



Government of **Western Australia**
Department of **Fisheries**

BUY SAFE AND LEGAL SEAFOOD



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Don't jeopardise your customers' health or your business

It's illegal to buy seafood from anyone not licensed to sell it

It's illegal to sell seafood unless you have a licence to do so

If caught, you could face hefty fines and possible jail terms

In Western Australia, our fisheries are strictly managed to ensure there are fish for the future. Everyone can play their part in keeping our valuable fish stocks sustainable, even if they buy all their seafood.

Anyone illegally selling seafood threatens the sustainability of our fisheries resources plus the livelihoods of licensed commercial fishers.

Restaurants and seafood businesses can protect their reputation, the health of their customers and the sustainability of our fisheries by only purchasing seafood from legitimate seafood sellers, who know how to care for their catch.

Is it illegal to buy seafood from a person who doesn't have a licence to sell it?

Yes. It contravenes legislation (*Fish Resources Management Act 1994 [FRMA]*; and the *Food Act 2008*, which requires compliance with the Australia New Zealand Food Standards Code) designed to protect consumer health, fish stocks and the commercial fishing industry.

What happens if proprietors of restaurants and seafood businesses are caught buying seafood from someone who is not a legitimate seafood seller?

The buyer can be prosecuted and fined up to \$80,000 as an individual or up to \$150,000 as a company. Plus, a penalty of up to 10 times the prescribed value of the fish in question is mandatory. They may also face up to three years imprisonment (*FRMA Sections 74 and 222; Fish Resources Management Regulations 1995 [FRMR], Regulation 121(2)*).

Non-compliance with the Food Standards Code can also result in fines of up to \$50,000 for an individual or \$250,000 for a company under the *Food Act 2008*.

How can I protect my business and ensure the seafood I purchase is legitimate?

Ask to see the seller's licence.

Plus, if you run a business and buy seafood for human consumption:

- At the time the fish are purchased or received, make a record of each transaction, (including the date of that purchase or receipt, the name and address of the vendor/supplier, species and quantity of fish, manufacturer or packer of the seafood); and
- Keep records of purchases available for inspection on the premises where the fish were purchased or received and;
- Ensure that food you purchase is handled in accordance with the Food Standards Code to avoid contamination.

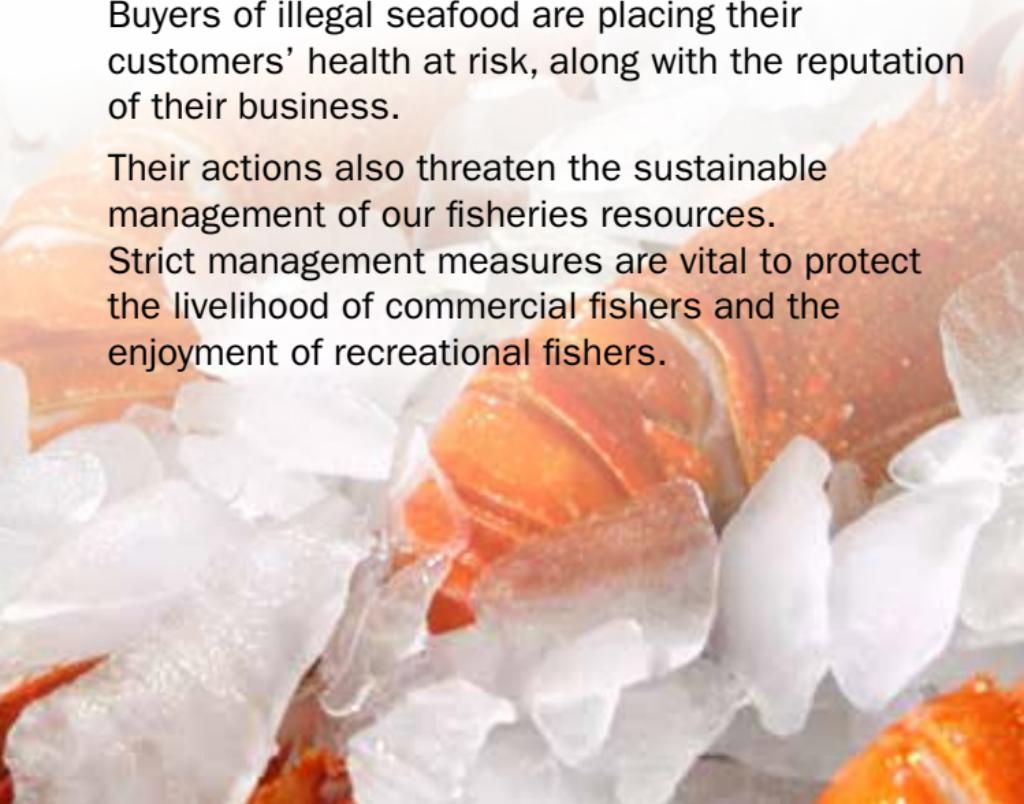
Failure to keep records may lead to prosecution. If found guilty of an offence, the penalty is \$5,000 for an individual or \$10,000 for a company. In addition, a penalty of up to 10 times the prescribed value of the fish purchased is mandatory (*FRMA* Section 222; *FRMR* Regulation 64 (4)).

Why is buying seafood from a legitimate seafood seller so important?

Buyers of illegal seafood are placing their customers' health at risk, along with the reputation of their business.

Their actions also threaten the sustainable management of our fisheries resources.

Strict management measures are vital to protect the livelihood of commercial fishers and the enjoyment of recreational fishers.



What happens to a fisher caught selling seafood illegally?

The seller can be prosecuted and fined up to \$80,000 as an individual or up to \$150,000 as a company. Plus, a penalty of up to 10 times the prescribed value of the fish in question is mandatory. Penalties can include forfeiture of boats and equipment used to commit the offence and up to three years imprisonment (*FRMA* Sections 74 and 222; *FRMR* Regulation 121(2)).

In addition, an individual caught selling food without being registered may be fined \$10,000 under the *Food Act 2008*.

Which fish species are most commonly sold illegally?

Species in high demand among consumers that are also easy to catch. These include pink snapper, dhufish, whiting, flathead, abalone, squid, rock lobster and marron.



Who do I contact if I'm approached by a fisher trying to sell their catch or if I suspect a seafood business is sourcing its seafood illegally?

If you suspect anyone of illegal fishing activity, report them to the Department of Fisheries FishWatch service (1800 815 507), which operates 24 hours, seven days a week.



The information in this brochure is current at the time of the date of printing, but may change. For the most up to date information on fisheries and fishing rules, visit the Department of Fisheries website or contact the Department directly.

FURTHER INFORMATION

www.fish.wa.gov.au

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Fish for the future