



Introduction

The Product Provenance/KDE project proposes to introduce new requirements on the type of information that is collected during a Chain of Custody (CoC) audit, on MSC certified species. The consultation collected feedback on the following two proposals:

1. Certificate holders to pass information on the specie(s), fishery of origin and country of origin on a batch level for each species handled to their customer.
2. Introduce new certification scope activities for 'Fish oil' and 'Fishmeal'.

Reporting on a number of data elements (including fisheries of origin) was removed from the scope of CoC certification in 2012. The reasons behind the removals included the administrative burden for the supply chain of fulfilling the data requirements, as well as the questionable accuracy of the data provided. MSC believe that requiring provision of some of this information can be reintroduced, in a more efficient and accurate way, resolving issues that have occurred since the removal and addressing new needs.

The objective of the proposal is to ensure the MSC Chain of Custody (CoC) program remains effective, efficient and keeps pace with global seafood trends where product provenance is of increasing importance for some users.

Stakeholder Consultation

The first round of public consultation ran from 1-30 September 2016. Two public webinars were held on the 6 September 2016. English and German language consultation documents were prepared. There were 15 completed responses to the online feedback survey. In addition, eight responses were received via phone calls, emails or meetings with local Outreach staff. Responses came in from Europe (12), North America (7), and Asia (4). There were five responses from NGOs, three from retail/restaurants, ten supply chain companies (including processors, wholesale, distribution, and importers), two certification bodies and three responses from companies or associations representing the beginning and middle of the supply. Because of the relatively small numbers and responses on behalf of several organisations, the feedback is reported qualitatively.

During this initial consultation, MSC sought input from stakeholders on the objectives of this work, feedback on options for collecting and passing this information through the supply chain, as well as seeking parties interested to assist in developing the proposal. MSC will be organising phone calls, workshops and meetings with stakeholders in the coming months, leading up to the second public consultation in March 2017.

Summary of stakeholder feedback

Proposal 1: Certificate holders to pass information on the specie(s), fishery of origin and country of origin on a batch level for each species handled to their customer.

Feedback on the objectives

There is general support and acknowledgement of the importance of this information within seafood supply chains. From a retailer perspective, this is experienced through consumer demand and some pressure from NGOs. Fisheries and supply chain companies are requested to provide this information by their customers as well as regulators. Questions were raised whether this project was intended as a 'MOTS lite'

and whether MSC is the appropriate platform to collect and host this type of information. *(More information on the MOTS project and consultation outcomes can be found on the [MSC website](#))*

MSC response

MSC is glad to receive the positive responses to the objectives of the project and will take concerns around the implementation seriously (see also the next section and Next Steps). Some of the concerns were based on a misinterpretation of the intention of these changes, as well as MSC's role in collecting this information and the expectations around implementation. We aim to clarify these issues further in this document as well as in follow up meetings. MSC will look further into the suggestions and concerns raised during the consultation, including organising follow up conversations with stakeholders to find a solution that can deliver the objectives in a way that will be straightforward to implement and aligned with current practices and existing reporting requirements.

As mentioned, additional concerns were raised that this type of data collection is and should be outside the scope of the MSC program. Further, that this proposal was an extension of MOTS and questions were raised whether MSC should host this information. The project is explicitly not intended as a 'MOTS lite', but as a response to the feedback received during the MOTS consultation. Feedback on MOTS included concerns on the necessity and desirability of providing transaction data. Many felt that traceability back to the fishery was paramount. MOTS was not designed to do this.

MSC is not intending to collect any information on transaction data or supply chain details. Concerns were also raised about MSC collecting data on fishery origin. The intention is to minimise the data collected and use it only for specific purposes that benefit certificate holders however, it will be part of the next steps to identify what the specific concerns are, evaluate and consider how these can be mitigated.

Feedback on implementation

Feedback was mixed on the feasibility of implementing proposed changes. Many companies noted they already have this information available and pass it on to customers and/ or regulators upon request. Conversely, concerns were raised that this request would require significant changes and add costs to other companies' existing systems where information is often manually input. Finally, a request was made that MSC assess carefully what the impact of the intended changes may be for smaller-scale companies and operations.

MSC response

MSC will consider the feedback raised and will seek to understand in greater detail how the proposed changes may align with, or in some cases conflict, with the current industry practices, to ensure that the changes will not add unnecessary additional burden onto companies. Follow-up conversations and workshops are being organised with larger and smaller companies and auditors in SE Asia, China, US and the EU (thus far, UK, Germany, Netherlands, Denmark, Spain). These consultations are targeted at leveraging knowledge and experience on current practices, reporting requirements and feasibility for implementing the proposed requirements. Additionally, MSC is in discussion with governments, standard setters and NGOs around the world to ensure requirements are streamlined and coordinated to reduce duplication of efforts and maximise opportunities for external recognition that can bring value to certificate holders.

Proposal 2: Introduce new certification scope activities for 'Fish oil' and 'Fishmeal'.

MSC did not receive any substantive feedback on the proposed new certification scope activities to identify suppliers of fish oil and fishmeal. Seven respondents confirmed support for fish oil, and eight for fishmeal. As the feedback received gave no indication of concerns, we will move ahead with the proposal as it was consulted on.

Conclusion

The major outcome of the consultation indicates that MSC needs to assess its approach to ensure it meets both market demands as well as concerns from supply chain companies. MSC will be working with stakeholders that provided input during this round of consultation (and any other interested stakeholders) to explore in greater depth how the proposal can be defined and adapted to address the concerns coming from our certificate holders.

- Further communication is needed to bring more clarity to the scope of the project, and discussion will take place to decide whether current objectives shall be amended or some objectives should be considered out of scope.
- MSC will collaborate with stakeholders to understand their views on how this project will add most value to all certificate holders, and identify opportunities for this proposal to reduce the burden on companies at the beginning and middle of the chain.
- MSC will explore, in collaboration with stakeholders, the intended methods of implementation and how this relates to current practices and systems to understand where the potential burden or challenges lie, and integrate these considerations into future adaptations of the proposal.
- MSC will reach out to stakeholders in the coming months to ensure that certificate holders are aware of and involved in the proposal development process. This will include:
 - Updated information available on the MSC website
 - Follow-up phone calls and emails with survey respondents to collect more detailed information on current practices, and any concerns with the proposal raised in the survey response.
 - Workshops organised with CoC certificate holders in Denmark, SE Asia (TBD)
 - Efforts underway to organise follow-up workshops, calls and meetings with certificate holders, especially supply chain companies, in SE Asia, China, EU, and US. These follow-up conversations will happen from Nov 2016 – Feb 2017 and will expand on the results of the survey in an effort to resolve concerns or challenges associated with the current proposal, and identify solutions.
 - Second round of public consultation scheduled for March 2017.

