

Marine Stewardship Council

MSC Certification Requirements



Version 1.3, 14 January 2013

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Responsibility for these Requirements

The Marine Stewardship Council is responsible for these Requirements.

This is a living document and will be reviewed on an on-going basis.

Readers should verify that they are using the latest copy of this (and other documents). Updated documents, together with a master list of all available MSC documents, can be found on the MSC's website.

Versions Issued

Version No.	Date	Description Of Amendment
Consultation Draft	17 January 2011	First publication of consolidated MSC scheme requirements, released for consultation
0.0	7 March 2011	First draft of revisions following MSC and CAB consultations
0.8	19 May 2011	Draft issued to the MSC Technical Advisory Board for final review and sign-off
1.0	15 August 2011	First version issued for application by Conformity Assessment Bodies
1.1	24 October 2011	Version issued incorporating revised Group CoC requirements and correcting typos, page numbering, wrong and missing referencing and unreadable flowcharts.
1.2	10 January 2012	Version issued incorporating TAB 20 agreed changes regarding reassessment, objections procedure, modifications to the default assessment tree to assess bivalves, implementation timeframes and ASC requirements. Minor edits, wrong and missing referencing, typos and unreadable Figures were corrected.
1.3	14 January 2013	Version issued incorporating TAB 21 and BoT agreed changes (see Table 1 below). Minor edits and clarifications were also provided.

Table 1: Sections amended and implementation timeframes as per TSC, TAB and Board (2012)

Topic	Sections/clause affected	Implementati on timeframe for new assessments or audits ^[1]	Implementati on timeframe for all other assessment or audits
Auditor competencies	Section 6.1, 16.1, BB5.1, 27.5, 27.14 and new Annexes introduced with Auditor Qualifications And Competencies for CoC auditors, group CoC auditors, fishery team leaders/ members and peer reviewers	Personnel involved in new assessment/ audit 14/03/2013	Personnel involved in existing assessment/audit 14/03/2014
Publication of witness audit	Section 4.1 Requirements for accreditation, 4.8 Contract	For fisheries 14/03/2013 For CoC 14/03/2014	For fisheries 14/03/2013 For CoC 14/03/2014
Stakeholder information Sharing	Section 4.7 Communication with the MSC	14/03/2013	14/03/2013
TASC –(TASC: Product authentication in the supply chain and MSC commissioned or unannounced audits) -	Section 4.8 Contract, 17.4 –Evaluation	14/03/2013	14/03/2014
TASC: (TASC: Supply chain reconciliations; Verification of tracebacks and supply chain reconciliations; Notifying MSC in cases of mislabelling; Timely	Annex BD	14/03/2013	14/03/2013

^[1] **All new assessments or audits commencing after the effective date must be conducted in compliance with new requirements.**

and accurate information)-			
CoC Scope	Section 17.2 –Scope of Certification , Annex BD	14/03/2013	14/03/2014
ASC	BE	14/03/2013	14/03/2014
CoC Accessibility	Section 17.3 Audit planning, Annex BB – Group CoC requirements, Annex BC Checklist for Group requirements	14/03/2013	At reassessment
CoC Checklist	Annex BA	Voluntary	Voluntary
Delaying publication	24.1.1, 24.1.1.1, 24.1.1.2	14/01/2013	14/01/2013
Fisheries on shared straddling- and highly migratory stocks	PI 3.1.1	14/03/2013	at reassessment, or 14/3/2017
Benthic impacts	CB3.14.1, CB3.14.2.1 Glossary	14/03/2013	at reassessment, or 14/3/2017
Transparency and integrity	PI 3.2.2	14/03/2013	at reassessment, or 14/3/2017
Shark finning	PI 1.2.1, PI 2.1.2	14/03/2013	14/03/2014
Low Trophic Level stocks	PI 1.1.2	14/03/2013	at reassessment, or 14/3/2017
Expedited audit	27.4 Confirmation of scope, New Annex CL	Voluntary	Voluntary
RBF	27.8, 27.14, CB3.7.2, CB3.14.2, CB3.13.2, Annex CC	14/03/2013	at reassessment, or 14/3/2017
Clarification on announcements	27.9 Site visit, 27.22 Surveillance	14/03/2013	14/03/2013
Clarification on consultation requirements	24.3. Consultation requirements	14/03/2013	14/03/2013

Marine Stewardship Council

Vision

Our vision is of the world's oceans teeming with life, and seafood supplies safeguarded for this and future generations.

Mission

Our mission is to use our ecolabel and fishery certification programme to contribute to the health of the world's oceans by recognising and rewarding sustainable fishing practices, influencing the choices people make when buying seafood, and working with our partners to transform the seafood market to a sustainable basis.

Focus

We will:

- collaborate with fishers, retailers, processors, consumers and others to drive change forward;
- never compromise on the environmental standard we set, nor on our independence;
- continue to lead the world in wild-capture fishery certification, with the most trusted, recognised and credible seafood ecolabel.

MSC standards and certification requirements

With experts, the MSC has developed standards for sustainable fishing and seafood traceability. They ensure that MSC-labelled seafood comes from, and can be traced back to, a sustainable fishery.

MSC standards and requirements meet global **best practice** guidelines for certification and ecolabelling programs.

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General Introduction

Fisheries certification

The MSC's *Principles and Criteria for Sustainable Fishing* sets out requirements that a fishery must meet to enable it to claim that its fish come from **a well-managed and sustainable source**.

Throughout the world fisheries are using good management practices to safeguard jobs, secure fish stocks for the future and help protect the marine environment. The science-based MSC environmental standard for sustainable fishing offers fisheries a way to confirm sustainability, using a credible, independent third-party assessment process. It means sustainable fisheries can be recognised and rewarded in the marketplace, and gives an assurance to consumers that their seafood comes from a well-managed and sustainable source.

The MSC standard applies to wild-capture fisheries only – whatever their size, type or location but does not apply to farmed fish.

Three core principles form the MSC fisheries standard:

Principle 1: Sustainable fish stocks

The fishing activity must be at a level which is sustainable for the fish population. Any certified fishery must operate so that fishing can continue indefinitely and is not overexploiting the resources.

Principle 2: Minimising environmental impact

Fishing operations should be managed to maintain the structure, productivity, function and diversity of the ecosystem on which the fishery depends.

Principle 3: Effective management

The fishery must meet all local, national and international laws and must have a management system in place to respond to changing circumstances and maintain sustainability.

Chain of custody certification

Before the MSC ecolabel can be used on seafood, or any claim about the MSC can be made, an assessment must take place **at each step in the chain** that confirms the product originates from a fishery certified to the MSC's Principles and Criteria for Sustainable Fishing.

Certified chain of custody systems are an essential component of any product labelling programme, providing credible assurance that traceability of fish products through supply chains is maintained. To achieve this, companies in each relevant supply chain are subject to certification against the MSC Chain of Custody standard for seafood traceability.

Four core principles form the MSC Chain of Custody Standard:

Principle 1: The organisation shall have a management system

Principle 2: The organisation shall operate a traceability system

Principle 3: There shall be no substitution of certified products with non-certified products

Principle 4: There shall be a system to ensure all certified products are identified

The full MSC Chain of Custody standard for seafood traceability version 3 is available from the MSC website.

Use of MSC's Chain of Custody by other standard setters

The Aquaculture Stewardship Council (ASC) uses the MSC Chain of Custody requirements to assure the traceability of ASC-certified aquaculture products through their supply chains. Although this is an important collaboration, the ASC remains a separate organisation that will use a different ecolabel. Annex BE defines how the MSC Chain of Custody requirements are applied to ASC supply chains.

Introduction to this Document

The purposes of the MSC Certification Requirements are:

1. To establish consistent certification requirements to enable all conformity assessment bodies (CAB¹s) to operate in a consistent and controlled manner;
2. To provide the transparency that is required of an international certification scheme for it to have credibility with potential stakeholders, including governments, international governmental bodies (e.g. regulatory bodies, fishery managers), CABs, suppliers of fish and fish products, non-governmental organisations and consumers;
3. To provide documentation designed to assure long-term continuity and consistency of the delivery of MSC certification.

The MSC's accreditation body Accreditation Services International GmbH (ASI) is responsible for setting the scope for which accreditation to the Certification Requirements will be granted. ASI will set scope for CABs with reference to the chain of custody and fishery certification schemes described in this document.

How to use this document

The MSC's certification requirements are set out in three parts and apply to CABs as below:

Part	Conformity
Part A – General certification requirements	Mandatory for all CABs
Part B – Chain of custody certification requirements	Mandatory for all CABs
Part C – Fishery certification requirements	Mandatory for CABs certifying fisheries

Guidance

The Guidance to the MSC Certification Requirements has been produced to help conformity assessment bodies (CABs) interpret the MSC Certification Requirements contained in the document "MSC Certification Requirements".

Guidance has been developed to:


- provide clarification on questions asked by CABs;
- to address areas of concern to the MSC;
- act as a training aid for both MSC and CAB staff.

The headings and numbering in this document, when included, match those in the MSC Certification Requirements exactly, with numbers prefaced with the letter "G" to indicate Guidance.

Those using Guidance should refer to both this document and the MSC Certification Requirements together, as text from the MSC Certification Requirements is not repeated in Guidance.

In this document, Guidance is not provided for all system requirements clauses - where this occurs the phrase “No Guidance at this time” appears.

The MSC recommends that CABs read the MSC Certification Requirements in conjunction with the MSC’s Guidance to the MSC Certification Requirements.

Where guidance is provided that generally relates to the subject of a major heading, or relates to the content of a specific clause, this icon  appears at the end of the title or clause.

Insertions are identified with **bold text**. Deletions are identified using ~~single strikethrough and bold~~. Both insertions and deletions will be shown bearing a footnote.

The footnote reflects the:

- a. authority who made the decision (e.g. Technical Advisory Board);
- b. date (or meeting number) that the decision was made;
- c. date on which the change should come into force/came into force.

Changes to correct minor matters record the reason for the addition or deletion in the footnote.

Derogations are indicated by inserting a footnote at the end of the clause(s) the derogation refers to, placing it in square brackets and number and brackets bold. In the footnote it is shown:

- a. the authority who made the decision on the derogation;
- b. the date or meeting number of the decision;
- c. the date on which the derogation came into force or expires; and
- d. a short description of the derogation.

A derogation indicates a measure which allows for all or part of the requirement to be applied differently, or not at all, to certain applicants or certificate holders.

The MSC will periodically provide new versions of the CR and GCR, where previous amendments will no longer be tracked. Between official versions, the MSC will maintain an up-to-date consolidated version.

Numbering

The intention of the MSC in this revision is not to modify the numbering of individual clauses. For this reason where new clauses are inserted between existing clauses, they will show with an A at the beginning (e.g. A27.1.1, B27.1.1).

MSC will periodically provide new versions of the CR and GCR, where previous amendments will no longer be tracked. Between official versions, MSC will maintain an up-to-date consolidated version.

Standard implementation timeframes

In December 2011, standard implementation timeframes for changes to the MSC Standards and certification requirements were agreed by the Technical Advisory Board and Board of

Trustees. The procedure makes a formal distinction between process- and performance-type changes to scheme requirements. The procedure defines:

1. A fixed time interval of 2 months between when documents are issued to certifiers by the MSC and the date on which they become effective (the *effective date*).
2. A standardized implementation timeframe for changes to process requirements for both fisheries and chain of custody:
 - All new assessments or audits commencing² after the effective date must be conducted in compliance with new requirements.
 - All other assessments or audits must be conducted in compliance with new requirements within one year of the effective date.
3. A standardized implementation timeframe for changes to performance requirements:
 - New fisheries, which have not commenced assessment before the effective date, must comply with new performance requirements.
 - Existing fisheries (in assessment or certified) must comply with new performance requirements upon reassessment or within 4 years of the effective date³, whichever is sooner.
 - New chain of custody applicants, which have not commenced audit before the effective date, must comply with new performance requirements.
 - Existing chain of custody holders must comply with new performance requirements upon reassessment.
4. All fisheries for which more than 4 months has elapsed between entering assessment and the start of the site visit, must implement the new requirements from the time of the site visit.
5. All fisheries for which more than 9 months has elapsed between the on-site assessment and the PCDR, must implement the new requirements when revising the scoring under CR 24.2.3.
6. The Board may, for specific policies, agree that the timeframe for implementation applicable to fisheries under paragraph 3 may be shorter than 4 years, with a minimum implementation timetable being at the first surveillance audit taking place after one year from the effective date.

The implementation requirements above are *maximum* implementation dates. At their discretion, CABs may implement performance or process requirements at earlier dates than required by the regulations above.

For more information about implementation timeframes, please go to <http://improvements.msc.org/>

² Commencing: announcing a full assessment or surveillance audit of a fishery; entering a contract for a CoC audit.

³ i.e. at a reassessment that takes place prior to 4 years from the effective date or at the reassessment or surveillance audit immediately following 10 March 4 years after the effective date.

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Part A: General Requirements for CABs

1 Scope

Part A of MSC's Certification Requirements sets out the activities that all CABs shall undertake in carrying out certification of organisations in fisheries and supply chains that wish to make a claim that the fish and/or fish product(s) they are selling are from a well-managed and sustainable source that has been certified to the MSC's Principles and Criteria for Sustainable Fishing, and/or to use the MSC ecolabel on product.

2 Normative Documents

The following documents contain provisions which, through reference in this text, become part of the MSC Certification Requirements.

For documents listed below, which specify a date or version number, later amendments or revisions of that document do not apply as a normative requirement. CABs are encouraged to review the most recent editions and any guidance documents available to gain further insight about how the document has changed, and to consider whether or not to implement latest changes.

For documents without dates or version numbers, the latest published edition of the document referred to applies.

- a. MSC Principles and Criteria for Sustainable Fishing
- b. MSC Chain of Custody Standard
- c. ISO/IEC Guide 65: 1996, General requirements for bodies operating product certification systems
- d. ISO 19011:2012 : Guidelines for quality and/or environmental and/or environmental management system auditing
- e. IAF GD 5:2006 IAF Guidance on the of ISO/IEC Guide 65:1996 General requirements for bodies operating product certification systems Issue
- f. Accreditation Audit Practice Group (AAPG)Guidance Documents:
- g. ISO / IAF AAPG Auditing the CAB Impartiality Committee
- h. ISO / IAF AAPG Key Criteria for assessing the competency of CRBs and their ability to deliver credible results

3 Terms and Definitions

All definitions are defined in the MSC & MSC I Vocabulary.

Terms or phrases used in MSC Certification System Documents that have more than one definition are defined within the text where such terms or phrases appear. ■

4 General Requirements

4.1 Requirement of accreditation

- 4.1.1 A CAB shall have had their application to ASI for accreditation, to the scope of the certification they wish to provide, accepted before starting to sell certification services.
- 4.1.2 A CAB shall only award certificates once they are accredited and only within scope of their accreditation.
- 4.1.3 A CAB shall recognise that certificate holders that have been certified by other ASI accredited CABs conform to relevant MSC standards.
 - 4.1.3.1 **If a CAB believes that recognition of certificates issued by another CAB is not warranted, they should write to ASI detailing the case-specific circumstances.⁴**

4.2 Implications of suspension, withdrawal or cancellation of CAB accreditation

- 4.2.1 The CAB shall not sign new certification contracts or conduct assessments or audits if all or part of a CAB's scope of accreditation is suspended and if those activities are under the suspended scope.
- 4.2.2 The validity of certificates issued prior to the date of suspension by a suspended CAB is not affected unless specified by the CAB or ASI. The CAB shall:
 - 4.2.2.1 Discuss with ASI the resources (personnel and procedures) it requires to continue to provide surveillance audits during suspension, and any conditions that may be placed upon its activities during this time.
 - 4.2.2.2 Ensure those resources are put into place.
 - 4.2.2.3 Request the written approval of ASI to continue to undertake surveillance audits.
 - 4.2.2.4 Undertake the surveillance audits in conformity with these requirements and any requirements or other conditions raised in 4.2.2 1.
- 4.2.3 In the event of suspension of accreditation the CAB shall cooperate with the MSC and ASI to define the reasons for the suspension, so ASI can determine if there are any reasons to doubt the integrity of any certificates issued by the CAB.
- 4.2.4 If there is no reason for ASI to doubt the integrity of a certificate issued by the CAB:
 - 4.2.4.1 The suspended CAB shall inform certificate holders within the scope of suspension that:

⁴ **TSC 2012, date of application 14 March 2013**

- a. the CAB's accreditation has been suspended;
- b. their certificate shall remain valid during the period of the suspension, subject to requirements for continued certification;
- c. the certificate holder may continue to make claims and to supply certified fish under the normal conditions and obligations for certification;
- d. the CAB is required to take corrective action to reinstate its suspended accreditation;
- e. the corrective action taken may result in changes to the CAB's certification procedures or requirements;
- f. this may require a certificate holder to be involved in on-going partial or full re-audit if this is part of the CAB's corrective actions. ■

4.2.4.2 The suspended CAB may inform their certificate holders of the actual impact that corrective action agreed with ASI will have on each certificate holder. If this is done the requirement in 4.2.4.1 d) is waived.

4.2.5 The CAB shall suspend or withdraw any certificate(s) with immediate effect as instructed by ASI.

4.2.6 If clause 4.2.5 is applied a suspended CAB shall:

4.2.6.1 Suspend the certificates indicated by ASI.

4.2.6.2 Advise the suspended certificate holders, in addition to the advice required to be provided by the CAB on suspension of a certificate (see 7.4), that:

- a. the CAB's accreditation has been suspended.
- b. they may no longer use the MSC ecolabel or make claims of MSC certification.
- c. the CAB is required to take corrective action in relation to its accreditation.
- d. the corrective action taken may result in changes to the CAB's certification procedures or requirements.
- e. this may require a certificate holder to be involved in on-going partial or full re-audit if this is part of the CAB's corrective actions.

4.2.7 The CAB may inform their suspended certificate holders of the actual impact that corrective action agreed with ASI will have on each certificate holder. If this is done the requirement in 4.2.6.2 d) is waived.

4.2.8 When a CAB's accreditation is withdrawn or cancelled it immediately loses all privileges of accreditation. It may not sign new certification contracts, conduct any assessments, audits or issue certificates, (see section 4.11.8 for what to do when a CAB's accreditation is withdrawn or cancelled). ■

4.3 Conformity to ISO Guide 65 and MSC requirements

- 4.3.1 All CABs shall conform to the requirements of ISO Guide 65 and all other MSC requirements relevant to the scope of accreditation applied for or held.
- 4.3.2 All CABs shall use IAF Guidance on ISO Guide 65 to interpret ISO Guide 65.
- 4.3.3 CABs shall conform to MSC requirements in the case of a conflict with ISO Guide 65 or IAF Guidance to ISO Guide 65.
- 4.3.4 CABs should note that ASI shall apply the requirements of the following AAPG documents when undertaking accreditation assessments:
 - 4.3.4.1 Auditing the CAB Impartiality Committee.
 - 4.3.4.2 Key Criteria for assessing the competency of CABs and their ability to deliver credible results.
- 4.3.5 All CABs shall have a policy showing their support for the aims and objectives of the MSC.
 - 4.3.5.1 The CAB's actions shall conform to the policy.
- 4.3.6 Normative annexes to the MSC Certification Requirements shall be followed in full if they are applicable.

4.4 Conformity to ISO 19011

- 4.4.1 CAB audit personnel should follow guidance on auditing provided in ISO 19011.

4.5 Compliance with legal requirements

- 4.5.1 CABs shall comply with the legal requirements in the countries in which they operate.
- 4.5.2 Key personnel shall show understanding of applicable legislation and regulations

4.6 Certification Decision Making Entity

- 4.6.1 The CAB's decision-making entity shall authorise any changes to conditions of certification.

4.7 Communication with the MSC

- 4.7.1 CABs shall use the forms and methods of submission of information and data as specified in this document.
- 4.7.2 **CABs shall submit to the MSC a copy of the contact details for all participating clients and stakeholders, in order for MSC to distribute the client/stakeholder survey, within 10 days from the date the certificate is issued.**

- 4.7.2.1 The CAB should use the Contact Details Submission form found on the MSC website at: <http://www.msc.org/documents/scheme-documents/forms-and-templates>⁵ ■

4.8 Contract

- 4.8.1 The CAB shall have a written contract for certification which may include the application form (ISO Guide 65 clause 8.2.1).
- 4.8.1.1 If the client is a different legal entity to the certificate holder the CAB shall have a written contract with both parties.
- 4.8.2 The CAB's contract for certification shall include requirements for certificate holders to provide information requested to assist in **tracebacks or supply chain reconciliation** conducted by the MSC's ~~traceback evaluator~~⁶ according to the procedure defined in section BD2. The requirements to be entered into the CAB's contract shall include: ■
- 4.8.2.1 The certificate holder is to agree with the CAB that:
- a. If the MSC's ~~traceback evaluator's~~ requests to submit records of certified material are not met within timeframes required by BD2, a request for action by the CAB from the MSC ~~traceback evaluator~~ may be sent to the CAB.
 - i. Within fifteen days of receiving the request, the CAB shall work with the certificate holder at the certificate holder's expense to verify that the information is present and send a copy of the requested information to ~~the MSC traceback evaluator~~.
 - b. If, after the 15 day period in a) above, the information has not been provided to the MSC the CAB shall raise a Major non-conformity, and, if this is not closed out within a further fifteen days, suspension and/or withdrawal of certification shall follow, **as outlined in 7.4**.
 - c. If following any actions by the CAB regarding non-provision of information for MSC **tracebacks or supply chain reconciliations**⁷, the CAB shall undertake a revision of the risk analysis, which may lead to an increase in surveillance frequency.
- 4.8.3 Prior to entering into a contract, the CAB shall check the MSC website to verify that the applicant:
- 4.8.3.1 Is not already certified.
- a. If the applicant is already certified the CAB shall not enter into a contract for certification without following certificate transfer requirements set out in Section 4.11.

⁵ TAB 21, date of application 14 March 2013

⁶ TAB 21, date of application 14 March 2013

⁷ TAB 21, date of application 14 March 2013

- 4.8.3.2 Has not had a certificate suspended or withdrawn within the last two years:
- a. ~~If the applicant has had their certificate suspended, withdrawn or cancelled within the last six months, a new certificate shall not be issued until at least six months from the date that the certificate was suspended, withdrawn or cancelled.~~⁸
 - a. If the applicant has had their certificate withdrawn within the last two years, **the CAB shall check whether the withdrawal was under the conditions of clause 7.4.6.4⁹** and if so, a new certificate shall not be issued until at least two years from the date that the certificate was withdrawn.
 - b. If the applicant has had their certificate suspended within the last six months, the CAB shall follow the procedure for transferring suspended certificates as in 4.11.2.2.
 - c. If the applicant has had their certificate withdrawn within the last six months and the withdrawal was not under the conditions of clause 7.4.6.4, a new certificate shall not be issued until at least six months from the date that the certificate was withdrawn.
- 4.8.4 The CAB's contract for chain of custody certification shall specify that if MSCI suspends or withdraws a certificate holder's license agreement to use the MSC trademarks and the certificate holder does not comply with MSCI instruction within stated timeframes, the CAB shall suspend or withdraw certification.
- 4.8.5 The contract shall include a description of the steps that shall be taken by the client before it can be authorised by MSCI to use the MSC ecolabel.
- 4.8.6 If a fishery certificate is to be shared, the CAB's contract with the fishery certification client shall specify the steps that shall be taken for members of the client group to be able to sell the product as certified.
- 4.8.7 The CAB's contract shall state that the CAB will decide if chain of custody begins on board fishing vessels. ▣
- 4.8.8 **The CAB's contract for Chain of Custody certification shall state that clients agree to accept expedited audits, including unannounced audits, from their CAB and ASI.**
- 4.8.9 **The CAB's contract for Chain of Custody certification shall state that the client agrees to allow samples of seafood to be taken from their operation by MSC, ASI or the CAB when requested for the purposes of product authentication testing.**

⁸ TAB 19, date of application 14 November 2011

⁹ TAB 19, date of application 14 November 2011

- 4.8.9.1 All individual product authentication test results relating to samples taken at a certificate holder are confidential between the certificate holder, CAB, MSC and ASI and shall only be communicated to other parties anonymised and on aggregate.¹⁰ ☐
- 4.8.10 The CAB shall have procedures in place that ensure that applicants for certification are fully informed of, and have contractually agreed in writing to:
 - 4.8.10.1 ASI's right to publish on their website ASI-CAB witness audit reports¹¹. ☐

4.9 Control of MSC ecolabel and CAB logo claims

- 4.9.1 The MSC ecolabel, the name 'Marine Stewardship Council' and the initials 'MSC' are trademarks and are owned by the Marine Stewardship Council.
- 4.9.2 Any party wishing to use any of these three trademarks on any materials that will be seen by consumers (i.e. business to consumer communication, called “Consumer facing” by the MSC) must hold a license to do so from MSC.
 - 4.9.2.1 All use of the MSC ecolabel requires a licence from MSC.
 - a. The name “MSC” or “Marine Stewardship Council” can be used on materials that will not be seen by consumers (i.e. business to business communications, called “Non-consumer facing” by the MSC) without a licence from MSC.
 - b. Applicants for certification may use the name “Marine Stewardship Council” and the letters “MSC” to inform stakeholders about the assessment or audit process and invite participation.
 - 4.9.2.2 If there is any doubt about whether a licence is required, CABs shall refer to MSC for advice.
- 4.9.3 The CAB shall verify that an applicant has not used the MSC trademarks on consumer facing materials prior to being certified.
 - 4.9.3.1 If the applicant has used the MSC trademarks on consumer facing materials prior to being certified the CAB shall raise a non-conformity, and shall instruct the applicant to immediately cease use of the MSC trademarks.
 - 4.9.3.2 A copy of the non-conformity shall be sent to MSC within seven days.
- 4.9.4 If a suspected non-conformity with the terms of the ecolabel license agreement is found, the CAB shall issue a report on the non-conformity to the applicant.
 - 4.9.4.1 The CAB shall send a copy of the suspected non-conformity to MSC within seven days.

¹⁰**Derogation, TAB 21(effective date 14 March 2013)**

For contracts signed before 14 March 2013, clauses 4.8.8, 4.8.9 and 4.8.9.1 shall become effective by 14 March 2014.

¹¹**Derogation, TSC2012 (effective date 14 March 2013)**

For CoC witness audits, clauses 4.8.10 and 4.8.10.1 shall become effective by 14 March 2014.

- 4.9.5 The CAB shall have documented procedures for the issue and use of any logo or trademark of the CAB (ISO Guide 65 14.1) for the MSC program, including procedures for pre-publication review and authorisation by the CAB of:
- 4.9.5.1 All uses of the CAB's logo by certificate holders,
 - 4.9.5.2 All public claims made by certificate holders referring to their certification.
- 4.9.6 CABs shall note that once a fishery certificate has been issued and the Public Certification Report for the fishery states that fish and fish products from the fishery may enter into further chains of custody, the certificate holder may be eligible to apply to use the MSC ecolabel for:
- 4.9.6.1 Fish caught on or after the actual eligibility date but before the date of certification, and
 - 4.9.6.2 Fish covered by the scope of a valid CoC certificate.

4.10 Language

- 4.10.1 The official language of the MSC is English.
- 4.10.2 CABs shall note that the MSC may request that all reports and annexes to reports be translated into English.
- 4.10.3 CABs shall allow for the time and costs of translations that may be required

4.11 Transfer of certificate between CABs

- 4.11.1 CABs shall respect client wishes to change their CAB, either prior to or after issue of a certificate.
- 4.11.1.1 The current CAB shall inform the client that the MSC will only recognise the current certificate and its status of valid or suspended until such time as the current CAB changes the certification status in the MSC database.
- 4.11.2 If a client wishes to change CAB, the succeeding CAB and the current CAB shall work together where practicable to exchange information about the client's certification.
- 4.11.2.1 The current CAB shall share information on a client's suspension.
 - 4.11.2.2 The succeeding CAB shall follow any remaining suspension requirements for the certificate holder.
 - a. The CAB shall not issue a new certificate until at least six months from the date of original suspension if the certificate holder:
 - i. has been suspended for an activity that jeopardises the integrity of a certified supply chain; or
 - ii. cancels their certificate during the suspension; or
 - iii. has their certificate withdrawn.

4.11.3 Transfer from an applicant CAB

- 4.11.3.1 If an applicant for certification advises their current CAB that is applying for accreditation that they wish to move to another CAB, the current applicant CAB shall instruct the client to write to: ■
- a. The MSC and ASI authorising them to make any reports, records or other information that the MSC or ASI considers relevant to the client's conformity with the requirements for MSC certification available to the succeeding CAB, subject to restraints of confidentiality;
 - b. The current applicant CAB authorising and instructing them to provide the succeeding CAB with all reports, records or other information that the current CAB considers are relevant to the client's conformity with the requirements for MSC certification.
- 4.11.3.2 Following a client's authorisation under 4.11.3.1.b, the current applicant CAB shall disclose, within thirty days unless otherwise agreed with the client and succeeding CAB, any and all information to the succeeding CAB that it holds that has, or may have a bearing on the client's conformity to the requirements for MSC certification.
- 4.11.3.3 On receiving an application from a client that was in the process of certification with an applicant CAB, the succeeding CAB shall:
- a. Review the reasons for transfer.
 - b. Conduct a desk-based pre-transfer review to confirm that:
 - i. The client's activities fall within the scope of the succeeding CAB's accreditation.
 - ii. It has all the information that it expected to find.■
 - iii. Consideration is given to assessment and audit reports (including any conditions or non-conformities arising from them identified by the applicant CAB) and any other relevant documentation, complaints received and action taken.
 - c. Take account of the information that has been provided by the client based on work carried out by the applicant CAB.
 - d. Propose an assessment or audit process that would provide the same level of assurance in relation to conformity with MSC requirements as it would require from a new client that had not been under assessment or audit with an applicant CAB. Depending on the extent and quality of the available information, and the stage in the assessment or audit process, the succeeding CAB may propose one of the following:
 - i. Treat the client as a new client, and conduct a full assessment or audit in accordance with the relevant certification requirements.
 - ii. Conduct an on-site assessment or audit concentrating on identified problem areas and/or on matters not covered in the applicant CAB's assessment or audit.

- iii. Decline the contract.
- e. Discuss the actions needed to complete the proposed assessment or audit process with the client, and gain the client's approval for this.

4.11.4 **Transfer of an existing certificate from an accredited CAB**

- 4.11.4.1 On receiving an application for transfer from a client who holds a certificate with an accredited CAB, the succeeding CAB shall:
 - a. Review the reasons for transfer.
 - b. Conduct a desk-based pre-transfer review to confirm that:
 - i. The client's activities fall within the scope of the succeeding CAB's accreditation.
 - ii. The certificate is valid (authenticity, duration, scope).
 - iii. The status of outstanding non-conformities and corrective actions or conditions is known.
 - iv. Consideration is given to assessment, audit and surveillance reports and any non-conformities or conditions arising from them.
 - v. Any complaints received and actions taken to address complaints are known.
 - vi. The stage in the current certification cycle is known.
 - vii. Any other relevant documentation is reviewed.
 - viii. It is in receipt of all information that it reasonably expects to find.
- 4.11.4.2 The succeeding CAB shall either:
 - a. Treat the applicant as a new client, and conduct a full assessment or audit.
 - b. Conduct an on-site assessment or audit concentrating on identified problem areas and/or on areas where information is deficient.
 - c. Decline the contract.
- 4.11.4.3 The action(s) proposed and the reasons for taking them shall be explained to the client, who shall be given an option to accept or reject the proposed actions and to proceed with the transfer.
- 4.11.4.4 If the client accepts the proposed actions the succeeding CAB shall inform the client to advise their current CAB in writing that they wish to move to another CAB, and shall provide the current CAB with the succeeding CAB's contact details. The date of that written advice is the "transfer notice date".
- 4.11.4.5 The current CAB and the succeeding CAB shall agree with the client a transfer date on which all rights and obligations for maintaining the certificate shall pass from the current CAB to the succeeding CAB.
- 4.11.4.6 Processes covering the timing of issue and cancellation of certificates to be followed are:

- a. The succeeding CAB shall inform the MSC of the transfer date at least ten days in advance of the transfer date.
 - b. The certificate issued by the current CAB shall be cancelled on the earliest of:
 - i. Ninety days from the transfer notice date.
 - ii. The agreed transfer date.
 - iii. On the date of certificate expiry.
 - iv. On the date that any outstanding non-conformities or other specific reasons that would result in the suspension, withdrawal or cancellation of the certificate.
 - v. When a new certificate is issued by the succeeding CAB.
 - c. The current CAB shall update all records, including those held by the MSC on the MSC database, when its certificate is cancelled.
 - d. The succeeding CAB shall only issue a certificate on or before the transfer date if it is satisfied that the client conforms to the relevant MSC standard(s).
 - e. If the succeeding CAB has issued a new certificate prior to the agreed transfer date they shall advise the current CAB of this.
- 4.11.4.7 The current CAB shall instruct the client to follow the requirements set out in 4.11.3.1.
- 4.11.4.8 Following a client's authorisation to release reports, records and information under 4.11.3.1b), the current CAB shall disclose, within thirty days unless otherwise agreed with the client and succeeding CAB any and all information to the succeeding CAB that it holds that has, or may have a bearing on determining the client's conformity with the relevant MSC standard(s).
- 4.11.4.9 If following the release of information in 4.11.4.8 the succeeding CAB finds new information that requires a different course of action than in 4.11.4.2 the succeeding CAB shall inform the client of this, and shall agree with the client whether or not to proceed with the proposed course of action to transfer the certificate or not.
- 4.11.4.10 If the client agrees to proceed, the proposed actions shall be implemented and on completion all certification requirements shall be followed, amended as below:
- a. A condition requiring the client to promptly inform all customers and relevant parties of any change to the fishery or chain of custody certificate code shall be raised.
 - b. Unless a full assessment or audit has been completed:
 - i. The expiry date of the succeeding CAB's certificate shall be the same as the expiry date of the preceding CAB's certificate.

- ii. All conditions and/or non-conformities raised by the current CAB shall remain applicable, unless they are closed or revised as a result of an on-site audit by the succeeding CAB, and the actions taken are justified and documented.
- iii. The surveillance audit schedule set by the current CAB shall be followed, or following documentation of justification for change, revised and agreed with the client by the succeeding CAB.
 - A. Any changes to a fishery's surveillance schedule shall be communicated to the MSC at least ten days in advance of a scheduled surveillance audit.

4.11.5 Transfer from an accredited CAB during an assessment or audit process

- 4.11.5.1 If a client switches CABs during the assessment or audit process prior to the issue of a certificate the succeeding CAB shall follow the requirements of section 4.11.4, except for 4.11.4.6.b and c.

4.11.6 Transfer from an accredited CAB during a fishery re-assessment process

- 4.11.6.1 In addition to the requirements in 4.11.4, CABs shall follow all MSC requirements for:
 - a. Managing conditions that coincide with a fishery re-assessment date (i.e. the end of the five year fishery certification period).
 - b. Fishery conditions and associated corrective actions that extend beyond the five year certification period.

4.11.7 Transfer from a CAB whose accreditation has been suspended

- 4.11.7.1 If a client that is in the process of assessment at the time of the suspension of their CAB's accreditation wishes to transfer to a different CAB it may do so under the terms and conditions of its contract with the CAB, and in conformity with 4.11.5.
- 4.11.7.2 If a certificate holder that is certified at the time of the suspension of their CAB's accreditation wishes to transfer to a different CAB it may do so under the terms and conditions of its contract with the CAB, and in conformity with 4.11.4.

4.11.8 Transfer from a CAB whose accreditation has been withdrawn by ASI or voluntarily ceases to be accredited (cancellation)

- 4.11.8.1 If a client is in the process of assessment at the time of the withdrawal or cancellation of the current CAB's accreditation and it wishes to continue with the certification process with a succeeding CAB, the succeeding CAB shall:

- a. Advise the client they must sign a contract with them.
- b. Follow the transfer requirements outlined in 4.11.5.

4.11.8.2 If a client holds a certificate from a CAB whose accreditation has been withdrawn or cancelled and it wishes to continue certification with a new CAB, the new CAB shall: ■

- a. Advise the client they must sign a contract with the new CAB .
- b. Ask ASI if whether or not the current certificate issued by the CAB whose accreditation has been withdrawn will remain valid for a period of up to ninety days or not.
 - i. If a 90 day period is allowed, the CAB shall:
 - A. Calculate the date on which the 90 days is over and the current certificate expires.
 - B. Advise the client that up until that date the certificate holder may continue to make claims and to supply certified fish under the normal conditions and obligations for certification using their existing certification code.
 - C. Follow the transfer requirements outlined in 4.11.4.
 - ii. If a 90 day period is not allowed, the CAB shall:
 - A. Treat the client as if it was a new applicant and perform a complete assessment or audit.
 - B. Advise the client that as it no longer holds a certificate, it is no longer entitled to use the MSC ecolabel, and should contact MSC I for more information.

