

Application to Amend the Australian Fish Names Standard



OFFICE USE

DATE RECEIVED + Any Re-Submission Dates	19/8/2024	
APPLICATION NUMBER	357	
	Date and FNC #	Outcome
FNC Pre-Assessment (Informal)	20/8/2024	Proceed to FNC45
FNC Initial Assessment	10/9/2024, FNC45	Proceed to public consultation
Public Consultation Initiated	27/11/2024	
Public Consultation Completed		
FNC Final Assessment		
Updated in FN Database		
Updated in CAAB		

CHECKLIST

Does this application meet the following requirements	Applicant Y/N	Office Use Y/N
Read the Fish Names Processes on the Seafood Standards Website	Y	Y
Check the Fish Names searchable database at www.fishnames.com.au for any use of the proposed name.	Y	Y
Determine whether samples of the species are required by contacting the FNC Project Manager , and if so, arrange for samples for taxonomic evaluation and attach a copy of the results as evidence.	N	N/A
Check that the proposed Standard Name meets the fish name protocols in Section 5 of this document.	Y	Y
Consult key fish names stakeholders regarding your proposed name, and attach evidence (emails, letters, etc) of their support.	Y	Y
Include as an attachment, a summary of changes, if any, that you made in response to concerns/points raised by key stakeholders.	Y	Y
Attach any supporting documents for the proposed Standard Name.	N	N/A
Attach any supporting published documents on the scientific name.	Y	Y
Complete the invoicing details in Section 9	Y	Y

RE-SUBMISSION CHECKLIST

Checklist to meet the requirements of a re-submitted application	Applicant Y/N	Office Use Y/N
Complete the above checklist criteria		
Address each concern raised by the FNC and/or Public Consultation		
Attach additional supporting documents		

NOTE – Public Consultation is a critical part of the fish names process. This application and additional information will be made available to the public, except for any applicant details and invoicing information due to privacy requirements. Please advise of any specific commercial-in-confidence information.

Applicants will be added to the email list to keep updated.

1. SELECT APPLICATION TYPE

Add a NEW Standard Fish Name Y/N	N			
Amend an EXISTING Standard Fish Name Y/N	Y			
Taxonomic update Y/N	N			
Is it an Individual Name or Group Name (tick one)	Individual Name	Y	Group Name	

2. PROPOSED STANDARD FISH NAME (SFN) DETAILS

Current SFN (if relevant)	South American Flathead
Proposed SFN	South American Lizardfish*
Alternative SFN (list any other preferences)	South American Duckbill South American Sandfish
Any other known names used for the species e.g. obsolete, local nickname, etc	See separate sheet

*Please note below that the Fish Names Committee approved the name “South American Duckbill” for public consultation.

3. PRIMARY REASON FOR PROPOSED SFN

Often this is imported as South American Flathead – once it has been taken out of the bag/box the restaurant/café/fish shop rarely use South American in their menu. They refer to it as Flathead. This creates deception. Many may just use it as “Fish” in “Fish n’ Chip” meals, not actually specifying a species. Verbally they often describe as “Flathead”.
The species is not what Australians know as Flathead.
Hence to avoid confusion there is a need to change the name to protect the integrity of local/domestic Flathead.
I accept that overseas (South America) they often refer to this as Brazilian Flathead and I don’t have strong opinion on alternative name but am strong that it should not be Flathead.

4. SPECIES DETAILS

Scientific Name	<i>Percophis brasiliensis</i>			
Authority	Quoy & Gaimard, 1825			
CAAB Code	37393750			
Species Type (e.g., finfish, crustacean, mollusc, jellyfish, sea cucumber, sharks or rays)	Finfish			
Australian Species: specify the States and Territories in which the species is caught or harvested in	Nil			
Imported Species: specify the country(ies) of origin	Argentina / Brazil / Uruguay (or maybe processed in others)			
Select Category(ies) Applicable	Commercial harvest species	✓	Exported species	
	Aquaculture species		Imported species	✓
	Recreational species			
	Other (Specify)			
Select Habitat(s)	Freshwater		Demersal shelf: less than 200m	✓
	Estuarine		Demersal slope: more than 200m	
	Coastal	✓	Oceanic / pelagic	
	Other (Specify)			
Select Harvesting Method(s)	Trawl	✓	Pot or trap	
	Non-trawl net (e.g. seine, gillnet)		Line (e.g. longline, dropline)	
	Aquaculture		Recreational fishing	
	Other (Specify)			

5. PROTOCOLS FOR SELECTING STANDARD FISH NAMES

The FNC will assess whether your proposed SFN complies with the protocols.

