

[REDACTED]

From: [REDACTED]
Sent: 13 October 2017 13:57
To: [REDACTED]
Cc: [REDACTED]

Subject: RE: US Marine Mammal Protection Act (MMPA) [REDACTED]

[REDACTED]

That would be great. Much appreciated.

Have a good one.

Regards

[REDACTED]

Head of Aquaculture Policy Unit
Marine Scotland
Scottish Government | Area 1-B North | Victoria Quay | EH6 6QQ

[REDACTED]

F: +44 (0)131 244 6512

From: [REDACTED]
Sent: 13 October 2017 12:54
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: US Marine Mammal Protection Act (MMPA)

Good morning [REDACTED]

I heard the meeting in Victoria went very well

My plan is to schedule a meeting in the next week or two via conference call with all 4 Quad countries for further discussions

Have a great weekend

[REDACTED]

From: [REDACTED]
Sent: Wednesday, October 4, 2017 3:27 AM
To: [REDACTED]
Cc: [REDACTED]

[REDACTED]
Subject: US Marine Mammal Protection Act (MMPA)

Morning [REDACTED]

I wanted to follow up our helpful discussion towards the end of last week and in advance of the forthcoming Quadrilateral in Canada.

As promised, please find detailed below the critical questions that we have identified and have asked our UK colleagues to explore with the US regarding the Regulation. There will be more questions as our various impacted sectors become more acquainted with the Regulation.

1. Noting information on the NOAA website on how aquaculture net-pen operators in the USA prevent seals and sea lions from being injured or killed in commercial fishing and aquaculture:
2. The UK acknowledge detail provided by the NMFS on how countries will need to go about acquiring a comparability finding and therefore certification to be able to export listed fish products, but **how does the US Government consider the Regulation will work in practice – for example from a National (State), Incorporated Company and individual farm or fishing vessel perspective - including details on the accreditation process?**
3. It is stated that farmed fish will also be included in the MMPA where 'there is a record of entanglement or intentional killing in such aquaculture operations'. **As farmers have a duty of care, is there any difference in enforcement of the MMPA for farmed fish as opposed to wild caught fish?**
4. **Can clarity be provided on whether any exports will be accepted from fisheries subject to a statutory and transparent regulatory licencing regime that permits the controlled shooting of seals as a method of reducing the number of marine mammal fatalities as opposed to unregulated shooting (For example, to prevent damage to equipment or fish where non-lethal methods have proven ineffective or impractical)?**
5. NMFS states that only if human life is in danger will the intentional killing of marine mammals be acceptable; **Are there any situations where circumstances may still remain in which the only appropriate action could be the killing of a marine mammal? I.e. in a scenario where a seal manages to enter a fish farm cage or becomes entangled in anti-predator nets could the intentional killing of that animal be permitted either for animal welfare reasons or to protect the safety of humans engaged in extricating the animal?**
6. If licenced shooting of seals for reasons such as those mentioned in question three is acceptable, **could clarity be provided on the minimum requirements a fishery/aquaculture must meet to comply with the Act and what evidence of compliance would be required?**
7. **Will exports be accepted from fisheries/aquaculture that are licensed to control seals through shooting but do not? What evidence will be required to prove no seals have been killed?**
8. **Can clarity be provided on the process for accepting exports from specific fisheries/aquaculture that comply with the Act within a country that has non-compliant fisheries/aquaculture (i.e. fishery specific accreditation compared to country-wide accreditation)?**
9. In terms of aquaculture, **what kind of methods are employed in the US to prevent seals or sea lions from accessing aquaculture cages and avoid the use of lethal measures?** Further detail and clarity on standards in the US for marine mammal protection would be welcomed, especially in areas where US aquaculture is different to that of aquaculture in the UK and other countries.

10. It is advised that where a nation is not the catcher, and only the processor of a fish product that is then exported to the USA 'NMFS strongly encourages nations or other entities to identify those products and the source fisheries and nations for those products'. As the UK is a net importer of fish, could more detail be provided on how value added products with fish/ingredients originating from different countries will be treated, must all fishery ingredients have individual certification?

I am sure you will pick this up further next week. I suspect the issues are very common. It would be good to keep in contact as more information becomes available. I will certainly keep you advised of any response.

