

**From:** Ford, Sharon <Sharon.Ford@dfo-mpo.gc.ca>  
**Sent:** Monday, March 29, 2010 5:20 PM  
**To:** Thomson, Andrew <Andrew.Thomson@dfo-mpo.gc.ca>; Swerdfager, Trevor <Trevor.Swerdfager@dfo-mpo.gc.ca>; Porter, Edward <Edward.Porter@dfo-mpo.gc.ca>  
**Subject:** Re: letter to MAL from BCSFA re information release and further consequences

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I agree

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**From:** Thomson, Andrew  
**To:** Swerdfager, Trevor; Ford, Sharon; Porter, Edward  
**Sent:** Mon Mar 29 13:34:29 2010  
**Subject:** RE: letter to MAL from BCSFA re information release and further consequences

The problem with this approach of industry is that it will cause a break in the time series of fish health data that BC has been collecting, which is a issue scientifically, and they have also informed BC that they will not provide carcasses for fish health sampling.

Both of these decisions by BC SFA are short sighted as it plays back into the whole secrecy issues that the industry is criticised for.

Andrew J. L. Thomson  
Director - Aquaculture Management | Directeur - Gestion de l'aquaculture  
Fisheries and Aquaculture Management Branch | Direction des p ches et de l'aquaculture  
Fisheries and Oceans Canada | P ches et Oc ans Canada  
200 - 401 Burrard St., Vancouver, BC Canada V6C 3S4 | 401, rue Burrard, Bureau 200 Vancouver (C.-B.) V6C 3S4  
Telephone | T l phone 604-666-3152 / Facsimile | T l copieur 604-666-1076  
Government of Canada | Gouvernement du Canada

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**From:** Swerdfager, Trevor  
**Sent:** 29 March 2010 10:23  
**To:** Thomson, Andrew; Ford, Sharon; Porter, Edward  
**Subject:** FW: letter to MAL from BCSFA re information release and further consequences

its is really not clear to me what their problem is or why they would want to be collecting and managing fish health data on their own. what good is it to the BSSGA? in any event, i think we will need to be very clear on what our expectations are re: monitoring and what we intend to share.... ie, lots and everything.

*Trevor Swerdfager*  
*Director General, Aquaculture Management*  
*Directeur G n ral, Gestion de l'aquaculture*  
*Department of Fisheries and Oceans*  
*Minist re de P ches et Oc ans*  
*trevor.swerdfager@dfo-mpo.gc.ca*  
*613-949-4919*

DFO-346390

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**From:** Mary Ellen Walling [mailto:mwalling@telus.net]  
**Sent:** March 22, 2010 5:09 PM  
**To:** Thomson, Andrew  
**Cc:** Swerdfager, Trevor; Ford, Sharon; 'Ruth Salmon'  
**Subject:** FW: letter to MAL from BCSFA re information release and further consequences

Here is the letter that was sent to MAL a few weeks ago. The province is not likely to appeal this ruling. The provincial veterinarian called to apologize and said that he is urging the government to appeal. Any requirement for detailed reporting in the new Aquaculture Regulation needs to reflect an understanding of business processes, and how regulatory requirements will affect them as well as social license realities.

Mary Ellen

Mary Ellen Walling  
Executive Director,  
BC Salmon Farmers Association  
Cel 250-203-2974

Letter to provincial veterinarian

As a follow up to the recent decision by Michael McEvoy, Adjudicator, we wish to express our concern about the release of data collected by the Ministry of Agriculture and Lands and to make some requests regarding this data release. It was clearly understood from the farm companies perspectives that the data being collected by MAL was not part of their regulatory authority, rather it was provided voluntarily by the farm companies in response to a request to audit the BCSFA fish health database. This confidential and proprietary data collected during a series on farm inspections has been assembled into a provincial database.

