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Surrey  
KT15 3NB  
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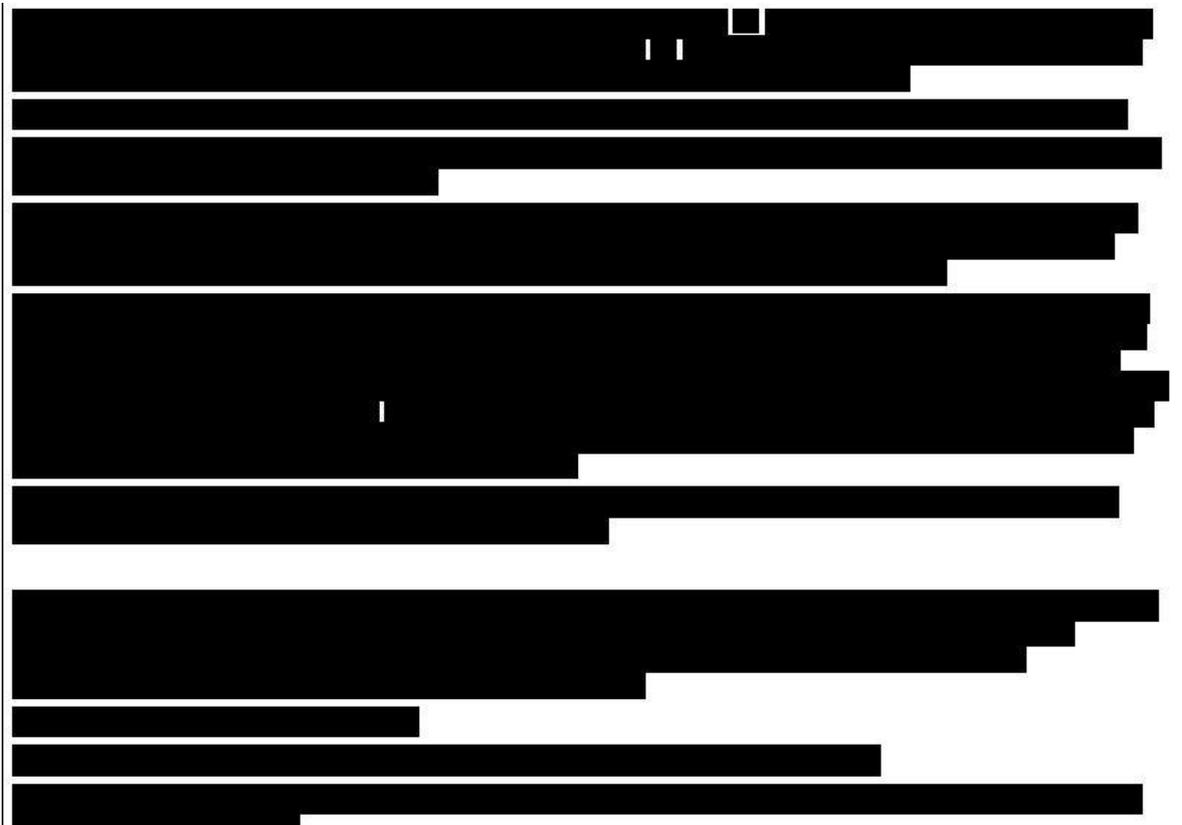
23 April 2020

Dear Sir/Madam,

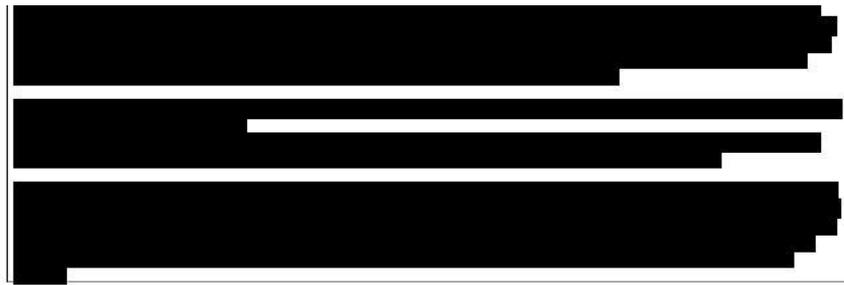
**Review Request re. ATIC1896 - Information relating to inspections of salmon farms since 1 January 2018**

Please consider this a formal request for a review of ATIC1896 which [APHA replied to on 10 March 2020](#) and which [Scottish Salmon Watch filed as a FOI on 12 November 2019](#).

In summary, Scottish Salmon Watch strongly object to the Draconian redaction which renders the FOI disclosure impossible to decipher as well as the omission of documents due to commercial confidentiality.



For example, whole swathes of the 59 PDFs disclosed on 10 March 2020 are blacked out.



**9. Findings**

(include disease situation and duration, mortalities and other significant records, feeding patterns, advice sought, diagnosis, treatment, vaccinations, culling, expectations etc).



