1. Introduction

The Fishery Traceability project aims to improve clarity, consistency and transparency in the traceability requirements within a fishery assessment, including the start of certified Chain of Custody (CoC). The proposals build on improvements to fishery traceability reporting made in the 2014 release of the Fisheries Certification Requirements (FCR) v2.0, as well as outcomes of the first public consultation (1 March-30 April 2016) and subsequent workshops, meetings and site visits. The second round of consultation was initiated as an outcome of:

- Stakeholder concerns relating to fisheries where traceability is complex due to operations with certified and uncertified components on the same trip, and transhipment
- Certifier requests for guidance on identifying traceability risks and mitigation in a fishery, to support the decision-making process for when CoC should begin
- Lack of clarity around the responsibility to verify the Unit of Certification origin at first point of sale and/or entry into certified CoC, and which entities and activities are covered by a fishery certificate

MSC sought feedback on the latest proposals to address the above issues.

2. Stakeholder Consultation

The consultation took place between 1 March and 30 April 2017 and included two public webinars. Feedback was received from five respondents through an online survey. The anonymised survey responses are given below. Further emailed responses were received from four additional parties. Three of these are also included in full. All online feedback was received from Europe and US regions. In addition, stakeholders in Asia and other parts of North America were separately consulted.

3. Summary of stakeholder feedback

Based on the small number of respondents, it was not possible to determine overall themes or trends. MSC has reviewed and is further researching the feedback received and conducting impact assessments on how fishery and supply chain companies may be affected by the proposed changes. The impact assessments and further consultation efforts will be used to further develop and revise the proposals accordingly.

4. Conclusion

MSC has revised the Fishery Traceability proposals to reflect the collective feedback received to-date. MSC is also further researching some of the suggestions provided, such as links to other global seafood traceability initiatives and mechanisms to identify and address risks to fishery traceability. The next round of public consultation on the updated proposals will be held from 1-30 September 2017 on the MSC improvements website.

5. Response from the MSC

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1 Permission pending for fourth submission. Confirmation was not sought in advance for permission, as with online survey protocol. Report will be updated as soon as confirmation is received.
We appreciate the valuable input received from all stakeholders and thank them for taking time to make submissions on the project. Comments are given below on the individual suggestions, each of which have been considered in the revision of proposals or are being further researched as noted above.

In the remainder of 2017, MSC will focus on conducting impact assessments for the proposed changes including further calls and meetings with relevant stakeholders as needed. The next public consultation will occur throughout September 2017. Draft wording for changes to MSC requirements will be presented to the MSC Technical Advisory Board in December 2017 for further expert technical input.

6. All consultation survey feedback and MSC responses

All online survey and emailed responses are shown below. The numbers responding are very small so are not analysed by proportion but responded to individually.

<table>
<thead>
<tr>
<th>Type of respondent</th>
<th>Number (multiple categories may apply)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Processor/ producer</td>
<td>5</td>
</tr>
<tr>
<td>Wholesaler/ importer/ exporter/ broker</td>
<td>2</td>
</tr>
<tr>
<td>Trade association</td>
<td>1</td>
</tr>
<tr>
<td>Consultant</td>
<td>2</td>
</tr>
<tr>
<td>NGO</td>
<td>2</td>
</tr>
<tr>
<td>Food service</td>
<td>1</td>
</tr>
</tbody>
</table>

**Fishery Traceability**

1. **Do you support earlier collection and consideration of traceability information in the fishery assessment process?**

   Feedback received                  MSC Response
   6 respondents said Yes            Thank you for all feedback received.
   0 respondents did not answer the question

   Additional feedback received included below.

   1. Ensuring that a fishery collects all of the necessary information at the outset of the certification and assessment process ensures that key information needed for legality and compliance with Government rules in both domestic and international markets is already in place, and thus that MSC certified products can meet requirements for legality anywhere in the world.
      Thank you for your feedback.