4.11.9 Consequences of transferring CABs on certificate codes, packaging and the MSC ecolabel license agreement with MSC I■

4.11.9.1 At the time the certification contract (4.8.1) with the succeeding CAB is given to the client for signature, the succeeding CAB shall instruct the client to:

- a. Advise MSC I that their CAB will be changing and the agreed transfer date.
- b. Conform to MSC I ecolabel licence requirements.

4.12 Variation requests

4.12.1 When submitting a variation request as allowed under the MSC Certification Requirements, the CAB shall apply in writing and shall:

4.12.1.1 Specify which clause of the MSC Certification Requirements, a variation is applied for.

- 4.12.1.2 Provide a justification for the variation that addresses each of the criteria (if any) given for accepting a variation request.
- 4.12.1.3 Explain how the request does not alter the conformity of the applicant or certificate holder with the relevant MSC standard.
- 4.12.1.4 Submit 'MSC Variation Request Form', found at <http://www.msc.org/documents/scheme-documents>, to the relevant MSC team (Fisheries or CoC) and upload it on the MSC database.
- 4.12.2 When submitting a variation as allowed under these requirements, CABs shall note that:
 - 4.12.2.1 The decision to accept a variation request is usually made by the MSC within fourteen days of receipt of the request.
 - 4.12.2.2 In considering whether to accept the variation request, the MSC may seek expert views, including those of the chair of the TAB, other TAB members identified by the chair of the TAB and other experts as felt appropriate by the MSC.
 - A4.12.2.3 The MSC will use the justification in the variation request and explanation on how the request does not alter the conformity with the MSC standard (4.12.1.2 and 4.12.1.3 respectively) to determine if the variation request shall be accepted.**
 - 4.12.2.3 The MSC will post variation requests and responses on the MSC website if the variation concerns a fishery in assessment or certificate holder.
 - 4.12.2.4 Any variation requests need to be submitted in advance. The MSC will not accept retrospective variation requests.
- 4.12.3 CABs shall keep records of variations submitted and the MSC's responses.

5 Structural Requirements

5.1 Mechanism for safeguarding impartiality

- 5.1.1 The CAB's management responsible for safeguarding impartiality in ISO Guide 65 clause 4.2 e) shall review the CAB's control of impartiality at least annually.

5.2 Confidentiality

- 5.2.1 The CAB shall document arrangements to safeguard confidentiality (ISO Guide 65 4.10.2).

6 Resource Requirements

6.1 Personnel

- ~~6.1.1 All personnel involved in assessments or audits shall be knowledgeable about the aims and objectives of MSC certification.~~

~~6.1.2 CAB fishery team leaders, chain of custody lead auditors and auditors shall complete an MSC training program each year provided by the MSC or MSC-approved provider.~~

6.1.1 CABs shall ensure that CAB lead auditors, CoC auditors, group CoC auditors, fishery team leaders and members:

6.1.1.1 Have signed the MSC's Code of Conduct (available on the MSC website) confirming that they will comply with the Code.

6.1.1.2 Conform to the competency and qualification criteria listed in Annexes BB, BF and CM as appropriate for CoC audits and fishery assessments.

6.1.2 CABs shall use one or more of the verification mechanisms in each qualification and competency criterion listed in Tables BBA5, BF1, BF2, CM1, CM2 and CM3, to verify that CAB lead auditors, CoC auditors, group CoC auditors, fishery team leaders and members, comply with the qualification and competency criteria.

6.1.2.1 For examination results, the pass mark shall be 70% for new and existing CoC auditors, group CoC auditors, fishery team leaders and members.

6.1.2.2 CoC auditors, group CoC auditors, fishery team leaders and members shall have a maximum of three attempts to obtain the pass mark.

6.1.2.3 Should CoC auditors, group CoC auditors, fishery team leaders and members fail to obtain the pass mark after three attempts, the CAB shall contact the MSC to agree a training action plan for them.

6.1.2.4 The auditor, team leader or team member shall be unable to conduct MSC CoC audits, group audits or fishery assessments until the MSC has approved the satisfactory completion of the plan.

6.1.2.5 The CABs shall provide a contact to whom the results of the examination will be sent.¹²

7 Process Requirements

7.1 Information for applicants

7.1.1 The CAB shall ensure applicants and certificate holders are issued current versions of all MSC standards and other requirements relevant to their scope of certification.

7.1.1.1 The CAB shall maintain a list or equivalent identifying the document and its version sent to applicants and certificate holders.

¹² **Derogation, TAB 21**

For assessments commencing before 14 March 2013, clauses under 6.1 and 6.2 shall become effective by 14 March 2014.

- 7.1.1.2 **Any time that a copy of the MSC Chain of Custody standard is distributed to any individual or organisation, the CAB shall attach a copy of Annex BD or provide the link to the MSC website page containing Annex BD.**¹³
- 7.1.2 The CAB shall send the following to applicants:
- 7.1.2.1 A copy of the CAB's standard contract for certification.
 - 7.1.2.2 Information about use of the MSC ecolabel and trademarks, including:
 - a. The website address where rules for MSC ecolabel use may be found.
 - b. An explanation that a license agreement will be required to be entered into with MSCI prior to use of the ecolabel and consumer facing MSC trademarks.
 - 7.1.2.3 The website address where MSC information relevant to certification and FAQs can be found.
 - 7.1.2.4 Information about the MSC's right to change MSC standards and certification requirements and that certification is conditional on conforming to new or revised standards or the consequence of changed certification requirements within stated timeframes.
 - 7.1.2.5 Guidance about the information about the applicant that shall be made public as a requirement of certification.

7.2 Assessment and audit planning

- 7.2.1 The CAB shall provide a plan for **CoC or fishery** evaluation activities (**ISO Guide 65 9.2**) to all personnel involved in an assessment or audit prior to commencing work. The plan shall:
- 7.2.1.1 For fishery assessments this plan shall be individually tailored to each assessment.
 - 7.2.1.2 Specify division of responsibilities between team members.
 - 7.2.1.3 Nominate a team leader responsible for carrying out the assessments or audit in conformity to MSC requirements and good audit practice. ■
 - 7.2.1.4 Set out processes to be undertaken by team members:
 - a. Prior to evaluation.
 - b. During evaluation (including consultations with stakeholders where undertaken).
 - c. After evaluation (including responsibilities for report writing, response to comments on report drafts and responding to decision makers).
- 7.2.2 To ensure an applicant has sufficient information to reach a common understanding with the CAB prior to evaluation commencing, (ISO Guide 65

¹³ **TAB 19, date of application 14 November 2011**



clause 9.1 b), the CAB shall ensure that before the end of the planning phase the applicant receives the following written information:

- 7.2.2.1 Expected scope of evaluation.
- 7.2.2.2 Draft work schedule.
- 7.2.2.3 Nature of any stakeholder consultation, if any.
- 7.2.2.4 Names and affiliations of proposed team members.
- 7.2.2.5 Sufficient information about the evaluation process for the applicant to make proper preparations for the assessment. This shall include:
 - a. A summary list of the objective evidence that may be required by the team.
- 7.2.3 The CAB shall have a documented procedure for dealing with an applicant's concerns about a member of the team proposed to carry out the evaluation, the CAB shall:
 - 7.2.3.1 Consider the merits of each concern raised by an applicant.
 - 7.2.3.2 Take appropriate action(s), which may include leaving the team unchanged if warranted.
 - 7.2.3.3 Maintain records of the justification for its action(s).

7.3 Changes affecting certification

- 7.3.1 CABs shall note that the MSC will issue amendments to MSC standards or the MSC Certification Requirements.
 - 7.3.1.1 The timescales for applicants and certificate holders to conform to and be assessed against the revised standard or requirement will be specified.
 - 7.3.1.2 Amended MSC standards or requirements take precedence over any previous version unless otherwise specified.
 - 7.3.1.3 The MSC will not be liable for any costs or loss of accreditation or certification arising out of changes to MSC standards or MSC Certification Requirements.

7.4 Suspension or withdrawal of certification

- 7.4.1 A CAB may suspend or withdraw a certificate for a contractual or administrative reason. 
 - 7.4.1.1 In these cases clauses 7.4.2 to 7.4.13 shall not apply.
- 7.4.2 A CAB shall suspend the certificate if a certificate holder does not agree to allow the CAB to hold a scheduled surveillance audit within ninety days of due date.
- 7.4.3 A CAB shall suspend a fishery certificate if a certificate holder: 
 - 7.4.3.1 No longer conforms to the MSC Principles and Criteria.
 - 7.4.3.2 Has not made adequate progress towards addressing conditions.

- 7.4.3.3 Does not provide information to allow verification that conditions are being addressed.
- 7.4.3.4 Does not provide information requested by the CAB within ninety days of being requested to do so. ☐
- A7.4.4 The CAB shall determine if the integrity of the certified supply chain has been broken intentionally or systematically. ☐**
- A7.4.4.1 If the cause of the suspension is determined to be intentional and/or systematic the CAB in addition to the requirements of 7.4.6 and 7.4.7:**
- a. Shall set the period of suspension at six months, except as provided for in 7.4.4A.2b.;
 - b. May extend the suspension to a maximum of 12 months when verification activities cannot take place earlier due to the seasonal nature of the activity.
 - i. This requirement for extra time shall be noted in the agreed corrective action plan;
 - c. Should in verification activities include CAB monitoring the activities of the suspended client (e.g. submission and review of all purchasing and sales documents, conducting unannounced audits, interviews with the person responsible for MSC to ensure understanding and ability to train other members of staff, etc.);
 - d. Shall prior to accepting that corrective action has been effective perform an on site verification audit and at a later date perform a second on site unannounced audit;
 - e. Shall document in a comprehensive report the evidence collected, and the justification for closing out open non-conformances which shall be forwarded to the MSC and the MSC's accreditation body within 10 days of closing the non conformance with a change to the certificate's status;
 - f. Shall withdraw the certificate if the verification of the effectiveness of the corrective actions cannot be concluded within the period of suspension;
 - g. Shall not reinstate certification before 6 months after suspension.¹⁴☐
- 7.4.4 A CAB shall suspend a CoC certificate if the CAB has objective evidence that indicates that: ☐
- 7.4.4.1 There has been a demonstrable breakdown in the chain of custody caused by the client's actions or inactions. ☐
 - 7.4.4.2 That certificate holder has sold products as MSC-certified (or under-MSC-assessment) which is shown not to be MSC certified (or under-MSC-assessment). ☐

¹⁴ TSC 2012, date of application 14 March 2013

- 7.4.4.3 The certificate holder cannot demonstrate that products sold as MSC-certified are MSC-certified.
- 7.4.4.4 The certificate holder has not satisfactorily addressed any major non-conformity within the specified timeframe.
- 7.4.4.5 If the certificate holder is a group:
- a. The certificate holder has had a group critical nonconformity raised;
 - b. There is a breakdown of the internal control system or of verification activities such that the group entity's assurances of site conformity with the MSC requirements cannot reasonably be relied upon;
 - c. The number of sites where one or more site major non conformities are raised meet or exceeds the reject number shown in Table BB5; or
 - d. The group entity has not followed the sanctions procedure.
- 7.4.5 Should a fishery certificate be suspended, the CAB shall within four days:
- 7.4.5.1 Record the suspension on the MSC database, and
- A7.4.5.2 Provide an announcement for posting on the MSC website.
- 7.4.5.2 Instruct the certificate holder:
- a. To advise client group members of the suspension (if relevant).
 - b. To advise existing and potential customers in writing of the suspension within four days of the CAB's instruction to do so. ■
 - c. To keep records of advice to customers.
 - d. Not to make any claims of MSC certification from the day of suspension. ■
 - e. Not to sell any fish as MSC certified from the day of suspension. Fish caught prior to the date of suspension may be sold as MSC certified if the CAB confirms the client's ability to segregate fish based on date of capture.
- 7.4.6 Should a CoC certificate be suspended the CAB shall within four days:
- 7.4.6.1 Record the suspension on the MSC database.
- 7.4.6.2 Inform the MSC of any potential impacts of the suspension on relevant chains of custody of which it is aware.
- 7.4.6.3 Instruct the certificate holder:
- a. To advise all sites of the suspension (if relevant).
 - b. To advise existing and potential customers in writing of the suspension within four days of the CAB's instruction to do so. ■
 - c. To keep records of advice to customers.
 - d. Not to make any claims of MSC certification from the day of suspension. ■

- e. Not to sell any products as MSC-certified from the day of suspension. ■
- 7.4.6.4 Determine whether the certificate holder has had their certificate suspended under 7.4.4.2 for a second time within the period of validity of the certificate. In this case the CAB shall:
- a. Immediately withdraw the certificate,
 - b. instruct the client that they may not reapply for chain of custody certification for two years from the date of certificate withdrawal, and
 - c. record the cause of the certificate withdrawal in the MSC database, specifically noting that the client may not reapply for two years from the date of withdrawal. ■
- 7.4.7 Should a certificate be suspended, the CAB shall: ■
- 7.4.7.1 Suspend the certificate until such time that the cause of the suspension has been fully addressed.
- 7.4.7.2 Instruct the certificate holder to provide a documented corrective action plan for addressing the cause of suspension, which is acceptable to the CAB as being able to address the cause(s) for suspension, within ninety days from the date of suspension.
- a. The corrective action plan shall include a binding timeframe.
 - b. If the certificate holder submits an acceptable corrective action plan within ninety days, instruct the certificate holder to implement the corrective action plan.
 - c. If the certificate holder does not submit an acceptable corrective action plan within ninety days, withdraw the certificate.
- 7.4.7.3 Verify the effectiveness of the corrective action once informed by the certificate holder of its completion. ■
- 7.4.7.4 If verification activities cannot take place due to the seasonal nature of the activity, extend the suspension and note the extension in the agreed corrective action plan.
- 7.4.8 When the CAB has verified that the certificate holder has addressed the reason for suspension, the CAB shall:
- 7.4.8.1 Reinstate the certificate,
- 7.4.8.2 Produce a report documenting the following:
- a. Evidence that describes how the cause of suspension has been satisfactorily addressed.
 - b. A statement confirming the reinstatement of the certificate.
- 7.4.9 If a suspended fishery certificate is reinstated, the CAB shall:
- 7.4.9.1 Record the decision on the MSC database.

- 7.4.9.2 Post a report in conformance with 7.4.8.2 on the MSC database for publication on the MSC website.
- 7.4.10 If a suspended CoC certificate is reinstated, the CAB shall:
 - 7.4.10.1 Record the decision on the MSC database.
 - 7.4.10.2 Follow an enhanced surveillance programme for a minimum of one year after reinstatement.
- 7.4.11 If the verification of the effectiveness of the corrective actions to address the reason for suspension in the required time frame cannot be concluded, the CAB shall withdraw the certificate. ■
- 7.4.12 Should a certificate be withdrawn the CAB shall record its decision on the MSC database within four days.
- 7.4.13 Should a fishery certificate be withdrawn, the client may re-apply for certification under the conditions set in 27.4.7.

7.5 Information on certificates ■

- 7.5.1 The CAB shall issue an English language certificate, which as well as requirements in ISO Guide 65 12.3 shall contain:
 - 7.5.1.1 The MSC ecolabel **version 2009 or latest published version, in conformity with MSC I ecolabel license requirements.** ¹⁵
 - 7.5.1.2 A unique certificate code in three parts:
 - a. The first part being the letter 'F' for fishery management certificates, 'C' for chain of custody certificates.
 - b. The second part being the CAB's initials or name;
 - c. The third part being a unique registration number or code issued by the CAB.
 - 7.5.1.3 The CAB may issue certificates in other languages as well as the English version providing they bear a disclaimer in at least 10 point font that the certificate is an unverified translation of the English certificate, and in case of differences the English version shall take precedence.
- 7.5.2 The CAB is not required to conform with IAF Guidance to ISO Guide 65 clause G.12.8.

Chain of Custody Certificates

- 7.5.3 The CAB shall issue CoC certificates with a maximum validity period of three years from the issue date on the MSC database.
- 7.5.4 The CAB's CoC certificates shall include:
 - 7.5.4.1 A schedule listing all site(s) and subcontractors not including transportation companies.

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- a. A schedule of transport companies may be included.
- 7.5.4.2 A statement confirming that the organisation conforms to the requirements of the MSC CoC standard with the CoC standard's version number.
- 7.5.4.3 A statement to the effect that the buyer of the fish or fish products sold as MSC-certified may, after gaining approval to do so from MSCI, apply the MSC ecolabel to fish and fish products within their scope of certification.
- 7.5.4.4 A statement referencing the MSC website as the authoritative source of information on the validity of the certificate as well as its scope.
- 7.5.4.5 The date of expiry.
- 7.5.5 **Not used at this time**
- 7.5.6 If the client has been assessed for under-MSC-assessment fish, a separate schedule shall be issued for under-MSC-assessment fish. The separate schedule shall contain the following information:
 - 7.5.6.1 Certificate holder's name.
 - 7.5.6.2 MSC certificate code.
 - 7.5.6.3 Certificate issue date.
 - 7.5.6.4 Scope schedule issue date.
 - 7.5.6.5 A statement written in at least the same font type and size as the list of products to the effect that:
 - a. Clients may check with their CAB to see if they are entitled to benefit from the under-MSC-assessment status of products once the fishery becomes certified.
 - b. The products listed on the schedule are not MSC-certified and that the MSC shall not be liable for any costs associated if:
 - i. The fishery does not become certified; or
 - ii. The actual eligibility date does not match the target eligibility date.
 - 7.5.6.6 The list of under-MSC-assessment products detailing each scope category.
- 7.5.7 The CAB shall not use the MSC ecolabel on an under-MSC-assessment schedule.
- 7.5.8 If the CAB issues a certificate covering group certification:
 - 7.5.8.1 The group entity shall be issued a certificate under the name of the group.
 - 7.5.8.2 A list of the group members shall be included on the group certificate or on a schedule attached to it.
 - 7.5.8.3 If the scope of operation differs between different group members, the CAB shall show the differing scopes for each member in the MSC database and on the certificate or a schedule to the certificate.

Fishery Certificates

- 7.5.9 The CAB shall issue fisheries certificates with a maximum validity period of five years from the issue date.
- 7.5.10 The fishery certificate shall contain:
- 7.5.10.1 A statement confirming that the fishery conforms to the MSC's Principles and Criteria for Sustainable Fishing, and that the fishery is well managed and sustainable;
 - 7.5.10.2 The scope of the certified fishery, including:
 - a. The unit (s) of certification.
 - b. The point at which fish and fish products may enter a Chain of Custody.
 - c. The parties or categories of parties that are entitled to use the certificate to enter fish from the certified fishery into certified chains of custody, which shall be identified on:
 - i. The fishery certificate; or on schedule to the certificate; or by reference to a section of the Public Certification Report.
 - d. The details of IPI catches eligible to enter further certified chains of custody.
 - e. The date of expiry.
- 7.5.11 The CAB shall inform the certified fishery it has the right to claim the fishery is a "Well Managed and Sustainable Fishery", in accordance with the MSC's Principles and Criteria for Sustainable Fishing.
- 7.5.11.1 Further claims made about the fishery shall be in accordance with rules established by MSC.

8 Management System Requirements for CABs

No requirements additional to ISO Guide 65 and IAF Guidance to ISO Guide 65.

9 Heading not used at this time

10 Heading not used at this time

----- End of Part A -----

Annex AA: MSC-MSCI Vocabulary -Normative

AA1 Purpose and Scope

AA1.1 This vocabulary defines terms and abbreviations used by the MSC and MSCI.

AA2 Introduction

AA2.1 Where possible, definitions in this document are taken from or based on definitions taken from authoritative sources, including:

AA2.1.1 The International Organisation for Standardisation (ISO).

AA2.1.2 The glossary of the Fisheries and Aquaculture Department of the Food and Agricultural Organization of the United Nations.

AA2.1.3 ISEAL Alliance's Code of Good Practice for Setting Social and Environmental Standards – Implementation Manual.

AA2.2 Modifications made to these definitions have been made when necessary to address the specific circumstances of the MSC Certification Requirements.

AA2.3 Where a definition contains bold text, this indicates that the term used is also defined.

AA3 Vocabulary

Table AA1: MSC-MSCI Terms and definition

Term	Definition
AAPG	Accreditation Audit Practice Group , a joint project of ISO and IAF
AB	See Accreditation Body .
ABC	See Allowable Biological Catch .
Accreditation	Third-party attestation related to a conformity assessment body (CAB) conveying formal demonstration of its competence to carry out specific conformity assessment tasks.
Accreditation Body	An organisation that assesses whether or not CABs are competent to carry out conformity assessment(s) against specified standards . This includes MSC's Contract Accreditation Body, ASI .

Term	Definition
Accreditation Services International GmbH	See ASI .
Achieving its Objective	<p>The measure or strategy is having the consequences that were expected when the measure or strategy was implemented.</p> <p>It is not necessary to have evidence that a long term goal or objective is being or has been achieved. It is necessary to have evidence that the measure or strategy is producing some results with regard to performance of the fishery, and the results are consistent with movement along an identified pathway towards a specific long term goal or objective.</p>
Actual Eligibility Date	The date from which product from a certified fishery is permitted to bear the MSC Ecolabel .
Affiliate	Any direct or indirect holding company or subsidiary company of the relevant entity. A company is a “Subsidiary” of another company, if the latter company: (a) holds a majority of the voting rights in it; or (b) is a member of it and has the right to appoint or remove a majority of its board of directors; or (c) is a member of it and controls alone, pursuant to an agreement with other shareholders or members, a majority of the voting rights in it. “Company” includes any corporate or any legal entity capable under law of making a contract.
Allowable Biological Catch	A term used by a management agency which refers to the range of allowable catch for a species or species group. It is set each year by a scientific group created by the management agency. The agency then takes the ABC estimate and sets the annual total allowable catch (TAC) .
Analytic Hierarchy Process	Used in pre default tree assessments. A methodology that provides decision-makers with the ability to incorporate both qualitative (judgmental) and quantitative factors into a decision making process; based on a hierarchical decision model comprising a goal, decision criteria , perhaps several levels of sub- criteria .
Annual Fees	Specified in the Ecolabel Licensing Agreement and Annex 2 Annual Fee table.
Applicant CAB	A CAB applying for MSC accreditation .

Term	Definition
Aquaculture ¹⁶	The farming of aquatic organisms: fish, molluscs, crustaceans, aquatic plants, crocodiles, alligators, turtles, and amphibians. Farming implies some form of intervention in the rearing process to enhance production, such as regular stocking, feeding, protection from predators, etc. Farming also implies individual or corporate ownership of the stock being cultivated. For statistical purposes, aquatic organisms which are harvested by an individual or corporate body which has owned them throughout their rearing period contribute to aquaculture.
Aquaculture operation ¹⁷	A (commercially managed) operation aimed at farming of aquatic organisms.
Aquaculture Stewardship Council ¹⁸	A certification and labelling programme for responsibly farmed aquatic organisms.
ASC ¹⁹	See: Aquaculture Stewardship Council
ASC's aquaculture Standards ²⁰	An ASC standard is a means for farmers of aquatic organisms to measurably demonstrate their efforts towards sound environmental development and social sustainability of their farming operations
ASC-Certified ²¹	A (commercially managed) operation aimed at farming of aquatic organisms or products resulting from - this operation which has been found in compliance with the species specific ASC standard.
ASC-Certified aquaculture products ²²	Aquaculture products which meet the requirements as set out in the standards of the Aquaculture Stewardship Council and are certified by an accredited, independent Conformity Assessment Body.
ASC Scope ²³	Certification to the MSC Chain of Custody standard relating to ASC-certified products
ASI	Accreditation Services International GmbH , provider of accreditation services for the MSC program.

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¹⁷ TAB 20, date of application 10 March 2012

¹⁸ TAB 20, date of application 10 March 2012

¹⁹ TAB 20, date of application 10 March 2012

²⁰ TAB 20, date of application 10 March 2012

²¹ TAB 20, date of application 10 March 2012

²² TAB 20, date of application 10 March 2012

²³ TAB 20, date of application 10 March 2012

Term	Definition
Assessment	<p>A process that connects knowledge and action regarding a problem. Review and analysis of information derived from research for the purpose of informing the decision-making process. It may not require new research and involves assembling, organising, summarising, interpreting and reconciling existing knowledge, and communicating it to the policy-maker or other actors concerned by the problem.</p> <p>Assessment is used to refer to the initial certification and re-certifications of fisheries.</p>
Assessment Contract	<p>A contract specifying the terms and obligations on all parties for an assessment.</p>
Assessment Methodology	<p>The methodology followed by CABs when assessing conformity against standards.</p>
Assessment Team	<p>Two or more assessors conducting a fishery assessment, supported if needed by technical experts.</p> <p>NOTE 1 One assessor of the assessment team is appointed as the assessment team leader.</p>
Assessment Tree	<p>The hierarchy of Principles, Components, Performance Indicators and Scoring Guideposts that is used as the basis for assessment of the fishery for conformity with the MSC Principles and Criteria for Sustainable Fishing</p> <p>See: Default Tree, Draft Tree.</p>
Audit	<p>Systematic, independent and documented process for obtaining audit evidence and evaluating it objectively to determine the extent to which the audit criteria are fulfilled.</p> <p>Audit is used to refer to the surveillance of fisheries and all CoC audit activities.</p>
Audit Criteria	<p>Set of policies, procedures or requirements.</p> <p>NOTE: Audit criteria are used as a reference against which audit evidence is compared.</p>
Audit Evidence	<p>Records, statements of fact or other information, which are relevant to the audit criteria and are verifiable.</p> <p>NOTE: Audit evidence may be qualitative or quantitative.</p>

Term	Definition
Audit Findings	Results of the evaluation of the collected audit evidence against audit criteria . NOTE: Audit findings can indicate either conformity or non-conformity with audit criteria or opportunities for improvement.
Audit Sampling	The application of audit procedures to less than 100% of the population of e.g. certificate holders .
Audit Scope	Extent and boundaries of an audit . NOTE: The audit scope generally includes a description of the physical locations, organisational units, activities and processes, as well as the time period covered.
Audit Team	One or more auditors conducting a CoC audit , supported if needed by technical experts. NOTE 1 One auditor of the audit team is appointed as the audit team leader. NOTE 2 The audit team may include auditors-in-training .
Auditor	Person with the competence to conduct an audit .
Biologically Based Limit	In the SGs for P2 refers, at a minimum, to the point of serious or irreversible harm.
Board of Trustees	The MSC's governance group.
Breach	A violation by the licensee of the terms of its licence agreement with MSCI .
Bycatch Species	Organisms that have been taken incidentally and are not retained (usually because they have no commercial value).
C1	Criteria 1 (under any of the Principles in the MSC standard).
C2	Criteria 2 (under any of the Principles in the MSC standard).
CAB	See Conformity Assessment Body .
CAG	See Catch and Grow Fisheries .
Cancellation of Accreditation	Voluntary cancellation of an accreditation contract by any party to it according to the contractual arrangements.
Capture-Based Aquaculture	See Catch and Grow Fisheries .

Term	Definition
CAR	See Corrective Action Request .
Catch and Grow Fisheries	Production systems that involve wild harvest followed by a grow-out phase (e.g. mussel farming based on wild spat collection).
Catch Data	<ul style="list-style-type: none"> • Total TAC established for the fishery in the most recent fishing year. • Unit of Certification share of the total TAC established for the fishery in the most recent fishing year. • Client share of the total TAC established for the fishery in the most recent fishing year. • Total green weight catch taken by the client group in the two most recent calendar years.
CB	See: CAB, Conformity Assessment Body .
Certificate	A formal document issued by a CAB or accreditation body as evidence that the party (ies) named on the certificate is in conformity with the standard(s) noted on the certificate for the scope given.
Certificate Holder	An entity which holds a certificate issued by an MSC accredited CAB .
Certificate Sharing Mechanism	The agreement between the client group and other eligible fishers detailing a certificate cost sharing mechanism used and any other requirements to enable eligible fishers to join a fishery certificate .
Certification	Procedure by which a third party gives written or equivalent assurance that a product, process or service conforms to specified requirements.
Certification Body	See Conformity Assessment Body, CAB .
Certification Requirements	Mandatory requirements applicable to CABs .
Certification Scheme	Certification system related to specified products or services, to which the same specified requirements, specific rules and procedures apply.
Certification System	Rules, procedures, and management for carrying out certification .
Certified	Certificate of conformity to an MSC standard granted by an accredited certification body .

Term	Definition
Certified Fishery	A fishery that has been granted a certificate of conformity to the MSC P&Cs by a CAB .
Certifier	See CAB .
Chain of Custody	The procedures implemented by a fishery and subsequent entities handling fish and fish products to ensure that products from a certified fishery are not mixed with products from any other fishery and remain fully traceable during processing, storage, distribution and sale.
Chain of Custody Certification Methodology	An MSC certification scheme document : the rules and procedures to be followed by CABs when assessing and certifying entities against the MSC CoC standard . Superseded by Part B of the MSC Certification Requirements.
Chain of Custody Standard	The MSC International standard applied for all Chain of Custody audits.
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora.
Client	The legal entity applying to the CAB for certification or that holds valid MSC certificate.
Client Group	Includes fishing operators within a unit of certification that the client identifies as being covered by the certificate .
CoC	See Chain of Custody .
CoCCM	See Chain of Custody Certification Methodology .
CoCStd	See Chain of Custody standard .
Competence	Demonstrated personal attributes and demonstrated ability to apply knowledge and skills.
Complainant	Person or organisation filing a complaint .
Complaint	Expression of dissatisfaction, other than appeal or objection, by any person or organisation, relating to the activities of an accreditation body, a CAB a Certificate Holder or the MSC, where a response is expected.
Component	The second level of three within the Assessment Tree structure.
Condition	A requirement to achieve outcomes in order to achieve a score of 80 or above.

Term	Definition
Conformity	Fulfilment of a need or expectation that is stated, generally implied or obligatory.
Conformity Assessment Body	<p>Body that performs conformity assessment services and that can be the object of accreditation.</p> <p>NOTE 1: Whenever the word CAB is used in the text, it applies to both the “applicant and accredited CABs” unless otherwise specified.</p> <p>NOTE 2: The terms Certification Body and CB refer to accredited CABs.</p>
Consensus	<p>General agreement, characterised by the absence of sustained opposition to substantial issues by any important part of the concerned interests and by a process seeking to take into account the views of interested parties, particularly those directly affected, and to reconcile any conflicting arguments.</p> <p>NOTE: Consensus need not imply unanimity.</p>
Consumer Facing Product	Any Licensed Product that is not a Non-Consumer Facing Product including products listed on menus.
Consumer Ready Tamper Proof Product	Any single item for presentation as such to the ultimate consumer consisting of a foodstuff and the packaging into which it was put before being offered for sale, whether such packaging encloses the foodstuff completely or only partially, but in any case in such a way that the content cannot be altered without opening or irreversibly changing the packaging.
Contract Processors	<p>An organisation that is contracted by a certified organisation (including a subsidiary or affiliate of the certified organisation) wherein the product is altered in some way. Specifically:</p> <ul style="list-style-type: none"> • the processor does not own the product; • the processor processes the product on instruction from the certified organisation, usually the owner of the product; • packaging may be supplied to the contract processor or the contract processor may commission the printing of the packaging themselves. <p>This definition excludes contract processors that take ownership of the product since they are required to have their own chain of custody certification.</p>

Term	Definition
Controlled Document	An approved document that must be maintained for uniformity, process control, and tracking. There is one approved original for each document, instruction, procedure, standard, or form. It may be maintained on paper, or as an electronic file. The master copy of any MSC controlled document is the electronic file available for viewing on the network.
Corrective Action	Action to eliminate the cause of a detected non-conformity or other undesirable situation.
Corrective Action Request (CAR)	Describes detected non-conformity along with a request for corrective action by the responsible organisation. Can be issued by a CAB or accreditation body . See Non-conformity .
Criterion (Criteria)	A sub-division of an MSC Principle.
CSR	Corporate Social Responsibility.
Culture-Based Fisheries	See Hatch and Catch Fisheries .
Current CAB	The CAB to which an entity is currently contracted .
Current Requirements	MSC scheme documents that are in force and made available for use to CABs by ASI in accordance with the accreditation contract between ASI and each CAB .
Day(s)	Calendar days unless otherwise stated.
Decision Making Entity	The individual or committee that makes a decision on whether or not to grant, suspend, withdraw or change the certificate or scope of certification(s) .
Default tree	The standard assessment tree used as a starting point to develop an assessment tree for each fishery assessment .
Depleted	In the context of the PISGs , means a stock that is consistently below the target reference point, and which may be approaching the point at which recruitment is impaired. Stocks below the point at which recruitment is impaired are not considered to be eligible for MSC certification .
Derogation	The suspension of an MSC requirement for a defined term, often only for those in specific circumstances.

Term	Definition
Destructive Fishing Practices	Fishing with poisons or fishing with explosives.
Determination	Recommended certification outcome.
Discard	“Discards, or discarded catch, are that portion of the total organic material of animal origin in the catch, which is thrown away, or dumped at sea for whatever reason. It does not include plant materials and post harvest waste such as offal. The discards may be dead or alive” (FAO, 1996b). ²⁴
Discrete high seas non-HMS²⁵	Species or stocks distributed exclusively in the high seas, i.e. in waters beyond the areas of national jurisdiction (which can be 200 miles or less) excluding species fixed on the continental shelf which remain under the sovereign rights of the coastal States, and which are not highly migratory species or stocks.
Document Administrator	Staff member appointed to take full responsibility for the control of all scheme documents and for maintaining the document status register.
Draft tree	Proposed assessment tree ; modified version of the default tree .
Ecolabel	A label that conforms to the principles described in ISO 14020:2000 <i>Environmental labels and declarations: General Principles</i> .
Ecological Role	In the context of Principle 1, the trophic role of a stock within the ecosystem under assessment against the MSC standard P & Cs .
Ecosystem Services	Ecosystem services are the benefits people obtain from ecosystems. These include provisioning services such as food and water; regulating services such as flood and disease control; cultural services, such as spiritual and cultural benefits; and supporting services, such as nutrient cycling or waste degradation, that maintain the conditions for life on Earth.

²⁴ TAB 20, date of application 10 March 2012

²⁵ TAB 21, date of application 14 March 2013

Term	Definition
Endangered, Threatened or Protected Species	Species recognised by national legislation and/or binding international agreements to which the jurisdictions controlling the fishery under assessment are party. Species listed under Appendix I of CITES shall be considered ETP species for the purposes of the MSC assessment , unless it can be shown that the particular stock of the CITES listed species impacted by the fishery under assessment is not endangered.
Enhanced Fisheries	Any activity aimed at supplementing or sustaining the recruitment, or improving the survival and growth of one or more aquatic organisms, or at raising the total production or the production of selected elements of the fishery beyond a level that is sustainable by natural processes. It may involve stocking, habitat modification, elimination of unwanted species, fertilisation or combinations of any of these practices.
Entity	See Legal Entity .
Environmental Label	See Ecolabel .
Estimated Length of Full Assessment	The time between commencing an assessment and the predicted date by which an assessment is expected to be completed and certification awarded if the assessment result is positive.
ETP	See Endangered, Threatened or Protected Species .
Expert Choice	The software used to support the development of the decision tree, and to assemble the scores of the fishery determined during the assessment .
Expedited Audit	Irregularly timed unannounced or short-notice audits. No more than 1 calendar day's advance notice to be given to the Certificate Holder. ²⁶
Expiry of (Ecolabel) Application	An application is deemed to have expired, if no response is received by MSCI from an applicant to license the MSC ecolabel during a period of nine months from the dispatch of any request. MSCI will then withdraw the application.
External Influences	A description of external influences (such as environmental issues) that may affect the fishery and its management.
FAD	Fish Aggregating Device.

²⁶ **TAB 21, date of application 14 March 2013**

Term	Definition
FAM	See Fisheries Assessment Methodology .
Fisheries Assessment Manual	Fisheries Assessment Methodology, now superseded by the MSC Certification Requirements.
FAO	Food and Agriculture Organisation of the United Nations.
FAO Statistical Area(s)	FAO statistical area/s – See Figure GC3 (Source ftp://ftp.fao.org/fi/maps/world_2003.gif).
FCM	See Fisheries Certification Methodology .
Fees	See Annual Fees and Royalties .
Final Report	The final report of an assessment of a fishery prepared by the team and the CAB , after public comment, peer review and the determination of the CAB . Includes scores, weightings and special conditions .
Financial Year	Any period of twelve (12) months beginning on 1st April and ending on 31st March. The only exceptions to this would be: <ul style="list-style-type: none"> • The first Royalty year shall commence on the Commencement Date of the license agreement. For example if the license agreement start on 4th of August the Financial Year will run until the 31st of March • Where a license agreement is terminated the Financial Year will be from the commencement date of the last Royalty year until the date the licence agreement is terminated. For example if the license agreement is terminated on the 4th of August the Financial year will be from the 1st April until the 4th of August.
Fish and Fish Products	Whole fish or products that are, or are derived from, any aquatic organism.
Fish Stock	The living resources in the community or population from which catches are taken in a fishery . Use of the term fish stock implies that the particular population is a biological distinct unit. In a particular fishery , the fish stock may be one or several species of finfish or other aquatic organisms.
Fisheries Certification Methodology	An MSC certification scheme document: the rules and procedures to be followed by CABs when assessing and certifying fisheries against the MSC P & Cs that has been superseded by Part C of the MSC Certification Requirements .

