

The Jersey shellfish farming industry is represented in its entirety by the Jersey Aquaculture Association. The associations exporting members are obliged to comply with Directives EC 852/3/4 2004 as extended into Jersey legislation. The main area being that of designated shellfish harvesting area which is categorised according to E.coli levels derived from monthly sampling by the competent authority.

Sampling and designated shellfish harvesting area categorisation has been undertaken for many tens of years and a body of information on quality fluctuations exists. Currently the loss of one Grade A area (see EC Directives) (leaving only one in a difficult to access area and possessed by one member only) has caused difficulties and given rise to the need for significant rapid and temporary investment. Another site received a provisional Grade C (unsaleable) category that has been since upgraded to B (requires purification).

A crude overview is often put forward that the Jersey situation reflects the general UK industry experience, with some upgradings from C to B and gradual loss of Grade A (direct sale) areas. However, this is not true of the Irish industry that is much bigger than the UK, and fails to take into account the 12m tidal range dilution effect and the much lauded UV treatment system that 'provides the best bathing water quality'.

That the Jersey experience of shellfish farmers runs counter to the environmental and infrastructural expectation and the compliance with bathing water directives etc., requires deeper interpretation.

The argument that surface water run-off especially from east coast sources is a primary source, is a well run one, and the Water Resources department have undertaken analysis of rainfall events versus pollution effects (sampling of oysters) that statistically implicates heavy rainfall. The interpretation has then been that unknown east coast sources must be involved. This is a classic failure to employ the scientific aphorism that 'correlation does not imply causation'. This can be clarified by a well documented rainfall event in mid 2009 and the subsequent 'interpretations'.

The JAA were supplied with sterile sample bottles to take east coast event samples should the need arise. One such event happened and samples were taken from a number of sources from Gorey to the Bellozanne outfall and discharge volumes assessed at each point to help define relative contributions. These samples were returned to Water Resources and assessed by the States Analyst. However, the sources were coded rather than named and the resulting attributions put the Bellozanne outfall as a greater contributor to the water column than all other sources combined, by a factor of two orders of magnitude. The tide was also rising at the time which funnels the flow over the oyster beds.

The official response at the time and consequently is illuminating. The first approach was to point out that as these were not formally sampled they could have been tampered with or ill-handled. From first hand knowledge that was not the case. Next, it was suggested that retrospective observation of the telemetry meant that a retrospective discharge variance could and should be applied for. There was no mechanism for third parties to know if that was done and during this panels beach visit in 2010 this was denied by the department. Additionally, at the MRAP meeting that the issue was raised, it is reported that the Minister for TTS was of the opinion that this type of event as to be expected and that if £250M for the liquid waste strategy was to be found then that would be a solution.

What are the consequences for the industry of the current situation persisting? Currently, the industry is having to self fund solutions or receive less return as a direct consequence of failure to maintain or improve seawater quality as exists a statutory obligation upon the Planning and Environment Minister through the Water (2000) Law). New EC legislation due within two years will place emphasis on viral contamination monitoring. Recent research undertaken by an association member (att.) shows that oysters rapidly accumulate Norovirus and very slowly discharge. The effect of this is that periodic high exposure may not permit adequate time for self cleaning and the industry would not be able to sell any product rendering it unviable at a stroke.