

Scottish Salmon Watch, 31 May 2018

[Complete Mockery of the Brand 'Scottish Salmon'](#)

- Norway bans import of Scottish salmon eggs citing disease risks & genetic impacts under the Nature Diversity Act
- Scotland ignores "massive risk" of disease & "is now 100% reliant on imported eggs"



Documents [disclosed via Freedom of Information by the Scottish Government \(24 May 2018\)](#) expose the "complete mockery of the brand 'Scottish Salmon'". In a stinging attack the head of the only independent Scottish salmon egg producer ([Landcatch](#)) accused the Scottish Government of taking a "massive risk" by allowing salmon eggs from Norway and Iceland to flood 'Scottish' salmon farms citing the danger of "transfer of ISA from infected countries such as Norway" [1].

Read Exclusively in today's National via "[Government 'failing to protect Scottish salmon'](#)"

THE NATIONAL

THE NEWSPAPER THAT SUPPORTS AN INDEPENDENT SCOTLAND

EXCLUSIVE 25 mins ago

Government 'failing to protect Scottish salmon'

Exclusive by Kirsteen Paterson [@kapaterson](#)
Journalist



The head of Scotland's largest independent salmon egg producer hit out over the Scottish Government's refusal to introduce 'protection' for wild fish

The image shows a news article snippet. At the top, it says "EXCLUSIVE 25 mins ago". The main headline is "Government 'failing to protect Scottish salmon'". Below the headline, it says "Exclusive by Kirsteen Paterson @kapaterson Journalist". The central part of the image is a photograph of two pieces of fresh salmon fillet on a wooden cutting board. At the bottom, there is a blue banner with white text: "The head of Scotland's largest independent salmon egg producer hit out over the Scottish Government's refusal to introduce 'protection' for wild fish".

In February 2018, [Norway's Ministry of Climate & Environment](#) banned the import of Scottish salmon eggs citing risks of disease and genetic impacts of escapes under the Norwegian [Nature Diversity Act](#).

"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'," stated the [email to Fergus Ewing dated 12 February 2018](#).



"Phrases other than smart and successful come to mind" wrote [Neil Manchester, Managing Director of Hendrix Genetics](#) (owner of Landcatch), in [an email to the Cabinet Secretary for Rural Economy & Connectivity](#) pointing out 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."

"Farmed salmon with partial Scottish origin increases the likelihood of a negative impact on Norwegian wild populations above negative effects with Norwegian farmed strains," [stated the 22-page letter of refusal](#) dated 9 February 2018 from [Norway's Ministry of Climate & Environment](#) to Hendrix Genetics. "There is a high probability that genetic mixing between Norwegian wild salmon and farmed salmon of partly Scottish origin will increase the loss of genetic diversity."

"This speaks for the Ministry's view that concern for biodiversity and wild salmon should be given significant weight in the case," [continued Norway's Ministry of Climate & Environment](#). "The Ministry also refers to the value of Norwegian wild salmon as an ecosystem service, or a natural good."

Norway's Deputy Director General at the Ministry of Climate & Environment ([Torbjørn Lange](#)) cited a 2017 report by the Norwegian Institute of Nature Research (NINA). "[Risk assessment of imports of partly Scottish salmon from Scotland to aquaculture in Norway](#)" - authored by NINA scientists [Sten Karlsson](#) and [Kjetil Hindar](#) - concluded: "Based on proven genetic distances and that Scottish wild salmon is a separate genetic group different from that

found in Norway, fished salmon with partly Scottish origin is considered to have an increased negative effect on wild salmon stocks in Norway."

NINA Kortrapport 54

Risikovurdering av import av delvis skotsk laks fra Skottland til akvakultur i Norge

Sten Karlsson og Kjetil Hindar

Sammendrag

Karlsson, S. & Hindar, K. 2017. Risikovurdering av import av delvis skotsk laks fra Skottland til akvakultur i Norge. – NINA Kortrapport 54. 24 s.

- Norsk villaks består av to adskilte genetiske grupper. Skotsk villaks danner i sammenlikning med disse en egen genetisk gruppe som har blitt formet uavhengig av norsk villaks.
- Innkrysning av rømt oppdrettslaks med delvis skotsk opphav i Norge vil innebære en introduksjon av genetisk materiale av et annet genetisk opphav og genetisk sammensetning enn det som finnes naturlig i Norge.
- Effekten av innkrysning av rømt oppdrettslaks på ville laksebestander er forskjellig avhengig av om oppdrettslaksen og villaksen har likt eller ulikt genetisk opphav.
- Økt genetisk avstand mellom utsatt/rømt laks og villaks har vist større negativ genetisk og økologisk effekt i både eksperimentelle og empiriske studier.
- Utfra dokumentert genetisk avstand og at skotsk villaks er en egen genetisk gruppe forskjellig fra det som finnes i Norge, vurderes oppdrettslaks med delvis skotsk opphav å gi en økt negativ effekt på ville laksebestander i Norge.

Scottish Salmon Watch filed a Freedom of Information request following a news snippet - "[Norway keeps ban on import of Scottish roe](#)" - published in February by Salmon Business which itself triggered a [Parliamentary Question from Peter Chapman MSP and a Parliamentary Reply from the Cabinet Secretary for Rural Economy & Connectivity in late February 2018](#) [2].

"We understand the Norwegian Government are reviewing the decision to ban the import of salmon eggs from Scotland," stated Fergus Ewing on 27 February 2018. "We are in dialogue with the Norwegian Authorities in order to understand the outcome of this review and I will raise the issue at a scheduled meeting with Per Sandberg, Norwegian Minister of Fisheries." This was in reply to a Parliamentary Question filed by Peter Chapman MSP on 19 February 2018: "To ask the Scottish Government what its response is to the Norwegian Government's reported decision to ban the import of salmon eggs from Scotland."