Moreover, the redaction of the documents is not even consistent with a previous FOI disclosure by APHA in November 2018 via ATIC1490.

For example, the redaction of documents relating to The Scottish Salmon Company's salmon farm at Vacasay in Loch Roag via ATIC1490 was more Spartan than Draconian.

Nature of Complaint or other information

From: [REDACTED]  
Sent: 30 August 2018 10:20  
To: Contactus@scotland.pnn.police.uk; SCDWildlifeCrime@scotland.pnn.police.uk  
Cc: APHA Corporate Correspondence <APHA.CorporateCorrespondence@apha.gsi.gov.uk>; Enquiries APHA <enquiries@apha.gsi.gov.uk>; ms.fishhealth@gov.scot  
Subject: Complaint against The Scottish Salmon Company for breach of the Animal Health and Welfare (Scotland) Act 2006

Dear Sir/Madam,

Breach of the Animal Health & Welfare (Scotland) Act 2006

I would like to formally file a complaint against The Scottish Salmon Company for a breach of the Animal Health and Welfare (Scotland) Act 2006 - in particular in relation to Unnecessary Suffering (Section 19), Cruel Operations (Section 21) and Ensuring Welfare of Animals (Section 24).

In view of the shocking video footage shot earlier this week (27 August 2018), the lack of any attempts at remedial action having been taken by the farmer and the high proportion of affected stock I believe that there is considerable unnecessary suffering and cruelty on this farm as a direct result of a lack of care from the farmer. This case should be filed via the Procurator Fiscal.

Here are various photo stills from the video footage at The Scottish Salmon Company's salmon farm at [REDACTED] in Loch [REDACTED]

(See attached PDF)

I can testify that perhaps as many as 80% of the salmon on the farm were suffering from severe sea lice damage. Perhaps as many as 50% with the mortal levels of damage shown in the images. If this were terrestrial livestock in this state, with obviously no hope of remedial treatment I am in no doubt that a Vet would recommend they be euthanised immediately. Not to do so would prolong unnecessary suffering. The stock in question has been verifiably in this state for at least eight days, but probably much longer. This surely constitutes a serious case of welfare abuse and must be investigated as a matter of urgency.

I first observed the farm on the 22 Aug 2018 while filming the drone footage shown in the first two pictures. I was alarmed at the obvious high state of distress of the fish on the farm and could observe mortalities on the surface. It was clear that some form of mechanical treatment was taking place in a single pen, but none of the other pens were treated or attended to that day. I have since monitored the activity of the farmer and I am sure that as of 30 Aug 2018 no other treatment or animal husbandry has taken place in any of the pens.





APHA's claim that the release of information "will disrupt" investigations and "prejudice the ability of Local Authorities and/or Fish Health Inspectorates to perform their functions" is laughable, especially [in view of the full and transparent disclosures by the Fish Health Inspectorate via 'Case Information', 'Mortality' data and 'Sea Lice' data published online every month and reported publicly.](#)

- 'Section 43 - Commercial Interests'

Scottish Salmon Watch takes issue with APHA's assessment:

### **Section 43 – Commercial Interests**

Within the forms provided, APHA has withheld commercially sensitive information which has been provided to them by a third party. Following considerations into this request, APHA have considered the level of harm and the impact possible disclosure would have and have withheld this information under Section 43(2) – Prejudice to Commercial Interest.

The Incident Record forms hold the allegations made from anonymous sources. It may be harmful should the allegations be released as the report does not show any verifications. This information if released could be used against the farms to increase negative publicity.

Some information contained within the withheld information holds business sensitive information which may contain production detail and hatchery capacity which competitors could use to their advantage.

#### Public Interest Test

The exemption in Section 43 is subject to a Public Interest Test to ensure it is being appropriately applied.

The disclosure of the information you have requested has the potential to prejudice the commercial interests of the 3rd party and breach confidentiality between APHA and the farm. We believe that a breach of this confidentiality could potentially lead to an adverse working relationship and would interfere with APHA carrying out its statutory duties. The data recorded during our inspections is part of our business in order to determine the weight of any allegations and to undertake regular inspections in order to identify any non-compliances. We also believe in releasing information on a particular farm could interfere with the business and running of a farm in competition with its competitors. APHA record this information in the course of welfare inspections.

Therefore, we have concluded that, in all the circumstances of the case, the information should be withheld.

Scottish Salmon Watch concedes that "business sensitive information" such as production details and hatchery capacity is not required and was not requested.

However, disclosure of information relating to inspections of salmon farms (the subject of Scottish Salmon Watch's FOI request filed on 12 November 2019) must surely be available to the public. APHA's view that disclosure of information "has the potential to prejudice commercial interests of the 3rd party" smacks of corporate bias.

