SCOTTISH SALMON WATCH

CHEMICALS

Scottish Ministers: scottish.ministers@gov.scot
Scottish Environment Protection Agency: terry.ahearn@sepa.org.uk
Veterinary Medicines Directorate: postmaster@vmd.defra.gsi.gov.uk

17 March 2020

Concerns & Questions Over Imidacloprid Use in Scottish Salmon Farming

Scottish Salmon Watch is shocked to discover that the use of the toxic neonicotinoid insecticide Imidacloprid (banned for outdoor use in terrestrial farming by the European Union in 2018 due to a growing weight of scientific evidence that it is harmful to bees and other pollinators) may have already been used in Scotland via Benchmark's 'CleanTreat' system via secret trials.

Benchmark's CleanTreat system is essential for the roll-out of its anti-lice treatment BMK08. Photo: Benchmark.

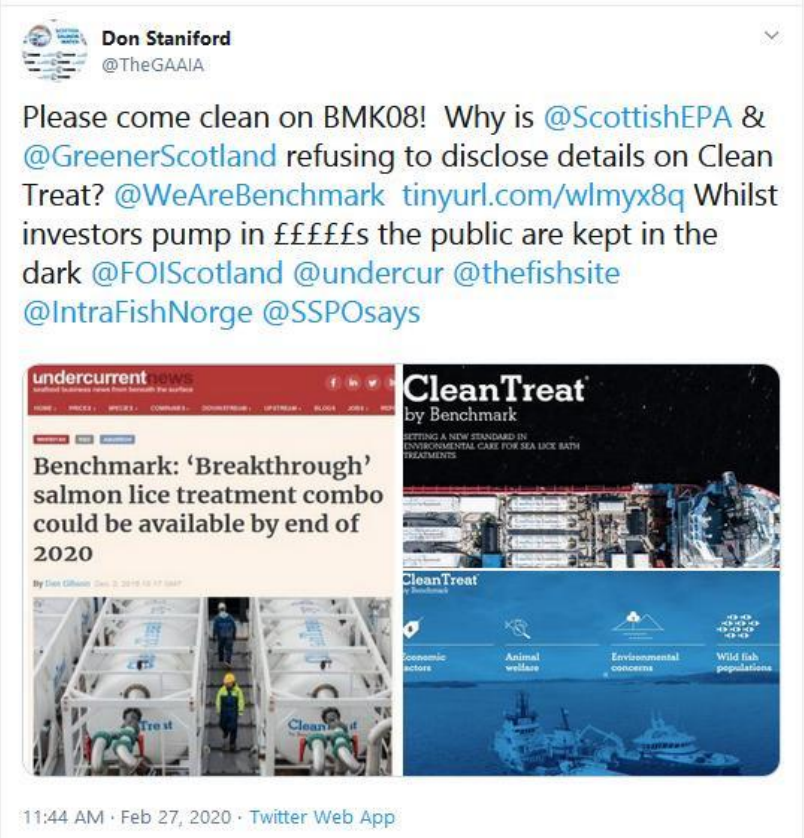
Could you please provide answers to the following questions:

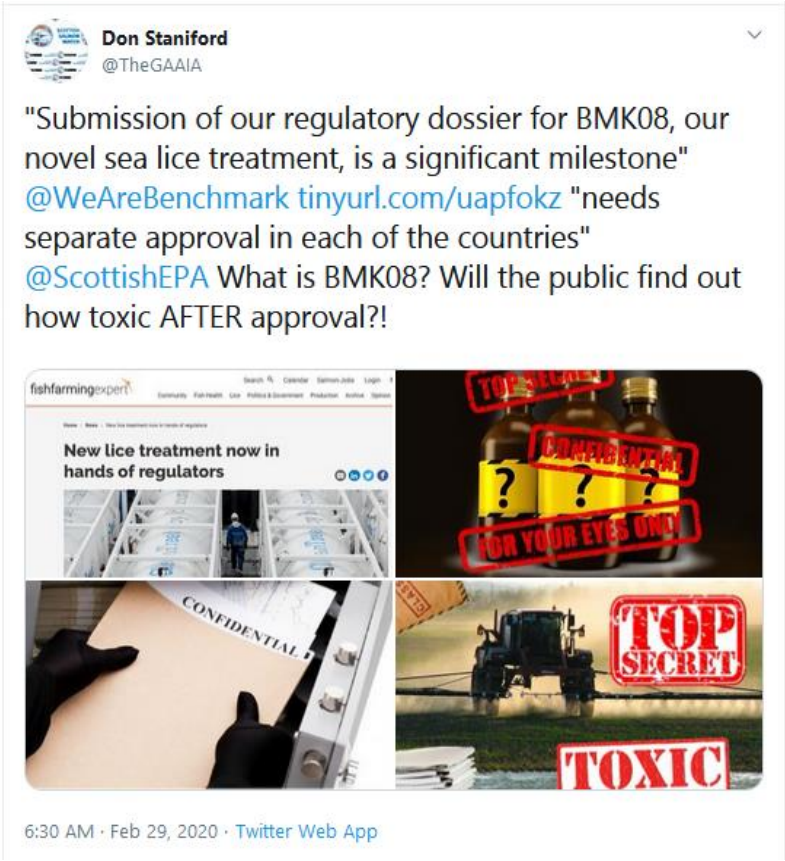
1) How much Imidacloprid (marketed as BMK08 since 2019 - and previously known as Ectosan when first launched in 2017) has already been used in Scottish salmon farming? (please indicate where and when Imidacloprid was used and by which companies).

