/09/2018	2018.2502	Spain	poor temperature control (from -10 to -14.4 °C) of frozen yellowfin tunas ( <i>Thunnus albacares</i> ) from Oman	undecided	<a href="#">Details</a>



	Classification ▼ ▲	Date of case ▼ ▲	Reference ▼ ▲	Notifying country ▼ ▲	Subject	Risk decision ▼ ▲	
33.	border rejection	03/09/2018	2018.2485	Cyprus	poor temperature control (-5,2 -6,8 °C) of frozen hake (Macruronus novaezelandiae) from New Zealand	not serious	<a href="#">Details</a>
34.	border rejection	03/09/2018	2018.2479	Spain	poor temperature control (-7.4, -10.4 °C) of frozen octopus (Octopus vulgaris), John Dory (Zeus faber) and red scorpionfish (Scorpaena scrofa) from Mauritania	not serious	<a href="#">Details</a>