

[REDACTED]

From: [REDACTED]
Sent: 25 April 2018 10:29
To: [REDACTED]
Subject: FW: Import of Landcatch eggs into Norway

From: Mitchell A (Alastair)
Sent: 01 April 2016 12:08
To: 'Yngve.Torgersen@nfd.dep.no'
Cc: [REDACTED]
Subject: RE: Import of Landcatch eggs into Norway

Yngve, many thanks. We'll reflect on your helpful thoughts.

Regards, Alastair

From: Yngve.Torgersen@nfd.dep.no [mailto:Yngve.Torgersen@nfd.dep.no]
Sent: 01 April 2016 11:38
To: Mitchell A (Alastair)
Cc: [REDACTED]
Subject: SV: Import of Landcatch eggs into Norway

Dear Alastair [REDACTED]

I am aware of that legislation, adopted pursuant to the Biodiversity Act and being an instrument used by the environmental authorities (i.e. Ministry of Climate and Environment, and the Directorate of Environment). Consequently, it's beyond my area of formal competence.

Having said that, the legislation follows the principle that alien species requires a permission for the introduction into Norway and/or introduction into new areas in Norway. As far as I know, this is also the legal situation in the EU as far as aquaculture concerns Council Regulation (EC) 708/2007.

I believe the question here is whether this salmon is alien or not. Again, that comes down to the question of what level of taxonomy regulation should apply to (species/sub-species/even lower taxa).

My only advice here would be that the importer appeals that decision in accordance with the general principle that any decision can be subject to an appeal. I know that such appeals have been successful in the past. I think a least one allowed import was salmon (based on genetic material imported from Norway in the first hand?), and at least one was rainbow-trout (but I don't recall the background on that one).

If you need further clarification, don't hesitate to contact me

Kind regards

Yngve T

[REDACTED]
Director
Departement of Fisheries and Aquaculture
Ministry of Trade, Industry and Fisheries
[REDACTED]

[REDACTED]
e-mail: yngve.torgersen@nfd.dep.no

Fra: Alastair.Mitchell@gov.scot [mailto:Alastair.Mitchell@gov.scot]
Sendt: 1. april 2016 11:52
Til: Torgersen Yngve <Yngve.Torgersen@nfd.dep.no>
Kopi: [REDACTED]
Emne: RE: Import of Landcatch eggs into Norway

Yngve – a gentle reminder of my earlier email. Any emerging thoughts?

Regards, Alastair

From: Mitchell A (Alastair)
Sent: 22 March 2016 13:58
To: Yngve.Torgersen@nfd.dep.no
Cc: [REDACTED]
Subject: Import of Landcatch eggs into Norway

Yngve, I've been advised that a recent planned export of Landcatch eggs from Scotland to Norway was stopped by Norway's Environment Directorate on grounds that those eggs are non-Norwegian and are, therefore, an alien species under your regulations (they further allege other imports since June 2015 may have been illegal).

<< File: Norwegian Environment Directorate 16-3-16.pdf >>

Grateful if you might consider this case, and its implications for bilateral trade, and that we might discuss please.

Regards, Alastair

<< OLE Object: Picture (Device Independent Bitmap) >>

Aquaculture Europe - Edinburgh

Food for Thought

20-23 September 2016

<http://www.gov.scot/Resource/0043/00433571.pdf>

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[REDACTED]

From: [REDACTED]
Sent: 19 April 2018 18:13
To: [REDACTED]
Subject: FW: Prevention of movements of live genetic material from Scotland to Norway.
Attachments: Norwegian Environment Directorate 16-3-16.pdf; English Translation Env Dir Refusal.docx

From: Neil Manchester [REDACTED]
Sent: Wednesday, May 04, 2016 11:57 AM
To: Cowan WJ (Willie)
Subject: Prevention of movements of live genetic material from Scotland to Norway.

Dear Mr Cowan

I am the managing director of Hendrix Genetics Aquaculture BV, being the current owners of Landcatch Ltd, Ormsary, Argyll. You may recall meeting me previously with Paul Wheelhouse. I tried calling today without success, but would be happy to discuss the following matter with you personally.

Earlier this year, the Broodstock Committee of the Norwegian Fisheries Directorate recommended the issue of two broodstock licenses to allow Hendrix Genetics/ Landcatch to develop an Atlantic salmon breeding operation in Norway, complementing the programmes already operating in Scotland and Chile. The application and recommendation specifically noted that the programme in Norway would be based on genetic material from the Landcatch strain in Scotland, and indeed the Broodstock Committee commended this as improving the competitive advantage within Norway.

The first eggs had received all necessary approvals and inspections under the regulation of Marine Scotland, and there was no legal obstruction to the transfer of eggs between Scotland and Norway.

However, on 15th March 2016 the Environment Directorate of the Norwegian Government prohibited the import of live Atlantic salmon eggs from Landcatch Ltd, Ormsary, Argyll to a hatchery contracted by Hendrix Genetics Aquaculture BV on the grounds as per the attached letter (with English translation also attached).

The import was prevented because the genetic material was not native and therefore posed an unacceptable threat to wild Atlantic salmon in the destination region, and made reference to just one document, NINA Mini report 381, stating that Atlantic salmon belong to seven distinct phylogeographic groups namely: North-Russia/North Norway; South- Norway/West-Sweden; The Baltic; Iceland-Greenland; the Northern British Isles; the southern British Isles/North-France; and southern France/Spain.

The report then states that mixing between these groups is potentially damaging to the environment.

Hendrix Genetics is in the process of an appeal to the Norwegian Government, pointing out that the report referenced is speculative rather than factual, and the whole argument is based on assessment of risk of escapes and risk of interbreeding with wild fish by effectively alien species.

It is interesting to note that this year there have been approved movements into Norway of Atlantic salmon eggs from Iceland, rainbow trout eggs from Denmark, live halibut fry from Canada and Scotland, and wild caught wrasse/ lumpfish from non-Norwegian waters. There is also free movement of Atlantic salmon eggs between North and South Norway, in apparent contravention of the report's recommendations.

While we are currently appealing this decision on scientific grounds, we believe that this action is anti-competitive and protectionist and therefore in breach of EU trade laws. Without a satisfactory response from the Norwegian government we will have no choice but to pursue this matter through the European Courts (and Scottish Government).

In the short term, however, I hope that you share our concerns at this apparent mistreatment by the Norwegian Government, and make immediate enquiries to your counterparts in Norway as to why our application to import eggs into Norway from Scotland is prohibited.

Furthermore, I trust that you review the information that the Norwegian Government has used to make such a decision, and act in a reciprocal fashion regarding all imports of live salmon eggs and smolts from Norway into Scotland until a definitive joint policy between the trading nations can be defined.

We have requested a meeting with the Fisheries Minister in Norway at the first available opportunity, and I would be very happy to meet you and discuss this matter in detail with you and your colleagues at a convenient time.

I look forward to hearing from you.

Yours sincerely

Neil Manchester

Neil Manchester
Managing Director

[Redacted contact information]



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[REDACTED]

From: [REDACTED]
Sent: 25 April 2018 10:22
To: [REDACTED]
Subject: FW: Movement of salmon eggs from Scotland to Norway
Attachments: Egg and Milt into Norway- Salmobreed.pdf

From: Neil Manchester [REDACTED]
Sent: 13 June 2016 08:44
To: Cowan WJ (Willie)
Cc: Mitchell A (Alastair); [REDACTED]
Subject: RE: Movement of salmon eggs from Scotland to Norway

Dear Willie

Our appeal to the Environment Agency in the Norwegian government against their decision to prohibit the movement of live genetic material from Scotland into Norway has thus far drawn no response from the government. We have, however, been told that there is no time limit on their appeal review procedure and this can be pushed down the list indefinitely.