2) Where, when and in what quantities did the discharge and/or disposal of Imidacloprid contaminated wastes take place?

Last month, Scottish Salmon Watch filed an appeal with the Scottish Information Commissioner following SEPA's refusal to disclose information on CleanTreat (including BMK08/Ectosan). Scottish Salmon Watch asked for an internal review of another FOI

refusal by SEPA in a letter dated 21 February 2020 and asked for an internal review of the Scottish Government's FOI refusal in a letter dated 21 February 2020.





In December 2019, Scottish Salmon Watch revealed:

Scottish Salmon Watch, 29 December 2019

Cleaning Tox-Sick Scottish Salmon

SCOTTISH SALMON WATCH **CHEMICALS**

- Benchmark's "game changing technology" set for launch in Scotland during 2020?
- Redacted FOI reveals Benchmark wish to push forward with trials in Scotland & Mowi "wants to get this off the ground as soon as possible" (Benchmark 're-started' trials in Scotland in May 2019 & submitted more documents in December 2019)
- Cabinet Secretary for Rural Economy lobbied to "speed things up" & offered "further support to reach a position wherby trials could be started in Scotland"
- FOI reveals toxic chemicals discharged by wellboats at salmon farms around Scotland including illegal discharge by The Scottish Salmon Company in Loch Roag
- 'CleanTreat' used alongside the top secret BMK08 (perhaps also called Ectosan), Azamethiphos & Deltamethrin but not toxic Hydrogen Peroxide
- SEPA refuse FOI but concedes it met with Benchmark five times since October 2018
- VMD refuse FOI on BMK08 citing commercial confidentiality
- CleanTreat may involve "remote discharge of effluent water" in so-called 'discharge zones' (Benchmark claims that chemical wastes are collected & then incinerated)
- SEPA yet to publish Scottish Pollutant Release Inventory data on wellboat use in 2018
- Ten-fold increase in toxic chemicals used on salmon farms from 2006 to 2016

In June 2019, Scottish Salmon Watch wrote to Scottish Ministers calling for a public register of ALL toxic chemicals used on Scottish salmon farms.

SCOTTISH SALMON WATCH **CHEMICALS**

Scottish Ministers: scottish.ministers@gov.scot
Scottish Environment Protection Agency: terry.ahearn@sepa.org.uk
Veterinary Medicines Directorate: postmaster@vmd.defra.gsi.gov.uk

26 June 2019

Public Register of ALL toxic chemical use on Scottish salmon farms
& Immediate Ban on Carcinogenic Formaldehyde (Formalin)

Scottish Salmon Watch asks for inter-governmental co-operation to establish a public register of ALL toxic chemicals used on Scottish salmon farms.

As far as we understand it, only data detailing use of the sea lice chemicals Azamethiphos, Cypermethrin, Deltamethrin, Emamectin Benzoate and Teflubenzuron is published via the Scotland's Aquaculture web-site (and even here the use of Azamethiphos and Deltamethrin via well boats is understand to be unreported although we believe this anomaly may soon be rectified).

Data on the use of Hydrogen Peroxide (which has sky-rocketed over the last decade - along with the use of sea lice chemicals), Antibiotics and other toxic chemicals such as the carcinogenic Formaldehyde (Formalin) is not routinely published except via Freedom of Information.

The outstanding question is: has Imidacloprid already been used without public consultation or notification by the salmon farming industry in Scotland?

"So far, the breakthrough sea lice treatment system, which cleanses treatment water after delousing in well boats, has only been trialled in Norway," reported Fish Farmer in August 2019. "It has successfully treated more than 30,000 tonnes of fish, according to John Marshall, head of Animal Health at Benchmark, which has developed the innovation over a 10-year period....However, there is some impatience among Scottish salmon farmers over bottlenecks in the regulatory system that have so far prevented them from trialling CleanTreat in Scotland. Marshall said his company had been approached by all the Scottish producers, interested in deploying CleanTreat at their farms, and he hoped there would be Scottish trials soon. 'The target was for the end of this year but, realistically, it will be next year,' he told Fish Farmer."

The CleanTreat vessel alongside a wellboat off the coast of Norway

"It's not a case of having to have new regulation," continued John Marshall, head of Animal Health at Benchmark. "I think there is regulation in Scotland to deal with it but, of course, regulations are interpreted and it's about the interpretation of how you use the current regulation along with CleanTreat....We obviously don't want Scotland to lose out, but we will work where there is opportunity, demand and less resistance. Scotland has to get its act together but I believe they are doing that."

Documents disclosed to Scottish Salmon Watch by the Scottish Government via FOI on 19 December 2019 (FOI-19-02443) shed some light on Benchmark's 'CleanTreat' and the Scottish Government's support for trials in Scotland.

