

The Honourable Sylvia Brustad,
Minister of Health & Care Services,
Einar Gerhardsens plass 3
Postboks 8011 Dep, 0030 Oslo

The Honourable Terje Riis-Johansen,
Minister of Agriculture and Food,
Akersgt. 59 (R5)
Post Office Box. 8007, Dep,
N-0030 Oslo

24 February 2006

RE: Food Safety and Contamination of Norwegian Farmed Salmon

Dear Minister Brustad and Minister Riis-Johansen,

Yesterday, the Pure Salmon campaign delivered a petition to the United States Federal Trade Commission (FTC) regarding advertising claims made by a trade association, composed, in part, of Norwegian-based salmon farming companies. (Please see attached.)

The Pure Salmon Campaign is a global effort to improve the way farmed salmon is produced. Human health and environmental concerns related to farmed salmon are central to our effort.

The basis for our US FTC petition are numerous scientific studies that identify health problems associated with farmed salmon and salmon feed.

Of late, we have become aware of other concerns regarding the rigor of Norwegian government oversight and controls. I write, therefore, with a number of questions concerning toxins, including PCBs, lead and cadmium contamination in salmon feed used in Norway. A previous letter on this subject to the Minister of Fisheries and Coastal Affairs is enclosed, along with a response from Minister Helga Pedersen.

As can be seen, this previous letter focused on the Russian ban. We have been in contact by email, telephone and in person with Norwegian government scientists and other government officials, and have followed news reports of other observers and inspectors that have flagged potential or ongoing problems.

We have encountered several situations where the information we have received from Norwegian officials is not fully aligned with information we have received or reviewed from media, Norwegians conservation organizations, and scientists both internal and

external to Norwegian government. Pure Salmon have itemized these discrepancies below.

We kindly request that your agencies please respond to related questions and help to clarify the issues described below.

The Safety of Norwegian Food & Seafood

Within statements provided on its website, the Norwegian Food Safety Authority (Mattilsynet) states:

- “The Norwegian Food Safety Authority (NFSA) is the competent authority in Norway on fish and seafood safety...These strict measures enable the NFSA to confirm that Norwegian farmed fish comply with legal standards and satisfy international requirements regarding food safety.”
- “In an interview in the Norwegian daily Klassekampen a Norwegian scientist claims that eating Norwegian salmon could cause cancer. The Norwegian Food Safety Authority denounces these accusations. The Norwegian Food Safety Authority recommends eating fish, including farm-raised Norwegian salmon, as a part of a healthy diet.”
- “The Norwegian Food Safety Authority spends a considerable amount of resources annually to monitor fish and fish feed.”

Yet within the past two months, after the banning of imports of fresh Norwegian salmon by Russia, individuals from the Norwegian government, academia, Norwegian non-governmental institutions, and Norwegian media have publicly criticized the Norwegian Food Safety Authority for failure to ensure of food safety, specifically related to farmed Norwegian salmon.

These criticisms include:

19 January 2006 - In the *Dagbladet*¹, Bjørnar Jacobsen, elected representative for over 500 of the Norwegian Food Safety Authority’s veterinarians, states that “the boycott affair highlights a lack of knowledge and scientific understanding in the department.”

Jacobsen claims that, “in several e-mails sent between December 2 and 7, regional directors in Norway discussed how they should handle the matter, but were surprisingly told to keep away from the issue. The whole matter was transferred to the central administration.”

Jacobsen suggests that “the Norwegian Food Safety Authority has neglected to examine if there is a link between cadmium contaminated feed in Norway and the toxin case in Russia.” He further states: “I can see no other reason for this than that the Norwegian Food Safety Authority wants to protect the fishery industry.”

¹ “Mattilsynet go sjefer munnkurv” (*Dagbladet*, 19th January 2006): <http://www.dagbladet.no/nyheter/2006/01/19/455201.html?tipsmsg=1>

21 January 2006 - Professor Henrik Huitfeldt of the Institute of Pathology, Rikshospitalet University Hospital, Oslo, is quoted in the *Bergen Tidende*² as saying that he “believes the aquaculture industry must reduce the amount of environmental toxins in salmon, by cleaning up the feed” and “he is also skeptical of the limits set by the EU and Norway on how much PCB/dioxins fish can contain.”