   2. Yes, [respondent] supports earlier collection and consideration of traceability information in the MSC fishery assessment process. Establishing traceability and CoC at the fishery level is critical to addressing MSC’s considerations to improve the quality and transparency of fishery traceability information, support fishery assessors in their ability to detect traceability risks, and strengthen accountability and verify that fraud or mislabeling is not occurring in supply chains. [Respondent] supports MSC’s proposal to add traceability elements in the client document checklist template that is sent by CABs to clients at the beginning of the fishery assessment. While Table 4 in the Full Assessment Reporting Template identifies risk factors for products, [respondent] encourages the MSC to consider collecting additional key data elements (KDEs) of harvest events as the information would help identify MSC qualification and product CoC. MSC’s tandem proposal, the Product Provenance and Key Data Elements project could align well with the effort to frontload traceability elements by using the same KDEs for both requirements. In doing so, it would build on the MSC’s overall goal to improve consistency and to work in collaboration with the Simplification project. In addition to the proposed KDEs outlined in the Product Provenance proposal, the feedback is in line with the plan for the MSC/ASC Product Provenance & KDEs project. It is our intention to work closely on the Fishery Traceability, KDE and Simplification projects to take advantage of overlaps between the projects. For more information, please visit the KDE project webpage.
the Common Vision for Seafood Solutions (http://solutionsforseafood.org/resources/common-vision/) provides recommendations on data collection and detailed KDEs for companies to improve their seafood traceability. [Respondent] understands that data collection is part of a longer-term MSC strategy towards full-chain traceability, but we strongly encourage MSC to ensure any changes to CoC reporting requirements align with both existing and impending supply chain traceability requirements in key MSC consumer markets, namely the EU and U.S. MSC can play a positive role in streamlining data collection and data exchange processes for the industry and reduce unnecessary burden on MSC CoC supply chain companies. One method to do so, is by aligning MSC CoC KDEs to the source KDEs that seafood companies already are or soon will be collecting under government traceability requirements such as the U.S. Seafood Import Monitoring Program. Lastly, [respondent] is very supportive of having the information be published on the MSC Track a Fishery Website as this will greatly contribute to increased transparency and availability of data to stakeholders.

3. This should also be developed in conjunction with the current simplification proposals. Information can then be collected, reviewed and provided by the client (through self-assessment, pre-assessment etc) and verified by the CAB during the audit.

2. What impacts would frontloading traceability information have on the assessment process and addressing any traceability risks in the fishery?

<table>
<thead>
<tr>
<th>Feedback received</th>
<th>MSC Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>5 respondents answered this question</td>
<td>Agreed. The Fishery Traceability and Simplification (now streamlining) projects are working together.</td>
</tr>
</tbody>
</table>

1. Create a more transparent assessment process and improve the quality of fisheries traceability information; Opportunity to identify and minimise potential risks associated with traceability, or the lack of, on the water; Potential to address traceability risks early on in the assessment process.

2. Frontloading the traceability information would help to better identify traceability risks in the fishery and therefore would help ensure that information necessary for market access is produced, collected and can be reported into a traceability system. The key data elements that should be included on the client document checklist for a fishery (to be consistent with market state import requirements) are:
   - Vessel identity and registration (name and flag state);
   - Identity of vessel owner/operator (including beneficial owner);
   - Evidence of authorization to fish (permits, licenses, etc.);
   - Fishing gear/method used;
   - Activity tracks (date, time and location; e.g. from AIS, GPS or VMS signals) of the year before entering the certification process in case the fishery fishes beyond 12 nm;
   - Scientific name of species;
   - Commercial product name.

Other traceability information would be collected during fishing operations after the assessment process, and would include:
   - Date, location and time of fishing;
   - Activity tracks (e.g. from AIS, GPS or VMS signals) in case the fishery fishes beyond 12 nm; the tracks might be publicized with a time delay;
   - Quantities of target and non-target catch and discards, habitat impacts if relevant;
   - Location, date, time, and specifics of any at sea transfer;
   - Transformation of fish prior to landing.

Thank you for your feedback. This relates strongly to the work underway in the KDE Product Provenance project; For more information, please visit the KDE project webpage.
Public Consultation – 1 March to 30 April 2017

- Location, date, and time of landing and volumes landed;
- Person/enterprise with custody and ownership after transfer.

Currently in Russia in particular there is little traceability of fish products - including for some MSC certified companies where there is no interest in CoC for the domestic market. The Fishery Agency of Russia currently uses an electronic veterinary certificate for fish products, which is publicly posted online. Increasing the MSC requirements around traceability could greatly improve related efforts.