Moreover, APHA's suggestion that disclosure "could potentially lead to an adverse working relationship and would interfere with APHA carrying out its statutory duties" reeks of an

industry love-affair. It is difficult not to conclude that APHA is interested more in being compliant with industry who it clearly views as a client rather than acting on behalf of animals investigating non-compliances of welfare laws.

Surely APHA's statutory duty of care is to upholding animal welfare laws via policing the Animal Health & Welfare (Scotland) Act 2006 rather than appeasing companies guilty of obvious welfare abuse?

APHA only has to look at the [shocking images obtained via FOI from the Scottish Government \(as well as via secret filming and whistleblowers\)](#) to see the scale of welfare abuse on salmon farms in Scotland.



APHA's argument that information such as Incident Record forms should not be disclosed "as the report does not show any verifications" is once again biased in favour of companies who are often [strangers to the truth](#). If APHA was genuinely interested in questioning the [positive spin and half-truths](#) peddled by salmon farming companies it would conduct more thorough investigations including [video surveillance](#).

An excellent review of [APHA's failings](#) to properly police salmon farms - '[An Autopsy Of An All Clear](#)' - was published in September 2019 by Corin Smith.

## KEY FINDINGS

1. The conclusion reached by the Animal Plant and Health Agency (APHA) that The Scottish Salmon Company (TSSC) had taken "*appropriate measures*" to manage the welfare of farm stock on Vacasay appears to have been largely based on a single source of incomplete and uncorroborated information. The available data suggests the findings and conclusions reached by the APHA were premature and flawed, and therefore should be urgently reviewed ([Click Here](#))
2. Claims by the Scottish Salmon Producers Organisation (SSPO) that the footage and issues exposed at Vacasay represented "*one or two photographs [.....] of one or two fish*" have been shown to be entirely false ([Click Here](#))
3. Information regarding concurrent mortalities at Vacasay salmon farm was apparently not available to the FHI and the APHA inspectors during their inspections and therefore was not considered as part of their findings and conclusions ([Click Here](#))
4. Data submitted by The Scottish Salmon Company shows that at least thirty nine percent (39.8%) of stock on Vacasay open cage salmon farm during died during the rearing process ([Click Here](#))
5. In reaching their findings both the FHI and the APHA relied entirely on information given to them voluntarily and at the discretion of The Scottish Salmon Company. There was no apparent effort by either agency to subsequently validate this data or source independent data to validate their findings ([Click Here](#))



Please note that anonymous tip off in relation to Mowi's aptly named Muck salmon farm was from Corin Smith who this week consented for the video footage, photos and email so heavily redacted by APHA to be publicly disclosed. Here's a copy of the heavily redacted email disclosed via ATIC1896 (01 Appendix MCFF01).

From: [REDACTED]  
Sent: 30 August 2019 13:18  
Subject: Muck MCFF Disclosure with regards Fish Health and Welfare

To whom it may concern,

I am making this disclosure on behalf of a third party who wishes to remain anonymous, concerning ongoing issues of fish welfare and health on Muck salmon farm, as well as [REDACTED]. I make no comment personally as to the veracity of the claims.

The factual information along with images and video I am sharing have been given to me by a third party [REDACTED]. Freedom of Information requests may be made in the future to confirm this has not taken place.

In summary the following has been alleged [REDACTED]

[REDACTED]

- Evidence to support the claim has been presented [REDACTED] there are images [REDACTED]

- [REDACTED]

- In terms of fish welfare an individual sent me a message which said [REDACTED]

[REDACTED]

[REDACTED]

- [REDACTED]

I trust you will take the appropriate actions.

yours sincerely,

[REDACTED]

And here's the unredacted email shared with Scottish Salmon Watch by Corin Smith:

From: [corin@wildrisecompany.com](mailto:corin@wildrisecompany.com) <[corin@wildrisecompany.com](mailto:corin@wildrisecompany.com)>

Date: Fri, 30 Aug 2019 at 13:17

Subject: Muck MCFF Disclosure with regards Fish Health and Welfare

To:

To whom it may concern,

I am making this disclosure on behalf of a third party who wishes to remain anonymous, concerning ongoing issues of fish welfare and health on Muck salmon farm, as well as potential biomass breaches at the fish farm. I make no comment personally as to the veracity of the claims.

The factual information along with images and video I am sharing have been given to me by a third party connected to the farm and they have asked that I ensure these should not be passed directly to the operator, or quoted directly, as this is likely to comprise the individual's employment. Freedom of Information requests may be made in the future to confirm this has not taken place.

The disclosure could be considered "whistleblowing" as it is my understanding that the disclosures represent a risk of or actual damage to the environment, albeit these are being made indirectly.

In summary the following has been alledged in respect of mortalities:

- There are a very high number of mortalities occurring on Muck MCFF. These may not have been properly or fully declared to Marine Scotland. These have occurred as a result of gill disease and physical damage during sea lice treatment.