Next Steps

All feedback received will be considered in the development of this work and presented to the MSC Technical Advisory Board (TAB) in November. The TAB will decide on next steps of the project and further consultation. The outcomes of the Product Provenance and Key Data Elements (KDEs) work will be incorporated into the release of the updated scheme requirements (CoC Certification Requirements v2.1) in early 2018.

All consultation feedback and MSC responses

| Q1. What type of stakeholder are you? | |
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| Feedback received | MSC Response |
| <p>There were 15 completed responses to the survey. In addition, seven responses were received via phone calls or meetings with local Outreach staff.</p> <ul style="list-style-type: none"> • By region: Europe (12), North America (7), and Asia (4) • By sector: <ul style="list-style-type: none"> ○ NGOs (5) ○ Retailer/ restaurants (3) ○ Supply chain companies (including processors, importers, wholesalers) (910) ○ Certification bodies (2) ○ Associations and industry bodies representing large groups of supply chain certificate holders (3) | <p>Thank you very much to all stakeholders who took the time to look at the consultation papers and provide such detailed feedback on the Product Provenance & Key Data Elements (KDEs) projects. We appreciate receiving your thoughts on this project and look forward to providing you an update in due course.</p> |
| Q2. Why is this project important or helpful for you and/or your organisation? Please select all that apply. | |
| Feedback received | MSC Response |
| Consumer demand (5). | Thank you for your feedback |
| New legislation (i.e. EU labelling requirements, US anti-IUU legislation) (6). | |
| Supply chain transparency (9). | |
| This information is not important or helpful for their organisation (1). | |
| Ensuring the legal provenance of fisheries products (1) | Thank you for your feedback |
| This information is important but not helpful for their organisation (1) | Thank you for your feedback |
| It is unlikely that the addition of these particular KDEs will be relevant to our needs right now but we encourage the overall goal. A standards setting organization is in the best position to provide a workable solution that fulfils the needs of all stakeholders. | Thank you for your feedback. |
| We encourage our retail partners to source MSC certified product when possible, and to buy from MSC CoC certified supply chains for added traceability assurance and verification. | Thank you for your feedback |
| The respondent does not support the proposal as presented | Comment noted. MSC has considered the additional detail provided and will be evaluating the structure and content of the proposal to ensure it addresses the concerns raised. |
| At best response to client (not consumer) enquiries without checking with supplier in advance | Thank you for your feedback. MSC seeks a solution that recognises the various motivations of stakeholders from different stages of the supply chain. |
| Additional feedback that came in expressed via other channels: Consumer demand (4) New legislation (1) Supply chain transparency (3). This information is not important and/or helpful (2) | Thank you for your feedback. |
| Q3. Does the proposal deliver what you would like to see with this project? Please explain. | |
| Feedback received | MSC Response |

The MSC Consultation Document sets out several motives for the proposed CoC reforms. However, it does not clearly identify the criteria for deciding what reforms are needed. We believe the test of success for reforming the CoC standard should start, at a minimum, with changes needed to ensure that holding an MSC CoC certification requires solid evidence that CoC certified products are from demonstrably legal fishing activities and comply with emerging norms and regulations requiring evidence of legality as a condition of market access. It would not make sense for the MSC CoC to set a lower bar for fisheries information than is set by regulations in major markets. Beyond this basic “legality and compliance” test, we believe reforms to the CoC standard should reflect (and be evidence of) best practices in fisheries transparency and seafood supply chain management.

We recognize that the CoC reforms we are proposing here set a relatively high bar, and could even have, in practical effect, implications for the kinds of monitoring, control, and surveillance required of fisheries meeting the MSC fisheries standard. Accordingly, as discussed below, we think consideration should be given to establishing a two-tier MSC CoC system that would make some basic information requirements mandatory for all MSC CoC products, while simultaneously creating a second level of MSC CoC certification that fully reflects emerging norms and best practices. This would allow the MSC to maintain its leadership in seafood certifications without reducing access to the MSC label for currently certified fisheries.

The minimum key data elements suggested by the Consultation Document are a step in the right direction, but fall well short of meeting the criteria we have mentioned above, or to meet the four purposes of the reform set forth in the Consultation Document. The information identified in Consultation Document Annex 2 as “long term ambitions for CoC scope” are, in fact, much closer to what should be required from the outset.

We have identified the data elements we believe are key to meeting company and consumer requests for greater transparency and information, to complying with existing and emerging regulatory demands, and to determining the legal origin of the catch and reducing the risk of IUU and/or unsustainable products from entering the supply chain. The MSC Chain of Custody Standard should at a minimum comply with the regulatory demands for market access into the US and EU. Appendix 1 to this letter provides a basic list of information we believe should be associated with seafood products; Appendix 2 provides a table detailing what information is currently required under rules for the legal origin of catches from existing regulatory programs.

MSC appreciates your feedback and acknowledges the role this proposal can play in helping to address potential issues or threats of IUU in MSC supply chains.

The project is aiming to align with regulatory and other requirements, but as a global program, MSC also needs to be considerate of the large variation of market demands, business practices, and regulatory frameworks under which MSC certified fisheries and supply chain partners operate.

We acknowledge the importance of the data listed in Appendix 1 and 2 for some stakeholders. It is unlikely we can integrate all of the concerns raised at this time, given resource limitations on part of our certificate holders as well as MSC. Nonetheless, we note this feedback and will include it as part of our longer-term efforts and ongoing collaborations to facilitate digital traceability and data transfer initiatives, including those that sit outside the CoC program. MSC supports a tiered approach which allows for the voluntary collection of more detailed sourcing information where demand and interest exists.