Benchmark wrote to the Cabinet Secretary for Rural Economy (Fergus Ewing) in a letter dated June 2019 thanking him for "your continued support for our work with the CleanTreat innovation to remove medicines from treatment water before it is discharged back into the environment".

A Cabinet Briefing in September 2019 for a meeting in the Scottish Parliament between Fergus Ewing (as Cabinet Secretary for Rural Economy) and Benchmark stressed that Benchmark was invited "to ensure that such sustainable technologies, like CleanTreat, are not only developed in Scotland, but that Scotland is also an attractive place to trial such technologies".

In terms of 'next steps' the Cabinet Briefing in September 2019 stated that: "Marine Scotland is facilitating a number of meetings with BAHL [Benchmark], regulators and advisers to ensure BAHL is clear on the next steps and regulators and advisers will continue to work with BAHL, to enable them to submit the required evidence and provide the required assurances to determine an application for a trial".

"Benchmark were content with the meeting on 20th September and the information requirements made clear," continued the Cabinet Briefing in September 2019. "Benchmark agreed to provide the required information by December which will allow a full application to be submitted to Marine Scotland."

In late September 2019, Benchmark invited the Scottish Government, SEPA and the Veterinary Medicines Directorate to an 'urgent' visit of the CleanTreat wellboat (understood to be docked in Leith). "This is the last opportunity ahead of any trials in the UK, as we have now completed our planned trials in Norway," wrote Benchmark in an email dated 24 September 2019.

FOI-19-02443 disclosed 11 PDF files including:

#1: Letter from the SSPO to SEPA copied to Scottish Ministers

SEPA was lobbied by the Scottish Salmon Producers Organisation (SSPO) to conduct field trials of CleanTreat in Scotland after being "trialled successfully in Norway":

"You undertook to look again at the potential for trials of novel lice treatment methods and the barriers in the way of Scottish trials for the CleanTreat innovation which the developers believe has no environmental impact at sea," wrote the Chief Executive of the Scottish Salmon Producers Organisation to the Terry A'Hearn, Chief Executive of SEPA in May 2019. "The novel approach has been trialled in Norway successfully and now requires field trials in Scotland....We understand that there have been discussions with the company involved though no progress has been made to take forward trials in Scotland."

Scottish Salmon
PRODUCERS ORGANISATION

30 May 2019

Mr T A'Hearn
SEPA
Strathallan House
Castle Business Park
Stirling
FK9 4TZ

By Email

Dear Terry,

[Redacted]

Scottish Salmon
PRODUCERS ORGANISATION

In this context, you undertook to look again at the potential for trials of novel lice treatment methods and the barriers in the way of Scottish trials for the CleanTreat innovation which the developers believe has no environmental impact at sea. The novel approach has been trialled in Norway successfully and now requires field trials in Scotland. It has the potential to reduce other medicinal treatment methods for lice significantly and reduce environmental impact from farms. We understand that there have been discussions with the company involved though no progress has been made to take forward trials in Scotland. If you required further information on the detail of the issue, we can provide it, though your team have worked with [Redacted] at Marine Scotland and the company involved directly already.

[Redacted]

I am copying this letter to Roseanna Cunningham, Cabinet Secretary for Cabinet Secretary for Environment, Climate Change and Land Reform and Fergus Ewing, Cabinet Secretary for the Rural Economy.

I look forward to your early response.

Yours sincerely,

[Redacted]

Julie Hesketh-Laird
Chief Executive

c.c. Roseanna.Cunningham.msp@parliament.scot
Fergus.Ewing.msp@parliament.scot

Scottish Salmon Producers Organisation
83 Princes Street, Edinburgh, EH2 2ER
enquiries@scottishsalmon.co.uk
www.scottishsalmon.co.uk @SSPOsays
Reg. No. SC152347

#5: Letter from the Cabinet Secretary for Rural Economy (Fergus Ewing) to the Head of CleanTreat (Neil Robertson) dated August 2019 stating that "Scotland is open for business" and that he is "keen to see early trials in Scotland"

Cabinet Secretary for the Rural Economy
Fergus Ewing MSP

F/T: [Redacted]
E: scottish.ministers@gov.scot

Scottish Government
Riaghaltas na h-Alba
gov.scot

Neil Robertson
Head of Cleantreat
G1 Bush House Edinburgh Technopole
Penicuik
EH26 0BB

By email; [Redacted] @bmkanimalhealth.com

26 August 2019

Dear Mr Robertson,

I would like to once again congratulate you and the team at Benchmark Animal Health for winning the 2019 Innovation Award at AquaNor's 40th anniversary for the development of CleanTreat technology. Scotland is proud of its innovative sector which has won two consecutive innovation awards at the world's largest aquaculture technology exhibition and is leading the way in sustainable aquaculture. The success and opportunity of Scotland's aquaculture industry was clear to see at the Scottish Aquaculture Supply Chain Seminar. Put simply, Scotland is open for business.

During the seminar I noted the request from Scottish producers that CleanTreat trials begin in Scotland as soon as possible. As you will be aware, the environmental impacts of salmon farming in Scotland were thoroughly discussed during the recent Scottish Parliament Inquiries. I am therefore keen to see early trials in Scotland and I would like to meet you at your offices in Edinburgh at the earliest opportunity to discuss progress since my meeting with [Redacted] in November of last year. I would be grateful if you could get in touch with my private office to arrange a suitable date at your earliest convenience [CabSecRE@gov.scot].

