



## 27<sup>th</sup> Meeting of the MSC Technical Advisory Board

### Public Summary

**December 11-13 2017**

**Universidad de Marista, Merida, Mexico**

*This summary is to improve transparency of MSC’s governance. Readers should note that recommendations made by TAB must be formally endorsed by the MSC Board of Trustees before any changes to the program are made. Where Board outcomes deviate from TAB recommendations, project pages on [improvements.msc.org](http://improvements.msc.org) will be updated to reflect final decisions, including rationales.*

MSC’s Technical Advisory Board held its 27<sup>th</sup> annual meeting at the Universidad de Marista in Merida Mexico, hosted by Dr Juan Carlos Seijo, a member of the TAB.

Attendance is detailed in the table below. It was the final meeting for Dr Tony Smith and Stephen Parry. Their huge contribution to the success of the MSC through their work on the TAB over the past 9 and 6 years respectively was recognised.

Dr Simon Jennings (Chair)	Present
Dr Chris Zimmermann	Present
Adam Swan	Present
Dr Tony Smith	Present
Dr Tim Essington	Present
Lucia Mayer Massaroth	Present
Dr K Sunil Mohamed	Present
Dr Keith Sainsbury	Sent apologies
Mr Alex Olsen	Present
Dr Victor Restrepo	Present
Dr Juan Carlos Seijo	Present
Ms Michele Stark	Present
Dr Florian Baumann	Present
Mr Stephen Parry	Present

A delegation of ten MSC staff travelled to the meeting which was also joined by Dr Werner Kiene, Chairman of the MSC Board of Trustees. Five external observers were also present for the meetings: Dr Jason Combes of Acoura Marine Ltd, Dr Antonio Hervas of Accreditation Services International, Dr Andrew Hough and Mr Tor Larsen both representing the Association of Sustainable Fisheries. Mr Larsen was also attending in his capacity as a MSC Stakeholder Advisory Council Member. Patricia Bianchi the new ASC-MSC Seaweed Standard Account Manager also observed the meeting.

#### **General Certification Requirements**

TAB approved the proposed text for changes to the MSC’s General Certification Requirements which were scheduled for release in March 2018. The TAB did not support the introduction of a 30-day notice period prior to fisheries **suspensions** becoming effective but confirmed that the new requirements were technically sound and could be recommended to the Board of Trustees for adoption on that basis. The rationale for the policy change is to provide time for the supply chain to prepare for the suspension. TAB recommended the implementation of this policy be kept in review.

Changes to the **auditor competency requirements** were endorsed to ensure MSC came into alignment with [GSSI](#) criteria. TAB agreed the proposed requirements for one Fishery and CoC Team Leader per CAB to complete auditor training courses should apply to all team leaders and all CoC auditors.

Removal of requirements for CABs to submit stakeholder details to the MSC for use in disseminating **post-assessment surveys** was supported to ensure MSC was in alignment with forthcoming EU regulations relating to use of personal data.

### **Standard Setting Procedure**

A revised process for standard setting and revision activities was presented to TAB. Changes included incorporating the MSC Board Policy on making changes to Standards and performance requirements. The other key changes were revisions to the review frequency for standards. The language was clarified so that standard reviews would usually commence when 5 years (or 3 years for CoC) had elapsed since the last revision was published. Provision was also included in the proposal for early reviews and subsequent revisions to be introduced between scheduled reviews. These 'early' reviews would be limited in scope and only approved where the issue posed a critical risk to MSC delivering its mission.

Accompanying these changes was a proposal to move the Fisheries Standard's scope criteria from the assessment process requirements into the Fisheries Standard itself. TAB endorsed all these changes.

### **Labour Practices**

For land based supply chains MSC proposed a risk-based approach to requirements for supply chain entities to complete third party assessments against recognised labour standard. TAB approved the proposal for public consultation, noting some refinements were necessary first.<sup>1</sup>

For fisheries and offshore supply chains TAB reviewed the proposed self-disclosure template and amendments to the MSC scope requirements that had resulted from the latest stakeholder workshop. There was some discussion on detail, including comments from ASF to increase practicality. TAB agreed some revisions were needed and that these should be reviewed again during a call in January before they were presented for a final public consultation in February 2018.

### **Fisheries Certification Requirements (FCR) – Unit of Assessment (UoA)**

TAB discussed options to address stakeholder concerns around fisheries being engaged in certified and non-certified fishing on the same trip. This has been raised primarily with regard to tuna fisheries using FAD and free school fishing on the same trip. Two options were recommended to the Board for consideration. These are a) 'Require the assessment of all the activities (gears/practices) by the client vessels directed on the target stock(s) on a single trip' and b) 'the assessment of all fishing activities directed on the target stock using a defined FAO fishing gear'. The Board's selected option will be subject to further public consultation in March. TAB recommended a three-year implementation timeframe reflecting the impact this change would have on some certified fisheries.

### **Fishery Traceability**

The Fishery Traceability project aims to improve the integrity, consistency and transparency of traceability at sea in MSC certified fisheries, including strengthening the connection to the start of CoC certification. Proposals to categorise fishing operations by traceability risk with corresponding levels of verification were discussed. For high risk operations this will require a new Fishery CoC Standard to be used to verify traceability systems. Further work is required prior to the next public consultation in March 2018 to develop lists of activities which mitigate risk and may therefore reduce

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<sup>1</sup> Subsequently resource constraints delayed consultation on Supply Chain Standards developments. These are now scheduled for August 2018.

the risk category of some fisheries. Fisheries targeting different stocks of the same species on the same trip would be included as high risk.

