

WHAT TO DO IN THE EVENT OF AN ESCAPE OF FISH FROM A FISH FARM

Guidance on the escape provisions of The Registration of Fish
Farming and Shellfish Farming Businesses Amendment Order
2008

The Scottish Government
July 2008

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INTRODUCTION

In June 2008 *The Registration of Fish Farming and Shellfish Farming Businesses Amendment (Scotland) Order 2008* came into force. This further amended *The Registration of Fish Farming and Shellfish Businesses Order 1985* (amended in 2002), which requires the mandatory notification of all escapes of farmed fish. Any suspected escape, or circumstance which gives rise to a significant risk of escape, must be reported to the Scottish Government (SG).

This guidance provides advice to fish farmers (and also wild fishery interests) about the notification requirement and the action to be taken when an escape is either suspected or has clearly occurred. This includes how to apply to Scottish Ministers for authorisation of emergency use of nets to effect recapture, where this is deemed appropriate.

The legislation and guidance apply to all finfish farms in Scottish waters, including freshwater sites.

BACKGROUND

Although there has, during recent years, been significant improvements in containment procedures, it is recognised that there will always be circumstances (i.e. extreme weather) that might lead to escapes. The major concern is focused on the fact that escaped fish may occupy valuable wild habitats or inter-breed with wild fish, threatening their genetic variability and natural viability. In addition, there is concern regarding the spread of fish disease and pathogens from farmed to wild populations.

The Scottish Government recognises these concerns and therefore considers that any risk should be reduced to a minimum.

NOTIFICATION PROCEDURE

This legislation requires that Scottish Ministers be notified in writing immediately when it is suspected that a circumstance caused, or might have caused, an escape of fish from a fish farm. In either case, an immediate phone call should be made to:

**The Duty Officer,
Environmental Protection Unit,
Fisheries Research Services (FRS) Aberdeen.**

Telephone 07770 733423

This number is manned at all times.

The information supplied should be as per the Initial Notification Form (see Annex 1).

It is also important to provide early notification to other interested bodies, including:

- the relevant District Salmon Fishery Board and Fishery Trust;
- the local police, if vandalism or other criminal activity is suspected and
- the Scottish Environment Protection Agency (for freshwater farms only).

Because of the potential impact of escapes on local wild fishery stocks, fish farming businesses are urged to contact the relevant local wild fishery interests, currently the District Salmon Fishery Board and Fishery Trust, in discussions on recovery. If recapture is deemed appropriate, the subsequent strategy should be agreed with Scottish Government, the District Salmon Fishery Board and the Fishery Trust. Guidance on how to obtain authorisation for the use of gill nets can be found on page 6.

It is recognised that initial information supplied may not be entirely accurate, and that the full facts of an incident may emerge subsequently. It is therefore necessary for the initial notification to be followed by a second notification, which should include final figures and other information regarding the escape. If the number of fish lost is unknown at this point, an additional final notification form should be submitted once losses have been established (see Annex 2).

These forms can be found in the Annex of this guidance and are available on-line at:

www.scotland.gov.uk/Topics/Fisheries/Fish-Shellfish

The completed forms may be sent by e-mail, facsimile or post to:

Email: escapes@scotland.gsi.gov.uk

Fax: 0131 244 6512

Post: Aquaculture Team
Scottish Government,
Room 409,
Pentland House,
47 Robb's Loan
EDINBURGH, EH14 1TY

The final notification must be submitted to Scottish Government within 28 DAYS of the initial notification.

Commercially-sensitive information provided during the notification process is treated as confidential. However, under the Freedom of Information (Scotland) Act 2002 and the Environmental Information (Scotland) Regulations 2004, the Scottish Government may be required to release some of the information

provided on the forms, e.g. site location, health status, number of fish lost, to third parties on request. The Farm operator concerned will be notified prior to release of the information.

In view of the wider public and media interest in fish farm escapes, we would urge fish farmers to be as open and informative as possible about the facts of any incident. It will be particularly important for local wild fishery interests to be aware of any escapes and, where appropriate, to assist with any recovery efforts.

Failure to notify Scottish Ministers of any suspected or confirmed escape of farmed fish is an offence.

GUIDANCE ON COMPLETION OF FORMS

1. Initial Notification Form (Schedule 1):

Section 1: Please provide details of the business that operates the site. The contact name given should be that of the person who would liaise with Scottish Government during any follow-up action.

Section 2: Please supply details regarding the fish which have escaped. *Species of fish* - where more than one species is involved, please provide a separate form for each.

Growth stage – stage for salmon should be defined as one of the following: ‘brood fish’, ‘eggs (green or eyed)’, ‘grower fish’ or ‘fresh water stages’. The stage for other species should be defined as ‘Fish weighing more than 5 grams’ or ‘Fish weighing up to 5 grams’.