Comments regarding verification are noted and will be taken into account while developing the proposal on if and how this information will be verified. The finer details of the proposal will be developed considering the objectives and priorities of the feedback received. MSC will consider the impacts of proposed requirements on certificate holders, taking into account the different systems and practices in place in supply chains across the globe.

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| <p>We believe that a first-tier CoC certification should at a minimum include basic information to reveal fishery of origin, gear type, species and country of origin, and location of landing. Other information listed in Appendix 1 should be included in a tier-2 CoC certification.</p> <p>Finally, we believe the CoC standard reform will need to go beyond simply indicating fisheries information required to be associated with a product. Verification and mechanisms to establish the validity of the information collected and reported are essential and need to be included in the development of the updated Chain of Custody Certification Requirements and Standard. We look forward to a consultation process that includes discussion of the MSC’s intended role in verifying and certifying the information that is collected and reported. It is clear that MSC cannot just be a data transfer agent of the information, and that a clear objective for how verification will be conducted is needed.</p> <p>Thank you for the opportunity to comment. We look forward to continuing to engage in the consultation process as the MSC works to develop a strong Chain of Custody Standard that can help ensure certified fisheries continue to maintain access to global markets that are increasingly scrutinizing the provenance of internationally traded products entering the market.</p> | |
| <p>This is a manageable first step for traceability data transmission standard setting. It does not fulfil all needs that our organization has in this regard but it is important for attempting to unify around one universal language surrounding this discussion.</p> | <p>Thank you for your comment. MSC welcomes stakeholder input on those areas that should be prioritised for future investigation.</p> |
| <p>Under background on page 1, the document cites an “Increased desire for risk-based monitoring (MSC, brand owners, retailers), market research (different supply chain parties) and impact measurement (MSC) requires more information on source fisheries, catch area, gear and product form to be available.” We are not clear on what type of risk-based monitoring would require this information - for example, why would the gear type be useful information? If it is a certified fishery, doesn’t the fact it is certified assure the buyers the product is from a sustainable fishery? The ‘drivers for more information’ cited in the document appear to be related to ‘business to business’ information transfer or regulatory requirements. Both of these would already be covered by contractual relations between buyer and seller or by national/international legislation/regulation.</p> <p>We are also concerned over:</p> <p>a) in many fisheries it will not be possible to trace batches to individual vessels – it should remain the responsibility of the first buyer to ensure product is from a certified UoA</p> | <p>Thank you for your feedback. MSC acknowledges the need to strengthen communications on the scope and objectives of this project so it is clear what is and what is not included. MSC is investigating existing regulatory frameworks and welcomes examples on where the proposal may result in duplication and/or in conflicts with national regulatory frameworks. We will be reaching out to stakeholders to better understand current practices for providing this information to ensure that our requirements are in line with standard industry practice, to the fullest extent possible.</p> <p>Increased information on origin can help with risk-based monitoring in many different ways, it can for example help during investigations of raised concerns by narrowing down the applicable supply chains and allow for a more targeted follow up activities and information requests; it can help with cross checks to verify whether products sold at the end of the chain match information know about the availability of the products at source; and it can help with identifying which supply chains or more subject to specific</p> |

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| <p>b) Country of Origin raises the prospect of an MSC requirement that might conflict with national law – fish may be sourced in one country and processed in another. Under U.S. law, for example, the substantial transformation of the product permits such product to be labelled Product of the USA.</p> <p>c) 'catch certificates' – in North America these are already issued by NOAA and DFO for shipment to the EU, and have proven problematic. As the requirements of these two organizations are expected to continue, clients face the prospect of two separate certificates for each order</p> <p>d) The statement on page 2 of the document that “MSC is thinking about how to shape a longer-term initiative toward full digital batch traceability.” We would not want to see a requirement for some form of 'all-transaction' traceability system, as was presented in the MOTS proposals.</p> <p>The proposal is to create a new standard requirement, with risk and costs to clients, without a clear need in terms of chain of custody integrity. MSC internal information gathering does not seem sufficient reason to add burdens to clients. We would suggest that the addition of requirements to the standard should only be in response to a clear need in terms of the standards' goals. The cumulative developments which led to the need for a simplification agenda currently being pursued in the fishery standard should also be borne in mind for the future of the CoC standard.</p> | <p>risks allowing for targeted actions such as training or additional oversight.</p> <p>MSC will review the feedback, priorities and objectives received through the consultation process. This will include a review of options that would allow for information be passed through the chain buyers, but don't require MSC to host the information.</p> <p>MSC is a market-based program and we respond to industry trends, market demands, and consumer priorities to ensure the CoC program remains relevant and up-to-date with other industry initiatives.</p> <p>The project does not intend to provide information back to the vessel.</p> <p>MSC is aware of different regulations regarding Country of Origin and these will be considered in the development of the requirements to avoid conflicting requirements as much as possible.</p> <p>MSC is aware of challenges around Catch Documentation and this will be considered in the development of the requirements.</p> <p>There is currently no intention to introduce a mandatory full digital batch traceability system. Based on the feedback in relation to MOTS, MSC is looking into options to recognise companies that use (full batch) digital traceability systems on a voluntary basis, considering these companies lower risk if systems meet a defined robustness.</p> <p>The project is driven by increasing demand from consumers, supply chain and NGO's that feel that this additional information is important to assure integrity of the supply chain. As mentioned above it will also support monitoring activities required to maintain the high level of integrity of the MSC Chain of Custody.</p> |
| <p>No. Implementation of the proposal would mean that all of our sites have to invest in change of software and extra administration. This extra effort is only a burden and does neither help us nor MSC nor customer in any way, to our opinion.</p> | <p>Thank you for your feedback. MSC will be reaching out to stakeholders over the coming months to better understand current practices for providing this information, to look for solutions that will keep additional burden to a minimum.</p> |
| <p>Development of a strategy how information that is required by a majority (!) of supply chain participants can be passed on in a practicable manner without creating an additional disproportionate amount of time effort.</p> | <p>This is aligned with our planned areas of focus and implementation. MSC welcomes stakeholder input with examples of how this is currently done, to support the proposal development and its implementation.</p> |
| <p>Generally, our auditors are ok with the change. There's only one concern: even the client holds the specific scope, it doesn't mean the client actually handles such product. So if MSC makes the change just for the sake of buyer to find an appropriate supplier, it may not work so well.</p> | <p>Thank you for your feedback. The intention of the proposal is to pass fishery of origin on by batch of product sold, so this will reflect what the company actually handles. It is under consideration if and how this information will be reported to MSC, this will be considered based on the different</p> |

