



Extracts from correspondence between Marine Scotland and the salmon farmers (obtained under FOI): Released 26 November 2010

From Neil Purvis, Fish Health Inspectorate Policy Manager, Marine Scotland to stakeholders (salmon farmers), 25 March 2010:

“Since November 2008, the Fish Health Inspectorate has implemented a programme of audits in relation to the parasite (sea lice) and containment provisions of the Aquaculture and Fisheries (Scotland) Act 2007....This letter is to inform you that Marine Scotland will be publishing a summary of audit findings on our website www.frs-scotland.gov.uk and this page will be updated periodically as audits are conducted. The intention to publish this information has been made previously through meetings of the Ministerial Working Group for Scottish Aquaculture. In addition to a summary publication, if third party applications for the full details of audits are made then this information may be released.”

From Phil Thomas, Chairman of the Scottish Salmon Producers' Organisation, to Rob Raynard (Director of the Aquaculture and Fish Health Programme within Marine Scotland Science) and Charles Allan (Head of the Fish Health Inspectorate within Marine Scotland Science), 30 March 2010:

“If a company's business is compromised, or if it loses business as a result of an MSS 'audit', there is every possibility it could seek legal redress on the grounds that the 'audit' is '*not competent under statute*' or '*not-accredited and is carried out by staff who are not qualified auditors*'. Similarly, if you release audit information that contains any error, there is every prospect that a company will seek legal redress through the courts for material damage to its business.”

From Loch Duart Ltd to Neil Purvis (Marine Scotland Science), 30 March 2010:

“Loch Duart Ltd does not agree to its audits being placed on the website....Inaccurate critical reports could destroy a company or its business and in such a case, what would the legal position be? We require a full and frank response to how a company might achieve financial redress before this proposal is brought to fruition.”

From Rob Raynard (Director of the Aquaculture and Fish Health Programme within Marine Scotland Science) to Phil Thomas, Chairman of the Scottish Salmon Producers' Organisation, 9 April 2010:

“The Scottish Information Commissioner has deemed that we do not have grounds to withhold information or the names of businesses where such information is generated under statute.....However, in light of the other issues that you raise we are suspending the publication plan until we have had the opportunity to fully investigate these and to consider with SG policy colleagues in Edinburgh.”