If the fish have been suffering from any disease (notifiable or other) this information should be included. Please also consider if the fish may be acting as carriers of fish pathogens and specify these.

An indication of the maximum mortality rate (weekly % mortality) should be given .

Section 3: Please provide more detailed description of the escape or suspected escape and its cause.

2. Final Notification Form (Schedule 2):

The Final Notification Form must be submitted **within 28 days** of submission of the Initial Notification. It should address recapture efforts and detailed assessment of the true scale of the loss.

Section 1: Details as per those supplied in the Initial Notification Form.

Section 2: *Action taken by business* – i.e. monitoring, deployment of gillnet or other means of recovery. The information supplied on the recovery methods should include an assessment of the effectiveness of the methods used, or where it was deemed inappropriate to effect recapture, the reasons for not doing so.

Section 3: The business is asked to re-evaluate its site-specific contingency plan and highlight the areas that led to the escape and how these could be improved so as to minimise the risk of a similar incident in the future or on other farms owned by the business.

Copies of both notification forms should be kept for inspection for 4 years from the date of their submission.

HOW TO OBTAIN AUTHORISATION FOR THE USE OF GILL NETS

Methods used for recapture of escaped fish will necessarily vary, depending on the location of the farm site and the local topography, the size of the fish involved, and implications for other wildlife (such as wild salmon and other fish species, birds and marine mammals). In many instances the appropriate recapture method would involve rapid deployment of gill nets of appropriate mesh size.

It should be noted that a fish farmer or other person seeking to recapture or catch escaped fish might need temporary local exemption from conservation regulations. Advice about this will be provided following notification of an escape. However, in almost all cases, continuing action will require permission from Scottish Ministers. Deploying gill nets could impact on the wild fishery and therefore fish farmers should agree this course of action with local wild fish interests before seeking permission to deploy.

To seek authorisation,

phone: the Scottish Government on 0131 244 6226

If out of normal office hours please call 07770 733423 (Environmental Protection Unit, FRS Aberdeen)

FURTHER INFORMATION OR ADVICE ON WHAT TO DO IN THE EVENT OF AN ESCAPE

Further information or assistance can be obtained from:

The Scottish Government
Aquaculture Team
Room 409, Pentland House
47 Robb's Loan
EDINBURGH
EH14 1TY

Tel: 0131 244 6226

Fax: 0131 244 6512

e-mail: escapes@scotland.gsi.gov.uk

or

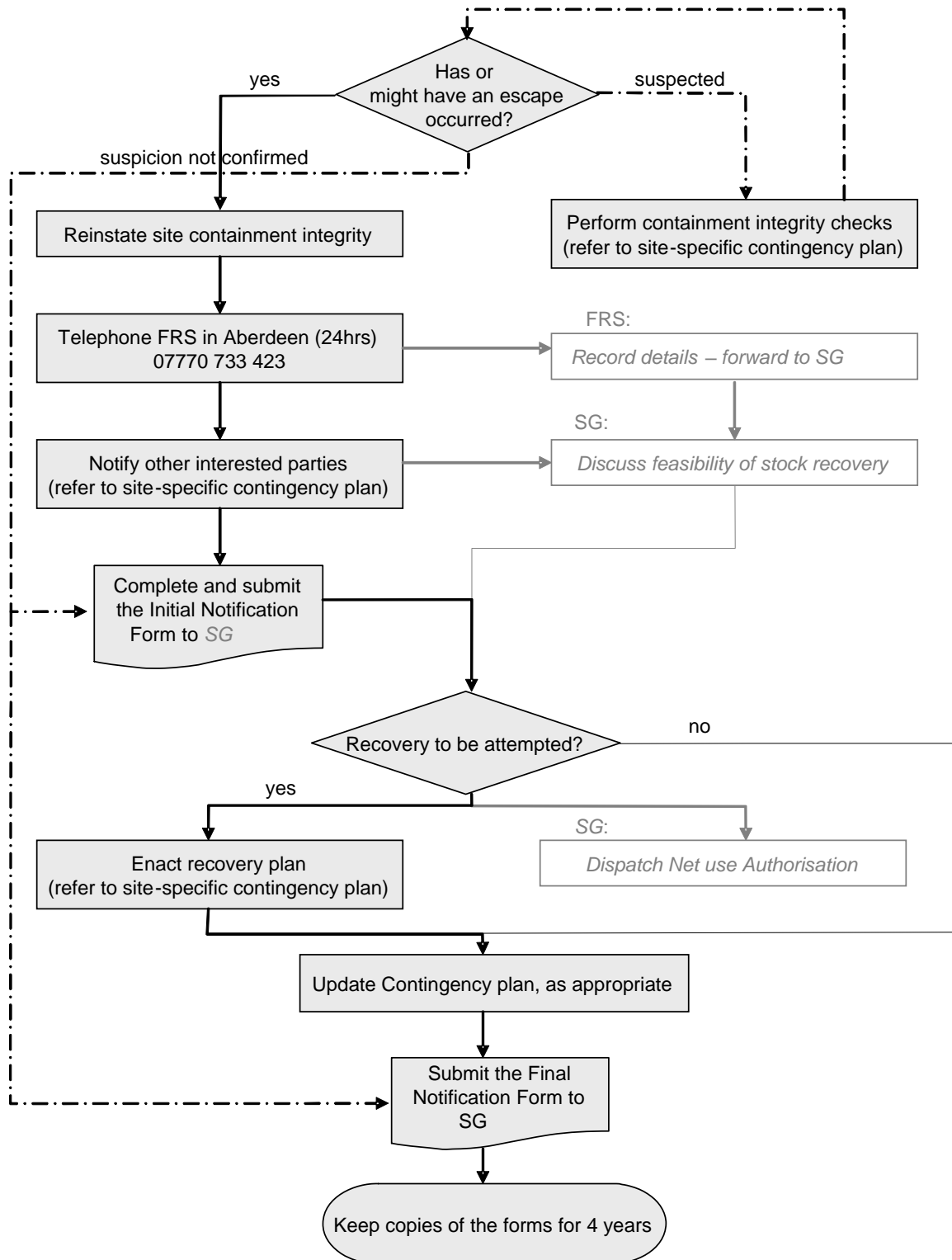
Fish Health Duty Inspector
Fisheries Research Services
Marine Laboratory
PO Box 101
375 Victoria Road
Aberdeen
AB11 9 DB

