

MSC Fisheries Standard

Summary of Amendments

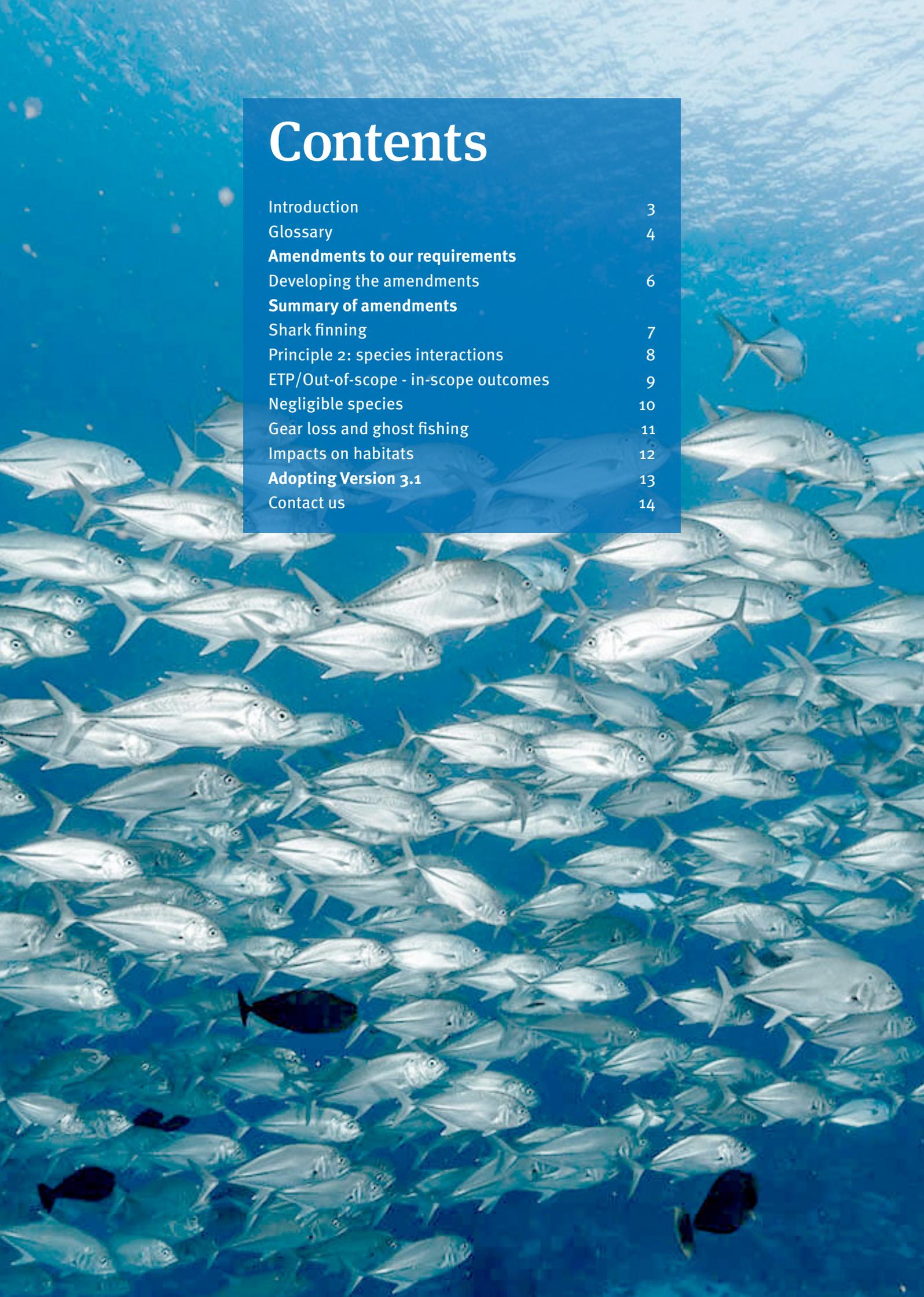
Version 3.1



Marine
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Introduction

The Marine Stewardship Council (MSC) has a vision for the oceans to be teeming with life, with seafood supplies safeguarded for future generations.

We use our ecolabel and fishery certification program to recognise and reward sustainable fishing practices worldwide, working with partners to transform the seafood market to a sustainable basis.

At the heart of our program is the MSC Fisheries Standard, which is used to assess whether a fishery is well-managed and sustainable. It is the leading sustainable fishing standard available globally and is [recognised by the UN-aligned Global Sustainable Seafood Initiative](#).

We review and develop our Standard in consultation with scientists, the fishing industry, assessors and environmental groups.

[Our recent Standard review \(2018-22\)](#) aimed to ensure our requirements reflect best practice in sustainable fisheries management, including better protections for marine life and stronger management and compliance requirements. The updated version of our Standard (Version 3) was published in October 2022.

