

The VOICE

[january 2003 issue 17]

SCOTLAND TO DEVELOP ITS' OWN VERSION OF ILFA



OATA ensured concessions for the starlet amongst other species, in the ILFA 1980 Act

ILFA stands for the Import of Live Fish Act. There is in existence the ILFA (Scotland) Act passed in 1978, and the ILFA 1980 Act which covers England and Wales. The ILFA 1980

Act was used in 1998 to require those (importers, wholesalers, retailers, breeders and members of the public) who own certain species of fish such as starlets, to obtain a

licence to do so. OATA gained a very important concession for species such as the starlet, and that was that a general licence was announced for members of the public. This means in effect the public have a licence, but get it automatically rather than having to apply for it.

The species requiring licences under ILFA in England and Wales is currently being reviewed (full details of OATA's response to the consultation can be found in issue 15 - March 2002 - of "The Voice").

The Scottish Executive are consulting on the activation of ILFA

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FISH SMUGGLERS TO FACE CROWN COURT SENTENCE

Essex fish dealer Mark DALLAS of Premier Fish Supplies, Battlesbridge and Lee COLES of Chelmsford now face Crown Court, after pleading guilty to charges of illegally importing live fish through the Channel Tunnel and failing to notify the authorities of the intended importation.

Magistrates at Folkestone heard how 1.8 tonnes of diseased live fish were smuggled into the country by the two men late one night in April last year.

The consignment of 262 large carp, was intercepted at the Channel Tunnel terminal at Longport by fish health inspectors from the Centre for Environment Fisheries and Aquaculture Science (CEFAS) assisted by HM Customs and Kent Police officers. The fish, which had been purchased in Belgium, were humanely destroyed by the inspectors.

This was the largest ever seizure of illegally imported live fish and is the latest in a series of successful operations by fish health inspectors aimed at preventing the spread of fish disease caused by infected smuggled fish.

Tests carried out by scientists at the CEFAS laboratories in Weymouth identified the killer virus, Spring Viraemia of Carp (SVC) in samples taken from the consignment. This was the first time this particular strain of the SVC virus (previously found in Moldova) has been identified in the UK. The court was told that if the fish had been introduced into our waters there could have been disastrous consequences for wild and commercial fish species.

Magistrates told the two men that the offences were so serious that they considered their powers to sentence them were insufficient. They therefore committed both men to Maidstone Crown Court for sentence.

Among the notes appended for journalists was this one concerning the value of the fish involved:

This case was heard at Folkestone Magistrates Court on Monday 6th January 2003.

The 262 carp weighed between 5 and 21 kilograms each. The total value of the consignment is estimated at approximately £85,000. (A 21 kg fish in good condition would fetch approximately £5,000 on the retail market.) The high value of large carp in the UK reflects the popularity amongst UK anglers of catching large carp. ■

OATA CONFERENCE A SUCCESS

Every single delegate responding to a questionnaire has said that they want OATA to arrange another conference. If as they say the proof of the pudding is in the eating, then the recipe this time seems have whetted peoples' appetites. 60% of those attending returned satisfaction questionnaires (an extremely high rate), **ALL** of whom requested that OATA conference become a regular calendar feature.

Updates on this in our next newsletter. ■

INVASIVE POND PLANTS

For a number of years concern has been expressed by government agencies, conservation and consumer groups that some pond plants we sell, as an industry, are causing problems in the countryside. These have been given higher profile by a series of items in both local and national newspapers. It is impossible to argue that these problems do not exist. The extent of the problem may have been overstated, but that there is a problem cannot be doubted.

To help counter criticism OATA is producing a poster entitled "Keep your pond plants in the garden!!". This will be distributed before the start of the coldwater season. If pond plants never leave the garden, they cannot cause a problem in the wild. On the reverse of the poster, which can be produced at a size that can be handed out with each plant sold, is advice on how to compost any plants removed from a pond.

OATA also recommends that its members no longer sell:

- *Crassula helmsii* the New Zealand water stonecrop (previously known as *Tilleana recurva*)



"Keep your pond plants in the garden" poster will be available later this year

- *Hydrocotyle ranunculoides* (floating pennywort), an alternative being the native *H. vulgaris* (Correct identification of

these species may become an issue if a member of the public asked for advice from Trading Standards. A simple guide to identification to the two species will accompany the poster.

Additionally we strongly recommend that members either find an alternative to, or stop selling *Myriophyllum aquaticum* (parrots feather); OATA is looking for suitable candidates. Significant sales of this species occur each year. However, equally clearly it has become a pest in the southwest of England and is spreading northwards. Members would be well advised to seek reassurances that any other species of the genus *Myriophyllum* that they might be offered are not frost tolerant, before offering them for sale as pond plants. ■

ARTIFICIALLY COLOURED FISH

We understand that the RSPCA is considering campaigning against painted, injected and dyed fish. As previously stated, OATA does not recommend that any member trade in these fish. ■

THOMAS COOK ADVERT

Thomas cook ran an advert on ITV on New Years Eve and New Years day that they, when challenged, described as depicting "a clumsy man who trips and falls into the fish tank thereby causing it to break." The advert caused some concern among members.