3. Incorporating traceability information earlier in the fishery assessment process would provide the CABs with critical information they need to conduct more thorough and effective assessments, and greatly enhance the quality and transparency of fishery traceability information. Positive impacts of frontloading traceability information and addressing traceability risks include: improved efficiency for CABs and other stakeholders; greater ability to identify traceability risks more readily and earlier in the assessment process; and improved harmonization within MSC fisheries assessments as CABs would have more information upfront regarding the fisheries they are assessing. Potential negative impacts of frontloading traceability information: an increase in time for CABs to collect and review traceability information, and increase in time for fishery clients to coordinate with CABs to provide the required traceability information. Overall, [respondent] believes the benefits of frontloading traceability information are greater than the potential negative impacts, and that processes could be put in place that minimize the increased time for fishery clients and CABs to collect traceability information.

4. The issue would be considered by the client as a part of the assessment and the necessary information collected.

5. From a processing position in the supply chain, early collection and consideration of traceability information and risk increases market credibility of MSC labelled product.

3. Is the draft Start of CoC decision tree in Appendix 2 a helpful tool?

<table>
<thead>
<tr>
<th>Feedback received</th>
<th>MSC Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 respondent said Yes</td>
<td>Thank you for your feedback.</td>
</tr>
<tr>
<td>2 respondents said Maybe</td>
<td></td>
</tr>
<tr>
<td>0 respondents said no</td>
<td></td>
</tr>
<tr>
<td>3 respondents provided comments on how to make the tool more effective, listed below.</td>
<td></td>
</tr>
</tbody>
</table>

1. The recommended appropriate mitigation measures could be suggested for individual each risk.

2. Chain of custody certification should begin where operations first begin - at sea at the point of catch. While the decision tree or risk matrix may help to better understand where transparency may be most problematic, it should not be the decider for when CoC begins.

3. [Respondent] believes that the draft decision tree will be a useful tool to determine the start of CoC. Below are two suggestions to improve the clarity of the decision tree: 1. Drawing specific relationships between Step 1 and Step 2 would be helpful so that each stage identified in Step 1 correlates to
specific opportunities to mix or substitute. For example, the opportunities for mixing/fraud during ‘point of capture on-board’ might look different than the opportunities for mixing/fraud during ‘transshipment at sea.’ 2. Include ‘mass balance’ and ‘third-party audits’ to the list of examples for ‘potential ways to mitigate risks of mixing/substitution’ box under Step 3.

[Respondent] agrees with the revision to FCR 2.0 clause 7.12.2.1b to require CoC “unless adequate traceability systems and processes are in place.” We are interested in learning more on what MSC considers as adequate traceability systems and processes, and encourage the MSC to define exactly what kinds of systems and processes would be considered by the MSC as “adequate.” We recommend MSC set a high bar for what is considered an “adequate traceability system” and encourage the MSC to ensure CoC reporting requirements align with both existing and impending supply chain CoC traceability requirements in key MSC consumer markets, namely the E.U. and U.S. By ensuring alignment of MSC CoC key data elements (KDEs) to the harvest KDEs that seafood companies already are or soon will be collecting under government traceability requirements, the MSC can help to streamline data collection and data exchange processes for the industry and reduce unnecessary burden on MSC CoC supply chain companies. Additionally, [respondent] encourages MSC’s consideration of defining critical risk factors to help identify cases where CoC is always needed. MSC may find the following resources useful when considering critical risk factors for traceability:

2. The U.S. National Ocean Council Committee on IUU fishing and Seafood Fraud identified sixteen species at most risk for mislabelling (http://www.nmfs.noaa.gov/ia/iau/taskforce.html): abalone, Atlantic cod, blue crab, dolphin fish, grouper, king crab (red), Pacific cod, red snapper, sea cucumber, sharks (all species), shrimp, swordfish, albacore tuna, bigeye tuna, skipjack tuna, and yellowfin tuna. 3. IUU Species by Pramod et al. 2014 (http://www.sciencedirect.com/science/article/pii/S0308597X14000918): This peer-reviewed journal article seeks to estimate the proportion and value of IUU seafood imports to the U.S., and presents several species case studies. This paper may be helpful to the MSC when thinking about what kind of commitments organizations could make to exclude IUU materials. [respondent] recommends that organizations implement due diligence measures to address and minimize the risks for the species identified in this paper. 4. NOAA’s Improving International Fisheries Management: January 2017 Report to Congress (http://www.nmfs.noaa.gov/ia/silder_stories/2017/01/2017biennialreport.pdf): This biennial report highlights U.S. findings and analyses of foreign IUU fishing activities and of bycatch of protected species and shark catch on the high seas. [Respondent] recommends this report as a resource for identifying countries whose vessels have been flagged for IUU fishing violations. 5. Comparison of Global Food Traceability Regulations and Requirements by Charlebois et al. 2011 (http://onlinelibrary.wiley.com/doi/10.1111/1541-4337.12101/abstract): This peer-reviewed journal article used a questionnaire to compare the traceability regulations of 21 OECD countries. 6. Global Food Traceability Center’s Resource Library (http://www.ift.org/gftc/resources.aspx) [Respondent] supports and encourages MSC to research further on the potential impacts of Proposal 2(b). We agree that additional training is a significant component and training, calibration, and online resources would facilitate the success of implementing CoC requirements.

