

MSC - Marine Stewardship Council

Medium changes to the CR and GCR



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FOR INFORMATION

Purpose

To provide an update of the “medium” changes to the MSC Certification Requirements (CR) and Guidance to MSC Certification Requirements (GCR) that will be incorporated to the CR V1.3 released 14th January, 2013

Background

Proposed changes to the CR are classified as ‘minor,’ ‘medium’ and ‘major (TAB) as follows:

Minor: These changes do not involve changes to the requirements. Minor changes could be needed to amend wrong referencing, typos, changes in format, etc. Changes to address minor issues do not go through the full MSC Policy Development Process and are not tracked in the CR.

Medium: These changes may require either clarification to the current requirements, development of guidance, or changes to the requirements, but as a result of accidentally changing the requirement when transitioning to the new CR.

There are three categories of medium changes:

1. **Clarification:** These changes involve clarifications to existing requirements rather than a change to the requirements.
2. **Transition:** In the new CR the expectation of the old requirements was changed.
3. **New:** Small requirements added, as a result of the Credibility Working Group or TAB Working Group meetings

Only the “new” changes are tracked in the CR.

Major (TAB changes): These issues almost always involve substantive changes to the requirements or are issues with high stakeholder attention. These changes are follow the full MSC policy development process and detailed information can be found at <http://improvements.msc.org/database>

Detailed information about medium issues can be found:

[Table 1: Fisheries issues](#)

[Table 2: General requirements issues](#)

[Table 3: Use of the RBF issues](#)

[Table 4: CoC issues](#)

Table 1: Fisheries issues

	Section	Issue Description	Proposed change	Type of change
1	Vocabulary	In the MSC Vocabulary (Annex AA), the definition associated with the term 'Unit of Certification' is slightly misleading because it implies that it defines what is certified, however that's not the case.	Annex AA (changes in <i>italics</i>) Unit of certification The target stock(s) combined with the fishing method/gear and practice (including vessel/s) pursuing that stock. <i>When the term "unit of certification" is used for fisheries that are in assessment, it refers to the "unit of assessment" or "unit of potential certification". Note that other eligible fishers may be included in some units of certification but not initially certified (until covered by a certificate sharing arrangement).</i>	Clarification
2	Site Visit	In CR 27.9 it is not explicitly clear that a CAB has to submit a site visit announcement to the MSC to post on MSC website. It's very clear in other sections (e.g. 27.7.1) that announcements are needed & must be posted. ASI and the MSC executive need to be aware of any upcoming site visits and they get this information from the MSC website, so it is important that the CAB submit a site visit announcement on the MSC website as one of their media outlets. In addition, the text of 27.9.1 and 27.9.2 is very similar so these two clauses can be merged.	Alter text to state (changes in <i>italics</i>): 27.9.1 No fewer than thirty days before the first day of the first on-site visit, the CAB shall <i>announce the assessment and invite stakeholders to participate in the assessment process, including by submitting an announcement for posting on the MSC website and by posting the announcement in one or more other media outlets that the CAB determines are the best way to reach stakeholders.</i> 27.9.1.1 <i>CABs shall ensure that those stakeholders identified in the pre-assessment report are invited to participate in the assessment process.</i> (delete current 27.9.2) 27.22.4.3 Notifying stakeholders and the MSC of the surveillance level, time, place and scope of the audit and who will conduct it, <i>including via submitting this information for posting on the MSC website.</i>	Clarification
3	Consultation req.	CR 24.3.2 is not clear. It currently reads "the CAB shall send...within 4	Change to read (changes in <i>italics</i>): 24.3.2 CABs shall send a copy	Clarification

