

I. GENERAL PROVISIONS

MINISTRY OF THE PRESIDENCY, JUSTICE AND RELATIONS WITH THE COURTS

24838 *Royal Decree 1082/2025 of 3 December 2025 regulating the procedure for determining national commercial designations and the names of preserved or prepared foods permitted in Spain applicable to fishery and aquaculture products.*

Article 169 of the Treaty on the Functioning of the European Union (TFEU) states that to promote consumer interests and guarantee a high level of consumer protection, the European Union must contribute to protecting their health, safety and economic interests, as well as to promoting their right to information.

The free movement of safe and healthy food is essential to the internal market and makes a key contribution to the health and well-being of citizens, as well as to their social and economic interests.

To achieve a high level of consumer health protection and to safeguard their right to information, consumers must have adequate information on the foods they consume. Consumer decisions may be influenced by health, economic, environmental, social, ethical and other factors.

In accordance with Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety, a general principle of food legislation is to provide a basis for consumers to make informed choices in relation to the foods they consume and to avoid any other practices that may mislead the consumer.

In this regard, food labelling is the main form of communication between food producers and end consumers, making it a key tool to enable informed choices of the food they buy and consume.

In this regard, Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC, states that the Common Fisheries Policy should contribute to an efficient and transparent internal market for fisheries and aquaculture products and contribute to ensuring fair conditions for fishery and aquaculture products placed on the market, and should also take into account the interests of both consumers and producers.

In fact, Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 provides that the Common Market Organisation should improve the transparency and stability of the markets, ensure that the distribution of added value along the sector's supply chain is more balanced, and improve consumer information and raise awareness, by means of notification and labelling that provides comprehensible information. Specifically, it must provide the consumer with clear and comprehensive information on the origin of the product and its mode of production, in particular through marking and labelling.

In this regard, Regulation (EU) No 1379/2013 of the European Parliament and of the Council of 11 December 2013 on the common organisation of the markets in fishery and aquaculture products, amending Council Regulations (EC) No 1184/2006 and (EC) No 1224/2009 and repealing Council Regulation (EC) No 104/2000, provides that, in order to facilitate consumers' choice of products, it is necessary for them to be provided with clear and comprehensive information about those products. The purpose of the aforementioned Regulation is to pursue a high level of health protection for consumer and ultimately safeguard their right to information so they can make informed choices. To this end, Chapter IV of that Regulation lays down the information intended for the final consumer which, without prejudice to Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004, is applicable to the fisheries and aquaculture products listed in points (a), (b), (c) and (e) of Annex I to the CMO.

Specifically, Article 37 of the aforementioned Regulation (EU) No 1379/2013 of the European Parliament and of the Council of 11 December 2013 states that, for the purposes of mandatory consumer information, each Member State must publish a list of the commercial designations accepted in its territory, along with their scientific names, for the products included in points (a), (b), (c) and (e) of Annex I to said Regulation.

In this regard, the General Secretariat for Fisheries is regularly publishing the list of commercial designations of fishery and aquaculture species accepted in Spain.

However, that list of commercial designations does not include the designations applicable to the products listed in points (h) and (i) of Annex I to Regulation (EU) No 1379/2013 of the European Parliament and of the Council of 11 December 2013, namely prepared or preserved fish, crustaceans, molluscs and other aquatic invertebrates falling under CN codes 1604 and 1605. For those products, the mandatory information requirements laid down in Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers apply, in particular as regards the name of the food.

For the latter, it should be noted that the standardised designations applicable to preserved fishery products that have been used in Spain are those included in the current Annex IV to Royal Decree 1521/1984 of 1 August 1984 adopting the technical health regulations on fishery and aquaculture establishments and fishery and aquaculture products intended for human consumption, which has been partially repealed, with the exception of the aforementioned Annex IV, Annex VII and Articles 3 and 4. In this regard, given the time that has passed and in line with changes in European and national regulations on fisheries, food information and food safety, the authorities deem it necessary to adapt the definitions given in those provisions related to the forms of presentation, preservation and marketing of fishery and aquaculture products and parts of fishery products. This adaptation and update is carried out in two phases: first, this Royal Decree updates the regulatory content of the aforementioned Royal Decree, for example, by adapting the definitions to the current reality of the sector, and second, through a resolution by the General Secretariat for Fisheries of the Ministry of Agriculture, Fisheries and Food, which will be published in the Official State Gazette setting out the commercial designations of preserved or prepared products, once the aforementioned Annex IV has been repealed.