To muddy the waters of so-called 'Scottish' salmon even further, [Hendrix Genetics is a Dutch multinational](#) who [bought Landcatch, Scotland's largest independent salmon-breeding](#)

[company in 2011](#). The Press & Journal [reported in 2014](#): "Landcatch was taken over by Hendrix in 2011 after being sold by Port Glasgow-based Lithgows – the industrial and shipbuilding company owned by the Lithgow family, which farms at Ormsary Estate, at Lochgilphead" (read more via a profile in The Herald in 2012: "[Cutting-edge firm making waves in salmon industry](#)").



Landcatch General Manager, Neil Manchester

"The reputation of the 'Scottish Salmon' brand is cracked beyond repair," said Don Staniford, [Director of Scottish Salmon Watch](#). "This is extremely embarrassing for the Scottish Government and is an example of how 'Smart Successful Scotland' is in reality a stupid failure. Norwegian salmon farming companies now have a stranglehold over 'Scottish' salmon farming flooding Scotland with salmon eggs from Norway yet the Norwegian Government has banned imports of Scottish salmon eggs citing 'massive risks' of disease and genetic impacts. The Scottish Government should ban imports of salmon eggs from Norway and Iceland as a matter of urgency to safeguard what's left of the genetic integrity of Scottish salmon. It speaks volumes that the Norwegian Government is fighting to protect biodiversity and values wild salmon highly whilst the Scottish Government is happy to sell wild salmon down the river."

The [latest data published by the Scottish Government in September 2017](#) reveals that 91% of 'Scottish' salmon is sourced via imported eggs from overseas (predominantly from Norway and Iceland) [3].



"So-called 'Scottish' salmon is a sham, scam and a consumer con," continued Staniford, author of '[Scottish Salmon Farming 101](#)'. "The provenance of salmon from Scotland is more Norwegian than Scottish. If you dare look under a Scottish salmon's kilt you'll see a viking helmet not a tartan jockstrap. Scottish salmon should be stamped with 'Made in Norway' not the Scottish flag. Beware slippery salmon salesmen flogging 'Scottish' salmon off the back of a lorry."



Read a letter sent earlier today by Scottish Salmon Watch to the Scottish Government calling for a ban on salmon egg imports [online here](#)

Take the Scottish Salmon Company's '[Tartan Salmon](#)' which claims "Scottish provenance" [but in 2016 imported 12.4 million salmon eggs - all from Norway - accounting for 30% of eggs imports](#). The Scottish Salmon Company is [registered in Jersey](#), [listed on the Oslo Stock Exchange](#) and the citizenship of the [largest shareholders is listed as from Switzerland, Norway, Monaco, Luxembourg, Belgium, Finland, Sweden, Ireland and Denmark](#). The Scottish Salmon Company has [Board of Directors from Norway, Latvia and Russia](#) and was spawned following a £30 million investment from [Ukrainian banker Yuri Lopatinsky](#) ([described by The Scotsman newspaper](#) as "a leading figure in Moscow's financial scene" whose investment firm is "based in Bermuda" and who has a property portfolio in Charlotte Square in Edinburgh, home of Scotland's First Minister).



Scottish Provenance



On 4 March 2018, Neil Manchester of Hendrix Genetics emailed the Cabinet Secretary for Rural Economy & Connectivity (Fergus Ewing):

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

The documents [disclosed via Freedom of Information by the Scottish Government \(24 May 2018\)](#) included a Cabinet Briefing dated 7 March 2018 prepared for a meeting with [Per Sandberg, Norway's Minister of Fisheries](#):

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.

An email from Norway's Deputy Director General at the Ministry of Climate & Environment ([Torbjørn Lange](#)) dated 1 March 2018 to the Scottish Government explained:

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-innforse-av-r...pdf>

[REDACTED]

Scottish Salmon Watch today (31 May 2018) filed a new FOI request with the Scottish Government for further information on this issue.

**SCOTTISH
SALMON WATCH**



ESCAPES

Media Backgrounder:

The Scottish Parliament's [salmon farming inquiry](#) briefly touched upon the issue in [oral evidence from the predominantly Norwegian-owned salmon farming companies on 2 May](#):

Stewart Stevenson: I just have a wee point, which is probably for Grant Cummings, based on what he said. I can be corrected on this, but is there not an international trade in smolts, which I believe is two-way? If there is, how does that affect the provenance that we rely on to sell products?

Grant Cumming: It is possible to import and export smolts from areas of equivalent disease status. The majority of those smolts are Scottish, if not all of them. It is possibly more common for eggs to come from abroad, but they can still make a quality Scottish salmon.

Jamie Greene: This might be a question for Marine Harvest. I was surprised to learn that all the eggs come from Norway. How does that add to Scottish provenance?

Ben Hadfield: In farming generally, it is quite typical to move stock types around the world. It is the case in chicken farming, beef farming and pig farming. In salmon production, there is a requirement to take eggs from multisea winter fish brood stock from big rivers. The majority of the worldwide salmon industry uses Norwegian stocks. They have been bred over time and there are some elements of our Scottish stocks within those. They are used in Canada, Norway and Scotland.

Jamie Greene: I am happy to leave that there.

The Convener: I will bring in Craig Anderson, who might have a different story to tell.

Craig Anderson: The Scottish Salmon Company also imports Norwegian eggs. However, we have invested £3 million in a native Hebridean brood stock programme based in Langass on wild stock from the River Uist. It is Scottish eggs and Scottish fish. By 2020, our aim is for 15 per cent of our production to be native Hebridean, and we aim to grow that.

A [paper published in the journal Aquaculture in 2016](#) revealed how Scottish salmon farming has been flooded by imports of foreign salmon eggs (ova) over the last few decades.