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| | objectives of the project as well as the feedback about MSC hosting certain information. |
| I'm not sure, but in today's consumer driven society we as an industry need to be able to cover / offer all options. Any extra traceability / transparency can only be good going forward for all involved. I think the addition of the fishmeal & fish oil suppliers could be interesting as it is hard to gather information via other sources i.e. IFFO & UFAS. | Thank you for your feedback. MSC welcomes any suggestions on how it may improve its proposal to better align with your organisation's needs and/or interests. |
| The test of success for the Standard should be in making information demands that help to ensure the legality and sustainability of the catch to prevent IUU products from entering the market, to meet company and consumer demands for greater transparency and information on the provenance of a products, and to comply with existing and emerging regulatory that require reporting of a minimum set of information on the legal origin of a product. | Thank you for your feedback. This is aligned with our planned areas of focus and implementation. |
| Conforming with the upcoming NOAA Seafood Import Monitoring Program in terms of species ID codes and other recording codes would be appreciated. | MSC is engaged in this space and will investigate opportunities to provide a tiered approach to allow for the voluntary collection of more detailed information where the demand exists. |
| In part. We like the direction, but improvements could be made. Latin/Scientific name is VERY important to us and should be mandatory as common names are not sufficient. Also, we would like to see these same requirements transferred to ASC CoC certificate holders. | <p>Thank you for your feedback. This is aligned with our planned areas of focus and implementation, pending further review and consultation.</p> <p>These requirements will also be applicable to ASC although the approach may differ slightly. More information will be available in the coming months.</p> |
| No. We also see that there is an increasing demand for supply chain information, but putting information on invoices etc. is not the solution. From our experience with other labels we know that it will be very difficult to get the supply chain actors comply with any new requirements that will allow more transparency to the supply chain. A similar project as MOTS was developed there (the Online Claims Platform) to fill in the validation gap between the supplier and the customer. The OCP project is also only voluntary now and it will be very difficult to get all certificate holders working with the OCP because of the administrative burden. It won't work to get the chain of custody 100% waterproof. Trying to get this guarantee with extra information on invoices will only give the appearance of security, but there will always be made mistakes. This could damage the system even more than the situation we have now. I would like to propose something that will give end-consumers more transparency about the sourced fishery, without giving extra information through the supply chain by CH's (and without the extra administrative burden): At this moment all CH's need to update their suppliers list at their CB. This way a full supply chain can be made from the CH's back to the (possible) fisheries his fish comes from. MSC should make these (possible) fisheries available online at the CH's record in the database. This way everybody can lookup which possible fisheries the ingredients of his product are originating from. The | <p>MSC welcomes stakeholder input on what they see as feasible within their current operations, and request examples on how existing systems and practices can be utilised to meet the proposed requirements.</p> <p>MSC is not considering re-launching MOTS or a similar platform. The MSC website lists all certified fisheries including their species, but with a number of species (and growing) that have over a dozen certified fisheries, the supply chain mapping suggested in the comment is unfortunately not currently possible or providing the desired extra insight. As a result, MSC is not able to meet the demand and expectation for better origin information.</p> |

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| information is already available at the CB's, so there will be no extra administrative burden for CH's. Further steps to give more transparency to the supply chain need much more investigation and much more time to develop. The level of guarantee for accurate information needs to be in line with the risk for the MSC-system and the demand for this information. I think this proposal is not feasible for the CH's and will lead to a higher risk of damage to the MSC. | |
| Sustainability thrives on transparency and communication. Based on specific information about the fishery it is possible to provide further information to clients / consumers. | Thank you for your feedback. |
| Yes, we are strongly in support of the proposed changes to the MSC's CoC reporting requirements but have suggestions for how the MSC could re-prioritize and define its proposed KDEs to better align with ongoing industry, government and NGO initiatives. We submitted more detailed comments via email. | Thank you for your feedback. This is aligned with our planned areas of focus and implementation. |
| Support for proposal to assist in traceability of local product range, harder to map supply chains. Can't get fisheries codes because suppliers treat it as confidential. Also, local supply chains may not have fully integrated supply chains (as see with global product range) | This feedback is useful to understand the potential challenges in implementation as well as highlight the various concerns and motivations of certificate holders, as we define the proposal and how such requirements may be implemented. |
| Q4. Do you support the categories proposed for this project? Please select all that apply. | |
| Feedback received | MSC Response |
| 11 respondents support collecting Fishery of origin information. | Thank you for your feedback. |
| 10 respondents support collecting country of origin information. | |
| 11 respondents support collecting species (by fishery) information. | |
| 6 respondents support a new activity for suppliers of fish oil. | |
| 7 respondents support a new activity for suppliers of fish oil. | |
| Gear type is also of importance for short term inclusion | |
| We do not see any benefits from this extra administration on top of existing legal obligations. | Thank you for your feedback. An important component of the proposal development process is to understand how existing legal obligations may be further integrated into the proposal to minimise the administrative burden and duplication of efforts. |
| Restore the requirements on product form may also help | Thank you for your feedback. |
| Additional feedback that came in via other channels include: Fishery of origin (4) Country of origin (2) Species (2) Fish oil (1) Fishmeal (1) | Thank you for your feedback. |
| Q5. Do you agree with MSC's longer-term proposal, for post-2017 and categories for prioritisation for additional data collection? Please select the level of prioritisation for the following categories. | |
| Feedback received | MSC Response |