Please comment briefly on whether you believe your proposed SFN complies with the following protocols below:

Protocol	Applicant Comment	Office Use
6.4.1: Compliance with international obligations requires that a standard fish name <ul style="list-style-type: none"> does not create unnecessary obstacles to international trade as per the WTO GATT (General Agreements on Tariffs and Trade) which include the Technical Barriers to Trade (TBT) Agreement. 	The aim is to create a differential to avoid deception/fraud which undermines the global food system and	Complies

Protocol	Applicant Comment	Office Use
	eliminate potential illicit practices.	
<p>6.4.2: Compliance with Federal and State laws require that a standard fish name:</p> <ul style="list-style-type: none"> • maintains or enhances the protection of public health and safety • provides adequate information to enable consumers to make informed choices • helps to prevent misleading or deceptive conduct • does not result in anti-competitive practices • does not facilitate unconscionable conduct • is consistent with applicable industry codes of conduct • protects consumers against unfair practices 	<p>The object of this application is to differentiate South American Flathead from all species of Australian Flathead. Currently, it is my belief that the current name is causing confusion and is being used to misrepresent Australian Flathead</p>	Complies
<p>6.4.3 Preferred names Preference will be given to:</p> <ul style="list-style-type: none"> • a name that has over-riding historical significance • a name that is internationally accepted • a regional name where the species is most commonly encountered/caught • a name commonly used in Australia • a name that has strong stakeholder support • a name used in recent mainstream field guides • a name that most effectively distinguishes a species from its closest relatives • a name that generally conforms to other members of the family or generic-level grouping • a name that facilitates market acceptability • a name that is simple, unambiguous, and easily readable. 	<p>This is an opportunity for industry (supply chain from importers through to consumers) to utilise the AFNS system/process to eliminate confusion. Discussion/debate should be open and transparent to solve this issue.</p>	Complies
<p>6.4.4 One name per species</p> <ul style="list-style-type: none"> • Requires that each species may be assigned a single, standard fish name, and no two species may have the same approved standard name. 	See info attached	Complies

Protocol	Applicant Comment	Office Use
<p>6.4.5 Group names: A group standard fish name:</p> <ul style="list-style-type: none"> • may cover multiple species in a particular scientific family or group of fish, and • may not be the same as a species' standard fish name, and • will follow internationally accepted names unless alternatives are well entrenched in Australian mainstream literature. 	See info attached	N/A
<p>6.4.6 Subspecies and hybrids</p> <ul style="list-style-type: none"> • Subspecies and hybrids will not generally be given a standard fish name. 	OK	N/A
<p>6.4.7 Structure of names</p> <ul style="list-style-type: none"> • Requires standard fish names to simplicity in names and structure (see protocols for full details). 	✓	Complies
<p>6.4.8 Scientific names</p> <ul style="list-style-type: none"> • If the scientific name of a species changes, the standard fish name should remain unaffected unless there is a good reason for change. • Generic or family scientific names may be used as standard fish. 	✓	N/A
<p>6.4.9 Other grammatical rules and exceptions: Standard fish names should adhere to the following:</p> <ul style="list-style-type: none"> • Use capital letters at the start of each word except directly following a hyphen • Abbreviated forms of words and combined words are preferred • Words that end in 'ate': For adjectives a 'd' is not required at the end of the word. For verbs a 'd' is required at the end of the word. • Combine words that: <u>precede</u> band, banded, bar, barred or blotched; or <u>follow</u> double, false or half; or <u>precede</u> line, lined, speckled, spine, spotted, streak or streaked. 	✓	Complies

Protocol	Applicant Comment	Office Use
<ul style="list-style-type: none"> • 'Margin' (a noun) is used if the type or colour of the margin is defined (e.g., 'Brownmargin Flathead') • 'Margined' (an adjective) is used if it is stand-alone (e.g., 'Margined Coralfish') • Multi is usually combined (e.g., 'Multispot Lanternfish') • 'Shorthead' is one word (e.g., 'Shorthead Lamprey') • 'Spangled' not 'spangle' (e.g., 'Spangled Emperor') 		