As you will recall, the reason for the ban was that the Environment agency considered it inappropriate to allow introduction of different genetic strains of salmon into Norwegian waters (despite permissions this year of eggs from Iceland, trout from Denmark, halibut fry from Canada etc etc).

It is particularly disappointing to read in the news last week that the Environment Agency has granted permission to Salmobreed AS for the import of broodstock eggs from Iceland and also milt/ semen from Faroes (see attached). Neither of which can be conceivably classed as of Norwegian strain.

I pass this on purely for information at this stage, as we are continuing our political battle to gain a rational hearing within the Norwegian government.

However, it further points to the political nature of this decision and the unfair enforcement of a policy that can only be considered as protectionist, and should therefore be addressed at the highest levels.

I remain hopeful that the Scottish Government's response to any application to import Norwegian genetic material into Scottish waters be treated in a similar manner until this matter can be resolved.

Yours sincerely

Neil

From: Neil Manchester
Sent: dinsdag 10 mei 2016 11:10
To: 'Willie.Cowan@gov.scot'
Cc: Alastair.Mitchell@gov.scot; [REDACTED]
Subject: RE: Movement of salmon eggs from Scotland to Norway

Dear Willie

Thank you for your response, and you are correct that we should follow the appeal process in Norway.

I will revert with any outcomes in due course obviously, but in the meantime please can you confirm that, in the interests of a level playing field, the same legislation will be applied to all applications for imports of live eggs and fish into Scotland from Norway?

I look forward to hearing from you.

Yours

Neil

From: Willie.Cowan@gov.scot [mailto:Willie.Cowan@gov.scot]
Sent: dinsdag 10 mei 2016 10:51
To: Neil Manchester
Cc: Alastair.Mitchell@gov.scot; [REDACTED]
Subject: Movement of salmon eggs from Scotland to Norway

Neil

Many thanks for your email of 4th May raising your concerns relating to the prevention of movement of salmon eggs from Scotland to Norway. We were made aware of this issue by our Fish Health Inspectorate when they were contacted by yourselves in March. We followed up the issue with colleagues in Norway at that time. They confirmed that the legislation in place follows the principle that alien species require a permission for introduction into Norway. The question here seems to be whether Scottish Atlantic salmon is an alien species or not and this would come down to what level of taxonomy the regulation should apply to. I think that you need to follow due process and continue down the route of appeal in the first instance. Should there be any difficulty with your appeal, or if the outcome was to uphold the decision, then we can look again at what help we might usefully be able to offer.

Kind regards

Willie

Willie Cowan

Head of Performance, Aquaculture and Recreational Fisheries
Marine Scotland

Scottish Government | Area 1B North | Victoria Quay | Edinburgh | EH6 6QQ

[REDACTED]
[REDACTED]
e: willie.cowan@gov.scot
w: <http://www.scotland.gov.uk/marinescotland>



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From: Neil Manchester [REDACTED]
Sent: 08 May 2016 20:54
To: Cowan WJ (Willie)
Subject: RE: Confirmation of email

Thanks Willie

I will wait to hear from you.

If we make any progress in Norway in the meantime I will let you know.

Yours

Neil

From: Willie.Cowan@gov.scot [<mailto:Willie.Cowan@gov.scot>]
Sent: vrijdag 6 mei 2016 9:59
To: Neil Manchester
Subject: RE: Confirmation of email

Hi Neil – confirm email received. We were aware of the issue and had been involved previously – I'll get back to you when I've looked into it a bit more.
Regards

Willie

Willie Cowan

Head of Performance, Aquaculture and Recreational Fisheries
Marine Scotland

Scottish Government | Area 1B North | Victoria Quay | Edinburgh | EH6 6QQ

[REDACTED]
e: willie.cowan@gov.scot
w: <http://www.scotland.gov.uk/marinescotland>



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From: Neil Manchester [<mailto:Neil.Manchester@hendrix-genetics.com>]
Sent: 06 May 2016 07:18
To: Cowan WJ (Willie)
Subject: Confirmation of email

Dear Mr Cowan

Please can you confirm receipt of an email that I sent on Wednesday this week? I attached a PDF file and am concerned that this may have caused it to be identified as spam.

Thanks

Neil

Neil Manchester
Managing Director



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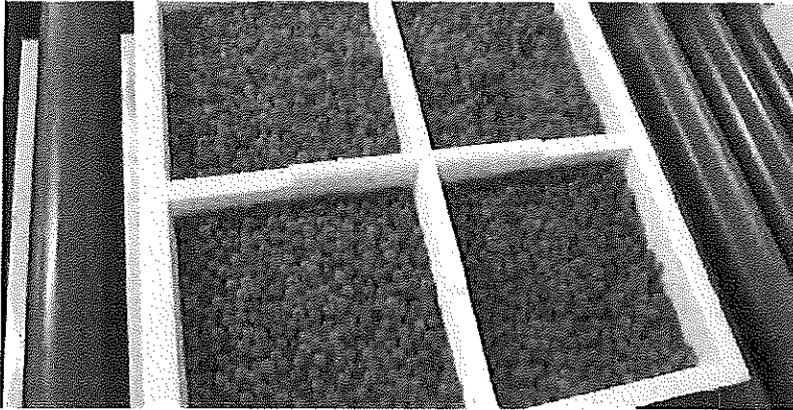
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Icelandic fish eggs of Atlantic salmon.

Get import 1.25 million ROE from Iceland

The Environment Agency has given the SalmoBreed permission on the importation of up to 1.25 million fish eggs of Atlantic salmon from Iceland.

of The Editors, IntraFish Media

It appears in a decision has been given visibility into IntraFish. The decision is dated July 20. may.

Eggs are used in the settefisk the plant Cut the Valley AS in Kåfjord municipality.
Put the fish to be produced, to be used by the eggs of the Wilsgård fish farming in Troms County, Norway.
Planned expose is 2017.

It is on that has the Stofnfiskur Iceland produced eggs.
Planned importation to Norway is the period 13.
June-30.
June.

Eggs come from the tribe's Saga, based on the Mowi and Bolaks.

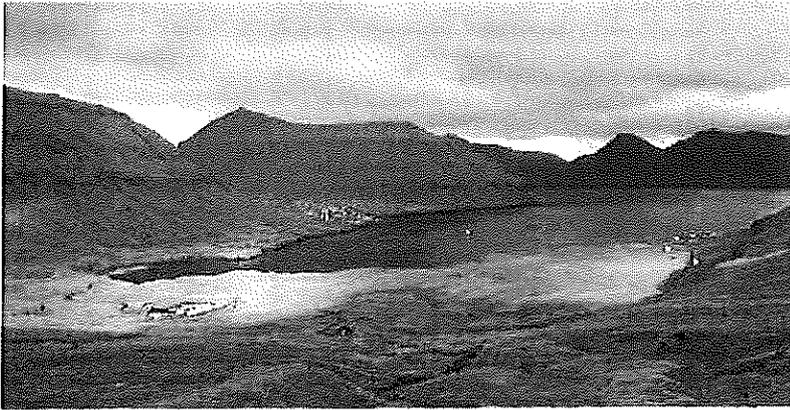


Illustration photo from the Faroe Islands (photo: Jógvan E. Farns)

Get import sperm from Faroe Islands

The Environment Agency has given permission to SalmonBreed the importation of up to 6 liters of sperm of Atlantic salmon from the Faroe Islands, as well as the ROE from Iceland.

of Anders Farns

It appears from a decision that has gained visibility into IntraFish.