Regards

[Redacted]

[Redacted]

Head of Aquaculture Policy Unit
Marine Scotland
Scottish Government | Area 1-B North | Victoria Quay | EH6 6QQ

[Redacted]

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[REDACTED]

From: [REDACTED]
Sent: 25 October 2017 08:18
To: [REDACTED]
Cc: [REDACTED]
Subject: FW: MMPA
Attachments: OCT 2017 5798899 signed letter to [REDACTED].pdf

Afternoon [REDACTED]

To see, I have requested the referenced enclosure but the letter picks upon some of our points. I understand that the Commission have decided to make more 'general comments'. This means that although they summarise some of the issues we raised, they do not ask the specific questions that we submitted. This is a little disappointing given the work we put into this, but at the same time the letter is quite strongly written and will hopefully still elicit a useful response from the US administration. It sounds as though the commission will look to make more specific points at a later date.

I have also asked if I can share this with our Norwegian, Canadian and Chilean colleagues.

Regards

[REDACTED]

[REDACTED]
Head of Aquaculture Policy Unit
Marine Scotland
Scottish Government | Area 1-B North | Victoria Quay | EH6 6QQ

[REDACTED]

F: +44 (0)131 244 6512

From: [REDACTED]
Sent: 24 October 2017 09:47
To: [REDACTED]
Subject: FW: MMPA

[REDACTED]

As promised, EU letter.

[REDACTED]

Department for Environment, Food and Rural Affairs (Defra)

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[Redacted]

From: [Redacted]
Sent: 20 November 2017 11:15
To: [Redacted]
Cc: [Redacted]
Subject: RE: US Marine Mammals - Telephone conference with Canadians - 21 November at 15:00
Attachments: Paper on Seals in Scotland.docx; HMRC - UK Q3 Release - Salmon (3).docx

[Redacted]

Thank you for the earlier discussion.

Please see the attached background paper on our licensing regime together with details of the most recent export figures.

Regards

[Redacted]

[Redacted]

Head of Aquaculture Policy Unit
Marine Scotland
Scottish Government : Area 1-B North | Victoria Quay | EH6 6QQ

[Redacted]

M: +44 (0)131 244 6512

From: [Redacted]
Sent: 17 November 2017 11:55
To: [Redacted]
Cc: [Redacted]
Subject: RE: US Marine Mammals - Telephone conference with Canadians - 21 November at 15:00

[Redacted]

[Redacted] will probably be best placed to detail the issues over salmon.

Other than that, there have been no developments since our comments.

In terms of Canada, I know that when [Redacted] in the Defra trade team visited Canada on a trade mission a few months ago, there was some brief discussion on the matter, but in no real detail. It was in the context of being an area of contention between the US and Canada.

Thanks,

[Redacted]

From: [REDACTED]
Sent: 17 November 2017 10:41
To: [REDACTED]
Subject: RE: US Marine Mammals - Telephone conference with Canadians - 21 November at 15:00

Morning [REDACTED]

I am in a meeting in Dundee all day today. I'll email over the weekend and call you on Monday if that is convenient?

Regards

[REDACTED]
Head of Aquaculture Policy Unit
Marine Scotland
Scottish Government | Area 1-B North | Victoria Quay | EH6 6QQ

T: +44 (0)131 244 6066
F: +44 (0)131 244 6512

From: [REDACTED]
Sent: 16 November 2017 15:57
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: US Marine Mammals - Telephone conference with Canadians - 21 November at 15:00

Copying in [REDACTED] from our Aquaculture team, who spoke to Canadian counterparts earlier this week...

[REDACTED] | *Food & Drink Industry Growth Team* | Scottish Government | [REDACTED]

From: [REDACTED]
Sent: 16 November 2017 14:53
To: [REDACTED]
Cc: [REDACTED]
Subject: FW: US Marine Mammals - Telephone conference with Canadians - 21 November at 15:00

[REDACTED] to see that the Clon have asked me to sit in on a meeting with Canada. Is there any further news since we sent the written comments? Also is there any specific Canadian angle? I presume it is all to do with co-ordinating with them + a bit about NAFTA related trade?

Thanks

[Redacted]
Agriculture and Fisheries Attaché
UKRep
[Redacted]

From: [Redacted]
Sent: 16 November 2017 10:09
To: [Redacted]
Cc: [Redacted]
Subject: US Marine Mammals - Telephone conference with Canadians - 21 November at 15:00

Dear [Redacted]

We have been contacted by Canadians [Redacted] and planned a telephone conference, in my office (Joseph II – 99, 02/21), next Tuesday 21st November at 15:00 pm.

Canada would like to discuss with us concerns of the US MMPA List of Foreign Fisheries for the aquaculture, particularly for salmon. He mentioned the case of the UK.

[Redacted] you gave us some concerns in this field. Perhaps you may wish to attend these talks with Canadians. For transparency policy, I would extend this invite to [Redacted] and [Redacted] that are welcome as well.