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| Gear type: High priority 9 Medium priority: 2 Low priority: 1 | Thank you for your feedback. |
| Vessel name High priority: 3 Medium priority: 3 Low priority: 6 | Thank you for your feedback. |
| Catch area High priority: 10 Medium priority: 2 Low priority: 1 | Thank you for your feedback. |
| Catch date High priority: 4 Medium priority: 3 Low priority: 6 | Thank you for your feedback. |
| Suggestions for post-2017 prioritization: Volume by batch: volume is an important piece of fisheries data collected by governments and fisheries managers. Volume is essential for verification later in the supply chain as products undergo processing. If the volume of processed product is greater than the volume harvested, it is clear that some other source of seafood was mixed into the processed lot/batch. Harvest vessel information in addition to the proposed 'vessel name': 1) unique vessel identifier and 2) flag state of harvest vessel are critical to verifying vessel identify and legality. A vessel's name can be quickly and easily changed but a unique vessel identifier (UVI) stays with the vessel its entire life, regardless of changes in ownership, flag, name, etc. Flag state, IMO/UVI number and vessel names are most helpful in identifying the harvest vessels and sources for products. From there additional information can be requested. Transshipment information by batch (date and location, vessel names and IMO numbers, and volume transshipped). Transshipment at sea and at port increases the risk of IUU or mislabeled products entering the supply chain, and is therefore important to document. Port/location of landing: Port of landing is often a black box in the supply chain where information is lost, not recorded, or in theory could be easily falsified. Thus, port/location of landing is an important verification point in the supply chain. | <p>MSC acknowledges the importance of this information for some stakeholders, and will consider this feedback as part of our longer-term efforts to improve transparency and traceability in MSC supply chains.</p> <p>Other suggestions are under consideration as part of the Fishery Traceability project, for example, point of landing and other relevant information for verification when buying from the fishery client.</p> |
| <i>High:</i> Vessel Flag State and home port; quantity/volume of catch; Specifics of at-sea transfers (date, time, location, quantity, etc.) | Thank you for your feedback. |
| <i>High:</i> MSC is proposing initially to only require information on the fishery of origin, species of fish caught and country of origin. It is stated that in the longer term, additional information can be added, such as gear type, vessel name, catch area and catch date. We believe that rather than being added in the longer term, information on gear type, etc. should be an immediate element of MSC Chain of Custody KDE requirements in light of recent changes to both EU fisheries regulations and the US IUU and Seafood Fraud Traceability requirements. | MSC acknowledges the importance of this information for some stakeholders, and will consider this feedback as part of our longer-term efforts and engagements to facilitate more detailed fishery origin information. It is unlikely we can integrate all of this information concerns at this time given resource limitations on part of our certificate holders as well as MSC. As a global program, MSC acknowledges and seeks to accommodate the range of market demands, business practices, and regulatory frameworks |

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| <p>Under the catch area data, it would be useful to identify any relevant RFMO. We urge MSC to consider including in the KDEs a reference to whether there is known marine mammal bycatch taking place in a fishery. As you will be aware, the Foreign Fisheries Import Provisions of the US Marine Mammal Protection Act (MMPA) mean that all entities wishing to export their seafood products to the US must prove parity with US fisheries as to the level and management of marine mammal bycatch. We also propose that additional information be included, such as the fact that a company is known to engage in activities that involve directed hunts of marine mammals. A number of MSC certified fisheries in Norway include fishing vessels that also engage in whaling. In both Iceland and Norway certain MSC-certified suppliers are involved in the processing of whale meat. A number of retail and food service companies have indicated that they are aware of this issue, and are unwilling to purchase seafood linked to whaling or sealing. We continue to hope that MSC will consider previous requests not to certify any company engaged in directed takes of marine mammals, especially given that consumers do not expect an MSC labelled product to be linked to such hunts. Including information on whether an entity in the CoC is linked to whaling or sealing in the KDEs could be an important first step that will allow for responsible and ethical retailers to respond to consumer demand, and readily identify suppliers that are not linked to directed takes of whales, dolphins or seals.</p> | <p>under which MSC certified fisheries and supply chain partners operate.</p> <p>MSC will explore opportunities to provide a tiered approach to allow for the voluntary collection of more detailed information where the demand exists.</p> |
| <p>Other categories: No, we are not looking for extra obligations. The current full traceability should suffice to our opinion.</p> | <p>Thank you for your feedback.</p> |
| <p>Location of landing Who harvested the fish? Vessel identity and national registration (and IMO and MMSI numbers when available) o Vessel flag state and home port Identity of vessel owner/operator (including beneficial owner) Authorization to fish (permits, licenses, etc.) What was harvested? Species (Latin name) and product name (commercial and/or market name) Quantity/volume (weight or number) of catch Transformation of fish prior to landing (at-sea processing, co-mingling, segregation, aggregation, etc.) Authorization to support fishing operations (i.e. transformation of fish)/transship fishery products Other compliance data if required by law: o Applicable catch documentation o Applicable conservation measures <input type="checkbox"/> Reporting requirements for species and quantities of non-target catch and discards, habitat impacts, etc.</p> | <p>MSC acknowledges the importance of this information for some stakeholders, and will consider this feedback as part of our longer-term efforts towards facilitating more detailed fishery origin information.</p> |

