

PRIMARY AUTHORITY ASSURED ADVICE

CCC/860039/G

Legal definition of Cooked King Prawns

If you require further information and the full version of this advice and guidance, please contact the Primary Authority via the Primary Authority Register. Alternatively email deniserion@bfff.co.uk

Notes:

1. This document includes best practice advice and a brief summary of the requirements of the [Primary Authority Statutory Guidance](#). It should be read alongside the Primary Authority Statutory Guidance.
2. Primary Authority Advice is assured. This means that when a business is following the advice the primary authority can direct against any proposed enforcement action which is inconsistent with the advice

Introduction

This Primary Authority Advice has been produced by Cambridgeshire County Council in partnership with British Frozen Food Federation for use by members of British Frozen Food Federation to help your business comply with the law. If you follow this advice correctly your local trading standards officer should respect this and not ask you to comply with the law in a different way.

The Cambridgeshire County Council contact;
Primary Authority partnership Administration
primaryauthoritypartnerships@peterborough.gov.uk

Primary Authority Advice

Relevant Legislation:	The Fish Labelling Regulations 2013				
Geographic Applicability:	This has the status of Primary Authority Advice in England.				
Scope:	This advice is addressed to businesses in the regulated group which are food business operators engaged in labelling of prepacked frozen food.				
Details of request:	Can you please define, what is the minimum size of <u>cooked prawn</u> that can legally be declared “King Prawn”? Historically we’ve used the Commercial designations of fish: United Kingdom - GOV.UK (www.gov.uk), which states: <table><tr><th>Commercial designation</th><th>Species</th></tr><tr><td>King prawn</td><td>All species of the family Aristaeidae All species of the family Palaemonidae All species of the family Penaeidae Where the count is less than 123 per kg (head on/shell on) or less than 198 per kg (head off/shell on) or less than 242 per kg (head off/shell off)</td></tr></table> However, this does not reference whether this applies to “cooked prawns” as packed, or as to the raw ingoing prawns prior to cooking? For example: Cooking Raw Peeled King Prawns (i.e., <242 per kg) could produce cooked Prawns which fall outside of the “King Prawn” range. However, could we then legally call these cooked prawns “King Prawns” as the ingoing raw material is, by definition, “King Prawn”. The commercial designation for Prawns and Shrimp (see below) clearly references cooked product, unlike King Prawn.	Commercial designation	Species	King prawn	All species of the family Aristaeidae All species of the family Palaemonidae All species of the family Penaeidae Where the count is less than 123 per kg (head on/shell on) or less than 198 per kg (head off/shell on) or less than 242 per kg (head off/shell off)
Commercial designation	Species				
King prawn	All species of the family Aristaeidae All species of the family Palaemonidae All species of the family Penaeidae Where the count is less than 123 per kg (head on/shell on) or less than 198 per kg (head off/shell on) or less than 242 per kg (head off/shell off)				



	Therefore, is the commercial designation “King Prawn” for product prior to cooking, or does it also include cooked product? <table border="1"> <tr> <th>Commercial designation</th><th>Species</th></tr> <tr> <td>Prawn or Shrimp</td><td>all species of the family Aristaeidae all species of the family Palaemonidae all species of the family Pandalidae all species of the family Penaeidae</td></tr> <tr> <td>Note also entries for Brown shrimp or Shrimp, Pink shrimp or Shrimp and Shrimp</td><td></td></tr> <tr> <td>Shrimp</td><td>Whole fish of a size which, when cooked, have a count of 397 per kg or more) or tails of a size which, when peeled and cooked, have a count of 1.323 per kg or more of: All species of the family Aristaeidae All species of the family Palaemonidae All species of the family Pandalidae All species of the family Penaeidae Solenocera melanthero</td></tr> </table>	Commercial designation	Species	Prawn or Shrimp	all species of the family Aristaeidae all species of the family Palaemonidae all species of the family Pandalidae all species of the family Penaeidae	Note also entries for Brown shrimp or Shrimp, Pink shrimp or Shrimp and Shrimp		Shrimp	Whole fish of a size which, when cooked, have a count of 397 per kg or more) or tails of a size which, when peeled and cooked, have a count of 1.323 per kg or more of: All species of the family Aristaeidae All species of the family Palaemonidae All species of the family Pandalidae All species of the family Penaeidae Solenocera melanthero
Commercial designation	Species								
Prawn or Shrimp	all species of the family Aristaeidae all species of the family Palaemonidae all species of the family Pandalidae all species of the family Penaeidae								
Note also entries for Brown shrimp or Shrimp, Pink shrimp or Shrimp and Shrimp									
Shrimp	Whole fish of a size which, when cooked, have a count of 397 per kg or more) or tails of a size which, when peeled and cooked, have a count of 1.323 per kg or more of: All species of the family Aristaeidae All species of the family Palaemonidae All species of the family Pandalidae All species of the family Penaeidae Solenocera melanthero								
Advice provided:	The Commercial Designations list does not refer to cooked product except in particular entries. In the case of King Prawn, no reference is made to ‘cooked’ and therefore relates to the prawns in their raw state. Consequently, when they are cooked there will be some natural moisture (and therefore weight) loss which may render the count per kilogram to be more than specified. There is therefore no minimum cooked weight, rather a minimum pre-cooked weight. It would be correct to state such product as ‘cooked king prawns’ with the processor’s records demonstrating that the raw prawns complied with the commercial designation applied. NOTE the full list should be consulted for other commercial designations using ‘shrimp’ and ‘prawn’								
Document references:	Commercial designations of fish: United Kingdom Ref PB14027 28 June 2023 Commercial designations of fish: United Kingdom - GOV.UK (www.gov.uk)								
Communication with businesses	This advice will be published in electronic format and located in the Technical Guidance area of the BFFF website: http://bfff.co.uk/technical/guidance/.								
Communication with enforcing authorities:	An enforcing authority, proposing to take enforcement action against a business, is only required to notify the primary authority, where they are aware that the business is a member of a regulated group. While guidance states that the enforcing authority should ask you whether you are relying on Primary Authority advice, we recommend that you ensure you communicate this as soon as possible, and do not wait to be asked. (para 21.5 of the Statutory Guidance refers). The scheme does not allow for a business to make a								



	notification to the primary authority where an enforcing authority has already taken action in respect of which it [the enforcing authority] failed to make the required notification to the primary authority (para 21.20 of the Statutory Guidance refers). Additionally, the rules allow for you (or the Co-ordinator) to notify the primary authority (para 21.19 of the Statutory Guidance refers). Once a primary authority receives notification, statutory time limits apply (usually 5 days) in which time they must respond to the notification. (Paras 21.9 & 21.10 of the Statutory Guidance refer).
Issued by:	Paul Maylunn, Senior Trading Standards Officer



British Frozen Food Federation
Registered Office: Warwick House, Unit 7, Long Bennington Business Park, Main Road, Long Bennington,
Newark, Nottinghamshire NG23 5JR

Tel: 01400 283090 Fax: 01400 283098
Websites: www.bfff.co.uk www.freshfromthefreezer.co.uk
A company limited by guarantee. Registered in England and Wales No. 7687541
VAT Reg. No. GB 115 5466 23