6. JUSTIFICATION AND CONSULTATION (APPLICANT TO COMPLETE)

<p>Justification: Summarise why the proposed SFN is required and its benefits</p>
<p>Confusion in the market place. My assumption is that the importers are doing the right thing. The problem lies with fish shops, cafés, hotels, pubs who are not promoting the “South America” aspect of the species. This means consumers are not obtaining the information to make an informed choice. Domestic fishers are at a disadvantage as the imported species is not what is generally known as Flathead. In order to be trusted by consumers the industry needs to understand that integrity and truth/transparency is essential.</p>
<p>Consultation: Summarise the responses of key stakeholder support (attach evidence)</p>
<p>Feedback was sought from dozens of industry stakeholders. The information circulated is copied below toward the end of this document (p. 10).</p> <p>Of the 38 organisations/individuals who responded, 33 were in favour of changing the name away from South American Flathead, 3 were in favour of retaining the current name, and two did not express an opinion either way.</p> <p>For privacy reasons, individual responses were sent to the Fish Names Committee but will not be made public.</p>
<p>Impact of Consultation: Summarise any key changes made as a consequence of consultation</p>
<p>There is strong support for this proposed change (87% of respondents were in favour) but no changes were required to the application based on the feedback. While several stakeholders suggested South American Lizardfish as the preferred name, it was decided to leave the selection of the most appropriate name to the Fish Names Committee.</p>

7. RELATED DOCUMENTS, EVIDENCE, WEBSITES

<https://www.themercury.com.au/news/opinion/flathead-aint-always-flathead/news-story/927ae35d94c732fc5cbca43e374c71a6>

<https://www.woolworths.com.au/shop/productdetails/682485/ocean-chef-south-american-flathead-fillets>

8. OTHER DETAILS

Do you want the FNC to consider granting interim approval for this application (Y/N)	N
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NOTE: Interim approval does not guarantee that an application will be approved and will only be granted if the application is deemed to be non-contentious at the time of submission.

The normal timeline for applications is

- 1 Application received and assessed by FNC Project Manager
- 2 Initial consideration by the Fish Names Committee to determine if the application conforms with the protocols and is approved/not approved for public consultation
- 3 Approved proposed amendment is circulated for public consultation (at least 60 days)
- 4 FNC meets to consider the application based on the responses received through public consultation
- 5 If successful, the proposed amendment is added to the Australian Fish Names Standard.

OFFICE USE

PROPOSED FNS ENTRY

CAAB Code	SFN	Scientific Name	Authority	Application No
FAMILY: Percophidae				
37393010	Barbel Duckbill	<i>Acanthaphritis barbata</i>	(Okamura & Kishida, 1963)	
37393012	Bigscale Duckbill	<i>Bembrops curvatura</i>	Okada & Suzuki, 1952	
37393003	Blotched Duckbill	<i>Chrionema chlorotaenia</i>	McKay, 1971	
37393008	Broad Duckbill	<i>Enigmapercis reducta</i>	Whitley, 1936	
37393014	Fourspot Duckbill	<i>Bembrops morelandi</i>	Nelson, 1978	
37393017	Narrow Duckbill	<i>Matsubaraea fusiforme</i>	(Fowler, 1943)	
37393011	Obtuse Duckbill	<i>Squamicroedia obtusa</i>	Rendahl, 1921	
37393001	Philippine Duckbill	<i>Bembrops philippinus</i>	Fowler, 1939	
37393005	Sharpnose Duckbill	<i>Bembrops filifera</i>	Gilbert, 1905	
37393015	Smallscale Duckbill	<i>Bembrops nelsoni</i>	Thompson & Suttkus, 2002	
37393016	Spotted Duckbill	<i>Bembrops platyrhynchus</i>	(Alcock, 1894)	
37393013	Tailspot Duckbill	<i>Bembrops caudimacula</i>	Steindachner, 1876	
37393007	Yellowspotted Duckbill	<i>Acanthaphritis ozawai</i>	(McKay, 1971)	
37393750	South American Flathead	<i>Percophis brasiliensis</i>	Quoy & Gaimard, 1825	
37393750	South American Duckbill	<i>Percophis brasiliensis</i>	Quoy & Gaimard, 1825	357