at each stage. It is our intention to make the identification and evaluation of risks and mitigation measures easier and clearer for CABs and fishery clients to understand.

We will be working in the coming months to further develop the proposals, including what we would recommend as ‘adequate’. Some of the feedback relates to our work on the KDE Product Provenance; For more information, please visit the KDE project webpage.

We appreciate the papers and links provided, and we will review and further research these to support further development of the proposals.
4. Partly. The tree in Appendix B does not, for example, identify what level of ‘mitigation/control’ is sufficient. The essentials seem to be there, but it does not seem to assist with decision making, particularly identifying whether at sea CoC is required. It also seems to introduce largely irrelevant issues (e.g. are non-certified fish landed at same location, which is almost always the case) with no prioritisation. If used, then this should be an effective decision-making tool.

Thank you for your feedback. We will incorporate these comments into future iterations of the decision tree to improve its usefulness.

4. Where should the default Start of CoC begin?

<table>
<thead>
<tr>
<th>Feedback received</th>
<th>MSC Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 respondents said At-sea (on board the vessel)</td>
<td>Thank you for your feedback.</td>
</tr>
<tr>
<td>1 respondent said at First change of ownership (no change) and noted: This is usually the appropriate point and so should be the default. Moving the default to 'on board a vessel' risks imposing unnecessary (and potentially very onerous) requirements on clients, and risks inconsistencies between different CABs assessing different vessels within the same fishery UoC.</td>
<td>Thank you for your feedback. We do not anticipate that changes to this requirement will result in a change to where CoC begins in most certified fisheries. Planned impact assessments will further explore this. We will include this feedback in our considerations as we look to further develop the proposal, to minimise unintended impacts on certified fisheries.</td>
</tr>
<tr>
<td>4 respondents said Other and noted:</td>
<td>MSC agrees there are different risks that need specific attention (risk of mixing certified and non-certified catches on board the vessel, transhipment). We will consider this feedback as the proposals are further developed.</td>
</tr>
</tbody>
</table>

- Start of CoC is dependent on the scope of the fishery and what happens on-board the vessel. For example, if all fish are MSC certified then there will be no need for CoC on the vessel.
- At sea if there is risk of mixing certified and not-certified catches on board the vessel.
- CoC certification needs to begin at sea on board the vessel, at the point of catch. For some fisheries where this may be difficult to achieve immediately and are transitioning toward this requirement, CoC should begin no later than the first point of landing to comply with basic legal requirements in many market states. Where transshipment occurs, CoC must begin before the transshipment to identify the change in ownership/possession of the product.
- Like suggested in Proposal 2 b)

5. Do you agree with MSC stipulating cases where CoC would always be required? Why or why not?

<table>
<thead>
<tr>
<th>Feedback received</th>
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</tr>
</thead>
<tbody>
<tr>
<td>5 respondents said yes and noted:</td>
<td>Thank you for your feedback.</td>
</tr>
</tbody>
</table>

- To ensure that there is no mix up between MSC and non-MSC certified fish.
- CoC should always be required for certified fisheries.
- [Respondent] agrees with MSC’s Chain of Custody stipulation in that requiring CoC is a positive step towards meeting MSC’s aims for traceability at-sea, to improve transparency and consistency in fisheries.
[Respondent] agrees with MSC stipulating cases where CoC would always be required provided MSC is always transparent in their process. [Respondent] encourages MSC to seek feedback on how CoC could be better designed for at-sea activities and what information could be made public to improve transparency and consistency.

1 respondents said no and noted:
- Case-specific rules are generally poor practice – they tend to concentrate on obvious examples while there are always other cases not covered. Generic rules should be in place which are clear and robust and which would automatically capture such situations.
- Also fishery certification may not always be geared towards selling certified fish. CoC certification is another, separate and voluntary, certification process and must remain such.