The Pure Salmon campaign has subsequently been in contact with Professor Henrik Huitfeldt via email (14th February 2006). Within this correspondence, Professor Huitfeldt told Pure Salmon: “Regarding POPs, there are currently no controversies concerning the actual levels in Norwegian salmon, the dissention concerns the health risk assessment. It is my view that the current exposure levels in the Norwegian and European populations are close to levels which might contribute to increased cancer risk, and more important: that current exposure levels presumably contribute to neurotoxic effects in children”

27 January 2006 - In an *NRK* interview³, Professor Anders Goksøyr of the University of Bergen calls on the Norwegian Government to carry out more testing of salmon farms for contaminants. He claims that only 33 out of 870 farms were presently tested.

1 February 2006 - In a *Klassekampen* article⁴, Dr. Erik Dybing, Interim Director of the Norwegian Institute for Public Health, explains: “We know that dioxin can lead to a variety of neurological damage, particularly in children. We therefore want to reduce the exposure to dioxins as much as possible.”

And further, “Our mandate is not to evaluate economical consequences of the advice we give. Our mandate is to give advice that promotes Norwegian public health. It is up to the authorities to demand the fish feed is cleansed.”

The article explains, “Fish feed must be purified to make salmon dioxin free, says the Norwegian Institute for Public Health. If the institute gets its way, the consequences for Norwegian salmon industry will be great.”

The Pure Salmon campaign was in email contact with Dr. Dybing on 11 February 2006 to ask if he would “demand” that Norway take the necessary steps to rid salmon feed of certain toxins, as reported in *Klassekampen*. In his response, Dr. Dybing clarified: “Although I expressed concern about the situation of exposure to dioxins and dioxin-like PCB in farmed Norwegian salmon, I only said that reducing the levels of these contaminants in the fish feed is an option for the authorities to consider.”

² “Chilensk laks sunnare enn norsk” (*Bergen Tidende*, 21st January 2006):
<http://www.bt.no/okonomi/neringsliv/article237718.ece>

³ “Laks testes for dårlig” (*NRK*, 27th January 2006):
http://www.nrk.no/nyheter/distrikt/nrk_nordland/5435839.html

⁴ “Laksen skal bli giftfri” (*Klassekampen*, 1st February 2006):
http://www.klassekampen.no/kk/index.php/news/home/artical_categories/nyheter/2006/february/laksen_skal_bli_giftfri

10 February 2006 - In an editorial, “Villfisk med pukkelrygg,” the *Dagbladet* states⁵: “Problems still persist in the industry, as illustrated by its refusal to clean the fish feed.”

The *Dagbladet* states, “It is not sufficient to argue that the level of toxins is under the legal limit. The Norwegian department of fisheries must in cooperation with the Norwegian environmental protection agency work out regulations and policing of the industry, to protect the environment and the wild fish in proximity of the fish farms. “

15 February 2006 - The *Bergen Tidende* quotes Are Sletta of Mattilsynet as stating that it is difficult to explain to consumers that fish is 15 times higher than chicken for maximum allowable limits of dioxins, while at the same time, explaining that fish is a healthy food. Sletta also states that the effects of dioxins are the same no matter which type of food people get them from.⁶

15 February 2006 - *Aftenposten* reported that⁷: “Norway’s Food Safety Authority has been faulted by the EFTA Surveillance Authority (ESA) for failing to meet international standards in its controls of food and animals. Now the Ministry of Agriculture and Food has demanded that the FSA improve. Insufficient supervision of risk material from slaughter, deficient labeling of beef and insufficient supervision of fishery activities are just some of the points the EFTA (European Free Trade Association) watchdog organization has criticized the FSA for. Now the Ministry of Agriculture wants a detailed report of the problems, as soon as possible, newspaper *Nationen* reports. ‘The Food Safety Authority is working on the matter and we expect this to be corrected. It is unfortunate that we do not meet European Economic Area (EEA) standards and it is undesirable for the FSA to receive criticism from the ESA,” said Ministry divisional director Steinar Svanemyr’ ”

We note that within this article “the Ministry of Agriculture and Food has demanded that the FSA improve.”