		days of the start of each consultation period, ‘but it is not clear if the 4 days refers to before or after the consultation starts. The expectation is that the CAB sends the copy of the announcement to identified stakeholders within four days after the start of the consultation period. This needs to be reflected in the text.	of a consultation announcement to all identified stakeholders <i>not longer than four days after</i> the start of each consultation period.	
4	Setting conditions	27.11.1.1 Currently reads “The CAB shall ensure that every PI that receives a score of less than 80 has a condition associated with it.” The intent with this requirement was that each <80 PI is assigned its own distinct condition.	Amend 27.11.1.1 to read (changes in italics): "The CAB shall ensure that every PI that receives a score of less than 80 has <i>its own distinct</i> condition associated with it." Also it is suggested that guidance is added to the GCR to explain how this works when the same action plan covers more than one PI—i.e. each PI must still have its own condition.	Transition
5	Annex CB information PIs (retained bycatch)	Tables CB10 (PI2.1.3) and CB13 (PI2.2.3) refer to the term "comprehensive strategy" in scoring issue c at the SG 100 level, which is not consistent with the use of "strategy" in PIs 2.1.2 and 2.2.2 and elsewhere in tree. The term “comprehensive strategy” only applies to ETP PIs. The text of tables CB10 and CB13 needs to be amended to remove any reference to “comprehensive strategy” at the SG100 level.	Amend Table CB10 (2.1.3) c SG100 to read (changes in strikethrough): Information is adequate to support a comprehensive strategy to manage retained species, and evaluate with a high degree of certainty whether the strategy is achieving its objective. Amend Table CB10 (2.2.3) c SG100 to read (changes in strikethrough): Information is adequate to support a comprehensive strategy to manage bycatch, and evaluate with a high degree of certainty whether a strategy is achieving its objective.	Clarification
6	Scoring the fishery	CR 27.10.5.1i currently reads “Team shall not assign scores of less than 60 for a PI, but shall record their rationale for scoring less than 60 in a narrative form.” This requirement lacks clarity	Change CR27.10.5.1 i to read (changes in italics) “Teams shall not assign a <i>numeric</i> score of less than 60 for a PI, but <i>they</i> shall record their rationale <i>for determining that the PI</i> is less than 60 in narrative form”	Clarification

		as it states that team “shall not assign scores of less than 60” but also states “shall record their rationale for scoring less than 60”.		
7	Reporting issues	27.13.2.3 – Currently reads “A period of up to thirty days shall be made available after receipt of the draft report for the client to consider the report and respond to it” This requirement specifies that up to 30 days will be made available for the client to consider the report, but this is not enforceable. If the client does not respond then they adversely affect their own timeline, but it’s up to them if they wish to do this. Having a limited time period of up to 30 days ensures that if the client takes longer than 30 days to review the report, the CAB can continue the assessment. Leave CR as is and add statement to guidance clarifying that if the client response is received before the 30 days is up, the CAB can continue to the next step without waiting for the full 30 day period to elapse.	Keep CR text as is. Add the following to the GCR (new GCR clause): G27.13.1 Guidance to Part C clause 27.13.2.3 A period of up to thirty days is available for the client to consider the report and respond to it, but if the client response is received before the end of the thirty day period, the CAB can move on to CR 27.13.3 without waiting for the full thirty days to elapse.	Clarification
8	Flow charts	Annex CA contains different flowcharts about the certification process. However, there is no flow chart with the timelines of the process, e.g. requirement to announce of assessment tree, assessment team	A draft figure has been developed specifying the steps and timelines of the certification process. This draft flow chart can be found in Appendix 1. This flowchart will be added to the GCR, in a new section GCA.	Clarification:
9	Public comment draft report	27.15.3.3 Currently reads: Explicit responses from the team to submissions described in 27.15.3.1 and 27.15.3.2. Sub-requirement (a.) Currently reads ‘The	Change wording of 27.15.3.3 a. to read (entirely replaces old text): <i>a. The CAB shall identify specifically what (if any) changes to scoring, rationales, or conditions have been made;</i>	Transition