<table>
<thead>
<tr>
<th>Feedback received</th>
<th>MSC Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. When certified and non-certified product is handled on board and in the factory at the same time; Changing ownership; First port of landing.</td>
<td>Thank you for your feedback.</td>
</tr>
<tr>
<td>2. If there is risk of mixing certified and not-certified catches on board the vessel</td>
<td>Thank you for your feedback.</td>
</tr>
<tr>
<td>3. CoC certification should always be required and should begin at sea on board the vessel, at the point of catch, for all fisheries. Even MSC certified fisheries experience illegal fishing. Demanding CoC should be a basis for certification to help further prevent illegal fishing.</td>
<td>Thank you for your feedback. Requesting CoC for all vessels is likely to be too costly and an undue burden for many fisheries in our program, many of which present a low risk of mixing or substitution.</td>
</tr>
<tr>
<td>4. [Respondent] believes that CoC should be required at-sea when certified and non-certified product is handled on the fishing vessel at the same time. Some of the greatest risk factors for mixing/substitution are present when CoC is not required and when transshipment is occurring. Establishing CoC at-sea and ensuring CoC through the production supply chain is needed to meet MSC’s objectives outlined in the Fishery Traceability proposal.</td>
<td>Thank you for your feedback. We will consider as the proposals are developed further.</td>
</tr>
<tr>
<td>5. One important case for an at sea CoC would be off loading of fish from a fishing vessel to a transport ship. In this case there is a risk of compromising lot integrity on the transport ship.</td>
<td>MSC is currently investigating solutions for greater transparency and oversight of transhipment. We will consider this in further development of the proposals.</td>
</tr>
</tbody>
</table>

7. How could the MSC improve the audit process for at-sea CoC activities?

<table>
<thead>
<tr>
<th>Feedback received</th>
<th>MSC Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>5 respondents provided comments:</td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>Thank you for your feedback.</td>
</tr>
<tr>
<td>2.</td>
<td>Thank you for your feedback.</td>
</tr>
<tr>
<td>3.</td>
<td>Thank you for your feedback.</td>
</tr>
<tr>
<td>4.</td>
<td>Thank you for your feedback.</td>
</tr>
<tr>
<td>5.</td>
<td>MSC is currently investigating solutions for greater transparency and oversight of transhipment. We will consider this in further development of the proposals.</td>
</tr>
<tr>
<td>5 respondents provided comments.</td>
<td></td>
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<td>----------------------------------</td>
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</tr>
<tr>
<td>1. Require independent observer verification to meet MSC requirements</td>
<td></td>
</tr>
<tr>
<td>Thank you for your feedback. MSC is investigating the role of independent observer coverage.</td>
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<tr>
<td>2. We expect the following improvements:</td>
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<tr>
<td>• Information from electronic monitoring systems such as VMS, GPS and/or AIS has to be used to remotely verify vessel activity.</td>
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<tr>
<td>• Catch reporting and recording of weights have to be verified by independent observers and reported on electronic mobile devices.</td>
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<tr>
<td>• Use of cameras on board and independent compliance observers have to be required.</td>
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<tr>
<td>This feedback aligns with what we have identified as potential systems to ensure integrity and traceability at sea.</td>
<td></td>
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<tr>
<td>3. [Respondent] supports MSC’s efforts to improve the audits process for CoC at-sea. Methods to verify the segregation and identification of product on-board and cross-check data from different sources is crucial to maintaining CoC. Practical issues for conducting at-sea CoC audits include observer safety and the capacity for one observer to monitor all activities to reliably verify for CoC, such as the set type, species identification, fish storage, and unloading and transport to destined markets. Combining observer coverage with electronic monitoring would improve CoC monitoring, particularly when transshipment occurs and for complex fisheries. Electronic data entry (such as on a tablet) would be more efficient than paper documentation as the data recorded electronically could be sent back to shore, and monitored and aggregated in near-real time. Then the data could be verified at the port (that product was segregated, how much product was caught, review electronic monitoring footage, and so on). We encourage MSC to consult with its current certification bodies and auditors to understand needs and other practicalities to improve at-sea audits for CoC. VMS and AIS are both tools that can be used to support remote audit activities for at-sea vessels.</td>
<td></td>
</tr>
<tr>
<td>Use of observers and VMS have been identified as components that can help ensure traceability at sea. MSC agrees on the importance of working with our certifiers to find a solution that is robust, ensures integrity and traceability of product, and is feasible for our fisheries. We will need to consider the impact of potentially requiring electronic monitoring across the range of different fisheries which participate in the global MSC program.</td>
<td></td>
</tr>
<tr>
<td>4. There seem to be two issues here which should be separated. The first is to have a clear and comprehensive traceability description in the fishery report which would describe (if fish are to enter into CoC) how traceability is maintained until the point at which custody of the product is transferred (7.12.1). If this traceability assessment determines that the risk of mixing (on a case-by-case basis) is sufficiently high, then at-sea CoC would be required. CoC would not replace such a traceability section, but would be identified within it as part of the control system and add further credence to the systems employed, which would still be described, probably in greater detail than required in a CoC audit. The second is CoC certification. This is a separate certification exercise and would be best treated as such, without adding complexity to both fishery and CoC systems.</td>
<td></td>
</tr>
<tr>
<td>MSC agrees there are two situations – one, where the traceability reporting requirements are sufficient to describe the risks and mitigation measures in place; and two, where a full CoC audit is required to cover at-sea activities. Currently it is rare that fisheries require a CoC audit.</td>
<td></td>
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</tbody>
</table>
5. What are the practical issues for conducting an at-sea CoC audits?
Availability of auditors. Robustness of the process, should a vessel intending to “cheat” will refrain from this intention if an auditor is on board or approaching on the catching grounds. What audit activities could be conducted remotely for at-sea CoC? Camera Systems monitoring fishing and processing activities

