



# Association of Salmon Fishery Boards

## Carcass Tagging System for Net Caught Salmonids

May 2011

### Introduction

The Association of Salmon Fishery Boards is the representative body for Scotland's 41 District Salmon Fishery Boards (DSFBs) including the River Tweed Commission (RTC), which have a statutory responsibility to protect and improve salmon and sea trout fisheries. The Association and Boards work to create the environment in which sustainable fisheries for salmon and sea trout can be enjoyed. Conservation of fish stocks, and the habitats on which they depend, is essential and many DSFB's operate riparian habitat enhancement schemes and have voluntarily adopted 'catch and release' practices, which in some cases are made mandatory by the introduction of Salmon Conservation Regulations. ASFB creates policies that seek where possible to protect wider biodiversity and our environment as well as enhancing the economic benefits for our rural economy that result from angling. An analysis completed in 2004 demonstrated that freshwater angling in Scotland results in the Scottish economy producing over £100 million worth of annual output, which supports around 2,800 jobs and generates nearly £50million in wages and self-employment into Scottish households, most of which are in rural areas.

### Background

#### *Administration of Salmon Fisheries in Scotland*

District Salmon Fishery Boards have statutory powers to protect, conserve and enhance salmon stocks within their district and Fisheries Trusts in most Board areas in Scotland are available to provide scientific advice to support management decisions. In order for managers to take appropriate management decisions, an overview of all salmon exploitation in the district is required and appropriate controls must be applied to exploitation where necessary. Such controls might be either through statutory regulations or voluntary codes. It should be noted that Boards, supported by information from Trusts, have a legal obligation to represent the views of both upper and lower proprietors, tenant netmen and anglers through elected Board members and co-optees.

Salmon fishing rights in Scotland (freshwater and marine) are private heritable titles that are registered separately from land. As such these titles can be bought and sold like any other property. Net fisheries operate within a statutory framework of national regulations with regard to: the meshes, materials and dimensions of nets used; the method of fishing to be used; and by weekly and annual close times for salmon fishing. Scottish Ministers may, after consulting such persons as they consider appropriate, alter any of these parameters by regulation. Other than these national statutory restrictions, the only other limiting factors will be those of an economic nature to the commercial fishermen (i.e. the availability of fish and supply to, and demand of, the available market). Wild salmon (particularly the spring stock component) increasingly command a premium price and commercial fisheries continue to exploit this market. Indeed, the Scottish Government has recently applied to the EU for Protected Geographical Indication (PGI) status for 'Scottish Wild Salmon', a protection that would guarantee market advantage for this product.

#### *Carcass Tagging*

A carcass tagging scheme has been in operation in England and Wales since January 2009<sup>1</sup>. Any salmon and sea trout caught by means other than rod and line (i.e. by licensed net or trap) must be tagged with a uniquely numbered Environment Agency carcass tag. This must be attached immediately after capture and remain attached until the fish is processed. Details of the fish and the tag reference numbers must be

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<sup>1</sup> See: [http://www.environment-agency.gov.uk/static/documents/Business/National\\_byelaw\\_-\\_carcass\\_tagging\\_and\\_log\\_book\\_\(as\\_confirmed\\_-\\_Jan\\_2009\).pdf](http://www.environment-agency.gov.uk/static/documents/Business/National_byelaw_-_carcass_tagging_and_log_book_(as_confirmed_-_Jan_2009).pdf)

recorded in an annual log-book (supplied) and returned to the Environment Agency at the end of the year. Similar schemes have been in operation in the Republic of Ireland since 2001 and Northern Ireland since 2002. Carcass tagging has been considered both as a quality control measure and as a means to minimise the possibility of illegally caught fish reaching markets or dealers. In combination with the ban on sale of rod caught fish across the UK, any untagged fish would be made unmarketable and clearly identifiable as illegally taken.

It is of note that the EA has identified a loophole in their system that, in the absence of a mandatory carcass tagging system in Scotland, illegally caught English fish could reach the market masquerading as Scottish produce. There are also a number of potential routes for illegally caught Scottish fish to reach the market. Marine Scotland Compliance<sup>2</sup> has noticed a recent upturn in illegal gill netting in Scottish inshore waters. Between June 2009 and August 2010, 17 illegal gillnets were seized by FPV Minna (average length 47m; range 11-87m). In addition, there is the continuing, significant problem of wildlife crime - the illegal taking of salmon within rivers and estuaries. During 2010, bailiffs employed by 28 of the 41 DSFB's across Scotland (including the River Tweed Commission) seized a further 166 nets of which 49 were recovered in-river and 117 were recovered in estuaries/coastal waters. Declared net catches for 2007-2009 (January-April) were 86, 80 and 145 respectively. However it is difficult to reconcile these figures with the amount of wild Scottish salmon reaching the market prior to the end of April. For example, the number of boxes of "Scotch Wild" salmon (containing on average eight, 10lb salmon per box) arriving at Billingsgate Market in London<sup>3</sup> suggests that somewhere between 300 to over 1000 more Scottish salmon are sold than are declared according to the Statistical Bulletin. These figures are estimates as no records are kept as to how many of the fish boxes are full to capacity. However, given that only 30-40% of Scottish spring salmon are estimated to be sold through Billingsgate, it is clear that illegally caught salmon reaching the market is a significant problem. The reduction of such illegal activity, by significantly reducing the potential market for illegally caught fish, would have a significant conservation benefit for wild salmonids.