I look forward to our meeting

Yours sincerely,

FERGUS EWING

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

St Andrew's House, Regent Road, Edinburgh EH1 3DG
www.gov.scot

INVESTORS IN PEOPLE | Accredited Until 2020

#7: Redacted briefing for the Cabinet Secretary for Rural Economy (Fergus Ewing) for a meeting with Benchmark on 25 September 2019 in the Scottish Parliament "to discuss the potential trial of the technology in Scotland"

BRIEFING FOR FERGUS EWING, CABINET SECRETARY FOR RURAL ECONOMY AND CONNECTIVITY

MEETING WITH NEIL ROBERTSON AND JOHN MARSHALL: BMK HOLDINGS AQUACULTURE: WEDNESDAY 25 SEPTEMBER NOVEMBER, 11:30-12:30, T305, SCOTTISH PARLIAMENT

Date and time of engagement	• **Wednesday 25 September 2019** • **11:30 – 12:30pm**
Where	• T305, The Scottish Parliament
Key messages	• SG supports the sustainable growth of the aquaculture sector. It currently employs more than 12,000 people and is worth around £620M of added value to the economy but if not correctly regulated could have unacceptable impacts on the environment • As a government, we continue to invest significantly in science, research and innovation to underpin and drive forward the sustainability of the sector. • Life Sciences is a key growth sector of the Scottish Economy. Turnover stood at £5.2 billion and Gross Value Added (GVA) stood at £2.4 billion employing almost 40,000 people across 770 organisations.
Who	• Meeting with Neil Robertson, Head of CleanTreat and John Marshall, Director of Benchmark Animal Health
Why	An opportunity to congratulate Benchmark on winning this year's Aquaculture Innovation award at AquaNOR and discuss the potential trial of the technology in Scotland.
Supporting official	• [Redacted] • [Redacted]
Attached documents	• Purpose of Meeting and Top Lines • Company Profile & Biographies: Annex A • Background Information on CleanTreat Scotland Trials; B

Purpose of Meeting

Benchmark's CleanTreat system won this year's Aquaculture Innovation Award at AquaNOR. Mr Ewing attended AquaNOR and participated in a panel with Neil Robertson, Head of CleanTreat, to promote the Scottish supply chain to potential investors.

Given the environmental benefits and sustainability credentials of the CleanTreat system, and huge potential for improvements in fish health, we would like to offer further support to reach a position whereby trials could be started in Scotland.

1. CleanTreat - sea lice treatment technology

- [Redacted]

  [Redacted]

Top Lines

- **Congratulations on winning this year's innovation award at AquaNOR.** I am proud that the award has been won by a Scottish company for two consecutive years.
- You will be aware of the recent Scottish Parliamentary Inquiries in Scotland, parts of which focussed on the environmental impacts of salmon farming. That is why I have invited you here today – to ensure that such sustainable technologies, like CleanTreat, are not only developed in Scotland, but that Scotland is also an attractive place to trial such technologies.
- **Grateful to hear about your experiences in Scotland** in progressing to trials of the CleanTreat system and how we can support you
- I understand you have recently met with SEPA, MS-LOT and the VMD, to progress the assessment of a future application for a trial, **please continue to actively engage with that process.**
- There is absolutely no doubt that aquaculture is important for the Scottish economy, contributing £620 million per year in GVA and supporting over 12,000 jobs.
- I am an avid supporter of the industry in Scotland and regularly attend the Aquaculture Industry Leadership Group which is looking to sustainability grow and double the value of aquaculture production in Scotland.
- **Sea lice management, and the tools to do so, are essential to support a thriving Scottish fish farming industry**, that is why Scottish Government published Scotland's 10 Year Farmed Fish Health Framework this year, a Programme for Government commitment in 17/18.
- The industry reported that sea lice levels in 2018 were at their lowest level for 6 years, however we are not complacent and **we have recently strengthened the sea lice regulatory framework, and are committed lowering the sea lice intervention thresholds further in 2021.**
- In order to do so, we must continue to innovate and explore new management methods, particularly those with reduced environmental impacts such as CleanTreat.
- **I commend your commitment that this technology will be open for all** – which will have huge benefits for fish health across the salmon farming nations.

BACKGROUND INFORMATION ON CLEANTREAT TRIAL PROGRESS IN SCOTLAND **ANNEX C**

- The CleanTreat system is proposed to be installed on a stand-alone vessel to clean effluent following transfer of that effluent from a wellboat which conducted treatment of salmon for sea lice. Regulators and advisers are widely supportive of technological solutions to reduce the amount of sealice medicines being discharged to the water environment.

- [Redacted]

- [Redacted]

Since then a number of meetings have been held with BAHL and advice has been provided (SEPA has met with BAHL to further the advice on the required assessments in May and June).

- The regulators and SEPA have responded quickly to BAHL, taking the initiative to set up meetings to provide prompt feedback on information provided.

