

MSC - Marine Stewardship Council
Medium changes to the Fisheries Certification
Requirements and guidance



8th October, 2014

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2 This paper provides an update of the “medium” changes to the MSC Fisheries Certification
3 Requirements (FCR) and MSC Guidance to Fisheries Certification Requirements (GFCR)
4 that have been incorporated in FCRv2.

5 Medium changes include:

- 6 • Developing guidance of ‘key’ sections.
- 7 • Moving requirements into guidance
- 8 • Inconsistency in the requirements
- 9 • Clauses where the intention may not be clear

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11 Major changes are part of other projects found in the database of this site. . In addition to
12 medium and major changes, minor changes were included in FCR v2.0, but are not detailed
13 in this paper as they are very mainly typos and incorrect referencing.

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15 **Table 1: Medium issues**

| | Clause | Issue | Change |
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| 1. | 7.23.3.1 | Clarify that on-site audits involves face to face interaction | On-site audit: the audit involves face-to-face engagement with the client, conducting stakeholder interviews and review of changes in management and science in the fishery |
| 2. | Annex PC | The deadline to take the online module updates specified in the current requirements is by June of each year. This was set assuming a publication of the CR at the end of Jan each year rather than October as we now have. The reference should be amended. | Pass MSC’s annual fishery team leader training on updates to the fishery requirements within 3 months of the effective date of the CR. |
| 3. | 7.4.5 | New clause added to ensure scope criteria must be maintained throughout assessment. | During the assessment, the CAB shall withdraw the fishery from assessment if it does not continue to meet scope requirements of 7.4.1-5 |
| 4. | SD4.1.1 | Moved to guidance.. | The purpose of the pilot is to test, review and revise as necessary the scope criteria and initial assessment guidance provided for assessment of ISBFs. |
| 5. | 7.20.1 | Unnecessary process step deleted ‘has been accepted by the client in writing’ | If the CAB makes a decision to award certification, the award of the certificate shall take place only after the Public Certification Report has been posted on the MSC website. |

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| 6. | 7.4.14.2 | Change to ensure that scoring is still done as normal in P2 rather than IPI species only getting the coverage required for an exemption. | Allow fish or fish products considered as coming from IPI stocks to enter chains of custody, with an exemption to the additional assessment requirements for IPI stocks given in PA4.2 |
| 7. | 7.6.2 | Adding changes in the FCR to reflect changes in UMAF and eligibility date | If the Eligibility Date is set before the certification date, the CAB shall inform the fishery that any fish harvested after the Eligibility Date and sold as under-assessment fish shall be handled in conformity with relevant under-assessment product requirements in the MSC Chain of Custody standard |
| 8. | Definition of material | Adding change in scope to the definition of material. This was an omission in the definition of material. | A 'major change' is one that is likely to be material to the certification status. A change in scope, a PI score falling below 60 or an outcome PI score falling below 80, or a change that could bring about a Principle Level aggregate score to drop below 80, shall be considered material to the certification status. |
| 9. | Implementation timelines | More guidance and examples were added to explain situations for fisheries in different stages of assessment/certification and how CRV2.0 applies. | See introduction of FCR |
| 10 | PI 2.3.2 Scoring issue c, SG80 | Changed, as should refer to measures rather than partial strategy. | There is an objective basis for confidence that the measures/strategy will work |
| 11 | 7.10.1.1 Scoring a fishery | Added guidance to clarify intent as auditability of requirements was not clear.. The way in which assessment team's scoring meetings occur varies from meeting in person to meeting by virtual means (e.g. skype meetings). More and more commonly it can be seen assessment teams holding scoring meeting in person to score the fishery in a preliminary or partial basis (i.e. scoring only some part of the assessment tree or only some of the UoCs under assessment) (e.g. one day scoring meeting held straight after the site visit) and meeting virtually to complete the scoring exercise. | G7.10.1. MSC's intent with section 7.10.1 is that the scoring of fisheries is agreed by the full team appointed by the CAB. Although individual team members may lead on the scoring of a principle (P1, 2 or 3), their conclusions should be agreed in discussion with the team as a whole. Discussions on scoring may begin at the site visit, but may often not be completed until after the team has dispersed, when virtual interactions may be needed (e.g. by teleconference and exchange of emails). |
| 12 | 7.23.3.1, 7.23.3.2 | Added guidance on what an on-site audit constitutes i.e. it can be location where fishery takes place but can also be where fishery client is based. Clarify in guidance that as long as information | See FCR 7.23.3.1 and guidance |