Moreover, it is appropriate to review certain regulations that require updating in this area, for the internal consistency of the Spanish legal system. This relates in particular to the Order of 15 October 1985 adopting the Quality Standard for preserved mussels, clams and cockles, and the Order of 15 October 1985 adopting the Quality Standard for cooked and frozen mussels, which regulate aspects related to the designation of these products.

Both regulations are of considerable age in this area and require updating by means of this Royal Decree, taking into account the developments in food production in the internal market,

new consumption patterns and habits and finally and above all, the primary responsibility of operators and economic agents involved in the food chain to ensure safety by providing adequate information to consumers, from primary production to processing, distribution and sale, meaning that all food business operators must guarantee the safety of their products in the stages of the food chain for which they are responsible, from production to sale to the final consumer.

Furthermore, please also note that the European authorities have adopted common marketing standards for certain products. This is the case with Council Regulation (EEC) No 1536/92 of 9 June 1992 laying down common marketing standards for preserved tuna and bonito and Council Regulation (EEC) No 2136/89 of 21 June 1989 laying down common marketing standards for preserved sardines and sardine-type products.

The coexistence of several separate lists relating to the designations of different fishery and aquaculture products, together with common marketing standards applicable to certain products, makes it necessary to review the regulatory framework in this area. Accordingly, this Royal Decree establishes the procedure for drawing up two new lists, to be adopted by means of resolutions of the General Secretariat for Fisheries and capable of being updated by that Secretariat-General in a flexible manner, taking into account scientific and taxonomic developments as well as the commercial and technological progress experienced by the Spanish processing industry in recent decades, including the emergence of new products and preparations, while at the same time enhancing legal certainty for operators and consumers.

Moreover, Article 75 of Law 3/2001 of 26 March 2001 on National Marine Fisheries sets out the marketing and processing policy instruments for fishery products, including the option to take measures to standardise products throughout the marketing chain, thus providing market transparency and enabling adequate information for consumers, in particular on the nature and origin of the products.

The provisions of this Royal Decree shall apply without prejudice to general food law, in particular Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, Regulation (EU) No 2024/1143 of the European Parliament and of the Council of 11 April 2024 on geographical indications for wines, spirit drinks and agricultural products, as well as traditional specialities guaranteed and optional quality terms for agricultural products, amending Regulations (EU) No 1308/2013, (EU) 2019/787 and (EU) 2019/1753, and repealing Regulation (EU) No 1151/2012, Regulation (EU) No 2018/848 of the European Parliament and of the Council of 30 May 2018 on organic production and labelling of organic products and repealing Council Regulation (EC) No 834/2007, and, specifically, the regulations on food safety relating to nutrition and health claims, labelling of novel foods, genetically modified organisms, foods intended for infants and young children, foods for special medical purposes and total diet replacement products for weight control. In addition, they apply without prejudice to any voluntary information that each operator may display within the framework of Regulation (EU) No 1379/2013 of the European Parliament and of the Council of 11 December 2013 and Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011.

In order to reconcile the necessary efficiency of the procedures for authorising requests to align the list with the hierarchy of norms, the Royal Decree provides for a successive mechanism for updates subject to requirements of transparency and legal certainty for operators, to be given effect annually through an update of the relevant resolution, so that the Secretariat-General for Fisheries adopts two resolutions containing two lists, one containing the commercial names of fishery and aquaculture species and the other with the names of preserved or prepared products, without prejudice to the ability of the Administration to review the respective list on its own initiative where appropriate.

In accordance with Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on information society services, and Royal Decree 1337/1999 of 31 July 1999 regulating the provision of information in the field of technical regulations and standards and of rules on information society services, this instrument has been submitted to

the European Commission and to the other Member States.

The content of this Royal Decree meets the principles of sound regulation set out in Article 129 of Law 39/2015 of 1 October 2015 on Common Administrative Procedures in Public Administration. As such, in accordance with the principles of necessity and effectiveness, this instrument is justified by the need to establish an appropriate regulatory framework for the designations of preserved or prepared foods and of the commercial designations accepted in Spain for fishery and aquaculture products, in accordance with the provisions of European regulations, and to comply with the requirement laid down in Article 37 of Regulation (EU) No 1379/2013 of the European Parliament and of the Council of 11 December 2013. Similarly, it meets the principles of efficiency and proportionality by providing the level of regulation strictly necessary to achieve the intended objectives. Pursuant to the principle of transparency, and as part of the public hearing, the drafting process for this regulation included consultations with the Autonomous Communities and entities representing the affected sectors. In accordance with the principle of efficiency, it involves the minimum possible administrative burdens to achieve its objectives, through streamlined and transparent procedures. Finally, the Royal Decree complies with the principle of legal certainty, by ensuring consistency with the rest of the applicable legal framework and by providing operators with the necessary transitional periods to adapt to the regulation, in addition to consolidating the regulations that are currently dispersed across other instruments and provides for two public lists that are reviewed periodically.

