Fed Up?

A Handbook for Accountability in the Salmon Industry

Salmon Reform Alliance

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About the Salmon Reform Alliance

The Salmon Reform Alliance is a volunteer collective of people and organisations working together for reform of the Tasmanian salmon farming industry, in order to create an economically and environmentally viable future. Our information is evidence-based, and our primary tools are education, media and social media, and lobbying. We advocate active community participation in the planning and review process, and we support policies that advocate the sharing of public waterways.

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Salmon Reform Alliance


Atlantic Salmon CSIRO CC-BY 3.0

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Contents

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Foreword

This Handbook is timely, given the current level of public attention and debate around significant public interest issues arising from the Tasmanian salmon industry's operations. It will be a valuable resource for those who want to understand those issues and take action in what is a complex situation.

Environmental and other issues relating to the industry have been identified for some years now, but unfortunately have never been properly addressed by the industry, the government, or regulatory bodies. Instead, salmon producers have failed to answer legitimate questions, have provided only very partial information at best on operational matters, and often resort to spin rather than evidence-based statements.

My own organisation is active on these issues, raising questions both directly with the companies and indirectly with Right to Information requests to government and its agencies. We have also been conducting a Markets Campaign focussing on mainland consumers and celebrity chefs with some success. Although this type of campaign is not highly visible in the local community, it forms the underpinning for the engagement by other groups and individuals following on the publication of Richard Flanagan's book "TOXIC". The book has reached a wide spectrum of individuals in the community, and it is encouraging to see the flurry of activity and questioning which has emerged more broadly accordingly.

The industry itself is aware that it relies on the eco-system for its very existence, not to mention the image and safety of its product. It is fair to say, however, that it has failed to properly address the issues which would ensure the sustainability of that eco-system and therefore the industry itself in the longer term.

The strength of this Handbook lies in two things in my view - meticulous references and the identification of specific actions and pathways for a range of approaches by anyone with an interest in calling the industry to account.

It also points to "hidden" issues such as heavy metal bioavailability and potential health issues into the future. Because the data collected by the industry and relevant authorities is rarely made public, usually on the basis that it is "commercial-in-confidence", we can only assume that that such important issues are not being monitored. The data that has been publicly provided at times has often been incomplete or mis-leading. It appears that it will take concerted public action to access more complete information on issues vital to public health and safety.

Lisa's well-established credibility as an independent scientist, and more latterly also as a commentator on industry sustainability, ensures that Individuals looking to engage in the on-going debate and hold industry and government to account now have a highly reliable resource of both ideas and further information readily available.

The challenge will be to make these matters strong political issues which the government can no longer wilfully ignore.

Austra Maddox
Chair, Environment Tasmania
August 2021

Red Handfish (see pg. 17): Rick Stuart-Smith / Reef Life Survey CC BY 3.0

The Tasmanian Salmon Industry

Currently, the Tasmanian salmon industry comprises three main companies: Tassal, Huon Aquaculture, and Petuna, plus a small private producer, 41 Degrees South. Together, they harvest more than 60,000 tonnes a year, valued at more than $1b, with aspirations to double by 2030.

Tassal

Tassal grew from humble beginnings. It began in 1986 with its first harvest in 1987 of just 53 tonnes. Tassal was placed into receivership in June 2002. The receiver manager, Mark Ryan, took over the company and became the CEO. The company was listed on the ASX in 2003.

In FY 2020, Tassal produced 34,395 tonnes of salmon, with more than $562m in revenue.

Tassal is the largest salmon producer in Tasmania, with about half of the market share. In 2020, it was worth more than $789m.

Huon Aquaculture

Huon Aquaculture is the second largest salmon producer in Tasmania, with 40% of the market share. Huon began in 1986 as a family business, was bought out by Peter and Frances Bender in 1994 as contract growers, began marketing as Huon Salmon in 2005, and listed on the ASX in October 2014.

In FY 2020, Huon Aquaculture produced more than 25,000 tonnes of fish, worth more than $300m.

In August 2021, the company commenced the process of selling, with the Brazilian meat producer, JBS, the front-runner in bidding. As of the writing of this guide, the Australian mining magnate Twiggy Forrest has been attempting to force JBS to commit to sustainability assurances, but has thus far been unsuccessful.

Petuna

Petuna is the smallest commercial salmon producer in Tasmania, with around 10% of the market share.