- Evidence to support the claim has been presented in the form of AIS data which shows the transportation of morts on vessels specific to this purpose. Further there are images attached (1-6) which show mortalities being handled at Mallaig pier. These images (not all that have been captured) show the vessel "Paul B" lying dockside with over 20 tonnes of morts apparently onboard from a single trip. (Image "2") The AIS data confirms "Paul B" made a direct journey to and from Muck MCFF.

- Further evidence includes a first hand witness account of a large oil slick being present at Muck MCFF as recently as Wednesday this week. This encompassed the entire farm. It is suggested that this oil slick is consistent with very large numbers of mortalities having been present in the cages for up to two weeks. There is video footage of this here (<http://bit.ly/2L6XBCo>). This clip has been edited in order to protect the identity of the individual.

- In terms of fish welfare an individual sent me a message which said "*the fish had a gill problem (can't remember the exact name), and a mess was made of one of the hydro-lice treatments so the fish are in a very bad way. The fish are ten times worse than you seen on tv...*"

The same individual also supplied information regarding biomass levels at the site, which may or may not be consistent with the current licence:

- [laughing crying emoticon] *"fish number the now is around 80k some cages have more tonnage up and round 300t"*

- *"Yeah mate. 1.1m fish left into 12 cages [shocked face emoticon] we can have 3500t on site at a time..we have hit the number so harvest roughly 100-120t out at a time then wait until we grow the site back up to 3500t then harvest again"*

I trust you will take the appropriate actions.

yours sincerely,

Corin

--

**Corin Smith**  
Owner / Guide  
+44 (0) 7463 576892

#### 5 Attachments



The attached photos ([deemed by APHA's FOI refusal letter via ATIC 1836 dated 10 March 2020 to be commercially damaging and could result in "negative publicity"](#)) include:



Sadly the video footage cited in the complaint to APHA - <http://bit.ly/2L6XBCo> - is set to private.

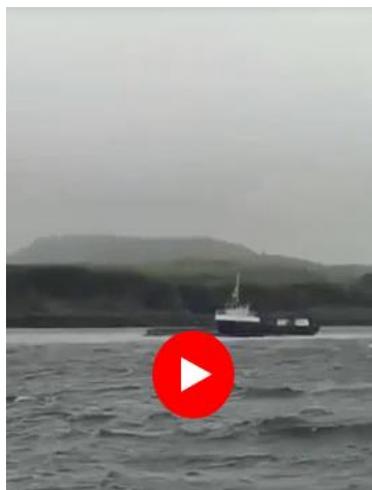
Google Drive

You need permission

Want in? Ask for access, or switch to an account with permission.  
[Learn more](#)



However, earlier this week Scottish Salmon Watch obtained a copy of the video footage of the "large oil slick" at Mowi's Muck salmon farm.



Scottish Salmon Watch have now [published the video footage online](#)



In terms of any "verifications" (to steal APHA's wording), APHA could easily look at [data published by the Scottish Environment Protection Agency online via Scotland's Aquaculture](#). This clearly shows huge breaches of biomass limits at Mowi's Muck salmon farm from May to September 2019 (corroborating the anonymous allegations made in the email redacted by APHA and [shown in the video footage](#)).

**Don Staniford**  
@TheGAAIA

As Scottish salmon farmers shamelessly seek to exploit #Coronavirus - @SSPOsays are lobbying @ScottishEPA @marinescotland to increase biomass limits - here's salmon farms breaching biomass limits in 2019 @MowiScotlandLtd Where's there's Muck there's Mowi money! @HamishMacdonell

Year	Submitted By	Biomass Exceedance Tonnes	Site Name
01-Jul-19	Mowi Scotland Ltd	942.8497487	Am Maol, Isle of Muck
01-Aug-19	Mowi Scotland Ltd	779.6071707	Am Maol, Isle of Muck
01-Jun-19	Mowi Scotland Ltd	570.0859908	Am Maol, Isle of Muck
01-Sep-19	Mowi Scotland Ltd	549.394223	Am Maol, Isle of Muck
01-Sep-19	Mowi Scotland Ltd	486.5900563	Bagh Dall nan Ceann North and South
01-Jul-19	Mowi Scotland Ltd	463.5125434	Bagh Dall nan Ceann North and South
01-Aug-19	Mowi Scotland Ltd	433.4627656	Bagh Dall nan Ceann North and South
01-May-19	Mowi Scotland Ltd	355.0536291	Am Maol, Isle of Muck
01-Sep-19	Mowi Scotland Ltd	305.3136406	MacLeans Nose
01-May-19	Mowi Scotland Ltd	301.5320431	Bagh Dall nan Ceann North and South
01-Oct-19	Cooke Aquaculture Scotland	219	Vest Ness
01-Sep-19	Cooke Aquaculture Scotland	219	Vest Ness
01-Aug-19	Cooke Aquaculture Scotland	207	Vest Ness
01-Feb-19	Mowi Scotland Ltd	197.6667414	Skipport Outer (Ornish)
01-Dec-19	Mowi Scotland Ltd	189.5474753	Grey Horse Channel
01-Jun-19	Cooke Aquaculture Scotland	171	Vest Ness
01-May-19	Cooke Aquaculture Scotland	171	Vest Ness
01-Jan-19	Mowi Scotland Ltd	170.3520848	Skipport Outer (Ornish)
01-Jul-19	Cooke Aquaculture Scotland	152	Vest Ness
01-Apr-19	Cooke Aquaculture Scotland	137	Vest Ness
01-Jun-19	Mowi Scotland Ltd	134.2341719	Bagh Dall nan Ceann North and South
01-Sep-19	Kames Fish Farming Ltd	104	Kames Bay
01-Dec-19	Cooke Aquaculture Scotland	82	Vee Taing