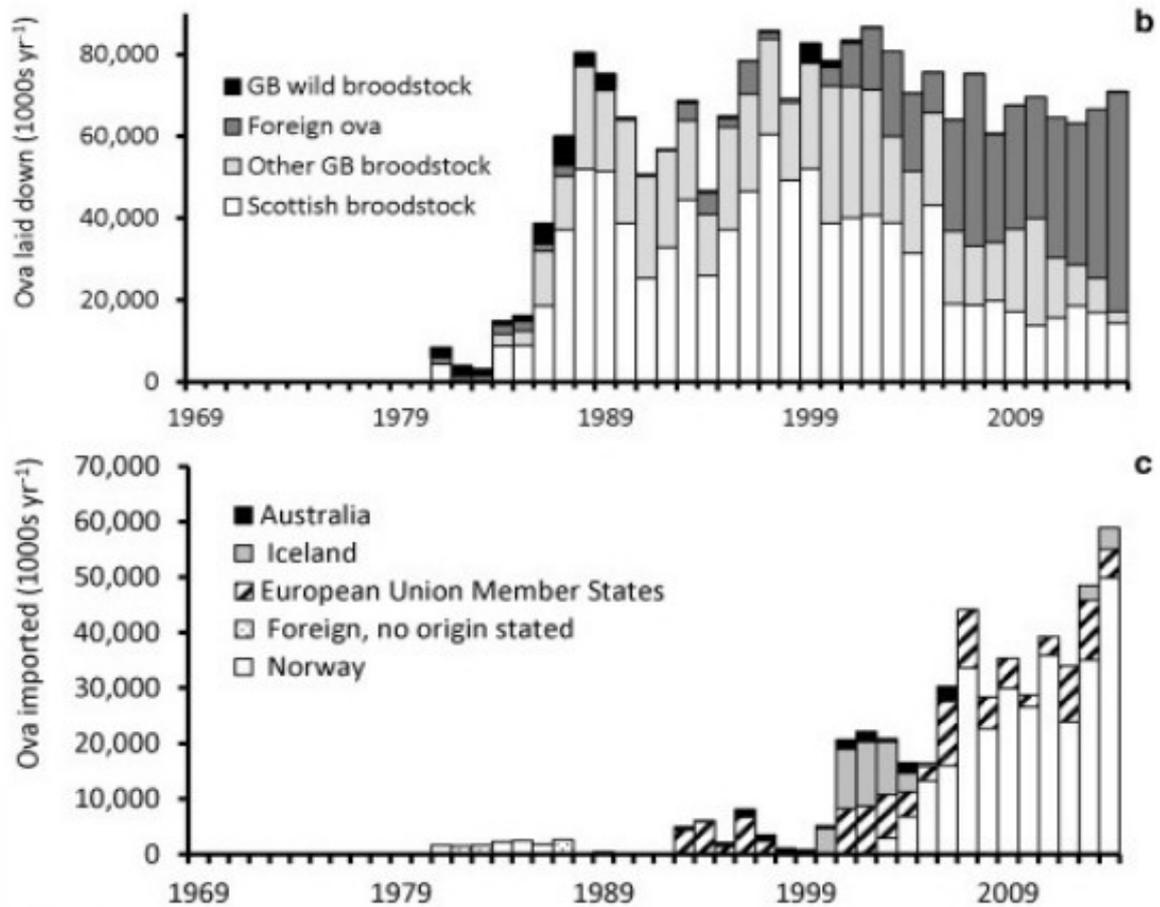


Fig. 2.

Data on salmon ova in Scotland. a: Numbers of ova produced in Scotland, subdivided into laid down in Scotland, exported and not laid or exported. Data available 1984/1994/1995–2014. b: Origins of ova laid down to hatch within Scottish salmon industry. Data available 1981–2014. c: Origins of foreign (imported) ova. Data available 1981–2014.

Last year the Global Alliance Against Industrial Aquaculture (GAAIA), [asked the Scottish Government to stop imports of salmon eggs from Norway](#). Fisheries Information Service [reported](#) (18 April 2017):



Salmon eggs. (Photo: Stock File)

NGO requests Scottish Govt. to stop salmon egg imports



UNITED KINGDOM
Tuesday, April 18, 2017, 00:40 (GMT + 9)

The [Global Alliance Against Industrial Aquaculture](#) is calling on the Scottish Government to curb egg imports so as to protect the genetic integrity and sanitary status of 'Scottish' salmon.

These campaigners' request stems after the Scottish government revealed that 90 per cent of 'Scottish' salmon is now imported as eggs from overseas with Norway accounting for 86 per cent of egg imports.

According to these official data, in 2016, 53 per cent of imported eggs were sourced via [Aquagen](#), a company genetically fingered by a peer-reviewed scientific paper as the source of ISA outbreak in Chile, the NGO recalls.

Don Staniford, Director of the [Global Alliance Against Industrial Aquaculture](#), stated the Norwegian invasion has annihilated Scotland's iconic salmon and left a lasting legacy of genetic pollution.

Accusing Scottish firms of false marketing, Staniford insisted the Scottish Government should immediately stop imports of foreign ova, which he considers to increase the risks of deadly diseases such as infectious salmon anaemia.

The environment leader stresses that companies such as [Marine Harvest](#), [Scottish Sea Farms](#) and the [Scottish Salmon Company](#) are trading on the internationally recognised image of Scottish salmon yet import salmon eggs from Norway.

In defense of the sector, Scott Landsburgh, chief executive of the [Scottish Salmon Producers' Organisation](#), said there is insufficient capacity to meet the ever-increasing demand for Scottish farmed salmon.

"As a member of the EU, we are bound by rules governing free trade with other countries. All of the eggs used by the Scottish salmon farming industry hatch and complete their life cycle in Scotland. Scottish provenance is defined by the environment in which the fish are grown from hatching through to harvest," he stressed.

