



Tuvalu

**FOOD SAFETY (FISHERY PRODUCTS)
(AMENDMENT) REGULATION**

February 12, 2025



Tuvalu

FOOD SAFETY (FISHERY PRODUCTS) (AMENDMENT) REGULATION

**MADE UNDER SECTION 41 OF THE SAFETY ACT 2007 AND SECTION
96 OF THE MARINE RESOURCES ACT 2006**

1 Citation

This Regulation may be cited as the Food Safety (Fishery Products) (Amendment) Regulation.

2 Purpose of the amendment

The purpose of this amendment is to set limits for permissible levels of perfluoroalkyl (PFA) contaminants in fish. The amendment also corrects minor ambiguities in the regulation.

3 Amendment to Section 3

The following is incorporated to Section 3:

“Food Inspector means a person or persons appointed under Section 23 of the Food Safety Act and having the powers granted by that Act.”

4 Amendment to Section 6

Section 6 (1) is amended to read as:

“No person shall export fishery products for human consumption from Tuvalu or from a Tuvalu flagged vessel, unless they are prepared, processed, or packed in an establishment, a freezer vessel, or a factory vessel subject to a permit granted under Section 13 of the Marine Resources Act and in accordance with this Regulation.”

5 Amendment to Section 19

Section 19 is amended to read as:

“19 Food Inspectors

(1) The Competent Authority specified by the Ministers under Regulation 4 may nominate public officers under its control as food inspectors under Section 23(1) of the Act.

(2) Food Inspectors acting in the course of their duties shall at all-time act with integrity, transparency and confidentiality.

(3) Information relating to any individual business which is obtained by a Food Inspector during the course of official controls or other activities under this Regulation shall not be disclosed without the consent in writing of the person carrying on the business, except:

(i) in accordance with directions of the Minister, so far as may be necessary for the purposes of this Regulation; or

(ii) for the purposes of any proceedings for an offence against the order or any report of those proceedings.”

6 Amendment to Schedule 6

The following additional section is added to schedule 6:

“6. Perfluoroalkyl contaminants

1. Batches of fishery products in which the levels of **Perfluoroalkyl substances** and their congeners exceed the limits indicated in the following table, shall be regarded as unfit for human consumption.

Table 5: Maximum Limits for concentration of Perfluoroalkyl substances in fish

Maximum level (µg/kg) in muscle				
PFOS	PFOA	PFNA	PFHxS	Sum of PFOS, PFOA, PFNA and PFHxS
2.0	0.2	0.5	0.2	2.0

Where:

PFOS: perfluorooctane sulfonic acid

PFOA: perfluorooctanoic acid

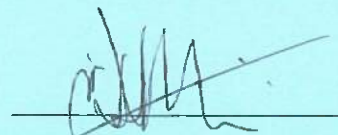
PFNA: perfluorononanoic acid

PFHxS: perfluorohexane sulfonic acid

2. It should be noted that:
 - (a) The maximum level applies to the wet weight.
 - (b) Where fish are intended to be eaten whole, the maximum level applies to the whole fish.
 - (c) For PFOS, PFOA, PFNA, PFHxS and their sum, the maximum level refers to the sum of linear and branched stereoisomers, whether they are chromatographically separated or not.
 - (d) For the sum of PFOS, PFOA, PFNA and PFHxS, maximum levels refer to lower bound concentrations, which are calculated on the assumption that all the values below the limit of quantification are zero.
 - (e) Sampling methods, preparation and analytical requirements should follow internationally specified protocols.”

Section 6 and Section 7 in Schedule 6 are renumbered Section 7 and Section 8 respectively for consistency with the insertion of this new Section 6.

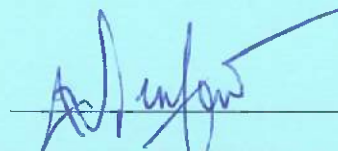
Made under my hand this 19 day of February, 2025.



HON. TUAFAFA LATASI

Minister of Health and Social Welfare

And under my hand this 17 day of February, 2025.



HON. SA'AGA TALU TEAFA

Minister of Natural Resources Development

Published at the Government Notice Board this 17 day of February 2025 at Funafuti.



DR. TUFOUA PANAPA

Secretary to Government