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| | | is collected where necessary then its ok | |
| 13 | Slippage/ drop out mortality | Removed "drop out mortality". 'Drop out mortality' was mentioned in v1.3, but there is no reference of it in FAO glossary. | Changed "fish and/or shellfish" to "animals"; change "fish" in last bullet to "animals"; expand "ghost fishing" as "ghost fishing (mortality of free living or benthic organisms arising from entanglement in lost fishing gear)" |
| 14 | PI 2.2.2, SI a | At SG60 in Scoring issue (a), this PI refers to 'highly likely'. However, this should be changed to 'likely' in line with primary text. | Changed 'highly likely' to 'likely'. |
| 15 | 7.23.22 | This is already required under ISO17065. | Deleted |
| 16 | Defining serious or irreversible harm . . | The definition of this term as used in habitats and ecosystems is not explicit enough in the CR to encapsulate the intent of not impacting biodiversity, genetic diversity etc. | Changed the definition in the CR and more clearly pulled together the various uses of this term throughout CR and GCR consistent with the glossaries. |
| 17 | Closing behind target conditions | Requirements for closing out behind target conditions currently refer both to "at next surveillance audit" and "within 12 months". If a fishery is in 4th surveillance, the next surveillance audit could be over 18 months away (1st surveillance of re-assessed fishery), so this needs to be made consistent. | "27.22.8.1.b.i: If progress against the measurable outcomes, expected results or (interim) milestones specified when setting the condition is judged to be behind target, the CAB shall specify the remedial action, and any revised milestones, that are required to bring process back on track within 12 months to achieve the original condition (or milestone) by the original deadline." |
| 18 | Box precautionar y approach | Need to have a box on precautionary approach to make it clearer that the MSC intent is that this is followed. Draft text based on FAO definition. | Guidance Box has been drafted based on FAO definition. |
| 19 | Self suspensions | Several fisheries have requested "self-suspension" due primarily to financial reasons. We have no procedure for self suspensions nor reinstating certificates after such a suspension. Some self-suspended fisheries are now ready to reinstitute the certificate and MSC's intent needs to be clear moving forward. | Updated GGCR (Guidance) for 7.4.1 and 7.4.9 to clarify that certificates may not be prolonged beyond 5 years to compensate for the duration of the suspension, and that the CAB need to audit against any missed milestones and current ones. |
| 2 | Definition | Definition needed. Term 'appeal' should be included in definitions, include what it can be applied to (certification decision only?) and when (prior to Final Report or PCR only?) and by whom (client only?) | Added definition of appeal Appeal: Request by a client for reconsideration of any adverse decision made by the certification body related to its certification status. |

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| 2 | New clause 7.1.2.4 | New clauses added to address situations where a fishery has sold/labelled non-eligible product . | The CAB shall inform their client that if they sell or label non-eligible (non-conforming) product as MSC-certified, they must: <ul style="list-style-type: none"> o Notify any affected customers and the CAB of the issue within 4 days of detection o Immediately cease to sell any non-conforming products in stock as MSC certified, until their certified status has been verified by the CAB o Cooperate with the CAB to determine the cause of the issue and to implement any corrective actions required |
| 2 | 7.7.2.1 | The CAB shall follow the version of the MSC Certification Requirements in place at the time of the re-assessment, not the requirements in place when the fishery was originally assessed. | Deleted text: not the requirements in place when the fishery was originally assessed. |
| 2 | 7.7.2.2 | 'The CAB may use the same tree as was used in the failed or withdrawn assessment only if that assessment used any version of the default tree'. Not necessary in addition to 7.2.2.1 | Deleted clause - it is no longer appropriate. Not accepted for re-assessments to begin using the old CR or tree for fisheries that fail assessment. |
| 2 | 27.7.6.5 | It says the team SHOULD "If the decision is taken that a fishery is data-deficient with respect to one or more Performance Indicators the team should investigate the use of the RBF following requirements in Annex CC." Changed to 'shall': | If the decision is taken that a fishery is data-deficient with respect to one or more Performance Indicators the team shall investigate the use of the RBF following requirements in Annex PF. |
| 2 | SA3.2.3 & SA 3.2.4 | Clarification added for the expectation of values assigned to likely, highly likely and high degree of certainty for different PIs. | See SA3.2.3 |
| 2 | SA3.1.7 | Clarification of how to consider bait | The team shall consider species used as bait in the UoA, whether they were caught by the UoA or purchased from elsewhere, as either primary or secondary species using the definitions provided under SA 3.1.3 and SA 3.1.4 respectively.. |
| 2 | SA2.7.3.1 | Rephrase to improve readability and clarity. | This information shall go beyond the immediate short-term management needs to create a strategic body of research relevant to the long-term UoA-specific management system. |
| 2 | Table SA8 | Clarity: scoring issue a. SG 80 - the text about depleted main primary species is | If the species is below the point where recruitment is impaired, |

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| | | confusing. | there is either evidence of recovery or a demonstrably effective strategy in place between all MSC UoAs which categorise this species as main, to ensure that they collectively do not hinder recovery and rebuilding. |
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