Regards
[Redacted]
European Commission
[Redacted]

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Dh'fhaodadh gum bi teachdaireachd sam bith bho Rìghaltas na h-Alba air a chlàradh neo air a sgrùdadh airson dearbhadh gu bheil an siostam ag obair gu h-èileachdach neo airson adhbhar laghail eile.

Dh'fhaodadh nach eil beachdan a' phost-d seo co-ionann ri beachdan Rìghaltas na h-Alba.

Department for Environment, Food and Rural Affairs (Defra)

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HMRC UK QUARTER 3 EXPORT STATS – SALMON

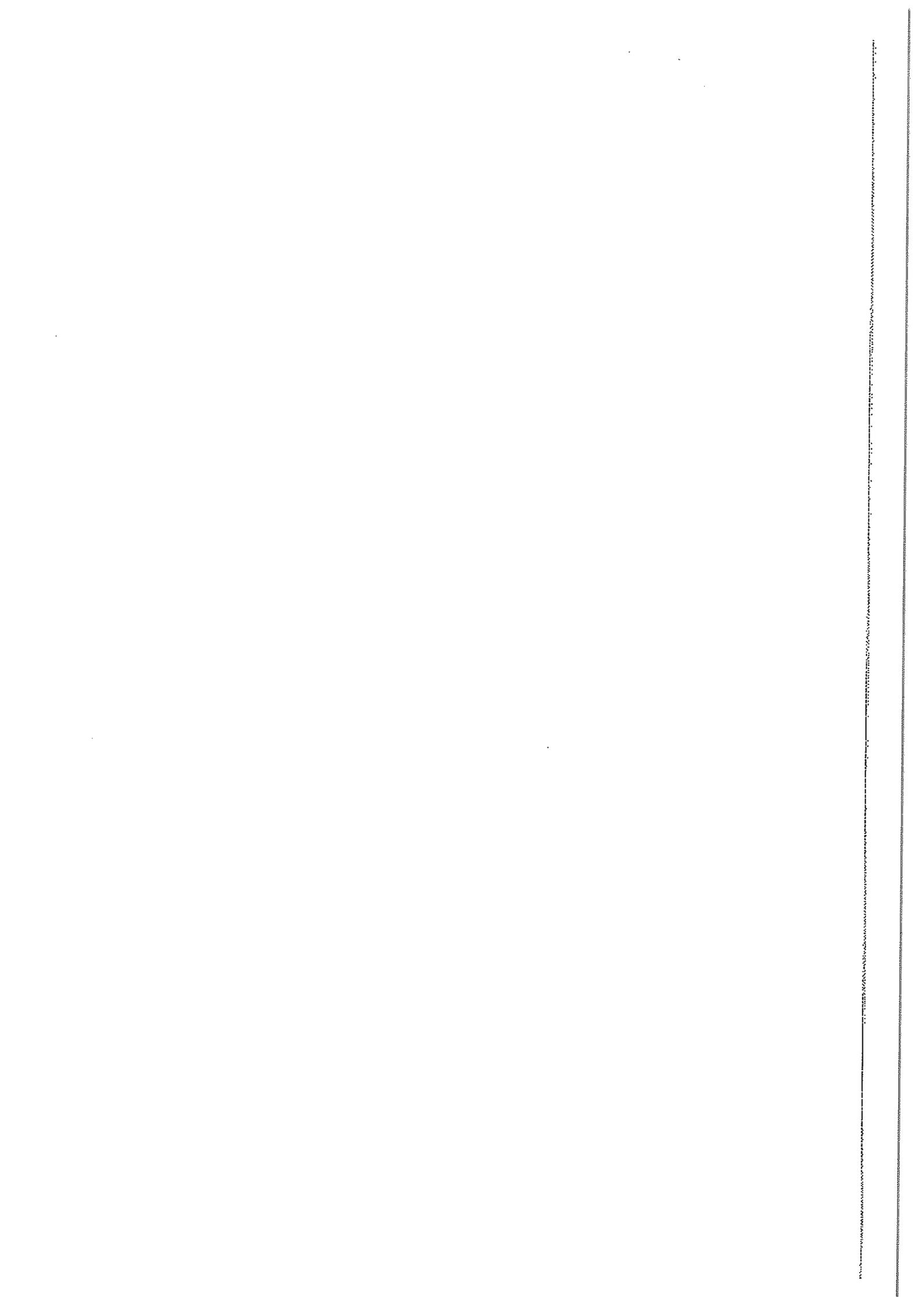
- 21,000 tonnes of fresh Atlantic salmon worth £136m was exported from the UK in Q3 2017. All Atlantic salmon produced for export in the UK is Scottish.
- This represents 29% increase in value and 25% increase in volume on the same period in 2016.
- Salmon exports increased from £310m in the first nine months of 2016 to £483m in the first nine months of 2017 – an increase of 56% in value.
- The top three export destinations remain the US, France and China. East Asian markets continue to gain significance, with Japan, Taiwan and Vietnam among the top 15 importers. Taiwan is now the fifth biggest importer of UK salmon by value.
- The EU remains the biggest single regional market for Salmon, importing salmon worth £215m in the first nine months of 2017.

