

Guidance for the statutory reporting of sea lice (*Lepeophtheirus salmonis*) under The Fish Farming Businesses (Reporting) (Scotland) Order 2020

1. Background

- 1.1. On the 29 March 2021 new legislation, [The Fish Farming Businesses \(Reporting\) \(Scotland\) Order 2020](#) (the “2020 Order”) will come into force. The 2020 Order requires all Aquaculture Production Businesses (APBs) in Scotland that farm fish (other than in freshwater sites) to report an average number of adult female sea lice (*Lepeophtheirus salmonis*) counted per fish per fish farm site in a given week one week in arrears, to the Scottish Ministers.
- 1.2. Under section 2 of the [Aquaculture and Fisheries \(Scotland\) Act 2007](#) it is an offence to fail to comply with the provisions of the 2020 Order.
- 1.3. The introduction of mandatory sea lice reporting is to support the implementation of the Scottish Government’s (SG) sea lice policy and management of sea lice on fish farms. The provisions of the 2020 Order introduce a step change in sea lice reporting. In place of current arrangements which require reporting only where specific levels are met or exceeded (currently a weekly average of 2 adult female sea lice per fish), the 2020 Order requires sea lice numbers to be reported weekly in arrears for all sites where fish are farmed, irrespective of the count. Where no count is conducted the reason must be given (see paragraph 4.8 below).
- 1.4. The SG’s sea lice policy regarding the Fish Health Inspectorate (FHI)’s actions in response to sea lice levels has not changed. The new reporting requirements will, however, be referred to as ‘increased monitoring’ when the 2020 Order comes into force. As is currently the case, where a count of 2 or more sea lice is reported at a site the FHI will increase monitoring of the site and where the intervention limit of 6 or more is reached and not reduced enforcement actions will be taken, as per the actions set out in the. [Regulation of sea lice topic sheet](#)
- 1.5. The reported data will be published to promote transparency one week in arrears either on Marine Scotland’s website or Scotland’s Aquaculture website: [Publication of FHI information](#).

2. Guidance

- 2.1. This Guidance has been issued to assist APB’s in submitting the sea lice data required by the 2020 Order.
- 2.2. It sets out timescales, the data to be submitted and the process for doing so. In addition it sets out how the 2020 Order will be enforced and the penalties for not complying with it.

3. Specified information to be submitted

- 3.1. The 2020 Order requires a person who carries on a business of fish farming, in respect of each site of that business, to provide specified information on a weekly basis to the Scottish Ministers. A “site” means a site that is not in freshwater, at which fish are farmed.
- 3.2. The information must be provided in writing for each reporting week, which is defined as a period of seven days beginning on a Monday. The information must be submitted no later than 8 days after the end of the reporting week. The rationale for providing 8 days after the reporting week to submit information is that it gives APBs time to validate/verify the data to be submitted thus minimising errors. APBs may submit the specified information at any point before the 8 days have passed.

4. Submission of data

- 4.1. SG will make a submission form available, which will be in a spreadsheet format, and should be used to provide the required information. The information for the reporting week can only be submitted once, although FHI can be notified of corrections. From time to time the spreadsheet will need to be amended by SG, for example when a farm site is transferred between businesses, a new site is developed or an inactive site becomes operational. It is important to ensure that when a new version of the spreadsheet is issued, that it is the one which is used – an older version will not be suitable.
- 4.2. There is a guidance tab on the spreadsheet which provides instructions on completing the columns for ease of reference.
- 4.3. APBs should insert their business number, their business name, the year, and the calendar week number at the top of the spreadsheet which will auto-fill the relevant columns. Note the first submission required following introduction of the 2020 Order will relate to data for the week beginning the 29 March 2021 i.e. week 13.
- 4.4. Once the business number and name have been inserted, a drop down list of sites operated by the business will become available. Sites where fish are present or where it is the first week that a site has become fallow should be selected.
- 4.5. APBs should insert, into the relevant column, the average number of adult female (gravid and non-gravid) *Lepeophtheirus salmonis* counted per fish per site in the reporting week, to be calculated by applying the following formula:

$$\frac{A}{B}$$

Where —

A = the total number of adult female (gravid and non-gravid) *Lepeophtheirus salmonis* counted on sampled fish in a site in the reporting week, and
B = the number of fish sampled in that site in that reporting week.

- 4.6. Only one count per site should be submitted.
- 4.7. Where the weekly reported sea lice levels reach or exceed the increased monitoring level of an average of 2 average adult female sea lice per fish, FHI will continue to follow up as necessary
- 4.8. Where a count of adult female (gravid and non-gravid) *Lepeophtheirus salmonis* is not conducted in a reporting week, that column should be left blank. The reason for not conducting the count must be given in the column entitled 'reason for no count.' This column provides a drop down list of reasons for not conducting a count. Where the reason for no count is that the site is fallow, no further information requires to be provided in respect of that site until such time as the site ceases to be fallow. This negates the need to report week after week that the reason for no count is that the site is fallow.

5. Submission of spreadsheet reports

- 5.1. Reports should be submitted to the FHI electronically, using the following email address: ms.fishhealth@gov.scot
- 5.2. APBs should contact the FHI on +44 (0) 131 244 3498 if it is not possible to submit the report electronically and in these circumstances may submit completed reports to:

Fish Health Inspectorate
Marine Scotland
Marine Laboratory
375 Victoria Road
Aberdeen
AB11 9DB

6. Enforcement and penalties

- 6.1. On behalf of the Scottish Ministers, the FHI will continue to enforce sea lice reporting in accordance with the [Fish Health Inspectorate Service Charter - gov.scot \(www.gov.scot\)](http://www.gov.scot) following the Government's principles on good regulation.
- 6.2. Under section 2 of the Aquaculture and Fisheries (Scotland) Act 2007 it is an offence to fail to comply, without reasonable excuse, with a requirement of the 2020 Order, or to knowingly provide any information which is false in a material particular.
- 6.3. Where an APB has failed to comply without reasonable excuse, the provision of advice or a warning letter may be issued in the first instance depending on the seriousness of the offence. Alternatively, where appropriate, offences will be discharged by either issuing a fixed penalty notice or a case will be submitted to the Procurator Fiscal. An offence under section 2 is punishable on summary conviction by a fine not exceeding level 4 on the standard scale.

If you wish to comment on this guidance or report any inconsistencies or inaccuracies please contact:

Email: marinescotland@gov.scot

Telephone: 0300 244 4000

Post:

Mailpoint 11

1B South

Victoria Quay

Edinburgh

EH6 6QQ

Further information can be found on the Marine Scotland website.

Web: <http://www.scotland.gov.uk/marinescotland>