Owners Peter and Una Rockliff began Petuna as a fishing business and diversified into aquaculture in 1990. In 2010, the multinational SeaLord bought half of the company, followed by the final half in 2020. In FY 2020, Petuna produced about 6,400 tonnes of fish.

41 Degrees South

41 Degrees South is a small, privately owned boutique salmon producer in Deloraine, Tasmania. The company began in 2000, and today it produces around 10 tonnes a year, exclusively hot-smoked salmon. It is the only salmon producer that is sustainably land-based.

Salmon: smalljude CC BY 2.0

Pressure Points and Vulnerabilities

Many people have read Richard Flanagan's book, *Toxic: The Rotting Underbelly of the Tasmanian Salmon Industry*, and felt a sense of injustice that a few people can harm so many in the pursuit of profit.

From food and water safety, to environmental impact and animal cruelty issues, to boating safety risks and noise pollution, to failing their duty of care to the community and their investors, the Tasmanian salmon industry has many vulnerabilities.

This handbook provides an overview of the salmon industry's most appalling actions, potential legal exposure, and corresponding legislative instruments. These may be used as a reference for action that individuals and organisations may wish to take to hold the industry and government accountable.

People seeking more information are recommended to explore the following resources:

- References at the back of this guide, as cited in each of the vulnerabilities
- Richard Flanagan's book *Toxic*
- SalmonReform.org – deep dive into the science and evidence raised in *Toxic*, plus a few extra issues
- Tasmanian Alliance for Marine Protection
- Environment Tasmania

HOW TO USE THIS GUIDE

The information offered here is for reference only and should not be interpreted as legal advice. We strongly recommend to anyone wanting to use legislative instruments to stimulate change, to seek legal advice in the very earliest stages of planning. Different types of solicitors specialising in different types of legal approaches may be available commercially or through community legal services.

In the first instance, try the good old fashioned strategy of writing to the relevant companies and the regulator seeking change. Keep good notes on what you send, when, and to whom, and any replies that you receive or phone conversations you have. If and when you reach a point where you just can't take it any longer and you are getting no cooperation from the companies or regulator, then this handbook may assist you in narrowing down potential further action.

Pond Scum CSIRO CC-BY 3.0

Vulnerability 1: Drinking Water Safety

Imagine if your drinking water made you sick. Not right away, like food poisoning, but much worse. Imagine if your body slowly turned against you – *Motor Neurone Disease* – because of neurotoxins in the water.

How is this possible?

Water testing upstream and downstream of inland salmon hatcheries shows nutrient loads a whopping 40 to 128 times higher in the water immediately downstream [1.1]. Significant levels of E coli bacteria and biofouling were also observed. These conditions are a common trigger for dense blooms of toxic blue-green algae (cyanobacteria). *It seems that further scrutiny may show that hatcheries are acting as private suppliers of unsafe water.*

Overseas, at least 95% of blue-green algae species tested produce a neurotoxin called *β-methylamino-l-alanine* (or more conveniently, BMAA) [1.2], which is strongly correlated with Motor Neurone Disease (MND) [1.3].

In Tasmania, our city and town drinking water comes from these contaminated rivers. Government is obliged to make it safe.

Is Tasmanian Drinking Water Safe?

The short answer to the above question is this: we don't know. It appears that there has been no research on BMAA in Tasmania. TasWater has told us that they are not testing for it. Research overseas suggests that our current filtration methods may not be effective for keeping us safe from BMAA [1.4, 1.5].

Knowledge gaps

Water testing – Data is not publicly available on the frequency, distribution, or results of water testing throughout the state.

MND – Information is unavailable on potential clusters of MND in Tasmania.

Because of these gaps, citizens are left naive about potential serious risks to their health.

What Can I Do?

Motor Neurone Disease takes time to develop, but is irreversible once it does. Most people diagnosed die within a few years. The time to act is now.

If you feel concerned about the safety of your drinking water, there are things you can do. Contact details are in the back of this guide.

