

25 September 2026

TO: **Chief Director Fisheries Research & Development**
Dr Kim Prochazka

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COPIED TO: **Minister of Department of Forestry, Fisheries and the Environment**
Honourable Minister David Maynier

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AND TO: **Deputy Director-General: Fisheries Management (Acting)**
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AND TO: **Deputy Director for Administration and Coordination in the Fisheries Management**
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Dear Dr Prochazka

RE: URGENT PILCHARD HERPESVIRUS SARDINE MORTALITY EVENT AND MEASURES TAKEN BY THE DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT (THE “DEPARTMENT”)

1. We refer to our letter dated 28 August 2026, and the Department’s response dated 10 September 2026 (reference MCE276792, signed by Mr C.E. Liebenberg, Acting Deputy Director-General: Fisheries Management) (“**the Department’s letter**”).
2. In addition, we note the Department’s media statement of 13 September 2026 titled “No further sardine mortality reports as PHV investigation and precautionary responses continues” (the “**13 September statement**”)¹ and further media reports, including in the Daily Maverick² on 15 September 2026 and Moneyweb³ on 21 September 2026.
3. Our previous correspondence conveyed our concerns about the PHV outbreak amongst sardine stock and requested the Minister’s confirmation of the steps he was taking in response. Since then, the geographic scale of the mortality event widened considerably, with reports of mortalities reaching as far as Port St John’s (in the Eastern Cape) and on the coast of Namibia (a span of approximately 2 600km of coastline).
4. We welcome the Department’s record in the 13 September statement that no further reports of dead or dying sardines have been received since 3 September 2026 and that no strandings have been reported along the KwaZulu-Natal coast, with the Department’s acknowledgement that the event cannot yet be regarded as concluded.
5. We note that the Department’s 10 September letter refers to the 4 September meeting of the SWG-PEL in the future tense and therefore regrettably does not address the developments following and flowing from that meeting. However, the Department’s response to our letter makes various important points that are worth underlining. In particular, the Department acknowledges the following:
 - 5.1. The mortality event is ongoing.⁴
 - 5.2. The situation is serious and the potential consequences of the mortality event are unknown.⁵
 - 5.3. The full extent and population-level consequences of the event cannot yet be determined.⁶
 - 5.4. A biomass survey is crucial to determine the magnitude of the impact.⁷

¹ Found at: <https://www.gov.za/news/media-statements/forestry-fisheries-and-environment-continues-investigate-widespread-sardine>.

² Found at: [DFFE limits catches to 25% while sardine die-off impact uncertain](#).

³ Found at: [No renewed widespread sardine deaths as govt scrambles for answers - Moneyweb](#)

⁴ DFFE letter dated 10 September 2026, at para 1 on page 1.

⁵ DFFE letter dated 10 September 2026, at para 2 on page 1.

⁶ DFFE letter dated 10 September 2026, at para 1 on page 2.

⁷ DFFE letter dated 10 September 2026, at para 1 on page 2.

- 5.5. There are potential implications for species that depend on small pelagic fish and potential consequences for fisheries and fishing-dependent communities, which are considerations that form part of the broader ecosystem and socioeconomic context.⁸
- 5.6. This is traditionally a relatively quiet period for industry and there is not a high level of fishing activity on small pelagic species.⁹
6. In terms of the Department's 13 September 2026 media statement, the statement makes various important points that are worth underlining. In particular, the Department acknowledges the following:
 - 6.1. Having "*considered all available scientific information, including diagnostic results, mortality observations and estimates, observer information and fishing data [, p]reliminary mortality estimates are scenario-based and highly uncertain..... There is also no reliable estimate of the number of fish that may have sunk to the seabed*";
 - 6.2. "*Although the magnitude of the mortality remains uncertain, the available evidence did not indicate that it had caused a sufficiently large reduction in the sardine population to warrant a complete closure of the fishery.*"; and
 - 6.3. "*The SWG-PEL nevertheless recommended a temporary precautionary limitation on catches while further information is obtained. The DFFE has decided to implement the recommendations by the SWG-PEL.*"
7. The 13 September statement did not indicate the terms of that "temporary precautionary limitation on catches". However, the aforementioned media reports relay that "Sardine fishing will be limited to 25% of the remaining 2026 quotas until 2 October"¹⁰ and "The measure applies west and east of Cape Agulhas".¹¹
8. It is unfortunate that the Department did not take the public into its confidence post the 4 September meeting as to the terms of the measure taken. However, leaving that aside for now, we are to some extent encouraged by the fact that some measure is now in place.
9. We however remain deeply concerned that the measure adopted by the Department is disproportionate and inadequate, and therefore does not fulfil the demand of the precautionary requirement. We respectfully submit that the proportionate precautionary measure demanded by the circumstances is a temporary closure of the fishery until a biomass survey has been conducted and a scientifically-informed decision is capable of being made regarding the amount of sardine that may be fished by industry.
10. In making this submission, we draw attention to the following:
 - 10.1. The 13 September statement states that "*the magnitude of the mortality remains uncertain*" followed by "*the available evidence did not indicate that it had caused a sufficiently large reduction in the sardine population*". These statements are inherently contradictory and opaque. If there is