However, feedback from independent assessors and fishery representatives highlighted that some of the new requirements were unclear, too complex and did not deliver the intended outcomes.

We have listened to our stakeholders' concerns and are working to address the issues raised. We want to ensure our Standard remains an effective tool to drive progress in sustainable fishing.

If we do not act, even the best managed and most sustainable fisheries may no longer be incentivised to seek certification, making it harder to achieve our goal of ending overfishing.

We are addressing the issues raised through two distinct workstreams, which include:

- i. Amendments to technical issues in our requirements
- ii. A wider review, including an independent evaluation of the Evidence Requirements Framework and a review of the Risk-Based Framework (procedures in the MSC Fisheries Standard Toolbox) which will begin in July 2024.

This document contains a summary of the key amendments.

An updated version of our Standard (3.1) will be published on 22 July 2024.

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Glossary

Assessor – part of the assessment team contracted by the CAB to audit the fishery

Conformity Assessment Body (CAB) – Third party businesses that are contracted by fishery clients to undertake a fishery assessment against the MSC Fisheries Standard

ETP – endangered, threatened and protected species

Favourable Conservation Status – a species' ability to recover to a minimum of “50% of unimpacted levels within three generations or 100 years, whichever is shorter”.

In-scope species – species that are eligible for MSC certification (fish and invertebrates)

Out-of-scope species – species that are not eligible for MSC certification – mammals, reptiles, amphibians, birds

MSC Fisheries Standard – a scheme document that sets out the requirements a fishery must meet to achieve MSC certification

MSC Fisheries Standard Toolbox – a scheme document that contains tools or mechanisms that are used to support fisheries assessments



Amendments to our requirements



Developing the amendments

We worked with Conformity Assessment Bodies (CABs), assessors and fishery representatives to identify technical issues in our Standard and Fisheries Standard Toolbox.

This included gathering feedback from pre-assessments and mock assessments using Version 3.

Many of the issues identified could be resolved through amendments to the language used in our requirements.

The amendments do not alter the level of performance required for fisheries, and many of the requirements introduced in Version 3, which are intended to drive progress in sustainable fishing, have not been changed.

To ensure the amendments delivered the intended outcomes, CABs and assessors carried out pilot tests.

They were also reviewed by Assurance Services International (the independent body that provides oversight of CABs) to ensure any changes were clear and could be audited.

We are confident the amendments will ensure our requirements can be applied more efficiently and assessed consistently.



Shark finning: Defining ‘shark’

What was the issue?

To assess shark finning, assessors were required to use the MSC’s new definition of a “shark” as well as the fishery management agency’s definition, if additional species were included.

However, this led to inconsistent outcomes as assessors found it challenging to apply agency definitions in practice because:

- Agency definitions may not be available or may not relate to shark finning
- It was unclear how definitions that include additional species should be used if these species are not vulnerable to shark finning
- There was variation in definitions across different jurisdictions

MSC definition of a shark: Selachimorpha (“true sharks”) and rhinopristiformes (e.g. shovel-nose rays & guitarfish)

What has changed?

Assessors to only use the MSC definition of a shark.

What is the impact of the amendment?

This amendment clarifies the process and will ensure assessments are consistent – it does not raise or lower the performance required for fisheries.

We are confident the MSC definition covers all species vulnerable to shark finning. Impact testing showed that our definition applied to **95% of species and 99% of the volume of fins identified in a study of the shark fin market.**

It is important to note that the definition for shark when assessing ETP species includes all “chondrichthyes”, which includes selachimorpha (true sharks) and rhinopristiformes, as well as rays, skates and chimeras.



Principle 2: Species interactions

What was the issue?

There was a lack of clarity on how to identify which species to assess in Principle 2, for example whether teams need to assess potential interactions with endangered, threatened and protected (ETP) and out-of-scope species.

What has changed?

We introduced new requirements and guidance to clarify that assessors should use documented interactions to identify species that need to be assessed in Principle 2.

We have clarified guidance that assessors should use expert judgement where needed e.g. if there is a known risk of interaction between ETP species and a specific gear type, even if the fishery in assessment lacks data on interactions with that species.



ETP/out-of-scope: In-scope outcomes

What was the issue?

In Version 3, we introduced new requirements for ETP and out-of-scope species that ask for species to be managed to Favourable Conservation Status (FCS), defined as a species' ability to recover to a minimum of "50% of unimpacted levels within three generations or 100 years, whichever is shorter".

However, it was unclear how to assess in-scope species (fish and invertebrates) that are managed as commercial fisheries (rather than to FCS) but also appear on national lists of ETP species. This impacts a small number of fish species.

What has changed?