		<p>CAB shall have sent these responses (responses to stakeholder comments on stakeholder consultation phases) to the stakeholders prior to their publication in the PCDR.’ This is not the expectation agreed in November 2010 by TAB Directive 29 (v2), which states that CBs shall include all written submissions...together with written responses of the assessment team that identify:</p> <p>a. specifically what (if any) changes to scoring, rationales, or conditions have been made; and</p> <p>b. where changes are suggested but no change is made, a substantiated justification.</p>	<p><i>and where changes are suggested but no change is made, a substantiated justification.</i></p>	
12	Reference points	<p>GCB 2.3.4 (guidance) Reads “The team shall not accept the fishery using a government reference point if the team does not consider that it meets the requirements of an MSC assessment” This is clearly phrased as a requirement; however it is in the guidance. An alternative option would be for the guidance to contain examples or explanations for cases where reference points are considered not to meet the requirements of an MSC assessment.</p>	<p>This guidance is not clear and does not appear to assist CABs in scoring the fishery in any way. It is proposed that the clause be deleted from the GCR.</p>	Transition
13	Submitting info/data to ecert	<p>The requirements from the superseded Policy Advisory 16 for CABs to make all information and data submitted as part of the fishery assessment and fishery surveillance process through the E-Cert fisheries database (referred to in the CR as</p>	<p>Insert new clause: <i>C24.1.3 For information and data submitted as part of the fishery assessment and fishery surveillance process, CABs shall make all submissions through the MSC database.</i></p>	Transition

		the 'MSC database') was not transitioned to the CR. Suggest adding in section 24.1 on 'Submission of Reports, Data and Requests to MSC and Publication of Reports by MSC'.		
16	Deadlines timing	Previously FAMs have suggested to CABs that a 5pm GMT closing time deadline should be used for fishery announcements and stakeholder feedback deadlines. This needs to be clarified in the CR so all CABs are aware of this deadline and can comply with it.	Add: 24.3.7 Except where otherwise required, the CAB shall specify in their consultation announcements a deadline for the receipt of information or feedback from stakeholders of 5pm GMT on the last day of the consultation period.	New

Table 2: Medium changes related to the General Requirements section

	Section	Issue Description	Proposed change	Type of change
17	Request for approvals, variations & exemptions (AVEs)	Section A4.12 and sections of B & C – are not used consistently throughout the CR.	Change references in the CR to 'approvals' and 'exemptions' to 'variations' and refer to section 4.12 on the procedure for requesting a variation to the CR.	Clarification
19	Certificate withdrawn	What happens to certificate holders if CAB accreditation is withdrawn (i.e. 2nd half of TAB 19 3.1.1, 3.2.2) - would be good to have a note pointing readers to 4.11.7/8	No amendment to the CR is suggested. Add in guidance: G4.2 If a Certificate Holder's CAB has its accreditation withdrawn, they can transfer to another CAB as outlined in 4.11.7	Clarification
20	Publishing ASI reports	A review was undertaken on the consistency of the MSC standard with FAO Guidelines for Ecolabelling in Wild Capture Fisheries (Ahold study). The FAO Guidelines endorse transparency and accessibility of audit reports: "121. The certification body may receive external audits on relevant aspects. The results of the audits	The addition of text in CR 4.1 will allow ASI to publish witness audits they have agreed with CABs and respecting client confidentiality. The addition to the GCR will outline the FAO requirement as reason for change and where the change was agreed (as per DA). Further work will be undertaken by ASI to implement this, so the change to the CR is the first step. New criteria in section 4.1 (Requirements of	New

		<p>should be accessible by the public.” The MSC do not currently require the audit information undertaken by the accreditation body ASI to be published on their website, and this non publication is inconsistent with FAO Guidelines.</p> <p>In order to improve transparency for stakeholders, improve credibility through ensuring rigour of assessments, and ensure consistency with FAO Guidelines, it was decided at the Credibility Working Group in April 2012 to include a requirement in the next version of the CR to allow ASI to publish a summary of each ASI fishery witness audit, and from 2014, each CoC audit. Both ASI and CABs had opportunities to provide feedback on this issue. Meetings were held with ASI, who also produced a paper highlighting the pros and cons of publishing witness audits, and a consultation was held with CABs on this and other CWG-related topics.</p>	<p>accreditation)</p> <p>4.8 (Contract) 4.8.10 The CAB shall have procedures in place that ensure that applicants for certification are fully informed of, and have contractually agreed in writing to: a) ASI's right to publish on their website ASI-CAB witness audit reports*</p> <p>(*waived for CoC witness audits until 2014)</p> <p>GCR:</p> <p>The FAO Guidelines for Ecolabelling in Wild Capture Fisheries endorse transparency and accessibility of audit reports: “121. The certification body may receive external audits on relevant aspects. The results of the audits should be accessible by the public.”</p> <p>The MSC Credibility Working Group decided in April 2012 to include a requirement in the next version of the Certification Requirements to allow ASI to publish a summary of each ASI fishery witness audit, and from 2014, each Chain of Custody audit.</p>	
21	Suspension	7.4.5.1. Currently reads “Record the suspension on the MSC database”. It is not clear that record on the database means the record will be published on the website.	Amend CR7.4.5.1 to read (changes in italics): “Record the suspension on the MSC database <i>and provide an announcement for posting on the MSC website.</i> ”	Transition
22	Stakeholder survey	As part of the CWG it was agreed to proceed with the stakeholder survey. A new requirement will be in specifying when and what information should be provided.	Insert new clause: Part A 4.7.2 CABs shall submit to the MSC a copy of the full contact details for all participating clients and stakeholders, in order for MSC to distribute the client/stakeholder experience exit survey, within ten days	New