- Contact TasWater and demand that they begin testing for BMAA and publicly release regular water testing data. Contact your Local Council and insist on testing and transparency. Write to the Tasmanian Minister for Water and demand action.
- Join with others in your community for a stronger voice. Consider challenging the lack of action under the following legislation:
  - Public Health Act 1997 (Tas): s.5 (this Act prevails over all others), s.128 (notification of water quality), s.136AB (supplier must give notice)
  - Tasmanian Drinking Water Quality Guidelines 2005
  - Australian Drinking Water Guidelines 2011

Image credits, clockwise from top: Waste drums, John Messina EPA PD; Salmon, smalljude CC BY 2.0; Fish oil, Ewa Urban CC BY 2.0; Smoked salmon, Mogens Petersen CC BY 2.0; Antibiotics, wuestenigel CC BY 2.0; Salmon steaks, Lisa Gershwin; Caution tape, Henrique Vicente PD.

Vulnerability 2: Food Safety

Farmed salmon is marketed as a clean, green, low-fat, sustainable super-food. But what if it's all just a bunch of green-wash? In fact, salmon is 18% fat [2.1], enabling it to pack a toxic payload of fat-stored chemicals.

Mercury and other Heavy Metals

Salmon contain mercury: that's not new. But it now appears that the feed production process is biomagnifying heavy metals by recycling salmon by-products as an ingredient [2.2]. What's more, salmon are farmed in areas with legacy heavy metal pollution [2.3, 2.4], where they may absorb it through their gills [2.5].

Pesticides

Salmon feed contains a stabiliser called ethoxyquin, which is added to keep ingredients from combusting during shipping and storage [2.6]. Ethoxyquin is a pesticide and is illegal for use on products for human consumption [2.7]. Ethoxyquin's breakdown products are associated with cell toxicity, mutations, and cancer [2.8], and it is hazardous in aquatic ecosystems [2.7].

Food Poisoning (Listeria)

Two people died and a third was hospitalised after consuming Tassal smoked salmon in 2019 [2.9]. The cold-smoking process of 'cooking' smoked salmon makes it a common source of food poisoning [2.10].

Industrial Chemicals

Many studies have shown that farmed salmon can contain nasty chemicals including PCBs and dioxins [2.11]. These chemicals are associated with immune system damage, hormone interference, reproductive and developmental abnormalities, nervous system impacts, obesity, and the list goes on [2.12]. At least one group of researchers has concluded that farmed salmon was likely "the most contaminated protein source in the U.S. food supply" [2.13].

Antibiotics

Because farmed salmon are raised in such packed conditions, diseases are rampant and require antibiotics to keep the fish alive [2.14]. A large proportion end up in the environment, contributing to antibiotic resistance [2.15, 2.16], identified by the World Health Organisation (WHO) as a growing concern for human health [2.17]. Moreover, salmon feed contains around 15% chicken [2.18], which also uses antibiotics.

What Can I Do?

Consumer Law requires truth in advertising, including claims about sustainability. Make a complaint to the Australian Competition & Consumer Commission (ACCC).

In Tasmania, the Consumer, Building and Occupational Services (CBOS) assists with complaints about businesses and enforces the Australian Consumer Law.

Vulnerability 3: Marine Debris & Boating Hazards

On 27 February 2020, Peter Hopkins, the General Manager of Marine and Safety Tasmania (MAST) spoke live on the radio about an accident days earlier when a boat collided at 20 knots with a 40m length of poly pipe that had been lost from one of Tassal's sites [3.1]. The people on the boat could have easily been killed. Fish farms are obliged to report missing equipment so that warnings can be issued. There was no report, and therefore no warning, with this incident. Thankfully, no serious injuries occurred this time. The fine for littering would be around $680… for a billion-dollar industry… for creating a hazard that could kill innocent people.

However, this was not the first time that MAST had warned about the risk of colliding with fish farm debris. On 23 July 2018, the ABC ran a story about the risk of accidents with fish farm debris [3.2]. So you might think that things would have changed.

But even that wasn't the first time MAST had come out publicly warning about the risk to safety. On 13 August 2016, the Mercury leaked email correspondence between MAST, the industry, and the regulator [3.3]. It was reported that Hopkins stated, "A coroner would rip the industry apart if a fatality occurred after our warnings… I have sent a number of emails to you over the years on this issue and the letter after our recent board meeting."

You would be forgiven for wondering how it is even possible that the salmon farming industry is able to be so careless with their equipment, and that MAST's concerns are ignored? Politics, dear friends, politics.

How real is the risk?

Tasmania's most famous boats may be those landing at Hobart's Sullivan's Cove every year shortly after Boxing Day in the Sydney to Hobart Race, but these days, boating can be like running an obstacle course.

