

**Subject:** French publicity campaign about “responsible” fishing practices by the fleet owner Intermarché

**To:** The Jury of Ethics of Publicity in France

May 15<sup>th</sup> 2012

To whom it may concern

It has come to our attention that the French deep-sea fleet owner, Intermarché, has produced an advertisement claiming that their fishing practices are “responsible” and “respect the well-being of nature and mankind,” and that one of their four “axes” is “respect for natural resources... and protecting marine fauna.” We would like to offer support for the BLOOM Association charge that this advertisement, which explicitly quotes fish species caught in the deep sea (blue ling and black scabbardfish), contradicts the truth about deep-sea bottom trawling.

Deep-sea trawling is widely known to be the most destructive kind of fishing in history. The scientific literature has repeatedly demonstrated that this method of fishing destroys the habitats of fishes and invertebrates, is non-selective for any species, and has long-term impact. The United Nations have passed four resolutions since 2004 which seek to widely limit the use of such practices

We would like to emphasize the following facts about organisms inhabiting deep-sea bottom communities:

1. Deep-sea organisms can be very old. Most living corals are at least 100 years old, many are as much as 800 years old, and some have been estimated to be more than 2000 years old. This fact means that damage to deep-sea communities will recover slowly, if at all, as seen for old-growth forests on land.
2. In the northeast Atlantic Ocean there are a few species of “hard corals” that form large and conspicuous reefs. However, there are more than 3000 species of hard corals living in the deep sea that are not reef-formers, far outnumbering what is known from shallow waters. This diversity also is threatened by deep-sea bottom trawling.
3. Corals and sponges are found nearly everywhere in the deep sea. They are not restricted to well-known fishing banks such as Rockall and Hatton Banks. Recent predictive models suggest that much of the area reachable by bottom trawl gear is populated by deep-sea corals. Therefore, the area closures that currently exist do not offer much protection to deep-sea corals and sponges.
4. Deep-sea coral and sponge communities support a large diversity of other marine organisms. Many of these animals live only on or in the corals or sponges. Thus, damage or removal of these large organisms reduces the biodiversity of deep-sea bottom communities disproportionately.
5. Deep-sea corals and sponges can be quite large but they are not robust. The International Council for the Exploration of the Sea (ICES) Working Group on Deep-sea Ecology (WGDEC) recently determined that most deep-sea corals and sponges would not be seen as bycatch in bottom trawl nets because they are fragile, break into pieces, and easily pass through the mesh of the net.

Deep-sea trawls, by necessity, need to be large and heavy in order to descend to fishing depth and to stay near the bottom where the commercially valuable fish are. But it is not only the weight of the trawl that is responsible for the habitat destruction that has been seen. Recent technological developments, which have focused on decreasing fuel consumption by making the gear lighter and the mesh size wider in order to reduce the resistance of the net as it is pulled through the water, will still adversely impact deep-sea organisms and habitats because the inherent fragility of the deep-sea fauna cannot resist the strength of the trawl gear, even if the net is pulled slowly. Thus, regardless of recent technical adjustments, very few bottom-dwelling organisms will remain alive and undamaged if they come into contact with mobile fishing gear.

There is also the implication in the advertisement that the fisheries are environmentally responsible because they are “managed.” In fact, an analysis of ICES data shows that for all of the deep-sea fisheries conducted since 2002, the annual Total Allowable Catch (TAC) was exceeded by all EU countries until the stock numbers fell so low that the TAC could not be reached, and was therefore belatedly lowered by the European Commission. For memorandum, ICES scientists evaluate 100% of the EU deep-sea catch to lie “outside safe biological limits.”

Within the North Atlantic Ocean both of the Regional Fisheries Management Organizations (RFMOs), the Northeast Atlantic Fisheries Commission (NEAFC) and the Northwest Atlantic Fisheries Organization (NAFO), have tried to restrict trawling damage by adopting temporary closures adjacent to areas that are heavily fished, especially on banks in the northeast Atlantic. Although the implementation of closures has progressed and such areas closed to fishing have been established in waters inside and outside the EU's economic zone, they only cover a small proportion of the total fishable area and certainly do not, as of today, provide sufficient protection to vulnerable marine ecosystems or species. Because scientific knowledge and mapping of the deep sea floor are lagging behind exploitation, WGDEC scientists, who regret the absence of collaboration of the fishing industry in providing necessary data (VMS data, trawl tracks, bycatch data), have recommended using predictive models of likely coral occurrence for future closures.

We, the undersigned scientists who have worked and published in the scientific literature on various aspects of fisheries and/or habitat in the deep seas of the North Atlantic and elsewhere, find the advertisement to be making claims that are erroneous and misleading, and will remain so for as long as bottom trawl gear is being used. We are concerned that such statements can be asserted with impunity in a member State of the EU which are in full contradiction with the reality of deep-sea bottom fisheries as well as with the scientific expertise and advice provided by the International Council for the Exploration of the Sea. We fear that this advertisement has caused public confusion about the true status of deep-sea fisheries and that consumers are likely to buy these fish with “no guilt” when all the facts show that habitat is destroyed and fish populations are routinely depleted as a result of these deep-sea fisheries.

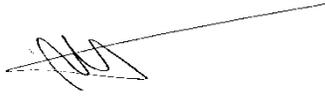
Most respectfully yours,

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