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| <p><input type="checkbox"/> Monitoring techniques and practices employed (VMS, Observers, CCTV, etc.)</p> <p>When was the fish harvested, landed, and processed?</p> <p>Date(s) and time of fishing</p> <p>Date, time, and specifics of any at-sea transfer</p> <p>Date and time of landing and volumes landed</p> <p>Where was the fish harvested, landed, and processed?</p> <p>Location of catch (e.g., GPS coordinates or specific location of fishery)</p> <p>Location of any at-sea transfer</p> <p>Location of landing and volumes landed</p> <p>How was the fish harvested, landed, and processed?</p> <p>Fishing method used/Gear type</p> <p>Person/enterprise with custody and ownership after transfer</p> | |
| <p>One alternative approach suggested is to ensure a separate certificate code for each UoA (rather than for a 'fishery'). This would identify the species, gear-type and country(s) of origin. Catch certificates would not be required.</p> | <p>This is useful feedback to consider if and how the unique fishery code could work, including whether it could be structured to facilitate passing more detailed information where demand exists.</p> |
| <p>Additional feedback received via other channels prioritised gear type as high priority.</p> | |
| <p>Q6. Are you interested and able to contribute further to MSC's development of this proposal? Please select all that apply.</p> | |
| <p>Feedback received</p> | <p>MSC Response</p> |
| <p>13 respondents stated that they are interested and able to contribute further to the: Definition of categories and scope of the project.</p> | <p>Thank you for your feedback.</p> |
| <p>12 respondents stated that they are interested and able to contribute further to the: Verification needs and mechanisms.</p> | <p>Thank you for your feedback.</p> |
| <p>I am not convinced of the benefits, but I am willing to participate in any phase as we are keen MSC and ASC product users, so we want to stay involved.</p> | <p>Thank you for your feedback.</p> |
| <p>Q7. In what format would you be interested or available to participate? Please select all that apply.</p> | |
| <p>Feedback received</p> | <p>MSC Response</p> |
| <p>9 participants agreed to a follow-up phone call.</p> | <p>Thank you for your ongoing efforts to provide integral feedback to support the policy development process. We will be in touch over the coming months to speak further on this issue.</p> |
| <p>9 participants agreed to a group call or webinar</p> | |
| <p>7 participants agreed to a face-to-face meeting.</p> | |
| <p>9 participants agreed to a face-to-face workshop.</p> | |
| <p>13 participants agreed to a follow-up via email.</p> | |
| <p>Q8. Is there anything else you would like to feedback to the MSC about this consultation?</p> | |
| <p>Feedback received</p> | <p>MSC Response</p> |
| <p>We have a few comments on the particular KDEs: #1 Fishery of Origin: A standard code or means of identifying source fisheries would be welcomed enthusiastically. We are already able to identify this information but bringing the fisheries into standardized identification like Chain of Custody suppliers would be very valuable. #2 Country of Origin: This term varies in definition too greatly to be adopted at this point or to be relevant as product</p> | <p>Thank you for your feedback.</p> <p>MSC appreciates the detailed feedback on the current iteration of the proposal. We note the types of data prioritised or requested, the considerations (e.g. on species name) that must remain central to the proposal development process, as well as your feedback on the potential</p> |

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| <p>moves & transforms while progressing down the supply chain. For example, the United States government has different legal definitions between various agencies governing food imports and sale, let alone their differences from the vernacular definition or other nations' definitions. Alternatives such as Country of Last processing might be more helpful but are problematic from an information means of transmission perspective. #3 Species We encourage the inclusion of Species as a KDE but recommend having a standardization of identification of species either through the use of the FAO ASFIS Species codes or some other scheme that is widely accepted. Whatever Means of Transmission is selected should be flexible enough to allow for multiple latin species that could be sold under the same market species name.</p> <p>#4 Gear Type: Since gear type is usually defined in the Unit-of-scope for a MSC certified fishery, it may be duplicative to send this data point in addition to the fishery of origin. However, any discussion of elements of a seafood source usually include the gear type. It definitely is a KDE but sending it as a data point should be considered along with the fishery identification. #5: Vessel Name: This data point is highly fishery dependent for consideration as a KDE. With the large-scale, commercial tuna fisheries that are caught by longliners and purse seiners, transmitting the vessel names is reasonably feasible. The large quantities of catch per vessel keep the total number of vessels in the handfuls to dozens. It is still complicated to transmit all of these names as product moves & transforms along the supply chain but is possible. For more artisanal fisheries such as the Maldives Pole & Line Skipjack fishery, there are far too many vessels to reasonably track on a shipment by shipment basis and frankly, the information is not very relevant to consumers. #6 Catch Area: Just like gear type, this data point is usually defined in the Unit-of-scope for a MSC certified fishery, it may be duplicative to send this data point in addition to the fishery of origin. However, any discussion of elements of a seafood source usually includes the harvest area. It definitely is a KDE but sending it as a data point should be considered along with the fishery identification. #7 Catch Date: This data point is very complex and could provide mixed value to consumers. First of all, catch dates need to transmit along with vessel names to make them relevant. In artisanal fisheries, this could mean hundreds or thousands of vessel names & trip date pairings that ultimately don't differ greatly. In larger scale fisheries where sets are brought on board and frozen on board or aggregated in tinder vessels, the catch date is harder to define. Is it the individual set date or the port departure to port arrival date? Both have complications and challenges associated.</p> | <p>challenges of collecting and reporting this information.</p> |
| <p>I think it would be helpful if you would describe more precisely the procedure / mechanism of how the</p> | <p>MSC will be further developing the details of the proposal and its intended implementation in the</p> |

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| <p>proposed changes will help companies, MSC organisation and/or customers.</p> | <p>coming months. MSC would like to speak directly with stakeholders to better understand current practices for providing this information to ensure that our requirements are in line with standard industry practice.</p> <p>We also acknowledge the need to strengthen communications on the value of this proposal to all stages of the supply chain, including how the proposal meets the objectives as expressed through the consultation feedback.</p> |
| <p>Please note market developments. Some companies already state particularly traceability (eg GS1), so it should tie in with existing systems. Also there are difficulties with mixed/mixture products and/or mixed batches, eg herring salad or Frutti di mare</p> | <p>Interoperability is core to MSC's engagement in product provenance and digital traceability. We are engaging with certificate holders, service providers, industry initiatives and other actors to ensure that MSC leverages existing practices and initiatives within the industry, to avoid duplication of efforts and bring greater value to our certificate holders.</p> <p>We are investigating solutions for mixed batches. We welcome stakeholder input on how this is currently managed, for example, to meet existing legislation on seafood labelling.</p> |
| <p>Some proposed points (gear type, catch area, Latin name) are already part of EU legislation which means that these requirements would only apply to countries that have not yet implemented EU legislation. For retailers and processors it would mean a considerable additional effort to state the vessel and time of catch, because sometimes the same species that is being used in the same final product is supplied by several suppliers. There is absolutely no additional value to the consumer. Origin is certainly very interesting, but the name of the vessel in our opinion is a fact that does definitely not contribute to sustainability or credibility; it would have no influence on any purchase decision. In this case the MSC label is the better choice. Other accompanying documents (eg catch certificates) are very impractical. The certificate would have to be checked at every goods receipt and then sent to clients. It would be a very high effort requiring a lot of paper. It is questionable whether MSC's credibility could be increased and one would have to ask whether this was in the interest of sustainability at all.</p> | <p>Thank you for your feedback, including on the proposed requirements for potential future data requirements. We would like to reiterate that these are only for consideration and not included in the scope of the 2017 CoC Program Review.</p> <p>The feedback provided on supporting documentation and verification is useful to understand what may be feasible for supply chain companies.</p> |
| <p>Marketing of animal offal is increasingly relevant. MSC generally pays too little attention to sustainable processing of such by-products. The entire focus is on marketing of "food quality products" although current and future volumes in pet food or aqua culture sectors that are being or may be processed are not insignificant. MSC and ASC should focus more on marketing the entire fish not just of prime parts.</p> | <p>Thank you for your feedback. We are engaged in collaborations to expand the offering of MSC and ASC fish.</p> |
| <p>Recently more and more customers requires us to confirm the detailed the catching method of raw material. For example, Atlantic cod, we normally express the catching method as Trawl, but the</p> | <p>MSC will investigate opportunities to provide a tiered approach to allow for more detailed data collection where the demand exists.</p> |