Term	Definition
Fishers	Individuals who take part in fishing conducted from a fishing vessel, a floating or fixed platform, or from shore. Does not include fish processors or traders.
Fishery	A unit determined by an authority or other entity that is engaged in raising and/or harvesting fish. Typically, the unit is defined in terms of some or all of the following: people involved, species or type of fish, area of water or seabed, method of fishing, class of boats and purpose of the activities.
Fishing Operators	Fishing vessels, other catching units, currently included in the client group assessed within the unit of certification .
Fishing Season	The seasonal operation of the fishery .
Fluctuation	Variability over time around the target reference point .
Generation Time	The average age of a reproductive individual in a given fish stock.
Green Weight	The weight of a catch prior to processing.
Grey Literature	Information produced on all levels of government, academics, business and industry in electronic and print formats not controlled by commercial publishing i.e. cannot be found easily through conventional channels such as publishers. It is frequently original and usually recent.
Group	A group entity and its associated individual sites which collectively apply for certification .
Group Entity	The central function that performs the activities required of the group . Usually an entity that employs or contracts individuals to carry out activities required of the group .
Guidance	Examples, explanations, illustrations, background and other information to help users understand MSC Certification Requirements .
Habitat ²⁷	The chemical and bio-physical environment including biogenic structures where fishing takes place.
Habitat Function ²⁸	The range of services provided to an organism, including, but not limited to, mediating trophic interactions, reproduction, shelter, and feeding, and influencing the behaviour of organisms.

²⁷ TAB 21, date of application 14 March 2013

²⁸ TAB 21, date of application 14 March 2013

Term	Definition
Habitat Modified	Production systems that involve the modification of habitats to increase production or favour desirable species (e.g. lobster casitas, fish attracting devices – FADs , mussel ropes or other structures).
Habitat Structure ²⁹	The arrangement of physical and biogenic formations that support plant and animal communities.
HAC	See Hatch and Catch Fisheries .
Harvest Control Rule	A set of well-defined pre-agreed rules or actions used for determining a management action in response to changes in indicators of stock status with respect to reference points.
Harvest strategy	The combination of monitoring, stock assessment , harvest control rules and management actions, which may include an MP or an MP (implicit) and be tested by MSE .
Hatch and Catch Fisheries	Production systems that involve the introduction of fish either as eggs, larvae or juvenile and subsequent recapture (e.g. salmon stocking).
HCR	See Harvest Control Rule .
Highly Migratory Species or Stocks	Marine species whose life cycle includes lengthy migrations, usually through the EEZ of two or more countries as well as into international waters. This term usually is used to denote tuna and tuna-like species, marlins and swordfish.
HMS ³⁰	See 'Highly Migratory Species or Stocks'.
History of the Fishery	A description of the general history of the fishery, including initial development of the fishery and significant changes within the history of the fishery.
HM	See ' Habitat Modified '.
IAF	International Accreditation Forum
IAF Guidance	IAF GD 5:2006 IAF Guidance on the of ISO/IEC Guide 65:1996 General requirements for bodies operating product certification systems Issue 2.

²⁹ TAB 21, date of application 14 March 2013

³⁰ TAB 21, date of application 14 March 2013

Term	Definition
Implemented Successfully	There is objective evidence that the fishery is following the practice(s) required by the measure or strategy, and that some expected consequences of that measure(s) are seen in the performance of the fishery. It is not necessary to have evidence that the measure or strategy has resulted in benefits to the component being modified.
Inform	Provide information to a party, keeping a record of having provided the information.
Informative	Supplemental information such as recommendations, tutorials, commentary, background, and history which is not a requirement.
Inseparable	Situations where the target stock(s) and non-target stock(s) cannot be distinguished during normal fishing operations. Ability to separate catches of target stock(s) from catches of non-target stock(s) in these cases could require, for example, post-capture genetic analysis.
Intellectual Property Rights	Any and all rights to copyright, topography, databases, designs, patents, trade or service marks, know-how and all other intellectual property, any and all proprietary or other rights (whether or not any of the same are registered or registrable, and including any applications or rights to apply for registration of any of the same) which may exist anywhere and in any form worldwide.

Term	Definition
Intended Changes are Occurring	<p>An evaluation that a measure or strategy is working by reviewing objective evidence that there is positive difference in the short term; and preferably that the difference is large enough to be correcting an undesirable impact of the fishery.</p> <p>A measure or strategy may have a goal or objective of benefit to a species, habitat or ecosystem that accrues over years. Annual feedback that the measure or strategy is making a positive difference is needed, particularly if conditions have been set.</p> <p>The change observed should be consistent with being on the pathway to the long-term goal or objective. It does not have to be a measure of the long term objective itself. The response used may be a direct effect of a measure (preferable, such as a reduction in bycatch rate corresponding to application of a mitigation measure. It may be necessary to use ecosystem properties indirectly related to the measure, because even the intended short term benefit cannot be measured.</p>
Interested Party	Any person or group concerned with or directly affected by a standard – used synonymously in this procedure with the term ' stakeholder '.
Interim Certification	The issuance of a temporary CoC certificate in advance of an on-site audit by a CAB . The issuance follows permission being sought by the CAB and granted by the MSC, provided that the risk is low and manageable.
Internal Audit	The mechanism of verifying a site's compliance with internal requirements and MSC CoC requirements. This may include onsite audits, remote paperwork reviews, or other means, and will be appropriate to the size and nature of the site.
International Standard	Standard that is adopted by an international standardising/standards organisation and made available to the public.
Introduced Species Based Fishery	<p>Any fishery which prosecutes a target fin or shellfish species that was intentionally or accidentally transported and released by human activity into an aquatic environment beyond its natural distribution range.</p> <p>Note: Does not include species that are "introduced" into a location due to an expansion in their natural geographic range.</p>

Term	Definition
IPI	Inseparable or practicably inseparable
ISEAL Alliance	International Social and Environmental Accreditation and Labelling Alliance.
ISBF	See Introduced Species Based Fishery .
ISO	International Organisation for Standardisation.
ISO Guide 65	ISO/IEC Guide 65: 1996, General requirements for bodies operating product certification systems.
IUCN	International Union for the Conservation of Nature.
Justification	Rationale establishing that no adverse impact on the competence , consistency and impartiality of the certification body's operation of the certification scheme has resulted.
Key elements	Aspects of the fishery which are essential to determining how the fishery performs against the MSC P&Cs.
Key Information	Information, including concerns and knowledge, which is necessary for a stakeholder that is not party to this information to be able to properly review the logic used by the team in their conclusion about a particular performance indicator score.
Key personnel	Staff within the CAB who make decisions on certification , and top management, or staff within an organisation that are responsible for making decisions, setting procedures, or verifying conformity as related to MSC requirements. ³¹
Internal Group Entity Review ³²	For <u>group CoC</u>: Review carried out by a group on its own organisational units, including the group entity and all certified sites, to review conformity with <u>MSC group CoC requirements</u> and determine the suitability of its management systems to meet its desired objectives.
Lead Assessor / Lead Auditor	Assessor / Auditor who is given the overall responsibility for specified assessment/ audit activities related to management systems conformity assessment / audit.

³¹ **TAB 21, date of application 14 March 2013**

³² **TAB 21, date of application 14 March 2013**

Term	Definition
Legal Entity	Any individual, partnership, proprietorship, corporation, association or other organisation that has, in the eyes of the law, the capacity to make a contract or an agreement and the abilities to assume an obligation and to pay off its debts. A legal entity, under the law, is responsible for its actions and can be sued for damages.
Legal Requirements	Any present or future law, regulation, directive, instruction, direction or rule of any competent authority including any amendment, extension or replacement thereof which is from time to time in force.
Level	Layer within the Assessment Tree hierarchy: Principle ; Component ; Performance Indicator ; or Scoring Issue .
Licence	The “Licence”, which when completed and signed incorporates the Terms & Conditions and its Annexes and which together with the MSCI standard Pro-Forma Product Approval Form constitutes the Agreement.
Licensed Products	The products described in a MSCI standard Pro-Format Product Approval Form or similar signed by the Licensee.
Limit Reference Point	The point beyond which the state of a fishery and/or a resource is not considered desirable and which management is aiming to avoid.
Local Fisheries Management Areas(s)	Local fisheries management area/s (e.g. ICES divisions VI, VII, and VIII a, b, c), Preferably the area is marked on a map.
LRP	See Limit Reference Point .
Main Commercial Market	The main markets within which fish and fish products resulting from the fishery are sold.
Management Procedure	The combination of pre-defined data, together with an algorithm to which such data are input to provide a value for a TAC or effort control measure; this combination has been demonstrated, through simulation trials, to show robust performance in the presence of uncertainties. Additional rules may be included, for example to spread a TAC spatially to cater for uncertainty about stock structure.
Management review	Review carried out by the top management of an entity on its own organisational units to determine the on-going suitability of its management systems to meet its desired objectives.

Term	Definition
Management Strategy Evaluation	Usually synonymous with MP approach; often used to describe the process of testing generic MPs or harvest strategies.
Management System	The framework of processes and procedures used to ensure that an organisation can fulfil all tasks required to achieve its objectives. In a fisheries context includes agencies involved in the management of the fishery , the legislative framework within which the fishery is undertaken and the core management measures implemented (including the TAC for the fishery for which certification is sought).
Maximum Sustainable Yield	The highest theoretical equilibrium yield that can be continuously taken (on average) from a stock under existing (average) environmental conditions without affecting significantly the reproduction process.
May	A permitted course of action, within the limits of the standard .
MCS	Monitoring, control and surveillance.
Method of Catch	The fishing method(s) employed in the fishery .
MP	See Management Procedure .
MP (Implicit)	A set of rules for management of a resource that contains the elements of an MP , but has not yet been evaluated through simulation trials.
MP Approach	Management of a resource using a fully specified set of rules incorporating feedback control; the approach is explicitly precautionary through its requirement for simulation trials to have demonstrated robust performance across a range of uncertainties about resource status and dynamics.
MSC	The Marine Stewardship Council.
MSC Accredited Certification Body	A CAB which is accredited by ASI to undertake certification audits of applicants for the MSC certification scheme , issue MSC certificates and the conduct surveillance within the scope set by ASI .
MSC Certification	See Certified .
MSC Certification Standards	All MSC requirements as amended and re-issued from time to time in relation to the certification of fisheries or of chain of custody operators.

Term	Definition
MSC group CoC requirements	All MSC scheme documents and requirements that organisations need to conform with for group Chain of Custody: specifically Annex BD and Annex BC of the Certification Requirements and the Chain of Custody standard .
MSC Database	A collection of records on the fishery and CoC certification programme held by the MSC .
MSC Ecolabel	The Type III Environmental Label trademarked by MSC and licensed for use on products and to promote products certified by a certification body accredited to the MSC certification scheme . An 'ingredient brand' that reassures customers that independent, third party certification has been carried out to demonstrate the product comes from a sustainable fishery .
MSC P&Cs	See MSC Principles and Criteria .
MSC Principles and Criteria	The MSC Principles and Criteria for Sustainable Fishing.
MSC procedure for product authentication sampling ³³	The procedure provided by the MSC to organisations and individuals taking seafood samples on their behalf for product authentication testing.
MSC Representative	For group CoC : The one person who has the responsibility to ensure the group's conformity with all MSC scheme requirements MSC group CoC requirements . Appointed by the group entity .
MSC Requirement	An element mandated by MSC for CABs or for certified entities .
MSC Standard	Either the MSC's Principles and Criteria for Sustainable Fishing or the Chain of Custody standard.
MSC Trustee	A member of the MSC Board of Trustees .
MSC-certified fish	Whole fish or products that are, or are derived from, any aquatic organism harvested in a certified fishery , as defined in the Unit of Certification of a valid MSC certificate .

³³ TAB 21, date of application 14 March 2013

Term	Definition
MSC-eligible fish	Whole fish or products that are, or are derived from, any aquatic organism harvested in a certified fishery , as defined in the Unit of Certification of a valid MSC certificate .
MSCI	Marine Stewardship Council International Ltd.
MSCI Director	A member of the Board of Directors of MSCI.
MSCI Licensing Requirements	MSCI Licensing Agreements, together with the Terms and Conditions , and all Rules for ecolabel use.
MSE	See Management Strategy Evaluation .
MSY	See Maximum Sustainable Yield .
Name of Fishery	To be determined by the fishery client and the certification body . The name determined must be unique and unambiguous and in addition to specifying the species for which certification is sought, may also incorporate details of the client group for the assessment , geographical location of the fishery and the fishing method employed.
Non-conforming Product	Fish or fish products that are claimed to be MSC-certified (including, but not limited to, being labelled with the MSC Ecolabel) for which a certificate holder is unable to prove that the product is from a MSC-certified source.
Non-conformity	Failure of a CAB to conform to one or more MSC Certification Requirements , or of a certificate holder to conform to any requirement of an MSC standard .
Non-Consumer Facing	A Licensed Product that is not available for sale directly to consumers (including bulk package products, use of ecolabel on websites and other off-product promotional material) and products listed on foodservice caterer price list).
Non-Reduced Risk Group (non-RRG)³⁴	For group CoC : A group that does not meet the Reduced Risk Group eligibility criteria in BB2.5 and is certified against the standard (non-RRG) certification requirements in Annex BC.
Normal surveillance	Surveillance level that requires on-site audits annually.
Normative	A prescriptive element; a requirement.

³⁴ **TAB 21, date of application 14 March 2013**

Term	Definition
Notification Report	Report from the certification body formally notifying the MSC of a fishery client's intent to undergo a full assessment .
Objections Procedure	Procedure as described in Annex CD
Objective Evidence	Verifiable information or records pertaining to the quality of an item or service or to the existence and implementation of a quality system element, which is based on visual observation, measurement or test that, can include independent witnesses, peer-reviewed scientific research, or otherwise verifiable and credible information.
OP	See Objections Procedure .
Other Eligible Fishers	Those operators who have been fully assessed against the MSC's Principles and Criteria for Sustainable Fishing as part of the Unit of Certification ; and are not currently part of the client group but may become eligible to join the client group under a certificate sharing arrangement. This group will be defined by the CAB and would normally comprise fishers targeting the same stock using the same methods/gear and operating under the same management regime as the fishers included in the client group . It might also include other situations, for instance the catches of a stock defined in the unit of certification that are taken as incidental catch in another certified fishery .
Other Fisheries in the Area	A description of other fisheries in the vicinity not subject to the certification that may interact with the fishery being assessed.
Overfished	A stock is considered "overfished" when exploited beyond an explicit limit beyond which its abundance is considered "too low" to ensure recruitment is not impaired. The stock may remain overfished (i.e. with a biomass well below the agreed limit) for some time even though fishing pressure might be reduced or suppressed.
Overlapping assessment	An assessment of Overlapping Fisheries
Overlapping Fisheries	Two or more fisheries which require assessment of some, or all, of the same aspects of MSC Principles 1, 2 and/or 3 within their respective units of certification .
P1	Principle 1 of the MSC Principles and Criteria .

Term	Definition
P2	Principle 2 of the MSC Principles and Criteria .
P3	Principle 3 of the MSC Principles and Criteria .
Peer Review Draft Report	The draft report of the assessment of the fishery prepared by the team and the CAB submitted to peer reviewers. Follows preliminary draft report , precedes Public Comment Draft Report .
Performance Indicator	The lowest level of sub- criterion of a MSC Criterion in the decision tree; the level at which the performance of the fishery is scored by the team .
PI	See Performance Indicator .
PISG	Performance Indicators and Scoring Guideposts .
Policy Advisory	A type of MSC scheme document.
Potential Scope	Scope of certification that a client submitted to a CAB at the time of its application for CoC certification .
Practicably Inseparable	Situations where the ability to separate catches of target stock(s) from catches of non-target stock(s) requires significant modification to existing harvesting and processing methods employed during normal fishing operations.
Pre-Assessment Report	Report to a client from the CAB following a pre-assessment .
Precautionary principle	Lack of scientific certainty shall not be used as a reason for not taking management action. Management actions shall be more precautionary (conservative) in conditions of higher uncertainty
Pre default tree PI equivalents	Prior to the use of the default tree (FAM v1) CABs developed their own trees unique to each fishery. Each tree had performance indicators which can be considered similar to those in the default tree.
Preliminary Draft Report	The draft report of the assessment of the fishery prepared by the team and the CAB provided to the client prior to peer review. Precedes peer review draft report .
Preservation	The process designed to protect products from natural spoilage and to allow their long-term storage. These processes include but are not limited to freezing, canning, dehydrating, drying, curing, smoking, sterilising.

Term	Definition
Preventive Action	Action to eliminate the cause of a potential non-conformity or other undesirable potential situation.
Principle	A fundamental element, in the MSC's case, used as the basis for defining a well-managed and sustainable fishery .
Probability	<p>Probability interpretations of terms such as "Highly likely" are provided for general guidance and for when quantitative measures are available, not to imply that a quantitative measure is required.</p> <p>Probability interpretations are intentionally defined differently in the default tree for Principle 1, for the Retained and Bycatch Species Components for Principle 2, for the ETP Component for Principle 2, and for the Habitats and Ecosystem Components for Principle 2. They reflect differences in understanding about these components, legal requirements or past MSC practice.</p>
Processes and Production Methods Standard	A standard that sets out criteria for the processes and/or production methods by which a product or service is produced, in pursuit of specific social and/or environmental objectives.
Product authentication testing³⁵	The use of DNA analysis or other product authentication tools which identify seafood by species, catch area or farm of origin
PSA	The Productivity-Susceptibility Analysis (PSA) used as the 'Level 2' analysis in the RBF . This semi-quantitative approach examines several attributes of each species that contribute to or reflect its productivity or susceptibility, in order to provide a relative measure of the risk to the scoring element from fishing activities. The PSA is required when using the RBF to score target species in P1, and may also be triggered for retained species or bycatch species in P2. Each species (scoring element) identified within a given PI is assigned its own PSA score.
Public Certification Report	The report of the fishery assessment accepted by the MSC for publication on the MSC website; includes the final report and any written decisions by the CAB and/or independent Objections Panel arising from any objections raised about the fishery assessment outcome or process.

³⁵ **TAB 21, date of application 14 March 2013**

Term	Definition
Public Comment Draft Report	The draft report of the assessment of the fishery prepared by the team and the CAB released for public comment. Follows peer review draft report . Precedes final report .
Public Surveillance Report	Surveillance report without the inclusion of any confidential annexes.
Quarter	One of four 3 month periods of a calendar year.
RBF	See Risk Based Framework .
Re-assessment	Assessment of a fishery within two years <u>of the expiration of a valid fishery certificate³⁶</u> prior to the expiration of an existing fishery certificate to ensure, if the fishery meets the MSC Principles and Criteria, continued certification.
Reduced Risk Group (RRG)³⁷	For group CoC: A group that meets the Reduced Risk Group eligibility criteria in BB2.5. RRG eligible groups may elect to become certified against a designated set of certification requirements (found in Annex BC) applicable only for RRGs
Reduced Surveillance	Surveillance level that requires on-site surveillance audits on the 2 nd and 4 th anniversaries of certification.
Reduction of scope of accreditation	Process of suspending or withdrawing accreditation for part of the scope of accreditation .
Reference Points	Biological reference points; Stock Status Reference Points used to define management action in response to stock status.
Reinstatement	Re-activation or lifting by written approval of the suspended part(s) of the scope of certification or accreditation following successful implementation of corrective action .
Remote surveillance	Surveillance level that requires annual audits alternating on-site and off-site audits ('non-consecutive off-site audits').
Retained Species	Species that are retained by the fishery (usually because they are commercially valuable or because they are required to be retained by management rules).
RFMO	Regional Fisheries Management Organisation.

³⁶ TAB 20, date of application 10 March 2012

³⁷ TAB 21, date of application 14 March 2013

Term	Definition
Risk Based Framework	A framework of assessment tools for scoring 'outcome' Performance Indicators in cases where insufficient information is available to score a fishery using the default Scoring Guideposts. See PSA and SICA .
Root Cause	The source or origin of non-conformity , as well as any contributing factors involved.
Royalty	The royalty payable on the Net Sales Value (or Net Purchase Price for restaurants/fish mongers) of the Consumer Facing Products payable by the Licensee for that Royalty Year at the royalty rate set out in the Licence.
Royalty Year	Any period of twelve (12) months beginning on 1st April and ending on 31st March, save in respect of a first Royalty Year which shall commence on the Commencement Date of a licence agreement, or, if a licence agreement is terminated on a date other than 31st March, the period from the commencement of the last Royalty Year during the term of the agreement to the date of such termination.
Rules	The rules contained in the document entitled Rules for the display of the MSC ecolabel (consumer facing use) including any amendments or additions notified by MSCI to the Licensee in writing from time to time.
Scale Intensity Consequence Analysis	See SICA .
Scheme Document	Official documents setting out rules and procedures for accreditation, certification, assessment and audit relevant to the MSC certification scheme .
Scope	Can mean scope of certification or scope of accreditation or both depending on context.
Scope of Certification	Specific activities and products for which certification is sought or has been granted.
Scope of MSC Accreditation	Specific tasks for which accreditation is sought or has been granted.
Scoring Elements	A list of matters that are to be taken into account when determining the performance score on an indicator; also the matters used in determining a SG benchmark. In the case of Principles 1 or 2, used to mean a sub-division of individual parts of the ecosystem affected by the fishery, such as different species/stocks/sub-stocks or habitats within a Component .

Term	Definition
Scoring Guidepost	The benchmark level of performance established by the team in respect of each numeric score or rating for each indicator sub- criterion .
Scoring Issues	The different parts of a single scoring guidepost , where more than one part exists and covering related but different topics.
SDO	See Standard Development Organization .
Semester	If the Licensee is selling Licensed Products to the value of USD 10m or over in a Royalty Year, it shall be the same as a Quarter. If the Licensee is selling Licensed Products less than USD 10m in a Royalty Year, either the first or the second six month period of a Royalty Year.
Semi structured interviews	Formal interview based on questions prepared in advance but with sufficient flexibility that allows the questioner to adapt to the specific situation on hand by probing emerging themes with additional questions that may deviate from those planned in advance
SG	See ' Scoring Guidepost '.
Shall	Denotes a requirement.
Shared Stocks ³⁸	Stocks of fish that migrate across the boundaries of adjacent Exclusive Economic Zones (EEZs) of two or more coastal States.
Shark finning ³⁹	The practice of removing any of the fins of a shark (including the tail) while at sea and discarding the remainder of the shark at sea.
Should	Denotes a requirement that shall be followed unless there are reasons not to. If so the justification for not following the requirement shall be recorded.
SICA	The Scale Intensity Consequence Analysis used as the 'Level 1' analysis in the RBF . This qualitative approach identifies the activities mostly likely to be associated with 'worst case' impacts on any species, habitat or ecosystem. A SICA is best conducted with the participation of a diverse group of stakeholders who are able to provide a range of knowledge about the fishery under assessment .

³⁸ **TAB 21, date of application 14 March 2013**

³⁹ **TAB 21, date of application 14 March 2013**

Term	Definition
Simulation Test	See ' Simulation Trial '.
Simulation Trial	A computer simulation to project resource dynamics for a particular scenario forward for a specified period, under controls specified within an MP , to ascertain performance; such projections will typically be repeated a large number of times to capture variability.
Site	A discrete physical location.
Species	Refers to any or all of stocks, populations, individual species, or groupings of species, depending on the context. In contexts such as bycatch there may be a large number of individual species taken in a fishery , such that it is impractical and inefficient to attempt to address status and impact of each species individually. In such cases it is acceptable to group species with similar biological characteristics into species groups, and evaluate outcome status and fishery impact for the species group.
Species Common Name(s)	Common name(s) for the species . This should include common names used in the key commercial markets for the species.
Species Latin Name	Latin name for the species .
Stakeholder	Any person or group (including governmental and non-governmental institutions, traditional communities, universities, research institutions, development agencies and banks, donors, etc.) with an interest or claim (whether stated or implied) which has the potential of being impacted by or having an impact on a given project and its objectives. Stakeholder groups that have a direct or indirect "stake" can be at the household, community, local, regional, national, or international level.
Standard	A document established by consensus and approved by a recognised body that provides for common and repeated use, rules, guidelines or characteristics for activities or their results, aimed at the achievement of the optimum degree of order in a given context.
Standard Development Organization	An organisation that assumes responsibility for developing, coordinating, promulgating, revising, amending, reissuing, interpreting, or otherwise maintaining standards. Note: MSC is an SDO.
SC	MSC Stakeholder Council.

Term	Definition
Stock Assessment	An integrated analysis of information to estimate the status and trends of a population against benchmarks such as reference points .
Stock Name	A textual description of the biological unit stock exploited by the fishery , as commonly used in management and assessment reports.
Stock Region	A textual description of the geographic area within which the fishery is undertaken.
Straddling Stocks ⁴⁰	Stock which occurs both within the EEZ and in an area beyond and adjacent to EEZ.
Stratification	The process of dividing a population into sub-populations, each of which is a group of sampling units, which have similar characteristics.
Subcontracting	The process of contracting out to third parties or affiliates and that there is a written, legal agreement between the parties.
Subcontractors	An entity that is contracted to carry out work for a third party or affiliate (includes contract processors , transportation companies, distribution companies and any other storage or processing facilities).
Sub-criterion	A criterion below the level of the MSC Criteria ; the assessment tree may contain any number of levels of sub-criteria .
Succeeding CAB	The CAB to which a client wishes to move.
Superseded	MSC certification scheme documents that have been withdrawn and replaced with a new version.
Supply Chain Reconciliation ⁴¹	The reconciliation of purchases and sales of MSC certified seafood between buyers and sellers over a defined period of time.
Surveillance	Set of activities, except re-assessment, to monitor the continued fulfilment by accredited CABs of requirements for accreditation , or of certificate holders of requirements for certification .

⁴⁰ TAB 21, date of application 14 March 2013

⁴¹ TAB 21, date of application 14 March 2013

Term	Definition
Surveillance Audit	The periodic or random review and assessment of a certificate holder's activities in order to determine on-going conformity with standards and compliance with conditions and/or non-conformities raised.
Surveillance level	Audit type (off-site or on-site audit) and frequency of Surveillance. See Normal, Remote and Reduced Surveillance.
Surveillance Report	The report of a Surveillance Audit
Suspension of Accreditation	Process of temporarily making MSC accreditation invalid, in full or in part of the scope of accreditation .
Suspension of Certification	Process of temporarily making MSC certification invalid, in full or for part of the scope of certification .
TAB	See Technical Advisory Board .
TAB Directive	A document approved by the Technical Advisory Board , usually providing a ruling or interpretation about an aspect of the MSC Ps & Cs, Chain of Custody Standard or other documents from the MSC certification scheme .
TAC	See Total Allowable Catch .
Target Eligibility Date	The date from which product from a certified fishery may be permitted to bear the MSC Ecolabel .
Target Reference Point	The point which corresponds to a state of a fishery and/or resource which is considered desirable and which management is trying to achieve.
Target Stock(s)	Those fish stocks which have been assessed under Principle 1 of the MSC Principles and Criteria for Sustainable Fishing.
Team	The team leader and team member(s) working on a conformity assessment of one organisation. While a team for a CoC audit may be one person, a team for a fishery audit will always be two or more persons.
Team Leader	A person who manages assessment activities.
Team Member	A person who performs assessment activities.
Technical Advisory Board	A body appointed by the Board of Trustees .

Term	Definition
Termination	Voluntary cancellation of the certification contract by either party according to the contractual arrangements See cancellation .
Terms and Conditions	The terms and conditions appended to a Licence Agreement.
Territory	The territories set out in the MSCI Pro-Format.
Testing	The involvement of some sort of structured logical argument and analysis that supports the choice of strategy. In the context of fishery, it can include the use of experience from analogous fisheries, empirical testing (for example practical experience of performance or evidence of past performance) and simulation testing (for instance using computer-intensive modelling such as management strategy evaluation).
The MSC Claim	MSC approved text which must accompany the MSC ecolabel when displayed on products, menus or catering lists.
Tools	Mechanisms for implementing strategies under Principles 1 or 2. For example, total allowable catches, mesh regulations, closed areas, etc. could be used to implement harvest control rules.
Total Allowable Catch (TAC)	The TAC is the total catch allowed to be taken from a resource in a specified period (usually a year), as defined in the management plan. The TAC may be allocated to the stakeholders in the form of quotas as specific quantities or proportions.
Traceback Evaluator	The person or entity that carries out the Traceback .
Traceback or Tracing	The activity to identify the origin of a specified unit and/or batch of product located within the supply chain by reference to records held by individuals or companies that hold MSC Chain of Custody certification . In the MSC's context a specified unit and/or batch of product are fish, fish materials or fish products from a certified fishery .
Transfer Date	Date on which all rights and obligations for maintaining the certificate shall be passed from the current CAB to the succeeding CAB .
Transfer Notice Date	The date on which the client provided written notice to the current CAB of their wish to transfer CABs .

Term	Definition
TRP	See Target Reference Point .
Type III Environmental Label	Quantified environmental life cycle product information, provided by a supplier, based on independent verification, (e.g. third party), (critically reviewed) systematic data, presented as a set of categories of parameter (for a sector group).
Uncertainty	Lack of perfect knowledge of many factors that affect stock assessments , estimation of biological reference points and management, and the consequence of this lack of perfect knowledge.
UNCLOS ⁴²	United Nations Convention on the Law of the Sea
Uncontrolled Copy	Any copy of a controlled document not on the MSC server (e.g. used for audits , training, revisions or public information) will be considered as an uncontrolled copy and will not be updated. Users should ensure that any copy they have is the latest version.
UNFSA ⁴³	Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 Relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks
Under-MSC-Assessment Fish	Whole fish or fish products that are, or are derived from, any aquatic organism harvested in a fishery (as defined in the Unit of Certification) under full assessment for certification and caught on or after the 'target eligibility date' specified on the MSC website by the CAB responsible for the assessment .
Unit of Certification	The target stock(s) combined with the fishing method/gear and practice (including vessel/s) pursuing that stock. When the term "unit of certification" is used for fisheries that are in assessment, it refers to the "unit of assessment" or "unit of potential certification". Note that other eligible fishers may be included in some units of certification but not initially certified (until covered by a certificate sharing arrangement) ⁴⁴ .
Unit of Potential Certification	See ' Unit of Certification '.

⁴² TAB 21, date of application 14 March 2013

⁴³ TAB 21, date of application 14 March 2013

⁴⁴ TSC 2012, date of application 14 March 2013

Term	Definition
Unpublished Information	Does not include peer-reviewed, published or grey literature.
Withdrawal Accreditation	Process of cancelling accreditation in full or for part of the scope .
Withdrawal Certification	Process of terminating a certification , in full or for part of the scope .
Withdrawn	Tier 1, 2 & 3 MSC certification scheme documents that are no longer in force and are not to be used.
Writing	Includes e-mail and fax but not SMS.
Year	Twelve months commencing 1st April.

----- End of Annex AA -----

MSC Certification Requirements
Part B Chain of Custody Certification



Version 1.3, 14 January 2013

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Part B – Chain of Custody Certification Requirements

11 Scope

- 11.1 The scope of Part B of MSC's Certification Requirements is the activities that all CABs shall undertake in carrying out audits of organisations in the supply chain that wish to make a claim that the fish and/or fish product(s) they are buying or selling are from a well-managed and sustainable source that has been certified to the MSC's Principles and Criteria for Sustainable Fishing, or to other standards as approved by the MSC.
- 11.2 Once an MSC-certified seafood product is placed into consumer ready tamper proof packaging requirements for certification cease to apply.

12 Normative Documents

- 12.1 The normative documents in Part A section 2 also apply to Part B.
- 12.1.1 **The latest version of the MSC Chain of Custody database user manual for CABs, as published on the MSC website.**⁴⁵

13 Terms and Definitions

- 13.1 All terms and definitions are defined in the MSC & MSCI Vocabulary (Annex AA).

14 General Requirements

14.1 Contract

- 14.1.1 **The CAB's contract for certification shall include the requirement that the client conform to the MSC Chain of Custody Standard and all relevant elements of Annex BD: Additional Chain of Custody Requirements.**⁴⁶

15 Structural Requirements

No requirements additional to ISO Guide 65, IAF Guidance to ISO Guide 65 and MSC Certification Requirements Part A.

16 Resource Requirements

16.1 Personnel

- ~~16.1.1 At minimum one member of each team shall have a general understanding of:~~

⁴⁵ TSC 2012, date of application 14 March 2013

⁴⁶ TAB 19, date of application 14 November 2011

- ~~16.1.1.1 Fish and fish products and their supply chains;~~
- ~~16.1.1.2 The type of supply chain operation to be audited;~~
- ~~16.1.1.3 The fisheries assessment process; and~~
- ~~16.1.1.4 The point at which fish or fish products first enter the certified chain of custody.~~

- 16.1.1 CABs shall ensure that CoC auditors audit an individual client for a maximum of six consecutive years and appoint an alternative auditor in the seventh year. ☐**
- 16.1.2 CABs shall ensure that at least one of their CoC auditors is designated as the CAB Lead Auditor.**
 - 16.1.2.1 CABs shall verify that the CAB Lead Auditor has the qualifications and competencies detailed in Table BF2 in Annex BF in addition to those listed in Table BF1.**
 - 16.1.2.2 CABs shall ensure that the CAB Lead Auditor(s) mentors and/or trains all other CoC auditors at the CAB to ensure they are familiar with third party management system conformity assessment auditing techniques.⁴⁷**

17 Process Requirements

17.1 Need for certification

- 17.1.1 The CAB shall work with each applicant to confirm the:**
 - 17.1.1.1 Need for certification.**
 - 17.1.1.2 The applicant's proposed scope of certification (see section 17.2).**
- 17.1.2 The CAB shall verify that CoC certification is a requirement by performing the following:**
 - 17.1.2.1 The CAB shall verify if all products purchased are in consumer ready tamper proof packaging.**
 - a. CABs shall use the decision tree in Figure B1 to determine whether or not a product can be considered consumer ready tamper proof or whether CoC is required.**
 - b. If all products purchased are in consumer ready tamper proof packaging:**
 - i. The CAB shall verify if the applicant is involved in food service activities serving fish to consumers.**
 - A. If the applicant is involved in activities involving only receiving MSC-certified fish in consumer ready tamper proof packaging and opening the packaging for heating purposes or for placing**

⁴⁷ Derogation, TAB 21

For assessments commencing before 14 March 2013, clauses under 16.1.1 and 16.1.2 shall become effective by 14 March 2014.

on a plate, the CAB shall inform the applicant that CoC certification is not a requirement.

- B. If the applicant is involved in any other restaurant / takeaway to consumer activities the CAB shall inform the applicant that CoC certification is a requirement.
- ii. Otherwise, the CAB shall inform the applicant that CoC certification is not required.
- c. The CAB shall verify that fish using tags or any other marks to identify a product as MSC must be displayed in a way that is consistent with MSC requirements.

