

# Herald Sun

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## Researchers spraying seals with capsicum spray in Tasmania broke ethics

- by: *By Nick Clark*
- From: **The Mercury**
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- Researchers in Tasmania condemned for testing spray on seals
- Seal so distressed it jumped out of holding pen
- Department investigating incident

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Department of Primary Industries staff in Tasmania spray capsicum spray into the eyes of a fur seal, breaching ethics codes.  
*Source: The Mercury*

**ANIMAL researchers who sprayed caged fur seals in the eyes with a super strength capsicum spray breached the code of practice for animal testing.**

Department of Primary Industries, Water and Environment animal ethics committee chairwoman Marion March thought the breach so serious she brought it to the attention of the department secretary.

*The Mercury* first revealed on August 25 that capsicum spray would be tested to determine if it would deter seals from getting into salmon pens.

*The Mercury* requested images and video of the 2008 trials under the Right to Information Act but was forced to appeal to the Ombudsman after a lengthy delay.

Five photos were released, but the department said it could not find the video footage it took of the trials.

The images show the moments before a distressed seal did something never seen before by researchers - it jumped out of a holding pen.



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"Once in the holding pen the seal was visibly stressed, jumping at the netting around the pen and trying to find a way out," the researcher's report to the ethics committee said.

"Approximately four minutes after seal two was initially sprayed it managed to jump out of the holding pen and swim away.

"It may have been an extreme reaction to the OC (oleoresin capsicum) spray or that the seal was stressed about being in holding pen."

Ms March said the department's ability to do animal research had been put at risk by the team's failure to comply with the code of practice for the care and use of animals for scientific purposes.

She said the staff departed from the method approved by the committee for the tests.

## **Fur seal testing**



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*Source: The Mercury*

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"Upon realising that the project had ineffective methodology you were specifically required to halt the project immediately and seek AEC approval for any changes to the approved project," Ms March wrote to chief investigator Mike Greenwood.

"Due to the implications of this matter in terms of the animal research licence of this institution, I will be bringing this matter to the attention of the secretary."

The spraying of capsicum in the face of the caged seals was the main reason for non approval of the final report.

"AEC approval (of the project application) was for the OC spray to be administered whilst the seal was swimming freely in the 120 square metre polar circle netted fish pen," Ms March wrote.

Department biosecurity manager Alex Schaap told secretary Kim Evans he didn't think the breach was severe enough to warrant investigation of cruelty charges.

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"(But) I am concerned that staff still don't understand the significance of operation with AEC approval even after compulsory staff training," he said.

In March this year Primary Industries Minister Bryan Green wrote to the Animal Welfare Advisory Committee's Rick Campbell about that committee's concerns.

"I'd like to reassure the committee that since 2008 the department's AEC has implemented a range of measures to improve animal researchers compliance with the requirements of the Animal Welfare Act," Mr Green wrote.

Despite the AEC's concerns former environment, parks and heritage minister David O'Byrne gave approval in 2010 for fish farm staff to use capsicum spray on rogue seals.

But during the past two years Tasmania Police has opposed the deployment of the 35 per cent capsicum spray to fish farm staff. A police spokeswoman said no permits to use the spray had been approved.

A spokesman for the Tasmanian Salmonid Growers Association said Tassal was not using spray and it would not be used at a new development at Macquarie Harbour.

Huon Aquaculture managing director Peter Bender said his company had not used capsicum spray and did not intend to. He said it aimed to spend \$20 million to \$30 million in new netting and cages.

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