These are the types of questions to which we are investigating answers. We recognise the challenges of conducting on-site visits when the vessel is at-sea, and therefore reconsidering how the CoC audit should be conducted to ensure traceability and integrity of product during at sea activities.

8. In fisheries requiring CoC at sea, do you support a summary of the audit to be published on the MSC website and open to stakeholder comment?

<table>
<thead>
<tr>
<th>Feedback received</th>
<th>MSC Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>5 respondents said Yes. Additional comments raised included below.</td>
<td>Thank you for your feedback.</td>
</tr>
<tr>
<td>1. I do support a summary of the audit to be published on the MSC website and open to stakeholder comment</td>
<td>Thank you for your feedback.</td>
</tr>
<tr>
<td>2. Yes, we expect audit summaries being published on the MSC website and open for comments, which we would then like to see be addressed. Transparency including electronic verification is the basis for credible certification and good management and helps ensure accountability and creates greater trust in the product and the claims made about it.</td>
<td>Thank you for your feedback.</td>
</tr>
</tbody>
</table>
| 3. Publicly sharing at-sea CoC systems for stakeholder comment would improve transparency and increase confidence and trust in the veracity of MSC claims for end buyers with sustainable seafood policies. While [respondent] supports this element of the proposal, we encourage that precautions be made to protect proprietary business information. A good example of careful information sharing is International Seafood Sustainability Foundation’s annual compliance report of participating companies (http://iss-foundation.org/what-we-do/commitments-compliance-2/). Similar protocols could be used to protect when designing MSC’s public reporting of audit information. We encourage MSC to consult with ISSF to learn more about their practices. | Thank you for your feedback. As part of the proposal, we are seeking feedback on which elements of a CoC audit are proprietary and should remain confidential. The intention to provide transparency of the traceability systems and their evaluation
rather than confidential client details. We welcome feedback on the specific elements of the CoC audit that may be sensitive. We acknowledge and appreciate the ISSF link.

<table>
<thead>
<tr>
<th>4. Fundamentally yes, this may possibly limit acceptance on fishery level</th>
</tr>
</thead>
<tbody>
<tr>
<td>It would be useful to understand how this may limit acceptance on a fishery level, for example, what information does the fishery consider sensitive. MSC can then integrate the specific concerns into the proposal development.</td>
</tr>
</tbody>
</table>

1 respondent said No and noted:
As detailed above, we see this as replicating existing traceability requirements in the FCR which should be sufficiently well described anyway. CoC may also be required, but as an additional measure. Additional complication of the CoC process should be avoided. We would not wish to see the CoC process opened to an objections process/stakeholder comment period, which could see one company targeted and held up while other companies may not be; at sea traceability concerns should only be dealt with in the public realm during the fishery assessment.