Fergus Ewing MSP and 9 others

5:52 PM · Mar 12, 2020 · Twitter Web App

APHA should be aware that [Mowi's operations in Canada were subject to similar criticism during the same period in late Summer/early Autumn 2019](#). Instead of that evidence being buried as in Scotland it was publicly reported by [CBC News](#) and [The Globe & Mail](#).



It is surely not APHA's job to censor documents and shield the public from the [shameful truth about salmon farming](#). The public have a right to know what is being hidden from view even if it unpalatable to those protecting 'Scottish salmon' ([99% of which is controlled/owned by six foreign companies](#)).

APHA's mandate in relation to salmon farms should be focussed on [policing and upholding the Animal Health & Welfare \(Scotland\) Act 2006](#) and certainly not [turning a blind eye to welfare abuse](#).

APHA lack of prioritisation of the welfare of farmed salmon is illustrated by APHA's first response to Scottish Salmon Watch's complaint concerning Mowi's 'Bay of the Dead Heads' salmon farm [filed in July 2019](#). APHA's 'Initial Fish Welfare Incident Form' (04 Appendix MBDNC04) categorised the complaint as "low" priority [despite shocking video footage of obvious welfare abuse](#) and suggested a visit in 1 month rather than immediately.

Welfare Category	Farm	<input checked="" type="checkbox"/>	Market	<input type="checkbox"/>	Source	Market	<input type="checkbox"/>	Slaughter	Farm	<input type="checkbox"/>	Location	Farm	<input type="checkbox"/>	Transport	<input type="checkbox"/>	
						Farm	<input type="checkbox"/>					Other	<input type="checkbox"/>			
Name of Informant	[REDACTED]															
Address of informant	[REDACTED]															
	Postcode					Telephone Number										[REDACTED]
Does the allegation indicate actual suffering in animals?	Yes										<input checked="" type="checkbox"/>	No				<input type="checkbox"/>
Name of Veterinary Officer (VO) carrying out Veterinary Risk Assessment (VRA)	[REDACTED]															
Date of VRA	19/07/2019					Time of VRA										16.15
VRA: Priority of visit:	High	<input type="checkbox"/>	1	Medium	<input type="checkbox"/>	3	Low	<input checked="" type="checkbox"/>	4	Other	N/A	Please Select...				
(Where VRA indicates High Risk complaint visits must be carried out within 24 hours)																
Required/suggested timescale for visit:	1 month. Fish welfare team to assess with Marine Scotland															

WF77 (Rev. 10/17)

OFFICIAL-SENSITIVE

If these poor lumpfish left dead and dying by Mowi in July 2019 could speak they would not agree with APHA's assessment as low priority.



That APHA later [admonished Mowi for failure to comply with welfare legislation and non-compliances of the Animal Health & Welfare Act \(Scotland\) Act 2006](#) must be applauded but Scottish Salmon Watch believes this shocking case represents the tip of the iceberg. Indeed, APHA's [letter to Mowi on 16 September 2019](#) (03 Appendix MBDNC03) would not have been triggered at all if it was not for [secret filming by Scottish Salmon Watch](#).

Appendix MBDNC03



Animal &  
Plant Health  
Agency

Animal and Plant Health Agency  
Strathearn House  
Broxden Business Park  
Lamberkine Drive  
Perth  
PH1 1RX

T 03000600704

[www.gov.uk/apha](http://www.gov.uk/apha)

Mowi Scotland Limited

Farms Office

Glen Nevis Business Park  
Fort William  
PH33 6RX

16 September 2019

Dear [REDACTED]

#### Failure to Comply with Welfare Legislation

#### Animal Health and Welfare (Scotland) Act 2006

Following my visit on 2/08/19 to inspect your livestock at Marine Fin Fish farm (Atlantic Salmon) FFMC54 BDNC- Bagh Dail nan Ceann (Bay of the Dead Heads) in the Sound of Jura, in the presence of [REDACTED] (site Manager), [REDACTED] (Mowi's Area Manager), [REDACTED] (APHA VA) and [REDACTED] (FHI Marine Scotland), I must advise you that I found the following non-compliances with current welfare legislation.

