

T: +44 (0)131 244 2500 F: +44 (0)1224 295511
marinescotland@gov.scot

Don Staniford by email
Scottish Salmon Watch

Our ref: Fol/19/00882

3 June 2019

Dear Mr Staniford

Thank you for your request dated 24 March 2019 under the Environmental Information (Scotland) Regulations 2004 (the EIRs).

Your request

You asked for information on Piscine Reovirus (PRV) and Heart & Skeletal Muscle Inflammation (HSMI) since 1 January 2018, to include:

- Data on sampling and testing for Piscine Reovirus (PRV) and Heart & Skeletal Muscle Inflammation (HSMI) in farmed salmon, seawater and processing plant effluent (and any other sampling and testing).
- How many samples of farmed salmon and water samples have been tested for Piscine Reovirus (PRV) and Heart & Skeletal Muscle Inflammation (HSMI).
- Any photos, emails, letters, copies of scientific papers and other information to and from the Marine Laboratory, salmon farming companies, veterinarians (e.g. Fish Vet Group), other Governments and other parties in relation to Piscine Reovirus (PRV) and Heart & Skeletal Muscle Inflammation (HSMI).

As the information you have requested is 'environmental information' for the purposes of the Environmental Information (Scotland) Regulations 2004 (EIRs), we are required to deal with your request under those Regulations. We are applying the exemption at section 39(2) of the Freedom of Information (Scotland) Act 2002 (FOISA), so that we do not also have to deal with your request under FOISA.

This exemption is subject to the 'public interest test'. Therefore, taking account of all the circumstances of this case, we have considered if the public interest in disclosing the information outweighs the public interest in applying the exemption. We have found that, on balance, the public interest lies in favour of upholding the exemption, because there is no

public interest in dealing with the same request under two different regimes. This is essentially a technical point and has no material effect on the outcome of your request.

Response to your request

Sampling and testing is undertaken as part of Scotland's Aquatic Animal Health surveillance programme in line with the current regulations concerning aquatic animal health in Scotland. The results and outcomes of this surveillance is made publicly available through an active publication plan:-

<https://www2.gov.scot/Topics/marine/Fish-Shellfish/FHI/CaseInformation>.

In accordance with the current programme, sampling undertaken for aquatic animal disease analysis relates to fish and shellfish and does not presently include samples from seawater or sampling associated with processing plants.

In addition to results relating to statutory surveillance, Marine Scotland Science also performs a commercial testing service on behalf of third parties. The results of this testing are provided to you in Annex 1 of this reply and must be considered in association with the following context:

Commercial testing results relate to samples submitted from third parties and from the records held by Marine Scotland Science they cannot be linked to any particular source. The sources of these samples will relate to aquaculture sites both within and out with Scotland. The results will also include samples from transmission trials concerning experimental animals and facilities. Therefore, there are severe limitations with this data in terms of how it can be interpreted and portrayed. In summary the commercial testing data represents a number of test results from a number of samples which relate to a multitude of unidentifiable sources all of which have been submitted by third parties.

You also asked '*How many samples of farmed salmon and water samples have been tested for Piscine Reovirus (PRV) and Heart & Skeletal Muscle Inflammation (HSMI)*'. As explained above, Marine Scotland does not analyse water samples for aquatic animal pathogens as part of our statutory sampling programme. You can find details on the number of fish sampled as part of the statutory surveillance programme within the case information released through our active publication plan. For your information, sampling for PRV is restricted to those inspections involving diagnostic investigations and only in such cases where histopathological analysis is indicative of pathology associated with PRV infection. In those circumstances further screening using the molecular genetics method RT-PCR is undertaken. In general, tissues from several fish (usually between 1-5 animals) are pooled together for testing. You can calculate the number of fish sampled by analysing the sample sheet associated with the case which will detail the number of fish per pool and the tests associated with those samples taken.

We have identified some further information which is publicly available. This includes details associated with meetings including those of the EU National Reference Laboratories and ICES Working Group on Pathology and Disease of Marine Organisms to which representation from Marine Scotland is regularly made. The outcome of such meetings is made publicly available at the following web addresses:

<http://ices.dk/Pages/default.aspx>

<http://www.eurl-fish.eu/>

I note your request for photographs. Photographs taken which are associated with FHI cases are published as part of the FHI active publication plan. Please refer to the details given above.

You have also requested copies of scientific papers. Whilst we hold a number of scientific papers and references to the same, such information is available publicly through published scientific journals and references to these can be found by appropriate internet searching.

We also hold some ministerial correspondence, questions which have been posed by yourself in relation to testing for PRV. We have not provided this information as this has been given to you previously.

We hold no further information in relation to this request.

Under regulation 6(1)(b) of the EIRs, we do not have to give you information which is already publicly available and easily accessible to you in another form or format.

Your right to request a review

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

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

Email: directormarinescotland@gov.scot

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,

Neil Purvis