An EFTA Surveillance Authority mission to Norway in November 2004 (reported in February 2005) found various deficiencies in relation to feed including⁸:

“Neither the establishment itself nor the Competent Authority [Mattilsynet], except in one of the establishments, verified the effectiveness of procedures to avoid carry-over effect. In one of the establishments visited, procedures were not in place to ensure correct amount of premixtures and active ingredients in the compound feed produced.”

⁵ “Villfisk med pukkelrygg” (*Dagbladet*, 10th February 2006):
<http://www.dagbladet.no/nyheter/2006/02/10/457388.html>

⁶ “Stiller slappere giftkrav til fisken” (*Bergen Tidende*, 15th February 2006):
<http://www.bt.no/innenriks/article243998.ece>

⁷ “FSA criticized by European watchdog” (*Aftenposten*, 15th February 2006):
<http://www.aftenposten.no/english/local/article1224752.ece>

⁸ www.eftasurv.int/.../feed/esa_bxl-307277-v6-final_report_animal_nutrition_december_2004__norway.pdf

And: “The mission team observed outdated premixtures and active substances in the storage of one of the establishments visited. The mission team noted that follow up visits and procedures to verify corrective actions could not be documented in all cases”.

16 February 2006 - The *Bergen Tidende* announced that the environmental organization Bellona calls on the industry to clean salmon feed.⁹

The Pure Salmon campaign asks if either the Norwegian Food Safety Authority (Mattilsynet) or the Ministries for Agriculture, Health, or Fisheries have responded to any of the claims presented above?

If so, we request that you provide us with those responses.

If not, the Pure Salmon campaign requests that you please explain why the statements made by the Norwegian Food Safety Authority (Mattilsynet) regarding the safety of Norwegian salmon differ from each of the claims made above.

The Testing and Tracking of Fish Feed & Farmed Salmon

Within our in-person, email, and telephone correspondence with representatives from the Norwegian Food Safety Authority (Mattilsynet) and the Ministry of Fisheries, Pure Salmon has attempted to obtain clarity regarding the total amount of fish feed that was contaminated with cadmium and lead, the total amount withdrawn, the total amount that has actually been destroyed, and the total amount that was actually fed to farmed salmon.

In reference to the Pure Salmon campaign’s inquiry of 10 January 2006, the Norwegian Food Safety Authority responded in a letter dated 7 February 2006 that “the total quantity of contaminated feed used in fish is estimated to be up to 20,000 tons. 8,000 tons were withdrawn from the market and delivered to destruction by incineration. Analyses of 457 samples of contaminated compound feed revealed an average cadmium content of 4mg/kg.”

Still, it is unclear how much fish feed was actually destroyed (versus withdrawn) and how much, if any, was actually fed to farmed salmon.

The Pure Salmon campaign requests that the Minister of Agriculture or the Minister of Health provide answers to how much fish feed (of the 20,000 tons) was actually destroyed.

What is your estimate of the total number of farmed salmon affected by this contamination?

In addition, the Norwegian Food Safety Authority has told us that an estimated 18,000 ruminant farms received contaminated feed?

⁹ “Rens fiskeforet” (*Bergen Tidende*, 16th February 2006): <http://www.bt.no/innenriks/article244329.ece>

How many salmon farms received contaminated feed?

With an annual feed production of about 800,000 tons for fish feed and 1,700,000 tons for land animals in Norway, EU and Norwegian directives would require a sampling frequency of 1 sample per 1000 tons, or at least 2500 samples of feed samples.

Can your agencies provide documentation of the level of sampling of feed to ensure us that Norway followed EU directives regarding the sampling frequency?

Also, we request that you also provide documentation regarding compliance with EU directive (96/23/EC) that requires 1 sample per 100 tons of farmed fish be tested.

The Pure Salmon campaign is also concerned about the time lapse between the incident of cadmium contamination in feed premix and action taken by the Norwegian Food Safety Authority (Mattilsynet) to withdraw fish feed from the marketplace.