			from the date the certificate is issued.	
23	Definitions	The definitions 'Suspension in part' and 'suspension in whole' are not being used.	Recommend to remove these two definitions	New
24	Information on Certificates	7.5.1.1 The CAB shall issue a certificate...shall contain the MSC ecolabels. 7.5.4 The CAB certificate shall include...the MSC ecolabels. There is a repeat statement that the MSC Ecolabel shall be added to the certificate- in 7.5.1.1 and 7.5.4.4. Change 7.5.1.1 text to that belonging to 7.5.4.4, and then delete 7.5.4.4	7.5.1.1 to read "The MSC ecolabel version 2009 or latest published version, in conformity to MSC I ecolabel license requirements." & Delete 7.5.4.4	Transition
33	General audit planning	7.2.1 Currently reads "The CAB shall provide a plan for evaluation activities (ISO Guide 65 9.2) to all personnel involved in an assessment or audit prior to commencing work. The plan shall: 7.2.1.1 Be individually tailored for each fisheries assessment and if the CAB feels it is required, for a CoC audit." What does "feels" mean?	Recommend change in wording to: 7.2.1 The CAB shall provide a plan for CoC or fishery evaluation activities to all personnel involved in an assessment or audit prior to commencing work. 7.2.1.1 For fishery assessments this plan shall be individually tailored to each assessment.	New
25	Guidance requirements for accreditation	G4.1.1 Currently reads "If a CAB believes that recognition of certificates issued by another CAB is not warranted, they should write to ASI detailing the case-specific circumstances.	CR 4.1.4 If a CAB believes that recognition of certificates issued by another CAB is not warranted, they should write to ASI detailing the case-specific circumstances.	Transition

Table 3: Medium changes related to the use of the RBF

	Section	Issue Description	Proposed change	Type of change
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26.	Applying RBF -information gathering and preparation-	CC2.1.3c Currently reads: Hazards to be considered shall include additional identified hazards as appropriate and where identified included in the SICA scoring templates. The wording is unclear.	Change to read “Hazards to be considered shall include additional identified hazards as appropriate. Then add a new requirement below: 'CC2.1.4: The team shall add the identified hazards that are not predefined in Tables CC3 to 7 to the predefined list in the Tables'	Clarification
27	Conducting a PSA	In FAM V2, the following requirement was included: 4.4.2 Although the above equation will result in very precise MSC equivalent scores, these shall be rounded to the nearest whole number. This does not appear in Annex CC or the associated guidance.	Add the following to the CR: CC2.4.4.2 The team shall round the MSC score resulting from the PSA conversion to the nearest whole number.	Transition
28	Conducting a PSA	CC2.4.0 Currently, there is no requirement that a rationale needs to be provided for the results of the PSA analysis in an RBF assessment. This should be included under every step of the PSA methodology to ensure the good reporting on the process for undertaking a PSA analysis is included in the reports.	Under every step of the PSA analysis, include the following requirement: CC2.4.0.5 The score for each component of the PSA shall be recorded in the MSC PSA Worksheet for RBF, and the rationale for each component documented.	New
29	Introduction to RBF	Table CC1: The table is called ‘Restrictions on the use of the RBF’, but the table does not include details of all of the restrictions. Table needs to be updated to include all restrictions for all PIs affected by the RBF.	Table has been updated and includes changes to scoring Information PIs when using the RBF in assessment.	Clarification
30	RBF P2	CB3.7.2, CB3.10.2: Currently reads if the RBF is applied in scoring 2.1.1 the scoring issues in brackets are not scored.	To include requirements around how to score a P2 PI when there is data to assess some species using the standard assessment method, and others using the RBF.	New