Tel: 01224 295525

Fax: 01224 295620

e-mail: fishhealth@marlab.ac.uk

ACTION IN THE EVENT OF AN ESCAPE



SCHEDULE 1: FARMED FISH ESCAPES – INITIAL NOTIFICATION

This form is to be submitted following **any circumstance** which caused or might have caused an escape of fish from a fish farm.

Please refer to “WHAT TO DO IN THE EVENT OF AN ESCAPE OF FISH FROM A FISH FARM” for further guidance on how to complete this form:

www.scotland.gov.uk/Topics/Fisheries/Fish-Shellfish

1. Please supply details of the business and the site:

Site Name:		Site No:	
Business Name:		Business No:	
Contact Name:		Telephone No:	
Fax No:		Email Address:	

2. Please supply the following details regarding the fish escape:

Date & time of incident (nearest estimate)		OS grid reference:	
Site location:		Estimated number of fish lost:	
Species:		Average weight:	
Age in months:		Growth stage:	
Please supply details of any treatments administered for which the fish are in withdrawal:			
Please confirm whether the fish were healthy at the time of the escape, or the nature of any disease:			
Please confirm mortality rates on site and the reasons for mortality:			

3. Please provide details of the circumstance surrounding the fish escape (if necessary continue on a separate sheet):

<p>Consider:</p> <p>Human error, predation, suspected foul play, failure or wear and tear of equipment (mooring, ropes, netting, cages or pens, boats):</p> <p>Weather conditions (wave height wind speed and tidal strength):</p>	
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Completed by:		The form should be sent to:
Position in Organisation:		Scottish Government Marine Directorate, Room 401, Pentland House 47 Robb’s Loan EH14 1TY Tel: 0131 244 6226 Fax: 0131 244 6512 Email: escapes@scotland.gsi.gov.uk
Date:		

SCHEDULE 2: FARMED FISH ESCAPES – FINAL NOTIFICATION

This form is to be submitted **not later than 28 days** following the initial notification of circumstances which caused or might have caused the escape of fish from a fish farm.

Please refer to “WHAT TO DO IN THE EVENT OF AN ESCAPE OF FISH FROM A FISH FARM” for further guidance on how to complete this form.

<http://www.scotland.gov.uk/Topics/Fisheries/Fish-Shellfish>

1. Please supply details of the business and the site:

Site Name:		Site No:	
Business Name:		Business No:	
Contact Name:		Telephone No:	
FAX No:		Email Address:	

2. Please provide final details of the escape or suspected escape:

Date of initial notification:		Total number of fish lost (if none please specify “none”)*:	
Marine Directorate incident reference:		Number of fish recovered (if none please specify “none”):	
Action taken by business to recover fish:		Have site movement records been updated:	

3. Follow-up action:

What preventative measures have or will be taken to minimise the risk of a similar incident occurring on this or any of the business’ other sites (continue on a separate sheet if necessary):	
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Completed by:		The form should be sent to:	
Position in Organisation:		Scottish Government Marine Directorate, Room 401, Pentland House 47 Robb’s Loan EH14 1TY	Tel: 0131 244 6226 Fax: 0131 244 6512
Date:		Email: escapes@scotland.gsi.gov.uk	

** If number of fish lost is unknown at this point please submit a further final notification form once losses have been established*