Mortality in lumpfish has been a known ongoing issue, affecting the 80% of the lumpfish stocked during this production cycle at the above fish site under your responsibility.

On the day of the visit at the site (02/08/19), data provided by your staff regarding your investigation of mortality and consequential actions was not satisfactory. [REDACTED] Seeking for a health plan for lumpfish at the site at the time of the visit and further clarification regarding the health management for the investigated period, a second meeting as part of the investigation took place at APHA Perth office on Tuesday 13/08/19 with yourself, [REDACTED] (Lead Vet) and [REDACTED] (Health Manager).

During this meeting, evidence were provided of investigations and actions taken to try and minimise an increasing mortality trend in lumpfish from May 2019 until the treatment provided in between 01/07/19 to 03/07/19. After this day, there is little evidence of actions taken whilst the mortality in lumpfish continued to increase.

During the meeting on the 13/08/2019 you confirmed that a decision to humanely cull the remaining lumpfish had been taken the day before and had already started.

You have not been able to show that adequate actions were taken in the period between the 10/07/19 to the 12/08/19 in order to promote the welfare of the lumpfish under your responsibility. Not taking effective decision at earlier date has prolonged the period while the lumpfish still at the site have been in need to be protected from suffering and disease.

This is a failing to comply with the Animal and Welfare (Scotland) Act 2006, Part 2-24 (1) and 3(e) that states that:

*"a person commits an offence if the person do not take such steps as are reasonable in the circumstances to ensure that the needs of an animal for which the person is responsible are met to the extent required by good practice";*

An animal's needs include *"its need to be protected from suffering, injury and disease."*

APHA is an Executive Agency of the Department for Environment, Food and Rural Affairs and also works on behalf of the Scottish Government, Welsh Government and Food Standards Agency to safeguard animal and plant health for the benefit of people, the environment and the economy.

Why does APHA not conduct more inspections of salmon farms? In fact, how many salmon farms has APHA inspected every year since 2013 (please consider this a formal FOI request)?

Scottish Salmon Watch believes that APHA interpretation of the 'public interest test' in relation to 'Section 43 - Commercial Interests' is unreasonable and must be urgently reviewed. The public interest in welfare abuse on salmon farms - and the [scientific support for fish feeling pain](#) - is increasing and simply cannot be ignored.

For example, over 44,000 people have [signed a SumOfUs petition calling for immediate, unannounced inspection of all Scottish salmon farms to assess fish welfare.](#)



The image shows a SumOfUs petition graphic. On the left, there is a close-up photograph of a salmon's head, appearing somewhat distressed or injured. The SumOfUs logo and tagline "Fighting for people over profits" are in the top left. Below the photo, a blue banner contains the text "Stop salmon from suffering. Investigate Scottish fish farms right now!". On the right side, there is a white box with a teal header "Sign the petition". Below this, it says "TO: Marine Scotland" and "Conduct immediate, unannounced on-the-spot inspections of all Scottish salmon farms to assess fish welfare." A progress bar shows "44,459 signatures" and "5,541 SIGNATURES UNTIL 50K". Below the bar are input fields for "Email Address", "Full name", and "Country" (set to "United Kingdom").

The video used in the petition is the [footage shot by Scottish Salmon Watch of The Scottish Salmon Company's salmon farm in Loch Shieldaig](#) - a site which APHA shamefully allowed to slip through the net.

