



Exporters from India, Sri Lanka, Malaysia, Philippines, Singapore loot and sell millions of marine animals with impunity

Gandhi, and is a member of the influential Nehru-Gandhi family.

She published the above comments in an article in the *Andaman Chronicle* on 3 November, 2014. As happened with the undergravel filter/plants issue mentioned above, this outpouring of impassioned, destructive, unsubstantiated and alarmingly incorrect 'information' must have somehow filtered through to the Indian corridors of power, as well as to a number of publications, to the extent that they appear to have been accepted as 'facts'. This, while disturbing, would not have been disastrous if that's where they remained, i.e. within the minds of those who unquestionably accept them as truths, or in the lines of newspaper articles.

Unfortunately, these false statements, supported by powerful anti-pet trade animal activist organisations like PETA (People for the Ethical Treatment of Animals), have been taken as fact, to the extent that, on 23 May, 2017, the Indian Ministry of Environment, Forest and Climate Change, issued a Notification which, effectively, will put an end to the Indian ornamental aquatic sector. Entitled: *Prevention of Cruelty to Animals (Aquarium and Fish Tank Animal Shop) Rules 2017*, this new law, which is already in force, sets out conditions and requirements that make it quite impossible to run an aquatic business at all.

Some of these would be quite laughable, if they weren't so serious! Take, for example, the following: "No aquarium or fish shop shall source fish caught by destructive fishing practices, including – iv) trapped from Coral Reefs". Does this mean that no fish collected on reefs can be sold, or only those collected using "destructive fishing practices"? Then, no aquarium shall keep, house or display "(b) any species listed in the Second Schedule."

The Schedule in question lists some 150 marine species by name, plus "All cleaner (labroids and other species) wrasses", no seahorses of any species, "Chromis, Damsels (*Chromis*, *Pseudochromis*)" – plus some species of clownfish, including the maroon clownfish (*Premnas aculeatus*), all octopus, squid, cuttlefish and nautilus species...and so on...

Here are a few other 'highlights':

- > "Every aquarium shall...prepare a collection plan indicating names of species and maximum number of fish tank animals of each species proposed to be kept, housed or displayed in the aquarium..."
- > "Every aquarium (shall)...provide a naturalistic environment for the fish tank animals."
- > "Every aquarium...shall be closed at least one day in a week."
- > "Every aquarium...shall have on display appropriate signage discouraging visitors from approaching the fish tanks at close proximity."
- > "Every aquarium shall have a fisheries veterinarian or a fisheries expert employed full time..."

There are numerous other requirements, besides the above, which may...or may not...apply to importers, exporters and retail premises. The doubt arises from the fact that they apply to 'aquaria'...and an aquarium is defined as "a facility or establishment where fish tank animals are displayed." Since such animals are displayed in public aquaria and importing/exporting facilities, as well as at wholesale and retail outlets, one is left in considerable doubt as to whom these requirements specifically apply, but if they apply to shops, their total impracticality becomes immediately apparent.

Irrespective of this doubt, some of these rules are repeated and are therefore, without doubt, directly aimed at shops and other commercial establishments under the Trade section of the regulations. In addition, there are other conditions, such as the prohibition of aquarium bowls and tanks with a capacity of less than 13 gallons (60 litres). Further, each tank must hold at least 4.55 litres

of water for every inch of fish it contains. Think about it! Is one inch of guppy the same as one inch of pleco?

For marine fish, the volume per inch rises to 18 litres. Water oxygenation levels must be above 80% saturation, 10% of the water must be replaced weekly (something that, obviously, totally ignores the fact that top-ups occur on an ongoing basis as a result of the water that is removed every time fish are taken out for sale), each tank must have a heater and thermometer (what about space heating?), while each marine tank must also have a UV steriliser, and lighting must be turned on and off gradually with a dimmer. And this is not all...there's a whole host of requirements regarding piping, pumps, filters, drains, gutters, well water, pressure valves, compressors, paints, metals, concrete, etc., etc.

Turning to the application form that needs to be submitted for a shop or other premises to be registered, the following must be included in the long list of requirements: details of the species and breeds of fish tank animals that will be housed and sold, as well as the actual number of each species and breed of fish tank animals concerned, the accommodation that will be provided, a record of mortalities for each species, cause of mortality, details of any additional species "acquired in the past year", and numerous other matters.

It was clear from the moment that Dr. Mini Sekharan, Assistant Professor at the School of Industrial Fisheries, Cochin AquaRealm Conference held in Singapore, announced at the recent AquaRealm Conference held in Singapore, that this new law had been 'dropped' on the industry without warning, that the Indian ornamental aquatic industry had been plunged into a severe, sudden, unforeseen and unwarranted crisis. Even the Indian Marine Products Export Development Authority (MPEDA), which also oversees the freshwater trade sector, was taken by surprise, indicating that central government went ahead (apparently taking on board the unjustified claims made by Maneka Sanjay Gandhi and other activists) without consulting the Authority or the ornamental aquatic trade in any way whatsoever.

However, not all hope has been lost. Indeed, there was an immediate response from the trade organisations like Ornamental Fish International (OFI), who are backing the protests that are currently under way throughout India itself to get the new law repealed. Dr. Sekharan reports that she was encouraged to see, on her return from Singapore, that "even chief ministers of state were supportively taking actions in favour of the ornamental fish industry."

At the time of writing, there has not been any response from the central ministry, but it must respond to the flood of protests against this unjust law at some stage. However, we don't, at the moment, know when it will react, or in what way, so as we currently stand, the Indian ornamental aquatic sector is facing a crisis, the likes of which neither it, nor any other equivalent industry in any other country, has had to face.

In closing, I'd like to quote the following statement which I have received from Dr. Sekharan: "The ornamental fish industry in India has always received huge support from the institutions, owing to its significant contribution to livelihoods. The new rule came as a blow to the ornamental fish industry, which, in fact, has brought together stakeholders from all over India to join hands and protest. The respective state governments have represented the matter to the Central ministry. We are therefore optimistic that the Central ministry will understand, discuss the matters with fisheries experts, and make amendments to the new rule at the earliest".

We all hope that this will come about...and the sooner, the better! ■

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