⁸ DFFE letter dated 10 September 2026, at para 6 on page 2.

⁹ DFFE letter dated 10 September 2026, at para 7 on page 2.

¹⁰ Daily Maverick, 15 September

¹¹ Moneyweb, 21 September

no certainty about the magnitude of the mortality, it begs the question, what evidence was relied on to determine that there has not been a “sufficiently large reduction”?

- 10.2. Prior to the PHV event, the 2025 biomass survey (conducted belatedly in March/April 2026) determined the sardine population, particularly on the South Coast, to still be below the long-term average.¹² This means, prior to the PHV event, the sardine population was already not on steady footing.
- 10.3. The Department acknowledges that, until a biomass survey is conducted, the sardine population is unknowable.
11. In these circumstances, we submit that a limitation on catches, when the number of sardine that survived the outbreak is unknown, is not a precautionary approach. Knowing how much of the population is left is fundamental to decisions about the sustainability or otherwise of continued fishing.
12. In juxtaposition:
- 12.1. The Department has stated that this is a “relatively quiet period” for fishing.¹³ In the circumstances, the impact of a temporary closure of the fishery on industry would be relatively low.; and
- 12.2. There has been “fresh sardine stranding near Mbotyi on the northern Wild Coast last week.”¹⁴
13. A risk-averse and cautious approach is mandatory.¹⁵ We submit that in the above circumstances, the Department does not have a discretion to wait for better information to become available through its next biomass survey. It is *required* to act now and ensure against a collapse of the sardine population, which will have implications for species that depend on small pelagic fish and consequences for fisheries and fishing-dependent communities – for current and future generations.
14. Given the urgency set out in our correspondence of 28 August 2026, the events since the Department’s decision to follow the SWG-PEL’s recommendation, and our submissions herein, we urge the Minister and the Department, urgently, to reconsider the approach set out in the 13 September statement and, instead, temporarily close the fishery pending the biomass survey being conducted and a scientifically-informed decision being made regarding the amount of sardine that may be fished by industry.
15. In the interim, we ask the Department to provide us with the following by **30 September 2026**:
- 15.1. the SWG-PEL’s written recommendation (including the reasons given and how consensus was engaged) of 4 September 2026;
- 15.2. the Department’s decision to adopt the SWG-PEL’s recommendation and its reasons for doing so (as reflected in the 13 September media statement);

¹² FISHERIES_2026_APRIL_SWG-PEL_15 survey results: “*the sardine biomass west of Cape Agulhas is above both the long-term and most recent 5 year average, while on the South Coast, the sardine biomass remains below both the long-term and most recent 5 year average.*”. The Survey contains a caveat that, because the survey was conducted at the wrong time of year (not in October/November), there is a high CV and the estimates have not been corrected or adjusted for the incorrect timing. This increases the level of uncertainty in knowing the population levels dramatically.

¹³ DFFE letter dated 10 September 2026, at para 7 on page 2.

¹⁴ Moneyweb, 21 September

¹⁵ *WWF South Africa v Minister of Agriculture, Forestry and Fisheries and Others* 2019 (2) SA 403 (WCC).

- 15.3. the communication of the decision to the fishing industry and other interested and affected parties.
16. In addition, given the public importance of the sardine resource and the ongoing nature of the PHV event, we request the Department's undertaking that any further decision concerning the management of the PHV event, including any decision regarding the catch limitation reported to lapse on 2 October 2026, will be published in full at the time it is made, together with the reasons for that decision and the scientific advice on which it is based.
17. We look forward to your earliest reply.

Yours faithfully,



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***Per* Tabitha Paine**

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