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| <p>customer wants to know whether it is demersal trawl or midwater otter trawl for MSC fish.</p> <p>Therefore, would you please help to check if any documents or website could give us detailed catch method for all MSC Atlantic cod caught from FAO 27, and all catching method for MSC Pacific Cod.</p> | |
| <p>Thank you for the opportunity to provide feedback on MSC's Product Provenance and Key Data Elements (KDEs) proposal. As a sustainable seafood consultancy, we partner with U.S. retailers, suppliers, and producers to help implement sustainability and traceability into their seafood procurement practices. We encourage our retail partners to source MSC certified product when possible, and to buy from MSC CoC certified supply chains for added traceability assurance and verification. We are strongly supportive of the proposed changes to MSC CoC reporting requirements to add fishery of origin, country of origin, and fishmeal/fish oil product form information to the existing MSC CoC reporting requirements as the additional information would provide companies throughout the supply chain with basic yet critical information about the origin of the product. We often uses the MSC's Find a Supplier website to confirm suppliers' CoC claims.</p> <p>However, we can only confirm information about the species (e.g. pollock) for the CoC holding company but not about the specific fishery. Adding fishery of origin to the information available on the Find a Supplier website would greatly strengthen the functionality of these kinds of 'CoC spot-checks', allowing companies to cross check the KDEs provided by a supplier claiming MSC CoC certification against the KDEs available on the Find a Supplier website (or MOTS in the future).</p> <p>We also are in support of the MSC's proposal to introduce new Scope activities for fish oil and fishmeal. We believe that strong CoC is necessary to connect MSC feed sources to MSC farmed product and document all mixing happening at those stages. We also suggest that a list of certified fish oil and fishmeal suppliers be made available on the MSC website so that supply chain companies can verify CoC claims. We recommend a planned phase-in of mandatory fishmeal KDEs for verification purposes: feed company name and wild capture KDEs for wild product made into fishmeal or fish oil, including CoC reporting requirements that apply to all MSC certified product. While we strongly support adding fishery of origin to the MSC CoC reporting requirements, we suggest that the MSC refer to that KDE as a 'MSC fishery unit' since the unit of certification for the MSC varies and is defined differently on a case-by-case basis.</p> <p>Additionally, we are also curious as to how the MSC is defining country of origin since the U.S. Country of Origin Labeling (COOL) law defines COOL as the country where the product was last processed but</p> | <p>MSC welcomes the suggestions on what information could be considered within the scope of the current proposal. At this time, MSC has not considered KDEs on fishmeal for verification but has noted the comment.</p> <p>We appreciate the feedback provided on the complexities of the country of origin data. On the additional categories proposed for 2017 implementation (inside of future priorities), it is unlikely we can integrate all of the concerns given resource limitations on part of MSC as well as our certificate holders. As a global program, MSC acknowledges and seeks to accommodate the range of market demands, business practices, and regulatory frameworks under which MSC certified fisheries and supply chain partners operate. Nonetheless, we will explore opportunities to provide a tiered approach to allow for the voluntary collection of more detailed data where the demand exists.</p> <p>On the request to have all KDEs recorded and communicated electronically, it is unlikely that MSC can place that demand on certificate holders at this time. MSC acknowledges the diverse systems and practices in place in supply chains across the globe, and the potential burden that requiring this electronic data communication would place on many certificate holders. Nonetheless, MSC is exploring opportunities to support companies in the process towards digitalisation and electronic traceability.</p> <p>MSC welcomes input from stakeholders on the various initiatives underway to standardise data collection practices. It is MSC's intention to utilise existing initiatives to avoid duplication of efforts, while also recognising the potential gaps between what certificate holders are able to do at this time.</p> |

other countries may define it slightly differently or have different laws. We also suggest that the MSC included country of origin among the information that will be publically available on the MSC's Supplier Directory website. We believe that the efficiency, relevancy and integrity of the MSC CoC requirements would be greatly enhanced by re-prioritizing several of the data requirements that are proposed for longer-term implementation (beyond 2017) to include them in the 2017 CoC program review changes:

a. Gear type by batch

1. We encourage the MSC to re-prioritize 'gear type by batch' so it is included in the 2017 priority list along with species, fishery of origin, and country of origin. Gear type is a critical piece of fisheries information that is already widely recorded, requested and communicated throughout seafood supply chains. Key industry stakeholders, including the National Fisheries Institute (NFI) and the Conservation Alliance for Seafood Solutions have established that production method is a fundamental piece of information to collect and monitor. To remain aligned with these and other efforts, We suggest that the MSC move more quickly to add gear type to its CoC reporting requirements by including it in the 2017 program review changes.

2. In order to maximize alignment with other external reporting requirements, we suggest that the MSC review the FAO gear type list to see if it meets MSC's needs, as the FAO list is already widely utilized by the global seafood industry and provides a standardized list of fishing gear names and definitions. Please see the list of FAO wild capture gear methods and sub-methods at the end of this document for easy reference. If the FAO list does not meet MSC's needs, we suggest that the MSC add any additional gear types to the FAO list and then make that new list available to the public. We would be happy to help in this effort as we have been tracking the many KDE conversations underway among government, industry, and NGO stakeholders. We have a list of tuna methods/set types that we can share with you as well, if helpful.

