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SOSF is a recognised Scottish charity: RCNo. SC025489.

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Animal Concern Press Release 27th September 2016

All exports of fish from Scotland to the USA could end if the Scottish Government does not make it illegal for fish farmers and the fishing industry to kill seals. New USA import regulations become law on 1st January 2017 but Governments have until January 2022 to comply with the new rules. The Scottish Government appears to be very confused over the issue and currently is under the mistaken belief that it does not have to take any action and can leave it to individual salmon farmers to decide whether or not to continue killing seals.

John Robins of Save Our Seals Fund (SOSF) has been lobbying the US Government since 2011 urging them to use powers available under their Marine Mammal Protection Act (MMPA) to ban the import of farmed salmon from Scotland where the Government gives fish farmers licences to shoot seals. Shooting seals is much cheaper than humanely excluding them from fish farm cages. By allowing farmers to shoot seals the Scottish Government gives them a huge financial advantage over American fish farmers where killing mammals is a criminal offence. Earlier this year the American Government agreed on an import ban and mentioned their correspondence with SOSF in their announcement of the changes.

John Robins states; "The Scottish Government has got its knickers in a twist over this. They simply do not realise that if they fail to make shooting seals a criminal offence American customs officers will not let as much as a Scottish-caught pickled herring cross their border. Salmon farmers will lose well over £200 million a year in exports. Killing seals should have been banned decades ago. I would not be surprised if in coming months we see fish farmers picketing Parliament with "Save Our Seals & Save Our Jobs" banners. I am disgusted that I have had to use a foreign Government to get protection for Scottish seals. The Scottish Government should be ashamed over their lack of action on this."

EDITORS NOTES: The attached letter from the Scottish Government and our e-mail (below) to Cabinet Secretary Cunningham should make the situation clear.

Roseanna Cunningham MSP,
Cabinet Secretary for Environment, Climate Change & Land Reform,
The Scottish Government,
St. Andrew's House,
Regent Road,
Edinburgh EH1 3DG

Dear Cabinet Secretary Cunningham,

Please find attached a letter dated 23rd September which I received from Mr. Ian Walker of Marine Scotland. I think it is in reply to the e-mail (copied below) I sent you on 7th September regarding the forthcoming USA salmon import restrictions.

In his reply on your behalf Mr. Walker makes it fairly clear that the Government does not intend making it illegal for fishery and aquaculture interests to shoot seals. He obviously believes it is up to individual fish farmers to decide for themselves if they want to continue with licensed shooting of seals and not export to the USA or if they want to stop shooting seals and continuing exporting to the USA.

I have been lobbying the US Government on this for five years and it is my understanding that the provisions of the US Marine Mammal Protection Act allow the USA to ban imports from countries whose Governments permit the deliberate killing of marine mammals by fish producers. This was confirmed by statements made by John Henderschedt, Director of the US Government National Oceanic and Atmospheric Administration (NOAA) Fisheries Office of International Affairs and Seafood Inspection.

In an article (link below) in the Sunday Herald on 11th September Mr Henderschedt commented on the forthcoming new import regulation saying; "This rule requires harvesting nations to demonstrate that they prohibit the intentional mortality or serious injury of marine mammals in the course of commercial fishing operations," He went on to say that countries must have "procedures to reliably certify that exports of fish and fish products to the United States are not associated with a fishery in which intentional killing or serious injury of a marine mammal is allowed,".

I believe Mr. Walker is wrong in his interpretation of the new US import rules. The onus to take action is on the Scottish Government not individual salmon farmers. If the Scottish Government does not make it illegal for fishery and aquacultural interests to deliberately kill seals then it will be illegal for the United States of America to import any fish and fish products from Scotland. Furthermore the Scottish Government must be able to reliably certify that Scotland does not allow fishery and aquaculture interests to kill seals. Even if all salmon farmers in Scotland decided not to apply for licences to shoot seals they could not export to the States if the licensing system permitting the shooting of seals is still in place.

Once again I urge the Scottish Government to end the seal shooting licensing system and replace it with a law making it a criminal offence for anyone to deliberately kill a healthy seal.