- [Redacted]

- It is understood that BAHL was granted permissions to carry out field trials in Norway and that, under the Norwegian system, environmental effects are not considered during the granting of such permissions.

- The Rural Economy and Connectivity Committee's Salmon farming in Scotland report calls for enhanced and effective regulatory standards to ensure that fish

health issues are properly managed and the impact on the environment is kept to an absolute minimum.

Legislative Framework

- MS-LOT is the licensing authority under the Marine (Scotland) Act 2010 for wellboat discharges and SEPA is a statutory consultee to that process.
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]

Current position

- [Redacted]
- [Redacted]

Next Steps

- Marine Scotland is facilitating a number of meetings with BAHL, regulators and advisers to ensure BAHL is clear on the next steps and regulators and advisers will continue to work with BAHL, to enable them to submit the required evidence and provide the required assurances to determine an application for a trial.
- [Redacted]
- Benchmark were content with the meeting on 20th September and the information requirements made clear. Benchmark agreed to provide the required information by December which will allow a full application to be submitted to Marine Scotland.

[#10: Email in October 2019 from Marine Scotland referring to a "very informative" tour around the vessel and "the need for some written responses to SEPA"]

From: [Redacted] (MARLAB)
Sent: 11 October 2019 13:45
To: [Redacted]
Cc: [Redacted] (MARLAB)
Subject: RE: Progress

Hi [Redacted]

Thanks, it was good to get a tour around the vessel, very informative.

I've relayed the need for some written responses to SEPA and am awaiting a response from them on the aspects we've already discussed [Redacted] . I hope to have something from them soon and we will be in touch.

I'm off for the next two weeks. If you have any queries, please get in touch with [Redacted] (both copied).

Kind regards

[Redacted]

From: [Redacted] @bmkanimalhealth.com>
Sent: 09 October 2019 14:56
To: [Redacted] (MARLAB) [Redacted] gov.scot>
Subject: Progress

Hi [Redacted]

Really appreciated your visit last week and I hope it was of some use.

[Redacted]

Look forward to your feedback

Best regards

[Redacted]

[Redacted]

Benchmark Animal Health

Benchmark Animal Health
Mobile : [Redacted]
Email: [Redacted] @bmkanimalhealth.com

#11: Emails dated September 2019 discussing an 'Urgent' opportunity to visit the CleanTreat wellboat (understood to be docked in Leith) - described as "the last opportunity ahead of any trials in the UK, as we have now completed our planned trials in Norway"

From: [Redacted] @bmkanimalhealth.com>
Sent: 24 September 2019 18:12
To: [Redacted] vmd.defra.gsi.gov.uk>; [Redacted] @gov.scot; [Redacted]
[Redacted] @SEPA.org.uk>
Cc: [Redacted] @bmkanimalhealth.com>; [Redacted]
[Redacted] @bmkanimalhealth.com>
Subject: URGENT- Clean Treat visit opportunity
Importance: High

Hi Everyone,

My apologies for the short notice of this but I have just heard the Clean Treat boat is coming back to [redacted] this weekend. If you wish to see Clean Treat on the deck of the boat there is an opportunity **at 9am on Monday morning** (30th) at [redacted] This invitation is limited to the recipients of this email as we have H&S restrictions and cannot manage a large party of people. The Clean Treat system will be removed from the deck from lunchtime onwards. This is the last opportunity ahead of any trials in the UK, as we have now completed our planned trials in Norway. The Clean Treat system and lab will be in a warehouse after this date so could be viewed then. Please note that the tour would be given by some of our Clean Treat team but there will be no chemist available.

I you would like to visit please could you let me know by tomorrow at 5pm.

Again, sorry for the short notice.

Kind Regards

[Redacted]

[Redacted]
Animal Health Division
Tel: [Redacted]
Mob: [Redacted]
Benchmark Animal Health
Bush House, Edinburgh Technopole, Edinburgh, EH26 0BB

[Redacted]

From: [Redacted] (MARLAB)
Sent: 26 September 2019 09:45
To: [Redacted]
Cc: [Redacted]
Subject: RE: URGENT- Clean Treat visit opportunity

Thanks [Redacted]

Confirming I'll be there and I'm shoe size [Redacted]

Thanks

[Redacted]

From [Redacted] @bmkanimalhealth.com>
Sent: 25 September 2019 16:35
To: [Redacted] @SEPA.org.uk>; [Redacted] (MARLAB) [Redacted] @gov.scot>
Cc: [Redacted] @bmkanimalhealth.com>; [Redacted] [Redacted] @bmkanimalhealth.com>; [Redacted] @bmkanimalhealth.com>
Subject: RE: URGENT- Clean Treat visit opportunity

Dear [Redacted]

Yes we would be happy for [redacted] to visit the boat if she is comfortable with accessing the ship via the gangway. It is not a flat walk, there is a slight camber to it. We will clear a path so she can move to the lab to see inside on the deck of the boat. A couple of points to note for you all;

The address is; [Redacted] for approx. 08:45am

- Please bring photo ID with you to access the port
- On arrival at the port, please wait at the entrance are. Call [redacted] on [Redacted] and he will come to meet you and escort you to [Redacted] – 08:55am
- Personal Protective Equipment will be provided for you to wear. This will be a high vis jacket, hard hat and safety wellingtons. **Please send me you shoe size, and that of** [redacted] asap so we can provide appropriately sized boots. Enter security shelter to change into PPE – 09:00am
- You will receive a safety briefing from the [redacted] and our [Redacted] for clean treat (10 minutes)
- Access will be limited to the deck of the boat only and inside of the lab
- Commence tour of CleanTreat equipment approx. 09:10am up to 09.50am – access to lab included.
- Return to Security Shelter 09:55am to return PPE, assigned driver will show the way back to security entrance or drop off where appropriate

- Please note that the lab will not be operational and will be packed for transport
- Similarly Clean Treat will not be operational. Some of the piping will have been removed to allow easier access to sections of the deck.