Thank you for your feedback. The FCR requires a description of traceability systems in place, while CoC certification requires verification of the systems. Where CoC is determined to be required in a fishery, MSC is proposing that 1) a CoC auditor review the traceability information in the fishery report and affirm the determination on need for CoC, and 2) that a summary of the CoC system is published. This could occur in the traceability section of the fishery report to avoid duplication, where public comments are already possible. Your comments on a possible objections process are noted.

9. Do you agree with the proposed changes within Proposals 4a, 4b and 4c?

<table>
<thead>
<tr>
<th>Feedback received</th>
<th>MSC Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 of 5 respondents said no</td>
<td></td>
</tr>
<tr>
<td>Thank you for your feedback.</td>
<td></td>
</tr>
</tbody>
</table>

Additional feedback:
1. The proposals are confusing - unsure how to answer due to lack of clarity in the question.

<table>
<thead>
<tr>
<th>4 of 5 respondents said yes. Additional comments provided below.</th>
</tr>
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</table>

1. Please see comments above for Proposal 1 and 2

<table>
<thead>
<tr>
<th>Thank you for your feedback.</th>
</tr>
</thead>
</table>

2. Proposal 4b is the most important for us as a buyer from a fishery. Today it is unclear how to verify the certification status.

<table>
<thead>
<tr>
<th>Thank you for your feedback. MSC aims to make information on the MSC website more clear and accessible to CoC holders that buy from the fishery.</th>
</tr>
</thead>
</table>

3. [Respondent] agrees with MSC’s proposed changes in Proposals 4a, 4b, and 4c as they work towards improving traceability and consistency. We agree with the suggestions for the General Certification Requirements as they would greatly enhance consistency for assessments. [Respondent] strongly encourages MSC to publish the fishing vessels harvesting in its certified fisheries, ideally in one location on MSC’s website. This resource would be very helpful as it would allow stakeholders to confirm the vessels claiming MSC product by checking MSC’s website, similar to MSC’s current directory with company names for CoC. Additionally, copies of vessel licenses and gear registration for fishing vessels would also be incredibly useful. As similar vessel information is collected by International Seafood Sustainability Foundation's ProActive Vessel Registry, MSC could use this existing resource for vessel information (http://iss-foundation.org/knowledge-tools/databases/proactive-vessel-register/). [Respondent] supports adding the clause requiring first party buyer from a fishery to verify MSC product eligibility to Principle 1 of the CoC. We agree that formalizing the process as outlined under 4b will reduce confusion and provide more guidance to fisheries and for their suppliers (in purchasing from certified fisheries). Under Proposal 4b ii, a good resource would be Trygg Matt Tracking’s Combined IUU Vessel List (http://www.iuu-vessels.org/iiu) as the same protocols could be used to ensure the proposed vessel list for certified fisheries remains up to date despite information coming from various sources.

<table>
<thead>
<tr>
<th>Thank you for your feedback. MSC aims to require more up-to-date information on vessel lists and client group membership. MSC is considering the suggestions provided and appreciates the links to vessel registries and tracking lists.</th>
</tr>
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</table>

4. Generally yes, specifically 4b is important, because it ensures that the foundation of the CoC is strengthened

<table>
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<tr>
<th>Thank you for your feedback. MSC aims to make information on the MSC website more clear and accessible to CoC holders that buy from the fishery.</th>
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1 respondent said other and noted:

- There are a lot of issues here for a ‘yes/no’:
- 4a – not agree with these, these add cost and restrict client choice without necessarily adding any rigour to the process (see comments on question 7 above)
- 4b – this has merit, the first point of purchase may be the least secure and CoC auditors may not be familiar with the fishery assessment traceability and UoC definitions. However, it is predicated on there being adequate information available. The MSC should, however, not be specific about ‘vessel lists’ as other means of identifying a UoC may be

<table>
<thead>
<tr>
<th>Thank you for your feedback. We will consider the cost and client choice impacts as the intention is to improve coordination and transparency in a way that minimises</th>
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more appropriate and equally rigorous (e.g. an entire nation’s product may be certified, so a vessel list is unnecessary).
- 4c – more detail may be required, but processes which restrict client group membership or confuse processes for vertically integrated companies would appear unnecessarily restrictive – this should be approached with great care. The start of CoC for vertically integrated companies (for example) with on-land activities is not going to work with a one size fits all approach. Some companies’ operations are very complex and there may be cause to require a CoC while other companies may be able to demonstrate very good traceability throughout and not require CoC to include their fishing operations. This needs to be evaluated on a case-by-case basis.

