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A victory against Frankenfish — genetically engineered salmon company shuts down hatchery operations



Courtesy pic

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By Dan Bacher

In mid-December, the Board of Directors of AquaBounty Technologies, Inc. announced that the company will shut down its fish hatchery operations in Bay Fortune, marking a decisive moment in the decades-battle struggle by fishing groups, tribes, environmentalists and sustainable food advocates against genetically engineered salmon, or GE salmon.

"AquaBounty will immediately begin to wind down its Bay Fortune operation, its only remaining operating farm, including the culling of all remaining fish and a reduction of substantially all personnel over the course of the next several weeks," stated David Frank, Chief Financial Officer and Interim Chief Executive Officer. "We prioritized maintaining operations at the Bay Fortune facility, but do not have sufficient liquidity to continue to do so."

The company acknowledged it had failed to raise enough capital to continue the operation at Bay Fortune, Prince Edward Island, Canada.

"We have been working for over a year to raise capital, including the sale of our farms and equipment," Frank explained. "Unfortunately, these efforts have not generated enough cash to maintain our operating facilities. We therefore have no alternative but to close down our remaining farm operations and reduce our staff."

Opponents of GE salmon welcomed news of the facility's closing.

"This is a victory for our oceans, our health, and the wild salmon that define the heart of fishing communities across North America," said Scott Artis, Executive Director of the Golden State Salmon Association, or GSSA. "The message is clear: Frankenfish have no place on our plates or in our waters."

Artis went on to say that the closure comes after years of "intense organizing" by a broad coalition of environmental groups, fishermen, tribes and consumers. The coalition <u>challenged</u> the U.S. Food and Drug Administration's 2016 approval of GE salmon that was developed by AquaBounty using DNA from three fish species: Atlantic salmon, Pacific king salmon and Arctic eelpout.

GSSA and its allies highlighted significant environmental and health risks, including the potential for GE salmon to escape, outcompete wild species, and disrupt ecosystems.

"This wasn't just a fight about fish—it was a fight for the future of our food systems and the survival of wild salmon," said Artis. "The coalition's lawsuit against the FDA resulted in a groundbreaking 2020 ruling by the U.S. District Court for the Northern District of California. The Court determined that the FDA violated core environmental laws by failing to evaluate the risks posed by GE salmon to wild salmon populations, endangered species, and the broader ecosystem. This decision forced the FDA to reconsider its analysis and halted AquaBounty's plans to expand the production of GE salmon."

The coalition in the 2016 FDA lawsuit, jointly represented by legal counsel from the Center for Food Safety and Earthjustice, included the Golden State Salmon Association, Pacific Coast Federation of Fishermen's Associations, Institute for Fisheries Resources, Kennebec Reborn, Friends of Merrymeeting Bay, Ecology Action Centre, Food & Water Watch, Center for Biological Diversity, Friends of the Earth, Cascadia Wildlands, and Center for Food Safety.

"If genetically engineered salmon were to escape or be unintentionally released into the wild, they could pose significant risks to native populations by breeding with endangered salmon species, competing for limited resources and habitats, or spreading new diseases," Artis concluded. "Research indicates a substantial likelihood of GE organisms escaping into natural ecosystems, with GE salmon capable of interbreeding with wild fish. In agriculture, transgenic contamination has become a frequent issue, causing U.S. farmers billions of dollars in losses over the last decade. Such contamination could have even more severe consequences in aquatic ecosystems."

At the time of the 2020 ruling, GSSA's John McManus said, "The federal Food and Drug Administration clearly let America down when it chose to overlook the environmental risk these fish pose."

Artis also noted that consumers played a "crucial role" in driving this victory, "rejecting GE salmon in favor of sustainably sourced, wild-caught seafood."

Public outcry over the lack of mandatory labeling for GE fish in 2016 prodded Congress to demand transparency in the food system.

"The closure of AquaBounty's Bay Fortune facility signals a turning point in the fight for sustainable seafood and underscores the importance of holding regulatory agencies accountable," Artis stressed. "For now, the victory serves as a powerful reminder that collective action can protect public health, ecosystems, and the communities that depend on them."

AquaBounty's GE salmon, called <u>AquAdvantage</u>, was the <u>first-ever GE food animal to be approved</u> anywhere in the world, by the U.S. Food and Drug Administration in 2015, according to the Center for Food Safety. But, as a result of successful <u>litigation</u> brought by Center for Food Safety and boycott campaigns, it never made it onto the market.

"In 2020, after <u>five years of litigation</u>, CFS prevailed as <u>a federal court held</u> that the U.S. government's approval of this first ever GE animal was unlawful and sent it back to the FDA for reassessment and a new decision," the coalition stated. "The Court <u>ruled</u> that the approval violated the National Environmental Policy Act and the Endangered Species Act, and that going forward FDA had a duty to ensure the environmental safety of any GE animals."

Amy van Saun, senior attorney for Center for Food Safety and counsel in the case, described the stakes around the her legal win.

"The announcement proves what we have always said: that this dangerous product cannot both comply with environmental laws and become a commercial reality," van Saun said. "It's gratifying that this risk to our wild fisheries and oceans is at an end, and we will continue to demand that our government prevents such risky profit-driven experiments from coming to our oceans and our plates."

The company shut down its remaining GE salmon facility in North America at Bay Fortune after selling its fish farm in Indiana earlier this year and putting its other major site in Canada at Rollo Bay, Prince Edward Island, up for sale, according to CFS.

"This company was propped up by the hype but had nothing of value to sell," argued Lucy Sharratt, Coordinator of the Canadian Biotechnology Action Network. "Genetically engineered food is a losing investment."

Carl Wassilie, a Yup'ik biologist, co-founder of Salmonberry Tribal Associates and organizer with the Block Corporate Salmon campaign, offered his view on the significance of AquaBounty's closing within context of the fight to preserve wild salmon populations.

"The development of GE salmon violates wild salmon, and all the human and more-than-human communities that Wild Salmon support," Wassilie said. "Wild salmon underpin our cultural, spiritual, emotional, and physical wellbeing as Indigenous Salmon Peoples. We need to build on this victory to ensure that no other company takes up the colonial project of genetically engineering salmon."