The purpose of the item is fertilization of eggs with AS and brood stock Bolaks Erfjord.

Identified is based on Norwegian strains (Sjætroll, Bolkas and Erfjord), and is obtained from the company Fiskaaling PF. Permission of importation applies to week 24.

ROE from Iceland

In another decision from the environment agency which has gained visibility into IntraFish, granted permission to SalmonBreed the importation of up to 30,000 Unfertilised Eggs of Atlantic salmon from Iceland.

Eggs should be retrieved to Cryogenics his laboratory in Hamar, Norway.

The sender is the company Stofnfiskur.

"The purpose of the item is experimenting with fertilization of nedfrosset sperm.

It is not possible to get hold of ubefruktet ROE in Norway at the time of the year, and SalmoBreed therefore wants to import from Iceland ", according to the decision.

The permission of importation applies to week 26.

[REDACTED]

From: [REDACTED]
Sent: 18 April 2018 14:54
To: [REDACTED]
Subject: FW: Import/ export of salmon eggs
Attachments: Appeals from Hendrix Genetics Aquaculture AS Environment Directorate Decision.docx; Oversendelse - Klage fra Hendrix Genetics Aquaculture AS på Miljødirektoratets vedtak.pdf

From: Neil Manchester [mailto:Neil.Manchester@hendrix-genetics.com]

Sent: 27 June 2016 18:40

To: Cowan WJ (Willie)

Cc: Mitchell A (Alastair); [REDACTED]; Allan C (Charles) (MARLAB); [REDACTED] (MARLAB); [REDACTED] (MARLAB)

Subject: Import/ export of salmon eggs

Dear Willie

We have just received confirmation from the Fisheries Department in the Norwegian Government that they have rejected our appeal, and are upholding their decision to prevent the movement of salmon eggs from Scotland into Norway as they believe that mixing phylogeographic strains of salmon will have a serious impact on wild fish stocks.

Please see attached the original letter in Norwegian, and a Microsoft Office translation which gives the general gist of the letter.

For information, at no stage have the Norwegian Government taken any genetic samples from our strain in Scotland to support their notion that it is sufficiently distinct from Norwegian strains as to qualify as an exotic species. Their recent permission to the movement of Icelandic eggs was based in a written assurance only that these originated from Norway in 1980 (as did the Landcatch strain).

Our next action is to compare the DNA of the Landcatch strain to that of current Norwegian strains, to further disprove this argument.

However, given that we now have a definitive negative answer to our appeal I would appreciate the following actions from yourselves:

- a) An immediate query to counterparts in the Norwegian government regarding this decision, and a formal request that it be immediately reconsidered
- b) An assurance from yourselves that exactly the same challenges will be put to any application for the movement of live salmon eggs or smolts from Norway into Scotland, and that movements should only be permitted if it can be proven that the strain matches native Scottish strains of salmon

I look forward to hearing from you by return on what measures you are able to take to both help us with our case in Norway and also to protect our business in Scotland against anti-competitive measures, as I now have to take this matter to the Scottish Parliament and beyond as it appears to be a protectionist policy only.

Yours sincerely

Neil Manchester

Neil Manchester
Managing Director



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From: [REDACTED]
Sent: 06 July 2016 15:13
To: 'Neil.Manchester@hendrix-genetics.com'
Cc: Cowan WJ (Willie); Mitchell A (Alastair)
Subject: Export of salmon ova to Norway

Dear Neil,

Many thanks for your email to Willie, and we have also been made aware of your representations to Mike Russell MSP. We are disappointed to hear that your appeal has been rejected and the original decision upheld by the Norwegian Government.

Scottish Government are going to follow this up as a matter of urgency with the Norwegian Government. We will of course keep you apprised of how this proceeds.

In relation to the trade of imported Atlantic salmon ova from Norway, Scottish Government do not consider Atlantic salmon ova of Norwegian origin to be an alien or locally absent species according to the definitions as provided in the EU Regulation. We would therefore not consider any reciprocal action in this regard.

Best Regards,
[REDACTED]

[REDACTED]
Head of Aquaculture Health and Welfare
Marine Scotland – Performance, Aquaculture and Recreational Fisheries
[REDACTED]
E-mail: [REDACTED]
Web: <http://www.scotland.gov.uk/marinescotland>
Mail: Scottish Government, 1B North, Victoria Quay, Edinburgh EH6 6QQ



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[REDACTED]

From: [REDACTED]
Sent: 20 February 2018 12:56
To: [REDACTED]
Subject: FW: Landcatch correspondence

From: [REDACTED]
Sent: 13 July 2016 11:29
To: Michael.Russell.msp@parliament.scot
Cc: Mitchell A (Alastair); [REDACTED]
Subject: Landcatch correspondence

Dear Mr Russell,

I have been asked by Mr Ewing to update you in relation to the correspondence which you forwarded from Neil Manchester at Hendrix-Genetics AS (attached).



S20160021856.pdf

Mr Ewing will contact the Minister for Climate and Environment in the Norwegian Government querying the legislative interpretation reached which has potential implications for our wider trade arrangements. I have replied to Neil Manchester in this regard and also attach my email to him.



Export of salmon
ova to Norway...

We will keep you apprised of progress on this matter.

Best Regards,

[REDACTED]

[REDACTED]

Head of Aquaculture Health and Welfare
Marine Scotland – Performance, Aquaculture and Recreational Fisheries
Tel: [REDACTED]
E-mail: [REDACTED]
Web: <http://www.scotland.gov.uk/marinescotland>
Mail: Scottish Government, 1B North, Victoria Quay, Edinburgh EH6 6QQ



Aquaculture Europe - Edinburgh
Food For Thought
20-23 September 2016

From: [REDACTED]
Sent: 30 June 2016 17:31:45
To: Ministerial Correspondence Unit
Cc: Cabinet Secretary for the Rural Economy and Connectivity
Subject: FW: Landcatch, Ormsary, Argyll

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

The Scottish Government
St Andrews House, Edinburgh, EH1 3DG
Tel. 0131 244 1557
E-mail: CabSecREC@gov.scot

From: Russell MW (Michael), MSP [mailto:Michael.Russell.msp@parliament.scot]
Sent: 30 June 2016 17:23
To: Ewing F (Fergus), MSP; Neil Manchester
Cc: Cabinet Secretary for the Rural Economy and Connectivity; Docherty M (Marie-Claire)
Subject: Re: Landcatch, Ormsary, Argyll

Dear NEIL

Thanks for copying me into this. I had been alerted to the potential for this problem to arise and it is certainly now very pressing.

I hope Fergus can find a way forward, perhaps by direct contact with the Norwegian Government but I am happy to raise it in the Parliament in the new session (we are now about to go into recess) if a solution has not been found by then.

Please do keep me updated. I am copying in Fergus.

Regards

Michael

On 28 Jun 2016, 17:31 +0100, Neil Manchester <Neil.Manchester@hendrix-genetics.com<mailto:Neil.Manchester@hendrix-genetics.com>>, wrote:

Dear Mr Ewing

I would like to bring to your attention an issue that has very serious implications for our aquaculture breeding and production business in Argyll, Landcatch Ltd.