Tasmania has more boats per capita than anywhere else in the country: we've got 31,000 boats! [3.4, 3.5] Fishers. Yachties. Sailors. Scuba divers. Tasmanians love their boats!

It is simply extraordinary that an official of a statutory safety authority is warning about a life-threatening safety issue over a matter of years and nothing has changed. Will someone actually have to die for this to be taken seriously?

What Can I Do?

Currently the penalties are so soft that it is actually more cost-effective for the industry to just ignore missing equipment. The fines are too low and there is no penalty for failing to inform MAST of missing equipment. The Marine Farming Planning Act 1995 should be amended to be commensurate with hazard severity.

Injuries, of course, can be potentially compensated in court through the law of negligence under the Civil Liability Act 2002.

Pollution is a breach of the Environmental Management and Pollution Control Act 1994.

Salmon farm at Dover: Rod Cuthbert CC BY-NC-ND 2.0

Vulnerability 4: Nuisance Noise

Salmon farms generate a lot of noise. Ships going back and forth at all hours of day and night. Motors running. Engines starting. Tens of thousands of underwater "cracker bombs" a year, used for deterring seals.

Effect on people

Decibel C sound (dBC) is the very low frequency thrum of noise, or 'bass' sound, which can travel and penetrate farther than higher 'treble' sound. Your body *feels* it more than you hear it.

Many people who live near salmon farms are finding it difficult to sleep, relax, even just enjoy a cup of tea. Their physical and mental health is impacted. Some are asking, "How much harm to people's health and wellbeing is reasonable in the pursuit of profit?"

Effect on Dolphins & Penguins

Animals are also harmed by sound. Dolphins use echolocation, or nuances of clicks and squeaks, to find food, navigate, and for social cohesion. Seal bombs produce short, sharp sound at 234 dB [4.1]. Seismic surveys are similar, at 230-255 dB [4.2], and far better studied. Many dozens of studies demonstrate profound biological, physiological, and behavioural impacts on dolphins, whales, and porpoises, tens to hundreds of kilometres from blast sites [4.1, 4.3].

Penguins respond by avoidance, travelling much greater distances to forage, leaving their chicks unattended and hungry longer [4.2].

Even fish, shellfish, and plankton are impacted by noise. A review of 28 studies on fish and 31 studies on shellfish found that more than half showed negative impacts, even at surprising distances [4.4]. Another study showed lethal effects on adult and larval plankton more than 1 km away [4.5].

Knowledge Gaps

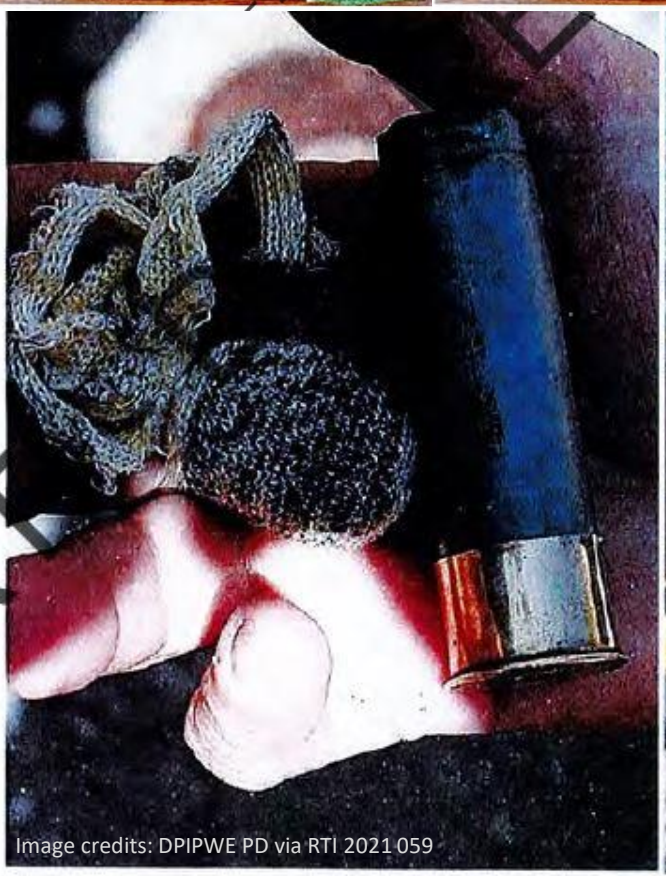
Regulations and testing of noise do not include low-frequency dBC as a standard, so it can be challenging to prove the nuisance exists and is causing harm to humans and wildlife.