		<p>There have been assessments where there is sufficient information available to assess some P2 scoring elements using the standard assessment method, but insufficient information to assess other scoring elements.</p> <p>Currently, there is no requirement or guidance about how to score the fishery in such circumstances, this needs to be included for future situations.</p>	<p>It is proposed that the following additions to the CR be made: "27.8.8.2 When triggering the RBF, the available information of each known scoring element within the fishery needs to be considered. For those scoring elements for which the impact of the fishery in assessment can be quantitatively determined, use the default PISGs within Annex CB for this PI. Where the impact of the fishery on the scoring element cannot be analytically determined, use Annex CC (RBF).</p> <p>The RBF methodology is followed as normal for all scoring elements which are data-deficient.</p> <p>Use Table CC18 to determine the final score considering all scoring elements MSC scores.</p>	
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Table 4: Medium changes related to Chain of Custody Section

	Section	Issue Description	Proposed change	Type of change
32	Audit planning	<p>17.3.1.1a and 17.3.1.2 contradict. One requires them to <u>give a CoC</u> code the other says they may assign one (but not necessarily give it to the client).</p> <p>This clause requires the certifier to provide a CoC Code to the company at the point which they plan the audit, rather than just assigning a code within the database. Without this clause the client will get the CoC Code at the point when they are issued with their certificate. There is no</p>	<p>If a company needs to e.g. design packaging in advance of certification they should be able to get the relevant number from their certifier, however it is not essential they provide this in all cases.</p> <p>Change as follows: 17.3.1.2. Assign the applicant an MSC CoC code in the MSC database</p> <p>Move 17.3.1.1a to guidance and change as follows: G17.3.1.2 The CAB may give the applicant their assigned MSC CoC certification Code at this stage or at any stage upon request.</p>	Clarification

		clear reason why the code is always needed by the client at the stage when the CAB is planning the audit.		
33	Audit planning	17.3.3.3 Currently reads “ The CAB shall always perform an on-site visit where product is processed or transformed by a subcontractors” Need to specify this clause applies only where the subcontractor doesn’t have an own COC certificate. Subcontractors with their own valid CoC for the subcontracted activities do not need to have an on-site visit	Change 17.3.3.3 text to: "Unless 17.2.5.1.a applies, the CAB shall always perform an on-site visit where product is processed or transformed by a subcontractor that has no COC certification	Clarification
34	Certification decision	17.6 The section of the Certification decision. Guidance may needed in this section as for whether where the findings of the auditors need to be recorded (same applies to surveillance)	In guidance, add “This means that the audit report details the findings of the audit and includes the CABs decision on the outcome - independent of the individual auditor”	Clarification
35	Certification Decision	Section 17.6 It is not specified that the CAB shall upload an audit report onto eCert. Only specified for surveillance audits (17.8.8.3)	Add to clause: 17.6.5 'The CAB shall record the details of the certification of the client, including uploading the audit report and certificate on to the MSC database, within ten days of the certification decision.'	Clarification
36	Information on Certificates	Clause 7.5.6 currently reads "If the client has been assessed for under-MSA-assessment fish, a separate schedule shall be issued for under-MSA-assessment fish. The separate schedule shall contain the following information..." This clause relates to the information needed in the schedule. However, clause	Clause 7.5.6.7 should be moved to a new section in 17.2.3.2 that relates to verification of under MSA assessment.	Clarification