In email correspondence with Knut Flatlandsmo and Ingunn Midttun Systad on 18 January 2005, Pure Salmon was notified that: "Most of the imported zinc sulphate (approximately 16 tons) was used directly for production of mineral premixture for use in compound feedingstuffs for ruminants and fish. This premix was sold to feed mills for use in compound feedingstuffs. The use at the premixture production plant started 25.10.2004 and lasted until 10.1.2005." In addition, within the Mattilsynet news portal publication of 9 April 2005, "Funn av kadmium i fôrvarer" it is stated that samples of feed containing high levels of cadmium were collected in January 2005 from facilities in Rogaland and Vestland in Norway."

Can you confirm the date that Norway discovered cadmium contamination in its feed?

Why was the cadmium contamination of fish feed sent to Norway not discovered until months after initial contamination?

In total, how long had the fish feed been feed to Norwegian farmed salmon?

On 7 February 2006, an article in *Fiskeribladet*¹⁰ states that Mattilsynet was considering a total ban on all salmon exports from Norway, after the discovery on the March 8, 2005 of feed contaminated with excessive levels of cadmium from zinc sulfate imported from China.

According to the article: "This information comes from an evaluation report by the Norwegian Food Safety Authority on the cadmium scandal."

¹⁰ "Mattilsynet vurderte stopp I lakseeksporten" (*Fiskeribladet*, 7th February 2006): <http://www.fiskeribladet.no/default.asp?lesmer=3856>

The Pure Salmon campaign requests a copy of the above noted evaluation report.

The article also claims that: “EWOS criticized The Norwegian Food Safety Authority, saying they were acting too quickly, giving the impression of a crisis, the feed producer feared a complete stop of salmon exports. This was exactly what the Norwegian Food Safety Authority was considering doing, but the ban was no longer needed after new test results were released April 4th. It was decided that such drastic measures were not necessary.”

We note that at the time, the largest shareholder of EWOS parent Cermaq was the Norwegian government in the name of the Ministry of Trade and Industry. We note that this Ministry is still listed as holding 43.54% of the outstanding shares.

Did EWOS, as the article suggests, criticize the Norwegian Food Safety Authority for potentially acting too quickly?

If so, was this criticism in writing or presented verbally?

Who were the communicants and to whom specifically did EWOS communicate?

What has been the response of the Authority or any of the Ministries to EWOS?

The article also states that “the Norwegian Food Safety Authority has concluded in its report that this case has disclosed weaknesses in the industry, i.e. follow up of suppliers, traceability, supervision and random sampling. The preliminary conclusion is that the feed industry was given to little information from the vendor Ewos.”

Does the Norwegian Food Safety Authority (Mattilsynet) or any of the Ministries agree, as the article suggests, that there are “weaknesses in the industry, i.e. follow up of suppliers, traceability, supervision and random sampling”?

Conflicts in Management

In her January 2006 letter to the Pure Salmon campaign, the Minister of Fisheries and Coastal Affairs assures us that:

"The new system has a clear separation between the scientists performing risk assessment and the managers with risk management tasks."

Risk assessment, we understand, is performed by the Norwegian Scientific Committee for Food Safety (VKM). The VKM is primarily accountable to the Ministry of Health, which safeguards food. Risk management, we understand, is performed by the National Institute of Nutrition and Seafood Research (NIFES). NIFES describes itself as "a

research institute with administrative duties, linked to the Ministry of Fisheries and Coastal affairs."¹¹ The Ministry of Fisheries promotes seafood sales.

Yet despite the intended separation between "risk assessment" and "risk management," it appears that some, if not most, of the scientists performing the "risk assessment" are the very same scientists performing the "risk management."

