

**ATLANTIC SALMON TRUST  
SALMON AND TROUT ASSOCIATION**

Email:[ivorllewelyn@atlanticsalmontrust.org](mailto:ivorllewelyn@atlanticsalmontrust.org)  
[janina@salmon-trout.org](mailto:janina@salmon-trout.org)

6 March 2008

Dear Sir,

**Consultation on Aquatic Animal Health**

We are responding on behalf of the Atlantic Salmon Trust and the Salmon and Trout Association to this consultation paper.

Established in 1967, the Atlantic Salmon Trust is a UK-wide organisation which champions the wild salmon and sea trout. It does not represent any other interests or body, only the fish themselves. It:

- a. Works for the conservation and improvement of wild salmon and sea trout stocks to a level which allows sustainable exploitation.
- b. Conducts and supports marine and freshwater research.
- c. Gives practical advice on the management of fisheries and rivers.
- d. Gives independent research based advice to governments, international and national authorities and to commercial enterprises.
- e. Coordinates activities with other conservation, environmental, fishery, heritage and wildlife agencies and organisations.
- f. Holds and supports seminars and workshops to investigate specific issues.
- g. Publishes high quality reports and booklets to inform and educate the public.

The Salmon and Trout Association is an international organisation representing the interests of 100,000 individual and club-based game anglers, fishery owners, managers and affiliated trades throughout the United Kingdom. It is especially concerned with promoting and communicating the environmental, social and economic benefits of game angling and fisheries management.

Our comments on the questions in the consultation document are set out below. Both organisations have a major interest in fish diseases, especially as they affect wild fish; we are particularly concerned about the possibility of introducing *Gyrodactylus salaris* into the UK. We would wish to be involved in any stakeholder meetings held to consider the outcome of this consultation or the details of the implementing regulation; it is important that such meetings involve wild fish and fisheries interests.

**Qs 1 and 2.** No comment

**Q3** We are pleased that the Government recognizes Gs as the most serious potential threat to fish health in England Wales. The introduction of Gs into any salmon river would have a devastating effect on salmon stocks in that river, and in most rivers the parasite would be impossible to eradicate; English and Welsh rivers tend to be rich in biodiversity, and often flow through heavily populated areas, which would preclude the use of the chemicals that have been used for Gs eradication in Norway.

In these circumstances, the Government must make every effort to ensure that Gs does not enter the country. It is disappointing that Gs is no longer listed at EU level, and that less stringent controls on the movement of potential vector species are being introduced. It is essential that the Government ensures the retention of the additional guarantees in Decision 2004/453/EC and makes maximum use of the powers it does have to control the movement of potential vector species . The Government also needs to ensure that fully adequate contingency arrangements are in place to ensure that if there is an outbreak it is contained and does not spread to other catchments ( see Q44 below).

More widely, the Government must recognise efforts to prevent the introduction of Gs must go beyond the implementation of adequate legislative controls. These controls must be properly enforced, with sufficient resources devoted to the task and, as important, resources must be provided to educate anglers and others about the risks posed by Gs and of the steps that should be taken (for example, drying or disinfecting tackle and clothing after foreign fishing trips) to prevent its introduction. The Scottish Government's campaign on this last point provides a model that should be followed by the rest of the UK

**Q4** We support the proposal to extend disease controls to new diseases, so that action can be taken as soon as an emerging disease threat is detected.

**Q6** Would a unit, run on a not-for-profit basis, that stripped wild salmon, hatched the eggs in a hatchery and then reared and stocked fry within a single catchment, need to be authorised as an aquaculture production business?

**Q8** It is important that traders be authorised and regulated, for the reasons given in the consultation document.

**Q10** We support the proposal to require records to be in a prescribed format.

**Q11** Biosecurity measures also need to be designed to protect wild populations from diseases spreading from farmed populations. Wherever possible newly introduced fish should be held in facilities that prevent any contact with, or possible infection of, wild stocks.

**Qs 17 & 18** We agree that there is no need to authorise stocked fisheries. However, we consider that fisheries which transfer fish to other waters **should** be authorised. Introductions pose a clear risk of spreading disease, and if there is an outbreak it is important that the waters of origin of any introductions into the affected water are rapidly identified and fish movements from those waters, followed up. Relying on the authorisation of traders to follow up such movements seems likely to prove ineffective, particularly as a fishery which sold fish direct to another fishery would not appear to fall within the definition of a trader given in paragraph 22.

**Q19** The proposed registration system for stocked fisheries seems a sensible one. However, clarification regarding the definition of the term stocked fishery is needed. It must obviously cover

fisheries which are regularly stocked, such as most still-water trout fisheries, but will it cover, for example, one-off stocking to establish a self-sustaining coarse fishery and if so, for how long after the initial stocking (assuming no further stocking takes place) will it remain registered?

We support the idea of a named person with responsibility for stocked waters.

**Q20** It is essential that ornamental fish do not become vectors for the spread of disease. Since the authorisation and marketing (including transport) provisions of the Directive do not apply to ornamental fish kept in garden ponds and retail and wholesale premises (provided that there is no outlet to natural waters), the Government is able to impose its own rules on movements related to such ponds and premises (and is required by Article 21 to ensure that the marketing of ornamental fish does not jeopardise the health status of other aquatic animals). It should ensure, in particular, that strict rules are adopted to prevent the movement of ornamental fish from exempt waters into waters linked in anyway to natural waters and, as proposed, that the FHI applies the exemption strictly (although we would welcome some clarification as to how this will be done in the absence of a registration scheme). We also suggest that the rules on transport should be applied to movements of **all** ornamental fish (see response to Q24 below) and that garden and wholesale centres that keep ornamental fish in ponds and which are susceptible to flooding should not be regarded as exempt. We also agree that movement of ornamental fish between zones should be accompanied by appropriate certification.