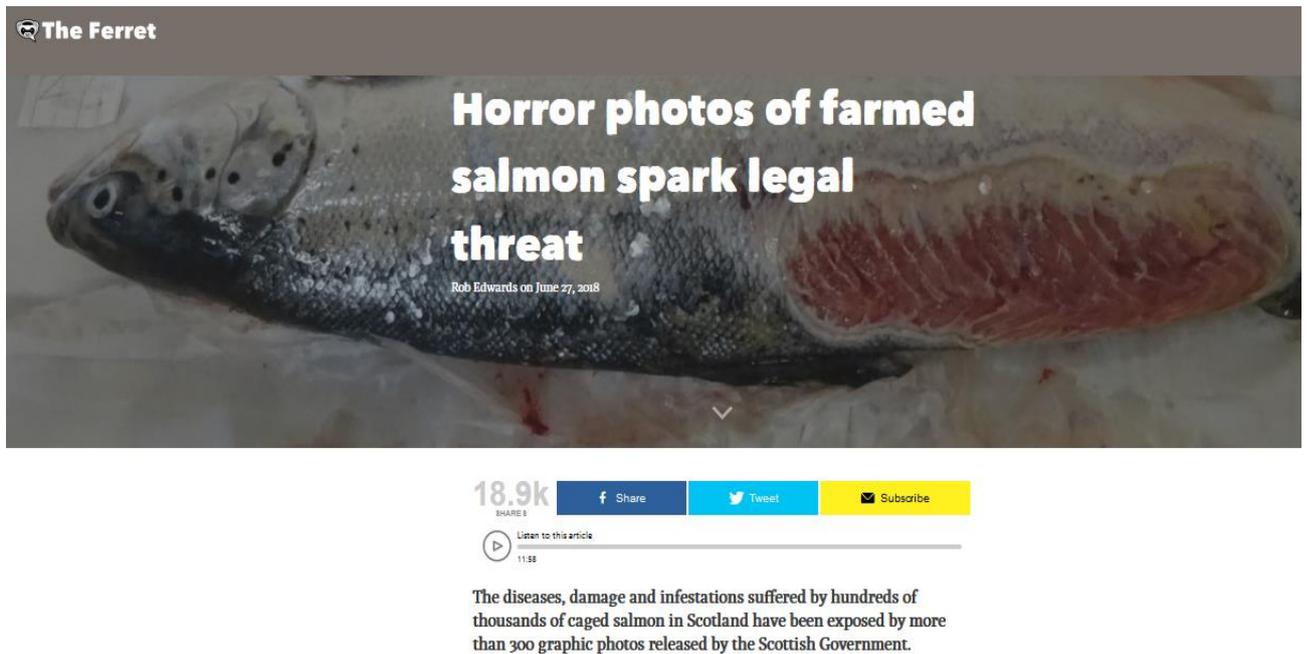
**SumOfUs** Fighting for people over profits

The truth about Scottish salmon farming is far, far uglier than its wholesome marketing suggests. Under pressure from thousands of SumOfUs members like you, regulators promised they'd prevent further suffering. But, **as shocking new video footage of sick and injured salmon in a farm near Loch Shieldaig proves, they're not acting fast enough.**



The image shows a video player interface. At the top left, there is a circular icon with a fish and the text "Sick salmon at a Scottish fish farm prompts welfare probe". At the top right, there are icons for "Watch later" and "Share". The main area of the player shows a video frame with a red play button in the center. The video frame depicts several salmon swimming in a tank or farm, with a large net visible on the left side. At the bottom right of the video frame, there is a logo for "The Ferret".

Shocking photos [obtained by Scottish Salmon Watch via FOI from the Scottish Government in June 2018](#) were [published by The Ferret leading to over 18,000 shares on social media.](#)



The screenshot shows a news article from 'The Ferret'. The main headline is 'Horror photos of farmed salmon spark legal threat' in large white text over a dark background image of a salmon. Below the headline, it says 'Rob Edwards on June 27, 2018'. At the bottom of the article preview, there are social media sharing options: '18.9k' shares, 'Share' (Facebook), 'Tweet' (Twitter), and 'Subscribe' (Email). Below these is a 'Listen to this article' button with a play icon and a progress bar showing 11:58. A short text snippet below the audio player reads: 'The diseases, damage and infestations suffered by hundreds of thousands of caged salmon in Scotland have been exposed by more than 300 graphic photos released by the Scottish Government.'

Yet APHA [admitted on 10 March 2020 via the FOI review of ATIC1836](#) that photographs (and presumably video footage) is not even taken during inspections of salmon farms.

The APHA are responsible for investigating allegations relating to the welfare of farmed fish. We do not have the same role as Scottish Government and would not necessarily retain the same information or need to retain it to undertake our role. We do not necessarily take photos during visits. The Scottish Government have explained (as extracted above), that they do not always take photographs and have explained that they do not have a statutory requirement to do so. Photographic evidence gathering is not generally undertaken by APHA for our purposes.

We have looked again at the wording of your request. You have asked to include photos and information relating to those photos taken as part of our inspections. APHA can confirm that no photographs were taken during inspections from 1 January 2018 to the date of your request. Therefore we hold no information relating to photos taken. We can confirm this part of your request is no information is held.

Why does APHA not take photographs to support in investigations? Campaigners such as Corin Smith and Scottish Salmon Watch have [clearly shown damning evidence of welfare abuse on salmon farms across Scotland](#). Or is APHA protecting its corporate clients such as [Norwegian owned Mowi](#), [Norwegian owned Scottish Sea Farms](#), [Norwegian owned Grieg Seafood](#), [Faroese/Norwegian owned The Scottish Salmon Company](#), [Canadian owned Cooke Aquaculture](#) and [US/Canadian owned Loch Duart](#) from commercially damaging media exposure?

APHA's statement that "the information if released could be used against the farms to increase negative publicity" simply does not wash. APHA's statutory job is to protect the welfare of animals (including fish) not protect the salmon farming industry from public scrutiny.

In any case, salmon farming companies are doing an excellent job of increasing negative publicity all by themselves. For example, Mowi actively solicited negative media coverage when it publicised APHA's non-compliances at 'Bay of the Dead Heads' in their [press release of 30 October 2019](#) (a press release which prompted Scottish Salmon Watch's FOI request to APHA).



