



**Animal &
Plant Health
Agency**

Animal and Plant Health Agency
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Mowi Scotland Limited

Farms Office

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16 September 2019

Dear [REDACTED]

Failure to Comply with Welfare Legislation

Animal Health and Welfare (Scotland) Act 2006

Following my visit on 2/08/19 to inspect your livestock at Marine Fin Fish farm (Atlantic Salmon) FFMC54 BDNC- Bagh Dail nan Ceann (Bay of the Dead Heads) in the Sound of Jura, in the presence of [REDACTED] (site Manager), [REDACTED] (Mowi's Area Manager), [REDACTED] (APHA VA) and [REDACTED] (FHI Marine Scotland), I must advise you that I found the following non-compliances with current welfare legislation.

Mortality in lumpfish has been a known ongoing issue, affecting the 80% of the lumpfish stocked during this production cycle at the above fish site under your responsibility.

On the day of the visit at the site (02/08/19), data provided by your staff regarding your investigation of mortality and consequential actions was not satisfactory. [REDACTED] Seeking for a health plan for lumpfish at the site at the time of the visit and further clarification regarding the health management for the investigated period, a second meeting as part of the investigation took place at APHA Perth office on Tuesday 13/08/19 with yourself, [REDACTED] (Lead Vet) and [REDACTED] (Health Manager).

During this meeting, evidence were provided of investigations and actions taken to try and minimise an increasing mortality trend in lumpfish from May 2019 until the treatment provided in between 01/07/19 to 03/07/19. After this day, there is little evidence of actions taken whilst the mortality in lumpfish continued to increase.

During the meeting on the 13/08/2019 you confirmed that a decision to humanely cull the remaining lumpfish had be taken the day before and had already started.

You have not been able to show that adequate actions were taken in the period between the 10/07/19 to the 12/08/19 in order to promote the welfare of the lumpfish under your responsibility. Not taking effective decision at earlier date has prolonged the period while the lumpfish still at the site have been in need to be protected from suffering and disease.

This is a failing to comply with the Animal and Welfare (Scotland) Act 2006, Part 2-24 (1) and 3(e) that states that:

"a person commits an offence if the person do not take such steps as are reasonable in the circumstances to ensure that the needs of an animal for which the person is responsible are met to the extent required by good practice";

An animal's needs include *"its need to be protected from suffering, injury and disease."*

APHA is an Executive Agency of the Department for Environment, Food and Rural Affairs and also works on behalf of the Scottish Government, Welsh Government and Food Standards Agency to safeguard animal and plant health for the benefit of people, the environment and the economy.

As discussed during the onsite visit and the second meeting, it would be helpful to keep separated records for mortality and culled animal not only for salmon as you are correctly doing, but also for lumpfish and wrasse in order to have a detailed monitoring system for all species under your responsibility.

This letter is without prejudice to any further enforcement or other action, which may be taken at a later date.

Please contact me if you wish to discuss any aspect of this letter.

Yours sincerely,

[REDACTED]

APHA

[REDACTED]

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