A new requirement clarifies that if a national authority allows a nationally listed species to be managed as part of a fishery, that species can be entered into MSC assessment to be certified or as in-scope bycatch.

What is the impact of the amendment?

The method for designating species was part of a significant strengthening of our Version 3 requirements on ETP species. The method was developed to ensure assessors take a consistent and precautionary approach to designating species as ETP.

The clarifications ensure that species will be scored under the most appropriate component (ETP or in-scope) if they are never managed to Favourable Conservation Status but do have management measures in place. If a species is fished, but also appears on any other form of ETP legislation, it cannot be designated in this way.



Negligible species

What was the issue?

Variation in the definition of ‘negligible species’ across the Standard. Assessors also raised concerns about the added time, cost and complexity of applying the Evidence Requirements Framework to every species defined as negligible.

What has changed?

We clarified the definitions for “negligible” based on whether a species is in-scope or out-of-scope:

- **In-scope:** a negligible species accounts for less than 2% of catch
- **Out-of-scope:** can only be considered negligible if fewer than 10 individuals are caught and the population is over 5,000

We also introduced a more efficient process for assessing negligible species, while retaining the same definitions:

- Assessors to identify negligible species at the start of the assessment
- Remaining species are sorted into ETP/out-of-scope and in-scope components
- Species are considered ETP if they feature on IUCN, CMS and CITES lists of critically endangered species

What is the impact of the amendments?

To determine if a species is negligible, the CAB must have sufficient quantitative information to make that judgement – if they do not, the species must be scored fully in a component.

For species at an inherent risk of depletion (even if the catch proportion is less than 2%), CABs should use the precautionary approach and not classify as negligible. Similarly, if the catch total is exceptionally large, negligible is not an option.



Gear loss and ghost fishing

What was the issue?

We introduced new requirements in Version 3 to ensure gear loss is explicitly considered during a fisheries assessment.

However, our requirements were unclear which led to assessors misinterpreting our requirements and perceiving that fisheries needed to meet a higher level of performance than we intended, making it more difficult for fisheries to meet our Standard.

This was due to inconsistencies between the requirements and guidance, which conflated the presence of management measures to reduce gear loss with the efficacy of these measures.

What has changed?

We have clarified our requirements and removed conflicts with the guidance. This makes it explicit that assessors should focus on whether management measures to reduce gear loss are in place.

What is the impact of the amendments?

The addition of explicit requirements for ghost gear in Version 3 significantly strengthened our Standard. The amendments ensure the requirements are being applied as intended.

It is important to note the impact of lost gear is assessed elsewhere in our Standard, including the habitat outcome performance indicators and impacts on ETP species.



Impacts on habitats

What was the issue?

In Version 3, we redefined how a habitat is classified (as “more” or “less” sensitive) based on the length of time taken to recover to at least 80% of its unimpacted structure and function.

However, it was unclear whether fisheries would be held responsible for damage that occurred before management agencies recognised protection was needed.

It was also unclear how the ‘unimpacted’ state of a habitat should be defined, and whether spatial calculations are sufficient to achieve 80% protection of habitats.

What has changed?

- We have clarified that the fishery in assessment should not be held responsible for damage that occurred before it was recognised protection was required
- We have also clarified that ‘unimpacted’ state is defined in relation to the 2006 UN General Assembly Resolution (61/105), which called for fisheries to take a precautionary approach to ensure no significant adverse impacts on vulnerable marine ecosystems
- Guidance has been clarified to define how spatial calculations can support the assessment of less sensitive habitats

What is the impact of the amendments?

The clarifications will improve assessors’ understanding of our habitats requirements and ensure they are applied correctly.



Adopting Version 3.1



Adopting Version 3.1

The amendments will be published on Monday 22 July in the following scheme documents:

- MSC Fisheries Standard Version 3.1
- MSC Fisheries Standard Toolbox Version 1.2

These documents will supersede Version 3 of the Standard, and Version 1.1 of the Toolbox, and will take effect immediately.

New fisheries

Fisheries entering assessment for the first time can use Version 2.01 until 1 July 2026, or until the completion of the Toolbox Review and any necessary changes, whichever is later.

This extends the derogation issued in January 2024, which gave new fisheries until February 2026 to start using the new requirements.

Certified fisheries

Fisheries that are already certified have until 1 November 2030 to transition to Version 3.1.

It is our expectation that any changes will be complete by then, but the deadline may be extended, depending on the review outcomes and any modifications needed.

The exception to this is fisheries managed by Regional Fisheries Management Organisations that have undergone early application of Section SE. Such fisheries are required to use Version 3.1 at their next reassessment.



Contact us

If you have questions about the amendments, please contact Standards@msc.org or your regional MSC representative.

Find out more about the amendments to our Standard and the Toolbox Review on our website.

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