

KEEPING OR RELEASE OF NON-NATIVE FISH

The licences and consents required for the keeping and/or release of the listed non-native species at different locations are summarised below.

Site	ILFA licence	WCA licence	Section 30 Consent
Aquarium	✓		
Wholesale/Retail	✓		
Garden pond	✓		
Fish Farm	✓	✓*	
The wild/Fisheries	✓	✓	✓

*Requirement for WCA licence only when waters in which non-native fish are held are considered to be 'the wild'.

Definitions for the purposes of ILFA and WCA:

- Garden ponds** - are described as discrete, isolated bodies of water not exceeding one acre in size on private residential premises, with no risk of escape of fish into the wild, and that are not used for fishing or any commercial purposes related to fish rearing or dealing.
- The wild** - a water is considered to be 'the wild' if it cannot be guaranteed that all the fish could be recovered with reasonable ease, or if any viable life stage of the fish could escape from it into open watercourses or waters connected to a continuous body of water. In general, only small, fully enclosed sites from which fish can easily be recovered can be regarded as not 'the wild'.

Application procedure

Application forms for the keeping and/or release of non-native fish are available from a dedicated website: efishbusiness.co.uk. ILFA forms are also available from Cefas, Defra, the Welsh Assembly Government (WAG), and the Environment Agency. Section 30 application forms are available from the Agency. Contact addresses are provided later in this leaflet. All applications for new introductions must be submitted and processed prior to fish being obtained. Completed applications should be sent to the appropriate organisation below.

Approval required	Where to apply
ILFA licence and/or WCA licence	Cefas
Section 30 consent	Environment Agency

Please note, licences for fisheries/fish farms normally take around 2 months to process.

The issue of licences

ILFA licences are issued free by Defra, in respect of England, and by WAG in respect of Wales. In assessing applications, the licensing authorities will consult with: the Environment Agency, Cefas, and either Natural England or the Countryside Council for Wales as appropriate.

In recognition of the threat that non-native fish may pose to native species, there will be a general presumption against the issue of licences for the keeping or release of the listed species. Licences will only be issued where a species is considered appropriate, there is no flood risk and where site security is considered to be adequate. In addition, nature conservation issues (e.g. the proximity of SSSI sites) will be taken into consideration.

Offences and penalties

An offence will have been committed if a person:

- holds, keeps or releases an ILFA listed species without being in possession of an ILFA licence.
- fails to meet any conditions (specific or general) placed on an ILFA licence.
- supplies an ILFA listed species to a third party who is not in possession of an appropriate ILFA licence.

Failure to comply with licence conditions may result in licences being revoked and possible prosecution. Maximum penalties of up to £2,500 can be enforced in cases of non-compliance with the legislation. Depending on circumstances, illegally stocked fish may have to be removed and destroyed.



Wels catfish (photo courtesy Nick Giles)

ILFA application forms and further information may be obtained from:

www.efishbusiness.co.uk

For sites in England: Cefas Weymouth Laboratory Barrack Road The Nothe Weymouth DT4 8UB

Tel: 01305 206700
Fax: 01305 206602
email: fhi@cefas.co.uk

or Defra Marine and Freshwater Biodiversity Division Area 2D Nobel House 17 Smith Square London SW1P 3JR
Tel: 0207 238 3000
Fax: 0207 238 4699
email: freshwater.fish@defra.gsi.gov.uk

For sites in Wales: Cefas Weymouth Laboratory Barrack Road The Nothe Weymouth DT4 8UB

Tel: 01305 206700
Fax: 01305 206602
mail: fhi@cefas.co.uk

or Fisheries Unit Welsh Assembly Government Rhodfa Padarn Llanbadarn Fawr Aberystwyth Ceredigion SY23 3UR
Tel: 0300 062 2184
Fax: 0300 062 2001
email: fisheries@wales.gsi.gov.uk

Further information can also be obtained from the following websites: www.defra.gov.uk; www.environment-agency.gov.uk

Information on import requirements can be obtained from Cefas, Weymouth (01305 206700). The confidential Cefas Hotline number in relation to possible illegal imports is 01305 206681.