The Sunday Times reported via ['Tartan imposters' charge as fish egg imports hit 90%](#) in April 2017:

THE SUNDAY TIMES

'Tartan imposters' charge as fish egg imports hit 90%

Nine out of 10 Scottish farmed salmon are reared from eggs produced overseas, according to government data that reveals a record level of imports.

Mark Macaskill

April 16 2017, 12:01am,
The Sunday Times



Fisherman holding a salmon at a farm in Oban

Nine out of 10 Scottish farmed salmon are reared from eggs produced overseas, according to government data that reveals a record level of imports.

Just over 90% of eggs used to farm Scottish salmon came from other countries in 2015, up from 13% in 2005. The vast majority (86%) were brought from Norway.

The disclosure has led to fresh claims that Scottish salmon, the country's largest food export, are "Viking fish with a kilt thrown on" and that UK stores that sell farmed salmon as "Scottish" are misleading consumers.

In 2015, the import of salmon eggs to Scotland reached its highest level in a decade: of 68m eggs, just over 61m (90%) were "foreign". In 2014, foreign eggs made up 76% of the total and in 2013, the figure was 62%. Domestic egg production dropped from 224m in 1990 to 7m in 2015.

"The Viking invasion has annihilated Scotland's iconic salmon," said Don Staniford, director of the Global Alliance Against Industrial Aquaculture. "Major producers of farmed salmon are trading on the internationally recognised image of Scottish salmon yet farm Norwegian strains.

"The Scottish government, if they truly support Scottish salmon, should immediately stop imports of foreign ova."

The Global Alliance Against Industrial Aquaculture (GAAIA) [pointed out in a press release](#) (16 April 2017) that:

- In 2016, 53% (22.6 million) of imported eggs were sourced from Norway via Aquagen (a company [genetically fingered by a peer-reviewed scientific paper as the source of ISA outbreak in Chile](#))
- In 2016, Norwegian-owned Marine Harvest imported 14.5 million eggs - all from Norway - accounting for 34% of all egg imports
- In 2016, the Scottish Salmon Company imported 12.4 million eggs - again all from Norway - accounting for 30% of eggs imports
- No data for Scottish Sea Farms is available because "disclosure of this particular information would, or would be likely to, prejudice substantially the confidentiality of commercial information provided by Scottish Sea Farms and thus cause substantial harm to their commercial interests"

Download the FOI data from the Scottish Government as an Excel spreadsheet [online here](#)

Date	Site of destination	Operator	Consignee on certificate (if different from operator)	Species	Stage	Number	Source Country	Source Company
14/01/2016	Mill Burn	Kintail Hatchery	Marine Harvest (Scotland)	Salmon	Ova	2,000,000	Norway	Aquagen AS
05/01/2016	Quoys Hatchery	Cooke Aquaculture Scotland Ltd		Salmon	Ova	550,000	Norway	Aquagen AS
14/01/2016	Tulloch Hatchery	The Scottish Salmon Company		Salmon	Ova	1,200,000	Iceland	Stofniskur
20/01/2016	Howietoun Hatchery	Howietoun Fishery	The Scottish Salmon Company	Salmon	Ova	400,000	Norway	Aquagen AS
20/01/2016	Barvas Hatchery	The Scottish Salmon Company		Salmon	Ova	1,908,540	Norway	Aquagen AS
21/01/2016	Lochailort Recirculation Unit	Marine Harvest (Scotland)		Salmon	Ova	3,000,000	Norway	Marine Harvest (Norway)
04/02/2016	Knock Hatchery	Scottish Sea Farms Ltd		Salmon	Ova			
04/02/2016	Wester Fearn	Highland Salmon Company Ltd		Salmon	Ova	350,000	Rep of Ireland	Marine Harvest (Ireland)
10/02/2016	Lochailort Recirculation Unit	Marine Harvest (Scotland)		Salmon	Ova	200,000	Norway	Marine Harvest (Norway)
10/02/2016	Culdoran Incubation Unit	Scottish Sea Farms Ltd		Salmon	Ova			
10/02/2016	Ardaraig Hatchery	Cooke Aquaculture (Freshwater) Ltd		Salmon	Ova	400,000	Norway	Aquagen AS
17/02/2016	Girlsta Hatchery	Grieg Seafood Shetland Ltd (Hatchery)		Salmon	Ova	1,545,000	Norway	Salmobreed
18/02/2016			Scottish Sea Farms Ltd	Salmon	Ova			
24/02/2016	Geocrab Hatchery	The Scottish Salmon Company		Salmon	Ova	461,160	Norway	Aquagen AS
24/02/2016	Mingary Hatchery	Hebridean Smolts Ltd	The Scottish Salmon Company	Salmon	Ova	564,375	Norway	Aquagen AS
24/02/2016	Allt Mor Hatchery	JS Salmon Ltd	Kames Fish Farming Ltd	Salmon	Ova	500,000	Norway	Aquagen AS
24/02/2016	Quoys Hatchery	Cooke Aquaculture Scotland Ltd		Salmon	Ova	250,000	Rep of Ireland	Marine Harvest (Ireland)
02/03/2016	Kinlochmoidart Hatchery	Sunbeam Aquaculture	The Scottish Salmon Company	Salmon	Ova	575,000	Norway	Aquagen AS
02/03/2016	Amhuinnsuidhe Hatchery	The Scottish Salmon Company		Salmon	Ova	275,000	Norway	Aquagen AS
02/03/2016	Quoys Hatchery	Cooke Aquaculture Scotland Ltd		Salmon	Ova	70,000	Norway	Aquagen AS
02/03/2016	Inverpolly	Finfish Ltd		Salmon	Ova	1,300,000	Norway	Marine Harvest (Norway)
03/03/2016			Scottish Sea Farms Ltd	Salmon	Ova			
10/03/2016	Lochailort Recirculation Unit	Marine Harvest (Scotland)		Salmon	Ova	1,300,000	Norway	Marine Harvest (Norway)
17/03/2016	Furnace (FW)	Cooke Aquaculture (Freshwater) Ltd		Salmon	Ova	650,000	Norway	Aquagen AS
25/05/2016	Girlsta Hatchery	Grieg Seafood Shetland Ltd (Hatchery)		Salmon	Ova	1,545,000	Norway	Erfjord Stamfisk

