

Aquaculture and Fisheries (Scotland) Act 2007

ENFORCEMENT NOTICE

In terms of section 6(1), as read with section 6(2) of the Aquaculture and Fisheries (Scotland) Act 2007 (“the 2007 Act”), the Scottish Ministers –

(a) being satisfied that the person(s) specified in paragraph 1 below (“the relevant person(s)”) – carries on a business of fish farming, and

(b) being satisfied that the relevant person(s) does not have satisfactory measures in place for the purposes of the prevention, control and reduction of parasites in respect of the site(s) specified at paragraph 1 below;

Hereby serve this enforcement notice on the relevant person(s) in respect to the fish farming business specified in paragraph 1 below.

In terms of section 6(4) and (6) of the 2007 Act the Scottish Ministers require the relevant person(s) to undertake the execution of the works and taking of the steps specified in paragraph 3 below by the date specified in paragraph 4 below.

1. Relevant person(s):

Grieg Seafood Shetland Limited (company number SC093192)
at the registered office address

Issued at: Marine Scotland Science,
Marine Laboratory,
375 Victoria Road,
Aberdeen,
AB11 9DB

Name of fish site: Score Holms (FS0948)

Name of fish farming business: Grieg Seafood Shetland Limited (FB0440)

Registered office address of fish farming business (if different to above):

Grieg Seafood Shetland Limited
13 Albyn Terrace
Aberdeen
AB10 1YP

(also operating from Gremista, Lerwick, Shetland, ZE1 0PX, the correspondence address provided to the Scottish Government for the authorisation granted under regulation 6(1) of the Aquatic Animal Health (Scotland) Regulations 2009)

2. This enforcement notice is served because:

The measures in place for the prevention, control and reduction of parasites at the site known as Score Holms (FS0948) are not currently deemed satisfactory, following reports of weekly average adult female sea lice counts per fish to Marine Scotland.

3. The execution of the following works and the taking of the following steps are considered necessary for the purpose of:

Ensuring that satisfactory measures are in place for the purposes of the prevention, control and reduction of parasites at the site known as Score Holms (FS0948).

- i. Undertake the most appropriate works or steps, where necessary following veterinary advice, which may include (but not limited to):
 - a. medicinal treatment for sea lice;
 - b. topical bath treatment for sea lice;
 - c. mechanical removal of sea lice;
 - d. use of biological sea lice interventions; or
 - e. reduction of the biomass held on the site.

to ensure that the weekly average adult female sea lice count per fish is below the Scottish Government reporting level of 3.0 by 28 days after the date of this notice.

4. The requirements specified in paragraph 3 of this notice must be fulfilled by:

06 October 2017

Inspector's name: Ronald Smith



Signed:

On behalf of the Scottish Ministers

Date: 08 September 2017

FAILURE TO COMPLY WITH THIS NOTICE IS AN OFFENCE UNDER SECTION 6(10) OF THE 2007 ACT, PUNISHABLE UPON SUMMARY CONVICTION BY A FINE NOT EXCEEDING LEVEL 4 ON THE STANDARD SCALE

Please read the following notes carefully. If you are unsure of the implications of this notice, you should seek legal advice.

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Marine Scotland, Marine Laboratory, 375 Victoria Road, Aberdeen AB11 9DB
Tel: 0131 244 3498 email: MS.FishHealth@gov.scot

NOTES

1. In terms of section 6(7) of the 2007 Act, the relevant person(s) upon whom this notice is served may appeal by summary application to the sheriff against the notice, before the expiry of the period of 7 days, beginning on the day upon which the notice is served. And where such an appeal is made, the notice is of no effect until the appeal is withdrawn or finally determined.
2. In an appeal the sheriff may make such an order as the sheriff thinks fit; and the decision of the sheriff in the appeal is final.
3. In terms of section 6(9) of the 2007 Act, it is an offence if, without reasonable excuse, the relevant person(s) named above contravenes this enforcement notice. A person who commits an offence is liable on summary conviction to a fine not exceeding level 4 on the standard scale.
4. In terms of section 6(11) of the 2007 Act, where the Scottish Ministers are satisfied that an enforcement notice is contravened in respect of the prevention, control and reduction of parasites, they may (whether or not proceedings have been taken for an offence) authorise an inspector to take any action they consider necessary in fulfillment of the requirements of the notice in that regard.
5. Under section 6(12) of the 2007 Act, any expenses reasonably incurred by an inspector in taking action authorised (as detailed in paragraph 4 of the enforcement notice) may be recovered by the Scottish Ministers from the relevant person(s) on whom the enforcement notice was served.
6. In terms of section 6(13) of the 2007 Act, the Scottish Ministers may publicise the serving of an enforcement notice and may do so to such an extent, in such manner and in such form as they think fit.