The company was established in 1980 by Sir William Lithgow of Ormsary, and has been a leader in the development of salmon breeding technology as well as a significant employer in rural Argyll for many years.

In 2011, Lithgows sold the company to Hendrix Genetics BV, a Dutch based company which is one of the world's leading multi-species animal breeding companies. James Lithgow, whom you know I believe, now runs the estate and remains our landlord for the business.

Earlier this month, Mike Russell visited the fish farm at Ormsary to hand over the Gold Award for Investors in Young People, and would also have seen the results of a ?2 million capital development project started three years ago.

I started working with Landcatch in 1997, and in May last year I moved to the Netherlands headquarters of Hendrix Genetics to head up the global business development and to position ourselves as a global leader in aquaculture breeding.

In addition to the Landcatch strain of salmon being produced in Scotland and now Chile (I met your predecessor Paul Wheelhouse there in 2014), we are currently seeking to develop breeding and production operations in Norway. This is an essential development for our business as the Scottish market alone simply cannot sustain the level of R&D spend on our Scottish breeding programme. This situation is worsened by the fact that the industry is so dominated by Norway, hence with a general preference for salmon egg supplies from Norway. Access to the Norwegian market, and shared breeding R&D between Scotland and Norway will create a sustainable business and thus guarantee the future for Landcatch in Argyll.

In October 2015 we formed a new company based in Bergen, named Hendrix Genetics Aquaculture AS, and earlier this year were recommended by the Broodstock Committee of the Norwegian Fisheries Directorate to receive two broodstock licenses to operate a breeding programme based on the Landcatch strain of Salmon. Indeed, we received a commendation from the Committee welcoming both Hendrix Genetics and the introduction of Landcatch into Norway as this was seen as increasing competition and choice for the industry.

However, in contradiction, our application to transfer nucleus salmon eggs from our operations in Scotland into Norway was blocked by the Environment Department of the Norwegian Government earlier this year.

We had appealed against this decision, but were told yesterday that the decision was upheld.

The reason cited is that they believe that Scottish strains of Atlantic salmon are an alien species and, if introduced and if any escape from containment, could contaminate native wild stocks.

Regardless of the fact that the Landcatch strain originated from three Norwegian strains between 1980 and 1984, this argument has no scientific basis and at no stage have the Norwegian Government taken genetic samples to verify their assertion.

At the same time as reaching this decision, the same department has allowed the importation of salmon eggs from Iceland and salmon sperm from the Faeroes into Norway for Salmobreed AS (Norwegian company).

We believe that this decision is a blatant attempt to block us from operating in the Norwegian market, is anti-competitive, and simply a protectionist policy. The implications for Landcatch are far reaching, in that if restricted to the available market in Scotland only, the business is inherently uneconomic.

We believe that there are two courses of action from this point:

- a) I have advised Willie Cowan and the Marine Scotland team of this situation, and with your assistance in the Scottish Parliament, pressure should be brought to bear on the Norwegian government to reconsider this decision, or

- b) If we accept that there is a legal basis to this decision, then reciprocal action should be taken against all imports of Norwegian salmon eggs and live fish into Scotland

I draw this matter to your attention in the hopes that this can be raised in parliament and a concerted effort made towards the Norwegian government to rescind this decision.

I can provide documentary information regarding every aspect of this case, from our original license application and award through to the recent appeal decision. If it would help, I would also be delighted to meet with you in Edinburgh at your convenience to discuss this matter in more detail.

I look forward to hearing from you in due course.

Yours sincerely

Neil Manchester

Neil Manchester
Managing Director

[www.hendrix-genetics.com]<<http://www.hendrix-genetics.com/>>



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[REDACTED]

From: [REDACTED]
Sent: 06 July 2016 15:13
To: [REDACTED]
Cc: Cowan WJ (Willie); Mitchell A (Alastair)
Subject: Export of salmon ova to Norway

Dear Neil,

Many thanks for your email to Willie, and we have also been made aware of your representations to Mike Russell MSP. We are disappointed to hear that your appeal has been rejected and the original decision upheld by the Norwegian Government.

Scottish Government are going to follow this up as a matter of urgency with the Norwegian Government. We will of course keep you apprised of how this proceeds.

In relation to the trade of imported Atlantic salmon ova from Norway, Scottish Government do not consider Atlantic salmon ova of Norwegian origin to be an alien or locally absent species according to the definitions as provided in the EU Regulation. We would therefore not consider any reciprocal action in this regard.

Best Regards,

[REDACTED]
[REDACTED]
Head of Aquaculture Health and Welfare
Marine Scotland – Performance, Aquaculture and Recreational Fisheries
[REDACTED]

Web: <http://www.scotland.gov.uk/marinescotland>
Mail: Scottish Government, 1B North, Victoria Quay, Edinburgh EH6 6QQ



Aquaculture Europe - Edinburgh
Food For Thought
20-23 September 2016
<http://www.gov.scot/Resource/0043/00433571.pdf>

Cabinet Secretary for the Rural Economy and Connectivity
Fergus Ewing MSP

F/T: 0300 244 4000
E: scottish.ministers@gov.scot



Minister of Climate and Environment
Mr. Vidar Helgesen
Kongensgate 20,
Postboks 8013
Dep, 0030
Oslo

14 July 2016

Dear Mr Helgesen

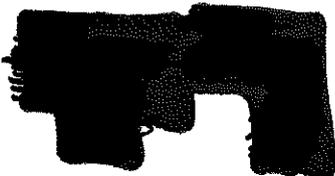
**Refusal of import permit for Atlantic salmon ova from Scotland
(Interpretation of Council Regulation (EC) No 708/2007 concerning use of alien and
locally absent species in aquaculture
Consideration of trade in relation to EEA Agreement 1994)
Case Ref: 2016/2771**

I have recently been informed of the refusal to permit the import of a consignment of salmon ova from Scotland by the Norwegian Environment Agency under the auspices of Norway's alien species regulations, and the subsequent upholding of that decision by the Agency following an appeal by the applicant, Hendrix Genetics Aquaculture AS.

I am concerned by the legislative interpretation reached thus far which may have significant potential implications for our wider trade arrangements and would, therefore, be grateful if you could provide a full explanation for this decision and review the conclusion arrived at during your final assessment of this case.

I look forward to hearing from you soon regarding this important matter.

Yours sincerely,



FERGUS EWING

[REDACTED]
From: [REDACTED]
Sent: 31 August 2016 12:11:54
To: [REDACTED]
Cc: Cabinet Secretary for the Rural Economy and Connectivity
Subject: FW: Movement of atlantic salmon eggs between UK and Norway.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Correspondence Secretary - Cabinet Secretary for the Rural Economy & Connectivity

The Scottish Government
St Andrews House, Edinburgh, EH1 3DG
Tel. 0131 244 1557
E-mail: CabSecREC@gov.scot

From: Ewing F (Fergus), MSP [mailto:Fergus.Ewing.msp@parliament.scot]
Sent: 31 August 2016 12:07
To: Cabinet Secretary for the Rural Economy and Connectivity
Subject: Fwd: Movement of atlantic salmon eggs between UK and Norway.