A recent inspection of Mowi's Bagh Dail nan Ceann farm by the Animal and Plant Health Agency (APHA) raised concern that lumpfish\* health and welfare was not adequately managed during a month that saw the highest average sea temperatures.

On September 16<sup>th</sup>, 2019, APHA communicated to Mowi by letter that "You have not been able to show that adequate actions were taken in the period between 10/7/19 to the 12/08/19 in order to promote the welfare of the lumpfish under your responsibility. Not taking effective decision at earlier date has prolonged the period while the lumpfish still at the site have been in need to be protected from suffering and disease."

Mowi staff have since met with APHA inspectors to discuss the agency's concerns and to ensure fish welfare remains top priority for the company and its employees.

An email sent by Mowi to APHA and DEFRA on 31 October 2019 (disclosed by APHA on 10 March 2020 via ATIC1896 - 02 Appendix MBDNC02) detailed the press release and media coverage in the trade press.

**From:** [REDACTED]@mowi.com]  
**Sent:** 31 October 2019 09:52  
**To:** [REDACTED]@defra.gov.uk>; [REDACTED]@apha.gov.uk>  
**Cc:** [REDACTED]@apha.gov.uk>; [REDACTED]@mowi.com>  
**Subject:** RE: APHA letter

Hi [REDACTED], just a quick follow up to say that we published our news release yesterday – posted at <https://mowiscotland.co.uk/2019/10/30/warm-temperatures-challenge-fish-health/>.

It has since been covered by several online trade sources:

- <https://salmonbusiness.com/authorities-raised-concerns-over-mowi-scotland-lumpfish-health-and-welfare-during-month-of-warm-sea-temperatures/>
- <https://www.fishfarmingexpert.com/article/above-average-temperature-blamed-as-mowi-fish-survival-rate-falls/>
- <https://thefishsite.com/articles/mowi-scotland-finds-itself-in-hot-water>
- <https://www.undercurrentnews.com/2019/10/31/mowis-salmon-suffer-high-water-temperatures-in-scotland/>

Cheers,

[REDACTED], Mowi

This email reads as if Mowi is replying to a suggestion by APHA that a news release should be issued and the public notified. Did ATIC1896 fail to disclose other information which would shed more light on this matter?

A few weeks later [The Sunday National and The Ferret published a more in-depth account of Mowi's welfare abuse.](#)



How much more of the shocking story is missing from APHA's FOI reply via ATIC1896?

In conclusion, please review this case and overturn APHA's Draconian redaction. Please also provide ALL the documents requested instead of cravenly kowtowing to commercial sensitivity.

APHA's non-disclosure is out of kilter with other government agencies such as the Scottish Government which [despite legal threats and lobbying from salmon farming companies has repeatedly disclosed damning photographs of diseased salmon.](#)

A [landmark ruling by the Scottish Information Commissioner in November 2019](#) adds weight to Scottish Salmon Watch's view that commercial confidentiality is trumped by the public's right to know.

"In all the circumstances, the Commissioner cannot accept that disclosure of the withheld information in this case would have the effect suggested by the Ministers i.e. that disclosure would, or would be likely to, prejudice substantially the confidentiality of commercial or industrial information where such confidentiality is provided for by law to protect a legitimate economic interest," [stated the Scottish Information Commissioner Decision Notice 160/2019](#) (another version with Scottish Salmon Watch named as the Applicant is [available online here](#)).

Decision Notice 160/2019

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Import of Salmon ova

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Applicant: Scottish Salmon Watch (the Applicant)  
Public authority: The Scottish Ministers  
Case Ref: 201900504



Similarly, Scottish Salmon Watch is ready to challenge APHA's unreasonable support for 'commercial confidentiality' via an appeal to the Information Commissioner. We can only hope that APHA sees sense and reverses the refusal to disclose information via a review of ATIC1896. You should be aware that Scottish Salmon Watch also filed an appeal with the Information Commissioner today re. ATIC1836.

Please accept Scottish Salmon Watch's apologies for the slight delay in requesting a review beyond the 40 working days limit. However, since APHA's FOI reply was over three months late and in view of the disruption caused by Coronavirus [APHA has gracefully agreed to a few days delay in filing this review request](#). For that, Scottish Salmon Watch thanks APHA.

As context, APHA's FOI response to ATIC1490 in November 2018 and FOI review reply in December 2018 may be useful background information in addition to APHA's FOI disclosure via ATIC1426 in September 2018.

Please acknowledge receipt of this formal request for the FOI review of ATIC1896.

If APHA has any questions concerning this FOI review request please do not hesitate to contact me on 07771 541826.

Finally, please note that further details relating to this issue are published today via: [Censored: Welfare Abuse on Salmon Farms](#).

Yours sincerely,

Don Staniford

Director, [Scottish Salmon Watch](#)