3. If the FAO gear categories meets the MSC's needs, We suggest the MSC require at minimum the following information to identify and communicate wild capture production methods throughout MSC CoC certified supply chains:

- i. FAO parent gear type
- ii. FAO sub-method
- iii. Specific gear type when available (e.g. FAD vs FAD-free purse seine)

b. Catch area by batch

1. We encourage the MSC to re-prioritize 'catch area by batch' for inclusion in the 2017 program review changes. Like gear type, catch area is a critical piece of fisheries information that is already collected and

shared in some seafood supply chains. Customers commonly request information on catch area because fishery of origin is not adequate for identifying where a fish was harvested (e.g. 'Pacific cod' could mean it's from Russia, U.S., Canada, or Japan), and many companies need to know catch area in order to determine whether the product meets their sustainability commitments. To remain aligned with and on a similar timeline to other government, industry and NGO initiatives, We suggests that the MSC include catch area in its first round of review changes.

2. Regarding the question of KDE definition and ensuring alignment with external (non-MS) requirements and recommendations, We strongly suggests the MSC define catch area using the following parameters:

i. If caught within an Exclusive Economic Zone (EEZ): FAO Major Fishing Area + Country EEZ

ii. If caught outside of an EEZ: FAO Major Fishing Area + Flag of Vessel + RFMO or High Seas Name

For species of fish, We recommend that the MSC require reporting of both the market name and the scientific (Latin) name. Requiring both will ensure that the species can be identified even if there are reporting errors in one of the names and will also help corroborate claims relating to the source fishery. Additional consideration should be given to the rare circumstance of species complexes. For example, west coast rockfishes are harvested as a complex and not separated into individual species groups before they are processed. One shipment may include many species. Requiring all possible species in the shipment to be listed or only requiring the Genus if >5 species of the same Genus are landed might be possible solutions in these few cases.

Regarding the development of an automated MSC Fishery code/ASC Farm code, We believe that standardized fisheries and farms codes would greatly improve data collection and significantly help advance interoperability of fishery KDEs. We would like to bring to your attention a similar effort underway at the FAO to develop a standardized fisheries code for wild capture fisheries. If helpful, we would be more than happy to connect you to some of the people who are involved with that project. In terms of feasibility, we think MSC supply chain partners are capable of including the 3-4 character code on invoices, POs, and other supply chain documentation.

Ideally, the fishery/farm code along with all other CoC KDEs, should be recorded and communicated throughout supply chains electronically. Paper-based systems allow for errors more often and are difficult to review in a timely manner. Electronic data records are critical to improving data collection and sharing, verification, and interoperability within seafood supply chains. We are encouraged to see the MSC working to transition its CoC system to an

electronic platform via the MSC Online Transaction Solution (MOTS). While MSC had decided to implement MOTS in a targeted application, We encourage the MSC to consider an eventual full roll out across MSC supply chains. Having the fishery/farm code available online is critical for data spot-check purposes and will allow companies, NGOs, and the public to cross-reference source information about products with the information available on MSC's website.

For the longer-term program review changes (post 2017), We suggest prioritizing the following KDEs as they are critical pieces of source information and essential to upholding the integrity of the MSC CoC program:

1. Volume by batch
2. Harvest vessel information by batch:
 - a. Unique identification number of harvest vessel (IMO number when possible)
 - b. Name of harvest vessel
 - c. Flag state of harvest vessel
3. Transshipment information by batch (if applicable):
 - a. Date and location of transshipment
 - b. Vessel names and IMO numbers
 - c. Volume transshipped
4. Port/location of landing

We understand that the proposed KDEs are part of a longer-term MSC strategy towards full batch traceability, but strongly encourages the 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 E.U. and U.S. The KDEs that MSC are proposing are less rigorous than the minimum supply chain traceability data required for seafood imports to the E.U under Fisheries Control Regulation 01224/2009 and the Fish Labelling Regulation 2010. In the U.S., the IUU Task Force is set to release a final list of harvest, landing, and CoC KDEs soon that will outline exactly what data seafood importers of 'high-risk' products will be required to provide under the national Seafood Import Monitoring Program. By ensuring alignment of MSC CoC KDEs to the source 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.

In addition to government traceability requirements in E.U. and U.S., there are several projects already underway within the seafood industry, NGO, and intergovernmental groups working to align seafood traceability KDEs and standardize data collection practices.

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| <p>If helpful, we would be more than happy to share the work we and other industry stakeholders have been involved with to standardize seafood source information.</p> | |
| <p>Additional email feedback: We are hoping that regarding Annex 2 of the Consultation Document that country of origin be available to the public for the short-term goals, as well as the gear type and catch area of the longer term goals.</p> | <p>Thanks you for your feedback. MSC will explore opportunities to provide a tiered approach to allow for more detailed data collection where the demand exists</p> |
| <p>We have customers who ask how we can guarantee full traceability – when we cannot state the certified fisheries our suppliers buy from?</p> | <p>Thank you for your feedback. This is aligned with our planned areas of focus and implementation.</p> |
| <p>Concern around mixed batches, so that passing on this information will be complicated; also, the required adjustment of IT systems, so they can communicate the proposed information, will be costly</p> <p>Question over the added value is of these requirements considering existing MSC CoC and European regulation. Do not believe this will help to reduce fraud in addition to what's currently available.</p> | <p>Thank you for your feedback. MSC is investigating solutions for mixed batches. We welcome stakeholder input on how this is currently managed, for example, to meet existing legislation on seafood labelling.</p> <p>We also acknowledge the need to strengthen communications on the value of this proposal to all stages of the supply chain, including how the proposal meets the objectives as expressed through the consultation feedback.</p> |
| <p>Feedback was raised on the reporting of MSC species that may not be specific enough. Species is critical, you can't say "tuna" is it albacore, skipjack or yellowfin? Some are msc some are not subject to how and where caught.</p> <p>For US "chunk light" trade for example labeling is lax, it potentially is about 11 species even species like pollock can be legitimately added to the can so could still be MSC?</p> <p>Your proposal for country may need flexibility eg country or FAO area. Some fisheries UoCs' cover multiple countries and jurisdictions.</p> | <p>Thank you for your feedback. The feedback on species is aligned with our planned areas of focus and implementation, pending further review and consultation.</p> <p>MSC is aware of different regulations and complexities regarding Country of Origin. We will be consulting stakeholders in the coming months, pending further review and consultation, on how this information could be captured.</p> |