17.1.2.2 The CAB shall verify if the applicant is a vessel or a fish auction at or near the harbour where fish are landed, and if so shall:

- a. **Review the Public Certification Report from the fishery(ies) whose fish are handled to see if they are required to have CoC certification:**
 - i. **Inform the applicant that CoC certification is not a requirement if the Public Certification Report indicates that CoC certification is not a requirement for their operation and they are covered by the fishery(ies) certificate(s).**
 - ii. **Inform the applicant that CoC certification is a requirement if the Public Certification Report indicates that CoC certification is a requirement for their operation⁴⁸.**

⁴⁸ **TAB 19, date of application 14 November 2011**

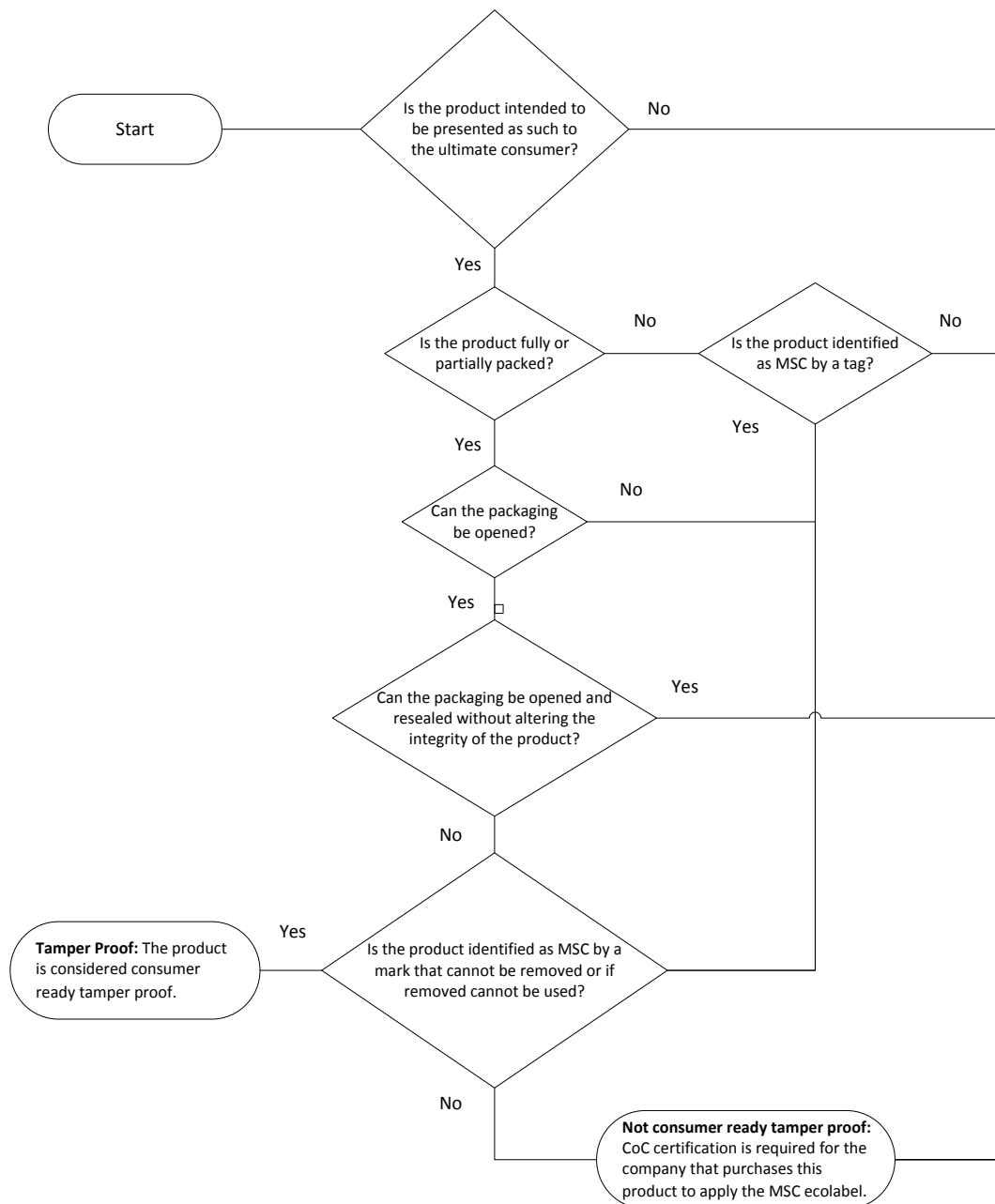


Figure B1: Decision tree for consumer ready tamper proof packaging

- 17.1.2.3 The CAB shall verify if the applicant is a wholesale fish market where buyers and sellers meet, and if so the CAB shall inform the applicant that:
- a. CoC certification is optional.
 - b. The operators that buy and sell MSC-certified fish within these markets do require CoC certification.
- 17.1.2.4 The CAB shall verify if the applicant takes ownership of product not in consumer ready tamper proof packaging and is not a foodservice or retail organisation selling to consumers.
- a. If the applicant takes ownership the CAB shall inform the applicant that CoC certification is a requirement.

- b. If the applicant both processes its own goods and contract processes goods for others the CAB shall inform the applicant that they must have contract processing included in their scope.
- 17.1.2.5 The CAB shall verify if the applicant does not take ownership of the product and is involved in processing or otherwise transforming product, packing or repacking, labelling or re-labelling activities.
 - a. If the applicant is involved in any of these activities the CAB shall inform the applicant that they are required to be covered by CoC certification, either:
 - b. By holding CoC certification, or
 - c. Being listed as a subcontractor on the scope of another CoC certificate holder.
- 17.1.2.6 The CAB shall verify if the applicant is involved in retail to consumer activities.
 - a. If the applicant is involved in activities involving processing or transforming the product or making changes to the packaging the CAB shall inform the applicant that CoC certification is a requirement.

17.2 Scope of certification

- 17.2.1 Having established that CoC certification is required or requested by the applicant, the CAB shall define the proposed scope of the certification with the applicant by identifying:
 - 17.2.1.1 The fishery(ies) (MSC-certified or under-MSC-assessment) that product is to be sourced from.
 - 17.2.1.2 The species that are to be sourced / sold.
 - 17.2.1.3 The activities to be undertaken; the product form; type of storage and presentation using options in Table B2.
 - 17.2.1.4 The definition of activities is found in Table B3.
 - 17.2.1.5 **If the applicant is handling or intends to handle products from ASC-certified aquaculture operations the CAB shall apply Annex BE for audits of the ASC scope elements⁴⁹.**

⁴⁹ **TAB 20, date of application 10 March 2012**

Table B1: List of scope options

Activity	Product form	Type of storage	Presentation
Contract processing	Extracts	Chilled (including fresh)	Aquaculture feed
Distribution	Filletts	Dry goods	Block
Harvest	Gutted	Frozen	Block Interleaved
Packing or repacking	Headed and gutted	Live	Boxed
Processing	Minced	OTHER – Describe:	Cake/cookie
Restaurant / take away to consumer	Oil		Can
Retail to consumer	Portions		Coated
Storage	Roe		Dried
Trading fish (buying/selling)	Steaks Portion		Fermented
Transportation	Whole		Fertilizer
Wholesale	OTHER – Describe:		Fresh fish Counter
OTHER – Describe:			Hot and cold smoked
			Individually Quick Frozen
			Jar
			Marinade
			Marinade/pickled
			Menu Item
			Oil Capsule
			Pet food
			Pickled
			Portion
	Pouch / Vacuum Packed		
	Ready Meal		
	Salted		
	Sauce		
	Snacks		
	Steaks		
		Surimi	
		OTHER – Describe:	

Table B2: Activity Scope Definitions

Activity		Definition
1	Trading fish (buying/selling)	This will likely be in nearly every company's scope, with the exception of contract processors that do not take ownership of the product. In most instances, an additional activity will also be selected for this client, unless they are solely a 'trader'. If they will take possession, they will also need to have 'storage', 'wholesale' or 'distribution' selected.
2	Transportation	Transportation companies are not required to be certified for CoC, unless they also take ownership. In some cases, however, using a transport company could increase the risk to such a level that you would require your client to ask a company to be certified - for example a vessel involved in transshipping.
3	Storage	This refers to product being held in a storage area by a company before processing/distributing/selling it and after processing it. This will also likely be included in many of the clients' scopes as they will be storing fish before processing/distributing/selling it and after processing it.
4	Distribution	Distribution shall be used for companies that receive sealed containers, pallets, etc., that may or may not be broken down into smaller sealed units, and DELIVER them to customers or other members of their group. I.e. they take possession, but not ownership.
5	Wholesale	Wholesale shall be used for companies that receive sealed containers, pallets, etc., that may or may not be broken down into smaller sealed units, and SELL them to customers or other members of their group. I.e. they take ownership and possession.
6	Harvest	This shall be used when the fishing vessels are being certified. If they are processing on board, processing should also be recorded.
7	Packing or repacking	This shall be used when the packaging is changed but the product remains the same. It is assumed that companies processing will also be packing, so it is not necessary to select packing as well as processing. If there is a company that is receiving product from a processing company for the sole reason of packing it into a specific type of pack, they should be selected here.
8	Processing	To include all examples of processing including primary processing, secondary processing, value added processing, fish preparation or any other activity where the product is changed (excluding activities undertaken by '10' or '11' below).
9	Contract processing	This refers to processing as above, but by companies that do not have ownership of the product.
10	Retail to consumer	This includes fresh fish counters at retailers, fish mongers, markets selling direct to consumers, etc. where the product will be taken away and prepared before being eaten by a consumer, or when sold in a traditional 'retail' environment.
11	Restaurant / take away to	This includes any foodservice situation fish and chip shops, standard restaurants, quick service restaurants, etc. where the product is sold directly to consumers as 'ready to eat', or when sold in a traditional

Activity		Definition
	consumer	'restaurant' environment.
12	Other	Must be clearly defined and explained how it does not fit into another category

17.2.2 Scope shall be recorded per fishery and its species, however each of the other categories can be recorded without association to each other. ☐

17.2.3 The CAB shall verify if under-MSA-assessment product is to be handled.

17.2.3.1 If under-MSA-assessment product is handled the CAB shall accept it as being within scope if one or more of the following applies to the applicant:

- a. Takes ownership of the fish before it is preserved.
- b. Is the first company that preserves the fish.
- c. Has a system to ensure that all references to the under-MSA-assessment status are removed when the product is sold before the fishery is certified and either:
 - i. Buys product directly from the first company that preserves the fish, or,
 - ii. Is the first company in the chain of custody that buys directly from the under-MSA-assessment fishery that preserves the fish.

17.2.3.2 A CAB may list a fishery under-MSA-assessment on a certificate holder's under-MSA-assessment schedule, provided that:

- a. The certificate holder obtains documentation (i.e. fishing records, landing documentation, sales invoices, chain of custody certificate (if relevant)) to enable the CAB to review and track all potentially eligible shipments of relevant fish back to the point of landing.
- b. The CAB is, on the basis of the documentation provided under a), able to trace the catch back to the fishery and the date of capture.

17.2.4 The CAB shall verify if the client is a multisite operation.

17.2.4.1 **If the applicant is a multisite operation, the CAB shall agree with the applicant one of the following options:**

- a. **Each site shall be individually audited and a certificate issued for each site (single site CoC), or**
- b. **Each site shall be individually audited and a single certificate issued for all sites (multi-site CoC), or**
- c. **Group certification requirements will be applied (group CoC).⁵⁰**

⁵⁰ TAB 19, date of application 14 November 2011

- 17.2.5 The CAB shall verify if the applicant uses any subcontractors other than transport companies which will need to be added to the schedule of sites and subcontractors on the certificate. ■
- 17.2.5.1 If subcontractors are used, the CAB shall verify if subcontractor(s) have their own CoC certification and undertake contract processing.
- a. **If the subcontractor has its own CoC certificate the CAB shall inform the applicant that the contract processing activity shall be covered by the subcontractor's own certificate.**⁵¹
- 17.2.6 The CAB shall verify if the applicant is seeking interim certification. ■
- 17.2.6.1 If interim certification is being sought, the CAB shall verify that there are:
- a. Exceptional circumstances
- b. It can be demonstrated that:
- i. On-site audits prior to certificate issue are impractical.
- ii. The risks to the integrity of the MSC ecolabel are minimal.
- 17.2.6.2 If the CAB is satisfied that interim certification is appropriate it shall:
- a. Inform the applicant that the MSC is not responsible for any costs associated with lapsing of an interim certificate prior to a CoC certificate being obtained.
- b. Apply for an interim certification on the MSC database, providing the MSC with the following:
- i. The proposed scope of certification.
- ii. A written justification as to why immediate on-site audit is not practicable.
- iii. The results of a risk analysis carried out using Table B4: Risk Assessment for Interim Certification to demonstrate that the likelihood of CoC failure is minimal.
- iv. A full timetable for further action, including timing of on-site audit(s) to be held within three months.
- 17.2.6.3 The CAB shall inform the applicant that an interim certificate may be issued should the MSC approve the interim certification.

⁵¹ **TAB 19, date of application 14 November 2011**

Table B3: Risk assessment for interim certification / subcontractor

Risk Area	Criteria	Threshold / Consideration	Risk
A. Corporate history	1. Number of years trading	>3 years	Low
		< 3 years	Medium
	2. Has the CAB undertaken other audits (MSC or other) for the client?	Yes: with positive conformance	Low
		Yes: with negative conformance	High
		No	Medium
B. Documentation and quality control	1. Company has a management system certified by a credible third party	Yes: (e.g. ISO 9001; ISO 22000, BRC; HACCP, SQF2000)	Low
		No	High
	2. Record keeping	> 3 years	Low
		< 3 years	Medium
C. Personnel and their awareness of the MSC Standard and its requirements	1. Formally nominated manager responsible for MSC CoC certification	Yes	Low
		No	High
	2. MSC CoC standards briefing	Face-to-face	Low
		Remote	Medium
D. Physical/ Temporal segregation	1. Use of similar non-certified material	Yes	Must be low risk on D.2
		No	Low
	2. Are production runs of certified and non-certified material either physically segregated or run at different times?	Yes	Low
		No	High
E. Traceability	1. Systems for tracing certified outputs through production batches to individual raw material deliveries	In place and previously certified	Low
		In place (non-certified)	Medium
		Absent	High
	2. Systems for assessing Input: Output conversion ratios for raw material – finished product lines	In place and previously certified	Low
		In place (non-certified)	Medium
		Absent	High
F. Product packaging and identification	1. Products are securely sealed (i.e. vacuum / MAP)	Yes	Low
		No	High
	2. Product labelling systems satisfy MSC CoC standard	Yes	Low
		No	Medium

Note: Whether companies supplying certified fish products containing non-certified fish flavouring shall be considered in the risk assessment. In most instances if the CAB identifies any high risks either the CAB should not apply to the MSC for interim approval or can submit sufficient information that shows how the client has taken action to reduce that risk.

- 17.2.7 The CAB may verify if the client holds other certifications issued by an MSC accredited CAB to a relevant nationally or internationally recognised standard.
- 17.2.7.1 If the applicant does hold certifications the CAB may use this as a substantive indication of conformity with the MSC CoC standard. ■
- a. The CAB may:
- i. Undertake a gap analysis of the differences between the MSC CoC standard and the other standard.
- ii. Use knowledge of conformity demonstrated by the other certification to support the CAB's audit and certification decision.
- 17.2.8 **The CAB shall include in the scope of certification the products that the client is currently handling or is very likely to handle before the next audit.⁵² ~~The CAB shall inform the client of the option of including products in the scope that it intends to handle during the period running until the next audit.~~**
- 17.2.9 The CAB shall confirm the proposed scope of certification with the applicant

17.3 Audit planning

- 17.3.1 The CAB shall, within ten days of receiving a signed contract for certification:
- 17.3.1.1 Record the applicant on the MSC database.
- 17.3.1.2 Assign the applicant an MSC CoC code in the MSC database.
- 17.3.1.3 Plan the audit.
- 17.3.2 The CAB shall plan on-site and off-site audit activities taking account of:
- 17.3.2.1 The proposed scope.
- 17.3.2.2 The management system used by the client.
- 17.3.2.3 Any other certifications held.
- 17.3.2.4 The need to allow sufficient time to verify the effectiveness of the client's management system for the proposed scope.
- 17.3.2.5 Opportunities to synchronise and combine CoC audits with other on-site audits where possible and appropriate.
- 17.3.3 If there are to be subcontractors listed on their certificate's schedule of sites and subcontractors, the CAB shall:
- 17.3.3.1 Require the applicant to provide details of how the applicant will retain full control for each subcontractor or site.
- 17.3.3.2 Review the details provided and conduct a risk assessment against the criteria in Table B3 "Risk Analysis for interim / subcontractor certification" to determine whether an on-site visit to the subcontractor is required.

⁵² **Derogation, TAB 21**

For CoC assessments commencing before 14 March 2013, clause 17.2.8 shall become effective by 14 March 2014.

- a. The CAB may exclude low risk sites and/or subcontractors from an on-site visit.
 - b. If an on-site visit is required, the CAB shall complete any on-site visit and approve the subcontractor before approving the addition of the site to the approved subcontractor list.
- 17.3.3.3 Unless 17.2.5.1.a applies, the CAB shall always perform an on-site visit where product is processed or transformed by a subcontractor that has no COC certification.
- 17.3.4 For surveillance or recertification audits the CAB shall ask the certificate holder to prepare a list of the MSC-certified products it has handled since the previous audit.
- 17.3.5 **Single site operators who only trade (buy and sell) seafood are eligible to become certified through a remote certification audit, rather than an on-site audit, provided they meet the following criteria:**
 - 17.3.5.1 **Do not engage in any activities other than trading (buying and selling) as defined in Table B2.**
 - 17.3.5.2 **Do not list any subcontractors on their MSC certificate, except for subcontractors that only provide transportation and storage services, as defined in Table B2.**
- 17.3.6 **Remote certification audits shall assess applicants against the same criteria and requirements as an on-site audit.**
- 17.3.7 **If there is a change in the eligibility criteria and the certificate holder no longer complies with the requirements set out in 17.3.5, then:**
 - 17.3.7.1 **The certificate holder shall notify the CAB within 10 working days of this change, and the CAB may determine that future recertification audits will need to be onsite.⁵³**

17.4 Evaluation

- 17.4.1 For each of the activities listed in the proposed scope, the CAB shall collect and review evidence that the client's management system procedures as implemented meet the requirements of the MSC CoC standard and Annex BD :
 - 17.4.1.1 If the client is not handling products listed in the proposed scope at the time of the audit the CAB shall collect evidence that the system in operation conforms to the MSC CoC standard for one or more sample products similar to products in the proposed scope.■
 - 17.4.1.2 If under-MSA-assessment fish is to be included in scope, the CAB shall verify that the system can maintain the chain of custody and trace the product.

⁵³ **Derogation, TAB 21**

For CoC assessments commencing before 14 March 2013, clauses under 17.3.5, 17.3.6 and 17.3.7 shall become effective by recertification.

- 17.4.2 Auditors shall review records relating to the receipt, processing and supply of the products listed in the proposed scope.
- 17.4.3 Auditors shall:
- 17.4.3.1 Reconcile itemised bills of lading and invoices with receiving documents and/or the actual loads.
 - 17.4.3.2 Establish that appropriate measures are being or could be taken by the client to segregate and/or clearly differentiate MSC-certified or under-MSC-assessment fish product from not MSC certified fish product.
 - 17.4.3.3 Verify that the physical parameters required by the system are in place and are correctly operating.■
 - 17.4.3.4 Review the content and implementation of procedures.■
 - 17.4.3.5 Test the traceability system for a delivered batch and a product ready for sale (MSC-certified batch / product or non-MSC-certified similar product) of the CAB's choice.
 - a. The test shall link input to output or vice versa through unique lots or delivery numbers, internal traceability records, purchase records (which identify the supplier(s), the lots or batches of purchase), handling records and supply records.
 - b. A sufficient number of samples shall be taken to be confident that the system is effective for all the products listed in the potential scope.
 - 17.4.3.6 Verify that records are sufficient to perform a batch reconciliation of inputs and outputs. ■
 - a. Auditors shall either witness the certificate holder reconciling, or do their own reconciliation, of a sufficient number of batches to be confident that the system used for **traceability** reconciliation⁵⁴ is effective for all the products listed in the certification scope.
 - 17.4.3.7 Collect a list of suppliers (if known).
 - 17.4.3.8 **Verify that the client complies with the ecolabel licensing agreement for the use of the MSC trademarks on packaging, including when not MSC certified seafood is used that it is used to a maximum of 5% of the total seafood content of the consumer ready tamper proof product.** ⁵⁵
 - 17.4.3.9 **At MSC's request, validate on-site records available at the audit with information that was supplied by the client to MSC for the purposes of tracebacks or supply chain reconciliations.**
 - 17.4.3.10 **Issue a non-conformity against the certificate holder's management system if information or records provided by the certificate holder during audits or other requests described in BD2 is not consistent with information provided at a different point in time.** ■ ⁵⁶

⁵⁴ TAB 21, date of application 14 March 2013

⁵⁵ TAB 19, date of application 14 November 2011

⁵⁶ TAB 21, date of application 14 March 2013

- 17.4.4 If the scope includes 'under-MSC-assessment' fish, auditors shall:
- 17.4.4.1 Verify that for each batch of under-MSC-assessment fish purchased, there is evidence that the client applies a system to record:
 - a. The name of the supplier and its MSC CoC or fishery certificate code.
 - b. The date of capture.
 - c. Sufficient other details to allow the tracing of those inputs back to their suppliers.
 - 17.4.4.2 Review the status of a sample of stocks of MSC-certified and under-MSC-assessment products held by the client and confirm whether the system used correctly identifies if stocks are eligible or could be eligible to apply to use the MSC ecolabel.
 - 17.4.4.3 Obtain confirmation that the system of recording of target eligibility date and capture date is adequate if the client has under-MSC-assessment fish listed in its scope.
 - 17.4.4.4 Verify that under-MSC-assessment fish is labelled or is otherwise identified with the supplier's name and the date of capture;
 - 17.4.4.5 Verify that under-MSC-assessment status is referred to on invoices but not on products ready for sale.
- 17.4.5 At the conclusion of each on-site audit auditors shall conduct a closing meeting with the client's representative(s). During the closing meeting the auditor shall:
- 17.4.5.1 Verify that the client's representative(s) understand:
 - a. That until its certification information, including scope, is displayed on the MSC website, they are not certified and cannot make any claims concerning certification.
 - b. The actions they may have to complete before certification can be awarded.
 - c. on-conformities that have been identified and their likely categorisation (subject to approval by the CAB's decision making entity).
 - d. That stocking under-MSC-assessment fish is entirely at the client's own financial risk and there is no guarantee that any fishery will become certified to the MSC's Principles and Criteria for Sustainable Fishing.
 - e. That the actual eligibility date for under-MSC-assessment fish may be different from the target eligibility date and that only fish caught on or after the actual eligibility date will be eligible to be sold as MSC-certified when the fishery is certified.
 - f. That if the suppliers of the products listed in the scope are not defined at the time of the on-site audit, whenever the client lists a new supplier, the client shall communicate its suppliers' names and CoC or fisheries

certificate code to the CAB no later than ten days after receiving its first delivery.

- g. That the client shall inform the CAB of any significant changes that affect the certification, as specified in the contract.

17.4.5.2 Ensure that the potential scope ~~and, in the case of a surveillance or recertification audit, the list of MSC products handled since the previous audit, are~~⁵⁷ is correct and agreed.

- a. ~~The CAB shall include all categories of products that the client has handled since the previous audit~~⁵⁸.

17.5 Audit findings

17.5.1 Auditors shall classify non-conformities as minor or major as follows:

17.5.1.1 Minor non-conformity: where the client does not comply with the MSC CoC standard but those issues do not jeopardise the integrity of the CoC.

- a. For initial certification, the CAB may recommend the applicant for certification once an action plan to address non-conformity has been agreed to by the CAB.
 - i. The action plan shall include a brief description of
 - A. What the root cause of the non-conformity was.
 - B. What corrective action is intended to satisfactorily address the non-conformity.
 - C. An appropriate timeframe to implement corrective action.
 - b. The CAB shall require that minor non-conformities raised during surveillance audits are satisfactorily addressed by the next scheduled audit.

17.5.1.2 Major non-conformities: where the integrity of the CoC is jeopardised and certification cannot be granted or maintained.

- a. The CAB shall require that major non-conformities shall be satisfactorily addressed by an applicant:
 - i. Prior to certification being granted.
 - ii. Within three months of the date of the audit or a full re-audit shall be required.
- b. The CAB shall give a certificate holder a maximum of one month to satisfactorily address a major non-conformity.
 - i. The CAB shall require that the root cause of the non-conformity is identified;

⁵⁷ TAB 21, date of application 14 March 2013

⁵⁸ TAB 21, date of application 14 March 2013

ii. If the major non-conformity is not addressed within the one month maximum timeframe, suspension or withdrawal of the certificate and a full re-audit may be necessary.

c. The CAB shall assess the effectiveness of the corrective and/or preventive actions taken before closing out or downgrading a Major non-conformity.

17.5.2 The CAB shall prepare a CoC Certification Report (Annex BA) and send it to the client.

17.5.3 **The CAB shall ensure that the client signs-off on the accuracy of specific sections of the audit report, including:**

17.5.3.1 **The schedule of MSC suppliers.**

17.5.3.2 **Any statements made by the certificate holder indicating that the certificate holder is not handling any MSC-certified products at the time of the audit.**

17.5.3.3 **Where collected, the complete list of the certificate holder's purchases of MSC-certified products or the list of MSC-certified batches processed since the previous audit.** ⁵⁹ ☐

17.6 Certification decision

17.6.1 The CAB may recommend an applicant for certification if:

17.6.1.1 No non-conformities are observed at an audit; and/or

17.6.1.2 When an action plan satisfactorily addresses minor non-conformities; and

17.6.1.3 When any major non-conformities raised are closed out or downgraded to minor.

17.6.2 The CAB shall update the CoC Certification Report (17.5.2) with details of activities undertaken to accept the action plan and/or close out or downgrade major non-conformities. ☐

17.6.3 The CAB's decision making entity shall confirm the grading of any non-conformity found during the audit.

17.6.4 The CAB's decision making entity shall make a decision on whether or not the scope of the certificate should include all the scope categories listed in the potential scope, based on the confidence the CAB has in the client's system.

17.6.5 The CAB shall record the details of the certification of the client, including uploading the audit report and certificate, on the MSC database within ten days of ~~the date of report~~ **certification decision.** ⁶⁰

17.6.6 The CAB shall issue the client with its certificate and all attached schedules.

⁵⁹ **TAB 21, date of application 14 March 2013.**

⁶⁰ **TAB 19, date of application 14 November 2011**

- 17.6.6.1 **Before initial certification**⁶¹, the CAB shall inform the client that it can only trade the MSC-certified products listed in the scope of its certificate once the certificate details appear on the MSC website.
- 17.6.6.2 The CAB shall inform the client that it can apply to use the MSC ecolabel.
- Once an MSC ecolabel license agreement has been signed, and
- a. Providing the client complies with the MSC ecolabel licensing agreement.
- 17.6.7 The CAB shall update the MSC database within ten days of receipt of certificate holder's notification of a new supplier.
- 17.6.8 The CAB may issue an interim certificate valid for a maximum of three months if the MSC approves a request for interim certification.
- 17.6.8.1 If after three months an on-site audit has not been completed and there has not been a CoC certificate issued the CAB shall:
- a. Inform the applicant that the interim certificate has expired.
- b. Inform the applicant that use of the MSC ecolabel or claim of CoC status shall cease immediately.

17.7 Change to scope of certification

- A17.7.1 The CAB shall inform the client that for any changes to scope, suppliers, or subcontractors, the client should notify the CAB as specified in Annex BD1.2.2 and Table BD2. ☑**
- 17.7.1 The CAB shall, on receiving a request for an extension to scope **that includes new activities, an under-MSC-assessment fishery or the first scope extension to handle ASC-certified aquaculture products:**⁶²
- 17.7.1.1 Review information available.
- 17.7.1.2 Consider if the certificate holder's existing management system is suitable for the proposed new scope of operations.
- 17.7.1.3 Consider if conformity to the MSC CoC standard will be maintained.
- 17.7.1.4 Decide whether or not an on-site audit is required before the scope can be extended.
- 17.7.1.5 Record the rationale for the decision in 17.7.1.4.
- 17.7.2 The CAB shall follow the procedures for an initial audit when carrying out an on-site audit for scope extension.
- 17.7.3 Once the CAB has been notified by the MSC that an under-MSC-assessment fishery has been certified, and providing that fish and fish products from the

⁶¹ **TAB 21, date of application 14 March 2013**

⁶² **Derogation, TAB 21**

For CoC assessments commencing before 14 March 2013, clauses under A17.7.1 and 17.7.1 shall become effective by 14 March 2014.

fishery may enter into further chains of custody, for each certificate holder with MSC-under-assessment fish from that fishery, the CAB shall:

- 17.7.3.1 Inform the certificate holder that:
 - a. The relevant fishery has been issued with an MSC fishery certificate;
 - b. The under-MSC-assessment products listed in the scope have been reclassified as MSC-certified;
 - c. Only fish from the newly certified fishery whose date of capture is on or after the actual eligibility date may be traded and labelled as MSC-certified fish, in conformity with the terms of the MSC I ecolabel licensing agreement.
- 17.7.4 The CAB shall follow all procedures relevant to certification of sites or subcontractors to extend the certificate's scope.
- 17.7.5 Within ten days of a change in scope the CAB shall:
 - 17.7.5.1 Update the scope of the client on the MSC database. ■
 - a. **Where the certificate holder requests a scope extension to add a new certified species as in BD1.2.2, the CAB may enter only the species into the MSC database and may add the related fishery, product form, type of storage and presentation into the MSC database after the next audit.**⁶³
 - 17.7.5.2 Issue a new scope schedule if requested specifically by the client. Otherwise a new scope schedule shall be issued upon recertification.
 - 17.7.5.3 ~~Tell the client that it can trade and label the MSC-certified products newly listed in the scope of its certificate only:~~
 - a. ~~When they appear on the MSC website;~~
 - b. ~~In conformity with the MSC ecolabel licensing agreement.~~⁶⁴

17.8 Surveillance ■

- 17.8.1 The CAB shall perform a risk analysis of certificate holders after each certification, surveillance and re-certification audit to determine the surveillance level. The CAB shall:
 - 17.8.1.1 Allocate one score for each risk factor in Table B4.
 - 17.8.1.2 Calculate an overall risk score for the certificate holder summing the scores from Table B4.

⁶³ **Derogation, TAB 21**

For CoC assessments commencing before 14 March 2013, clauses under A17.7.1 and 17.7.1 shall become effective by 14 March 2014.

⁶⁴ **TAB 21, date of application 14 March 2013**

Table B4: Factors and Scoring to Determine Surveillance Frequency ■

Risk Factor	Score
1. Activity See Table B2	
Where more than one activity is undertaken, use the highest score only to add the total score	
Trading (buying and selling) (Activity 1)	4
Transport (Activity 2)	4
Storage (Activity 3)	4
Wholesale and/or distribution of whole fresh fish in unsealed containers (Activities 4,5)	8
Wholesale and/or distribution of pre-packed products (Activities 4,5)	4
Harvest (Activity 6)	8
Packing or repacking (Activity 7)	15
Processing, contract processing (Activities 8,9) If there is a risk of handling non-MSC fish due to processing company's geographic location in relation to non-MSC-certified fisheries of the same species which is considered:	20
high – add:	8
medium – add:	2
low – add:	0
Retailing/food service direct to consumers (Activities 10,11)	8
2. Handling of Products	
Company takes ownership of product and product is processed by one non-certified subcontractor	8
For each additional non-certified subcontractor, add:	3
Company takes ownership of product and product is repacked by one non-certified subcontractor	6
For each additional non-certified subcontractor, add:	2
Company takes ownership of product and product is stored and/or transported by one non-certified subcontractor	3
For each additional non-certified subcontractor, add:	1
Company does not take ownership of the products	1
Company does not use non-certified subcontractors	1
3. Species Handled	
Certified and non-certified same species on site at the same time	8
Certified and non-certified different species on site at the same time	4
Only certified species on site	1
No fish on site	0
4. Other certifications held by company for the last 12 months	
None	4
Certified by credible third party CAB to a standard requiring traceability (BRC, IFS, SQF 2000, HACCP, ISO9001 etc.)	1
5. Company's performance at most recently performed MSC audit (including this audit and including non-conformances raised and closed out on the day of the audit)⁶⁵	

⁶⁵ TSC 2012, date of application 14 March 2013

Risk Factor		Score
One or more major non-conformity found (or certification suspended in the last twelve months)	Use Enhanced surveillance	
Three or more minor non-conformities found		8
One or two minor non-conformities found		4
No major or minor non-conformities found		0
6. Information from other audits and regulatory bodies		
Prosecuted for failure to meet regulatory requirements	Use Enhanced surveillance	
Major non-compliances raised against food safety and/or regulatory requirements within the past 24 months		7
No prosecutions or major non-compliances raised against food safety and/or regulatory requirements within the past 24 months		0
7. Number of staff involved in applying label or making label application decisions		
Applying means physically selecting a label, bag, carton or similar bearing the MSC ecolabel from amongst other labels or packaging materials which do not bear the MSC ecolabel. In the case of a site where the decision regarding packaging is made by a supervisor or production line manager, this shall refer to the number of these, rather than the number of workers on the production line.		
More than 11 employees		3
Between 3-10 employees		2
Less than 2 employees		1
No labels are placed on products		0
8. Country of operation score on Transparency International's latest corruption perception index (for latest scores see http://cpi.transparency.org). Please refer to the latest year's CPI Score⁶⁶		
Under 32		28
Between 32 and 62 inclusive		16
Above 62		4

[†]In Table B4 under the 'Activity' section, unsealed containers refer to containers of fish that have been prepared for distribution in a non tamper proof way. This is likely to be found at auction or similar.

- 17.8.1.3 Use the risk score to identify the surveillance frequency and activity using Table B5.
- a. Where the certificate holder has a score within the overlapping ranges of Table B5, the CAB shall use their judgment to make a decision on which surveillance type to use.
 - b. **The surveillance audit's timing may be advanced or delayed by up to three months before or after the due date as necessary in order to coordinate a suitable date.**⁶⁷

⁶⁶ TSC 2012, date of application 14 March 2013

⁶⁷ TSC 2012, date of application 14 March 2013

Table B5: Frequency of surveillance audits

Score from Table B4	Surveillance Frequency	Activity
50 or more	Enhanced Surveillance	On-site once each 6 months
30 to 55	Standard Surveillance	On-site once each 12 months
16 to 35	Reduced Surveillance	On-site once at 10 -18 months from the date of certification
15 or below	Remote Reduced Surveillance	Desktop once at 10 -18 months from the date of certification

- 17.8.1.4 Keep records of the risk analysis and the decisions arising from it.
- 17.8.2 Should the CAB conduct a desk audit of a certificate holder under remote reduced surveillance the CAB shall undertake the same activities as for an on-site audit.
- 17.8.3 The CAB shall have a documented procedure to determine when it should do **one or both**⁶⁸ of the following:
- 17.8.3.1 Conduct expedited audits. ■
- 17.8.3.2 Request and examine documentation related to their operations.
- 17.8.4 The CAB's procedure in 17.8.3 shall take account of:
- 17.8.4.1 Information received including:
- Complaints;
 - Notification of changes in personnel, site, or management system procedures;
 - Information from the MSC, ASI and/or MSCI.
- 17.8.4.2 Outcomes of CAB risk analysis of certificate holders to identify those which may require extra surveillance.
- 17.8.4.3 **Information received by the CAB which indicates product being sold as MSC-certified which is either not from an MSC certified source or where the species is incorrectly identified shall be notified to MSC and ASI in writing within 5 days.**⁶⁹
- 17.8.4.4 **The MSC can require a CAB to conduct an expedited audit or unannounced audit when information has been received indicating a potential risk to chain of custody. In this case:**
- The MSC shall provide the CAB with a written request to conduct the audit which shall include any relevant information or evidence.**

⁶⁸ TSC 2012, date of application 14 March 2013

⁶⁹ TAB 21, date of application 14 March 2013

- b. **The MSC and CAB shall agree the full cost of the audit in writing in advance of the audit.**
 - c. **The MSC will reimburse the CAB for the full cost of the audit.**
 - d. **The MSC can require that these audits be attended by ASI or a representative of MSC⁷⁰. ◻**
- 17.8.5 The CAB shall forward a surveillance report (Annex BA) to the certificate holder.
- 17.8.6 The CAB shall, if required, close out or downgrade - non-conformities found during the audit.
- 17.8.6.1 The CAB shall record the evidence reviewed to make these decisions in the surveillance report.
- 17.8.7 The CAB shall make a decision on whether or not to continue certification.
- 17.8.8 The CAB shall update the MSC database within ten days of the date of the surveillance CAB decision with the following: ◻
- 17.8.8.1 Findings of the Decision of the CAB;
 - 17.8.8.2 Scope of certification (if necessary);
 - a. ~~**This shall include the list of MSC certified products handled since the previous audit.**~~
 - b. **This shall include any updates to the fisheries, product form; type of storage and presentation to reflect the MSC-certified products currently handled by the client or those very likely to be handled before the next audit.**⁷¹
 - 17.8.8.3 Audit report;
 - 17.8.8.4 Audit date.

17.9 Re-certification

- 17.9.1 The CAB shall perform a complete re-audit at the end of each certificate's period of validity.
- 17.9.1.1 The CAB shall follow all relevant MSC Certification Requirements as for a new applicant

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⁷⁰ **Derogation, TAB 21**

For CoC assessments commencing before 14 March 2013, clauses under 18.8.4.4 shall become effective by 14 March 2014.

⁷¹ **Derogation, TAB 21**

For CoC assessments commencing before 14 March 2013, clause 17.8.8.2 shall become effective by 14 March 2014.

No requirements additional to ISO Guide 65, IAF Guidance to ISO Guide 65 and MSC Certification Requirements Part A.

19 Heading not used at this time

20 Heading not used at this time

----- **End of Part B** -----

Annex BA Chain of Custody Certification Report Normative

BA1 MSC Chain of Custody Checklist

- BA1.1 CABs may use the Chain of Custody checklist developed by MSC found at <http://www.msc.org/documents/scheme-documents/forms-and-templates>
- BA1.2 CABs may upload the completed MSC Chain of Custody checklist to the MSC database instead of the Chain of Custody certification report format in Table BA1.
- BA1.3 If CABs choose not to follow BA1.1 and BA1.2 they shall submit a CoC Certification Report according to the format specified in Table BA1 ⁷²

⁷² TAB 21, date of application 14 March 2013

Table BA1: Format for the Chain of Custody Report where the MSC Chain of Custody Checklist is not used.