This regulation also includes a model for interadministrative cooperation that recognises the jurisdiction of both the State and the Autonomous Communities, ensuring proper interaction for the two authorities. Thus, in accordance with the relevant European Union legislation, the State, as the higher body, has the power to publish a single list of national commercial designations throughout the entire country. Similarly, the lists of regional commercial designations that the Autonomous Communities establish must be published in their respective official journals. During the month of January of each year, the competent bodies of the Autonomous Communities shall notify them to the General Secretariat for Fisheries for publication on the website of the Ministry of Agriculture, Fisheries and Food.

In drawing up this instrument, the mandatory prior public consultation, hearing and public information procedures were completed. Moreover, the authorities consulted with the Autonomous Communities and the entities representing the affected sectors, and the Interministerial Committee for Food Management has issued its mandatory report.

The adoption by Royal Decree of this regulation as basic legislation is based on the authorisation contained in Article 149(1), Rule 13 of the Spanish Constitution, which attributes exclusive competence in respect of the basic principles and coordination of general planning of economic activity. In accordance with the case law of the Constitutional Court, this is based on the distinctly technical nature of the purpose of the regulation and on the need to establish a uniform regulatory framework that applies throughout the national territory and ensures uniform treatment of all producers. Similarly, its adoption is in accordance with the State's exclusive competence in matters of foreign trade for relationships of this kind pursuant to Article 149(1) (10).

Accordingly, on the proposal of the Minister of Agriculture, Fisheries and Food, and the Minister for Social Rights, Consumer Affairs and the 2030 Agenda, with the prior approval of the Minister for Digital Transformation and the Civil Service, in accordance with the opinion of the Council of State, and after deliberation by the Council of Ministers at its meeting on 2 December 2025,

THE FOLLOWING IS DECREED:

Article 1. *Purpose and content.*

1. The purpose of this Royal Decree is to:
 - a) Establish the procedure for determining the national commercial designations accepted in Spain for the fishery and aquaculture products included in points (a), (b), (c) and (e) of Annex

I to Regulation (EU) No 1379/2013 of the European Parliament and of the Council of 11 December 2013 on the common organisation of the markets in fishery and aquaculture products, in order to provide the mandatory information laid down in Article 35 of that Regulation.

b) Establish the procedure for determining the names of preserved or prepared foods accepted in Spain for fishery and aquaculture products referred to in points (h) and (i) of Annex I to Regulation (EU) No 1379/2013 of the European Parliament and of the Council of 11 December 2013, for the purpose of providing the mandatory food name information laid down in Article 17 of Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, also taking into account the provisions of Council Regulation (EEC) No 1536/1992 of 9 June 1992 laying down common marketing standards for preserved tuna and bonito, and Council Regulation (EEC) No 2136/1989 of 21 June 1989 laying down common marketing standards for preserved sardines and sardine-type products.

2. The national commercial designations and names of preserved or prepared foodstuffs derived from fishery and aquaculture products, which shall be included in the lists approved by the General Secretariat for Fisheries through separate resolutions, shall be considered official names throughout the national territory. However, the commercial designations in the various Autonomous Communities appearing on the list shall be complementary to the national commercial designation within their respective territories and may not replace the national designations.

Article 2. *Definitions.*

1. For the purpose of this Royal Decree, the definitions in European and national legislation on fisheries, food information and food safety shall apply.

2. Likewise, for the purposes of this Royal Decree, the definitions set out in Articles 3 and 4 of Royal Decree 1521/1984 of 1 August 1984 approving the Technical Health Regulation on Fishery and Aquaculture Establishments and Products Intended for Human Consumption shall apply.

Article 3. *Precondition on the sale of fishery and aquaculture products to final consumers or to mass caterers.*

1. It shall only be permitted to offer the fishery and aquaculture products referred to in Article 1(1) for sale to final consumers or to mass caterers if the marking or labelling indicates the national commercial designation or the name of the preserved or prepared food that is accepted in Spain in Spain for such products, as set out in the lists approved by the Secretariat-General for Fisheries by means of the corresponding resolutions. In the case of commercial designations, those permitted by the autonomous communities within their respective territories may be added as a complement to the national designations. The scientific name appearing in the list shall in all cases be that established in the ASFIS database (Aquatic Sciences and Fisheries Information System) of the Food and Agriculture Organization of the United Nations (FAO).