Sent from my iPad

Begin forwarded message:
From: Neil Manchester [REDACTED]
[REDACTED]

Date: 31 August 2016 at 10:37:46 BST
To: "Ewing F (Fergus), MSP"
<Fergus.Ewing.msp@parliament.scot<mailto:Fergus.Ewing.msp@parliament.scot>>,
"Michael.Russell.msp@parliament.scot<mailto:Michael.Russell.msp@parliament.sco
t>"
<Michael.Russell.msp@parliament.scot<mailto:Michael.Russell.msp@parliament.sco
t>>
Subject: FW: Movement of atlantic salmon eggs between UK and Norway.
Dear Fergus

I saw a copy of your letter to Vidar Helgesen dated 14th July, and really appreciate the stance that you have taken.

I wrote to the Norwegian Minister of EEA and EU affairs in August and requested a meeting, and have received the response below suggesting that the matter is being considered at high level.

In particular, I wanted to point out to Mrs Aspaker that the Norwegian government had already allowed movements of salmon eggs from Iceland this year, and from Ireland in 2014, and draw her attention to the body of scientific evidence documenting the lack of significant genetic differentiation between the salmon regions of the north Atlantic. From a trade perspective, she should also be aware that there are sufficient salmon broodstock populations in Scotland to support the domestic industry without

Norwegian imports if required.

I will be interested to hear the outcomes of the meeting mentioned below.

Yours

Neil

Neil Manchester
Managing Director#HGSIG

[<http://exclaimer.hendrix-genetics.com/HG.jpg>]



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From: Århus, Erik [<mailto:Erik.Arhus@mfa.no>]

Sent: maandag 29 augustus 2016 15:03

To: Neil Manchester

Cc: Hege.Jordbakke@kld.dep.no<<mailto:Hege.Jordbakke@kld.dep.no>>;

Astrid.Holtan@nfd.dep.no<<mailto:Astrid.Holtan@nfd.dep.no>>

Subject: Movement of atlantic salmon eggs between UK and Norway.

Dear Mr. Manchester,

Reference is made to your letter dated 15. August to Mrs Elisabeth Vik Aspaker, Minister of EEA and EU Affairs on the above mentioned issue.

The matter related to salmon eggs between Norway and the UK is presently under

consideration by the Ministry of Climate and Environment. They have contacted the Ministry of Foreign Affairs and the Ministry of Trade, Industry and Fisheries and a meeting will be convened shortly to discuss the matter.

We will revert to you as soon as the meeting has taken place.

Best regards,

Erik Århus

Erik Aarhus
European Department
Ministry of Foreign Affairs
P.O Box 8114 Dep,
0032 OSLO



*

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ROYAL NORWEGIAN MINISTRY OF
CLIMATE AND ENVIRONMENT

The Minister

The Scottish Government Cabinet Secretary for the Rural
Economy and Connectivity
Fergus Ewing MSP

Your reference
2016/2771

Our reference
13/3163

Date
2 SEPT 2016

Refusal of import permit for Atlantic salmon ova from Scotland

Dear Mr. Ewing,

Reference is made to your letter dated 14 July on the refusal to permit the import of a consignment of salmon ova from Scotland by the Norwegian Environment Agency under Norway's alien species regulations, and the subsequent upholding of that decision by the Agency following an appeal by the applicant.

The appeal is presently being reviewed by the Ministry of Climate and Environment. We have contacted the Ministry of Foreign Affairs and the Ministry of Trade, Industry and Fisheries and a meeting will be convened shortly to discuss the matter.

I assure you that the Norwegian Government will review the case carefully. I will carry out a final assessment of the conclusion and will inform you of our final decision in due course.

Yours sincerely,

Vidar Helgesen

Cabinet Secretary for the Rural Economy and
Connectivity
Fergus Ewing MSP



Scottish Government
Riaghaltas na h-Alba
gov.scot

F/T: 0300 244 4000
E: scottish.ministers@gov.scot

Mr Neil Manchester

By email: [REDACTED]

Our ref: 2016/0028732
14 September 2016

Dear Mr Manchester

Movement of Atlantic salmon eggs between UK and Norway

Thank you for your email of 31 August regarding the refusal of import permit for Atlantic salmon ova from Scotland and for providing an update regarding your most recent correspondence.

I can advise that following my letter dated 14 July to the Norwegian Minister of Climate and Environment, Mr Vidar Helgesen, I received notification that the Norwegian Government will conduct a review of your appeal, including a meeting involving the relevant Norwegian Ministries.

I await the outcome of this review and I will ensure that my officials keep you updated following any communication from the Norwegian Government. Please find Mr Helgesen's reply to my letter of 14 July attached for your information.

Fergus Ewing



FERGUS EWING



**ROYAL NORWEGIAN MINISTRY OF
CLIMATE AND ENVIRONMENT**

The Minister

The Scottish Government Cabinet Secretary for the Rural
Economy and Connectivity
Fergus Ewing MSP

Your reference
2016 2771

Our reference
13/3163

Date

2 SEPT 2016

Refusal of import permit for Atlantic salmon ova from Scotland

Dear Mr. Ewing,

Reference is made to your letter dated 14 July on the refusal to permit the import of a consignment of salmon ova from Scotland by the Norwegian Environment Agency under Norway's alien species regulations, and the subsequent upholding of that decision by the Agency following an appeal by the applicant.

The appeal is presently being reviewed by the Ministry of Climate and Environment. We have contacted the Ministry of Foreign Affairs and the Ministry of Trade, Industry and Fisheries and a meeting will be convened shortly to discuss the matter.

I assure you that the Norwegian Government will review the case carefully. I will carry out a final assessment of the conclusion and will inform you of our final decision in due course.

Yours sincerely,


Vidar Helgesen

Office address: Mønstergate 20 Telephone: +47 22 24 57 00 Telefax: +47 22 24 60 34
Postal address: PO Box 8013 Dep, N-0030 Oslo, Norway
Org no. 972 417 882



[REDACTED]
Sent: 16 March 2017 12:35:21
To: Public Engagement Unit
Cc: Cabinet Secretary for the Rural Economy and Connectivity
Subject: FW: Meeting with Mr Sandberg Today

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
From: Ewing F (Fergus), MSP [mailto:Fergus.Ewing.msp@parliament.scot]
Sent: 09 March 2017 18:25
To: Cabinet Secretary for the Rural Economy and Connectivity
Subject: Fwd: Meeting with Mr Sandberg Today

Pass to officials for response - quick response please. F

Sent from my iPad

Begin forwarded message:

From: Neil Manchester [REDACTED]
[REDACTED]

Date: 9 March 2017 at 15:56:26 GMT
To: "Ewing F (Fergus), MSP"
<Fergus.Ewing.msp@parliament.scot<mailto:Fergus.Ewing.msp@parliament.scot>>
Subject: Meeting with Mr Sandberg Today
Dear Fergus

I hope your meeting with Mr Sandberg today has gone well.

I make no apology for bombarding you with information regarding our ongoing battle with the Norwegian government, since this should be an indication of the seriousness of the situation within our Scottish operations and brazen unfairness of application of rules within Norway. I do trust that you recognize the injustice in this matter and took the opportunity to take a strong position regarding the free movement of genetic material between Norway and Scotland.

I would very much appreciate if you could find time to brief me on the nature of this section of your discussion with Mr Sandberg, and hopefully provide an indication of his response to the situation.

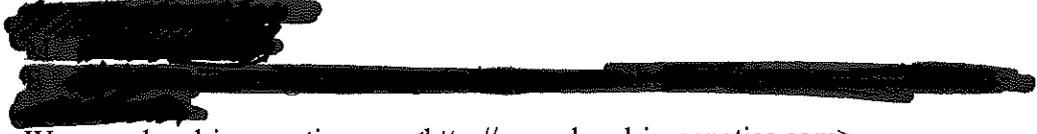
I do look forward to hearing from you in due course.

