



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 25 January 2013

5739/13

**DENLEG 6
AGRI 41**

NOTE

from : General Secretariat
to : Council

Subject : Use of polyphosphates in wet salted fish

Delegations will find attached a note submitted by the Portuguese delegation, to be dealt with under "Any other business" at the Council (Agriculture and Fisheries) on 28 January 2013.

On January 23rd 2013, the meeting of the Standing Committee of Food Chain and Animal Health, which includes in its agenda the proposal on phosphates on wet salted fish, was confirmed for January 31st.

In general, the proposed version does not take into consideration important interests of Portugal and contains various new elements that need to be carefully and thoroughly analyzed.

In this context, it is important to take into account that:

- the concerns of PT regarding the codfish industry and also the survival of a national gastronomic product, which has a long tradition and represents a very important cultural value for Portugal as a national dish, are at risk;
- the proposal does not refer the PT request related to the standardized validated reference methods which are indispensable for guaranteeing a high level of food safety - PT considers that a reference method to control the presence of added phosphates should be developed and put in place, so that official control can pursue with its task;
- the proposal does not consider the need to establish the reference method before its entry into force – So, it is of the utmost importance to discuss a longer period of application after the date of entry into force. Note that in the previous proposal version, the period of application was “from 12 months after the date of entry into force” and the present version considers the period application “from 1st September 2013”, which corresponds only to a 6 month transitional period;
- the proposal of new amendments needs to be carefully analyzed with the industry and food technologists in a longer period;
- the standard rules of procedure for committees establish that the proposals to be discussed and presented for vote should be submitted no later than 14 calendar days before the date of the meeting (article 3);

Portugal considers that these elements should be dully contemplated in the proposal, either at the meeting of 31st of January or at a later stage, should the Commission deem necessary more time for a thorough analysis.