Kind Regards

[Redacted]

[Redacted]
Animal Health Division
Tel: [Redacted]
Mob: [Redacted]
Benchmark Animal Health
Bush House, Edinburgh Technopole, Edinburgh, EH26 0BB

From: [Redacted] @SEPA.org.uk>
Sent: 25 September 2019 11:53
To: [Redacted] @bmkanimalhealth.com>; [Redacted] @vmd.defra.gsi.gov.uk>; [Redacted] @gov.scot
Cc: [Redacted] @bmkanimalhealth.com>; [Redacted] [Redacted] @bmkanimalhealth.com>
Subject: RE: URGENT- Clean Treat visit opportunity

Morning [Redacted]

I can make 9am on Monday, I think it is important to flag a couple of points. We would expect to follow this up with a visit to the warehouse with relevant staff (our chemists), however having spoken to [redacted] whilst a visit to the lab in a warehouse would be worthwhile it would obviously be much better to see the lab in situ on the vessel.

Given the above and the fact that [redacted] can no longer make it, would it be possible to include [redacted] on the visit? We understand that a chemist won't be available on the day, but still think [redacted] seeing the lab in situ would be of benefit.

Thanks

[Redacted]

[Redacted]
Scottish Environment Protection Agency, Regulatory Services North, West Highland and Argyll Team, Kilbrandon House, Manse Brae, Lochgilphead, PA31 8QX
t: [Redacted] m: [Redacted] e: [Redacted] @sepa.org.uk web: www.sepa.org.uk

In November 2019, SEPA denied a FOI request (F0191091) concluding after a review in December 2019 that "SEPA considers that the release of the correspondence and documentation would cause substantial prejudice to the commercial undertaking and economic interest". "It was confirmed that details of the specified treatment were not publicly available and that they were commercial in nature," explained SEPA on 13 December 2019. "Feedback had been sought from the third party who confirmed that disclosure of information would cause substantial prejudice to their commercial interest".

However, SEPA's FOI refusal letter dated 11 November 2019 admitted that it had attended five meetings with Benchmark over the last year (9 October 2018; 11 April 2019; 30 May 2019; 20 September 2019 and 30 September 2019).

[6.] *Please include any information relating to CleanTreat and the treatment of well boats discharges including details of any meetings and correspondence with Benchmark and other companies. Please include information relating to "high level talks to facilitate trials of the [CleanTreat] system in Scotland".*

SEPA holds a small amount of correspondence. This information is excepted under Regulation 10(5)(f) of the EIRs. The text of which is reproduced below;
(5) A Scottish public authority may refuse a request to make environmental information available to the extent that its disclosure would, or would likely to prejudice substantially-
(f) the interests of the person who provided the information where that person-
(i) was not under, and could not have been put under, any legal obligation to supply the information;
(ii) did not supply it in circumstances such that it could, apart from these Regulations, be made available; and
(iii) has not consented to its disclosure
The release of the information in question would be likely to prejudice substantially the third party. The Public Interest Test was carried out in relation to the information to be withheld under Regulation 10(5)(f) of the EIRs. In this case, we recognise that Regulation 10(2)(b) requires SEPA to apply a presumption favour of disclosure. The public interest in favour of disclosure is outweighed by that in favour of withholding. Requests for such information are considered by SEPA on a case by case basis. In this case, it was determined that the public interest would not be served by the release of the information at this time.

We confirm that SEPA has attended meetings with Benchmark on 9 October 2018, 11 April 2019, 30 May 2019, 20 September 2019 and 30 September 2019

Fish Farmer reported in August 2019: "The team behind the Scottish invention CleanTreat, which won the much prized Aqua Nor Innovation Award this week, have held high level talks to facilitate trials of the system in Scotland" (reporting that Benchmark was "encouraged by discussions at Aqua Nor with [Fergus] Ewing and Graham Black, director of Marine Scotland").

Documents disclosed to Scottish Salmon Watch by the Scottish Government via FOI-19-01398 in July 2019 reveal that Benchmark lobbied the Cabinet Secretary for Rural Economy (Fergus Ewing) in September 2018 writing in an email that "we are now ready to apply for trials in Scotland for our CleanTreat system for salmon health" and "would like to brief you on these proposals".

The FOI documents disclosed by the Scottish Government detail heavily redacted minutes of a meeting with Benchmark in October 2018 with a document citing "field trials in Scotland".