		<p>7.5.6.7 (See below) does not relate to recording information on the certificate (7.5.6) but rather how to validate under-assessment-fish.</p> <p>7.5.6.7 “A CAB may list a fishery under-MSC-assessment on a certificate holder’s under-MSC-assessment schedule, provided that...”</p>		
37	Information on Certificates	<p>7.5.5 Currently reads “The CAB’s CoC certificates may include the address of the client’s other office(s) if these differ from the site where the main audit activity took place.</p> <p>7.5.5.1 If additional addresses are listed, the main activity performed at this(ese) address(es) shall be noted on the certificate to avoid confusion with the address where the main activity, that was considered in the chain of custody audit taken place</p>	<p><u>Delete the requirement 7.5.5</u> and change it to a guidance note: G7.5 The CAB’s CoC certificates could include the address of the client’s other office(s) if these differ from the site where the main audit activity took place.</p>	Clarification
38	Suspension	<p>We have accidentally omitted the 6 month suspension period in the case of systematic and deliberate substitution of MSC with non MSC certified fish during the previous review. This has to go back in.</p>	<p>Except for clause 7.4.4A.1 this content has all been taken from the TAB directive 16 version 2 which was accidentally omitted. New clauses developed</p>	Transition
39	Suspension	<p>4.2.4.1f Currently states “this may require a certificate holder to be involved in on-going partial or full re audit. It is unclear what this means, therefore guidance is needed.</p>	<p>Add GR4.2 "partial audits may refer to audits which are specifically focused on the area of non-conformance which resulted in the suspension. So for example if they were not correctly identifying MSC certified products so non-MSC could be sold as MSC have they implemented clearer</p>	Clarification

			identification."	
41	Suspension	G.7.4.10 Currently reads "the CAB should consider the level of intent and or how systematically the integrity of the supply chain has been compromised	This is a requirement and should be move to the CR (see A7.4.4)	Transition
42	Annex BD	7.1.1.2 Currently reads "Any time that a copy of the MSC Chain of Custody Standard is distributed to any individual...the CAB shall attach a copy of Annex BD". Several CABs have stated that sending a link from the MSC website where Annex BD can be found would be more appropriate because it will always be the latest and most up-to-date version.	Change 7.1.1.2 to "Any time that a copy of the MSC Chain of Custody Standard is distributed to any individual or organization, the CAB shall attach a copy of Annex BD or provide the link to the MSC website page containing Annex BD"	Clarification
44	Annex BE	The requirements are not clear that a CAB cannot issue an ASC COC certificate based on an already existing MSC COC certificate that was issued by a different CAB.	Create clause BE1.1.1 - The CAB shall not process an extension of scope for a Chain of Custody certificate holder with a Chain of Custody certificate issued from another CAB* *Guidance: Where a COC holder has COC for MSC with one CAB he cannot ask a different CAB to extend COC for ASC. In this way the same CAB is responsible for COC for MSC and COC for ASC.	Clarification
45	Annex BD	If a certificate holder company changes their MSC contact person with the CAB, the CAB may not be informed which will lead to non-compliance issues if the new contact does not understand their responsibilities.	Add BD1.2.4 The certificate holder shall report to the CAB any change in their contact person for MSC audits.	New

49	Annex BB Group Chain of Custody	Table BB1: Sample plan allocation. Risk Factor 7: "Seafood purchasing" would benefit from some guidance as feedback that many groups, especially in foodservice, reduce risk by using centrally controlled supplier lists). Provide examples of points 7a, b, c for guidance document.	Add guidance to Table BB1 c Purchasing from suppliers is managed by the group entity (central buying list or a centrally approved list of products and suppliers for sites to use)"	New
50	Annex BB Group Chain of Custody	Table BB1: Sample plan allocation. Risk factor 6 "Country of operation ranking on Transparency..." is not the correct term and also the weblink is not working	Replace with "Country of operation score on Transparency International's latest corruption perception index (for latest scores see http://cpi.transparency.org) Please refer to the latest year's CPI Score"	Clarification
52	Annex BB Group Chain of Custody	BB8.2.1 Currently reads 'The CAB shall require the group entity to notify it in writing of the addition of up to 10% of the number of sites present at the last certification audit in any one year.' It is not clear if this means the last audit or the initial or re-certification audit. The most recent audit is the intention	BB8.2.1 change to read: 'The CAB shall require the group entity to notify it in writing of the addition of up to 10% of the number of sites present at the most recent audit.'	Clarification
53	Glossary	Within the CR the term 'audit schedule' and 'audit plan' are used inconsistently (7.2.2.2). See also ISO 19011 6.4.1-audit plan "3.12 audit plan description of the activities and arrangements for an audit (3.1)"	Add "Audit Plan/Planning" to AA glossary. Check use of both terms in the CR. 7.2.2.2. Suggest change work schedule to audit plan."	Clarification
57	Surveillance	Section 17. There is no requirement specifying that surveillance audit's timing may be advanced or delayed by x months or days as it is for group requirements (BB3.4.1 To accommodate the provisions of BB3.3 above, the annual	New clause: 17.8.1.3b The surveillance audit's timing may be advanced or delayed by up to three months before or after the due date as necessary in order to co-ordinate a suitable date. This matches the Group requirements ("BB3.4.1 To	New