### **FCR – Streamlining**

TAB agreed with the revised sequence for the fisheries assessment process and reinsertion of the 2<sup>nd</sup> stakeholder comment period to strike a balance between speed of assessment and the need to assure the trust of stakeholders. TAB proposed an information gap indicator where a lack of data would result in a score <80 at the initial desk review stage. TAB approved the revised assessment process for consultation with a few minor amendments.

### **FCR – Harmonisation**

TAB reviewed the two options presented and agreed that an abbreviated precautionary process should be included in the revised FCR for the final consultation in early 2018. TAB noted this was simpler and in line with the precautionary principle. TAB also reviewed the impact assessment in making their recommendation which showed that positive benefits of proceeding were greater.

### **FCR – General Fisheries Process Issues**

Other, smaller revisions to the FCR were discussed by TAB to improve the fisheries assessment process. These included:

- scope extension gap analysis,
- the definitions of 'major change' and 'material difference',
- triggering expedited audit, timing of expedited audits,
- triggering RBF for Secondary Species and publishing and
- updating vessel lists.

TAB advised some further work to improve proposals but supported public consultation of the revisions within the FCR in March 2018.

### **Risk Management**

The TAB reviewed progress on the MSC's approach to risk management within the supply chain program. TAB agreed the importance of risk management and endorsed the inclusion of formal guidance, with clear accountabilities and sufficient coverage of possible issues.

### **In Transition to MSC**

A revised approach to the ITM project was discussed. Consultation feedback resulted in changes to the design of this program. Public recognition is no longer included in proposals. The program development will now continue with pilots planned in 2018.

### **Habitats**

TAB discussed specific questions relating to the development of a tool to assist CABs in assessing habitats requirements, and specifically recovery times, introduced in the last revision to the Fisheries Standard in 2014. This work is being led by Professor Mike Kaiser at Bangor University, UK. Work will continue on this tool throughout 2018.

### **Mixed Fisheries Standard**

TAB reviewed progress of pilot assessments to evaluate this approach to assessing mixed species fisheries using a modified version of the MSC Fisheries Standard. They proposed some amendments to pilot methodology. A TAB Working Group will provide further input to this project out of session. The trials of this approach will continue.

### **Species Strategies**

Specific species groups were identified in the MSC's latest integrated strategic plan where increased uptake of the MSC Standard would result in important sustainability improvements. TAB discussed progress on strategies for squid, crab and octopus.

### **Assurance Review**

TAB discussed the Program Assurance Working Group outcomes which proposed a review of the potential for conflict of interest in the MSC's current 3<sup>rd</sup> part assessment model. TAB approved further investigation of this issue alongside other elements of the assurance system.

### **Scope issues**

TAB discussed the Program Scope Working Group outcomes which included a discussion of issues to prioritise for inclusion in the next Fisheries Standard Review that related to the scope of the MSC program. The discussion noted the complexity of issues with an ethical component that go beyond the ecological basis of sustainability on which the MSC Fisheries Standard is based.

### **Fisheries Standard Review**

TAB was provided with an update on preliminary research planned to inform the next review of the Fisheries Standard and the associated process and timelines. TAB recommended the Board of Trustees approve a draft terms of reference for the next review, noting that the document will be refined over the coming months, as initial research progresses, ahead of public release in late 2018.

### **Small Scale Fisheries**

TAB was provided with an update on plans to evaluate uptake of small scale fisheries in the MSC program. Proposals of tools to improve accessibility will follow this evaluation.

### **Mass Balance CoC Standard**

An update on the development of a new CoC Standard based on mass balance, as opposed to segregation, was provided. This is being developed to support the ASC Feed Standard. Further consultation was proposed.<sup>2</sup>

### **Product Provenance – KDE**

Certified supply chains have called for MSC to introduce mandatory collection of origin information to enable business and final consumers to identify products to the fishery or farm level. TAB was provided an update and endorsed the Proof of Concept. TAB requested further review following the pilots.

### **CoC Default Standard**

Changes were outlined that were intended to reduce the number of variations requested of MSC by clarifying requirements and making other changes to reduce integrity risks. Areas for improvement included client activity associated with illegal fishing, improving verification of certified suppliers and handling of tamper-proof products sold in restaurants. TAB approved further consultation on these proposals.

### **CoC Consumer Facing Operators (CFO Standard)**

TAB was unable to undertake a thorough review of proposed changes to the CFO Standard and agreed to do this out of session.

### **CoC Group Standard**

TAB discussed a number of issues relating the Group CoC Standard. This included the role of technology in remote audits and several clarifications to existing requirements. Proposals to consult

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<sup>2</sup> Subsequent to the TAB meeting a decision was taken to incorporate traceability within the ASC Feed Standard as opposed to using a separate standard. Development of this standard is no longer active.

on these changes were approved by TAB and final proposed revisions will be presented to TAB following this.

### **CoC Certification Requirements**

A number of improvements were discussed by TAB including changes to requirements for remote audit eligibility, the percentage of unannounced audits, penalties for mislabelling, improvements to language in requirements around compliance of subcontracted storage facilities. Proposals were approved for a final consultation prior to introduction into the CoC Program, scheduled for August 2018.<sup>3</sup>

### **ASC-MSC Seaweed Program**

The TAB recommended adoption of a supplementary annex for use in the CoC Program with CoC audits for the ASC-MSC Seaweed Program.

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<sup>3</sup> Subsequent to the TAB meeting resource constraints resulted in a delay to development of CoC proposals. Consultation is now scheduled for August 2018, with release of revised requirements planned for Feb 2019.