2. Where no commercial designation appears in the list for a given scientific name, and that species is to be marketed within the national territory, an application for inclusion in the list shall be submitted, as provided for in Article 5.

3. Where no name of a preserved or prepared food appears in the list for a given scientific name, and a preserved or prepared product made from that species is to be marketed within the national territory, an application for inclusion in that list shall be submitted, as provided for in Article 5. All scientific names included in this list must have been previously included in the list of commercial designations.

Article 4. *Annual review of the list of national commercial designations and of the list of names of preserved or prepared foods applicable to fishery and aquaculture products permitted in*

Spain.

1. Each year, the General Secretariat for Fisheries of the Ministry of Agriculture, Fisheries and Food shall, by means of two separate resolutions published in the Boletín Oficial del Estado during the first quarter of the year, set out the most recent version of the lists of designations.
2. Those resolutions shall contain the updated list of national commercial designations and designations of preserved or prepared foods permitted in Spain for fishery and aquaculture products, taking into account the decisions on applications for inclusion, amendment or removal submitted by interested parties and authorised during the preceding year, as referred to in the following Article, as well as those adopted ex officio and duly reasoned by the Department, which shall compile the successive individual updates on an annual basis.
3. The decision approving the list of names of preserved or prepared foods accepted in Spain for fishery and aquaculture products shall be notified to the World Trade Organisation.

Article 5. Procedure for reviewing and updating the list of national commercial designations and designations of preserved or prepared foods permitted in Spain applicable to fishery and aquaculture products on request from an operator.

1. The General Secretariat for Fisheries shall be the competent body to review the listing, amendment and delisting requests for national commercial designations or designations of preserved or prepared foods accepted in Spain for the products as per Article 1 submitted over the course of the year, without prejudice to the annual update by means of the corresponding resolution of the Secretariat-General for Fisheries.
2. At any time, stakeholders may submit requests to the General Secretariat for Fisheries – directly or by way of their member associations – to list, amend or remove national commercial designations or designations of preserved or prepared food permitted in Spain for the products as per Article 1.
3. In accordance with the provisions of Article 14(2) of Law 39/2015, of 1 October 2015, legal entities shall submit such applications through the associated electronic headquarters of the Ministry of Agriculture, Fisheries and Food, in accordance with the standard application form available there.

Natural persons may submit their requests by any of the methods provided for in Article 16(4) of Law 39/2015 of 1 October 2015, using the form provided on the Department website.

4. Likewise, the competent authorities of the autonomous communities may submit to the Secretariat-General for Fisheries applications for inclusion, amendment or removal, in accordance with paragraph 3, first subparagraph.
5. Stakeholder requests shall include at least:
 - a) Name, surname and tax ID number of the applicant, where they are a natural person, or name and tax ID number of the applicant company or representative entity that submits the application, together with name, tax ID number and, where appropriate, power of attorney of those acting on their behalf, unless the representation is recorded in the Electronic Register of Powers of Attorney in accordance with Articles 6 and 28(2) of Law 39/2015 of 1 October 2015.
 - b) Contact details (phone, email)
 - c) Scientific name of the species to be included or removed and the national trade name or designation of preserved or prepared food permitted in Spain for fishery and aquaculture products, together with its FAO 3-alpha code.
 - d) Should the stakeholder wish to amend the national commercial designation or designation of preserved or prepared food accepted in Spain, or the scientific name of the species, it shall indicate the national commercial designation or designation of preserved or prepared food accepted in Spain and the FAO 3-alpha code of the species to be amended and the new national commercial designation or designation of preserved or prepared food accepted in Spain.
 - e) Reason for the inclusion, removal or amendment.
6. Where a request does not meet the requirements set out in the preceding paragraphs,

or if it requires clarification or additional documentation, the authorities shall ask the stakeholder to correct the discrepancy within 10 working days by providing the missing information or documents, as per Article 68 of Law 39/2015 of 1 October 2015, with an indication that if that does not occur, the application shall be considered withdrawn, following a decision issued under the conditions set out in Article 21 in conjunction with Article 68 of Law 39/2015 of 1 October 2015.

7. For its decision, the General Secretariat for Fisheries may request the advice it deems necessary from the relevant scientific bodies, from representative organisations of the fisheries and aquaculture sector and from any other entity deemed appropriate, which shall therefore electronically submit a report in accordance with the requirements and objectives set out in Article 80 of Law 39/2015 of 1 October 2015, within 10 working days. If the report is not submitted within that time frame, the General Secretariat for Fisheries may continue the procedure and take any other relevant actions.