Current Application	Current application in FNC processes	Current Standard Names approved and in the Standard
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FNC REVIEW

FNC Pre-Assessment Review	
<p>It was noted that the applicant was not prescriptive re the preferred Standard Name, and that the Fish Names Committee will need to make that determination if approved for public consultation. A significant number of letters of support (or otherwise) were submitted with the application. The application met the requirements to proceed to an FNC meeting for consideration for public consultation.</p>	
IP AUSTRALIA SEARCH COMPLETED AND THERE ARE NO ISSUES	✓
FNC &/or Public Consultation Feedback (from any part of the process)	
<p>The Fish Names Committee (FNC) discussed the application at FNC45 on 10 September 2024.</p> <p>The history of this name was tabled for the FNC.</p> <p>Prior to the publication of the Australian Fish Names Standard, <i>Percophis brasiliensis</i> (family Percophidae) appeared on endorsed lists of marketing names for fish in Australia. After originally being listed as “Duckbill”, in 2002 the Seafood Importers Association of Australasia applied to the FNC to change the name to “South American Flathead”. Arguments used to support the change were (1) platypus is referred to as “duckbill” and (2) the product had been imported to Australia for the previous 27 years as “Flathead”.</p> <p>The technical assessment to the FNC included the fact that “flathead” had until then been reserved for members of the family Platycephalidae, and that confusion with these true flathead may result.</p> <p>The FNC approved the name change from Duckbill to South American Flathead.</p> <p>At FNC45, the Committee considered the options of South American Duckbill, South American Lizardfish and South American Sandfish. Given that “Lizardfish” and “Sandfish” are applied to other fish families, and that members of the Percophidae are known as “Duckbills” (note above that all Australian members of the family are listed as Duckbills on the Standard), the decision was made to advertise the name “South American Flathead” for public comment.</p> <p>Although the FNC has discussed this name several times based on correspondence received, there has not been an application to change the name until now.</p> <p>The FNC noted the significant stakeholder feedback received with this current application, along with documented examples from the applicant of this product being sold in Australia simply as “Flathead”, and looks forward to receiving formal feedback as part of the Public Consultation process.</p>	

FISHNAME RESPONSES RE CHANGE OF NAME FROM SOUTH AMERICAN FLATHEAD

In order to meet the Standard this is email was sent out far and wide – it had the application attached to it to ensure transparency.

Quote

I am contacting you to support an Application to change the name of South American Flathead to another name

I do not have a preference but am suggesting (in no particular order) a name change to one of these
South American (or Atlantic or Brazilian) Lizardfish
South American (or Atlantic or Brazilian) Duckbill
South American (or Atlantic or Brazilian) Sandfish
South American (or Atlantic or Brazilian) Perch

I suggest that the importers are not doing anything wrong currently in importing under the name of South American Flathead - that is the current correct Fish Name according to the Australian Fish Names Standard AS5300

BUT the problem is once the fish has been taken out of the bag/box then fish shops/cafes/restaurants/pubs/hotels etc are simply labelling as FLATHEAD and not mentioning the South American aspect of the name.

Consumers are therefore not being given the truth and do not have informed choice opportunity.

In order to make the Application to the Australian Fish Names Committee I need to have evidence that I have communicated with key stakeholders and have their feedback as part of my submission.

More info can be seen here

<https://www.dailytelegraph.com.au/news/nsw/cheap-aussie-fillets-are-a-little-fishy-most-flathead-comes-from-overseas/news-story/d55508ce2659a423ceefeb7b6779735a>

<https://www.themercury.com.au/news/opinion/flathead-aint-always-flathead/news-story/927ae35d94c732fc5cbca43e374c71a6>



[The Mercury](#)

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www.themercury.com.au

An example at the Supermarket

<https://www.woolworths.com.au/shop/productdetails/682485/ocean-chef-south-american-flathead-fillets>



[Ocean Chef South American Flathead Fillets 1kg | Woolworths](#)

Check out ocean chef south american flathead fillets 1kg at woolworths.com.au. Order 24/7 at our online supermarket

www.woolworths.com.au

Your input is invaluable so please read the attached and let me know your comments promptly
Please note to do nothing means nothing will change. I'm fine with that but do not complain about the outcome

Please feel free to pass this on

Yours truly

[Redacted signature]

Unquote