OATA asked for clarification from Thomas Cook. Their head of marketing responded giving assurances that the advert was not meant to "in any way undermine the tropical aquatics industry or infer poor quality standards within your industry."

Thomas Cook assured us that the advert will not be run again as a new one has been produced. ■

Trade in the Red Shiner and Rosy Red Minnow and other species could cease



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(Scotland). In most ways the Scottish version will mimic the controls applied in England and Wales. One important and fundamental difference is that they "believe the potential threat to native stock outweighs any argument for general licences to be issued in Scotland".

This means that members of the public wishing to own any of these species on the list below would be required to apply for a licence. In effect it would end the retail sale of these species:

- Myxocyprinus asiaticus
- Grass carp
- Red Shiners
- Rosy red minnows
- All snakeheads
- All Sunfish (*Lepomis*)
- Sturgeons

One stated intention of the move by the Scottish Executive is to bring the laws north and south of the border into line. This does not do that. Of course in the future somebody could always suggest that the Scottish interpretation was better than that in England and Wales. This would we believe, result in the loss of the sale of fish worth several million ponds.

OATA is preparing a response to this consultation. ■

DOMAIN NAME FRAUD

In November we reported that some members had been contacted by Interweb Services, an internet service provider. Interweb attempted to sell domain names by claiming that an unidentified individual was on the verge of "cyber squatting" with their company name or another suffix (eg. .co.uk, .com, .net, .biz). There would often be an implication that libellous content would be published.

In fact, no prospective buyers existed; forthcoming registrations are never disclosed by internet naming authorities.

OATA notified Trading Standards, who are currently investigating Interweb and similar companies. Trading Standards have informed us that Interweb have promised to refund customers if they feel that they have been misled. We understand that Interweb blamed "over-zealous" salespeople for the mis-selling. ■

CITES

A consultation document about how the EU Wildlife Trade Regulations, which put in place CITES in the EU will be enforced has been issued. Higher penalties are suggested for some offences. OATA is considering the issues raised and will reply accordingly and keep members informed.

One particularly interesting point raised concerned a recent court case. The judge decided that if a specimen covered by the Wildlife Trade Regulations, for instance a coral, was illegally imported in

another member state, then merely by moving it to another member state it does not become legal. The offence continues. Thus if you don't take steps to ensure that specimens have been legally imported (even if that import was made in another EU member state), you may commit an offence and be punished. We recommend that you request an import permit number or copy permit to demonstrate that you have made reasonable efforts to ensure the stock you buy has been imported legally. ■

FISH BAGS

Enclosed with this newsletter is an example of fish bags that are being offered to member wholesalers. The printing probably only formalises what your staff already point out to customers, particularly beginners.

Sale of goods law requires that customers are aware of the terms of sale before the sale is completed. The wording used on the bags brings the terms of sale to the customers attention. Thus it may be wise to display

the wording on a separate notice in a prominent place in the store.

In the wake of events last year we recommend that customers are alerted, in particular, to the point that "Even apparently healthy fish may become sick if not cared for correctly".

OATA will receive commission on sales from the plastic manufacturer, and is claiming copyright on the text used. ■

KHV IN THE FAR-EAST

We reported on mass carp mortalities that occurred early last year in China and Indonesia. Nothing more has been heard of the outcomes of the investigations in China. The fish deaths in Indonesia have not yet been confirmed as having been caused by KHV. NACA (Network of Aquaculture Centres in Asia) are asking participating countries (which include China and Hong Kong, Malaysia, the Philippines, Sri Lanka, Thailand, Indonesia and Singapore) to report cases of "koi mass mortality". In a recent policy publication this organisation stated "Effective disease prevention is also directly related to...effective regulation of the movement of ornamental fish and

shellfish, particularly wild-caught species."

A paper in a recent copy of the scientific journal "Fish Pathology" reported that scientists had tested 205 koi from 20 sites in Niigata for the presence of KHV. We have not yet been able to get a copy of this very short paper (2 pages). The abstract seen does not give details of whether the fish tested were ill or not. If fish are not showing symptoms of KHV, our information is that it is almost impossible to detect using current widely available methods. Thus this paper while seeking to give assurances may not be water tight. ■

ANIMAL HEALTH AND WELFARE STRATEGY: CONSULTATION

DEFRA have issued a consultation document in which they are asking for views of where we as a country should stand on this issue in 10 years time. Primarily it is aimed at farm livestock, but does say it will look at fish-farming, and it does identify pet owners as group that is likely to be affected by the outcomes of their deliberations. After consideration, OATA will respond as appropriate and keep members informed. ■

GOVERNMENT CONSULTS ON "ANIMAL HEALTH AND WELFARE STRATEGY"

The government has issued a consultation document entitled "Preparing an Animal Health and Welfare Strategy for Great Britain". The strategy is "intended to reduce the economic, social and environmental impact of animal diseases, and improve the welfare of animals kept by man." The document envisages farmed fish and pets will be to a greater or lesser degree included in the process. Certainly pet owners are among those groups listed as likely to be affected by the impact of any actions taken.

OATA will of course be responding to this consultation and will keep members informed of progress. ■