Harm to animals from noise pollution is indicated by overseas studies, but there are yet no studies on impact on Tasmanian wildlife.

What Can I Do?

If considering litigation to compel compliance with legislation; these may help:

- Environmental Management and Pollution Control Act 1994, s.10: right to sue under common law rights; s.48: application for orders; s.53: environmental nuisance
- Environmental Management and Pollution Control (Noise) Regulations 2016, s.7: Fixed equipment, and Sched. 1(3): Vessels.
- Primary Industry Activities Protection Act 1995, s.4: In some cases, primary industry activity is not considered a nuisance.
- Supreme Court or Resource Management and Planning Appeals Tribunal: establish that noise is unreasonable and breaches licenses.



Vulnerability 5: Animal Cruelty

It is against the law to be cruel to animals. And yet, unspeakable cruelties by the salmon industry were exposed in a damning government report in July 2021. This is only the tip of the iceberg. With every bite of salmon, we are condoning this.

What happened?

A Right to Information (RTI) report released by the Tasmanian Government revealed ghastly injuries to native seals, along with unimaginable weapons salmon farmers are permitted to use to deter them [5.1]. Exploding darts left to go septic in the belly, Kevlar-encased lead shot rounds protruding from the eye socket, and tens of thousands of seal bombs a year [5.2].

Native fur seals are protected. And yet, salmon farmers are permitted to use shotguns, rifles, exploding darts, beanbag bullets, and other riot gear against them. Incidents detailed in the RTI report do not appear to have had any consequences. There's no lack of evidence, just lack of political and regulatory will.

Sonic torture of dolphins

Seals are not the only native animal suffering the cruelties of salmon farming. 'Sonic torture' is a term used in Scotland [5.3], where the Government is investigating the debilitating effects of underwater seal bombs on porpoises' echolocation, or sonic communication. In Tasmania, a native dolphin species that is listed as critically endangered in Victoria [5.4] isn't even recognised as present. It has no research on its population dynamics here, no protection… nothing.

Genetic torture of salmon

Farmed salmon are genetically manipulated to be what's called 'triploid', with three sets of chromosomes instead of two, because it makes them grow faster. The embryos are induced by pressure to be mutants. It is catastrophic for the fish, with a high rate of deformities of the vertebrae, jaws, gills, and heart, impairing their movement, feeding, respiration, and immunity [5.5].

What Can I Do?

The government's own regulatory system seems to have shrugged its shoulders about the seals [5.1]. Impassioned testimony to Parliament about the dolphin [5.6] seems to have landed on deaf ears. Here's how you can make your voice heard…

- Challenge certifications and endorsements by the RSPCA, ASC, and WWF.
- Write to the Humane Society, RSPCA, and PETA, and urge them to take action.
- Write to the Minister for Aquaculture and demand full investigation and accountability.
- Consider litigation under the following Acts:
  - Threatened Species Protection Act 1995 (Tas): Schedule 1, parts 1 and 2
  - Environment Protection and Biodiversity Conservation Act 1999 (Aus): s.3A (sustainable dev.), s.10 (overrides state law), s.12 (world heritage)
  - Animal Welfare Act 1993 (Tas): ss.6-9 (duty of care, management, and cruelty)

Fairy Penguin: Richard Fisher CC BY 2.0

Vulnerability 6: Endangered Species

Around 90% of Tasmania's marine life is endemic, that is, found nowhere else on earth [6.1]. It is unreasonable to conduct research to establish a biodiversity baseline and impact assessment, while the activity that is affecting that baseline is taking place. But this is exactly what is happening with the salmon industry expansion in Storm Bay.

Maugean Skate

This only known population of this critically endangered fish is declining in the highly impacted Macquarie Harbour [6.2]. Sadly, IMAS appears to have stopped monitoring it. We won't even know when it slips away.

Penguins

Studies overseas have shown that penguins are impacted by loud noises up to 100 km from their rookeries, avoiding the area and travelling farther for foraging [6.3], exerting more energy and leaving their chicks exposed.