There are also potential benefits to the netting industry. In the light of the application to the EU for Protected Geographical Indication (PGI) status for 'Scottish Wild Salmon' it is in the interests of both the netting industry and the Scottish Government to ensure that any Scottish wild salmon reaching the market is traceable and of the highest quality. The quality of illegally caught fish, which would be unlikely to be stored appropriately, could not reach the standards required for PGI status. ASFB are aware that there are a number of distinct carcass tagging schemes, operated by individual netting operations. Whilst these are non-numbered schemes, operated purely for marketing purposes, the fact that such schemes are in operation demonstrates that these schemes are of value to the netsmen. However, unless such schemes are mandatory across Scotland and use uniquely numbered tags, the problems outlined above cannot be addressed.

As an example, for the 2010 season the River Tweed Commission (RTC) introduced a voluntary carcass tagging scheme for netsmen, modelled on the compulsory scheme initiated by the Environment Agency (EA) in 2009. Based on the five-year average catch for all the netting stations (plus 25%) 7,000 tags were originally ordered. However, due to the exceptional Sea-trout run, an additional 4,000 tags were ordered but these also ran out days before the end of the season. On reflection, it was apparent that this voluntary scheme was ineffective as not all netsmen took part, and some failed to keep the appropriate records. Of the 7 netting stations in operation, 2 declined to take part from the outset and a further 2 either did not, or only partially, applied the tags issued to them. The required records were only received back from 3 netting stations. Without legal means to enforce the scheme on all netsmen the overall aim was lost and, as such, the Commission decided to discontinue the scheme in 2011.

### ***Mixed Stock Fisheries Working Group***

In 2008 the Scottish Government published *A Strategic Framework for Scottish Freshwater Fisheries* which recommended a number of *Priorities for Action*. Priority for Action 2.5 was to develop a strategy for mixed

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<sup>2</sup> Alistair Beveridge talking at the 2011ASFB Bailiff's Seminar in Stornoway

<sup>3</sup> Official statistics supplied by the Chief Inspector of The Fishmongers' Company

stock fisheries which would review all aspects of mixed stock fishing, including its impact on management and conservation. ASFB were represented on the working group set up to inform this process, resulting in the *Report of the Scottish Mixed Stock Salmon Fisheries Working Group*<sup>4</sup>. However, it was not possible to reach agreement on a package of recommendations that all participants could endorse and therefore the recommendations of the Report were put forward under the responsibility of the Chair. A number of these recommendations are reproduced below:

**Recommendation 6:** *A carcass tagging scheme for all wild net-caught salmon offered for sale, whether privately or on the open market, should be introduced. The Scottish Government should urgently work with all stakeholders to develop such a scheme with a view ultimately to making adherence to it compulsory.*

## ASFB Policy Position

In agreement with Recommendation 6 of the Report of the Scottish Mixed Stock Salmon Fisheries Working Group (see above), ASFB policy is that a compulsory carcass tagging scheme, using uniquely numbered tags, should be introduced immediately in order to bring Scotland into line with the rest of the UK and the Republic of Ireland. This would aid the enforcement of the existing ban on the sale of salmon and sea trout caught by rod and line. The fundamental aspects of this scheme (taken from the EA system) must be:

- Carcass tagging of all net caught salmon and sea trout offered for sale, compulsory from the outset.
- Any person found in possession of an untagged salmon or sea trout taken, other than by rod and line, within Scotland, shall be guilty of an offence.
- At the discretion of Scottish Ministers the number of tags issued shall be based on the number of fish caught in the fishery in the previous year.
- Subject to any restrictions on the catch of fish, additional tags shall be issued to licence holders on presentation of log book information showing that tags already issued have been used.
- Carcass tags may only be affixed to fish that were caught by the proprietor or occupier of a salmon fishery to which the tag relates. Tags are not transferable between proprietors or occupiers of different salmon fisheries.
- Carcass tags must be affixed as soon as possible after the fish is captured and remain in the fish until the carcass is processed.
- Any constable or water bailiff may examine any fish caught otherwise than by rod and line.
- A log book shall be issued to each proprietor or occupier of a salmon fishery at the start of the relevant fishing season. Details of tags issued will be entered in the log book by Scottish Ministers.
- Where salmon or sea trout are caught, the holder of the log book shall make an entry in the log book as soon as reasonably practicable and in any case before midnight on the day of capture.
- The holder of the log book shall, on the form provided, make a record of:
  - the time spent fishing;
  - the individual weight of any salmon or migratory trout caught even if the fish is released or, where no fish were caught, a statement to that effect, and;
  - the tag numbers attached to individual fish.
- The holder of a log book shall deliver the log book correctly completed together with all unused tags issued to him or her to the Scottish Ministers by the date specified in the log book.
- Any constable or water bailiff may examine any log book.

Section 38 of the Salmon and Freshwater Fisheries (Consolidation) (Scotland) Act 2003 allows Scottish Ministers to make regulations (Salmon conservation regulations) if they consider it necessary or expedient to do so for the conservation of salmon. Schedule 1 allows Scottish Ministers to make such regulations either on application to them by, any district salmon fishery board or otherwise. Therefore, DSFBs, with the

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<sup>4</sup> *Crawley, D. (2010) Report of the Scottish Mixed Stock Salmon Fisheries Working Group. Report by the Steering Group of the Freshwater Fisheries Forum.*

support of ASFB, will seek the introduction of a mandatory carcass tagging scheme via Salmon conservation regulations to be in place for the 2012 netting season.

### **Conclusions**

- In the absence of a mandatory carcass tagging system in Scotland, illegally caught fish, originating from both Scotland and England are currently reaching the market.
- Significant numbers of illegal nets are recovered on a regular basis by both Marine Scotland Compliance and DSFBs at considerable expense.
- The voluntary carcass tagging scheme introduced by the River Tweed Commission proved ineffective as not all netsmen took part, and some failed to keep the appropriate records.
- DSFBs, with the support of ASFB, will seek the introduction of a mandatory carcass tagging scheme via salmon conservation regulations to be in place for the 2012 netting season.

### **For further information please contact:**

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