Section	Content
Summary	A summary of the report, including a brief description of the scope of the CoC certification.
Conclusion	The final decision of the CAB as to whether or not CoC certification should be granted. This section shall also include any recommendations or conditions and a clear statement as to the certification status of the applicant.
Background to the Report	<p>a) Author(s): The name(s) of the auditor(s).</p> <p>b) Previous Audits (if applicable): Summary of previous certification audits and conclusion, with recommendations or conditions.</p> <p>c) Field Visits: Itinerary with dates. The main items and places inspected. Names and affiliations of people consulted.</p>
Scope	A description of the scope of the audit. The version of the MSC CoC standard the client was assessed against.
Risk	A description of the points at which certified inputs might be co-mingled with non-certified inputs. The description should identify which are the key points of risk, and include some assessment of the seriousness of these risks.
Description of client's system for controlling CoC.	A description of any risks identified and how they are addressed.
Monitoring.	Description of the monitoring system that the CAB will use to periodically assess the adequacy of the client's CoC system.
Agreement	Request for a signed agreement to implement actions as set out in an action plan that conforms to time scales identified in non-conformity report(s).
Non-conformance report(s)	Copies of any non-conformity reports.

----- **End of Annex BA** -----

Annex BB: Group Chain of Custody – Normative

Requirements for Certification Bodies Providing Certification of Group Schemes

Introduction

This document sets out mandatory requirements to be followed by CABs engaged in assessing businesses operating over multiple sites (“group certification”) in accordance with the MSC’s Chain of Custody (CoC) standard.

This Annex should be read in conjunction with Annex BC, “Checklist of Requirements for Group Chain of Custody Certification”.

BB1 Scope

- BB1.1 This Annex prescribes requirements for CABs assessing organisations in the supply chain with more than one site (either owned, franchised or independently owned and coordinated by a central organisation) that wish to be certified against the MSC CoC standard.
- BB1.2 The requirements in this Annex are additional to those in Parts A and B of the MSC Certification Requirements.

BB2 Application

BB2.1 CAB eligibility to perform group certification

- BB2.1.1 Prior to accepting an application for group certification, the CAB’s documented procedures for conducting group certification shall have been assessed by ASI during a desk review or an on-site audit.
- BB2.1.2 The CAB shall conform to any conditions ASI may have imposed on the CAB’s audit of group certification schemes, which may include without limitation a:
- BB2.1.2.1 Requirement for ASI to witness the first group audit undertaken.
 - BB2.1.2.2 Requirement for ASI to review the CAB’s audit records of the first group certification undertaken.
 - BB2.1.2.3 Limit on the number of group certifications that may be undertaken.
 - BB2.1.2.4 Limit on the number of sites permitted within a group scheme for that CAB.

BB2.2 Applicant eligibility for group certification

- BB2.2.1 The CAB shall verify the applicant’s eligibility for group certification prior to its acceptance, including that the:
- BB2.2.1.1 Proposed group entity is a legal entity with whom a contract can be made.

- BB2.2.1.2 Sites all undertake substantially similar activities as defined by MSC Chain of Custody activities (see Table B1); or if they do not, that the group can be satisfactorily stratified for sampling.
- BB2.2.1.3 Entire group operation is within one geographic region; or if they are not, that the group can be satisfactorily stratified for sampling.
- BB2.2.1.4 Same written language is used at all sites and can be read by all site managers or, if translations are provided, how document control procedures address the method of ensuring that versions are kept synchronised and consistently implemented
- BB2.2.1.5 Proposed group entity is capable of meeting the test for impartiality in audit and decision making.
- BB2.2.1.6 Proposed group entity can demonstrate through their application an understanding of group scheme requirements such that it is likely that they will be able to qualify for certification.

BB2.3 Certification Contract

- BB2.3.1 The certification contract between the group entity and the CAB shall, in addition to other requirements, include specific undertakings that:
 - BB2.3.1.1 The group entity complies with all requirements of Annex BC, and that it agrees to be audited by the CAB against those requirements.
 - BB2.3.1.2 The group entity warrants that it will advise the CAB of all additions, suspensions and withdrawals of sites from the group within specified timeframes.

BB2.4 Determination of Reduced Risk Groups ■

- BB2.4.1 If the group conforms with all eligibility criteria set out in BB2.5, the CAB shall notify the group entity of the option to become certified against the Reduced Risk Group (RRG) certification requirements in Annex BC. ■
- BB2.4.2 The CAB shall evaluate the proposed group against the eligibility criteria set out in BB2.5 before the initial certification, recertification, or surveillance audit.
- BB2.4.3 If the group is certified against RRG certification requirements, the CAB shall inform the group entity that it must notify the CAB within 10 days if the group no longer meets eligibility requirements in BB2.5.
 - BB2.4.3.1 Where the group no longer meets the eligibility criteria in BB2.5.
 - a. The CAB shall conduct future audits against the standard (non-RRG) group certification requirements.
 - b. The CAB may also conduct an additional audit of the group entity or a sample of sites if the change in eligibility criteria introduces new activities or risks.

BB2.5 Eligibility Requirements for Reduced Risk Groups ■

- BB2.5.1 To be eligible for certification against the designated RRG requirements, the group shall conform with BB2.5.2 to BB2.5.5.
- BB2.5.2 The group entity and all sites shall be located in a country with a Transparency International Corruption Perception Index (CPI) score of 41 or above (for latest scores see <http://cpi.transparency.org>).
- BB2.5.3 The group entity and all sites shall be engaged in only the following activities: Trading, transportation, storage, distribution, wholesale, retail to consumer, and restaurant/ takeaway to consumer (as defined in Table B2). ■
- BB2.5.4 The group entity shall have an ownership and/or legal contractual relationship with all sites that ensures sites are subject to a common control system managed by the group entity which includes internal audits of all sites and training on group-level policies on a minimum annual basis. ■
- BB2.5.5 The group shall meet at least one of the following requirements:
- BB2.5.5.1 Purchasing of MSC certified products is managed by the group entity with controls to ensure sites shall only purchase or receive MSC certified products from certified suppliers approved by the group entity, and/or: ■
 - BB2.5.5.2 The group entity and all sites only handle all MSC certified products in sealed boxes or containers, and do not repack, process, repackage, or alter sealed boxes or containers in any way.
 - a. Pallet-level containers may be broken down by the operator, provided that individual sealed boxes or containers are not altered.^[73]

BB3 Audit Timing and Frequency

BB3.1 Audits

- BB3.1.1 The CAB shall not begin an audit until the group entity has confirmed that:
- BB3.1.1.1 All sites put forward for certification have received an internal audit against all MSC requirements and group procedures (Annex BC3.3) and have no outstanding critical or major non-conformities.
 - BB3.1.1.2 The group entity has had an internal audit of its quality management system and has no outstanding critical or major non-conformities. (Annex BC3.2)
 - BB3.1.1.3 There has been one management review (Annex BC2.9).
- BB3.1.2 The CAB's audit and certification of the group shall occur prior to sites labelling certified product as MSC.

BB3.2 Minimum annual audit frequency

⁷³ Derogation, TAB 21

For assessments commencing before 14 March 2013, clauses under BB2.4 and BB2.5 shall become effective by recertification.

BB3.2.1 At a minimum there shall be an annual audit for group certification; the reduced surveillance frequency allowed in MSC Certification Requirements Part B 17.8 does not apply to group certification. At each annual audit the group entity and a sample of sites shall be audited.

BB3.3 Scope of audits

BB3.3.1 During each year, all activities covered by the scope of the certificate shall be covered in the scope of the CAB's site audits.

BB3.4 Timing of audits

BB3.4.1 To accommodate the provisions of BB3.3 above, the annual audit's timing may be advanced or delayed by up to three months.

BB3.5 Re-certification

BB3.5.1 Group certificates shall remain valid, subject to satisfactory performance, for a maximum of three years, at which time there shall be a re-certification audit following sample plans for initial audits.

BB3.6 Group entity representation at site audits

BB3.6.1 Unless a CAB specifically requests it, a representative of the group entity shall not be present at the site audits.

BB4 Sampling

BB4.1 Decision if sample stratification is needed

BB4.1.1 The CAB shall allocate each applicant group (or sub-group as per BB4.1.2.1) to one of three sampling plans in Table BB6.

BB4.1.2 The CAB shall review the group to make a decision on whether sample stratification is required.

BB4.1.2.1 Stratification shall take place where the group's sites can be classified into distinct sub-groups according to the activity shown in Table BB1.

BB4.1.2.2 Stratification shall always take place where manufacturing and/or processing activities occur within a group where all sites do not perform these activities.

BB4.1.2.3 If stratification is required, the CAB shall divide the group into two or more sub-groups.

BB4.1.2.4 If stratification is required, the CAB shall follow the sampling procedure for each sub-group independently.

BB4.1.2.5 The CAB shall keep records of the sample stratification process and decisions.

BB4.2 CAB decides sample plan to be used

BB4.2.1 The CAB shall complete the risk assessment in Table BB1.

BB4.2.1.1 The CAB shall allocate one score for each risk factor.

BB4.2.1.2 If it appears there are two scores within the same sub-group, the CAB shall allocate the higher potential score.

BB4.2.2 The CAB shall allocate the applicant group to a sample table following guidance in Table BB2.

BB4.2.3 The CAB may allocate certificate holders to a new Sample table following annual rescoring or following changes in group activity or size.

Table BB1: Sample plan allocation

		Risk factor	Score	Score given
1		Activity (refer to Table B2. Activity Scope Definitions)		
	a.	Trading (buying and selling) (Activity 1)	4	
	b.	Transport (Activity 2)	4	
	c.	Storage (Activity 3)	4	
	d.	Wholesale and/or distribution of whole fresh fish in unsealed containers (Activities 4,5)	8	
	e.	Wholesale and/or distribution of repacked products (Activities 4,5)	4	
	f.	Harvest (Activity 6)	8	
	g.	Packing or repacking (Activity 7)	15	
	h.	Processing, contract processing, (Activities 8, 9)	20	
	i.	Retailing / food service direct to consumers (Activities 10, 11)	4	
2		Ownership		
	a.	No common ownership of sites and group entity	12	
	b.	Sites are franchisees of the group entity	8	
3		Accredited certifications held		
	a.	None	8	
	b.	HACCP / ISO 9001 / ISO 22000 / GFSI recognised standard	2	
4		Similar species handled at the same time in the same place		
	a.	High - Certified and non-certified similar looking species on site at the same time	12	
	b.	Medium – Certified and non-certified species handled at the same time but look differently (e.g. white and pink flesh)	6	
5		Number of staff involved at largest site in applying label or making label application decisions. Applying the label means physically selecting a label, bag, carton or similar bearing the MSC ecolabel from amongst other labels or packaging materials which do not bear the MSC ecolabel. In the case of a site where the decision regarding packaging made by a supervisor or production line manager, this shall refer to the number of these, rather than the number of workers on the production line.		
	a.	More than 11 employees	8	
	b.	Between 3-10 employees	4	
6		Country of operation score on Transparency International's latest corruption perception index (for latest scores see http://cpi.transparency.org). Please refer to the latest year's CPI Score		
	a.	Under 32	28	
	b.	Between 32 and 62 inclusive	16	
7		Seafood Purchasing		
	a.	Purchasing from suppliers is managed by a combination of the group entity and each site (central and local purchasing)	12	

⁷⁴ TSC 2012, date of application 14 March 2013

	b.	Purchasing from suppliers is managed by each site (local purchasing)	9	
	c.	Purchasing from suppliers is managed by the group entity (central purchasing)	3	
	Total score			

Table BB2: Allocation to Sample Table

Score from Table BB1	Sample Table
80 or more	100% of sites audited
55 to 80	A
40 to 60	B
30 - 45	C
Under 35	D

Note:

The ranges in Table BB2 intentionally overlap. Where this occurs (i.e. a score of **30-35** or 40-45 or 55-60) CABs shall make the decision on which Sample Table to be used, and shall record their reasons for the decision.

BB4.3 Increase in sample size

BB4.3.1 The CAB shall perform the initial audit following the initial audit-sampling plan within the sample table selected (Table BB6).

BB4.3.1.1 The sample size may be increased at any time by the CAB.

BB4.3.1.2 If the CAB increases the sample size a record of the justification for this shall be kept.

BB4.3.1.3 The CAB may submit a variation request to MSC to clause BB4.2.2 to decrease the sample size by following the procedure set out in Part A clause 4.12, including providing detailed and substantiated rationale showing that:

- a. The group is of lower risk than determined by Table BB1, and
- b. The group entity has demonstrated very high performance.

~~**BB4.4 Allocation to normal, enhanced or reduced sampling plans to determine the number of site of the sampling plan for subsequent audits**~~

~~**BB4.4.1 Following the initial audit the CAB shall make a decision on whether enhanced or reduced sampling plans are appropriate.**~~

~~BB4.4.1.1 The CAB shall follow the criteria for use of enhanced, reduced or normal sample plans set out in Table BB3 to recommend a level to the CAB's decision making entity.~~

~~BB4.4.1.2 The CAB's decision making entity shall review the recommendation and if appropriate approve it.~~

~~BB4.4.1.3 CABs should note that the use of the reduced sampling plan must be justified by performance in the previous audit.~~

BB4.4 Surveillance Sample Plan

BB4.4.1 Following an audit the CAB shall decide whether sampling sizes for the next surveillance audit should be increased or decreased from the current sampling plan.

BB4.4.2 The CAB shall increase the sampling plan for the next surveillance audit by one level according to Table BB2 if the group meets at least one of the criteria below:

- a. One or more critical non-conformities were raised against sites or more than three major non-conformities were raised against the group entity at the last audit conducted by the CAB.
- b. Internal audits or internal control system not operational and corrective or preventive actions are inappropriate
- c. The group's MSC certification was suspended or withdrawn in last 12 months.

BB4.4.3 Where the group is already in the High Risk Sample Plan and meets at least one of the criteria in BB4.4.2, the sample size shall be multiplied by 1.5 and rounded up for the next surveillance audit.

BB4.4.4 If the group does not meet any of the criteria in BB4.4.2, and meets at least one of the criteria below, the CAB may decrease the sampling plan for the next surveillance audit by one level as according to Table BB2:

- a. No major or critical non-conformities with MSC requirements demonstrated at last CAB audit of the group entity and sample of sites
- b. Internal audits or internal control system are operating well, identifying issues and applying appropriate corrective and preventive action

BB4.4.5 Where the group is already in the Very Low Risk Sample Plan and meets at least one of the criteria in BB4.4.4, the sample size may be multiplied by 0.5 and rounded up for the next surveillance audit.

BB4.4.6 The sampling plan shall not be reduced by more than one level during the lifetime of a certificate.⁷⁵

BB4.5 Sample selection

BB4.5.1 The CAB shall select the sample of sites to be audited following the hierarchy set out in Table BB4.

BB4.5.1.1 The CAB shall select sites from criterion 1 before criterion 2, from criterion 2 before criterion 3 and so on.

BB4.5.2 The CAB shall not inform the group entity of the sample of sites selected until as close to the audit date as practicable, and in all cases not more than 20 days prior to commencing the audit.

⁷⁵ **Derogation, TAB 21**

For CoC assessments commencing before 14 March 2013, clauses under BB4.4 shall become effective by recertification.

Table BB4: Sample selection hierarchy

Sample Selection Hierarchy	
<i>Criterion 1</i>	Site determined for sample by MSC or ASI
<i>Criterion 2</i>	Site is part of any kind of internal or external investigation
<i>Criterion 3</i>	Logistical considerations: combination of trips, availability of auditors
<i>Criterion 4</i>	Where the sampling table dictates that four or more sites shall be audited, a minimum of 25% of the samples rounded up to the nearest whole number shall be selected at random.

Notes:

1. Criterion 3 refers to sites which may be close to sites selected under Criteria 1 and 2 or close to sites of other clients of the CAB.

BB5 Personnel

BB5.1 Certification auditors

BB5.1.1 The CAB shall appoint auditors who are qualified to perform certification audits for individual CoC certificates to perform site audits. ~~providing they are within their approved scope of audit.~~

BB5.1.2 The CAB shall require that auditors who audit the group entity's operations:

BB5.1.2.1 Comply with the CoC Auditor qualification and competency criteria detailed in Table BF1; and

BB5.1.2.2 Comply with the CoC Group Scheme Entity Auditor qualification and competency criteria detailed in Table BBA5.

BB5.1.3 Where there is more than one auditor conducting an MSC group audit, at least one auditor shall meet each of the requirements in Rows 1, 2 and 3 in Table BBA5 below.⁷⁶

⁷⁶ **Derogation, TAB 21**

For assessments commencing before 14 March 2013, clauses under BB5.1.2 and BB5.1.3 shall become effective by 14 March 2014.

Table BBA5: CoC Group Scheme Entity Auditor ■

CoC group scheme entity Auditor	Qualifications	Competencies	Verification Mechanisms
<p>1. Group Audit Training</p>	<p>a) Pass MSC’s group CoC auditor training course every three years.</p> <p>b) Pass MSC’s annual auditor training on updates to the CoC group scheme entity requirements by the end of June each year.</p>	<p>Ability to:</p> <p>i. Demonstrate an understanding of the requirements for group chain of custody</p> <p>ii. Assess conformity against the requirements including those in Annex BC</p> <p>ii. Describe the key steps in a group CoC audit</p> <p>v. Determine the appropriate sample size for groups and demonstrate an understanding of the associated risks</p>	<ul style="list-style-type: none"> • Examination pass • ASI witness or office audits • CAB witness audits • CAB training records
<p>2. Management systems and reference documents</p>	<p>50 days auditing experience as a lead auditor for management system related standards ■</p>	<p>Ability to:</p> <p>i. Show a detailed knowledge of management systems standards, applicable procedures or other management systems documents used as audit criteria.</p> <p>ii. Apply management systems principles to different organisations and to understand the interaction between components of the management system.</p> <p>ii. Understand and act upon differences between and the priority of reference documents and understand the need to apply specific reference documents to different audit situations.</p>	<ul style="list-style-type: none"> • CVs • Previous employer’s reference letter • ASI witness or office audits • CAB witness audits

		v. Demonstrate knowledge of information systems and technology for authorisation, security, distribution and control of documents, data and records	
3. Audit experience	<p>Prior to undertaking solo group audits either:</p> <p>a) Have led at least one group audit for MSC or equivalent standards</p> <p>OR</p> <p>b) Witness or participate in one MSC CoC group audit or group audit for equivalent standards under the direction and guidance of a competent MSC group entity auditor</p>		<ul style="list-style-type: none"> • ASI witness or office audits • CAB witness audits CAB training records

~~BB5.1.2.1 They shall have a minimum of 50 days auditing experience as a lead auditor for management system related standards (i.e. those covered by ISO 17021 and ISO Guide 65 standards which have a high degree of reliance upon management systems that ensure product conformity).~~

~~BB5.1.2.2 They shall be approved to undertake group entity audits by senior management of the CAB.~~

BB6 Non-Conformities

BB6.1 Grading of non-conformities found on sites

BB6.1.1 The CAB shall raise non-conformities found during site audits against the group entity, and shall reference them to the site at which they were found.

BB6.1.2 The CAB shall analyse and grade site non-conformities into one of three categories:

BB6.1.2.1 Site Critical – where product is found which is labelled or has been sold as MSC-certified but is shown not to be MSC-certified.

BB6.1.2.2 Site Major – where there is a system breakdown which could result in non-MSC-certified being sold as MSC-certified products.

BB6.1.2.3 Site Minor – where there is a system breakdown which is unlikely to result in non-MS-C-certified product being sold as MSC-certified product.

BB6.1.3 Where **major and minor**⁷⁷ non-conformities are identified by CABs during site audits, the CAB shall raise a further non-conformity (with the same grading) against the group entity's internal control system (Annex BC2), and where there has been a failure to detect the non-conformity during annual audits, against the group entity's verification system (Annex BC3).

BB6.1.4 Where critical non-conformities are identified by CABs during site audits, the CAB shall determine if the non-conformity is either:

BB6.1.4.1 A site-specific non-conformity, which is limited to the specific site impacted and does not indicate a failure of the group's management or control systems, or

BB6.1.4.2 A systemic non-conformity, which indicates a possible or likely failure of group-level control or verification systems, and/or has the potential to impact more than one site

BB6.1.5 If the critical non-conformity is determined to be a site-specific non-conformity, the CAB shall raise a major non-conformity against the group entity, except in the case described in BB6.1.7.

BB6.1.6 If the critical non-conformity is determined to be a systemic non-conformity, the CAB shall raise a critical non-conformity against the group entity.

BB6.1.7 Where two or more critical non-conformities are detected at sites during the same group audit, the CAB shall consider this a systemic non-conformity and shall raise a critical non-conformity against the group entity.⁷⁸

BB6.2 Grading of non-conformities found against the group entity

BB6.2.1 The CAB shall analyse and grade non-conformities raised against the group entity into one of three categories.

BB6.2.1.1 Entity Critical – where:

- a. There is a complete breakdown of the internal control system or of verification activities such that the group entity's assurances of site conformity with MSC requirements cannot reasonably be relied upon.
- b. The number of sites where one or more Site Major non-conformities are raised meets or exceeds the reject number shown in Table BB5.
- c. The group entity has not followed the sanctions procedures.

BB6.2.1.2 Entity Major – where there is a breakdown of activities required by one clause of the group entity's internal control system or verification activities.

⁷⁷ **TAB 21, date of application 14 March 2013**

⁷⁸ **Derogation, TAB 21**

For assessments commencing before 14 March 2013, clauses from BB6.1.4 to BB6.1.7 shall become effective by recertification.

BB6.2.1.3 Entity Minor – where there is a partial lapse or breakdown of activities required by one clause of the internal control system or of verification activities undertaken by the group entity.

BB6.2.2 Where more than four Entity Major non-conformities are raised during any one audit, an Entity Critical non-conformity stating that the group entity’s assurances of site conformity with MSC requirements cannot reasonably be relied upon shall be raised.

BB6.3 Action if number of sites with Site Major non-conformities raised is high

BB6.3.1 Where the number of sites at which there are one or more Site Major non-conformities exceeds the reject numbers shown in Table BB 5 an Entity Critical non-conformity shall be raised (BB6.2.1.1 b).

Table BB5: Reject number of sites

Number of sites sampled by the CAB	Reject number – one or more Site Major non-conformities are found at this or a greater number of sites
1 - 5	2
6-10	3
11-15	4
16-20	5
21-25	6
26-30	7
31-40	8
41-50	10
51-60	12
61-70	14
71-80	16
80+	19

Source: Adapted from ISO 2859

BB6.3.2 Where a stratified sample is audited (i.e. two or more sub-groups are sampled), the number of sites with non-conformities from each sub-group shall be added together and the number of sites sampled from each subgroup shall be added together. The total number of non-conformities and the total number of sites shall be used for clause BB6.3.

BB6.3.3 The CAB may raise non-conformities over contractual matters but these are not covered in these requirements.

BB6.4 Actions following individual site non-conformities

BB6.4.1 The CAB shall verify that the group has taken actions on non-conformities raised on individual sites according to their severity:

BB6.4.1.1 Site Critical non-conformities shall result in the group entity immediately suspending the site from the group. In addition, the group entity shall

undertake action as specified in Annex BC 3.4.1, including ensuring the non-conformity has been corrected within 30 days.

~~within one month, have undertaken action as specified in Annex BC2.7.1.2 a-e and within six months have undertaken actions as specified in Annex BC2.7.1.2 f.~~

BB6.4.1.2 Site Major non-conformities shall result in the group entity ensuring they are corrected **within 60 days of their identification (following corrective action as specified in Annex BB2.7.1.2 a-c within one month of their identification and within two months have undertaken actions as specified in Annex BC2.7.1.2 d-e, and within six months have undertaken actions as specified in Annex BC2.7.1.2 f)**. If not corrected within this time frame, the site shall be immediately suspended from the group.

BB6.4.1.3 Site Minor non-conformities shall result in the group entity ensuring they are corrected **within twelve months of their identification (following corrective action as specified in Annex BC2.7.1.2) within twelve months of their identification**. If not corrected within this time frame, the non-conformity shall be immediately re-graded as Site Major, and there shall be **one month 60 days**⁷⁹ given to correct it.

BB6.4.2 The CAB may allow variations in the timeframes if the site concerned is not handling MSC-certified fish during the period indicated.

BB6.5 Actions following group entity non-conformities

BB6.5.1 The CAB shall address Non-conformities raised on the group entity in the following manner according to their severity.

BB6.5.1.1 Entity Critical non-conformities shall result in the immediate suspension of the group.

BB6.5.1.2 Entity Major non-conformities shall result in the group entity correcting them **(following corrective action as specified in Annex BC2.7.1.2)** within **30 days** ~~one month~~ of their identification. If not corrected within this time frame, the group shall be immediately suspended.

BB6.5.1.3 Entity Minor non-conformities shall result in the group entity correcting them **(following corrective action as specified in Annex BC2.7.1.2)** within **three months 90 days** of their identification. If not corrected within this time frame, the non-conformity shall be re-graded as Entity Major, and there shall be **one month 30 days**⁸⁰ given to correct it.

BB6.5.2 The CAB may allow variations in the timeframes given above if all sites are not handling MSC-certified fish during the period indicated.

⁷⁹ **Derogation, TAB 21**

For assessments commencing before 14 March 2013, amendments to clauses BB6.4.1.1, BB6.4.1.2 and BB6.4.1.3 shall become effective by recertification.

⁸⁰ **Derogation, TAB 21**

For assessments commencing before 14 March 2013, amendments to clauses BB6.5.1, BB6.5.2 and BB6.5.3 shall become effective by recertification.

BB6.6 Suspension

BB6.6.1 Should a certificate be suspended **due to the discovery of nonconforming**⁸¹ product, the CAB shall follow requirements set out in 7.4.

BB6.7 Withdrawal

BB6.7.1 The CAB shall follow requirements for suspension and/or withdrawal of certification set out in 7.4.

BB7 Audit Reports and Audit Decisions

BB7.1 Certification Decisions

BB7.1.1 The CAB's certification decision making entity shall not make a decision on certification or on continued certification until they are satisfied that the:

BB7.1.1.1 Sample table and sampling plan selected was appropriately selected for the group.

BB7.1.1.2 Audit scope for each site audit ensured that all requirements of the MSC Chain of Custody Standard have been audited, either at that site or, if centrally managed, at the group entity.

BB7.1.1.3 Evidence contained in audit reports indicates that the group entity is operating in a competent manner.

BB7.1.1.4 Sites are in conformity with requirements, and that any Major non-conformities have been addressed within the timeframes allowed.

BB7.1.1.5 Proposed audit schedule is appropriate.

BB7.1.2 The CAB's decision making entity may seek and review relevant data not contained in reports, including, but not limited to, interviewing the team.

BB7.2 Reporting

BB7.2.1 CAB audit reports shall, in addition to all other matters required in chain of custody audit reports, include a:

BB7.2.1.1 Record of the name and full contact details of the group entity responsible for group operations.

BB7.2.1.2 Description of the group structure and relationships; each site shall be issued a sub-code and this information shall be included in reporting to MSC.

BB7.2.1.3 Register of all sites in the group suitable to be used as a schedule to the certificate with name, address details and scope for each site.

⁸¹ **TAB 19, date of application 14 November 2011**

- BB7.2.1.4 Commentary on the audit team's assessment of the competency and impartiality of the group entity to operate a group certification scheme.
- BB7.2.1.5 Commentary on the audit team's perception of the competency of the internal auditors to undertake internal audits as part of a group certification scheme and the reliance that can be placed upon the internal team's finding of conformity / non-conformity.
- BB7.2.1.6 Comparison of the audit team's findings with the findings made by the group entity, and the reliance that can be placed upon the group entity's findings of conformity / non-conformity.
- BB7.2.1.7 Copy of the Sample table and sampling plan used, with a justification for use.
- BB7.2.1.8 Proposed schedule for on-going audits including any sampling involved.

BB7.3 Certificates

- BB7.3.1 The CAB shall enter all certificate information on the MSC database within ten days of the certification decision being taken.
 - BB7.3.1.1 The CAB shall issue the client with a finalised copy of its certificate and the attached schedules (as appropriate).
 - BB7.3.1.2 The certificate shall be issued to the group entity under the name of the group.
- BB7.3.2 The CAB shall record a register of the sites at the time of each audit on the MSC database and attach it as a schedule to the certificate.
 - BB7.3.2.1 The register shall include the data contained in BB7.2.1.3.
 - BB7.3.2.2 The scope of the certificate shall be the conjunction of the scope of each site audit.
 - BB7.3.2.3 The scope of each site shall be recorded on the MSC database.
 - BB7.3.2.4 A statement shall be included on the group certificate or on a schedule attached to that certificate that reads 'the sites covered by this certificate and their individual scopes can be found on the MSC website'. Any updates shall be maintained on the MSC database.

BB8 Adding New Sites To the Group

BB8.1 Approval of new sites where the increase in site numbers is greater than 10% of opening numbers or where new sites add new activities to the scope of the certificate

- BB8.1.1 The CAB shall require the group entity to seek CAB approval prior to adding more than 10% of the number of sites present at the last certification audit to the

group in any one year, or prior to adding sites with new activities to the group.
(See Annex BC5.2.1.2).

BB8.1.2 The CAB shall approve adding new sites providing:

BB8.1.2.1 There is objective evidence (usually in the form of an internal audit report) that the new sites comply with all MSC requirements provided in the group entity's audit reports.

BB8.1.2.2 Details required for the Register of Sites have been provided.

BB8.1.2.3 The CAB is confident that the group entity has the required resources to manage the increased workload.

BB8.1.3 Should any of the tests in BB8.1.2 not be met, the CAB shall not add the new sites to the group until the group entity has satisfactorily demonstrated how it will address the requirement(s) of concern.

BB8.1.4 If the CAB requires an audit to be performed the relevant sample table and plan currently used for the group shall be used to determine the number of new sites to be audited.

BB8.1.4.1 The group entity shall also be audited to address BB8.1.2.3 if the CAB is not confident that the group entity has the required resources to manage the increased workload.

BB8.2 Approval of new sites where the increase in site numbers is up to 10% of opening numbers

BB8.2.1 The CAB shall require the group entity to notify it in writing of the addition of up to 10% of the number of sites present at the most recent audit.

BB8.2.1.1 The CAB shall verify that the new sites do not add new activities to the scope of the certificate.

a. If new activities are added, the CAB shall conduct an audit of the new activities following requirements in BB8.1.

BB8.2.1.2 The CAB may at its discretion require additional audit work to be undertaken (See Annex BB5.2.1.1).

BB8.3 Updated certificates and / or schedules to the certificate

BB8.3.1 The CAB shall update MSC's database within ten days of notification of the approval of addition of new sites, or of being advised by the group entity of suspensions or withdrawals.

BB8.3.2 The CAB shall update and document the risk assessment and update and document their choice of sample table and plan.

BB8.4 Advice to MSC

BB8.4.1 The CAB shall inform MSC of changes to the certificate or schedule by entering updates on the MSC database within ten days of them being made.

Table BB6: SAMPLE PLANS

Initial Audit			Annual audit	
Number of sites	normal		Number of sites	normal
1 to 2	all		1 to 2	all
3 to 4	2		3 to 4	2
5 to 9	3		5 to 9	2
10 to 16	4		10 to 16	3
17 to 25	5		17 to 25	3
26 to 36	6		26 to 36	4
37 to 49	7		37 to 49	5
50 to 64	8		50 to 64	5
65 to 84	9		65 to 84	6
85 to 100	10		82 to 100	6
101 to 121	11		101 to 121	7
122 to 144	12		122 to 144	8
145 to 169	13		145 to 169	8
170 to 196	14		170 to 196	9
197 to 225	15		197 to 225	9
226 to 256	16		226 to 256	10
257 to 289	17		257 to 289	11
290 to 324	18		290 to 324	11
325 to 361	19		325 to 361	12
362 to 400	20		362 to 400	12
401 to 441	21		400 to 441	13
442 to 484	22		442 to 484	14
485 to 529	23		485 to 529	14
530 to 576	24		530 to 576	15
577 to 625	25		577 to 625	15
626 to 676	26		626 to 676	16
677 to 729	27		677 to 729	17
730 to 784	28		730 to 784	17
785 to 841	29		785 to 841	18
842 to 900	30		842 to 900	18
901 to 961	31		901 to 961	19
962 to 1024	32		962 to 1024	20
Over 1024	Square root rounded up		Over 1024	Initial sample multiplied by 0.6

Table BB7: SAMPLE PLANS

Table B - Medium Risk				
Initial Audit			Annual audit	
Number of sites	normal		Number of sites	normal
1 to 2	all		1 to 2	all
3 to 4	2		3 to 4	2
5 to 9	3		5 to 9	2
10 to 16	3		10 to 16	2
17 to 25	4		17 to 25	2
26 to 36	5		26 to 36	3
37 to 49	5		37 to 49	3
50 to 64	6		50 to 64	3
65 to 84	7		65 to 84	3
85 to 100	7		82 to 100	3
101 to 121	8		101 to 121	4
122 to 144	9		122 to 144	4
145 to 169	10		145 to 169	5
170 to 196	10		170 to 196	5
197 to 225	11		197 to 225	5
226 to 256	12		226 to 256	6
257 to 289	12		257 to 289	6
290 to 324	13		290 to 324	6
325 to 361	14		325 to 361	6
362 to 400	14		362 to 400	6
401 to 441	15		400 to 441	7
442 to 484	16		442 to 484	7
485 to 529	17		485 to 529	8
530 to 576	17		530 to 576	8
577 to 625	18		577 to 625	8
626 to 676	19		626 to 676	8
677 to 729	19		677 to 729	8
730 to 784	20		730 to 784	9
785 to 841	21		785 to 841	9
842 to 900	21		842 to 900	9
901 to 961	22		901 to 961	10
962 to 1024	23		962 to 1024	10
Over 1025	(Square root x .7) rounded up		Over 1024	<u>Initial</u> Sample multiplied by 0.42

Table BB8 SAMPLE PLANS

Table C - Low Risk				
Initial Audit			Annual audit	
Number of sites	normal		Number of sites	normal
1 to 2	all		1 to 2	all
3 to 4	2		3 to 4	2
5 to 9	2		5 to 9	2
10 to 16	2		10 to 16	2
17 to 25	3		17 to 25	2
26 to 36	3		26 to 36	2
37 to 49	4		37 to 49	2
50 to 64	4		50 to 64	2
65 to 84	5		65 to 84	2
85 to 100	5		82 to 100	2
101 to 121	6		101 to 121	2
122 to 144	6		122 to 144	2
145 to 169	7		145 to 169	3
170 to 196	7		170 to 196	3
197 to 225	8		197 to 225	3
226 to 256	8		226 to 256	3
257 to 289	9		257 to 289	3
290 to 324	9		290 to 324	3
325 to 361	10		325 to 361	3
362 to 400	10		362 to 400	3
401 to 441	11		400 to 441	4
442 to 484	11		442 to 484	4
485 to 529	12		485 to 529	4
530 to 576	12		530 to 576	4
577 to 625	13		577 to 625	4
626 to 676	13		626 to 676	4
677 to 729	14		677 to 729	5
730 to 784	14		730 to 784	5
785 to 841	15		785 to 841	5
842 to 900	15		842 to 900	5
901 to 961	16		901 to 961	5
962 to 1024	16		962 to 1024	5
Over 1024	Square root multiplied by 0.5, rounded up		Over 1024	Initial sample multiplied by 0.3

Sources: ISO 2859, IAF Mandatory requirements for multisite certification

Table BB9 SAMPLE PLAN – VERY LOW RISK

Table D – Very Low Risk			
Initial Audit		Surveillance audit	
Number of sites	normal	Number of sites	normal
2	all	2	1
3 to 4	1	3 to 4	1
5 to 9	1	5 to 9	1
10 to 16	1	10 to 16	1
17 to 25	2	17 to 25	1
26 to 36	2	26 to 36	1
37 to 49	2	37 to 49	1
50 to 64	2	50 to 64	1
65 to 84	3	65 to 84	1
85 to 100	3	82 to 100	1
101 to 121	3	101 to 121	1
122 to 144	4	122 to 144	1
145 to 169	4	145 to 169	1
170 to 196	4	170 to 196	1
197 to 225	5	197 to 225	2
226 to 256	5	226 to 256	2
257 to 289	5	257 to 289	2
290 to 324	5	290 to 324	2
325 to 361	6	325 to 361	2
362 to 400	6	362 to 400	2
401 to 441	6	400 to 441	2
442 to 484	7	442 to 484	2
485 to 529	7	485 to 529	2
530 to 576	7	530 to 576	2
577 to 625	8	577 to 625	3
626 to 676	8	626 to 676	3
677 to 729	8	677 to 729	3
730 to 784	8	730 to 784	3
785 to 841	9	785 to 841	3
842 to 900	9	842 to 900	3
901 to 961	9	901 to 961	3
962 to 1024	9	962 to 1024	3
Over 1024	Square root multiplied by 0.3, rounded up	Over 1024	Initial sample multiplied by 0.