Dolphins

Our common inshore dolphin is listed as critically endangered in Victoria [6.4] but unrecognised in Tasmania. Overseas, salmon farming noise has been called 'sonic torture' of porpoises [6.5].

Red Handfish (photo pg. 2)

With its known habitat now down to two small reefs the size of a tennis court [6.6], the critically endangered Red Handfish needs urgent help!

Even the species that get the funding and research attention, like penguins, dolphins, and high profile fish, are unstudied for salmon farming impacts. Anecdotal observations already suggest shocking patterns of impact and decline.

But what about impacts on 'the other 97%' of species, i.e., the lesser known invertebrates. Some are doing well, like jellyfish, but this is not cause for celebration. As our coastal waters degrade, opportunistic species find their footing and increasingly impact those in decline [6.7].

In fact, three legislative instruments simultaneously under review are likely to weaken protection for threatened species. And the salmon farming industry is on track to double by 2030. Without radical change to our regulatory framework and operational policies, our most iconic species are screwed.

What Can I Do?

Minister of Environment: request specific info on how salmon farming will protect vulnerable species in Mac Harbour and Storm Bay.

Director EPA: write your concerns about salmon farming in Storm Bay slipping through regulatory hurdles. Ask will there be an assessment, opportunity to make comment, appeal rights?

Consumer law requires truth in labelling. Challenge the sustainability certifications and claims through the Australian Competition & Consumer Commission (ACCC).

Corporations Act 2001 s.299(1)(f): companies are required to disclose their performance in relation to environmental regulations.

Image credits, clockwise from top right: Bioluminescence, Lisa Gershwin; Fish kill from algae, seadigs CC BY-NC 2.0; Moon jellyfish invading a salmon farm, Lisa Gershwin; Amazon deforestation, Diorit BY SA 3.0.

Vulnerability 7: Environmental Impact

The Tasmanian salmon industry is causing a broad array of ecosystem impacts. In summary…

Dead zones

Sure, excess nutrients help drive the stunning bioluminescence displays, but excrement and other waste accumulating under the salmon pens blanket the seabed, smothering everything and causing recurrent or permanent dead zones [7.1].

Toxic Algal Blooms

Dead zones support blooms of toxic algae and jellyfish. Algae smother or poison other species, make shellfish become highly toxic, and get into fishes' gills and triggering necrosis [7.2].

Jellyfish & Hydroids

Jellyfish eat the eggs and larvae of other species, leading to ecosystem collapse [7.3]. Jellyfish also kill salmon quickly by their mucus getting into the gills and suffocating the fish, or slowly by stinging the gills and causing necrosis [7.4]. Jellyfish larval stages, called hydroids, grow on salmon pens and must be cleaned off. Abrasion fragments them, stimulating them to grow faster, while the fragments act as seeds for new colonies [7.5, 7.6].

Amazon Rainforest

Genetically modified soy is the dominant ingredient in farmed salmon feed [7.7]. The soy comes mainly from Brazil, where the Amazon Rainforest is cleared to make room for new plantations [7.8].

Source of Mercury

Farmed salmon get mercury from their feed, and release mercury to the environment through their excrement and uneaten food [7.9]. Fish in turn absorb mercury through their gills from the water [7.10].

Source of Antibiotics

Salmon are a source of antibiotics in the environment both through drugs given to them directly to treat their diseases [7.11], as well as through antibiotic residues from chickens used in their feed [7.7].

Escaped Salmon

Studies have shown that around 15% of escaped salmon survive and consume native species [7.12]. Tens to hundreds of thousands of fish a year routinely escape: in these numbers, their impact is far from minor [7.13].

What Can I Do?

Just some of the avenues for complaint include:

- Environmental Management and Pollution Control Act 1994, s.5, s.6, s.23A (environmental duty)
- Marine Farming Planning Act 1995, s.4 and Sch. 1
- Environment Protection Biodiversity Conservation Act 1999, s.3 and s.12-15 (world heritage)
- National Pollutant Inventory: must apply to salmon
- Living Marine Resources Management Act 1995, s. 7, s.10 (Aboriginal rights), Div 1 (biosecurity)
- Genetically Modified Organisms Control Act (2004)