8. The General Secretariat for Fisheries shall decide on and publish the decision, with the effect of replacing the notification in accordance with Article 45(1)(a) of Law 39/2015 of 1 October 2015, within a maximum period of six months, calculated from the date on which the application was entered in the electronic register, accessible via the associated website of the Ministry of Agriculture, Fisheries and Food. Without prejudice to that publication and to its effects as a substitute for notification, an individual communication shall be sent to the applicant for information purposes, informing them that such publication has taken place.

If, after this period has elapsed, the decision has not been published in the manner and within the time limit indicated above, the interested parties shall be entitled to consider their applications to have been accepted by administrative silence, in accordance with the provisions of Article 24(1) of Law 39/2015 of 1 October 2015.

9. The publication of each individual decision on the Ministry's website shall be carried out in accordance with Article 45(1) of Law 39/2015 of 1 October 2015, where it shall remain available both to the parties concerned and to the competent authorities.

10. Where an application for the inclusion, amendment or removal of a national commercial designation or of a name of a preserved or prepared food permitted in Spain for fishery and aquaculture products is rejected following completion of the procedure referred to above, the decision published on the website of the Ministry of Agriculture, Fisheries and Food shall be duly reasoned, stating the grounds for rejection.

11. It shall be possible to appeal non-final decisions to end the individual request procedure to the Minister for Agriculture, Fisheries and Food, according to the conditions and time frames set out in Articles 121 and 122 in conjunction with 112(1) of Law 39/2015 of 1 October 2015.

Article 6. Complementary commercial designations permitted within the territory of the autonomous communities.

1. The competent bodies of the Autonomous Communities may authorise the use of commercial designations accepted in their respective territories, complementary to the national designations. They shall publish their updated lists for these at least once a year in their Official Gazettes.

2. Commercial designations recognised by an Autonomous Communities shall be complementary to those established at national level and shall not replace them. It shall at all times be ensured that the information provided to the consumer reflects the designations permitted at national level.

3. In January of each year, the competent bodies of the Autonomous Communities shall notify the General Secretariat for Fisheries of their resolutions or acts adopting the lists of designations accepted in their respective territories, complementary to the national designations, for publication on the website of the Ministry of Agriculture, Fisheries and Food.

Article 7 Penalties regime.

Failure to comply with the provisions of this Royal Decree shall be subject to the penalties set out in Chapter III of Title V of Law 3/2001 of 26 March 2001, Title IV of the recast text of the

General Law on consumer and user protection [General para la Defensa de los Consumidores y Usuarios] and other complementary laws, approved by by Royal Legislative Decree 1/2007 of 16 November 2007, in Law 12/2013 of 2 August 2013 on measures to improve the functioning of the food chain, without prejudice to the competence conferred on the Autonomous Communities.

First additional provision. *Single Market clause.*

Preserved or prepared fishery and aquaculture food products, appearing in points (h) and (i) of Annex I to Regulation (EU) No 1379/2013 of the European Parliament and of the Council of 11 December 2013, lawfully placed on the market in another European Union Member State or Turkey, or originating from a State in the European Free Trade Association that is party to the Agreement on the European Economic Area, shall be deemed to meet these regulations. The application of these provisions are subject to Regulation (EU) 2019/515 of the European Parliament and of the Council of 19 March 2019 on the mutual recognition of goods lawfully marketed in another Member State and repealing Regulation (EC) No 764/2008.

Second additional provision. Designations in the case of *Sardina pilchardus*, *Trachurus* spp., *Auxis rochei*, *Auxis thazard*, *Merluccius* spp., *Macruronus* spp. and specimens measuring less than 12 centimetres of the species *Anguilla anguilla*.

1. Preserved and prepared products made from *Sardina pilchardus* may use the preserved food designation 'sardinilla' (European pilchard), as laid down in the resolution adopted by the General Secretariat for Fisheries, provided that they comply with European Union and national regulations on technical measures, and in particular that the following size and weight limits applicable to the specimens used as raw material by the industry are observed:

- a) If they originate in the Mediterranean, they must: measure at least 11 cm, with an average weight of 10.7 g, and, at most, measure 15 cm, with an average weight of 25 g.
- b) If they originate in other fishing grounds, they must: measure at least 11 cm, with an average weight of 12.5 g, and, at most, measure 13.7 cm, with an average weight of 25 g.

2. Preserved products and preparations made from *Trachurus* spp. may use the designated preserved food designation 'chicharrillo', (Atlantic horse mackerel) as laid down in the resolution adopted by the General Secretariat for Fisheries, provided that they comply with European Union and national legislation on technical measures, and in particular that the following size and weight limits applicable to the specimens used as raw material by the industry are observed:

- a) If they originate in the Mediterranean, they must: measure at least 15 cm, with an average weight of 29 g, and, at most, measure 20.2 cm, with an average weight of 67 g.
- b) If they originate in other fishing grounds, they must: measure at least 15 cm, with an average weight of 34.1 g, and, at most, measure 18.82 cm, with an average weight of 67 g.