Sources: ISO 2859, IAF Mandatory requirements for multisite certification

----- **End of Annex BB** -----

Annex BC Checklist for Group Chain of Custody – Normative




Checklist of Requirements for Group Chain of Custody Certification

Introduction

This document sets out requirements for organisations operating over multiple sites that seek certification (“group certification”). It has been developed for use by CABs and in order to assist both groups of individual enterprises and multiple site companies (“organisations”) achieve certification in an effective and cost efficient manner while providing stakeholders with an appropriate level of assurance of conformance.

An organisation’s compliance with this document will be audited by a CAB as part of the mandatory requirements to be followed by CABs when performing chain of custody certification audits of organisations.




Table BC1: Checklist of Requirements for Group Chain of Custody Certification ⁸² 

	= applicable for all groups
	= applicable only for Reduced Risk Groups (RRGs)
	= applicable only for non-Reduced Risk Groups (non-RRGs)




Applies to	Requirement
	BC1 Management Responsibility
	BC1.1 Management systems and documentation
All	BC1.1.1 The group entity shall establish and maintain management systems that provide assurance that every site covered in the group certificate conforms with the MSC group CoC requirements

⁸² **Derogation, TAB 21**




For CoC assessments commencing before 14 March 2013, Table BC1 shall become effective by recertification.

	= applicable for all groups
	= applicable only for Reduced Risk Groups (RRGs)
	= applicable only for non-Reduced Risk Groups (non-RRGs)




Applies to	Requirement
All	BC1.1.2 The group entity shall appoint one person ('the MSC representative') who irrespective of other duties, is responsible for ensuring the group's conformity with all MSC group CoC requirements. The name, position and contact details of the MSC representative shall be documented and communicated to the CAB
All	BC1.1.2.1 The CAB shall be advised of changes of MSC representative within 10 days
All	BC1.1.3 The group entity shall document the roles and responsibilities of the MSC representative, internal auditors, and other key personnel at the group entity and site level
All	BC1.1.4 The group entity shall ensure that all documents demonstrating conformity with the MSC group CoC requirements are stored for a minimum of three years
Non-RRG	BC1.1.5 The group entity shall establish and maintain documented policies and procedures covering the following:
Non-RRG	BC1.1.5.1 Division of roles between the group entity and sites, including how any changes to MSC group CoC requirements and internal group policies or documents will be communicated to sites
Non-RRG	BC1.1.5.2 The process for ensuring that all internal auditors and other key personnel are trained on MSC group CoC requirements and relevant internal policies to ensure competence in performing functions related to the MSC group CoC requirements
Non-RRG	BC1.1.5.3 The process for ensuring MSC certified products are purchased, received, and handled in conformity with MSC requirements in section BC2.2
Non-RRG	BC1.1.5.4 The process for ensuring that traceability is maintained throughout all stages of product handling so that that all MSC certified products are traceable back to a certified supplier and forward to the immediate customer, and to enable an input/ output reconciliation as required in sections BC2.3 and BC3.2
Non-RRG	BC1.1.5.5 The process for ensuring that if the MSC ecolabel is applied by sites and/or the group entity, it used in conformity with the requirements set out by MSC and the licence agreement, as required in section BC2.5
Non-RRG	BC1.1.5.6 The process for verifying the effectiveness of internal control systems, which shall include procedures for the following: <ul style="list-style-type: none"> a) Conducting input/output reconciliations at site level as per BC3.2.3 b) Conducting internal audits of sites and documenting audit results as per BC3.1 c) Identifying non-conformities and issuing corrective actions and sanctions as per BC3.4
BC1.2 Group Control	
All	BC1.2.1 The group entity shall demonstrate its ability to ensure that all sites conform with MSC group CoC requirements, including that: <ul style="list-style-type: none"> a) For each site there will be a designated contact who is accountable for ensuring the site complies with all MSC group CoC requirements and relevant internal policies b) Sites will conform with the terms of the contract between the group entity and the CAB c) Sites will allow the group entity, CAB, MSC, and ASI access for purposes of conformity audits to the site's premises and records and approval to speak with personnel

	= applicable for all groups
	= applicable only for Reduced Risk Groups (RRGs)
	= applicable only for non-Reduced Risk Groups (non-RRGs)




Applies to	Requirement
	d) Sites will accept any sanctions applied to the site by the group entity or CAB in the case of non-conformity
All	<p>BC1.2.2 The group entity shall sign a certification contract with the CAB and shall be responsible to the CAB for the following related to the group entity and all sites:</p> <ul style="list-style-type: none"> a) Conformity with MSC group CoC requirements b) Fulfilment of any conditions on sites or the group entity raised by the CAB c) Payment of all certification costs related to sites and the group entity d) All communication with the CAB (excluding expedited or unannounced site audits)
All	BC1.2.3 Sites shall not use subcontractors to handle MSC certified products unless subcontractors hold their own CoC certificate, are part of the group, or perform only storage or transport activities.
All	BC1.2.3.1 All subcontractors shall be used in conformity with Annex BD4 of the MSC Certification Requirements.
Non-RRG	<p>BC1.2.4 The group entity shall enter into an agreement with each site, which will set out as a minimum:</p> <ul style="list-style-type: none"> a) That the site will meet all requirements in BC1.2.1 b) The responsibilities of each site and key personnel with respect to MSC group CoC requirements c) That the site agrees to be listed as a site in the group's application for MSC certification and may be listed on the MSC website d) In the case of sites that are not part of the same legal entity as the group entity, the agreement shall contain the name and/or legal identify of each party, contact name and addresses, and be legally binding on the group entity and the site's owner.
Non-RRG	<p>BC1.2.5 The group entity shall demonstrate the implementation of the agreement in BC1.2.4 in one of the following three ways:</p> <ul style="list-style-type: none"> a) The sites are fully owned by the group b) The group entity has a contract with each of the sites requiring the site's compliance with decisions made by the group entity c) The group entity has other evidence of a commitment from each of the sites as outlined in BC1.2.4.
BC1.3 Site Register	
All	<p>BC1.3.1 The group entity shall maintain a register of all sites included in the group certificate, which shall be provided to the CAB before the initial audit and shall include for each site:</p> <ul style="list-style-type: none"> a) Name or position, email, and phone for a designated contact at each site who is responsible for ensuring the site conforms with MSC group CoC requirements b) Physical and postal address of the site c) Status of each site (current, suspended, or withdrawn) d) Date of joining and (if applicable) leaving the group certificate.
All	BC1.3.2 The group entity shall keep the site register up to date and notify the CAB within 10 days of any sites added or withdrawn, by sending the CAB details for new or withdrawn sites as specified in BC1.3.1.

	= applicable for all groups
	= applicable only for Reduced Risk Groups (RRGs)
	= applicable only for non-Reduced Risk Groups (non-RRGs)




Applies to	Requirement
All	BC1.3.2.1 If the number of sites added since the last CAB audit is in excess of 10% of the number of sites at the time of that audit, or if the additional sites add new activities to the scope of the certificate, the CAB must provide written consent before new sites can be added.
All	BC1.3.2.2 When the CAB is notified of new sites to be added, the CAB may decide to conduct additional audit activities if deemed necessary.
All	BC1.3.3 When sites are withdrawn from the group certificate, the group entity shall notify the site that they may no longer continue to use the MSC claim or ecolabel anywhere on the site, including packaging and menus
BC2 Internal Control System	
All	BC2.1 The group shall be able to demonstrate that procedures covering requirements in BC2 are implemented, either through written documentation or evidence of existing procedures and management systems (these may not be MSC specific).
BC2.2 Purchasing, Receiving, and Handling	
All	BC2.2.1 The group shall have an implemented process to ensure that MSC certified products shall only be purchased from certified suppliers that have a valid MSC certificate.
All	BC2.2.2 The group shall have an implemented process for confirming that all MSC certified products delivered or received at all sites are verified as MSC certified.
All	BC2.2.3 The group shall have an implemented process to ensure that all MSC certified products are identifiable as such at all stages of purchasing, storage, processing, packing, labelling, selling and delivery.
All	<p>BC2.2.4 The group shall have an implemented process for product that is labelled or identified as MSC certified but cannot be verified as such (non-conforming product), which shall include the following:</p> <ul style="list-style-type: none"> a) The group MSC representative shall be alerted within two days of non-conforming product being identified at a site. b) The group MSC representative shall determine the underlying cause of the issue and shall issue corrective actions against all sites potentially impacted. c) Non-conforming product shall be quarantined, relabelled, or otherwise prevented from being sold as certified or labelled as certified until its certified status can be verified. d) If there is a risk that non-conforming product has been sold or shipped as certified, the CAB shall be alerted within two days of identifying the issue and recall or relabeling procedures shall be followed where needed to prevent affected product being sold as MSC certified.
All	BC2.2.5 Records shall be kept of any incidence of non-conforming product and the corrective actions taken as per section BC2.2.4.
BC2.3 Traceability	

	= applicable for all groups
	= applicable only for Reduced Risk Groups (RRGs)
	= applicable only for non-Reduced Risk Groups (non-RRGs)




Applies to	Requirement
All	<p>BC2.3.1 There shall be a system to ensure that all MSC certified inputs can be traced back to the immediate supplier, and MSC certified outputs can be tracked forward to the immediate customer.</p> <p>If the group entity or site is a retail or foodservice site dealing with final consumers, forward traceability to each consumer is not required, however total volumes of certified products sold must be recorded to enable an input/ output reconciliation.</p>
All	<p>BC2.3.2 Where product is transformed or repacked, in-process traceability shall be established so that all MSC certified product will be identified and segregated during all handling and storage operations.</p>
BC2.4 Personnel and training	
All	<p>BC2.4.1 There shall be an implemented process to ensure that all key personnel are competent to perform functions related to the MSC group CoC requirements. Competence shall be based on appropriate training, skills, and experience for the relevant functions performed.</p>
All	<p>BC2.4.2 All internal auditors shall be able to demonstrate competence in carrying out internal audits, including knowledge of the MSC group CoC requirements, internal audit processes, identification and grading of non-conformities, and issuing corrective actions as defined in sections BC3.1 and BC3.4.</p>
All	<p>BC2.4.3 The group entity shall maintain a record of MSC training completed and shall be able to demonstrate that all key personnel receive training at a frequency as required to maintain knowledge of current MSC requirements.</p>
BC2.5 Ecolabel use and licensing	
All	<p>BC2.5.1 The group entity shall be responsible for ensuring that all sites using the MSC ecolabel shall do so in conformity with all MSC I licensing requirements as found at http://www.msc.org/documents/logo-use.</p>
RRG	<p>BC2.5.2 If the group entity or any sites use the MSC claim or ecolabel, then the group entity shall be responsible for having a valid licence agreement (which covers all sites and all relevant products) and coordinating all ecolabel applications for approval, collection of turnover declarations from sites, and payment of ecolabel fees with MSC I.</p>
Non-RRG	<p>BC2.5.3 If the group entity and all sites are part of the same legal entity and the MSC ecolabel or MSC claim are to be used, the group entity shall sign the licence agreement on behalf of the group.</p> <p>The group entity shall coordinate required ecolabel applications for approval and turnover declarations and shall be responsible for fee payments for all sites in the group.</p>
Non-RRG	<p>BC2.5.4 If the group entity and sites are not all part of the same legal entity and the MSC claim or MSC ecolabel are to be used by individual sites, then each site shall sign a licence agreement with MSC I.</p> <p>Each site shall be individually responsible for their ecolabel applications for approval, turnover declarations, and payment of ecolabel fees. If the site fails to comply with MSC I licensing requirements, MSC I will notify the group entity, which shall audit the site and if necessary, issue a non-conformity against the site.</p>
BC3 Verification System	
BC3.1 Internal site audits	

	= applicable for all groups
	= applicable only for Reduced Risk Groups (RRGs)
	= applicable only for non-Reduced Risk Groups (non-RRGs)




Applies to	Requirement
Non-RRG	BC3.1.1 An onsite internal audit shall be conducted of every site before initial certification to ensure the site conforms with the MSC group CoC requirements.
Non-RRG	BC3.1.1.1 The group entity shall ensure that all non-conformity identified during internal audits is recorded and corrective actions are verified as completed and effective before the certificate is issued.
All	BC3.1.2 The group entity shall conduct an internal audit of all sites at least once per year after the initial certification to verify that each site is in conformity with MSC group CoC requirements. This requirement does not apply to the group if all seafood handled by the group entity and its sites is exclusively MSC certified seafood. The requirement does not apply to all sites in a stratified subgroup if all seafood handled by the stratified subgroup is exclusively MSC certified
All	BC3.1.3 If during an internal site audit the group entity discovers that the site is not in conformity with an MSC requirement, the non-conformity shall be graded as follows: a) Critical non-conformity: Any incidence where product is found to be labelled or sold as 'MSC' or 'MSC certified' but is shown not to be MSC certified shall be graded as a critical non-conformity and the group entity shall follow procedures as set out in BC3.4.1 and BC2.2.4. b) Non-conformity: All other cases where the site is not in full conformity with an MSC requirement shall be graded as a non-conformity and the group entity shall follow procedures as set out in BC3.4.2.
Non-RRG	BC3.1.4 There shall be an annual schedule for internal audits for sites which shall contain: a) The proposed date of the next internal audit b) The date of the last internal audit c) The result of the last internal audit, specifying open non-conformities and the dates by which they must be closed d) The name of the internal auditor who performed the last internal audit e) The site's current status (current, suspended or withdrawn).
BC3.2 Input/output reconciliation	
All	BC3.2.1 The group shall ensure that records are retained to enable a reconciliation of MSC certified inputs/ outputs of any certified product, over any given timeframe, for a designated shipment or group of shipments.
RRG	BC3.2.2 The group entity shall verify conformity with requirements in BC3.2.1 through conducting on a minimum annual basis, either: a) An input/ output reconciliation for a sample of MSC certified products across the entire group entity (including all sites on the group certificate), or b) An input/output reconciliation for a sample of MSC certified products handled at site level at a sample of sites.
RRG	BC3.2.2.1 If an input/ output reconciliation is conducted at a sample of sites (rather than the entire group entity) the sample size shall be defined as $.5 * \text{square root of the total number of sites}$, rounded up. At least 50% of the site samples shall be selected at random.

	= applicable for all groups
	= applicable only for Reduced Risk Groups (RRGs)
	= applicable only for non-Reduced Risk Groups (non-RRGs)

Applies to	Requirement
RRG	BC3.2.2.2 Requirements in BC3.2.2 do not apply to the group if all seafood handled by the group entity and its sites is exclusively MSC certified seafood. Requirements do not apply to all sites in a stratified subgroup if all seafood handled by the stratified subgroup is exclusively MSC certified
Non-RRG	BC3.2.3 The group entity shall verify conformity with BC3.2.1 through reviewing records of input/ output reconciliations from every site on an annual basis. Requirement BC3.2.3 does not apply to the group if all seafood handled by the group entity and its sites is exclusively MSC certified seafood. The requirement does not apply to all sites in a stratified subgroup if all seafood handled by the stratified subgroup is exclusively MSC certified
Non-RRG	BC3.2.4 The group entity shall be confident that systems used for input/ output reconciliation are effective for all MSC certified products handled by the site
BC3.3 Internal review of the group entity	
All	BC3.3.1 At least once a year (and before initial certification) the MSC representative shall conduct an internal review to verify the group's conformity with MSC group CoC requirements and the effectiveness of the group's management system.
All	BC3.3.2 The internal group entity review shall include: <ul style="list-style-type: none"> a) An assessment of the group's ability to conform with MSC group CoC requirements b) A review of the latest versions of MSC group CoC requirements, including any changes since the previous review and how these will be incorporated into procedures c) A review of internal and CAB audit reports from the previous year, non-conformities identified, corrective actions issued, and whether non-conformities have been closed d) A review of any complaints received relating to the MSC programme and actions taken as a result e) Identification of any systemic issues or recurring site-level non-conformities, and proposed changes to the group's systems to address these issues f) Documentation that all relevant sections of BC3.3.2 have been completed <p>For the initial group entity internal review (before certification) points c- f may not be relevant for Reduced Risk Groups if internal site audits have not been completed.</p>
All	BC3.3.3 Any proposed management changes arising from the group internal review and the timeline for their implementation shall be documented and communicated to the group entity's management
BC3.4 Non-conformities and sanctions	

	= applicable for all groups
	= applicable only for Reduced Risk Groups (RRGs)
	= applicable only for non-Reduced Risk Groups (non-RRGs)

Applies to	Requirement
All	<p>BC3.4.1 If a critical non-conformity is identified, the group entity shall follow the procedure below:</p> <ul style="list-style-type: none"> a) Within two days of detection, issue a critical non-conformity against all sites affected and alert the sites, MSC representative, and CAB b) Within two days of detection, suspend the site from the group certificate until the CAB and group entity are confident that all underlying causes of the non-conformity have been addressed c) Identify whether this is a site-specific non-conformity or if it has the potential to affect other sites and may indicate a breakdown in the group's systems or processes d) Issue corrective actions to address the non-conformity, including actions that must be taken by any affected sites and the group entity to prevent reoccurrence e) Ensure that the non-conformity has been corrected within 30 days of detection f) Ensure that the site makes no claim relating to MSC certified products during the suspension g) Record evidence of the information in parts a-f above for all critical non-conformities identified.
All	<p>BC3.4.2 If a non-conformity is identified, the group entity shall follow the procedures below:</p> <ul style="list-style-type: none"> a) Issue a non-conformity against all sites affected and ensure the sites are alerted within four days of the non-conformity being detected b) Investigate the cause of the non-conformity c) Identify whether the cause is a site-specific non-conformity or if it has the potential to affect other sites and may indicate a breakdown in the group's systems or processes d) Issue a corrective action to address the non-conformity, including actions that must be taken by any affected sites and the group entity to ensure similar non-conformity does not occur at other sites e) Verify that the non-conformity has been corrected within 90 days of detection f) Record evidence of the information in parts a-e above for all non-conformities identified.
All	<p>BC3.4.3 If a non-conformity detected at the site level has not been fully corrected within 180 days of detection, a critical non-conformity shall be issued against the site and the group entity shall follow procedures as outlined in BC3.4.1.</p>
BC3.5 Decision on site conformity	
Non-RRG	<p>BC3.5.1 The decision on whether a site is in conformity with MSC group CoC requirements shall be made by a person or a committee who has not been involved in the site audit (a "decision maker"), and shall be based on the objective evidence provided by the site audit and all other evidence that may be available to the decision maker. The MSC representative shall be notified of all decisions related to site conformity.</p>
Non-RRG	<p>BC3.5.2 If the group entity does not have a person that was not involved in the site audit, a committee of key personnel from sites may make the conformity decision, excluding themselves from decisions affecting their own site.</p>
BC3.6 Verification records	

	= applicable for all groups
	= applicable only for Reduced Risk Groups (RRGs)
	= applicable only for non-Reduced Risk Groups (non-RRGs)

Applies to	Requirement
All	<p>BC3.6.1 The group entity shall maintain the following records related to the internal verification system, which may be in electronic or hard copy and may be kept at the group entity or site level:</p> <ul style="list-style-type: none"> a) Schedule of all internal audits completed, including date of the audit and site name or number b) Internal audit results, including objective evidence, audit notes, non-conformities, corrective actions, and evidence that the non-conformities have been closed out within the designated timeframe c) Records of all input/ output reconciliations performed as specified in BC3.2, including the site number (if applicable) and date, volumes of inputs/ outputs, supporting documentation, and any non-conformities resulting d) Records of all traceability exercises performed as per section BC2.3 and any non-conformities resulting.

----- **End of Annex BC** -----

Annex BD Additional Chain of Custody requirements – Normative⁸³

Introduction

This document sets out requirements for certificate holders and applicants for MSC Chain of Custody certification. The cases in which each of these requirements applies are described in Table BD1.

This Annex contains requirements for certificate holders that are additional to the MSC Chain of Custody (CoC) standard version 3.

Table BD1: Summary of Requirements and to whom they apply

Section	Requirement	Applies to
BD1	Reporting change	All certificate holders that undergo changes that affect their certification.
BD2	Request for records of certified product in the event of a traceback carried out by the MSC	All certificate holders that receive a request from MSC as part of a traceback.
BD3	Handling or selling under-MSC-assessment fish	All applicants and certificate holders handling or selling under-MSC-assessment fish.
BD4	Use of subcontractors	All applicants and certificate holders that use subcontractors.
BD5	Use of non-certified ingredients	All certificate holders using non-certified ingredients in MSC-labelled products.
BD6	Group certification	All applicants and certificate holders for MSC group chain of custody certification

BD1 Requirements for Reporting Change

BD1.1 Applicability

BD1.1.1 Requirements in this section apply to certificate holders in the event of a change to their circumstances.

BD1.2 Requirements

BD1.2.1 The certificate holder shall inform their certification body of their intention to add a site to their certificate prior to using the new site.

⁸³ TAB 19, date of application 14 November 2011

BD1.2.2 Whenever the certificate holder seeks to extend its scope of certification **or to add new suppliers or subcontractors, it shall communicate this change to the CAB as per the requirements in Table BD2:**

~~, be whether this is a new fishery, species, activity, product form, type of storage or product presentation, it shall apply for a scope extension to the certification body prior to the change occurring.~~

Table BD2: Requirements for communicating change to CAB⁸⁴

Changes to scope or other status	Requirements for notifying CAB
a. Add a new activity b. Add the first scope extension to handle ASC-products c. Add a new under MSC-assessment fishery d. Add a new subcontractor (except for subcontractors carrying out transport or storage only)	Notify the CAB before the change occurs. The CAB must provide written approval of this change and may require an onsite or remote audit before approval
e. Add a new certified species f. Add a new certified supplier	Notify the CAB within 10 days of receiving the first delivery of the new species or from the new supplier. Include the supplier's CoC code if adding a new supplier, and the source fishery (if known) for a new species.
g. Add or change product form, type of storage, or product presentation h. Add a new certified fishery or farm i. Add a new storage subcontractor	Notify the CAB at a minimum during surveillance and recertification audits. More frequent scope extensions may be performed at the certificate holder's request as agreed with the CAB

~~BD1.2.3 All new suppliers shall be listed.~~

~~BD1.2.3.1 The certificate holder shall communicate the use of a new supplier's name and CoC or fishery certificate code to their certification body no later than ten days after receiving its first delivery.~~

BD1.2.4 The certificate holder shall report to the CAB any change in their contact person for MSC audits.⁸⁵

BD1.2.5 If the certificate holder is a group that was certified as a Reduced Risk Group, as per section BB2.5, and the certificate holder no longer meets the eligibility requirements for RRGs in BB2.5.2-BB2.5.5, the certificate holder shall notify the CAB within 10 working days of this change in status.

⁸⁴ Derogation, TAB 21

For CoC assessments commencing before 14 March 2013, amendments to clauses BD1.2.2, BD1.2.3 and Table BD2 shall become effective by 14 March 2014

⁸⁵ TSC 2012, date of application 14 March 2013

BD1.2.6 If the certificate holder has been certified through a remote certification audit, as per section 17.3.5, and no longer meets the eligibility criteria for an remote certification in section 17.3.5.1 and 17.3.5.2, the certificate holder shall notify the CAB within 10 working days of this change in status.⁸⁶

BD2 Request for Records of Certified Product in the Event of a Traceback or Supply Chain Reconciliation⁸⁷ Carried out by the MSC

BD2.1 Applicability

BD2.1.1 Requirements in this section apply to all certificate holders that MSC requests to provide data to assist with a traceback exercise **or supply chain reconciliation**.⁸⁸

BD2.1.2 To provide greater assurance to all stakeholders, the MSC conducts tracebacks **and supply chain reconciliation** on a regular basis.

BD2.1.2.1 A traceback exercise traces MSC labelled products back to the certified fishery of origin by seeking supporting documentary evidence.

BD2.1.2.2 A supply chain reconciliation cross-references purchase and sales transactions of MSC certified products between suppliers and customers.⁸⁹

BD2.2 Requirements

BD2.2.1 Certificate holders shall cooperate with the MSC to undertake tracebacks **and supply chain reconciliations**, including:

BD2.2.1.1 Submitting requested **sales, purchase, and traceability**⁹⁰ records of certified material within seven calendar days of receiving the request, or in exceptional circumstances a shorter period as specified by the MSC.

a. Financial details may be removed if so desired but records shall be otherwise unaltered.

b. Records shall be submitted in English if so requested by the MSC.

BD2.2.1.2 Requesting an extension of time in writing to the MSC ~~traceback evaluator~~ if the seven day period in BD2.2.1.1 above cannot be met.

a. This shall include a justification for the requested extension.

⁸⁶ **Derogation, TAB 21**

For CoC assessments commencing before 14 March 2013, clauses BD1.2.5, and BD1.2. shall become effective by recertification

⁸⁷ **TAB 21, date of application 14 March 2013**

⁸⁸ **TAB 21, date of application 14 March 2013**

⁸⁹ **TAB 21, date of application 14 March 2013**

⁹⁰ **TAB 21, date of application 14 March 2013**

- b. If the request for extension of time is not accepted, the original seven calendar day deadline shall be met.

BD2.2.2 Certificate holders shall include the requirements in BD2.2.1.1 above in contracts they have with subcontractors who may hold this data.

BD2.2.3 If the MSC ~~traceback evaluator's~~ requests are not met within required timeframes the MSC ~~traceback evaluator~~ may request that action be taken by the certification body.

BD2.2.3.1 The CAB may raise a major non-conformance where timeframes for submitting traceback information or supply chain reconciliations are not met.⁹¹

BD3 Requirements for Handling or Selling Under-MSC-Assessment Fish

BD3.1 Applicability

BD3.1.1 Under-MSC-assessment fish is fish or fish products that are, or are derived from, any aquatic organisms harvested in a fishery under full assessment for certification and caught on or after the 'target eligibility date' specified on the MSC-website for that fishery.

BD3.1.2 Requirements in this section apply to applicants and certificate holders that wish to include under-MSC-assessment fish in their scope of certification. Handling or selling under-MSC-assessment fish is only possible when the certification body responsible for the fishery assessment has defined the 'target eligibility date' and when the applicant or certificate holder fulfils requirement BD3.2.1.

BD3.1.3 The 'target eligibility date' is the date from which a product from a certified fishery may be permitted to bear the MSC Ecolabel.

BD3.2 Requirements

BD3.2.1 To be permitted to have under-MSC-assessment fish included in their scope of certification, applicants and certificate holders shall either:

BD3.2.1.1 Take ownership of the fish before it is preserved, or

BD3.2.1.2 Be the first company that preserves the fish, or

BD3.2.1.3 Buy product directly from the first company that preserves the fish, or

BD3.2.1.4 Be the first link in the chain of custody in which the fish is preserved by a company that is part of the unit of certification of the under-MSC-assessment fishery.

BD3.2.2 To be permitted to sell under-MSC-assessment fish, the certificate holder shall be described in BD3.2.1.1 or BD3.2.1.2 and shall have a system to ensure that any

⁹¹ **TAB 21, date of application 14 March 2013**

product it sells as under-MSA-assessment was caught on or after the target eligibility date as specified on the MSA website for that fishery.

- BD3.2.3 Certificate holders described in BD3.2.1.3 and BD3.2.1.4 shall have a system to ensure that all references to its under-MSA-assessment status are removed if the product is sold before the fishery is certified.
- BD3.2.4 For each batch of under-MSA-assessment fish purchased, the certificate holder shall maintain the following records and label the products with:
 - BD3.2.4.1 the name of the fishery, or name and MSA CoC certificate code of the supplier;
 - BD3.2.4.2 the date of capture, and;
 - BD3.2.4.3 sufficient other details to allow the tracing of those inputs back to their suppliers.
- BD3.2.5 The certificate holder shall refer to under-MSA-assessment status on invoices but not on products.
- BD3.2.6 The certificate holder shall have a system to ensure that any product it eventually sells as MSA-certified was caught on or after the actual eligibility date as specified on the MSA website for that fishery.
- BD3.2.7 The certificate holder may only sell under-MSA-assessment fish as MSA-certified once it has been confirmed that the fishery has been listed as certified on the MSA website.

BD4 Requirements for the Use of Subcontractors

BD4.1 Applicability

- BD4.1.1 Requirements in this section apply to applicants and certificate holders that use subcontractors

BD4.2 Requirements

- BD4.2.1 The certificate holder shall apply to their certification body prior to use of a new subcontractor. This requirement is not applicable to certificate holders subcontracting transport companies or cold storage facilities.
- BD4.2.2 If an applicant or a certificate holder uses subcontractors (except transport companies) the applicant or certificate holder shall have a signed contract with all those subcontractors that require the subcontractor to:
 - BD4.2.2.1 Conform to all relevant requirements of the MSA CoC standard.
 - BD4.2.2.2 Allow the certification body and the MSA's accreditation body access to the subcontractor's site and to all relevant documentation.
 - BD4.2.2.3 Acknowledge that they will conform to all reasonable requests for information from their client (the applicant or certificate holder), the certification body and the MSA's accreditation body.

BD4.2.2.4 Allow the certification body to undertake further audit if a subcontractor is not independently certified for MSC CoC.

BD4.2.3 The applicant or certificate holder shall:

BD4.2.3.1 Record the use of subcontractors, including their name and address, the nature and conditions of the contract and all relevant records of certified product associated with the subcontractor.

BD4.2.4 If the applicant or certificate holder subcontracts its processing activities to contract processors the applicant or certificate holder shall:

BD4.2.4.1 Inform the contract processor that it will be audited onsite by the applicant's or certificate holder's certification body prior to the use of the contract processor if the contract processor is not certified independently.

BD4.2.4.2 Provide a mass balance for each non-certified contract processor.

BD4.2.4.3 Require the contract processor to keep records to allow the certification body to cross check with the applicant's or certificate holder's records.

BD4.2.4.4 Provide details of all packaging produced, received and/or sent to contract processors.

BD4.2.4.5 Be able to conduct a reconciliation for the certification body to demonstrate that the total packaging produced and used is consistent with the amount of MSC-certified fish purchased and sold.

BD4.2.5 If transport companies are used, the transport company shall:

BD4.2.5.1 Not knowingly ship or receive product transported on vessels listed on RFMO blacklists.

BD4.2.5.2 Transport product in sealed containers if practicable.

BD5 Requirements for Using Non-Certified Seafood Ingredients

BD5.1 Applicability

BD5.1.1 Requirements in this section apply to certificate holders that wish to use not MSC certified ingredients in an MSC ecolabelled product.

BD5.2 Requirements

BD5.2.1 The certificate holder shall apply to MSC I (ecolabel@msc.org) if it wishes to use non-certified seafood ingredients on a product bearing the MSC ecolabel.

BD5.2.2 The not MSC certified seafood ingredients shall not exceed 5% of the total seafood ingredients in the final product.

BD5.2.3 The percentage of not MSC certified seafood ingredients in a product carrying the MSC ecolabel shall be calculated by:

- a. Dividing the total net weight (excluding water and added salt) of not MSC certified seafood ingredients by the total weight (excluding water and added salt) of the combined certified and not MSC certified seafood ingredients in the finished product; or
- b. Dividing the fluid volume of all not MSC certified seafood ingredients (excluding water and added salt) by the fluid volume of the combined certified not MSC certified seafood ingredients in the finished product (excluding water and added salt) if the product and ingredients are liquid. If the liquid product is identified as being reconstituted from concentrates, the calculation should be made based on single-strength concentrations of the ingredients and finished product;
- c. For products containing not MSC certified seafood ingredients in both solid and liquid form, dividing the combined weight of the not MSC certified seafood solid ingredients and the weight of the liquid ingredients (excluding water and added salt) by the total weight (excluding water and added salt) of the combined certified and not MSC certified seafood in the finished product;
- d. The percentage of all not MSC certified seafood ingredients shall be rounded up to the nearest whole number;
- e. The percentage shall be determined by the organisation who affixes the MSC ecolabel on the consumer package. The organisation may use information provided by other suppliers in determining the percentage.

BD6 Group Requirements

BD6.1 Applicability

BD6.1.1 Requirements in this section apply to all applicants and certificate holders that apply or are certified against the MSC group chain of custody certification requirements.

BD6.2 Requirements

BD6.2.1 Applicants and certificate holders that seek or hold certification for MSC's group chain of custody certification shall conform to the requirements in Annex BC– Checklist for Group Chain of Custody – Normative.

BD7 Product authentication testing⁹²

BD7.1 Applicability

⁹² **Derogation, TAB 21**

For CoC assessments commencing before 14 March 2013, sections under BD7.1. shall become effective by 14 March 2014

BD7.1.1 Requirements in this section apply to certificate holders in supply chains where MSC has selected to carry out product authenticity testing of seafood products.

BD7.2 Requirements ⁹³

BD7.2.1 Certificate holders shall allow the certification body or representative from the accreditation body (ASI) to collect samples of MSC-certified products from their site for the purposes of product authenticity testing.

BD7.2.2 Where a product authenticity test identifies the product as a different species or as originating from a different catch area than as identified, the certificate holder shall:

- a. Investigate the potential source of the issue.
- b. Present the certification body with findings from this investigation and where they find non-conformities a corrective action plan to address these.
- c. Cooperate with further sampling and investigation.

BD8 Provision of timely and accurate information ⁹⁴

BD8.1 Applicability

BD8.1.1 Requirements in this section relate to certificate holders where the MSC, certification body, or MSC's accreditation body request information to verify conformity with the CoC standard.

BD8.2 Requirements

BD8.2.1 Where the certification body or MSC's accreditation body sets a time limit for supplying specific information during an audit, the CoC certificate holder shall supply the information within this time period. Failure to provide information within the specified timeframe can result in a major non-conformity or suspension of the certificate.

BD8.2.2 Where information or records provided by the certificate holder during audits or other requests as outlined in BD2 are not consistent with information provided at a different point in time, the certification body shall issue a non-conformity against the certificate holder's management system.

BD8.2.3 The certificate holder shall sign-off the accuracy of specific sections of the audit report, including:

⁹³ **Derogation, TAB 21**

For CoC audits commencing before 14 March 2013, clauses under section BD7.2 shall become effective by 14 March 2014

⁹⁴ **TAB 21, date of application 14 March 2013**

- BD8.2.3.1 The schedule of MSC suppliers
- BD8.2.3.2 Any statements made by the certificate holder indicating that the certificate holder is not handling any MSC-certified products at the time of the audit
- BD8.2.3.3 Where collected, the complete list of the certificate holder's purchases of MSC-certified products or the list of MSC-certified batches processed since the previous audit


-----**End of Annex BD**-----

Annex BE Aquaculture Stewardship Council (ASC) Audits for Chain of Custody - Normative⁹⁵

Introduction

This annex sets out the requirements that all CABs shall follow when conducting audits of organisations seeking MSC chain of custody certification for a scope that includes ASC.

BE1 Changes to Scope of Certification

- BE1.1 **The CABs shall consider the handling of ASC-certified aquaculture products as part of the scope of a MSC chain of custody certification.**
- BE1.1.1 **The CAB shall not process an extension of scope for a Chain of Custody certificate holder with a Chain of Custody certificate issued from another CAB.⁹⁶ **
- BE1.2 The CAB shall require all applicants wishing to handle ASC-certified aquaculture product to apply for MSC chain of custody certification with ASC-certified products within their scope.
- BE1.3 The CAB shall apply clause 17.7 from Part A and clause 17.5.4 from BE7.1 for all existing MSC CoC Certificate Holders that apply to extend their scope of certification to include ASC scope.
- BE1.4 The CAB shall apply clause 17.7 from Part A and clauses 17.5.5 and 17.5.6 from BE8.1 for MSC CoC Certificate Holders with only ASC scope that apply to extend their scope of certification to include MSC-certified products.

BE2 Reports

- BE2.1 **One audit report shall be prepared for Chain of Custody audits of companies with that seek both MSC-certified and ASC-certified products within their scope.**

BE3 Certificates

- BE3.1 When a client's scope of certification includes both MSC-certified products and ASC-certified products, the CAB shall issue separate certificates, one of which shall include all MSC scope elements and one shall include ASC scope.

⁹⁵ TAB 20, date of application 10 March 2012

⁹⁶ TSC 2012, date of application 14 March 2013

BE3.2 When one Certificate is issued at a different time from the other, such as when the scope of certification is extended to include ASC, the second certificate shall be issued with the same expiry date as the first certificate.


BE4 Determination of the Point(s) at Which ASC Certified Products Enter the Chain of Custody

BE4.1 CABs shall refer to published ASC Aquaculture Operation Public Certification Reports to determine where the first chain of custody certificate is required in the supply chain.

BE5 Application of MSC Certification Requirements, Part A and B

BE5.1 All MSC Chain of Custody certification requirements in parts A and B of this document shall apply to ASC scope unless modified by this annex.

BE5.2 Annex BB and BC on Group Certification shall not be applied in cases where aquaculture operations seek MSC CoC certification for ASC scope. 

BE5.3 **Where a major non conformity is raised against a fish farm during the initial audit, product will only be eligible to be sold as under-ASC-assessment from the date the major non-conformity against the fish farm has been closed out.**⁹⁷ 

BE6 Clauses in Parts A and B which do not Apply when Assessing ASC Scope

BE6.1 CABs shall not apply the following clauses in Table BE1 in parts A and B of the MSC Certification Requirements when assessing ASC scope.