Read more via: [Press Release: "Viking Invasion Taints 'Scottish' Salmon"](#)

In 2013, [The Sunday Times reported](#) that one in four wild Atlantic salmon from Scotland was genetically "tainted" by Norwegian fish [following scientific research by Rivers & Fisheries Trusts Scotland](#). In 2013, [The Sunday Times reported](#) that "Scots fish are 'Vikings with kilts on'".

In 2014, [The Sunday Times exposed](#) Tesco's scam in selling imported salmon from Norway as '100% Scottish'. In 2014, [Scotland On Sunday reported](#) how "Supermarkets sell Norwegian fish as 'Scots' salmon" [prompting complaints by Protect Wild Scotland to Trading Standards and the Competition & Markets Authority](#).

In May 2018, The Seattle Times [reported](#):

Washington state finds virus in Cooke Atlantic salmon, plans expanded testing

Originally published May 19, 2018 at 6:00 am | Updated May 18, 2018 at 7:01 pm

Washington state tested smolt in a Cooke Aquaculture incubator and found the Atlantic salmon had a strain of Icelandic virus. The state denied permission for the company to move the 800,000 fish to an open-water net pen.

By Lynda V. Mapes 

Seattle Times environment reporter

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After identifying an exotic virus in fish raised by Cooke Aquaculture, Washington state is planning to test at other sites where the pathogen from Atlantic salmon may have been spread.

The state this week [blocked restocking of one of Cooke's net pens](#) after fish at the company's rearing facility in Thurston County tested positive for the virus.

In August 2017, Intrafish [reported](#):

Aquagen ISA outbreak: Cause unknown, but damage contained

As the genetics giant instigates numerous buffers and insurance plans, it talks to IntraFish about the potential knock-ons of its first serious disease issue.

RELATED NEWS

AquaGen places sites under restriction after confirmed ISA outbreak

AQUACULTURE

ISA virus found at AquaGen broodstock site

AQUACULTURE

AquaGen acquires land-based broodstock producer

AQUACULTURE

By Bert-Arne Jensen
August 1st, 2017 08:08 GMT

The world's largest supplier of genetically-improved salmonid eggs, AquaGen, still doesn't know the cause of the [recent infectious salmon anemia \(ISA\) outbreak](#) that saw 2,000 broodstock culled and restrictions placed on several of its sites but is beginning to count the costs.

The situation began when broodstock in AquaGen's Merraberget sea location in the county of More and Romsdal were found to have ISA. As a result the Norwegian Food Safety Authority ordered that fish at the site be slaughtered.

In preparation for the cull, 2,500 stockfish were transferred to AquaGen's Rimstad land farm in Tingvoll municipality where they were killed and destroyed July 17.

Another 262 fish were transferred to a broodstock tank at the company's Vestseora site in Hemne municipality in Sør-Trøndelag.

These fish were also killed and tested and only one fish with low virus levels was detected. As a result, however, all the remaining fish in this stemfish hall have now killed and destroyed.

There are several separate broodstock facilities at Vestseora in Hemne and the others have [been placed under restriction and intensive surveillance](#), but it is expected that these restrictions will be removed shortly.

In July 2017, AquaGen [reported](#):

ISA suspected at AquaGen Tingvoll

Published 10th July 2017 at 17:40



A virulent variant of the ISA virus has been detected in broodfish from the Merraberget sea site at AquaGen Tingvoll.

The Atlantic salmon population in question has an average weight of about 12 kg and was planned to produce eggs from September 2017. There are a total of 14,500 broodfish at the site. There has not been any increase in mortality, and the virus detection was initially reported on 6th July 2017 as part of routine surveillance and sampling carried out by the fish-health service Åkerblå. The site is located in Tingvollfjorden and the distance to the nearest neighboring site is over 10 km.



View to the Merraberget sea site in the Tingvoll fjord.

In 2011, The New York Times reported via "[Norwegians Concede a Role in Chilean Salmon Virus](#)":

The scientific study at the University of Bergen linking the virus to eggs was commissioned by Cermaq and first published in 2008 in the [Archives of Virology](#). But in early 2009, shortly after publication, a Norwegian company that breeds fish eggs, Aqua Gen — which is partly owned by both Cermaq and Marine Harvest — filed a formal complaint about the study with Norway's National Commission for the Investigation of Scientific Misconduct, arguing that the science was flawed.

Patrick Dempster, general manager of Aqua Gen in Chile, said that Aqua Gen complained about the study because in 2006 they became the principal exporter of salmon eggs to Chile and were worried about losing business over concern about any vertical transmission connection with Norway.

In 2008, Fish Farming Expert [reported](#):

Home > Archive > Landcatch concerned about egg import fear

Landcatch concerned about egg import fear



By [Kate Casey](#)

[Kate Casey](#)

While AquaChile's CEO Victor Hugo Puchi insists that absolutely no eggs should be imported this year, companies such as Landcatch Chile and Patagonia Smolt (see 12.11.08 – The egg import debate) who's business relies on the importation of eggs, have swiftly brought their responses to the press. Alan Stewart, commercial development manager for Landcatch Chile contends, "A total prohibition of the importation of eggs would simply block Chilean salmon producers from access to clean eggs with improved genetic material. The primordial issue is not about where the eggs for the upcoming season come from; rather, any egg should show that it is free of disease. There is actually a much higher risk tied to the supply of eggs from broodstock raised or coming from marine farm sites within Chile, than there is with eggs coming from companies such as Landcatch, which are proven reliable egg suppliers and strictly regulated."