Yours sincerely

Neil

Neil Manchester

Managing Director
#HGsig



W www.hendrix-genetics.com<<http://www.hendrix-genetics.com>>

[cid:image001.jpg@01D298F6.1574D240]<<http://www.hendrix-genetics.com/>>

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E: [REDACTED]

Mr Neil Manchester

Email: [REDACTED]

Our ref: 2017/0010387
19 April 2017

Dear Mr Manchester

Thank you for your letter dated 9 March to Mr Fergus Ewing, Cabinet Secretary for Rural Economy and Connectivity, and for keeping Mr Ewing and officials updated regarding the refusal of ova import to Norway last year.

Unfortunately Mr Ewing did not have the opportunity to discuss the case with Per Sandberg as the meeting was cancelled at short notice.

As you are aware, this matter is being currently being reviewed by the Ministry of Climate and Environment. Officials will ask for a further update from the Ministry as a matter of urgency, and will contact you in due course.

Yours sincerely

[REDACTED]

Lisa Johnston



From: [REDACTED]
Sent: 11 May 2017 15:21:26
To: Public Engagement Unit
Cc: Cabinet Secretary for the Rural Economy and Connectivity
Subject: FW: Norwegian Government Response

Attachments: u441808_12-05-2017_15-15-32.pdf

[REDACTED]
[REDACTED]
Cabinet Secretary for Rural Economy and Connectivity
CabsecREC@gov.scot<mailto:CabsecREC@gov.scot>

From: Neil Manchester [REDACTED]
Sent: 05 May 2017 16:14
To: Ewing F (Fergus), MSP
<Fergus.Ewing.msp@parliament.scot<mailto:Fergus.Ewing.msp@parliament.scot>>
Cc: Russell MW (Michael), MSP
<Michael.Russell.msp@parliament.scot<mailto:Michael.Russell.msp@parliament.scot>>
Subject: Norwegian Government Response

Dear Fergus

We have received the attached letter from the Fisheries Directorate in Norway, and I have also attached a Google translated version for quick reference.

I urge you to review this letter as a priority, as it makes a definitive statement that regardless of trade rules the Norwegian government will not allow imports of any genetic material from Scotland into Norway in order to protect wild stocks.

The whole argument is protectionist, and while disappointed in the content we are pleased that the Norwegian Government have now put on paper the arguments that have been verbally expressed up until now.

I will also be sending this information to Scott Landsburgh.

We believe that this matter now needs to be addressed at highest levels within the UK and the EU, and would appreciate it if you can advise which senior representative in Brussels we should be discussing this with.

I would be very pleased to come to Edinburgh at some point, along with our Norwegian colleagues, to discuss this matter in full detail with you to help expedite action.

I look forward to hearing your response in due course.

Yours

Neil

Cabinet Secretary for the Rural Economy and
Connectivity
Fergus Ewing MSP



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gov.scot

F/T: 0300 244 4000
E: scottish.ministers@gov.scot

Mr Neil Manchester


Our ref: 2017/0017656
7 June 2017

Dear Mr Manchester,

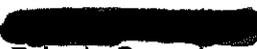
Norwegian Government Response

Thank you for your email and attachment of 5 May addressed to Fergus Ewing MSP, Cabinet Secretary for the Rural Economy and Connectivity, requesting a meeting to discuss your assertion that 'regardless of trade rules, the Norwegian government will not allow imports of any genetic material from Scotland into Norway in order to protect wild stocks.'

You will wish to be aware that Scottish Government officials met recently with Norwegian colleagues to discuss this issue and it was clear from those discussions that the appeal by your company regarding the rejection of aquaculture permits for stocked fish is still ongoing – no decision has been made at this stage.

Mr Ewing has asked me to reassure you that he is very much aware of the importance of securing a positive outcome to this appeal and that he will write to his Norwegian counterparts in anticipation of bringing the matter to a conclusion. Once a decision has been determined, he would be happy to meet with you to consider what further action, if any, might be appropriate.




Private Secretary

From: Cabinet Secretary for the Rural Economy and Connectivity
Sent: 19 February 2018 09:07:44
To: Public Engagement Unit
Subject: FW: Hendrix Genetics and Norway

[REDACTED]
Assistant Private Secretary to Fergus Ewing MSP, Cabinet Secretary for the Rural Economy and Connectivity
The Scottish Government
2N.11 St Andrew's House | Regent Road | Edinburgh | EH1 3DG
Email: CabSecRec@gov.scot

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[REDACTED]
Sent: 18 February 2018 11:30
To: Cabinet Secretary for the Rural Economy and Connectivity
Cc: [REDACTED]
Subject: FW: Hendrix Genetics and Norway
Importance: High

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
From: Neil Manchester [REDACTED]
Date: Monday, 12 February 2018 at 22:15
To: "Ewing F (Fergus), MSP"
<Fergus.Ewing.msp@parliament.scot<mailto:Fergus.Ewing.msp@parliament.scot>>
Cc: "Russell MW (Michael), MSP"
<Michael.Russell.msp@parliament.scot<mailto:Michael.Russell.msp@parliament.scot>>
Subject: Hendrix Genetics and Norway

Dear Mr Ewing

In the press today it was reported that the Norwegian Environment Ministry has

issued a communique saying it will not allow the import of farmed salmon from Scotland for aquaculture in Norway, citing fears that escapees could further weaken the country's wild salmon population.

This coincides with Hendrix Genetics being issued with a 22 page letter explaining why Scottish genetics are seen as a threat to the Norwegian wild stocks and why their decision to ban our import of eggs from Scotland into Norway is final and not open to appeal.

Thus, thanks in part to a spectacular lack of support from parties who should have shown an interest, our case is lost.

The Landcatch breeding programme, established in 1980 by Sir William Lithgow, heavily funded during the 1990's through Scottish Enterprise, and the only independent Scottish salmon egg producer in existence, will now be terminated.

This means that the Scottish salmon industry is now 100% reliant on imported eggs- both a massive risk in the event of borders closing for disease issues (and also the transfer of ISA from infected countries such as Norway), but also making a complete mockery of the brand 'Scottish Salmon'.

This also means that the extensive R&D projects conducted between Landcatch and the Universities of Glasgow, Stirling, and Edinburgh, once lauded as great examples of Smart Successful Scotland, will now require the involvement of Norwegian breeding companies operating in Norway. Phrases other than smart and successful come to mind.

I have one question to which I would like a written answer at your earliest convenience:

Do you, and the Scottish Government, believe that the ban on movement of genetic material from Scotland to Norway is fair and legal?

If the answer is no, then please advise what actions you intend to take to challenge this unlawful trade barrier.

If the answer is yes, then please advise what reciprocal actions you intend to take to offer similar protection to wild Scottish salmon.

I look forward to an early response from you on the above.

Yours

Neil Manchester

Neil Manchester
Managing Director
#HGsig


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[cid:image001.jpg@01D3A8AB.D08557B0]<<http://www.hendrix-genetics.com/>>

Hendrix Genetics Aquaculture B.V.
Villa 'de K'rver', Spoorstraat 69, 5831 CK Boxmeer

[REDACTED]

From: Torgersen Yngve [REDACTED]
Sent: 16 February 2018 12:22
To: [REDACTED]
Cc: [REDACTED]
Subject: SV: A question from Scotland - Norway imports of Scottish salmon eggs - 16 February 2018

Dear [REDACTED]

I can confirm that the Ministry of Climate and Environment – pursuant to the Biological Diversity Act – have (partially) turned down an application for import of salmon eggs from Scotland.