Jakub Wladyslaw Pierzynowski

21st August 2017

Reg. number: [REDACTED]

Tel: [REDACTED]

Email: [REDACTED]

Grieg Seafood Shetland Ltd.

Gremista, ZE1 OPX Lerwick, Shetland.

To: Mr. Ronald Smith,

Fish Health Inspectorate Technical Manager,

Marine Laboratory, 375 Victoria Road,

Aberdeen, AB11 9DB.

Satisfactory Measures in Place for the Prevention, Control and Reduction of Parasites.

In response to Your letter received 18 August 2017 (ref: AFSA/WL01/17) Grieg Seafood Shetland Ltd. has decided to implement the following plan aimed at reducing sea lice numbers on two sites: Spoose Holm (FS0785) and Score Holms (FS0948) to an acceptable level.

Spoose Holm: fish from this location are to be harvested out. Harvest starts on the 23.08.2017 and site will be followed by the 10.09.2017 (weather permitting).

Score Holms: treatment of stock will start from the 29.08.2017 and will be finished on the 01.09.2017. Agents to be used: Salmosan Vet and AMX (weather permitting).

Signed: Jakub Pierzynowski.

MRCVS

T: +44 (0)1224 876544 «Ext» F: +44 (0)1224 295511
marinescotland@gov.scot

By Email only

Bill Johnson
Grieg Seafood Shetland Ltd
Gremista
Lerwick
Shetland
ZE1 OPX

Our ref: AFSA/WL01/17
18 August 2017

Dear Mr Johnson,

**WARNING LETTER: Satisfactory Measures in Place for the Prevention,
Control and Reduction of Parasites**

Sea Lice Management and Reporting

As you will be aware the Scottish aquaculture industry are required to have satisfactory controls in place for the prevention, control and reduction of parasites under Part 1 of the Aquaculture and Fisheries (Scotland) Act 2007.

Grieg Seafood Shetland Ltd have submitted weekly counts for average adult female sea lice per fish at fish farm sites which are equal to or above the reporting level of 3.0. This data shows that the average adult female sea lice numbers per fish have been above the intervention limit of ≥ 8.0 on four consecutive weeks (calendar weeks 30 – 33) at the following sites:

- Spoose Holm (FS0785)
- Score Holms (FS0948)

Future Actions and Potential Enforcement

As a consequence of the recent reporting and in accordance with our enforcement regime, you are advised that, if the weekly average adult female sea lice count per fish is not brought below 8.0 in two weeks, an enforcement notice will be issued. This will be due to Grieg Seafood Shetland Ltd not having demonstrated that satisfactory measures are in place for the prevention, control and reduction of parasites at the sites mentioned above.

In addition, please provide the Fish Health Inspectorate, by 24 August 2017, with the explicit action plan which will aim to achieve the required reduction in sea lice numbers. If you have any questions the Fish Health Inspectorate can be contacted by Fax 01224 295620, Tel 01224 295525 or email at ms.fishhealth@gov.scot.

Further information regarding the regulation of sea lice in Scotland can be found at:
<http://www.gov.scot/Topics/marine/Publications/TopicSheets/tslist/sealicerregs>.

Yours sincerely



Ron Smith
Fish Health Inspectorate Technical Manager

Atle Harald Sandtorv
Director
Grieg Seafood Shetland Ltd
Knut Johnsens Vei 5
Bergen
Norway
5163 LAKSEVÅG

Our ref: PROJ/7374

08 September 2017

Dear Mr Sandtorv,

Please find enclosed a copy of the enforcement notice served on Grieg Seafood Shetland Ltd, under section 6(1) of the Aquaculture and Fisheries (Scotland) Act 2007, at the registered office address for company number SC093192. The registered address being:

Grieg Seafood Shetland Ltd, 13 Albyn Terrace, Aberdeen, AB10 1YP

Yours sincerely



Ron Smith
Fish Health Inspectorate Technical Manager

Knut Utheim
Director
Grieg Seafood Shetland Ltd
Grieg-Gaarden C
Sundtsgate 17/19
PO BOX 234 Sentrum
Bergen
Norway
N-5804

Our ref: PROJ/7374

08 September 2017

Dear Mr Utheim,

Please find enclosed a copy of the enforcement notice served on Grieg Seafood Shetland Ltd, under section 6(1) of the Aquaculture and Fisheries (Scotland) Act 2007, at the registered office address for company number SC093192. The registered address being:

Grieg Seafood Shetland Ltd, 13 Albyn Terrace, Aberdeen, AB10 1YP

Yours sincerely



Ron Smith
Fish Health Inspectorate Technical Manager

Trude Elisabeth Østvedt
Director
Grieg Seafood Shetland Ltd
Nordahl Griegsvei 20
Bergen
Norway
5232 PARADIS

