# Ontario judge rules Toronto's shark fin ban invalid

[CBC News](http://www.cbc.ca/news/cbc-news-online-news-staff-list-1.1294364) Posted: Dec 01, 2012 11:10 AM ET

Shark fins may be back on the menu in Toronto.

Ontario Superior Court Judge James Spence has ruled that Toronto's ban on the sale of shark fins and other such products is not valid.

Spence said that the city does not have the power to enforce such a ban.

Some members of the Chinese business community had challenged the ban after city council [passed a bylaw in September](http://www.cbc.ca/news/canada/toronto/story/2011/10/25/shark-fin-ban-vote.html) that banned the sale of shark fin products for environmental and health reasons.

It passed by a vote of 38 to four.

Shark fins are sometimes used in soup at traditional Chinese weddings. It is a delicacy that can cost up to $100 per bowl.

Those who support the ban have said sharks are slaughtered inhumanely just for their fins, or often left in the ocean alive without their fin.

But others argue they're killed humanely and that the meal is a traditional dish.

'Good for business'

Tonny Louie, chair of Toronto's Chinatown business improvement area, said he wants more evidence on the harms of shark finning before a ban is put into place.

"Of all the banning of any kind of ethnic items, this is the first, and it's done without any kind of thorough study," Louie said. "It is done without complete thoughts about how it can be enforced."

Now that the bylaw is no longer valid, some store owners are hoping to sell shark fins again.

"This is good for business," said Albert Lam, manager of the restaurant Gold Diamond. "Some people really like shark fin."

Glenn De Baeremaeker, one of the city councillors who put forward the motion to ban shark products, said the judge was wrong.

"Shark finning is a barbaric practice and it has to stop," he said. "We did the right thing banning it [and] the judge simply was wrong. What we do in Toronto affects people around the world and species around the world. We have to take action in the city of Toronto."

Mayor Rob Ford had argued in September before the vote that he did not believe the ban on the sale of shark fins was the city's responsibility and that he therefore would not support the motion.

# Private member's bill pushing shark fin import ban fails (CANADA)

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A proposed ban on the importation of shark fins into Canada died in the House of Commons Wednesday, but even before the vote, merchants in Ottawa said the controversial product may disappear regardless of legislation, as demand declines.

The demand for shark fins comes for shark fin soup, a traditional Chinese dish, but Canada is a small player in the market, importing about 50 tonnes of shark fins every year.

The product is controversial because of the practice of shark finning, which involves removing the fin from a living shark and then tossing its body back into the ocean to die. While shark finning is already illegal in Canadian waters, there is no law to prevent importation.

Fin Donnelly, the NDP's fisheries and oceans critic, had proposed a ban on the importation of shark fin, but it was defeated in second reading Wednesday night by a vote of 138 for and 143 against.

### Consumer demand declining

But restaurateurs say consumers are already reducing the product to a niche item.

Ottawa's Sea King Shark Fin restaurant says it will use the fins it has in stock and won't replace them.

At Yangtze, Ottawa's biggest Chinese restaurant, shark fin came off the menu 18 months ago, according to manager Kim Ng.

"If people specifically request it then we'll bring it in, but it hasn't happened in a while," said Ng. "A lot of them are turned off by the way the shark is caught and how it's finned and all that, so they're choosing alternate soups for their occasion."

"It's the older generation that prefer the shark fin soup," said Ng. "The younger generation including the generation before, if they ban it, not a big loss for us."

**Article Questions:**

1. Is it illegal to sell shark fin soup in Ontario? \_\_\_\_\_\_\_\_\_
2. How many tonnes of shark fin are brought into Canada each year? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
3. Is this amount increasing or decreasing? Explain why.
4. The Chinese ‘community’ in Toronto is divided on the topic of shark fin. Who is more likely to prefer shark fin soup? Who is less likely to prefer shark fin soup? Explain why.