⁹⁷ **Derogation, TAB 21**

For ASC assessments commencing before 14 March 2013, clause BE5.3 shall become effective by 14 March 2014.

Table BE1: Clauses not applied for ASC scope

Area	Clauses
Fisheries	4.8.6
	4.11.4.10.b.iii.A, 4.11.6
	4.12.2.3
	7.4.3, 7.4.5, 7.4.9, 7.4.13
	7.5.9, 7.5.10, 7.5.11

BE7 Additions to parts A and B of the MSC Certification Requirements when assessing ASC scope

BE7.1 CABs shall also assess compliance to the following clauses in Table BE2 when assessing ASC scope, in addition to Parts A and B of the MSC Certification Requirements, and with the exceptions in BE6.1 above.

Table BE2: Additions to parts A and B for ASC scope

Area	Clause no.	Text
CoC audit reports	17.5.3	For an audit of a company with both MSC and ASC products within their scope the CAB shall record this information in the scope section of the CoC Certification Report (Annex BA).
	17.5.4	If a client is currently certified for MSC CoC and with only MSC-certified products within their scope, the CAB shall consider the risk factors identified in Table B4 when deciding if an on-site audit is to be conducted before issuing a new certificate to cover ASC-certified products. The CAB shall record the reason for their decision.
Surveillance audits	17.8.1.3.b	The reduced surveillance and the remote reduced surveillance frequency shall not be applied in cases where aquaculture operations seek MSC Chain of Custody Certification even if they score 15 or below ☐

BE7.2 The following new clauses apply to the tables in Part B of the MSC certification requirements when assessing ASC scope.

BE7.2.1 In Table B1 (Part B) 'Aquaculture' as an 'activity' as below:

Table B1: List of scope options

Activity	Product form	Type of storage	Presentation
Contract processing	Extracts	Chilled (including fresh)	Aquaculture feed
Distribution	Filletts	Dry goods	Block
Harvest	Gutted	Frozen	Block Interleaved
Packing or repacking	Headed and gutted	Live	Boxed
Processing	Minced	OTHER – Describe:	Cake/cookie
Restaurant / take away to consumer	Oil		Can
Retail to consumer	Portions		Coated
Storage	Roe		Dried
Trading fish (buying/selling)	Steaks Portion		Fermented
Transportation	Whole		Fertilizer
Wholesale	OTHER – Describe:		Fresh fish Counter
OTHER – Describe:			Hot and cold smoked
Aquaculture			Individually Quick Frozen
			Jar
			Marinade
			Marinade/pickled
			Menu Item
			Oil Capsule
			Pet food
			Pickled
		Portion	
	Pouch / Vacuum Packed		
	Ready Meal		
	Salted		
	Sauce		
	Snacks		
	Steaks		
	Surimi		
		OTHER – Describe:	

BE7.2.2 In Table B2 (Part B) an additional row at the end to include aquaculture as below:

Table B2: Activity Scope Definitions

Activity	Definition
1...	
Aquaculture	The farming of aquatic organisms (see full definition in Annex AA)

BE7.2.3 In Table B4 (Part B) an additional row in the 'Activities' section for aquaculture as below:

Table B4: Factors and Scoring to Determine Surveillance Frequency

Risk Factor	Score
9. Activity See Table B2	
Where more than one activity is undertaken, use the highest score only to add the total score	
Trading (buying and selling) (Activity 1)	4
Transport (Activity 2)	4
Storage (Activity 3)	4
Wholesale and/or distribution of whole fresh fish in unsealed containers (Activities 4,5)	8
Wholesale and/or distribution of pre-packed products (Activities 4,5)	4
Harvest (Activity 6)	8
Packing or repacking (Activity 7)	15
Processing, contract processing (Activities 8,9)	20
If there is a risk of handling non-MS C fish due to processing company's geographic location in relation to non-MS C-certified fisheries of the same species which is considered:	
high – add:	8
medium – add:	2
low – add:	0
Retailing/food service direct to consumers (Activities 10,11)	8
Aquaculture (Activity 13)	8

BE8 Additions to parts A and B of the MSC Certification Requirements when considering MSC certified products for a Certificate holder that previously only had ASC certified products

BE8.1 CABs shall assess compliance to the following clauses in Table BE3 when considering a client extending their scope from ASC certified products only to include MSC certified products, in addition to the clauses in parts A and B of the MSC Certification requirements.

Table BE3: Additions to parts A and B for adding the first MSC products to ASC scope

Area	Clause no.	Text
MSC and ASC audit reports	17.5.5	If a client is currently certified for MSC CoC but with only ASC scope, the CAB shall consider the risk factors identified in Table B4 when deciding if an on-site audit is to be conducted before issuing a new certificate to cover MSC-certified products. The CAB shall record the reason for their decision.
	17.5.6	The CAB shall, when extending the scope of certification to include MSC certified products for the first time, inform the Certificate Holder of the additional requirements which apply. This includes:
	17.5.6.1	Under-MSC-assessment fish and MSC eligibility requirements as per BD3
	17.5.6.2	That the 'Fishery' category must also be recorded and kept up to date within the Certificate Holder's scope of certification as per BD1.

BE9 Amendments to parts A and B of the MSC Certification requirements when considering ASC scope

BE 9.1 CABs shall, when considering ASC scope, use the amended wording for the clauses as detailed in the table BE4 below.

Table BE4: Amendments to parts A and B for ASC scope

Area	Clause no.	In MSC Certification Requirements	Amendment for ASC scope
Contracts	4.8.3.1	a. If the applicant is certified the CAB shall not enter into a contract for certification without following certificate transfer requirements set out in Section 4.11.	a. If the applicant is certified the CAB shall not enter into a contract for certification without following certificate transfer requirements set out in Section 4.11. b. If the applicant holds an existing MSC chain of custody certificate the CAB may enter into a contract for the purposes of auditing ASC scope provided that the CAB has MSC accreditation and ASC within their scope of accreditation.
Resource Requirements	6.1.2	CAB fishery team leaders, chain of custody lead auditors and auditors shall complete an MSC training program each year provided by the MSC or MSC-approved provider.	CAB aquaculture team leaders, chain of custody lead auditors and auditors shall complete an MSC training program each year provided by the MSC or MSC-approved provider. This training program shall include training in this Annex BE.
Process Requirements, Information for Applicants	7.1.2.3	The website address where MSC information relevant to certification and FAQs can be found.	The website address where MSC information relevant to certification and FAQs can be found and the website address where FAQs and other information relevant to certification for CoC with ASC scope can be found.
Certificates and Certificate Codes for ASC Scope	7.5.1.2	a. The first part being the letters 'F' for fishery management certificates, 'C' for chain of custody certificates b. The second part being the CAB's initials or name; c. The third part being a unique registration number or code issued by the CAB	a. The first part being the letters 'ASC-C-. b. The second part being a unique registration number issued by the ASC database upon creating the applicant entry⁹⁸.
	7.5.4.4	The MSC ecolabel version 2009 or latest published version, in conformity to MSC I ecolabel	The ASC ecolabel's latest published version, in conformity to ASC ecolabel

⁹⁸ TSC 2012, date of application 14 March 2014

		license requirements.	license requirements.
Scope for ASC	17.2.1.1	The fishery(ies) (MSC-certified or under-MSC-assessment) that the product is to be sourced from.	The Aquaculture Operation that the product is to be sourced from.
Surveillance audits	17.8.4c	Information from the MSC, ASI and/or MSCl.	Information from the MSC, ASC, ASI and/or MSCl.

BE10 Changes to terms in parts A and B when considering ASC scope

BE10.1 CABs shall read the following references in parts A and B when considering clients for ASC scope as detailed in table BE5 below:

Table BE5: Changes to terms in Parts A and B for ASC scope

Area	Terms	Clauses
ASC-certified products	References to 'MSC-Certified' or 'MSC' when describing the fish/product shall be read as 'ASC-Certified' and 'ASC,' respectively.	7.4.4.2 7.4.4.3 7.4.6.3.e 7.5.4.3 17.1.2.1.b.i.A 17.1.2.3.b 17.3.4 17.4.3.5 17.4.4.2 17.6.6.1 17.7.5.3 Table B4 17.8.8.2 BB6.1.2.1 BB6.1.2.2 BB6.1.2.3 BB6.4.2 BB6.5.2 BC2.2.1 BC2.2.1.2 BC2.2.1.4 BC2.3.1 BC2.3.1.2 BC2.6.1.3 BC2.6.1.4 BC4.1.1.1 BC4.1.1.2 BC4.1.1.3 BC4.2.1.4 BC4.3.1.4 BC4.4.2 BD3.2.7 BD4.2.4.5

ASC website	References to 'MSC-Website' shall be read as 'ASC-Website'.	7.5.4.4 17.4.5.1 17.6.6.1 17.7.5.3.a BB7.3.2.4 BD3.1.1 BD3.2.2 BD3.2.6 BD3.2.7
MSC database	Reference to the 'MSC database' shall read as 'ASC sections of the MSC database'.	4.11.1.1 4.11.4.6.c 7.4.6.1 7.4.6.4.c 7.4.10.1 7.4.12 7.5.3 7.5.8.3 17.2.6.2.b 17.3.1.1 17.6.5 17.6.7 17.7.5.1 17.8.8 BB7.3.1 BB7.3.2 BB7.3.2.3 BB7.3.2.4 BB8.3.1 BB8.4.1
Aquaculture operations	References to 'certified fisheries', 'fishery', 'fisheries', 'date of capture' and 'caught' shall be read as 'certified aquaculture operations', 'aquaculture operation', 'aquaculture operations', 'date of harvest' and 'harvested'."	BD3.1.1 BD3.1.2 BD3.1.3 BD3.2.2 BD3.2.3 BD3.2.4.1
ASC Ecolabel ASC Logo	References to the 'MSC ecolabel' or 'ecolabel' shall be read as 'ASC logo' and references to 'MSC labelled' as 'ASC-labelled'.	4.2.6.2.b 4.8.5 4.9.1 4.9.2.1 4.9.6 4.11.8.2.ii.B 7.1.2.2 7.5.1.1 7.5.4.3 17.2.6.1.b.ii 17.4.3.8 17.6.6.2 17.6.8.1.b Table B4 Table BB1 BC1.3.1.1 BC5.4.1.2 BC6.1.1 BC6.3.1 BC6.4.1

		Table BD1 BD3.2.5 BD5.1.1 BD5.2.1 BD5.2.3 BD5.2.3.e
	References to 'MSC ecolabel licensing agreement' and 'MSC ecolabel license agreement' shall be read as 'ASC ecolabel license agreement'	4.11.9 17.6.6.2.a 17.6.6.2.b 17.7.5.3.b
	'Marine Stewardship Council' and the initials 'MSC' shall be read as 'Aquaculture Stewardship Council', and 'ASC' respectively and references to 'MSC trademarks' or 'MSC's trademarks' shall be read as 'ASC trademarks'. By exception to this reference to MSC's 'non-consumer facing' definition in 4.9.2.1a. should still be read as MSC.	4.8.4 4.9.3 4.9.3.1 4.9.1 4.9.2 4.9.2.1.a 4.9.2.1.b 7.1.2.2.b 17.4.3.8 BC6.1.1.1 B6.1.1.2 BC6.2.1.1
ASC CoC Certificate Code	References to the 'MSC CoC Certificate code' shall be read 'ASC CoC Certificate code'	17.3.1.1.a 17.3.1.2 BD3.2.4.1
Under-ASC-assessment	References to 'Under-ASC-assessment' and 'target eligibility date' shall be read as 'Under-ASC-assessment' and 'actual audit date'. Part BD3.2.1.4 shall not apply. ■	4.9.6.1 7.5.6 7.4.4.2 7.5.7 17.2.3 17.4.1.2 17.4.3.2 17.4.4 17.4.5.1.d 17.4.5.1.e 17.7.3 BD3.1.1 BD3.1.2 BD3.1.3 BD3.2.1 BD3.2.2 BD3.2.3 BD3.2.4 BD3.2.5 BD3.2.6 BD3.2.7

----- End of Annex BE -----

Annex BF: CoC Auditor and CAB Lead Auditor Qualifications And Competencies - Normative⁹⁹

Introduction

This annex sets out the requirements for CoC auditor and CAB Lead Auditor qualifications and competencies which CABs shall verify in accordance with section 6.1.

BF1 CoC Auditor Qualification And Competency Criteria

Table BF1: CoC Auditor Qualification And Competency Criteria

CoC Auditor	Qualifications	Competencies	Verification Mechanisms
1. General	5 years' work experience including 2 years food-related, in supply chain management, science, traceability or policy development Or Degree or equivalent in business, economics, science or technical programme and 3 years work experience including 2 years food-related, in supply chain management, science, traceability or policy development. Examples of technical qualifications include: supply chain and logistics management, food/seafood science and fisheries science.	i. To demonstrate: • knowledge of food safety or quality systems management, product or supply chain risk assessment, traceability systems and relevant national and international laws relating to product labelling and traceability ii. an understanding of: • fish and fish products and their supply chains and • the type of supply chain operation to be audited iii. the ability to successfully manage relationships with colleagues and clients	<ul style="list-style-type: none"> • CV • Previous employer's reference letter • CAB appraisal • Diploma or certificate • Work experience
2. Third-party product and management system conformity assessment auditing		i. The ability to apply appropriate audit principles, procedures and techniques to the planning and	<ul style="list-style-type: none"> • CAB training records • Previous audit reports • ASI witness or


⁹⁹ Derogation, TAB 21

For assessments commencing before 14 March 2013, Annex BF shall become effective by 14 March 2014.

<p>techniques</p>		<p>execution of different audits so that audits are conducted in a consistent and systematic manner.</p> <p>ii. Be able to verify the accuracy of collected information and be aware of the significance and appropriateness of audit evidence to support audit findings and conclusions.</p> <p>iii. Understand and assess those factors that can affect the reliability of the audit findings and conclusions.</p>	<p>office audits</p> <ul style="list-style-type: none"> • CAB witness audits
<p>3. Understanding of MSC CoC Principles & Criteria and MSC CoC certification requirements</p>	<p>a) Pass MSC's CoC auditor training course every three years</p> <p>b) Pass MSC's annual auditor training on updates to the CoC certification requirements by the end of June each year.</p>	<p>The ability to:</p> <p>i. Describe the intent and requirements of the CoC standard</p> <p>ii. Determine who needs Chain of Custody and demonstrate this practically</p> <p>iii. Determine where the Chain of Custody begins and ends</p> <p>iv. Determine the point at which fish or fish products first enter the certified chain of custody</p> <p>v. Describe the main steps in the MSC CoC on-site audit</p> <p>vi. Demonstrate an understanding of the information required for entry into the MSC database</p> <p>vii. Use the supplier search function on e-Cert</p> <p>viii. Identify and assess potential</p>	<ul style="list-style-type: none"> • Examination pass • ASI witness or office audits • CAB witness audits

		<p>physical risks to loss of traceability during food production, handling, preparation, storage and transportation throughout the chain</p> <p>ix. Demonstrate an understanding of the principles of the CoC standard relevant to HACCP or other food management systems</p> <p>x. Assess the effectiveness of traceability systems employed by organisations for controlling the risks identified</p> <p>xi. Assess the adequacy of records to confirm the volumes of certified inputs and outputs over a given period</p> <p>xii. Recognize the risks of compromising traceability associated with different fish species</p> <p>xiii. Assess whether conversion rates for certified outputs and inputs given are realistic where processing or packing / re-packing occurs</p> <p>xiv. Assess if clients are using the MSC ecolabels in conformity with ecolabel licence agreements</p> <p>xv. Demonstrate an understanding of the rules on using not MSC certified seafood ingredients.</p> <p>xvi. Verify that companies handling MSC product on behalf of certificate</p>	
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		<p>holders are covered either:</p> <p>a) by their own certification or</p> <p>b) have signed a contract with the certificate holder as sub-contractors, in accordance with the requirements described in BD4</p> <p>xvii. Describe how to conduct an audit when certified product is not on-site</p> <p>xviii. Demonstrate an understanding of the concept of under-MSA assessment fish</p> <p>xix. Demonstrate an understanding of the procedure for determining surveillance frequency</p> <p>xx. Demonstrate an understanding of how to grade non-conformities</p> <p>xxi. Describe:</p> <p>a) the different steps in the fisheries assessment process</p> <p>b) where to find sources of information about which fish can enter chains of custody and which clients / client groups can sell certified fish and can handle and/or sell Under MSA-Assessment Fish.</p>	
4. Audit experience <input checked="" type="checkbox"/>	<p>Have undertaken 4 initial or surveillance MSA CoC audits or audits for equivalent standards</p> <p>Or</p> <p>For new CoC auditors:</p>	<p>The ability to:</p> <p>i. Identify and find the location of the information required for undertaking and completing each assessment /audit.</p>	<ul style="list-style-type: none"> • CAB records • Previous employer's reference letter • ASI witness or office audits • CAB witness audits

	<p>a) Witness or participate in two MSC CoC audits or audits for equivalent standards and</p> <p>b) Conduct at least two satisfactory MSC CoC audits or audits for equivalent standards under the direction and guidance of a competent lead auditor prior to undertaking solo audits.</p>	<p>ii. Reconcile document discrepancies and investigate the causes of these.</p> <p>iii. Detect commonly used methods of document manipulation, fraudulent actions and fraudulent practices.</p>	<ul style="list-style-type: none"> • Previous audit reports
<p>5. On-going Audit Participation</p>	<p>Should participate in three MSC CoC audits every 18 months which can include the audits listed in 4 above.</p>	<p>The ability to:</p> <p>i. Identify and find the location of the information required for undertaking and completing each assessment /audit.</p> <p>ii. Reconcile document discrepancies and investigate the causes of these.</p> <p>iii. Detect commonly used methods of document manipulation, fraudulent actions and fraudulent practices.</p>	<ul style="list-style-type: none"> • CAB records • Previous employer's reference letter • ASI witness or office audits • CAB witness audits • Previous audit reports
<p>6. Auditor Training </p>	<p>Had an MSC audit or audit for equivalent standards which include a significant component of traceability peer witnessed by a qualified MSC lead auditor no less than once in each three (3) year period where the peer witness may be part of the audit team</p>		<ul style="list-style-type: none"> • CAB Training records • CAB witness audits • ASI Auditor Register
<p>7. Communication & Stakeholder</p>	<p>Experience in applying different types of interviewing and</p>	<p>The ability to effectively communicate with the client and other</p>	<ul style="list-style-type: none"> • CV • CAB records • ASI witness or

Facilitation Skills	facilitation techniques	stakeholders	office audits • CAB witness audits
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BF2 CAB Lead Auditor Qualification And Competency Criteria

Table BF2: CAB Lead Auditor Qualification And Competency Criteria

CAB Lead Auditor	Qualifications	Competency	Verification Mechanisms
1. Third-party product and management system conformity assessment auditing techniques	Pass IRCA / RABQSA recognised EMS / QMS or GFSI-approved standards or HACCP lead assessor training course Or Registration and EMS / QMS auditor with IRCA or RABQSA Or Pass a course on auditing based upon ISO 19011 with a minimum duration of 3 days	i. The ability to apply appropriate audit principles, procedures and techniques to the planning and execution of different audits so that audits are conducted in a consistent and systematic manner. ii. Be able to verify the accuracy of collected information and be aware of the significance and appropriateness of audit evidence to support audit findings and conclusions. iii. Understand and assess those factors that can affect the reliability of the audit findings and conclusions. iv. Be able to manage a CoC audit team in accordance with MSC requirements	<ul style="list-style-type: none"> • Certificate of passing auditor training course recognised by a reputable auditor registration organisation e.g. IRCA, RABQSA • Previous audit reports • ASI witness or office audits • CAB witness audits

----- End of Annex BF -----

MSC Certification Requirements
Part C– Fishery Certification Requirements



Version 1.3, 14 January 2013

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Part C – Fishery Certification Requirements

21 Scope

Part C of the MSC Certification Requirements is for CAB use when assessing fisheries against the MSC's Principles and Criteria for Sustainable Fishing.

22 Normative Documents

The following documents contain provisions which, through reference in this text, become part of the MSC Certification Requirements.

For documents which specify a date or version number, later amendments or revisions of that document do not apply as a normative requirement. CABs are encouraged to review the most recent editions and any guidance documents available to gain further insight about how the document has changed, and to consider whether or not to implement latest changes.

For documents without dates or version numbers, the latest published edition of the document referred to applies.

The normative documents in Part A Section 2 also apply to Part C.

- a. MSC Productivity Susceptibility Analysis Worksheet for RBF
- b. MSC Fishery Assessment Scoring Worksheet
- c. MSC Notification Report Form
- d. Template for peer review of MSC fishery assessments.
- e. Use of the RBF in a fishery assessment form
- f. MSC Full Assessment Reporting Template v1.3
- g. MSC Pre-Assessment Reporting Template.
- h. MSC e-Cert database user manual for CBs: Fisheries v4

23 Terms and Definitions

All definitions are in the MSC & MSC I Vocabulary (Annex AA).

Terms or phrases used in MSC Certification Requirements that have more than one definition are defined within the text where such terms or phrases appear.

24 General Requirements

24.1 Submission of reports, data and requests to MSC and publication of reports by MSC

~~24.1.1 CABs shall note that the MSC may delay publication of a CAB's fishery assessment product (such as a Public Comment Draft Report or announcement) for up to 60 days if the MSC has evidence that MSC requirements have not been met. During this period, ASI shall investigate the evidence, and shall reach a decision on whether there is non-conformity.☐~~

~~24.1.1.1 If there is non-conformity, then the appropriate corrective action shall be taken by the CAB and a revised fishery assessment product shall be provided to the MSC for publication.~~

~~24.1.1.2 If there is no non-conformity, then ASI shall inform the MSC, which shall post the assessment product immediately.¹⁰⁰~~

24.1.2 For information and data submitted as part of the fishery assessment and fishery surveillance process, CABs shall make all submissions through the MSC database.¹⁰¹

24.2 Assessment timelines ☐

24.2.1 The CAB's indicative timetable submitted with the announcement regarding certification and public involvement (27.9.1) shall form the basis for tracking the assessment process by stakeholders.

24.2.1.1 The CAB shall, within five days of a delay of 30 days or more occurring, provide an updated timetable and explanation of the cause of the delay to the MSC for posting to the MSC website.

24.2.2 If the period from the last on-site visit to the receipt of the Public Comment Draft Report by the MSC is more than 18 months, the CAB shall withdraw the fishery from the MSC assessment process. [¹⁰²]

A24.2.3 If the period from the full assessment announcement to the first on-site assessment visit exceeds 4 months the CAB shall use the most recent version of the MSC Certification Requirements for the remainder of the assessment. [¹⁰³]☐

¹⁰⁰ TAB 21, date of application 14 March 2013

¹⁰¹ TSC 2012, date of application 14 March 2013

[¹⁰²] Derogation, TAB D-028 (issued 23 February 2010). No expiry

For fisheries that have entered an assessment contract before 1st of May 2010, requirements of 24.2.2, 24.2.3 and 24.2.4 shall not apply.

[¹⁰³] Derogation, 20 (issued 10 January 2012). No expiry

For fisheries that have entered an assessment contract before 10th of March 2012, requirements of A 24.2.3 shall not apply.

- 24.2.3 If the period from the last on-site assessment to the receipt of the Public Comment Draft Report by the MSC exceeds nine months the CAB shall: ▣
- 24.2.3.1 Within five days, write to the MSC, and the client, regarding the CAB's intention to review new information available since the initial assessment visits, information collection and scoring of the fishery.
- 24.2.3.2 If, after a further 30 days following the notice of intent to review the fishery, the Public Comment Draft Report has not been posted on the MSC website, the CAB shall:
- a. Provide the MSC with a statement for posting on the MSC website requesting, for a period of 30 days, stakeholder submission of any new information relating to the fishery that the team should consider in the assessment of the fishery.
 - b. Directly notify stakeholders participating in the fishery assessment of the opportunity to submit new information relating to the fishery that the team should consider in the assessment of the fishery.
- 24.2.3.3 Following the 30 day period within which stakeholders have the opportunity to submit new information
- a. Review any new information provided.
 - b. Review the outcomes of any scoring of the fishery previously **undertaken against the most recent version of the MSC Certification Requirements.**¹⁰⁴
 - c. Assess new information following all steps from scoring the fishery (27.10) to peer review (27.14) **against the most recent version of the MSC Certification Requirements.**¹⁰⁵
 - i. The team may limit the scope of this assessment to the re-scoring of those PIs for which there is new information **and for which the requirements have changed in the most recent version of the MSC Certification Requirements.**¹⁰⁶
- 24.2.4 In “exceptional circumstances”, the CAB may submit a request to vary from the requirements 24.2.2 to the MSC by following the procedure set out in Part A clause 4.12 and supported with: ▣
- 24.2.4.1 Detailed and substantiated rationale describing how, in terms of time bound measurable outcomes, the fishery assessment will be completed, and if interim milestones are specified, the outcome that shall be achieved at each milestone.
- 24.2.5 CABs shall note that the MSC will accept variations to 24.2.2 based on the criteria of:
- 24.2.5.1 Unavoidability of the circumstances that lead to the delay.

¹⁰⁴ TAB 20, date of application 10 March 2012

¹⁰⁵ TAB 20, date of application 10 March 2012

¹⁰⁶ TAB 20, date of application 10 March 2012

- 24.2.5.2 The severity of the delay.
- 24.2.5.3 The speed of remedial action.

24.3 Consultation requirements

- 24.3.1 The CAB shall hold stakeholder consultations so that the team is aware of all concerns of relevant stakeholders.
- 24.3.2 CABs shall send a copy of a consultation announcement to all identified stakeholders no longer than four days after the start of each consultation period.
 - 24.3.2.1 CABs shall note that the MSC does not consider posting information on the MSC website and MSC email announcements as meeting 24.3.2.
- 24.3.3 CABs shall acknowledge receipt of stakeholder comments during the assessment process within ten days of getting them.
 - 24.3.3.1 CABs shall inform the sender how and when the CAB will address their comments.
- 24.3.4 Stakeholder comments may be written or oral.
- 24.3.5 Where the RBF is used to evaluate and score specified PIs, CABs shall carry out a stakeholder consultation process to gather data to inform scoring in conformance with the requirements set out in **CC2.2 Stakeholder involvement with the RBF**.
- 24.3.6 CABs may follow guidance to consultation provided in Annex GCL.
- 24.3.7** Except where otherwise required, the CAB shall specify in their consultation announcements **a deadline for the receipt of information or feedback from stakeholders of 5pm GMT on the last day of the consultation period.**¹⁰⁷

24.4 Use of confidential information in fishery assessments

- 24.4.1 The CAB shall encourage stakeholders not to withhold information, including concerns and knowledge.
- 24.4.2 The CAB shall inform stakeholders that unless covered in 24.5.1 below any information that they cannot share with all stakeholders, even under confidentiality agreement, shall not be:
 - 24.4.2.1 Referenced in the assessment.
 - 24.4.2.2 Used in determining the assessment outcome.
 - 24.4.2.3 Used as the basis for an objection to a certification.
- 24.4.3 The CAB shall ensure that information kept confidential is being restricted to:
 - 24.4.3.1 Financial transactions about certification.

¹⁰⁷ **TSC 2012, date of application 14 March 2013**

- 24.4.3.2 The financial affairs of individual companies or information that may lead to this information being known.
- 24.4.3.3 Information that is the subject of relevant national privacy or data protection legislation in the client's country.
- 24.4.4 If the CAB wishes to use information that the owner requires is kept confidential and **that is additional to that specified in 24.4.3¹⁰⁸**, the CAB shall submit a variation request from the requirements 24.4.3 to the MSC by following the procedure set out in Part A clause 4.12.
 - 24.4.4.1 If the variation request is accepted by the MSC, the CAB may use the information in its assessment.

24.5 Access to information

- 24.5.1 The CAB shall ensure that un-published key information necessary to enable a stakeholder who is not party to this information to be able to properly review the logic used by the team in their conclusion about a particular PI score is made available electronically, in printed form or otherwise for viewing by stakeholders.
 - 24.5.1.1 The CAB shall make un-published key information available before the posting of the Public Comment Draft Report, and shall ensure that the information is available throughout the subsequent stages of the assessment process until such time as a certification decision is made.
 - 24.5.1.2 The CAB shall note that un-published information does not include peer-reviewed or grey literature.
 - 24.5.1.3 The CAB shall note that providing that information is made available to stakeholders, the information does not have to be formally published in the public domain.

24.6 Confidentiality agreements

- 24.6.1 The owner of key information may require stakeholders sign confidentiality agreements before granting access to it. In these cases the CAB shall:
 - 24.6.1.1 Require those requesting access to key information to do so in writing.
 - 24.6.1.2 Ensure signed confidentiality agreements are in place before permitting access to the confidential information.
- 24.6.2 The CAB may use the key information in its assessment even if some or all stakeholders refuse to sign a confidentiality agreement.

¹⁰⁸ **TAB 20, date of application 10 March 2012**

25 Structural Requirements

No requirements additional to ISO Guide 65, IAF Guidance to ISO Guide 65 and MSC Certification Requirements Part A.

26 Resource Requirements

No requirements additional to ISO Guide 65, IAF Guidance to ISO Guide 65 and MSC Certification Requirements Part A.

27 Process Requirements

27.1 Initial client interest

27.1.1 The CAB shall send the following documents to applicants in addition to the requirements set out in Part A:

- 27.1.1.1 A copy of the MSC Objections Procedure (Annex CD).
 - a. Should the MSC objections procedure be changed, the CAB shall send updated copies to all applicants and certificate holders.

27.2 Pre-Assessment

27.2.1 The pre-assessment is optional, not mandatory.

27.2.2 CABs shall have objectives for the pre-assessment that include:

- 27.2.2.1 Enabling CAB planning for a full assessment.
- 27.2.2.2 Informing the client of the likelihood of achieving certification.
- 27.2.2.3 Planning for the full assessment.

27.2.3 The CAB shall treat the existence, process and outcomes of the pre-assessment as confidential to the client, the CAB and MSC, unless otherwise directed by the client. [¹⁰⁹]

27.2.4 The CAB shall appoint an individual or team qualified in conformity with any one of 27.5.2.1 to 27.5.2.4, and 27.5.2.5 and 27.5.2.6 from Team Selection to conduct the pre-assessment evaluation.

27.2.5 The CAB shall include the following in the pre-assessment:

- 27.2.5.1 A meeting with the client.
- 27.2.5.2 Decisions on potential field site visits.

[¹⁰⁹] **Derogation PA 11, no expiry.** Fisheries that entered assessment prior to the first of August 2009 do not have to provide pre-assessment reports to the MSC.

- 27.2.5.3 An assessment of the extent to which the fishery is consistent with the MSC's Principles and Criteria for Sustainable Fishing.
- 27.2.5.4 An evaluation of the fishery's readiness for assessment.
- 27.2.5.5 A review of the availability of data:
 - a. If data are not thought to be available, the CAB shall flag use of the RBF (Annex CC).
- 27.2.5.6 Defining the overall scope of the full certification assessment.
- 27.2.5.7 Identifying to the best of the CAB's ability if:
 - a. The fishery is an enhanced fishery.
 - b. The fishery includes IPI stock(s), and if so, identifying the potential consequence of this catch in allowing target catches to enter further certified chains of custody and to carry the MSC ecolabel.
 - c. The fishery includes introduced species (ISBF).
- 27.2.5.8 Describing potential obstacles or problems that may be a barrier to certification.
- 27.2.5.9 A report to the client covering each of these matters **conforming with Annex CF.**¹¹⁰
- 27.2.6 The CAB shall base the pre-assessment on, but not restrict it to reviewing documentation.
 - 27.2.6.1 The CAB and the client shall determine what documentation and data to review.
- 27.2.7 The CAB shall document and retain:
 - 27.2.7.1 General historical background information on the area of the fishery.
 - 27.2.7.2 Governance and political stability issues.
 - 27.2.7.3 Domestic consumption and export information about the fishery.
 - 27.2.7.4 An overview of the fishery to be certified including:
 - a. Management policy objectives.
 - b. Relevant regulations.
 - c. Other management practices.
 - 27.2.7.5 A possible definition of the unit of certification.
 - 27.2.7.6 Information on other matters related to scope, such as:
 - a. If the fishery operates under a controversial unilateral exemption or if destructive fishing practices are used.
 - b. If the fishery has a potential for certificate sharing.
 - c. If the fishery overlaps with other fisheries.

¹¹⁰**TAB 19, date of application 14 November 2011**

- 27.2.7.7 Other fisheries in the vicinity not subject to certification but that may interact with the fishery being assessed.
- 27.2.7.8 External factors (such as environmental issues) that may affect the fishery and its management.
- 27.2.7.9 A list of key stakeholders in the fishery and their special interests.
- 27.2.7.10 Information for any subsequent chain of custody certification, if relevant.
- 27.2.8 The CAB shall inform the client of the requirements to proceed to a full assessment. These should include requirements for the client to:
 - 27.2.8.1 Identify actions to take prior to a full assessment.
 - 27.2.8.2 Liaise with management agencies, environment groups, post-harvest sectors, relevant commercial and non-commercial fishing groups to make sure they understand the MSC process and the implications (including costs and benefits) of certification.
 - 27.2.8.3 Understand the issues that may be a barrier to certification.
 - 27.2.8.4 Identify the type and extent of data and information that should be made available for a full assessment.
 - 27.2.8.5 Identify the location, timing and form of any announcements to be made about the client's intention to proceed to full assessment. ^[111]
- 27.2.9 CABs shall provide the MSC with an annual report on the fishery pre-assessment reports they have provided to clients over the period 1 April to 31 March by the following 30th of April. [■]
 - 27.2.9.1 Annual reports shall be sent to the MSC standards Director as an email attachment using the form "Annual PA Reporting Template".
 - 27.2.9.2 Where information relating to a specific MSC pre-assessment report has changed since a previous annual report submitted to MSC, CABs shall include an entry in the bottom section of the latest annual report giving the current status of these fisheries.
 - 27.2.9.3 The first annual report submitted shall include data for all previous MSC Pre-assessment Reports provided to clients irrespective of the year they were prepared.

27.3 Application review

No requirements additional to ISO Guide 65, IAF Guidance to ISO Guide 65 and MSC Certification Requirements Part A.

^[111] Derogation TAB D-030, no expiry.

Any fishery that signed a contract with a CAB prior to the 6th of September 2010 or any fishery that is certified may elect to implement 8.2.6 h) until such time that they enter re-assessment

27.4 Confirmation of scope

27.4.1 After receiving an application for certification, the CAB shall review all pre-assessment reports about the fishery and other information that is available to it, and shall determine the scope of assessment required.

Unit of Certification

27.4.2 The CAB shall confirm the proposed unit of certification for the assessment to include:

- 27.4.2.1 The target stock (s),
- 27.4.2.2 The fishing method or gear, and
- 27.4.2.3 Practice (including vessels) pursuing that stock

27.4.3 The CAB shall note that once defined, the unit of certification cannot be changed during the assessment unless:

27.4.3.1 The CAB submits a variation request to this requirement to MSC by following the procedure set out in Part A clause 4.12, and

27.4.3.2 The MSC accepts the variation request. ¹¹²

Unilateral exemption and destructive fishing practices

27.4.4 The CAB shall verify that the fishery is eligible for certification by being in conformity with Principle 3, Criterion A1 and Principle 3, Criterion B14.

27.4.4.1 The CAB shall verify that the fishery is conforming to Principle 3, Criterion A1: A fishery shall not be conducted under a controversial unilateral exemption to an international agreement.

- a. CABs shall use these definitions to interpret this criterion:
 - i. Controversial means creating a controversy in the wider international community rather than simply between two states.
 - ii. Unilateral means arising from the action of a single state.
 - iii. Exemption means a refusal to join or abide by the rules of an international management body, or the taking of a reservation or exception to a measure adopted by such body, when in either such case the effect is to undermine the sustainable management of the fishery.
 - iv. International agreements are those with a direct mandate for sustainable management of the resources affected by the fishery according to the outcomes expressed by Principles 1 and 2.
- b. When verifying fishery conformity with this criterion, CABs shall take into consideration:

¹¹² **TSC 2012, date of application 14 March 2013**

- i. The relationship between international and coastal state jurisdictions recognised by relevant international agreements.
 - ii. Whether exemptions result in the implementation of a higher or lower level of conservation than are currently agreed by an international management body.
 - iii. In all cases, the important point is whether the sustainable management of the fishery is undermined.
- 27.4.4.2 The CAB shall verify that the fishery conforms to Principle 3, Criterion B14. Fishing operations shall not use destructive fishing practices such as fishing with poisons or explosives.
- a. CABs should note that the only fishing practices that the MSC considers to be “destructive fishing practices” are fishing with poisons or fishing with explosives

Controversy – disputes in fisheries

- 27.4.5 If a fishery applying for certification is the subject of controversy and/or dispute at any time during the assessment process or certification cycle, the CAB shall consider:
- 27.4.5.1 If the fisheries management regime (national or international system or plan) includes a mechanism for resolving disputes.
 - 27.4.5.2 If there is a mechanism for resolving disputes, whether that mechanism is adequate to deal with potential or existing disputes. (e.g. do stakeholders have access to the mechanism for resolving disputes and is there sufficient scope to cover the relevant issues).
 - 27.4.5.3 If disputes overwhelm the fishery enough to prevent it from meeting the MSC’s Principles and Criteria for Sustainable Fishing.
- 27.4.6 If, in the CAB’s judgment, the fishery has no mechanism for resolving disputes, or if the disputes overwhelm the fishery, the:
- 27.4.6.1 application shall be declined, and
 - 27.4.6.2 applicant shall be informed.