Contact:

Don Staniford: 07771 541826 (dstaniford@gaaia.org)

**SCOTTISH
SALMON WATCH**



VIRUSES

Notes to Editors:

[1] FOI disclosure from the Scottish Government dated 24 May 2018 - read the documents [online here](#) (45-page PDF) and the covering letter [online here](#)

marinescotland



Scottish Government
Riaghaltas na h-Alba
gov.scot

T: +44 (0)131 244 47007
E: jill.barber@gov.scot

Mr Don Staniford

By email; salmonfaminkills@gmail.com

□

Your ref: FOI/18/01043
24 May 2018

Dear Mr Staniford

REQUEST UNDER THE FREEDOM OF INFORMATION (SCOTLAND) ACT 2002 (FOISA)

Thank you for your request dated 29 March 2018 under the Freedom of Information (Scotland) Act 2002 (FOISA).

Your request

You asked for information concerning the decision to ban Scottish imports of salmon ova to Norway. In particular;

- All information/ correspondence between Scottish Government and Norwegian Government institutions on the Norwegian decision, in addition to information on a meeting with Per Sandberg (including Norwegian documentation, reports, decisions, emails, letters); and
- Any Scottish Government communications with egg companies, salmon farming companies and other parties on the decision to ban imports of salmon ova to Norway or a meeting with Per Sandberg
- Any Ministerial briefing concerning the decision to ban Scottish imports of salmon ova to Norway

Response to your request

I enclose a copy of most of the information you requested.

Some of the information you have requested is available online;

<https://www.regjeringen.no/contentassets/84664705a50f4fa9bc36ecc29bc2ee2b/avqjorelse-av-klage-pa-avslag-pa-soknad-om-tillatelse-til-innforset-av-r...pdf> and can be translated using an online document translator (for example; <https://www.onlinedoctranslator.com/>).

Under section 25(1) of FOISA, we do not have to give you information which is already reasonably accessible to you. If, however, you do not have internet access to obtain this

information from the website(s) listed, then please contact me again and I will send you a paper copy.

While our aim is to provide information whenever possible, in this instance we are unable to provide a small amount of the information you have requested because exemptions under sections s. 29(1)(a) (policy formulation), s. 38(1)(b) (personal information), s. 36(1) Confidentiality in legal proceedings, s. 30(b)(i) free and frank provision of advice, s. 29 (1)(b) Ministerial communications, s. 33(1)(b) Commercial interests and s. 32 (1)(b)(i) Confidential information received from international organisations of FOISA applies to that information. The reasons why these exemptions apply are explained in the Annex to this letter.

Your right to request a review

If you are unhappy with this response to your FOI request, you may ask us to carry out an internal review of the response, by writing to;

Graham Black
Director of Marine Scotland
Scottish Government
1B South
Victoria Quay
EH6 6QQ

Your review request should explain why you are dissatisfied with this response, and should be made within 40 working days from the date when you received this letter. We will complete the review and tell you the result, within 20 working days from the date when we receive your review request.

If you are not satisfied with the result of the review, you then have the right to appeal to the Scottish Information Commissioner. More detailed information on your appeal rights is available on the Commissioner's website at:
<http://www.itspublicknowledge.info/YourRights/Unhappywiththeresponse/AppealingtoCommissioner.aspx>.

Yours sincerely

Jill Barber
Aquaculture Policy Advisor

Read the covering letter from the Scottish Government dated 24 May 2018 [online here](#)

Read a [22-page letter from the Norwegian Government to Hendrix Genetics outlining the reasons for refusal](#) (the letter dated 9 February 2018 was [signed by Torbjørn Lange, Deputy Director General of the Norwegian Ministry of Climate and Environment](#)).

Hendrix Genetics Aquaculture AS
v/ Even Søfteland
Bontelabo 2
5003 Bergen

Deres ref

Vår ref
13/3163

Dato
9. februar 2018

Avgjørelse av klage på avslag på søknad om tillatelse til innførsel av rogn av atlantisk laks (*Salmo salar*) med delvis skotsk og delvis norsk opphav fra Skottland til akvakulturformål

Klima- og miljødepartementet viser til klage fra Hendrix Genetics Aquaculture AS (heretter omtalt som "klager") 11. april 2018. Klagen gjelder Miljødirektoratets avslag 16. mars 2018 på søknad 15. mars 2018 etter forskrift om fremmede organismer om tillatelse til innførsel av rogn av atlantisk laks (*Salmo salar*) av delvis skotsk og delvis norsk opphav fra Skottland til Norge til akvakulturformål. Miljødirektoratet avsto søknaden av hensyn til norsk villaks. Miljødirektoratet opprettholdt 24. juni 2018 sitt tidligere vedtak, og oversendte klagesaken til Klima- og miljødepartementet for en endelig avgjørelse.

Klima- og miljødepartementet tar ikke klagen til følge, og opprettholder Miljødirektoratets vedtak om avslag på søknad om tillatelse til innførsel av rogn av atlantisk laks (*Salmo salar*) av delvis skotsk og delvis norsk opphav fra Skottland til Norge til akvakulturformål. Departementet har i sin avgjørelse lagt avgjørende vekt på at kunnskapsgrunnlaget i saken slår fast at rømt oppdrettslaks med delvis skotsk opphav øker sannsynligheten for negativ effekt på norske villaksbestander utover de negative effektene med norske oppdrettsstammer. Saken har vært omfattende og det er grunnen til at det har tatt tid å behandle klagen. Klagen er dermed ikke tatt til følge.

Translate into English via [Online Doc Translator](#).