10. What documentation do you generally request or provide to verify the product you sell comes from the UoC?

<table>
<thead>
<tr>
<th>Feedback received</th>
<th>MSC Response</th>
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<tbody>
<tr>
<td>4 respondents answered this question</td>
<td>Thank you for your feedback. We would be interested to hear how you obtain the vessel list (printed copy, website, at the auction, etc.)</td>
</tr>
<tr>
<td>1. MSC CoC certificate from supplier; Name, call sign and RFMO license number of the catching vessel; Up to date vessel list</td>
<td>Thank you for your feedback. We would be interested to hear how you obtain the vessel list (printed copy, website, at the auction, etc.)</td>
</tr>
<tr>
<td>2. We expect vessel lists for all certified fisheries and regular updates of these lists.</td>
<td>Thank you for your feedback. We would be interested to hear how you obtain the vessel list (printed copy, website, at the auction, etc.)</td>
</tr>
<tr>
<td>3. Fishery certificate, if we can’t find vessel lists or client group member lists we also request those from supplier</td>
<td>Thank you for your feedback.</td>
</tr>
<tr>
<td>4. [Respondent] has conducted many paper traceability exercises where we collect and review commercial documents from a supply chain to evaluate product traceability from point of sale to harvest vessel. In [respondent]’s experience, documents that provide means to verify that products are from Unit of Certifications are: invoices; purchase orders; NOAA Form 370 (for tuna); U.S. Customs and Border Protection forms; bills of lading; mass balance calculations; any analysis or health certificates of products; U.S. Captain’s Statements; and documentation confirming fishing authorization.</td>
<td>Thank you for your feedback. We would be interested to understand whether these documents are typically provided to the buyer, or do they tend to be only on request?</td>
</tr>
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11. For fisheries with certificate sharing agreements, would you agree with exploring opportunities to implement a ‘pending eligibility’ claim or invoice requirements to identify certified product that has not yet passed through a client group member?

<table>
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</tr>
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<tbody>
<tr>
<td>5 respondents answered this question.</td>
<td>Thank you for your feedback.</td>
</tr>
<tr>
<td>1. Agree to agree with exploring opportunities to implement a ‘pending eligibility’ claim</td>
<td>Thank you for your feedback.</td>
</tr>
<tr>
<td>2. We lack understanding of the details and consequences of Proposal 4c.</td>
<td>Thank you, your comment is noted.</td>
</tr>
<tr>
<td>3. [Respondent] agrees with MSC to explore opportunities to implement a ‘pending eligibility’ claim or invoice requirements to identify certified product for fisheries with certificate sharing agreements. Invoice</td>
<td>Thank you very much for your feedback.</td>
</tr>
</tbody>
</table>
requirements would improve transparency and consistency as the documents pass through the supply chain actors. Thank you for the opportunity to provide in-depth comments regarding proposals for Fisheries Traceability.

| 4. | The precise intention is not immediately clear, but the paramount consideration must be not to disincentivise certificate sharing arrangements or to make the process more complicated than it strictly needs to be. | The intention is not to disincentivise certificate sharing agreements. Rather, this proposal has been developed due to feedback from fisheries that have certificate sharing agreements that they would like MSC to support upholding the rules of the certificate sharing agreements as it pertains to eligibility of product to be sold as MSC. |

| 5. | Unclear question! As soon as fish from a fishery is traded the COC should start. | This proposal pertains to fisheries where certificate sharing agreements restrict the sale of products to CoC holders that are named members of the client group. |

**Additional comments**

### Feedback received

### MSC Response

**Additional response 1:**
- Traceability is a major issue for good management of food supply chains and it is important to be able to control all the associated risks.
- The problem of mixing or substituting certified fish with others must be dealt with quickly to avoid any risk of loss of credibility for both the MSC and the companies using the label, such as McDonald's France.
- The MSC proposals to respond to them seem to be up to the challenge and the proposed decision matrix to identify the stage at which a CoC audit is necessary, relevant.
- At the end of the consultation phase, it is necessary that the amended proposals be incorporated into the fisheries certification requirements.

Thank you for your feedback.

The intention is that the proposals will be incorporated into new or amended requirements and/or guidance in the FCR.