[REDACTED]

I hope this clarifies the situation

Kind regards
Yngve T



Yngve Torgersen
avdelingsdirektor - director
Fiskeri- og havbruksavdelingen
Nærings- og fiskeridepartementet
Department of Fisheries and Aquaculture
Norwegian Ministry of Trade, Industry and Fisheries

[REDACTED]
regjeringen.no/nfd – Facebook - Twitter

Fra: [REDACTED]
Sendt: 16. februar 2018 13.12
Til: Torgersen Yngve [REDACTED]
Kopi: Rønbeck Christopher Grøvdal [REDACTED]
Emne: A question from Scotland - Norway imports of Scottish salmon eggs - 16 February 2018

Good afternoon Yngve,

My colleague Paul Haddon within Scottish Government gave me your details and suggested you might be able to help with my query.

I have been contacted by someone concerned about the recent news article reporting that Norway will not allow the import of farmed salmon from Scotland for aquaculture in Norway. The article can be accessed here:

<http://salmonbusiness.com/norway-keeps-ban-on-import-of-scottish-roe/>

I gather that, prior to me joining the aquaculture team, there was a lot of discussion on this topic. Are you able to provide an update on this and confirm whether the position as reported in the above news article is correct?

Any help much appreciated.

Best wishes,


Aquaculture Industry Engagment Policy Manager

Area 1B North
VICTORIA QUAY, The Shore
EDINBURGH
EH6 6QQ


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Extract of briefing document for Ms Cunningham's meeting with Per Sandberg scheduled for 8 March and

Extract of briefing document for Mr Ewing's meeting with Per Sandberg scheduled for 8 March

Norwegian Government's decision to ban the import of salmon eggs from Scotland

- In 2016, Landcatch Ltd (Hendrix Genetics) attempted to export to Norway Scottish derived Atlantic salmon ova and were declined by the Norwegian Environment Agency because they considered Atlantic salmon of Scottish origin to be an "alien species"
- Following this, the Cabinet Secretary for Rural Economy and Connectivity, Fergus Ewing MSP, wrote to the Norwegian Minister of Climate and Environment, Vidar Helgesen, asking for an explanation as to the refusal.
- The Norwegian response was that an appeal was being reviewed, the conclusions of which would be shared in due course. Mr Ewing wrote once more to Mr Helgesen in August 2017.

Recent Refusal

- In February 2018, the Norwegian authorities again refused to permit the import of Scottish derived Atlantic salmon ova. The Scottish Government have written to the Norwegian authorities to understand a) the outcome of the appeal review and b) on what basis the recent refusal was made.

Norwegian Position

- The Norwegian authorities wrote to SG officials on 1 March 2018, to inform them that their position is to continue to ban the import of Scottish derived Atlantic salmon ova .

[REDACTED]

From: [REDACTED]
Sent: 04 April 2018 12:49
To: [REDACTED]
Subject: Email to Robin - 22 page letter - FW: A question from Scotland - Norway imports of Scottish salmon eggs - 16 February 2018

From: Lange Torbjørn [<mailto:Torbjorn.Lange@kld.dep.no>]
Sent: 01 March 2018 05:56
To: [REDACTED]
Cc: Askilsrud Harald; Narmo Anne Kjersti; Pedersen Linn Helmich; Sletsjøe Ida; Svenningsen Mette
Subject: SV: A question from Scotland - Norway imports of Scottish salmon eggs - 16 February 2018

[REDACTED]

The Norwegian Ministry of Climate and Environment can confirm that the position as reported in the news article is correct. Hendrix Genetics Aquaculture appealed the decision by the Norwegian Environment Agency of June 2016 that forbade the import of the mixed Scottish-Norwegian farmed salmon roe for aquaculture in Norway. The Ministry of Climate and Environment has reviewed the appeal, and upheld the Agency's decision that import is not allowed. The decision of the Ministry of 9th of February is final, and not possible to appeal. The Ministry's decision is based on scientific assessments carried out by The Norwegian Institute for Nature Research in 2017, concluding that escapees of farmed salmon of partly Scottish origin increases the probability of negative effects on the Norwegian wild salmon populations, compared to escapees of farmed salmon of only Norwegian origin. Today, only farmed salmon of Norwegian origin is used in aquaculture in Norway.

The application has been considered under the Regulations relating to alien organisms, which has been adopted under the Nature Diversity Act. Section 6 of the Regulations states that a "*permit is required for the import of organisms to which the prohibition of section 5 and the exceptions set out in section 7 do not apply*". Neither section 5 nor section 7 applied in this case, hence the import required a permit. Section 15 (3) of the Regulations states that "*When an application is considered, particular importance shall be attached to whether the organism to which the application applies and any accompanying organisms may entail a risk of adverse impacts on biological diversity. A permit may not be granted if there is reason to believe that the release will have substantial adverse impacts on biological diversity.*"

An English version of the Regulations can be found here:
<https://www.regjeringen.no/en/dokumenter/forskrift-om-fremmede-organismer/id2479700/>

Unfortunately, the final decision of 9th of February is only available in Norwegian. We nevertheless include the decision, in case you have the possibility to translate it for more information:
<https://www.regjeringen.no/contentassets/84664705a50f4fa9bc36ecc29bc2ee2b/avgjorelse-av-klage-pa-avslag-pa-soknad-om-tillatelse-til-innforsel-av-r..pdf>

[REDACTED]

Kind regards,

Torbjørn Lange
Avdelingsdirektør/Deputy Director General
Artseksjonen/ Section for the Management of Species
Klima- og miljødepartementet/Ministry of Climate and Environment

Fra: [REDACTED]

Dato: 21. februar 2018 kl. 11:23:22 CET

Til: [REDACTED]

Kopi: [REDACTED]

Emne: RE: A question from Scotland - Norway imports of Scottish salmon eggs - 16 February 2018

Many thanks Yngve,

Good morning Mr Lange,

Are you able to help? Also, it would be good to understand to outcome of the appeal that was being reviewed by the Ministry of Climate and Environment.

Best wishes,

[REDACTED]

Aquaculture Industry Engagment Policy Manager
Area 1B North
VICTORIA QUAY, The Shore
EDINBURGH
EH6 6QQ

[REDACTED]
[REDACTED]

From: Torgersen Yngve [REDACTED]

Sent: 20 February 2018 13:08

To: [REDACTED] Lange Torbjørn

Cc: Rønbeck Christopher Grøvdal; Vinje Nina Eriksen

Subject: Re: A question from Scotland - Norway imports of Scottish salmon eggs - 16 February 2018

[REDACTED]

I'm in a plane i AMS, hence a short reply.

Since this i a decision by the Ministry og Climate and Environment, I reccomend that you contact my colleague in that Ministry, Mr Thorbjørn Lange

Kind regards

Yngve

20. feb. 2018 kl. 11:37 skrev [redacted]
[redacted]

Good morning Yngve,

Sorry to come back to you for more information about this issue but it has generated a bit of Ministerial interest and I have been asked to put together a detailed brief on the matter.

I understand that the importation of Scottish salmon ova to Norway has previously been declined under the auspices of Norway's alien species regulations. Can you outline which section of the Biological Diversity Act was used to partially decline the most recent import attempt by Hendrix Genetics?

Any assistance much appreciated.