The letter cites a 2017 report by the Norwegian Institute for Nature Research (NINA): "[Risikovurdering av import av delvis skotsk laks fra Skottland til akvakultur i Norge](#)" (Risk assessment of imports of partly Scottish salmon from Scotland to aquaculture in Norway)

Risikovurdering av import av delvis skotsk laks fra Skottland til akvakultur i Norge

Sten Karlsson og Kjetil Hindar

Here's an English translation of the abstract (via [Google Translate](#)):

Karlsson, S. and Hindar, K. 2017. [Risk assessment of imports of partly Scottish salmon from Scotland to aquaculture in Norway](#). - NINA Short Report 54. 24 s.

- Norwegian wild salmon consists of two distinct genetic groups. Scottish villax, in comparison with these, forms a separate genetic group that has been formed independently of Norwegian wild-salmon.
- The inclusion of escaped farmed salmon with partial Scottish origin in Norway will entail an introduction of genetic material of a different genetic origin and genetic composition than is found naturally in Norway.
- The effect of the inclusion of escaped farmed salmon on wild salmon stocks differs depending on whether farmed salmon and wild salmon have the same or different genetic origin.
- Increased genetic distance between exposed / escaped salmon and wild salmon has shown a greater negative genetic and ecological effect in both experimental and empirical studies.
- Based on proven genetic distances and that Scottish wild salmon is a separate genetic group different from that found in Norway, fished salmon with partly Scottish origin is considered to have an increased negative effect on wild salmon stocks in Norway.

The [documents disclosed via FOI by the Scottish Government on 24 May 2018](#) included (in chronological order):

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>

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

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: 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 signature]

HENDRIX GENETICS

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

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

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 [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

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.

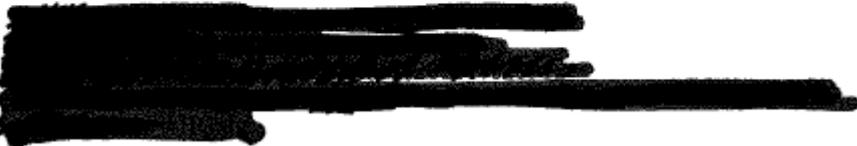
I look forward to hearing from you in due course.

Yours sincerely

Neil Manchester

Neil Manchester
Managing Director

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



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

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

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

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

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

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



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


From: Neil Manchester 

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.scot>"
<Michael.Russell.msp@parliament.scot<mailto:Michael.Russell.msp@parliament.scot>>
>>
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>]



Hendrix Genetics Aquaculture B.V.
Villa 'de Körper', Spoorstraat 69, 5831 CK Boxmeer
P.O. Box 114, 5830 AC Boxmeer, The Netherlands-EU
www.hendrix-genetics.com<<http://www.hendrix-genetics.com>>



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

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 officialsfor response - quick response please. F

Sent from my iPad

Begin forwarded message:

From: Neil Manchester

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

marine scotland



Scottish Government
Riaghaltas na h-Alba
gov.scot

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.

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


Our ref: 2017/0017856
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]

[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
[REDACTED] Email: CabSecRec@gov.scot

Please check our updated Ministerial Preferences<<http://saltire/my-workplace/ministerial-preferences-and-support/Rural-Economy-and-Connectivity/Pages/Fergus-Ewing.aspx>>.

All e-mails and attachments sent by a Ministerial Private Office to another official on behalf of a Minister relating to a decision, request or comment made by a Minister, or a note of a Ministerial meeting, must be filed appropriately by the recipient. Private Office do not keep official records of such e-mails or attachments.

[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.

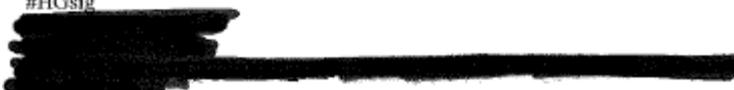
If the answer is yes, then please advise what reciprocal actions you intend to take to offer similar protection to wild Scottish salmon.

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

Yours

Neil Manchester

Neil Manchester
Managing Director
#HGsig


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

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
nrdelingsdirektor - 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

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

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/>

1

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,

[REDACTED]

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

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 is a decision by the Ministry of Climate and Environment, I recommend that you contact my colleague in that Ministry, Mr Thorbjørn Lange

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: 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]

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.

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]

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 .

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



Scottish Government
Riaghaltas na h-Alba
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F/T: 0300 244 4000
E: scottish.ministers@gov.scot

Mr Neil Manchester
Hendrix Genetics

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

[5 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

Read the FOI disclosure from the Scottish Government on 24 May 2018 in full [online here](#)

[2]

Norway keeps ban on import of Scottish roe

News by William Stoichevski - 12 February 2018

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 escapees could "further weaken" the country's wild salmon.



Norway's Environment Minister, Ola Elvestuen

While the announcement followed the mass escape of 50,000 Marine Harvest Atlantic salmon last week in a country already battling relatively high escapee counts, the Ministry was, in fact, following up on a blocked-permit letter sent to salmon breeder, Hendrix Genetics Aquaculture, denying the company in a 22-page letter permission to import Scottish salmon roe. In April 2016, Hendrix had appealed a decision that forbade the import of mixed Scottish-Norwegian roe.

Read [Scottish Salmon Co. secure help for Hebridean brood](#)

"(Norway's wild salmon) are already exposed to the negative effects of escapee Norwegian farmed salmon. The mixing of foreign genes will reinforce this negative effect," stated Climate and Environment Minister, Ola Elvestuen.

The aim of bringing Scottish salmon into Norway would be to build up new breeding lines in the Nordic country for farmed fish. Elvestuen confirmed as much: "There's a need for new blood lines in Norwegian aquaculture, but these must be based on Norwegian wild salmon genes."