3. Preserved and prepared products made from *Auxis rochei* and *Auxis thazard* may use the preserved food designation '*melva canutera*' (bullet tuna or frigate tuna), as set out in the resolution approved by the General Secretariat of Fisheries and provided that compliance with European Union and national regulations on technical measures is observed, and provided that the specimens do not reach 600 g in weight.

4. In the case of *Merluccius* spp. and *Macruronus* spp., the commercial designation or the designation of preserved or prepared food 'pescadilla' (whiting) may be used, together with the specific designation, as provided for in the respective resolution adopted by the Secretariat-General for Fisheries, provided that the specimens have a maximum weight of 1.5 kg.

5. Within the framework of the size differentiation established for the species *Anguilla anguilla* by Council Regulation (EC) No 1100/2007 of 18 September 2007 establishing measures for the recovery of the stock of European eel, specimens measuring less than 12 cm

in length may bear the commercial designation or the designation of preserved or prepared food 'angula', as provided for in the respective resolution adopted by the General Secretariat for Fisheries.

First transitional provision. *Marketing of stocks of labelled products and packaging.*

1. Except in the case of fresh and chilled products, the labelled packaging already purchased and products produced before the entry into force of the first resolution to be issued with the list, respectively, of national commercial designations accepted in Spain for fishery and aquaculture products and of designations of canned or prepared food applicable in Spain to fishery and aquaculture products, which comply with the provisions applicable at that time, may be marketed until one year after the entry into force of that resolution.

Likewise, and except in the case of fresh and chilled products, when a resolution amending any of the previous designations is published, operators shall have a period of six months from its entry into effect to comply with that amendment.

2. Except in the case of fresh and chilled products, the labelled packaging already purchased and products produced before the entry into force of the first final provision, which comply with the provisions applicable at that time, may be marketed until one year after that entry into force.

Second transitional provision. *Continued application of repealed provisions.*

The rules repealed under the sole repealing provision shall remain in force until the decision of the General Secretariat for Fisheries approving the names of preserved foods or preparations provided for in Article 3(1) takes effect.

Sole repealing provision. *Repeal of regulations.*

The following are repealed:

- a) Annex VI to Royal Decree 1521/1984 of 1 August 1984 approving the Technical Health Regulation on Fishery and Aquaculture Establishments and Products Intended for Human Consumption
- b) Article 2 of the Order of 15 October 1985 approving the quality standard for preserved mussels, clams and cockles.
- c) Article 2 of the Order of 15 October 1985 approving the quality standard for cooked and frozen mussels

First final provision. *Amendment of Royal Decree 1521/1984 of 1 August 1984 approving the Technical Health Regulation on Fishery and Aquaculture Establishments and Products Intended for Human Consumption.*

Royal Decree 1521/1984 of 1 August 1984 approving the Technical Health Regulation on Fishery and Aquaculture Establishments and Products Intended for Human Consumption, is amended as follows:

One. Article 3 shall read as follows:

'Article 3. *Forms of presentation, preservation and marketing of fishery and aquaculture products.*

The terms defined below, relating to the forms of presentation, preservation and preparation of fishery and aquaculture products, shall accompany the commercial designation or the designation of preserved or prepared food on the marking or labelling, in accordance with the applicable European Union and national legislation on fisheries and food safety, including Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers:

- 1. "whole": a product marketed without undergoing preparation of any kind;