Our ref: PROJ/7374

08 September 2017

Dear Ms Østvedt,

Please find enclosed a copy of the enforcement notice served on Grieg Seafood Shetland Ltd, under section 6(1) of the Aquaculture and Fisheries (Scotland) Act 2007, at the registered office address for company number SC093192. The registered address being:

Grieg Seafood Shetland Ltd, 13 Albyn Terrace, Aberdeen, AB10 1YP

Yours sincerely



Ron Smith
Fish Health Inspectorate Technical Manager

Grieg Seafood Shetland Ltd
13 Albyn Terrace
Aberdeen
AB10 1YP

Our ref: PROJ/7374

08 September 2017

Dear Sir/Madam,

Please find enclosed an enforcement notice served on Grieg Seafood Shetland Ltd, under section 6(1) of the Aquaculture and Fisheries (Scotland) Act 2007, at the registered office address for company number SC093192.

Grieg Seafood Shetland Ltd also operate from the correspondence address provided to the Scottish Government for the authorisation granted under regulation 6(1) of the Aquatic Animal Health (Scotland) Regulations 2009. The correspondence address being:

Grieg Seafood Shetland Ltd, Gremista, Lerwick, Shetland, ZE1 0PX

Yours faithfully



Ron Smith
Fish Health Inspectorate Technical Manager

Grant Cumming
Regional Director
Grieg Seafood Shetland Ltd
Gremista
Lerwick
Shetland
ZE1 0PX

Our ref:

08 September 2017

Dear Mr Cumming,

Please find enclosed a copy of the enforcement notice served on Grieg Seafood Shetland Ltd, under section 6(1) of the Aquaculture and Fisheries (Scotland) Act 2007, at the registered office address for company number SC093192. The registered address being:

Grieg Seafood Shetland Ltd, 13 Albyn Terrace, Aberdeen, AB10 1YP

Yours sincerely



Ron Smith
Fish Health Inspectorate Technical Manager

Bill Johnson
Business Correspondent
Grieg Seafood Shetland Ltd
Gremista
Lerwick
Shetland
ZE1 0PX

Our ref: PROJ/7374

08 September 2017

Dear Mr Johnson,

ADVISORY LETTER REGARDING SEA LICE REGULATION

As you will be aware the Scottish aquaculture industry are required to have satisfactory measures in place for the prevention, control and reduction of parasites under Part 1 of the Aquaculture and Fisheries (Scotland) Act 2007.

Grieg Seafood Shetland Ltd (FB0440) have submitted weekly counts for average adult female sea lice per fish at the site registered as Spoose Holm (FS0785), which are equal to or above the reporting level of 3.0. This data, where available, shows that the average adult female sea lice numbers per fish at this site have not been below the intervention limit of ≥ 8.0 on six consecutive weeks (calendar weeks 30 – 35).

Current Scottish Government policy is to undertake enforcement action due to Grieg Seafood Shetland Ltd (FB0440) being unable to demonstrate that satisfactory measures are in place for the prevention, control and reduction of parasites at the Spoose Holm (FS0785) site.

As the site is due to be fallow of farmed fish on the 11 September 2017 following the removal of the stock, the Scottish Government has decided not to issue an enforcement notice in this instance.

If Grieg Seafood Shetland Ltd (FB0440) intend to continue to farm fish at the Spoose Holm (FS0785) site, they are advised to undertake a documented review, taking veterinary advice where necessary, of the current measures in place for the prevention, control and reduction of parasites throughout the complete production cycle at this site. This documented review should identify the specific actions, resources, husbandry decisions or options and logistics required to ensure that satisfactory measures are in place for the prevention, control and reduction of parasites as required under Part 1 of the Aquaculture and Fisheries (Scotland) Act 2007.

Should the Spoose Holm (FS0785) site be stocked after 15 September 2017, evidence of the documented review and the implementation of recommendations for improved management of sea lice should be made available for inspection by the Marine Scotland Science Fish Health Inspectorate.

Yours sincerely



Ron Smith
Fish Health Inspectorate Technical Manager

Bill Johnson
Business Correspondent
Grieg Seafood Shetland Ltd
Gremista
Lerwick
Shetland
ZE1 0PX

Our ref: PROJ/7374

08 September 2017

Dear Mr Johnson,

Please find enclosed a copy of the enforcement notice served on Grieg Seafood Shetland Ltd, under section 6(1) of the Aquaculture and Fisheries (Scotland) Act 2007, at the registered office address for company number SC093192. The registered address being:

Grieg Seafood Shetland Ltd, 13 Albyn Terrace, Aberdeen, AB10 1YP

Yours sincerely



Ron Smith
Fish Health Inspectorate Technical Manager