

# Follow-up inquiry into salmon farming in Scotland

## Submission from APHA, 26 September 2024

The Committee have requested information regarding:

- General views on how APHA approaches its enforcement duties including what statutory powers it has at its disposal in cases of non-compliance.

APHA are not an enforcement body but have regulatory function. Inspectors are appointed under relevant welfare (and other) legislation, and these powers are detailed in individual pieces of legislation.

APHA are responsible for responding to welfare issues identified on farms, and welfare of animals at the time of killing (for sites that are not approved where FSS is responsible). APHA inspectors also provide veterinary advice and guidance to local authorities about welfare in transport.

APHA inspectors conduct farm visits to monitor welfare standards. These can include programmed inspections and reactive visits in response to complaints or other intelligence. APHA works closely with Food Standards Scotland's Food Crime and Incident Unit which provides analysis of intelligence alleging animal welfare and animal health offences.

Fish health inspectorate reports incidents including high mortality rates, but also other issues they identify, at visits to fish farms, to us. We also receive reports from others including members of the public, SSPCA, and local authorities.

These reports are discussed and assessed by an APHA veterinarian. Following collection of any further information from FHI or other colleagues a decision is made whether an APHA inspection is required for the site. We follow the same risk assessment process for all farmed livestock species including fish. The Veterinary Risk Assessment process takes into consideration information received from FHI or any other complainant, as well as information we hold on customer records with respect to previous incidents.

Findings from investigations are recorded and any follow up actions with the keeper are progressed. APHA will consult with the relevant local authority and Scottish SPCA when welfare visits identify problems and where any follow up is needed.

APHA inspectors will review and revisit sites of cases where welfare problems have not been resolved and issue statutory care notices where needed. If care notices or other advice are issued and where follow up is required to assure that corrective action has been effected, re-inspections are scheduled and carried out.

Where care notices are not acted on and problems remain unresolved, or when the immediate problems are very serious, APHA support local authorities and Scottish

SPCA on reporting cases for prosecution. This will include findings from our inspections and professional or expert opinion responses to care notices we have issued.

It is for the local authorities to initiate welfare prosecutions with the procurator fiscal.

- The effectiveness of the regulatory system in delivering high standards of fish health and welfare;

APHA does not have a direct role in fish health.

In our experience, the working relationship between FHI and APHA is delivering well to support welfare standards in the fish farming industry. The communication between the two agencies is effective and information sharing and shared visits act to allow adequate inspections on farms.

APHA and FHI work with the fish farm businesses and their levy board, Salmon Scotland, to ensure that changes are made at a farm level and our experience has been that farms are responsive and work to correct issues when problems are identified.

We carry out fish welfare work under the Animal Health and Welfare (Scotland) 2006. For the terrestrial farm species, the Scottish Ministers issue guidance documents on welfare which identify good practice and support regulatory action when standards fall short of good practice; there is no such document for farmed fish. Many farms are RSPCA assured and part of other assurance schemes which promote health & welfare and APHA use these documents to support our work.

- What coordination is undertaken between other enforcement bodies (SEPA, FHI and local authorities) regarding incidents relating to fish welfare and mortality?

FHI, APHA, local authorities, SSCPA, and RSCPA where appropriate work closely together in the management of welfare cases. If APHA inspectors identified anything relating to SEPA's responsibilities during our inspections, we would notify SEPA colleagues.

I hope this responds adequately to your questions. Please direct any further questions through the email address you used before and that this response is sent from. This will ensure that you get a response if I am away or unable to respond in a timely way as it can be directed to one of my colleagues as needed.

Thank you,

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