2. "gutted": a product marketed without viscera;
3. "without head": a product marketed without the head;
4. "skinned": a product marketed without skin;
5. "dressed": a product marketed gutted, without head and washed, with or without skin or bones;
6. "chopped": a product marketed in pieces;
7. "flaked": a product marketed in flakes;
8. "minced": a product obtained by finely chopping the muscles of the fish, without skin or bones, preserving the structure of the muscle tissue or the edible parts of molluscs and crustaceans;
9. "pieces", "chunks", "bits", "bites", "strips" or similar terms: varying-sized portions of fish muscle, with or without skin or bones, retaining the structure of the muscle tissue or the edible parts of molluscs and crustaceans;
10. "rings" or "crowns": characteristic round portions obtained by cutting perpendicular to the longitudinal axis of the mantles of cephalopods;
11. "fillets": in fish, the portions of the muscle mass obtained by cutting parallel to the spine, with or without skin or bones. In cephalopods, these are portions of the mantle, which vary in size;
12. "slices": in fish, the portions of varying thicknesses obtained by cutting perpendicular to the longitudinal axis of the body and that generally come with the corresponding section of spine, with or without skin or bones. In cephalopods, these are portions of varying thicknesses obtained by cutting perpendicular to the longitudinal axis of the limbs;
13. "medallions": portions shaped from the edible parts of fishery and aquaculture products, without skin or bones, which are given a specific shape;
14. "fillet hearts": portions made from fillets, without skin or bones, which are given a specific shape.
15. "scraps": small bits of the edible parts of fishery and aquaculture products, not in paste form, obtained during cutting and processing;
16. "salt-cured": a product after extended exposure to common salt, in solid form or brine containing between 12 % and 18 % salt.
17. "*salpresado*" or "*salpreso*" (salt-pressed): a product exposed to both common salt and pressure;
18. "salted": a product exposed to common salt, in solid form or in brine, possibly accompanied by other seasonings or spices;
19. "dry-salted": a product exposed to common salt and dry air until it reaches a moisture content of between 30 % and 50 %;
20. "desalted": a product obtained from a salted or salt-cured product whose salt content has been partly removed by means of water and that must be kept refrigerated or frozen;
21. "lightly salted": a product obtained from a fresh or defrosted product to which brine has been added, either by injection or immersion, and which must be kept refrigerated or frozen;
22. "brine": drinking water with edible salt dissolved in it, possibly with other seasonings, spices and other approved substances;
23. "dried": a product exposed to dry air or that has undergone any other approved process until reaching a moisture content of less than 15 %.
24. "dehydrated" or "freeze-dried": a whole or portion of a product whose water content has been reduced to a maximum of 5 % by approved methods, and which must be packed in a vacuum or inert gas;
25. "smoked": a product exposed to smoke from wood or other approved processes;
26. "cooked": a product exposed to steam, boiling water or any other approved heat treatment;
27. "cooked in its own juice": a product cooked in the juices released during the

cooking process;

28. “cooked in brine”: a product cooked in water to which salt has been added, possibly with other approved additives;

29. “refrigeration”: cold preservation process that stores and keeps fishery and aquaculture products at a temperature approaching that of melting ice;

30. “freezing”: a product subjected to freezing, understood as the preservation process by cold whereby fishery and aquaculture products are stored and maintained at a temperature equal to or below -18°C at their core.

31. “deep freezing”: a product subjected to ultrafreezing or quick-freezing, understood as a type of freezing which rapidly passes through the zone of maximum crystallisation, ensuring that the temperature of the product in all its parts, following thermal stabilisation, is maintained without interruption at a temperature equal to or below -18°C and that it is marketed in such a way as to indicate that it possesses this characteristic.

32. “defrosted”: a product that has undergone defrosting and is marketed in refrigerated conditions.

33. “pasteurisation”: a process that destroys the vegetative forms of pathogenic microorganisms in foods, and destroys or deactivates almost all of the benign flora, by subjecting foods to variable temperatures, based on treatment time, so they do not undergo substantive changes to their composition, and ensuring their preservation at a suitable temperature for a period of no less than 48 hours;

34. “sterilised”: a product subjected to a sterilisation process, understood as a process by which all forms of life of pathogenic and non-pathogenic micro-organisms in food are destroyed at appropriate temperatures, applied either in a single treatment or by tyndallisation. In the food industry, sterilisation also refers to the process that destroys or deactivates micro-organisms capable altering food under normal storage conditions, for a defined period of time;

35. “semi-preserved”: a packaged product that has undergone a treatment in addition to the packaging itself (either before or after the packaging) that limits microbiological development but is insufficient to ensure its sterility when placed on the market and that requires maintenance in refrigeration in order to be kept for a limited period of time.

36. “preserved”: a product that has undergone sufficient thermal treatment to ensure its sterility for an extended period of time without refrigeration;

37. “unseasoned”: a product whose covering liquid is made up of the natural juices resulting from its cooking, along with water and salt;

38. “in olive oil”: a product covered solely with olive oil, without other types of oil mixed in;

39. “in vegetable oil”: a product covered in a food-grade vegetable oil;

40. “marinated”, “seasoned” or “dressed”: a product that has been macerated in a mixture of seasonings, spices, vinegar, oil or other liquids applied to the surface or by immersion;

41. “pickled” or “in pickling brine”: a product with added seasonings, spices, vinegar, oil or other liquids that are characteristic of the culinary preparation in question, and that has undergone a thermal treatment;

42. “in tomato sauce”, “in *salsa americana*”, “in hot sauce”, “in ink” or similar terms: a product whose covering liquid is made up of the ingredients proper to the culinary preparation in question;

43. “paste”: a product that has been ground and homogenised, with the addition of other approved ingredients and substances;

44. “sausage made from fishery and aquaculture products”: a product made from the edible parts of fishery and aquaculture products, without skin or bones, possibly with other approved ingredients, seasonings and additives, stuffed into a natural or artificial casing, and possibly with subsequent processing.