CONFIDENTIAL

Use of [redacted] [redacted] Clean Treat in the UK- Final Meeting Minutes

Meeting: 9th October 2018, 1-3.30pm, BAHL, Bush House, Edinburgh

[Redacted]

[Redacted]

Benchmark Animal Health Limited
& Cleantreat, Effective Sea Lice Treatment with Proven Prevention of Environmental Impact, for Field Trials in Scotland.

An email dated November 2018 referred to a request from Fergus Ewing (Cabinet Secretary for the Rural Economy) for information on CleanTreat stating that "the company wish to push forward with trials in Scotland (trials already happening in Norway) - and that Marine Harvest [redacted] as partner wants to get this off the ground as soon as possible.....progress with regulators was slow and that they wished to speed things up":

From: [Redacted]
Sent: 29 November 2018 10:02
To: [Redacted]
Cc: [Redacted]
Subject: Aquaculture - CleanTreat

Hi [redacted]

1. I understand [redacted] assed on Mr Ewing's request for details about outstanding CAR applications – grateful for an update please.

2. We have also had a request from Mr Ewing for information about the situation regarding the following:

"Mr Ewing would like advice from SEPA + MS LOT on the current progress of Benchmark's application for field trials of CleanTREAT + [redacted] in Scotland. For those who are not aware of the system - CleanTREAT is a system which 'cleans' the sea lice treatment chemical (in this case a new product [Redacted]) from water before the water is discharged. http://www.benchmarkplc.com/articles/cleantreat-by-benchmark/ .

[Redacted] outlined that the company wish to push forward with trials in Scotland (trials already happening in Norway) – and that Marine Harvest [Redacted] as partner wants to get this off the ground as soon as possible. It was claimed that neither SEPA nor MS LOT could confirm to the company who the regulatory lead on their application would be. [Redacted] said that progress with regulators was slow and that they wished to speed things up. Hence Mr Ewing's request for immediate advice."

Happy to discuss – by phone if appropriate

Thanks
[redacted]
[Redacted]

A redacted email dated June 2019 to Marine Scotland attached a 'Confidential' document titled 'CleanTreat [redacted] Trials, Scotland 2019 Overview' (authored it appears by Benchmark's Animal Health Division in Edinburgh).

[Redacted]

From: [Redacted]
Sent: 19 June 2019 12:45
To: MS LOT Business and Operational Delivery
Subject: FW: Benchmark - Cleantreat
Attachments: Cleantreat [redacted]ed] Trials, Scotland 2019 Overview. CONFIDENTIAL.pdf

From: [Redacted]
Sent: 14 March 2019 13:25
To: [Redacted]
Cc: [Redacted]

[Redacted]

[Redacted]

Kind Regards

[Redacted]

Animal Health Division
[Redacted]

Benchmark Animal Health

Bush House, Edinburgh Technopol, Edinburgh, EH26 0BB

A redacted email from SEPA in April 2019 asked for "a visit to the existing vessel whilst operational" which would allow SEPA "to highlight any areas of concern early so that they could potentially be addressed/mitigated as part of the design process".

From: [Redacted]
Sent: 23 April 2019 14:49
To: [Redacted]

Cc: [Redacted]
Subject: RE: Meeting - Thursday 11 April 2019 1430 - 1630h

Hi [redacted]

Thanks for your time a couple of weeks ago. On reflection given your proposals are likely to involve commissioning a new or repurposing an existing vessel, it is important that we have the opportunity to feed in to or comment on any designs (particularly in reference to any potential process controls). As raised at the meeting our current understanding of the treatment and transfer process of your operations in Norway is fairly limited, for us to provide appropriate input we really need to have a clear understanding of the existing process. I think a visit to the existing vessel whilst operational would really help us develop that understanding. This would then allow us to highlight any areas of concern early so that they could potentially be addressed/mitigated as part of the design process.

I know there was an action from the meeting, but it would be good to know if that is going to be possible and if so, when and what limit there might be in numbers?

Kind regards

[Redacted]
Scottish Environment Protection Agency, Regulatory Services North, West Highland and Argyll Team, Kilbrandon House, Manse Brae, Lochgilphead, PA31 8QX
[Redacted] web: www.sepa.org.uk

Benchmark replied in April 2019 that "we are re-starting trials next week":

From: [Redacted]
Sent: 26 April 2019 18:50
To: [Redacted]

Cc: [Redacted]
Subject: RE: Meeting - Thursday 11 April 2019 1430 - 1630h

Hi [redacted]

Yes it will definitely be possible to visit the boat. We are re-starting trials next week and are looking at possible dates for your visit. The dates are not yet fixed as it depends on the farms and the weather. It is looking likely that a date in the week of the 20th May might work but this is not yet confirmed. I will let you know definite dates as soon as I have them but they may be at quiet short notice unfortunately. I am currently looking into maximum numbers and will get back to you asap. I am hoping we can accommodate 2 people each from SEPA, MS and VMD but I need to confirm this. We will be limited by safety issues etc.

Kind Regards

[redacted]

[Redacted]
Animal Health Division
Tel: [Redacted]
[Redacted]
Benchmark Animal Health
Bush House, Edinburgh Technopole, Edinburgh, EH26 0BB

Read more via CleanTreat FOI Disclosures by the Scottish Government to Scottish Salmon Watch

Secondly, if Imidacloprid has been already used by the salmon farming industry in Scotland, where has it been discharged and/or disposed of?