Best wishes,
[redacted]

From: Torgersen Yngve [redacted]
Sent: 16 February 2018 12:22
To: MacLean R (Robin)
Cc: Rønbeck Christopher Grøvdal; Vinje Nina Eriksen
Subject: SV: A question from Scotland - Norway imports of Scottish salmon eggs - 16 February 2018

Dear Robin

I can confirm that the Ministry of Climate and Environment – pursuant to the Biological Diversity Act – have (partially) turned down an application for import of salmon eggs from Scotland.

The applicant (Hendrix Genetics) have informed the Norwegian Authorities that they have family groups in their breeding material of Norwegian origin only. The company have been informed that if they can provide documentation that this is correct, such import could be allowed.

I hope this clarifies the situation

Kind regards
Yngve T

<image001.png>

Yngve Torgersen
avdelingsdirektør - director
Fiskeri- og havbruksavdelingen
Nærings- og fiskeridepartementet
Department of Fisheries and Aquaculture
Norwegian Ministry of Trade, Industry and Fisheries


regjeringen.no/nfd - [Facebook](#) - [Twitter](#)

Fra: 

Sendt: 16. februar 2018 13.12

Til: Torgersen Yngve 

Kopi: Rønbeck Christopher Grøvdal 


Emne: A question from Scotland - Norway imports of Scottish salmon eggs - 16 February 2018

Good afternoon Yngve,

My colleague Paul Haddon within Scottish Government gave me your details and suggested you might be able to help with my query.

I have been contacted by someone concerned about the recent news article reporting that Norway will not allow the import of farmed salmon from Scotland for aquaculture in Norway. The article can be accessed here:

<http://salmonbusiness.com/norway-keeps-ban-on-import-of-scottish-roe/>

I gather that, prior to me joining the aquaculture team, there was a lot of discussion on this topic. Are you able to provide an update on this and confirm whether the position as reported in the above news article is correct?

Any help much appreciated.

Best wishes,


Aquaculture Industry Engagement Policy Manager

Area 1B North
VICTORIA QUAY, The Shore
EDINBURGH
EH6 6QQ


[REDACTED]

From: [REDACTED]
Sent: 25 April 2018 14:33
To: [REDACTED]
Subject: FW: Correspondence from the Cabinet Secretary for the Rural Economy and Connectivity - 2018/0005702

From: Neil Manchester [REDACTED]
Sent: 04 March 2018 05:56
To: Cabinet Secretary for the Rural Economy and Connectivity
Cc: Russell MW (Michael), MSP
Subject: RE: Correspondence from the Cabinet Secretary for the Rural Economy and Connectivity - 2018/0005702

Dear Ewan

Thank you for sending the response from the Minister, and I note that he will be meeting his Norwegian counterpart shortly.

However, I fear that the Minister may be misinformed slightly. It isn't the case that the Norwegian government have simply prevented the import of one consignment of Atlantic salmon eggs, but rather that they have banned the movement of all salmon eggs from Scotland into Norway. This decision has been reported in the media already, as per this link: <http://salmonbusiness.com/norway-keeps-ban-on-import-of-scottish-roe/>

I have attached a copy of the 22 page letter sent to us by the Norwegian government explaining their reasoning. The conclusion clearly states that importing eggs of Scottish or even partial Scottish origin is seen as a serious threat to wild Norwegian salmon, and will not be allowed.

The point here is that if the Minister accepts this decision, and thereby the reasoning behind it, then he must answer why he is unwilling to afford the same level of protection to wild Scottish salmon.

Alternatively, since our independent salmon breeding and egg production business in Argyll has been destroyed by this decision and the time it has taken to reach it, I would hope that Scottish government would recognize this and act/ react accordingly.

I would appreciate it if you could brief the Minister accordingly prior to his meeting with Per Sandberg.

Yours sincerely

Neil

Neil Manchester
Managing Director

[REDACTED]

W www.hendrix-genetics.com



Hendrix Genetics Aquaculture B.V.
Villa 'de Körver', Spoorstraat 69, 5831 CK Boxmeer
P.O. Box 114, 5830 AC Boxmeer, The Netherlands-EU



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[REDACTED]

From: [REDACTED]
Sent: 25 April 2018 14:59
To: [REDACTED]
Subject: FW: Correspondence from the Cabinet Secretary for the Rural Economy and Connectivity - 2018/0005702

From: [REDACTED]
Sent: 07 March 2018 07:55
To: Cabinet Secretary for the Rural Economy and Connectivity
Cc: Gibbons J (Jeff); Mitchell A (Alastair); [REDACTED]
Subject: RE: Correspondence from the Cabinet Secretary for the Rural Economy and Connectivity - 2018/0005702

Morning Ewan,

See below up to date brief on the subject.

Please assure CabSec that matters are in hand and the idea of the meeting is to understand the decision and what options remain open to the Hendrix Genetics.

Timeline

- In 2016, Landcatch Ltd (Hendrix Genetics) attempted to export to Norway Scottish derived Atlantic salmon ova and were declined by the Norwegian Environment Agency because they considered Atlantic salmon of Scottish origin to be an "alien species".
- Following this, the Cabinet Secretary for Rural Economy and Connectivity, Fergus Ewing MSP, wrote to the Norwegian Minister of Climate and Environment, Vidar Helgesen, asking for an explanation as to the refusal.
- The Norwegian response was that an appeal was being reviewed, the conclusions of which would be shared in due course. Mr Ewing wrote once more to Mr Helgesen in August 2017.
- In February 2018, the Norwegian authorities again refused to permit the import of Scottish derived Atlantic salmon ova. The Scottish Government wrote to the Norwegian authorities to understand a) the outcome of the appeal review and b) on what basis the recent refusal was made.

Norwegian Position

- The Norwegian authorities wrote to SG officials on 1 March 2018, to inform them that their position is to continue to ban the import of Scottish derived Atlantic salmon ova.

Background to Decision

- Emphasis from Norwegians that escaped farmed salmon with partial Scottish origin increases the likelihood of adverse effects on Norwegian wildlife stocks in addition to the adverse effects with Norwegian fish farms.
- They state that the purpose of the Norwegian Nature Diversity Act is to prevent the introduction, expulsion and spread of alien organisms that cause or may cause adverse consequences for nature diversity, including the need to preserve genetic diversity within a species by protecting subspecies and genetic different populations against introductions of foreign organisms of the same species.
- The Ministry's assessment is that material, which is of partial Scottish origin, does not belong to any of the 400 stocks of Atlantic salmon that occurs naturally anywhere in Norway, and that the material in question is thus a foreign organism according to the definition of the Nature Diversity Act.

[REDACTED]

Best wishes,

[REDACTED]

Rùnaire a' Chaibneit airson na h-Eaconomaidh
Dhùthchall agus Comas-ceangail
Cabinet Secretary for the Rural Economy and
Connectivity
Fergus Ewing BPA/MSP



Scottish Government
Riaghaltas na h-Alba
gov.scot

F/T: 0300 244 4000
E: scottish.ministers@gov.scot

Mr Neil Manchester
Hendrix Genetics

By email: Neil.manchester@hendrix-genetics.com

15 March 2018

Dear Mr Manchester,

Hendrix Genetics and Norway

I am writing in relation to the ongoing matter of Norway's refusal of the importation of Scottish salmon ova.

I think it would be beneficial to meet to discuss the issues and to explore the available options moving forward. If you are agreeable, please contact my office at cabsecrec@gov.scot to make the necessary arrangements.

I look forward to meeting with you.

Fergus Ewing

FERGUS EWING