The Ministry pointed to Norwegian research which asserts that escaped farmed salmon partly Scottish in origin "increases the probability of negative effects on the Norwegian wild salmon population".

SHARE



Read via "[Norway keeps ban on import of Scottish roe](#)" (Salmon Business, 12 February 2018)



Question S5W-14726: Peter Chapman, North East Scotland, Scottish Conservative and Unionist Party, Date Lodged: 19/02/2018

To ask the Scottish Government what its response is to the Norwegian Government's reported decision to ban the import of salmon eggs from Scotland.

Answered by Fergus Ewing (27/02/2018):

We understand the Norwegian Government are reviewing the decision to ban the import of salmon eggs from Scotland. We are in dialogue with the Norwegian Authorities in order to understand the outcome of this review and I will raise the issue at a scheduled meeting with Per Sandberg, Norwegian Minister of Fisheries.

Current Status: Answered by Fergus Ewing on 27/02/2018

Read the Scottish Parliamentary reply and question [online here](#)

[3] The [Scottish Government's latest fish farm survey for 2016](#) (published in September 2017) reveals:

Ova Production

Table 17: Number (000s) of salmon ova produced during 2009-2016

Year	2009	2010	2011	2012	2013	2014	2015	2016
No. of ova	91,964	91,655	78,208	57,489	56,904	33,450	11,605	13,689

In 2016, 13.7 million ova were stripped, an increase of 18% from the number of ova produced in 2015.

Table 18: Source, number (000s) and previous year's estimate of ova laid down to hatch during 2005-2017

Year	In-house broodstock	Out-sourced GB broodstock	GB wild broodstock	Foreign ova	Total	Previous year's estimate
2005	43,261	22,465	71	9,896	75,693	65,741
2006	19,063	17,768	63	27,157	64,051	58,385
2007	18,837	14,366	78	42,022	75,303	68,032
2008	19,831	14,261	171	26,409	60,672	75,302
2009	17,148	20,158	65	30,200	67,571	64,693
2010	13,744	26,220	0	29,657	69,621	61,011
2011	15,664	14,630	0	34,322	64,616	54,526
2012	18,556	9,981	0	34,700	63,237	55,723
2013	16,996	8,263	0	41,315	66,573	49,249
2014	14,418	2,725	10	53,684	70,837	48,149
2015	6,479	223	10	61,463	68,175	65,284
2016	5,884	4	0	58,458	64,346	59,604
2017						60,673

Table 22b: Destination and number (000s) of salmon ova, parr and smolts exported during 2005-2016 derived from health certificates

Export year	Farmed origin ova				Total	Parr and Smolts
	Chile	EU	Norway	Others		
2005	8,560	3,130	0	1,566	13,256	1,362
2006	26,930	4,312	0	0	31,242	998
2007	32,150	164	0	0	32,314	2,169
2008	62,185	130	0	15	62,330	551
2009	7,181	317	0	0	7,498	89
2010	0	189	600	0	789	130
2011	0	0	0	820	820	183
2012	0	0	0	0	0	55
2013	0	650	0	0	650	404
2014	0	0	0	0	0	259
2015	0	93	0	2	95	8
2016	0	335	0	23	361	173

In 2016, 361,000 ova were exported. Parr and smolt exports increased by 165,000 fish on the 2015 figure.

The number of ova laid down to hatch was 64.3 million, a decrease of 3.9 million (5.6%) on the 2015 figure. The majority of the ova (90.8%) were derived from foreign sources, this being a decrease of 3.0 million (4.9%) on the 2015 figure. Supplies derived from GB broodstock decreased by 0.8 million, a 12.1% decrease on the 2015 figure. No ova from GB wild broodstock were laid down in 2016, however, in previous years the ova derived from wild stocks were generally held and hatched for wild stock enhancement by the aquaculture industry in cooperation with wild fisheries managers.

International Trade in Ova

Since the introduction of the EU single market on 1st January 1993 and the associated Fish Health Regulations common to all EU member states, a trade in live salmon and ova has been established. In addition, the European Economic Area (EEA) agreement allows trade between the EU and the member states of the European Free Trade Association (EFTA). Trade is based on the same rules as are established within the EU regarding compartments and zones declared free from listed diseases.

Trade with Third Countries has also been established, but only from sites that have met the same health standards as are established within the EU regarding the approval of farms and zones for listed diseases. Exports to countries outside the EU are subject to the health conditions placed by the importing country. Marine Scotland Science advises potential exporters to ascertain with the importing country any specific health testing requirements that may be a condition of import.

Imports and Exports

Table 22a: Source and number (000s) of ova, parr and smolts imported during 2004-2016 derived from health certificates

Import Year	Ova						Parr and Smolts	
	EU Member States	EFTA		Third Countries		Total	EU Member States	EFTA-Norway
		Iceland	Norway	Australia	USA			
2004	4,450	3,475	6,750	1,860	450	16,985	824	0
2005	2,610	570	13,210	0	450	16,840	150	0
2006	11,575	300	15,940	2,400	0	30,215	375	0
2007	10,511	0	33,555	0	0	44,066	420	0
2008	5,600	0	22,703	0	0	28,303	519	0
2009	5,460	0	29,938	0	0	35,398	328	0
2010	2,150	0	26,533	0	0	28,683	452	0
2011	3,400	0	35,851	0	0	39,251	800	0
2012	10,134	0	23,849	0	0	33,983	0	0
2013	10,700	2,719	35,044	0	0	48,463	55	0
2014	5,218	3,813	49,831	0	0	58,862	1,602	1,748
2015	4,815	8,978	45,926	0	0	59,719	2,118	365
2016	5,444	5,324	38,602	0	0	49,370	1,956	0

The numbers of ova imported decreased by 17.3%. The number of parr and smolts imported decreased from that observed in 2015, with only 1.9 million parr and smolts imported from EU member states.