Documents disclosed to Scottish Salmon Watch by the Scottish Government via FOI-19-01398 in July 2019 included:

A redacted email marked 'Sensitive' dated December 2018 referred to Fergus Ewing's meeting with Benchmark and "a discussion with Benchmark on the acceptability of their CleanTreat proposal where it might involve transport from site for remote discharge of effluent water" and "the work plan element where we're tasked at looking at 'discharge zones'".

From: [Redacted]
Sent: 06 December 2018 06:54
To: [Redacted]
Cc: [Redacted]
Subject: Re: sensitive: Medicines and Licensing - Workplan - October 2018 - DRAFT (not for circulation)

Hi [redacted]

Thanks for sending this.

As you will have heard, Mr Ewing has met with benchmark which has brought some of the workplan aspects into sharp focus. [Redacted] [redacted]

This is of relevance to both the discussion with benchmark on the acceptability of their CleanTreat proposal where it might involve transport from site for remote discharge of effluent water and, equally importantly, some of the aspects of the work plan element where we're tasked at looking at 'discharge zones'.

Can I ask you to consider with [redacted] if these aspects are covered by the current ask of SGLD or if this needs to be added to the request. I have avoided raising this directly with SGLD as I'm aware of the request already in train an don't want to add to SGLD burden or confuse ownership of the request.

[redacted]

Regards

[redacted]

Sent from my BlackBerry 10 smartphone.

A redacted email in February 2019 from Marine Scotland referred to a meeting being arranged "with SEPA and policy officials". It stressed the need for further information on the permits required for Benchmark's trials in Norway and "more detail on the proposed activity in the marine area (i.e. - what is proposed to be deposited in the sea").

From: [Redacted]
Sent: 08 February 2019 17:57
To: [Redacted]
Subject: RE: Benchmark - Cleantreat

Thanks for the discussion [redacted]

I mentioned that we (MS-LOT) would arrange a meeting with SEPA and policy officials. I shall set this up in due course.

In order to better inform the process, we discussed the need for some further info namely:

1. The permits required in Norway for your trial there
2. More detail on the modelling you have carried out to date.
3. More detail on the proposed activity in the marine area (i.e.- what is proposed to be deposited in the sea?)
4. Sensitivity of the testing to LOD etc. to understand what the output might contain.

[Redacted]

I look forward to hearing from you and I shall look to set up a meeting soon.

Kindest regards

[redacted]

Notes from May 2018 referred to the prospect of using presently unlicensed chemicals "as the environmental impact is too great" via the CleanTreat system "as there would be no discharge".

Notes from Presentations at Aquaculture Conference - May 2018

[Redacted] _[Redacted]

[Redacted]

CleanTreat _[Redacted]

- As all product can be removed by the system it should be futureproof for new medicines
- Some medicines are not licensed as the environmental impact is too great, but they have a good efficacy and are not harmful to the fish. This system would allow these medicines to be used as there would be no discharge

[Redacted]

A redacted email dated December 2018 reports that Benchmark is aware that "discharges from wellboats need marine licences" (currently issued by Marine Scotland but soon to be moved to SEPA).

From: [Redacted]
Sent: 05 December 2018 14:48
To: [Redacted]
Cc: [Redacted]

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[redacted]

Subject: RE: For information only - Outcome of meetings on 28 November - mortality disposal + Benchmark cleantreat

[redacted],

I have begun to draft something and have had a brief discussion with [Redacted] at SEPA.

We understand that benchmark is in discussions with the VMD.

I have gone back to benchmark to clarify that discharges from wellboats need marine licences currently, and that this might change in the future to CAR. [Redacted]

[Redacted]

[redacted]

Benchmark claimed in 2018 that CleanTreat is "suitable for all currently available bath treatments used against sea lice, other than hydrogen peroxide" and "has been trialled with a number of sea lice treatments compounds including pyrethroids, deltamethrin, azamethiphos, and Benchmark's new trial bath treatment". It "uses a unique purification system to compound and solidify the chemicals used in the treatments" and "these solids can then be incinerated at one of the world's three specialist processing plants for these operations," said John Marshall, head of Benchmark Animal Health. "There are at least two new products it could bring to market and I think it could open the door to other products not yet considered – perhaps from other areas, depending on regulations," he said.

Answers to the two questions outlined above would be much appreciated. Scottish Salmon Watch is extremely concerned at the direction the salmon farming industry is headed, especially with the SSPO's attempts to exploit the Coronavirus crisis by exceeding maximum permitted biomass limits. The palatability of Scottish salmon - to both consumers and investors - will surely be tested to the limit by the shocking revelation regarding the toxic neonicotinoid insecticide Imidacloprid. It is even more alarming that both SEPA and the Scottish Government have acted to bury the bad news - something which Scottish Salmon Watch is seeking the Scottish Information Commissioner to overturn.

Yours sincerely,

Don Staniford

Director, Scottish Salmon Watch

Cc:
Scottish Natural Heritage
Scottish Green Party
Scottish Environment LINK