	Q4 2015	Q1 2016	Q2 2016	Q3 2016	Q4 2016	Q1 2017	Q2 2017	Q3 2017
European Community	40837787	38945611	46724189	49437452	62597920	60053368	84628536	69,682,620
Asia and Oceania	17490726	16218206	19625528	15714412	21977609	27614523	31953079	24,739,422
Eastern Europe	13356	112625	54683	22253	0	24409	34514	25,109
Latin America and Caribbean	28556	38085	33635	8800	35011	169536	143450	34,628
Middle East and N Africa	2453376	2546374	3227032	2624692	2277259	3070639	3790315	3,010,176
North America	37032611	35690140	39763593	37619633	46949981	34574138	68600651	38,391,296
Sub-Saharan Africa	48207	25074	34054	8133	2405	3436	10931	11,545
Western Europe exc EC	793351	253546	371430	218199	893179	698565	802699	518,238
TOTAL	98797972	94828671	1,11E+08	1,06E+08	134733664	156214734	189964144	136,412,934

	Q4 2015	Q1 2016	Q2 2016	Q3 2016	Q4 2016	Q1 2017	Q2 2017	Q3 2017
European Community	10292309	7901611	8659361	8217306	9438272	8966247	14166722	11144634
Asia and Oceania	3686634	3035628	3027577	2310359	3102699	3769901	4658599	3610397
Eastern Europe	20010	16770	9201	3125	0	3093	4903	3098
Latin America and Caribbean	3796	8264	4086	1523	5062	23321	28831	3192
Middle East and N Africa	432111	404494	450113	351381	270971	360126	500158	422466
North America	7166013	8741575	6692683	5644853	6614453	9106659	9638955	5361407
Sub-Saharan Africa	6166	3206	2668	646	396	1090	548	1494
Western Europe exc EC	183792	58034	64458	45477	186628	106956	119675	74693
TOTAL	21729631	18169612	18830347	16578671	19625661	23354992	29318979	20641980

Salmon exports by destination, Q3 2017 (£)	
France	44,935,980
United States	37,156,497
China	14,689,900
Irish Republic	8,237,832
Taiwan	6,568,579
Poland	4,040,142
Denmark	3,201,342
Germany	3,022,421
Middle East and N Africa	3,010,176
Belgium	1,637,660
Netherlands	1,548,473
Vietnam	1,379,911
All others	6,984,021
Total	136,412,934

VOLUME (T)



[REDACTED]

From: [REDACTED]
Sent: 20 December 2017 21:02
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Discussion on US MMPA Draft List

Hi [REDACTED]

Many thanks for getting back to me. I am grateful to you and your colleagues for agreeing to discuss.

From what I can make of our respective diaries, Wednesday 10 January and Friday 12 January look to be the best opportunities at present. Hopefully that might prove favourable to all.

I look forward to hearing from you.

Regards

[REDACTED]
[REDACTED]
Head of Aquaculture Policy Unit
Marine Scotland
Scottish Government | Area 1-B North | Victoria Quay | EH6 6QQ
[REDACTED]
E: 144 (0)131 244 6512

From: [REDACTED]
Sent: 20 December 2017 16:24
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Discussion on US MMPA Draft List