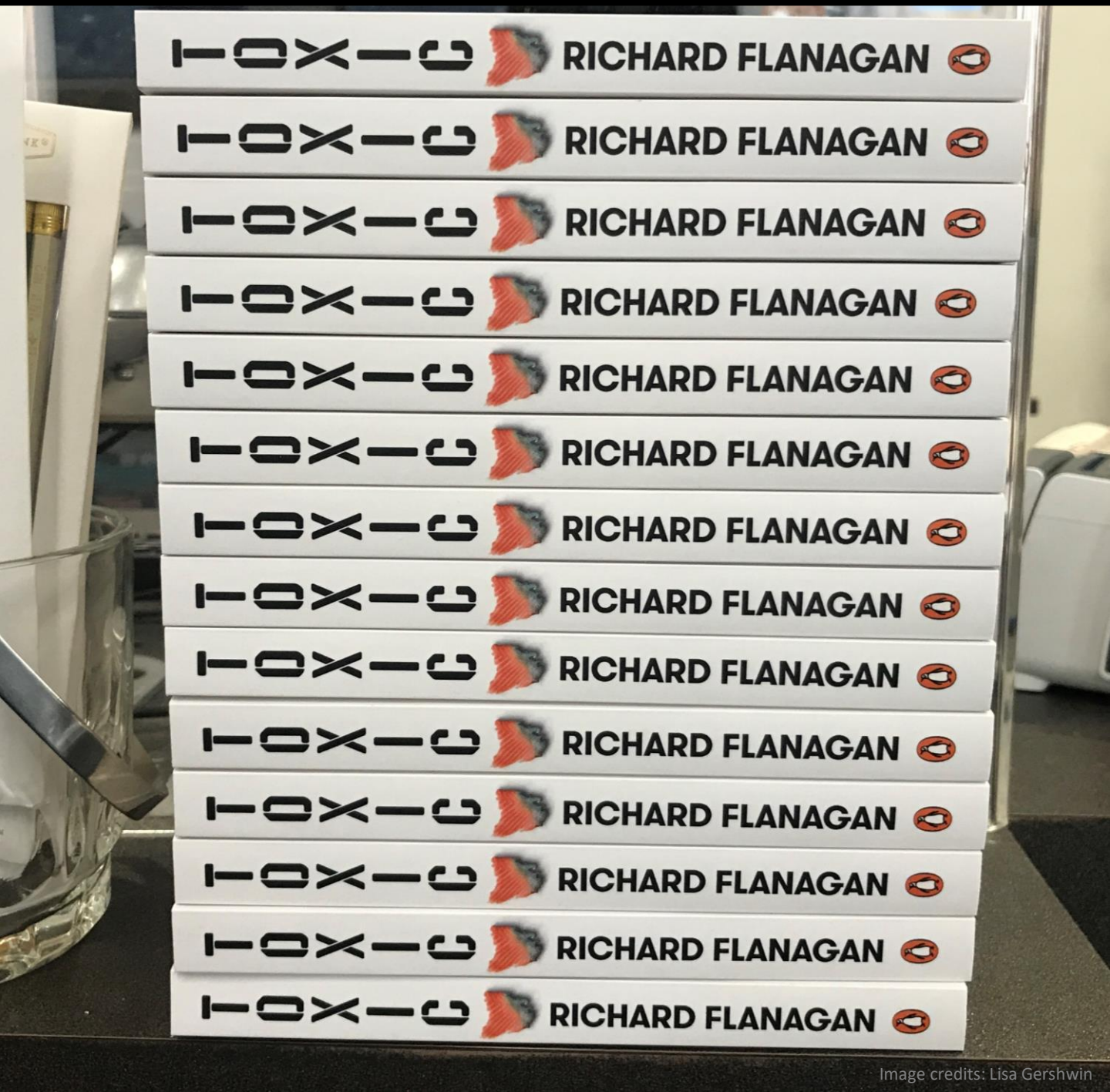


Image credits: Lisa Gershwin

Vulnerability 8: Directors' Duties

According to the Corporations Act 2001, company directors and boards must act "with the degree of care and diligence… in good faith in the best interests of the corporation" [S. 180(1) and 184(1)]. Individuals may be held criminally liable if they fail in this duty. Historically, this duty was typically interpreted to mean maximising ***short-term*** profits. That is changing. Increasingly, litigants and courts are tending toward the bigger picture, that directors and boards must also consider, disclose, and act on issues that may impact on ***long-term*** company viability and profits.