**Qs 21 to 23.** The greatest risk of spreading disease from a processing establishment is likely to come not from the processing of fish from a containment area (when rigorous precautions will be taken) but from the processing of fish that are not known to be harbouring pathogens. For example, effluent from an establishment processing sea fish could spread disease to wild fish in fresh water, as may have happened with VHS. There is therefore a good case for introducing an authorisation process for all processors of fish and shell fish, linked to rules to ensure that all effluent from such establishments is properly treated.

**Q24** The movement of fish is one of the principal ways in which diseases are spread, and it is therefore essential that the transport of aquatic animals is properly regulated. The Directive requires records to be kept of locations visited and of mortalities; at the same time Regulation 1/2005 requires all consignments of fish to be accompanied by an Animal Transport Certificate (ATC). The ATC has to record the origin and ownership of the fish; the place, date and time of departure; the destination; and the expected duration of the journey. An ATC is required for all commercial movements of fish, including ornamental fish. In these circumstances, it would seem sensible to combine the two requirements and provide for a single transport document covering both fish health and animal welfare requirements (as there is no set format for the ATC such a document would serve as an ATC). This would provide a comprehensive system covering all commercial movements of fish, including ornamentals (the additional burden on the movement of some ornamental fish, to record mortalities and changes of water, would be minor).

**Q25.** While we would in principle support the registration and the additional obligations set out in paragraph 66, we would welcome clarification of the potential impact of this proposal. The RIA accompanying the proposal to implement Regulation 1/2005 estimated that there were 1,545 fish transporters; how many of these would fall under the proposed definition of a specialist transporter? This definition seems in any case to be inadequate; it would not, for example, catch a specialist fish transport unit that was part of a larger transport undertaking. A definition linked to the possession and use of specialist equipment might be preferable.

**Q26.** see response to Q24 above.

**Q 27.** See response to Q24 above. Since the requirements of Regulation 1/2005 apply to all commercial movements of fish, the link to the registration of specialist fish transporters seems irrelevant.

**Q 28 to 31.** We generally support the proposals on surveillance. However, the scope of any legal obligation to report suspicion of disease will need to be carefully defined. Wild fish are not legally owned, and it would be difficult to enforce a legal obligation on a landowner who happened to have a pond on his land with a naturally occurring population of fish. The obligation should be restricted to registered (and thus stocked) fisheries.

**Qs 32 to 34.** For the reasons set out in the previous paragraph, any legal obligation to report increased mortalities in the wild is likely to be unworkable. Moreover, the obligation in the directive to report increased mortality applies only in relation to aquaculture animals and increased mortality may not, in any case, be a very useful concept so far as wild fish are concerned, since it will be difficult to detect. More effective would be a widespread publicity campaign to alert anglers and others to the need to report any indications of possible disease in fish, as disease may well show itself in fish caught by anglers; an example here is the widespread detection of anaskis infection in wild salmon. The discovery of significant numbers of dead fish should also be reported (as dead fish in the wild are not all that common, two or three dead fish in any location should probably be regarded as significant). A successful campaign on these lines would also, of course, lead to increased reporting of pollution incidents.

**Q38.** See comments below.

**Q39.** We are surprised by this question, since paragraph 10 (and Article 63 (3) of the Directive) makes it clear that the additional guarantees in Decision 2004/453/EC continue to apply and Question 10 affirms that Gs remains the Government's top disease threat. It is essential that the rules set out in the Decision continue to be strictly applied, and that these rules are retained in the follow-on arrangements that have to be negotiated.

**Q40.** The exemption for ornamental fish only applies to fish kept in garden ponds or retail and wholesale centres, all of which must be without any direct contact with natural waters. Ornamental fish from other sites, including fish farms, must comply with all the trade and marketing rules. As indicated in our response to Question 20 above, the exemption for some ornamental fish needs to be strictly policed.

**Qs 41 and 42.** No comment

**Q43.** No comment

**Q44.** While we note that this consultation is not seeking views on contingency arrangements, it is essential that the regulations contain the necessary powers to control the spread of a disease and if possible eradicate it. In this respect, there are weaknesses in the powers available to Ministers in England and Wales under the existing Disease of Fish Acts. In Scotland they have addressed this problem; the Aquaculture and Fisheries Scotland Act 2007 provides Scottish Ministers with a range of additional powers. In particular, Scottish Ministers can designate areas specifically in connection with Gs and ban the movement of vehicles and specified materials into and out of such areas; introduce restrictions on movements within Scotland if there is an outbreak of Gs elsewhere in the UK; erect barriers to the migration of fish to prevent the spread of Gs; use chemical agents to eradicate Gs; and where necessary order the clearance of fish farms in designated waters. There is also a wide ranging general power enabling Scottish Ministers to take 'such other measures as they consider appropriate' to eradicate Gs or prevent or limit its spread in Scotland, together with a

power to pay compensation in relation to the control and eradication of Gs.

We believe that extra powers on these lines are needed in England and Wales, and if it is not possible to introduce these through the regulations implementing the Directive, the forthcoming Marine Bill should be used to introduce the necessary powers.

**Q45.** In principle it would seem sensible to combine all fish health rules in a single set of regulations. However, the comments in relation to the previous question are very relevant here.

Yours Faithfully

*Ivor Llewelyn*

Deputy Director (England and Wales), Atlantic Salmon Trust

*Janina Gray*

Research and Policy Manager, Salmon and Trout Association.