		<p>audit's timing may be advanced or delayed by up to three months.").</p> <p>This leads to inflexibility around combining audits or pulling audits together in the same geographical location, or any reason.</p> <p>It would often not be practical to co-ordinate on the exact day so we need to define the amount of flexibility above which a variation would be needed.</p>	<p>accommodate the provisions of BB3.3 above, the annual audit's timing may be advanced or delayed by up to three months.").</p>	
58	Surveillance	<p>Table B4 (used to determine Surveillance frequency). Risk factor 5 relates to company performance at most recently performed MSC audit. Most recently performed audit' still leads to confusion. Some CABs were not considering the current audit and non-conformances which were closed out the day of the audit. It is important these are considered as even if non-conformances are closed out they do reflect what the company's level of compliance was and the likelihood they will have non-conformances found at each audit. Suggest leaving out 'at most recently performed'.</p>	<p>In Table B4 amend as follows: 5. Company's performance at the most recently performed MSC audit (including this audit and including non-conformances raised and closed out on the day of the audit)</p>	Clarifications
59	Surveillance	<p>Table B4, risk factor 2 "Handling of products" The fourth element includes two criteria: "Company does not take ownership of the product and/or - Company takes ownership but does not use non-certified subcontractors" This has led to confusion: Should split this criteria</p>	<p>In Table B4 amend section 2 as follows: split the 4th point into 2 and assign a score of 1 for each: - Company does not take ownership of the product 1 - Company takes ownership but does not use non-certified subcontractors. 1</p>	Clarification

		into 2 so that end up with another risk factor -		
60	Surveillance	17.8.1 Currently reads "The CAB shall perform a risk analysis of certificate holders after each certification, surveillance and re-certification audit to determine the surveillance level. While the expectation is to assign a high score when the CAB finds majors non conformance at the initial audit, even if they are closed before certificate awarded. This is not explicit under the current requirements. At a recent audit a CAB stated that this section should be reset to zero if majors or CARs are closed before cert awarded.	Add a guidance note as follows G17.8.1.1 In Table B4 the non-conformances in section 5 are relevant even if they have been closed out before a certificate is awarded.	Clarification

NEW CLAUSE A7.4.4

7.4.4 The CAB shall determine if the integrity of the certified supply chain has been broken intentionally or systematically. (See guidance note)

7.4.4.1 If the cause of the suspension is determined to be intentional and/or systematic the CAB in addition to the requirements of 7.4.6 and 7.4.7

- a). Shall set the period of suspension at six months, except as provided for in A7.4.4.1b;
- b) May extend the suspension to a maximum of 12 months when verification activities cannot take place earlier due to the seasonal nature of the activity. This requirement for extra time shall be noted in the agreed corrective action plan;
- c) Should in verification activities include CAB monitoring the activities of the suspended client (e.g. submission and review of all purchasing and sales documents, conducting unannounced audits, interviews with the person responsible for MSC to ensure understanding and ability to train other members of staff, etc.);
- d) Shall prior to accepting that corrective action has been effective perform an on site verification audit and at a later date perform a second on site unannounced audit;
- e) Shall document the evidence collected, and the justification for closing out open non-conformities. This evidence and justification shall be forwarded to the MSC and the MSC's accreditation body within 10 days of closing the non-conformity with a change to the certificate's status;

- f) Shall withdraw the certificate if the verification of the effectiveness of the corrective actions cannot be confirmed within the period of suspension
- g) Shall not issue a new certificate before 6 months.