The tide is changing

Three notable examples occurred on 26 May 2021, for example. Within a few hours, a Dutch court ordered the energy company Royal Dutch Shell to nearly halve its emissions, two environmentalists were elected to the board of Exxon Mobil in a governance shakeup, and two-thirds of Chevron's investors passed a resolution forcing the company to cut its carbon emissions [8.1]. Another example was in November 2020, when the $57 billion REST pension fund settled a case brought against it by a 23-year-old member who simply wanted to know what was being done to protect his retirement savings against financial risks posed by climate change [8.2, 8.3].

Fiduciary responsibilities have not yet been challenged for salmon companies in Tasmania. However, it appears that there may be several avenues of vulnerability here, for both the companies and personally for the directors.

Salmon industry vulnerability

Duty to Disclose Risks: Financial risks from pests worsening with climate change and nutrient load are not being accurately disclosed to investors, including jellyfish, toxic algae, and amoebic gill disease, which are already causing heavy losses, and salmon lice, which occur naturally in Tasmania and pose a mortal threat to fish and profits [8.4, 8.5].

Duty to Act with Care and Diligence: Farming operations causing dead zones under and around the leases are disrupting the water and sediment chemistry, promoting collapse and permanent instability [8.4]. Disease and high mortality are costly and unsafe for growing wholesome food, and these risks are not being accurately disclosed to investors.

Duty to Act in Best Interests of the Company: One could hardly argue against the best interest of the company being to persist and thrive. However, wanton destruction of the habitat where food is grown, producing potentially unsafe food, and failing to take genuine action to regain social license may be interpreted as reckless conduct under the Corporations Act.

What Can I Do?

The Corporations Act 2001 offer options to exert pressure for change for shareholders:

- s.180: care and diligence
- s.184: good faith
- s.299(1)(f): disclosure of performance in relation to environmental regulations

Spotted Handfish. Rick Stuart-Smith / Reef Life Survey CC BY 3.0

Contact Details

There are many people and organisations to contact for action and accountability. Here are the main ones.

Government

Peter Gutwein, Premier of Tasmania
peter.gutwein@parliament.tas.gov.au

Guy Barnett, Minister for Primary Industries & Water, guy.barnett@parliament.tas.gov.au

Roger Jaensch, Minister for Environment
roger.jaensch@parliament.tas.gov.au

Dr Wes Ford, Director, Environment Protection Authority (EPA Tas) – wes.ford@epa.tas.gov.au

Dept Primary Industries, Parks, Water and Environment (DPIPWE) – fishing.enquiries@dpipwe.tas.gov.au, 03 6165 3000

Marine & Safety Tas (MAST) – admin@mast.tas.gov.au, 1300 135 513

Food Safety: Department of Health: public.health@dhhs.tas.gov.au, 1800 671 738

Noise complaints about fish farms: EPA Tasmania's Incident Response Hotline 1800 005 171, incidentresponse@epa.tas.gov.au

ASX – Report misconduct (asx.com.au)

Legal advice

Environmental Defenders Office (EDO): hobart@edo.org.au

Hobart Community Legal Service: 03 6223 2500

NGOs

Tasmanian Alliance for Marine Protection (TAMP): https://www.tamp.org.au/

Environment Tasmania: Jilly Middleton, office@et.org.au, (03) 6281 5100

Humane Society: admin@hsi.org.au, (02) 9973 1728

PETA: Info@peta.org.au, (08) 8556 5828

RSPCA: reportit@rspcatas.org.au, 1300 139 947

Salmon Industry

Chris Dockray, Tasmanian Salmonid Growers Assn. contact@tsga.com.au, (03) 6240 4828

Mr Mark Ryan, CEO Tassal
mark.ryan@tassal.com.au, 1800 620 685

Ms Frances Bender, CEO Huon Aquaculture
huonaqua@huonaqua.com.au, (03) 6295 8111

Ruben Alvarez, CEO Petuna
ruben.alvarez@petuna.com, (03) 6421 9111

Parliamentary Inquiries

Keep an eye on State and Federal Parliamentary websites for Inquiries that arise from time to time. TAMP is also helpful in keeping members apprised of these. By all means, make a submission!

Tasmanian Parliament
https://www.parliament.tas.gov.au/

Australian Parliament: https://www.aph.gov.au/

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