Information and data captured in BCSFA's Database and submitted to BCMAL on a quarterly basis and/or collected by the BCMAL Fish Health Staff are not legally required to be released. There are no regulations or laws which require the individual companies to submit or to allow BCMAL Fish Health Staff access to this information. Together the industry and BCMAL worked cooperatively to address the concerns raised during the 1997 Salmon Aquaculture Review. Paramount to this cooperation was an understanding of the need to maintain confidentiality of data from individual companies.

The LOU signed in January 2001, between BCMAL and BCSFA detailed how the two parties would work and, since that time, have worked co-operatively to ensure confidentiality of data. The LOU was intended to cover aspects of information sharing specific to aggregate data. In addition to data collection, the LOU outlined how the data would be housed and owned by BCSFA, therefore making it inaccessible to Freedom of Information requests. This was upheld in June 2004 when information requested in AFF04.41 point 2 was denied setting a precedent for future FIPPA requests.

At some point, BCMAL began taking individual farm and company data annually as a means of auditing the aggregate information provided from the information collected through the BCSFA Fish Health Database. As this was part of the same fish health database program, BCSFA and its members understood that it was subject to the same confidentiality requirements and cooperated with the audit on that understanding.

We are concerned that the information collected during BCMAL audit and surveillance visits provides only a snapshot of the health status on the site. This snapshot represents the status on the farm, on the day of the audit or surveillance visit. There is neither history nor future with this snapshot. It is one data point, which is of little value from a farm management perspective and impossible to interpret.

This snapshot data point does not take into account future events such as planned treatments or return of diagnostic analysis and is, therefore, open to misinterpretation and misuse.

- For example: As per the BCMAL Sea Lice Action Plan (SLAP), all farms must have less than 3.0 motiles

average/fish by March 1<sup>st</sup>. While a snapshot view of the data may show a farm to be over 3.0 motile sea lice per fish several weeks prior to the cut-off date, it doesn't provide information that a treatment will begin within the next few days and that the farm and company will be in compliance well before March 1<sup>st</sup>. If an individual had access to this site specific "snapshot" information they would be concerned that the site was not in compliance even though this is not the case.

- For example: A snapshot view of mortalities classified as "fresh" (i.e. without a readily discernible cause of death during visual examination) could be misinterpreted and prematurely reported as signs of a potentially serious fish health event, i.e. infectious disease, without knowing the diagnostic outcome. However, several days post-visit, diagnostic analysis of samples shows that the mortality was the result of an environmental event and was not caused by infectious disease. Misinterpretation and premature reporting of the event will have already damaged the company's reputation.

Because this data was supplied by our member companies we are requesting that we receive, at least 5 days in advance of the release, a copy of the information to be released in order that we can check its accuracy through a quality control check against the fish health database. We also request that the information released be restricted to what is ordered "that is sea lice monitoring data in the Broughton Archipelago from January 2002 and monitoring results for pathogens.

As well, the provincial government audits of the farm have provided some quality control for past reports. We respectfully request immediate release of the 2009 fish health report in March 2010.

Also, given the transfer of authority from the provincial to the federal government, we are planning to upgrade our information collection system and undertake a third party audit process. As a result we will no longer require provincial government involvement in the audit process.

We appreciate the Ministry's support in the past and look forward to a response to our requests and a smooth transfer of authority to the federal government.

Sincerely

Mary Ellen Walling  
Executive Director,  
BC Salmon Farmers Association

CC Dr. Mark Shepard  
Harvey Sasaki  
BCSFA Board of Directors

Mary Ellen Walling  
Executive Director,  
BC Salmon Farmers Association  
#302 - 871 Island Highway  
Campbell River, B.C.  
V9W 2C2  
Tel: 250-286-1636  
Fax: 250-286-1574  
1-800-661-7256  
[mwalling@salmonfarmers.org](mailto:mwalling@salmonfarmers.org)  
[www.salmonfarmers.org](http://www.salmonfarmers.org)

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