In addition I request that legislation be introduced making it compulsory for marine fin fish farms to install and maintain predator exclusion nets to keep seals and other marine mammals far enough away from the inner cage nets to avoid causing alarm and stress to the fish. By doing so fish farmers will finally meet their legal duty to protect their stock as required under the Animal Health & Welfare (Scotland) Act 2006. It will also create new jobs in rural areas as these nets require frequent cleaning and maintenance.

If the Scottish Government fails to at least make the shooting of seals illegal fish farms in Scotland will lose well over £200 million a year in exports to the USA.

I would be grateful Cabinet Secretary if you would please give me your opinion on this matter.

Yours sincerely,

John F. Robins,
Save Our Seal Fund

http://www.heraldscotland.com/news/environment/14735738.Scotland_39_s_39_trigger_happy_39_salmon_farmers_risk_losing_200m_US_export_market/



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Your ref:
Our ref: 2016/0029510

23 September 2016

Dear Mr Robins

Thank you for your e-mail of 7 September 2016 concerning seal management at salmon farms.

We are aware of the recent final ruling under the Fish and Fish Product Import Provisions of the Marine Mammal Protection Act issued by the National Oceanic and Atmospheric Administration of the US Government on 15 August 2016. We also note the 5 year exemption period that means this ruling will come into force on 1 January 2022.

The Marine (Scotland) Act 2010 makes provision for fish farms to be able to apply for seal management licences to protect the health and welfare of farmed fish. It does not require any of them to do so. Indeed, a number of fish farms already choose not to apply for seal management licences. Others that currently apply for such licences do not actually use them.

It is, therefore, up to individual aquaculture companies to decide whether or not they wish to apply for a seal management licence. In doing so, they will, presumably, take into account a wide range of issues, including in time the new US ruling.

In respect of fish farms which choose not to apply for a seal management licence, there are a range of non-lethal seal management options that can be deployed around fish farms.

I hope that this is helpful.

Yours sincerely

IAN WALKER
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Roseanna Cunningham MSP,
Cabinet Secretary for Environment, Climate Change & Land Reform,
The Scottish Government,
St. Andrew's House,
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Edinburgh EH1 3DG

Dear Cabinet Secretary,

From 1st January 2022 the United States will ban the import of salmon from sources where the deliberate killing of marine mammals is part of the production process.

Since the early 1980s I have lobbied successive Westminster and more recently Scottish Governments in a futile bid to make the killing of seals by salmon farmers illegal in Scotland.

Since 2011 Save Our Seals Fund has been urging the US Government to use existing legislation to ban the import of salmon produced on farms where seals are deliberately killed. After a lengthy consultation period the US has agreed to this and the ban comes into force on 1st January 2022.

The US Government specifically mentions my correspondence regarding the Scottish Government licensed shooting of seals as having influenced their decision to implement the ban.

My argument is quite simple – instead of shooting seals salmon farmers must be legally required to install and properly maintain predator exclusion nets to humanely stop seals getting close to the salmon cages. An alternative is to farm salmon in on-shore seawater tanks.

These systems are expensive to install and maintain but not only do they protect wildlife they create new jobs in rural communities. It has made me extremely angry to see politicians, civil servants and even RSPCA Freedom Foods refuse to force salmon farmers to invest some of their considerable profits to make Scottish farmed salmon seal friendly. It is all the more galling when many of the farms in Scotland are owned by multinational companies which use predator exclusion nets when they are required to do so in other countries in which they operate.

Instead of protecting wildlife the Scottish Government gives salmon farmers licences to shoot seals then leaves shooters to police themselves using a useless honesty box system to report numbers shot. Since licensing was introduced I have argued that it allows lactating seals to be shot leaving dependent pups to die a slow, cruel death from starvation. A few weeks ago an academic report confirmed my concerns and proved the inherent cruelty of the Scottish seal killing licence system.

Once again I ask the Scottish Government to make it compulsory for salmon farmers to use predator exclusion nets and to stop giving out licences to kill seals. Previous Governments

did not see the need to protect seals from extreme cruelty as a good enough reason for taking action. Perhaps the need to protect Scottish exports to the United States will be?

Yours sincerely,

John F. Robins,
Save Our Seals Fund