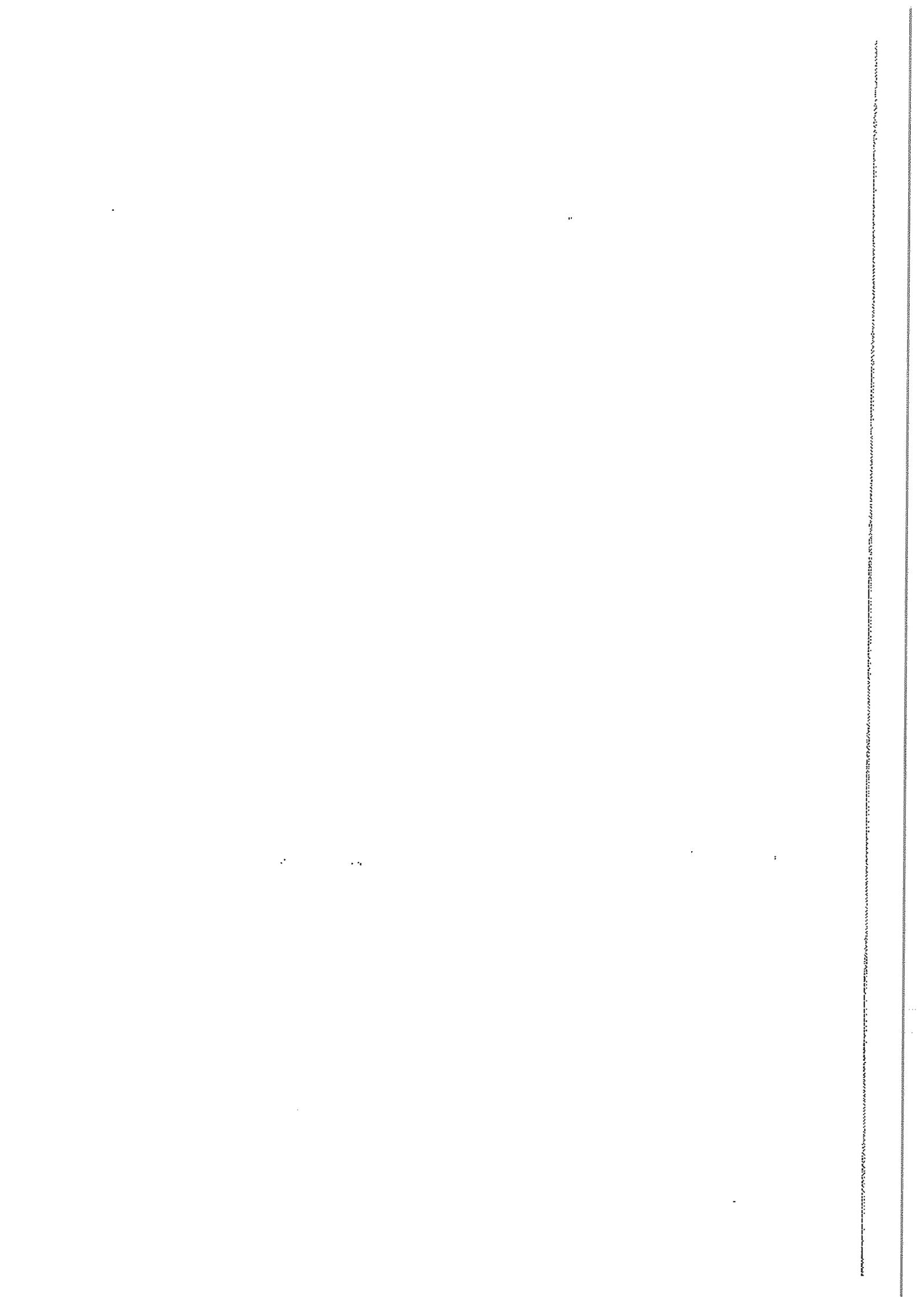
Good afternoon, [REDACTED]

My apologies for the delay in my response.

I've discussed your request with [REDACTED] the manager of our group, and "yes" we would be happy to participate in a conference call with your colleagues to discuss the implications of the MMPA import rule for our wild capture fisheries. I will be inviting our colleagues from Aquaculture and International to participate in the call as well.

I'm going to suggest the second week of January (i.e. the week of January 9th) as a possible week to set up the call. Could you advise if you have a preferred date and time during that week and I'll canvas availability with my colleagues? If that week doesn't work for you, please let me know if there are other dates that would work better for you and your colleagues.

Thanks, [REDACTED]



[REDACTED]
Fisheries National Programs
Integrated Resource Management
Fisheries and Oceans Canada
200 Kent Street, Room 13W0558
Ottawa ON K1A 0F6

[REDACTED]
<[REDACTED]> <[REDACTED]> <[REDACTED]>

From: [REDACTED]
Sent: December-08-17 6:48 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: FW: Discussion on US MMPA Draft List

Morning [REDACTED]

Would it be possible to set up a conference call with my colleagues to discuss the implication of the Regulation on the commercial capture sea fisheries, please? Again, useful to share concerns and options etc.

Please let me know when might be good for you.

Best wishes

[REDACTED]

[REDACTED]
Head of Aquaculture Policy Unit
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