That is, when we examine the personnel of the VKM, we find that many are the same personnel of NIFES:

VKM Hovedkomiteen

- Anne-Katrine Haldorsen (principle scientist, head of seafood safety research, NIFES)¹²
- Øyvind Lie (director, NIFES)
- Marc Berntssen (nutritional toxicology, NIFES)¹³
- Gro-Ingunn Hemre (principal scientist, NIFES)¹⁴

VKM Faggruppe 5: Forurensninger, naturlige toksiner og medisinrester i matkjeden

- Kåre Julshamn (NIFES)
- Marc Berntssen (NIFES)

VKM Faggruppe 7: Ernæring (human), dietetiske produkter, ny mat og allergi

- Kåre Julshamn (NIFES)
- Livar Frøyland (NIFES)

Ad hoc-gruppe for helhetsvurdering av fisk og sjømat

- Livar Frøyland (NIFES)
- Gro-Ingunn Hemre, NIFES

The Pure Salmon campaign's concerns are echoed by recent suggestions of the need for more separation with the food safety bodies.

As stated previously, The Pure Salmon campaign has been in contact with Professor Henrik Huitfeldt of the Institute of Pathology, Rikshospitalet University Hospital in Oslo. Professor Huitfeldt also told Pure Salmon:

“I should also mention that I have raised concern that Mattilsynet (The Norwegian Food Safety Authority) and the VKM (Norwegian Scientific Committee for Food Safety) are not sufficiently independent from the governmental administration. Mattilsynet is ‘owned’ by three different departments (Ministry of Fisheries and Coastal Affairs, Ministry of Agriculture and Food and the Ministry of Health and Care Services). Most of

¹¹ http://www.nifes.no/index.php?page_id=133&lang_id=2

¹² http://www.nifes.no/index.php?page_id=155&article_id=568

¹³ http://www.nifes.no/index.php?page_id=155&article_id=584

¹⁴ http://www.nifes.no/index.php?page_id=153&lang_id=2

the scientists sitting in the VKM are employed by institutions owned by the same departments, even though they are technically administrated by the Health department in this duty.”

This issue of conflict within Norwegian food and safety authorities was also raised by Bjørnar Jacobsen, leader of Ansatte Veterinærers Forhandlingsutvalg og seniorrådgiver i Mattilsynet. He told Dagbladet¹⁵ (19th January 2006) that the Norwegian Parliament must step in to address this conflict of interest:

“Parliament must intervene: The Norwegian Food Safety Authority whose main mission is to safeguard the Norwegian food supply, cannot be run by the same department whose job it is to promote the very same industries it regulates. We cannot have this dual purpose and we believe parliament must take action on this matter says Jacobsen.”

Given the claims made above and the evidence overlap in employees and representatives of VKM and NIFES, how can the Norwegian Food Safety Authority (Mattilsynet) or the Ministries assure us that there is a “clear separation between scientists performing risk assessment and the managers with risk management tasks” or that there is not a problem of conflict between those promoting the salmon farming industry and those regulating food safety?

We thank you in advance for your attention to these issues and questions. Representatives of the Pure Salmon Campaign will be in Norway later this month and seek a meeting with you.

Sincerely,

Andrea Kavanagh
Director, Pure Salmon Campaign

CC:
Ms. Helga Pedersen, Minister,
Norwegian Ministry of Fisheries and Coastal Affairs

Mr. Johanson Lennart, Deputy Director General,
Norwegian Ministry of Fisheries and Coastal Affairs

Mr. Odd Eriksen, Minister,
Norwegian Ministry of Trade and Industry

¹⁵ “Mattilsynet go sjefer munnkurv” (*Dagbladet*, 19th January 2006):
<http://www.dagbladet.no/nyheter/2006/01/19/455201.html?tipsmsg=1>

Ms. Helen Bjørnøy, Minister,
Norwegian Ministry of the Environment

Mr. Joakim Lystad, Director General,
Mattilsynet

Ms. Ingunn Midttun Systad,
Mattilsynet

Mr. Oyvind Lie, Director,
NIFES

Herman Koeter, Acting Executive Director,
European Food Safety Authority

Markos Kyprianou, Director General of Health and Consumer Protection,
European Commission

George Paterson, Chief Executive,
Food Standards Agency Scotland

E.A. Nepoklonov,
Russian Food Safety Authority

Sergey Dankvert, Head of the Russian Federal Service for Veterinary and Phytosanitary
Inspection (Rosselkhozadzor)

Russian Ministry of Agriculture

Russian Ministry of Fisheries

Russian Department of International and Regional Agricultural Cooperation