Environment Agency

Would you like to find out more about us, or about your environment? Then call us on 08708 506 506 (Mon-Fri 8-6)
Email enquiries@environment-agency.gov.uk

or visit our website www.environment-agency.gov.uk
incident hotline 0800 80 70 60 (24 hrs)
floodline 0845 988 1188



CONTROLS ON THE KEEPING OR RELEASE OF NON-NATIVE FISH IN ENGLAND AND WALES



Topmouth gudgeon *Pseudorasbora parva*

This advisory leaflet has been prepared jointly by the Centre for Environment, Fisheries and Aquaculture Science (Cefas) and the Environment Agency with the approval of the Department for Environment, Food and Rural Affairs, Welsh Assembly Government, Natural England and the Countryside Council for Wales

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Background

The spread of non-native fish species can have far-reaching and undesirable ecological consequences for animal and plant communities in rivers and lakes. Introduced non-native fish can have direct effects on native species, for example by predation, or can upset the natural balance that operates between species. Non-native species can also introduce and spread novel diseases and parasites to which our native species may have no resistance. Topmouth gudgeon and signal crayfish are good examples of non-native introductions that have already harmed native species. It is therefore vital if we are to protect native species and their habitat and conserve the unique diversity of animal and plant life in our rivers and stillwaters that we restrict the spread of non-native fish species.

Earlier controls were not entirely successful in preventing the unauthorised spread of non-native fish to many waters in England and Wales. Further measures were therefore introduced via a 1998 Order under the Import of Live Fish Act 1980 (ILFA) to reduce direct effects on native fish and their habitat and to make it easier to prevent illegal movements of non-native species. Following extensive consultation, the list of species covered by the measures was extended in early 2003.

Fish species covered by the ILFA Orders

The ILFA Orders make it illegal to keep or release any of the species listed in Table 1 into any water (including tanks and ponds) without a licence.

Who needs a Licence?

Any person wishing to hold, keep or release any of the listed species is required to be in possession of a licence **before** obtaining the fish. Licences may be refused where keeping or release is considered inappropriate or a potential threat to native flora and fauna. It is an offence to keep and/or introduce the listed species without a licence; therefore anyone keeping such fish must apply for a licence or face possible prosecution.

All those wishing to keep the listed species, including fish farmers, fish dealers, wholesalers, retailers, hobbyists and owners of fisheries require an individual licence to do so.

However, those wishing to keep grass carp, sturgeon/sterlet and ameiriurid/ictalurid catfish in garden ponds and indoor aquaria or red shiners and fathead minnows ('roseys') in indoor aquaria (other than aquaria on retail or wholesale premises) are covered by a general licence and need not apply for individual licences.

If a licence is issued it may be subject to various terms and conditions. Such conditions may relate to site security, records of movements and the fitting and maintenance of screens on outlets.

Licences will normally be issued for a single introduction of a single species, but multi-species and multiple-introduction licences can be issued to fish farmers and dealers, and will also be considered for fisheries on a case-by-case basis. Licences will generally be valid for an indefinite period, except where circumstances or conditions dictate.

A licensee must ensure that anyone to whom they wish to sell or give any listed fish is first in possession of an appropriate ILFA licence, otherwise they may be committing an offence.

Other licences or authorisation required

These measures do not replace but supplement the protection given to native fish species by the Wildlife and Countryside Act (WCA) 1981 and Section 30 of the Salmon and Freshwater Fisheries Act 1975. Where a licence is issued under the Order for release to a water, it will also provide approval under the WCA.

However, any release (of either native or non-native fish) to any inland water, other than an authorised fish farm, will still require Section 30 consent from the Environment Agency; failure to comply is an offence.

Any proposed release of a non-native species not listed in Table 1 will still require a WCA licence, and these will be assessed on a case-by-case basis. However, there is a general presumption against the release of new non-native species to the wild.