45. “patés, creams, foams and mousses”: products made from fishery and aquaculture products with other approved ingredients, seasonings and additives, that have undergone mincing to achieve a typical texture and designated as “patés, creams, foams or mousses” based on consistency, whether of greater or lesser density;

46. “block made from pieces of fishery and aquaculture products”: a product made from fishery and aquaculture products, with or without skin, that is pressed to eliminate all cracks or interstitial gaps to leave smooth, even surfaces and well-defined edges. If the percentage of minced meat from fishery and aquaculture products contained in the block is greater than 10 %, this percentage shall be indicated; if it is greater than 90 %, the product shall be called “block made from pieces of minced fishery and aquaculture products”.

47. “Prepared fishery products”: unprocessed fishery products that have undergone an operation affecting their anatomical wholeness, such as gutting, heading, slicing, filleting, and chopping, with or without the addition of other ingredients. For these types of products, the descriptive name may be used. As these are unprocessed products, they are not included in category 9.2 of Part E of Annex II to Regulation (EC) No 1333/2008 of the European Parliament and of the Council of 16 December 2008 on food additives.’

Two. Article 4 is worded as follows:

‘Article 4. Parts of fishery products

The terms defined below, relating to parts of fishery and aquaculture products, shall accompany the trade name or the name of the preserved or prepared food on the marking or labelling, in accordance with European and national regulations on fisheries and food safety, as well as Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011:

1. “Fins” or “wings”: flat, fleshy limbs of certain fish and cephalopods.
2. “Mouths” or “legs”: locomotive appendages, pincers or claws of crustaceans.
3. “Arms” or “tentacles”: limbs of cephalopods.
4. “Head”: in fish, the anterior part of the body, obtained by cutting perpendicular to the longitudinal axis of the body at the level of the gill covers. In cephalopods, this is the anterior part of the body, without the limbs. In certain crustaceans, this is the anterior part of the body, without of the abdomen or pleon.
5. “Meat” or “flesh”: edible soft parts of molluscs and crustaceans.
6. “Roe”: the ovarian masses of female fish, covered with coelom, with oviducts and part of the uterus.
7. “Eggs”: unfertilised gametes obtained from female fish and crustaceans.
8. “Loins”: thick portions taken from the dorsal muscles of fish, with or without skin or bones.
9. “Belly” or “belly flap”: portion of muscle mass that surrounds the abdominal cavity of fish, with or without skin or bones.
10. “Collar” or “wing”: portion of muscle mass that surrounds the abdominal cavity of the fish, presented with the corresponding part of the back, with or without skin or bones.
11. “Central loins”: portions of the central muscle mass immediately posterior to the abdominal cavity of the body of the fish, obtained by cutting parallel to the spine, with or without skin or bones.
12. “Tails”: in fish, the caudal part of the body immediately posterior to the abdominal cavity, obtained by cutting perpendicular to the longitudinal axis of the body and generally presented with the corresponding section of spine, with or without skin or bones. In crustaceans, this refers to the caudal part of the body, corresponding to the abdomen or pleon, possibly shelled.
13. “Cheeks”: portions of muscle mass between the two branches of the lower jaw

of fish, with or without skin or bones.

14. “Tubes” or “pods”: mantles of cephalopods, without viscera, with or without skin and fins, but retaining its characteristic anatomical shape.’

Second final provision. *Title of competence*

This Royal Decree is a basic regulation adopted pursuant to Article 149(1)(13) of the Constitution, granting the State exclusive competence over the basic rules and coordination of the general economic planning. Likewise, Articles 5 and 6 and additional provisions one and two are issued in accordance with the exclusive competences of the State in matters of foreign trade for such relations in accordance with Article 149(1)(10)(a).

Third final provision. *Regulatory development authority.*

The Minister of Agriculture, Fisheries and Food may, within the scope of his powers, adopt such provisions as are necessary for the development and implementation of this Royal Decree.

Fourth final provision. *Entry into force.*

This Royal Decree shall enter into force on 2 January 2026.

Done on 3 December 2025

FELIPE R.

The Minister for the Presidency, Justice and Parliamentary Relations,
FÉLIX BOLAÑOS GARCÍA



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