Table 1. Alphabetical list of all fish species covered by the ILFA Orders

COMMON NAME	SPECIES NAME
Asp	<i>Aspius aspius</i>
Barbel species (excluding tropical barb)	species of the genus <i>Barbus</i> (excluding the native <i>Barbus barbus</i>)
Bass species (including striped bass, white bass and their crosses e.g. hybrid striped bass)	species of the genus <i>Morone</i>
Big-head carp	<i>Hypophthalmichthys nobilis</i>
Bitterling	<i>Rhodeus sericeus/Rhodeus amarus</i>
Blacknose Dace	<i>Rhinichthys atratulus</i>
Blageon	<i>Leuciscus souffia</i>
Blue Sucker	<i>Cycleptus elongatus</i>
Blue bream	<i>Abramis ballerus</i>
Burbot	<i>Lota lota</i>
Catfish	species of the genera <i>Ictalurus</i> , <i>Ameiurus</i> and <i>Silurus</i>
Charr species (including American Brook Trout)	species of the genus <i>Salvelinus</i> (excluding the native <i>Salvelinus alpinus</i>)
Chinese black or snail-eating carp	<i>Mylopharyngodon piceus</i>
Chinese Sucker also known as Zebra Hi Fin or banded shark/sucker	<i>Myxocyprinus asiaticus</i>
Common White Sucker	<i>Catostomus commersoni</i>
Danubian bleak	<i>Chalcalburnus chalcoides</i>
Danubian Salmon and Taimen	species of the genus <i>Hucho</i>
Dragon fish (also known as Pale chub or Freshwater minnow)	<i>Zacco platypus</i>
Eastern Mudminnow	<i>Umbra pygmaea</i>
European Mudminnow	<i>Umbra krameri</i>
Fathead minnow or Roseys	<i>Pimephales promelas</i>
Grass carp	<i>Ctenopharyngodon idella</i>
Landlocked salmon	non-anadromous varieties of the species <i>Salmo salar</i>
Large-mouthed black bass	<i>Micropterus salmoides</i>
Marbled trout	<i>Salmo marmoratus</i>
Nase	<i>Chondrostoma nasus</i>
Northern Redbelly Dace (common minnow)	<i>Phoxinus/Chrosomus eos</i>

COMMON NAME	SPECIES NAME
Pacific salmon and trout (excluding rainbow trout but including steelheads)	species of the genus <i>Oncorhynchus</i>
Paddlefish	species of the genera <i>Polyodon</i> and <i>Psephurus</i>
Perch species	species of the genus <i>Perca</i> (excluding the native <i>Perca fluviatilis</i>)
Pike-perch (including zander)	species of the genus <i>Sander</i> (<i>Stizostedion</i>)
Pike species	species of the genus <i>Esox</i> (excluding the native <i>Esox lucius</i>)
Red shiner (Rainbow dace)	<i>Cyprinella/Notropis lutrensis</i>
Rock bass	<i>Ambloplites rupestris</i>
Schneider	<i>Alburnoides bipunctatus</i>
Silver carp	<i>Hypophthalmichthys molitrix</i>
Snakehead, Northern or Chinese	<i>Channa argus</i>
Small-mouth bass	<i>Micropterus dolomieu</i>
Southern Redbelly Dace (common minnow)	<i>Phoxinus/Chrosomus erythrogaster</i>
Sturgeon or sterlet	species of the genera <i>Acipenser</i> , <i>Huso</i> , <i>Pseudoscaphirhynchus</i> and <i>Scaphirhynchus</i>
Sunbleak, also known as Sundace, Belica or Motherless Minnow	<i>Leucaspius delineatus</i>
Sunfish, (including Pumpkinseed, Basses, crappies and bluegills)	Species of the genus <i>Lepomis</i>
Topmouth gudgeon (Clicker barb)	<i>Pseudorasbora parva</i>
Toxostome or French nase	<i>Chondrostoma toxostoma</i>
Vimba	<i>Vimba vimba</i>
Weather fish	<i>Misgurnus fossilis</i>
Whitefish species	species of the genus <i>Coregonus</i> (excluding the native species <i>Coregonus lavaretus</i> and <i>Coregonus albula</i>)



Grass carp