Fisheries that have previously failed assessment or had a certificate withdrawn

- 27.4.7 The CAB shall determine if the applicant fishery has previously failed an assessment **or had a certificate withdrawn**.¹¹³
- 27.4.7.1 Fisheries that failed an assessment **or had a certificate withdrawn**¹¹⁴ may re-enter assessment within two years of the date that the previous Public Certification Report was posted on the MSC website, and may not have to repeat all steps of the certification process (see 27.5.6 and 27.8.4).

¹¹³ **TAB 19, date of application 14 November 2011**

¹¹⁴ **TAB 19, date of application 14 November 2011**

- 27.4.7.2 Fisheries seeking to re-enter assessment after two years shall be treated as a new applicant.

Other eligible fishers

- 27.4.8 The CAB shall identify if there are other eligible fishers that may share the certificate. ■
- 27.4.8.1 Fishers not identified as part of the unit of certification shall not be eligible to enter the certification later.
- 27.4.8.2 If there are other eligible fishers, the CAB shall require the client to:
- a. Prepare and publish a statement of their understanding and willingness for reasonable certificate sharing arrangements. ■
 - b. Inform other eligible fishers of the public statement and of the opportunity to share the certificate during relevant interactions with the eligible fishers and other stakeholders as is practicable.
- 27.4.8.3 If the CAB identifies no other eligible fishers, no further action shall be taken.

Inseparable or practicably inseparable catches

- 27.4.9 The CAB shall identify if there are catches of non-target stock(s) that are inseparable or practicably inseparable (IPI) from target stock(s).■
- 27.4.9.1 The CAB shall only recognise stock(s) as being an IPI stock, where the inseparability arises because either: ■
- a. The retained catch is practicably indistinguishable during normal fishing operations (i.e. the retained catch is the same species or a closely related species); or,
 - b. When distinguishable, it is not commercially feasible to separate due to the practical operation of the fishery that would require significant modification to existing harvesting and processing methods.
- And:
- c. The total combined proportion of any catches from the stock(s) do not exceed 15% by weight of the total combined catches of target and IPI stock(s) within the unit of certification in the most recent annual fishing year prior to commencing assessment.
 - d. The stocks are not ETP species.
 - e. The stocks are not certified separately.
- 27.4.10 If IPI stocks are identified and are below the level of 15% specified in 27.4.9.1.c), the CAB shall , as early as practicable in the assessment process, and following the variation request procedure set out in Part A, clause 4.12, submit a variation request to the requirements 27.4 to the MSC to either: ■

A27.4.10.1 Allow fish or fish products to be considered as coming from IPI stocks to enter into chains of custody, or

B27.4.10.1 Allow an exemption to requirements for IPI stocks.¹¹⁵

- 27.4.10.1 The variation request to allow fish or fish products to be considered as coming from IPI stocks to enter into chains of custody shall include a detailed and substantiated rationale of how the catches under consideration fulfil the requirements of 27.4.9.1.
- a. If this variation request is accepted, the requirements for IPI stocks in Annex CH shall apply.
- 27.4.10.2 The variation request to allow an exemption to requirements for IPI stocks shall include a detailed and substantiated rationale showing that, in addition to 27.4.9.1:
- a. The proportion of IPI stocks is less than or equal to 2% and the total catch of IPI stock(s) by the fishery under assessment does not create a significant impact on the IPI stock(s) as a whole.
 - i. CABs shall note that significance will be assessed on basis of the status of the IPI stock, and the risk that the IPI catch poses to the health of the IPI stock.
- 27.4.11 The CAB shall use the evaluation against the requirements specified in this section to determine the eligibility of catches of IPI stock(s) to enter further certified chains of custody. This evaluation shall not influence the final determination [¹¹⁶].

Enhanced Fisheries

- 27.4.12 Using the criteria in Table C1 the CAB shall identify if the fishery is an enhanced fishery.
- 27.4.12.1 An enhanced fishery shall not be eligible for assessment if it does not conform to one or more of the scope criteria.
 - 27.4.12.2 If the fishery is enhanced and within scope, the CAB shall inform the client of the risks inherent in entering the fishery for assessment prior to MSC's finalisation of performance assessment guidance for specific types of enhanced fisheries including the requirements in 27.8.6.

¹¹⁵ **TSC 2012, date of application 14 March 2013**
¹¹⁶ **Derogation TAB D-030, no expiry.**

Any fishery currently undergoing assessment having signed a contract with a CAB prior to the 6th of September 2010 or any fishery that is certified may elect not to implement 27.4.9-27.4.11 until the time that they enter re-assessment

Table C1: Scope criteria for enhanced fisheries

<p>Linkages to and maintenance of a wild stock</p> <p>A1. At some point in the production process, the system relies upon the capture of fish from the <u>wild environment</u>. Such fish may be taken at any stage of the life cycle including eggs, larvae, juveniles or adults. The 'wild environment' in this context includes marine, freshwater and any other aquatic ecosystems.</p> <p>A2. The <u>species are native</u> to the geographic region of the fishery and the natural production areas from which the fishery's catch originates unless MSC has accepted a variation request to include introduced species for the pilot phase.</p> <p>A3. There are <u>natural reproductive components</u> of the stock from which the fishery's catch originates that maintain themselves without having to be restocked every year.</p> <p>A4. Where fish stocking is used in HAC systems, such <u>stocking</u> does not form a major part of a current rebuilding plan for depleted stocks.</p> <p>Note to A4 This requirement shall apply to the "current" status of the fishery. Wild stocks shall be managed by other conventional means. If rebuilding has been done by stocking in the past, it shall not result in an out-of-scope determination as long as other measures are now in place</p>
<p>Feeding and husbandry</p> <p>B1. The production system operates without <u>substantial augmentation of food supply</u>. In HAC systems, any feeding is used only to grow the animals to a small size prior to release (not more than 10% of the average adult maximum weight), such that most of the total growth (not less than 90%) is achieved during the wild phase. In CAG systems, feeding during the captive phase is only by natural means (e.g. filter feeding in mussels), or at a level and duration that provide only for the maintenance of condition (e.g. crustacean in holding tanks) rather than to achieve growth.</p> <p>B2. In CAG systems, production during the captive phase does not routinely require <u>disease prevention</u> involving chemicals or compounds with medicinal prophylactic properties.</p>
<p>Habitat and ecosystem impacts</p> <p>C1. Any modifications to the habitat of the stock are reversible and do not cause serious or irreversible harm to the natural ecosystem's structure and function.</p> <p>Note to C1 Habitat modifications that are not reversible, are already in place and not created specifically for the fishery shall be in scope. This includes:</p> <ul style="list-style-type: none">• Large-scale artificial reefs• Structures associated with enhancement activities that do not cause irreversible harm to the natural ecosystem inhabited by the stock, such as salmon fry farms next to river systems

Overlapping fisheries

27.4.13 The CAB shall determine if the assessment of the applicant fishery will result in an overlapping assessment.

27.4.13.1 If the assessment is based on overlapping fisheries, the CAB shall follow the necessary steps in Annex CI.

Introduced Species Based Fisheries (ISBF)

- 27.4.14 The CAB shall determine if the applicant fishery is based upon an introduced species as specified in Annex CJ.
- 27.4.14.1 If the fishery is based upon an introduced species, the CAB shall follow the necessary steps in Annex CJ.
- 27.4.14.2 CABs shall note that the requirements for ISBF are a pilot program and Annex CJ may be subject to change.

Expedited Principle 1 assessments

A27.4.15 The CAB shall determine if the applicant stock has previously been assessed as main retained species in the fishery seeking the expedited P1 assessment, and shall only recognize stocks as eligible for expedited P1 assessment if:

A27.4.15.1 The stock(s) has been assessed as a main retained species according to section CB3.5 for the fishery requesting the expedited Principle 1 assessment, and

A27.4.15.2 The fishery requesting the expedited Principle 1 assessment holds a valid MSC certificate.

A27.4.15.3 If the stock(s) proposed for the expedited P1 assessment meets the criteria above, the CAB shall follow the steps in Annex CL.¹¹⁷

Final determination of scope

- 27.4.15 The CAB shall review all the information gathered, and shall determine:
- 27.4.15.1 If the fishery is within the scope of an MSC assessment.
- 27.4.15.2 The scope of the assessment.

27.5 Team selection

27.5.1 The CAB shall propose a team for a fisheries assessment comprising a Team Leader and a minimum of one additional Team Member who meet the qualifications and competency requirements specified in Tables CM1, CM2 and CM3 in line with section 6.1.

27.5.1.1 If the CAB is to use the RBF (Annex CC), at least one team member shall have received training that has been approved by the MSC in the use of the RBF as detailed in Table CM3 in Annex CM¹¹⁸.

~~**27.5.2 The proposed team shall have expertise in each of the following areas. Any one team member may be expert in more than one area.**~~

¹¹⁷ TAB 21, date of application 14 March 2013

¹¹⁸ Derogation, TAB 21

For fishery assessments commencing before 14 March 2013, clauses under 27.5.1 (and the deletion of 27.5.2 to 27.5.4) shall become effective by 14 March 2014.

- ~~27.5.2.1 — Fish stock assessment — more than five years experience in the production of peer reviewed stock assessment(s) for relevant fishery (ies), and stock assessment technique(s) being used by the applicant fishery.~~
 - ~~27.5.2.2 — Fish stock biology/ecology — more than five years research expertise in the biology and ecology of the target or similar species.~~
 - ~~27.5.2.3 — Fishing impacts on aquatic ecosystems — more than five years experience in research into, policy analysis for, or management of, fisheries impacts on aquatic ecosystems, and/or marine conservation biology.~~
 - ~~27.5.2.4 — Fishery management and operations — more than ten years experience as a practicing fishery/aquatic natural resource manager and/or fishery/aquatic natural resource management policy analyst. Must have a good understanding of the management system(s) used in the fishery under assessment.~~
 - ~~27.5.2.5 — Current knowledge of the country, language and local fishery context that is sufficient to support meaningful assessment of the fishery.~~
 - ~~27.5.2.6 — Third-party product and management system conformity assessment auditing techniques — experience and qualifications as lead auditor.~~
- ~~27.5.3 — Teams shall have a minimum of two members.~~
- ~~27.5.4 — All team members shall have a thorough understanding of the MSC Principles and Criteria and the MSC Certification Requirements and at least one team member shall have understanding of the Chain of Custody Standard and Chain of Custody Certification Requirements.~~

Stakeholder consultation on proposed team members

- 27.5.6 If the same team members are to be used in the re-assessment of a fishery that has failed and is seeking re-assessment within two years of failing the CAB does not have to consult on the composition of the team.
- 27.5.7 In all other circumstances, CABs shall allow at least 10 days from the date of posting on the MSC website for stakeholders to submit written comments on the proposed team members before confirming the team (see 27.7).
 - 27.5.7.1 CABs shall consider any comments on or changes to the proposed team suggested by stakeholders.
 - 27.5.7.2 The CAB shall make changes to the proposed team that it thinks are appropriate in response to stakeholder comments.
 - 27.5.7.3 The CAB shall provide an announcement of the final team to the MSC, who shall post it on the MSC website for the duration of the assessment.
- 27.5.8 If events outside the CAB's control mean that team membership must change during an assessment, the CAB shall:

27.5.8.1 Propose new team member(s).

27.5.8.2 Repeat 27.5.7.

27.6 Determination of target eligibility date

27.6.1 The CAB shall nominate a date from which product from a certified fishery is likely to be eligible to bear the MSC ecolabel (the target eligibility date). This could be:

27.6.1.1 The date of the certification of the fishery; or

27.6.1.2 Any date prior to the certification of the fishery up to a maximum of six months prior to the publication of the most recent Public Comment Draft Report. This date should be linked to:

- a. The beginning of the fishery management year in which the Public Comment Draft Report is published; or,
- b. The start of the fishing season in which the Public Comment Draft Report is published; or
- c. Any other logical date with regard to the applicant fishery.

27.6.2 The target eligibility date shall be specified by the CAB after consultation with the applicant fishery.

27.6.2.1 The target eligibility date shall be noted in the full assessment announcement described in 27.7.1.

27.6.2.2 If at any stage during the assessment process the target eligibility date needs to change, then the CAB shall communicate a revised target eligibility date to the MSC for posting on the MSC website.

27.6.2.3 The CAB shall document the rationale for the target eligibility date and include an assessment regarding how the assessed risks to the traceability system in the fishery are adequately addressed by the applicant to give confidence in this date.

27.7 Announcement regarding certification and public involvement



27.7.1 The CAB shall inform the MSC of the application for certification by providing the following for posting on the MSC website:

27.7.1.1 An indicative timetable including the target eligibility date.

27.7.1.2 The names and CVs of the proposed team and team leader (see 27.5). 

27.7.1.3 The statement on certificate sharing described in 27.4.8, if applicable.

27.7.2 CABs shall distribute an MSC provided guide and template for participating in and submitting comments to the team to all identified stakeholders at the same time of the announcement that the fishery is entering assessment.

- 27.7.3 At the same time as providing materials for publication required in 27.7.1, the CAB shall give the MSC:
- 27.7.3.1 A Notification Report by completing and forwarding the form “MSC Notification Report Form”. ■
 - 27.7.3.2 If the fishery is enhanced and is found to be within scope an assessment of each enhancement activity undertaken by the fishery and a documented rationale for the determination that the fishery is within scope.
- 27.7.4 The CAB shall give the MSC a copy of any pre-assessment report(s) it has written for the fishery. [¹¹⁹]
- 27.7.4.1 If the CAB is aware of any other pre-assessment report(s) written by other parties it shall inform the MSC of the report’s author.
 - 27.7.4.2 The MSC will maintain confidentiality of pre-assessment reports.
 - 27.7.4.3 The client may require that the MSC sign a confidentiality agreement.

27.8 Confirming the assessment tree to be used

- 27.8.1 The CAB shall not finalise the assessment tree to be used until the team has been confirmed following stakeholder consultation. ■
- 27.8.2 CABs shall use the structure and the default set of PISGs in the default tree as set out in Annex CB in all assessments unless:[¹²⁰]
- 27.8.2.1 The CAB submits a variation request to the MSC by following the procedure set out in Part A, clause 4.12, and;**
 - 27.8.2.2 The MSC accepts the variation request [¹²¹]**
- 27.8.3 The team shall review all available data from the pre-assessment and application, and the default tree contained in Annex CB, and shall confirm whether or not the default tree will meet the specific characteristics of the fishery under assessment or it needs amendment. ■
- 27.8.3.1 If the team submits a variation request to the MSC to modify the default tree, they shall define new or altered PISGs and / or new SGs that shall be based on:

[¹¹⁹] Derogation PA 11, no expiry.

Fisheries that entered assessment prior to the first of August 2009 do not have to provide pre-assessment reports to the MSC.

[¹²⁰] Derogation, TAB 17, no expiry date.

For fisheries undergoing a first full assessment, where a declaration of intent to use the Fisheries Assessment Methodology v1 (FAM v1, now superseded) was released for consultation by 1 November 2009, CABs are encouraged to use the default tree in Annex CB but may use the FAM v1 (subject to any changes following the normal stakeholder review process), except in assessments where the CAB has decided to use the RBF, in which case Annex CB shall be mandatory for scoring the fishery. If a CAB makes use of this derogation they shall provide a document mapping the PISGs to be used in the assessment against the PISGs included in the default tree for publication on the MSC website

¹²¹ TSC 2012, date of application 14 March 2013

- a. 100 – The upper boundary of the scoring and represents the level of performance on an individual PI that would be expected in a theoretically 'perfect' fishery.
- b. 80 – The unconditional pass mark for a PI for that type of fishery.
- c. 60 – The minimum, conditional pass mark for a PI for that type of fishery. A score below 60 is insufficient to pass.

Fishery that has failed assessment

- 27.8.4 If the scope of the fishery contains a fishery that has failed assessment within the time period specified in 27.4.7.1:
- 27.8.4.1 The CAB shall follow the version of the MSC Certification Requirements in place at the time of the re-assessment, not the requirements in place when the fishery was originally assessed.
 - 27.8.4.2 The CAB may use the same tree as was used in the failed assessment only if that assessment used any version of the default tree.

Fishery with IPI stocks

- 27.8.5 Where there are IPI stocks within the scope of certification the team shall follow Annex CH.

Fishery with enhanced stocks

- 27.8.6 If the scope of the fishery contains an enhanced fishery:
- A27.8.6.1 For enhanced bivalve fisheries, CABs shall score the fishery according to the requirements set out in Annex CK. [¹²²]**
 - 27.8.6.1 For all other enhanced fisheries, the CAB shall review and if necessary modify the default tree taking into account PIs required to assess the enhancements. The CAB shall assess:
 - a. Enhancement activities against their impacts on the natural reproductive component of the associated wild stock
 - b. The extent of translocation against:
 - i. The effect on the natural genetic characteristics of the stock
 - ii. The environmental impacts of translocation
 - c. Environmental modification activities under the P2 assessment for their impacts on other species or the wild environment. The CAB shall consider environmental impacts including:
 - i. Feed augmentation.

¹²² **Derogation, TAB 20.** Any fishery currently undergoing assessment having signed a contract with a CAB prior to the 10th of March 2012 may elect not to implement A27.8.6.1 until the time that they enter re-assessment

- ii. The use of medicines or other chemical compounds.
- iii. Fertilisation to enhance natural food availability.
- iv. Removal of predators or competitors.
- d. The impacts of habitat modification under the habitats and ecosystems components in P2. The CAB shall consider environmental impacts including:
 - i. If serious or irreversible harm may be caused to the natural ecosystem's structure and function, including the natural food chains of predator and/or prey species.
 - ii. The types and extent of habitat modifications and the possibility of these causing serious or irreversible impacts.

27.8.6.2 The CAB shall note that:

- a. The MSC may require additional consultation with other CABs developing performance assessment guidance for similar fisheries.
- b. As requirements for enhanced fishery certification are still under development the MSC may require the CAB to retrospectively apply MSC-developed species specific default trees under the terms of its enhanced fisheries pilot project. This creates a level of risk for the CAB and the applicant; risk which both should recognise prior to using an original default tree or a CAB modified default tree.
- c. In cases where the CAB's proposed modifications to the default tree for an enhanced fishery are later found by the MSC to produce a determination and/or conditions that do not conform to MSC requirements:
 - i. The CAB shall review and if necessary revise its assessment and scoring to conform to the MSC requirements.
 - ii. The timing of the review and revisions shall be at the discretion of the MSC, and may include a requirement for an unannounced expedited audit.
 - iii. The process shall be sufficient to make sure the continued validity of the determination taking account of MSC requirements.

Harmonised fisheries

27.8.7 If the scope of the fishery contains a fishery that overlaps another certified or applicant fishery, Annex CI shall be followed.

Use of the RBF for a data-deficient fishery

27.8.8 **The CAB shall use the criteria in Table AC2 to make a decision on whether a fishery may or may not be data-deficient with respect to one Performance Indicator or more.**

- 27.8.8.1 A Performance Indicator may contain both data-deficient and non-data-deficient Scoring Elements.**
- 27.8.8.2 The CB shall use the criteria in Table AC2 to make a decision on whether a particular Scoring Element may or may not be data-deficient.**
- 27.8.8.3 The criteria in Table AC2 shall be applied to all known scoring elements in P1 and P2.**
- 27.8.8.4 If the decision is taken that a fishery is data-deficient with respect to one or more Performance Indicators the team should investigate the use of the RBF following requirements in Annex CC.**
- 27.8.8.5 If a Performance Indicator contains both data-deficient and non-data-deficient scoring elements, the CAB shall:**
 - a. Use Annex CC to assess data-deficient scoring elements**
 - b. Score non-data-deficient scoring elements using the default PISGs within Annex CB.¹²³**


¹²³ Derogation, TSC 2012

For fisheries commencing assessment or reassessment before 14 March 2013, clauses under 27.8.8 shall become effective by 14 March 2017.

Table AC2: Criteria for triggering the use of the RBF

Performance Indicator	Criteria	Consideration	Notes
1.1.1 Stock status	Can the biologically-based limits for sustainability (e.g. reference points) be estimated such that serious of irreversible harm could be identified?	Yes	Use default PISGs within Annex CB for this PI
		No	Use Annex CC (RBF) for this PI
2.1.1 Retained species outcome & 2.2.1 Bycatch species outcome	Can the impact of the fishery in assessment on the P2 species be determined quantitatively?	Yes	Use default PISGs within Annex CB for this PI
		No	Use Annex CC (RBF) for this PI
2.3.1 ETP species outcome (where there are no national requirements for protection and rebuilding)	Can the impact of the fishery in assessment on ETP species be analytically determined?	Yes	Use default PISGs within Annex CB for this PI
		No	Use Annex CC (RBF) for this PI
2.4.1 Habitats outcome	Is information available to support analysis of the impact of the fishery on the habitat?	Yes	Use default PISGs within Annex CB for this PI
		No	Use Annex CC (RBF) for this PI
2.5.1 Ecosystem outcome	Is information available to support an analysis of the impact of the fishery on the ecosystem?	Yes	Use default PISGs within Annex CB for this PI
		No	Use Annex CC (RBF) for this PI

Weighting

27.8.9 The team shall use the default weighting contained within the Default Scoring Worksheet when using the default tree. 

27.8.9.1 Where necessary, the team shall make changes to the default weighting when they propose changes to the default tree.

27.8.10 Weights in each level of the final tree (i.e. Principle, component or PI) shall sum to one.

27.8.10.1 Teams shall give equal weighting to each PI within a component of the tree, and to each component within a Principle of the tree.

Stakeholder consultation on proposed trees

- 27.8.11 If the team decides that the default tree needs no modification, the CAB shall inform stakeholders this, and allow at least 30 days from the posting of the tree on the MSC website for stakeholder comment on this decision.
- 27.8.12 If the team decides that the default tree needs modification (the modified default tree becomes known as the draft tree), the CAB shall:
- 27.8.12.1 Submit a variation request to the MSC as indicated in 27.8.2.
- 27.8.13 If the MSC accepts the variation request on the modifications and posts the revised assessment tree on its website the CAB shall:
- 27.8.13.1 Inform stakeholders by posting a notice on the MSC website about the draft tree and the reasons for modifications to the default tree
 - 27.8.13.2 Allow at least 30 days from the date of posting on the MSC website for comment on the draft tree.
 - 27.8.13.3 Consider all stakeholder comments, recording why comments have been accepted or rejected.
 - 27.8.13.4 Review the decision to modify the default tree in light of those comments.
 - 27.8.13.5 Notify the MSC if the team makes a decision not to modify the default tree.
 - 27.8.13.6 Repeat the five steps above if the draft tree is further modified.
 - 27.8.13.7 Confirm the final tree to be used to stakeholders.
 - 27.8.13.8 Include the changes to the default tree in the Public Comment Draft Report, and all related fishery assessment reports.
 - 27.8.13.9 Verify that team membership continues to conform to the qualification criteria in 27.
- 27.8.14 If the team both amends the default tree and uses the RBF (Annex CC), when the two required consultation processes are conducted at the same time they should be combined.
- 27.8.15 If the MSC does not accept the variation request, the CAB [shall return to 27.8.1.](#)
- 27.8.16 The CAB shall not start on-site assessment until all [processes in 27.8](#) are complete.

27.9 Site visit: Assessment visits, stakeholder consultation and information collection

- 27.9.1 No less than thirty days before the first day of the first on-site visit, the CAB shall **submit for posting on the MSC website and in one¹²⁴** or more media outlets that the CAB determines are the best way to reach stakeholders:
- 27.9.1.1 The announcement of the assessment.

¹²⁴ TSC 2012, date of application 14 March 2013

- 27.9.1.2 The Invitation for stakeholder participation in the assessment process.
- 27.9.2 **CABs shall ensure that those stakeholders identified in the pre-assessment report are invited to participate in the assessment process.**
- ~~No less than thirty days before the first day of the first on-site visit, the CAB shall invite stakeholders, including those identified in the pre-assessment report, to participate in the assessment process.~~¹²⁵
- 27.9.3 The team shall carry out the on-site assessment as planned. The team shall:
- 27.9.3.1 Conduct stakeholder interviews to make sure that the team is aware of any concerns or information that stakeholders may have.
- a. The team shall allow private interviews with the team for stakeholders who request one.
- b. The team shall use any information provided in private in conformity with the confidentiality requirements in 24.4.
If stakeholders do not wish or are not able to be interviewed, the team shall inform them that they may send written information to the team.
- 27.9.4 The team may require further assessment visits where information is not available or assembled by the client or stakeholders in time for the first assessment visit in order to adequately assess and analyse the evidence.
- 27.9.5 If the scope of the fishery contains a fishery which overlaps another certified or applicant fishery, Annex CI shall be followed.

27.10 Scoring the fishery

- 27.10.1 After the team has compiled and analysed all relevant information (including technical, written and anecdotal sources) they shall score the fishery against the PISGs in the final tree. The team shall:
- 27.10.1.1 Discuss evidence together.
- 27.10.1.2 Weigh up the balance of evidence.
- 27.10.1.3 Use their judgement to agree a final score following the processes below.
- 27.10.2 The team shall note that:
- 27.10.2.1 The requirements in the SGs shall be regarded as 'cumulative'. ■
- a. In order to achieve an 80 score, all of the 60 scoring issues and all of the 80 issues shall be met and each scoring issue shall be justified by supporting rationale.
- b. In order to achieve a 100 score, all of the 60 issues, all of the 80 issues, and all of the 100 issues shall be met and each scoring issue shall be justified by supporting rationale.
- 27.10.3 The team should assign scores for individual PIs in increments of five points. ■

¹²⁵ TSC 2012, date of application 14 March 2013

- 27.10.3.1 If scores are assigned in divisions of less than five points, the team shall justify the reason for this in the report. ■
- 27.10.4 Scores for each of the three Principles shall be reported to the nearest one decimal place.
- 27.10.5 The team shall score individual PIs. ■
- 27.10.5.1 They shall assess the PI against each of the scoring issues at the SG60 level.
- a. If any one or more of the SG60 scoring issues is not met, the fishery fails and no further scoring is required for the PI.
 - i. Teams shall not assign a numeric score of less than 60 for a PI, but they shall record their rationale for determining that the PI is scoring less than 60 in narrative form.
 - ii. A fishery which is not assigned a score shall not be awarded certification.
- 27.10.5.2 If all of the SG60 scoring issues are met, the PI must achieve at least a 60 score and the team shall assess each of the scoring issues at the SG80 level.
- a. If not all of the SG80 scoring issues are met the PI shall be given an intermediate score (65, 70 or 75) reflecting overall performance against the different SG80 scoring issues:
 - i. Award 70 where performance against the scoring issues is mid-way between SG60 and SG80 (some scoring issues are fully met and some are not fully met); and
 - ii. Award 75 when performance against the scoring issues is almost at SG80 (most scoring issues are fully met but a few are not fully met); and
 - iii. Award 65 when performance against the scoring issues is slightly above SG60 (a few scoring issues are fully met but most are not fully met).
 - b. If any one or more of the SG80 scoring issues is not met, the PI shall be assigned a condition (or conditions).
- 27.10.5.3 If all of the SG80 scoring issues are met, the PI must achieve at least an 80 score and the team shall assess each of the scoring issues at the SG100 level.
- a. If not all of the SG100 scoring issues are met the PI shall be given an intermediate score (85, 90 or 95) reflecting overall performance against the different SG100 scoring issues.
 - i. Award 90 where performance against the scoring issues is mid-way between SG80 and SG100 (some scoring issues are fully met and some are not fully met); and
 - ii. Award 95 when performance against the scoring issues is almost at SG100 most scoring issues are fully met but a few are not fully met); and

- iii. Award 85 when performance against the scoring issues is slightly above SG80 (a few scoring issues are fully met but most are not fully met).
- iv. If all of the SG100 scoring issues are met, the PI shall be given a 100 score.

27.10.6 To contribute to the scoring of any PI, the team shall verify that each scoring issue is fully and unambiguously met.

27.10.6.1 Rationale shall be presented to support the team's conclusion. ☐

27.10.6.2 The rationale shall make direct reference to every scoring issue and whether or not it is fully met. ☐

27.10.6.3 An exception to 27.10.6.2 is permitted only for those PIs that include only a single scoring issue at each SG level. ☐

a. For these PIs it is permitted to 'partially score' issues to obtain intermediate scores.

b. A rationale shall be provided, clearly explaining which aspects of the scoring issue are met.

27.10.7 In Principle 2, the team shall score PIs comprised of differing scoring elements (species or habitats) that comprise part of a component affected by the fishery. ☐

27.10.7.1 If any single scoring element fails substantially to meet SG80, the overall score for that element shall be less than 80 so that a condition is raised, regardless of the situation with regard to other elements, some of which may be at the SG100 level.

27.10.7.2 The score given shall reflect the number of elements that fail, and the level of their failure, rather than being derived directly as a numerical average of the individual scores for all elements (which might well raise the average score for a PI above 80 if one element scored 100 even when one element had a condition raised upon it).

27.10.7.3 Scores should be determined for each scoring element by applying the process in section 27.10.5 to each scoring element.

27.10.7.4 Table C2 shall be used to determine the overall score for the PI from the scores of the different scoring elements.

27.10.7.5 Where some scoring elements have been scored using the RBF, the converted MSC score shall be treated as an individual scoring element score when combining element scores in Table C2. ☐¹²⁶

¹²⁶ Derogation, TSC 2012

For fisheries commencing assessment or reassessment before 14 March 2013, clause 27.10.7.5 shall become effective by 14 March 2017.

Table C2: Combining element scores

Score	Combination of individual scoring elements
<60	Any scoring element within a PI which fails to reach SG60 shall not be assigned a score. Teams shall record their rationale in narrative form for the PI rather than assigning actual scores of less than 60.
60	All elements meet SG60, and only SG60.
65	All elements meet SG60; a few achieve higher performance, at or exceeding SG80, but most do not meet SG80.
70	All elements meet SG60; some achieve higher performance, at or exceeding SG80, but some do not meet SG80 and require intervention action to make sure they get there.
75	All elements meet SG60; most achieve higher performance, at or exceeding SG80; only a few fail to achieve SG80 and require intervention action.
80	All elements meet SG80.
85	All elements meet SG80; a few achieve higher performance, but most do not meet SG100.
90	All elements meet SG80; some achieve higher performance at SG100, but some do not.
95	All elements meet SG80; most achieve higher performance at SG100, only a few fail to achieve SG100.
100	All elements meet SG100.

27.10.8 The team should modify these scores where appropriate:

27.10.8.1 Downwards by the scores falling between two SGs obtained by the individual elements that fail to meet an upper SG level.

27.10.8.2 Upwards by the scores falling between two SGs obtained by the individual elements that exceeded an upper SG level.

27.10.8.3 Upward change should never rise as high as 80 if the team judges that a condition is required.

27.10.9 The CAB shall not certify a fishery if the weighted average score for all Criteria under each Principle the fishery is less than 80 for any of the three Principles.

27.10.10 The CAB shall not certify a fishery if any one individual scoring issue achieves a score of less than 60 on any PI or Criterion (see 27.10.5.1).

27.11 Setting Conditions ■

27.11.1 The CAB shall set one or more auditable and verifiable conditions for continuing certification if the fishery achieves a score of less than 80 but more than 60 for any individual PI. ■

- 27.11.1.1 The CAB shall ensure that every PI that receives a score of less than 80 has its own distinct condition associated with it.
- 27.11.1.2 The CAB should draft conditions to follow the narrative or metric form of the PISGs used in the final tree.
- 27.11.1.3 The CAB shall draft conditions to result in improved performance to at least the 80 level within a period set by the CAB but no longer than the term of the certification, subject to 27.11.8.
- 27.11.1.4 The CAB shall draft conditions to specify milestones that spell out:
 - a. The measurable improvements and outcomes (using quantitative metrics) expected each year.
 - b. The specific timeframes over which the milestones and the whole condition must be met.
 - c. The outcome and score that shall be achieved at any interim milestones.
- 27.11.1.5 The CAB shall create a schedule of conditions stating the action(s) to be taken within a specified timeframe.]
- 27.11.2 The CAB shall require the client to prepare a “client action plan” that includes:
 - 27.11.2.1 How the conditions and milestones will be addressed.
 - 27.11.2.2 Who will address the conditions.
 - 27.11.2.3 The specified time period within which the conditions and milestones will be addressed.
 - 27.11.2.4 How the action(s) is expected to improve the performance of the fishery.
 - 27.11.2.5 How the CAB will assess outcomes and milestones in each subsequent surveillance or assessment.
- 27.11.3 The CAB shall not accept a client action plan if the client is relying upon the involvement, funding and/or resources of other entities (fisheries management or research agencies, authorities or regulating bodies that might have authority, power or control over management arrangements, research budgets and/or priorities) without:
 - 27.11.3.1 Consulting with those entities when setting conditions, if those conditions are likely to require any or all of the following:
 - a. Investment of time or money by these entities.
 - b. Changes to management arrangements or regulations.
 - c. Re-arrangement of research priorities by these entities.
 - 27.11.3.2 Being satisfied that the conditions are both achievable by the client and realistic in the period specified.

- 27.11.3.3 The team shall interpret the word entities in 27.11.3.1 clause to mean all fisheries management or research agencies, authorities or regulating bodies that might have authority, power or control over management arrangements, research budgets and/or priorities.
- 27.11.4 If the CAB cannot find evidence to show that funding and/or resources are, or will be, in place to address conditions, certification shall not be awarded.
- 27.11.5 Where the client and the CAB are unable to agree on the terms of conditions and milestones that will achieve the required increase in the score in question, certification shall not be awarded.
- 27.11.6 Conditions and milestones shall be included in all versions of reports.
- 27.11.7 If a condition or milestone relates to reducing uncertainty or improving processes, the CAB shall include in its reports narrative about the ultimate ecological or management outcome that the condition aims to achieve over the longer term.
- 27.11.8 The CAB may recognise that achieving a performance level of 80 may take longer than the period of certification under exceptional circumstances.■
- 27.11.8.1 The CAB shall interpret exceptional circumstances in 27.11.8 to refer to situations in which even with perfect implementation, achieving the 80 level of performance may take longer than the certification period.
- 27.11.8.2 In exceptional circumstances, the CAB shall specify conditions that spell out:
- a. The significant and measurable improvements (in terms of milestones or outcomes) that must be achieved and the score that must be reached during the certification period and at the end of the certification period.
 - b. What constitutes a successful overall outcome to achieve the 80 performance level over a longer, specified time period.
- 27.11.9 27.11.1 to 27.11.3 should be completed prior to peer review [¹²⁷].
- 27.11.10 Where there are IPI stocks within the scope of certification the team shall follow Annex CH.

27.12 Determination of the point(s) at which fish and fish products enter further Chains of Custody

- 27.12.1 The CAB shall determine if the systems of tracking and tracing in the fishery are sufficient to make sure all fish and fish products identified and sold as certified by the fishery originate from the certified fishery. The CAB **shall consider the following points and their associated risk for the integrity of certified products:**¹²⁸

- 27.12.1.1 The systems in use.

[¹²⁷] **Derogation TAB D-033, no expiry.**

Those fisheries entering into a certification contract prior to 7 February 2011 are only required to have these actions complete by the Public Comment Draft Report

¹²⁸ **TAB 19, date of application 14 November 2011**

- 27.12.1.2 The possibility of vessels fishing outside the unit of certification.
- 27.12.1.3 The opportunity of substitution of certified with non-certified fish prior to or at landing fraudulent claims from within and outside the certified fishery.
- ~~**How robust management and enforcement systems are.**~~
- ~~**The possibility of vessels fishing outside the unit of certification.**~~¹²⁹
- 27.12.1.4 At-sea processing activities.
- 27.12.1.5 Any transshipment activities taking place.
- 27.12.1.6 The number and/or location of points of landing.
- 27.12.1.7 The robustness of the management ~~and enforcement~~¹³⁰ systems.
- 27.12.2 If the CAB determines the systems are sufficient, fish and fish products from the fishery may enter into further certified chains of custody and be eligible to carry the MSC ecolabel. The CAB shall determine:
- 27.12.2.1 The scope of the fishery certificate, **including the parties and categories of parties eligible to use the certificate and the point(s) at which chain of custody is needed.**
- a. **Chain of custody certification shall always be required following a change of ownership of the product to any party not covered by the fishery certificate.**¹³¹
- b. Chain of custody certification may be required at an earlier stage than change of ownership if the team determines that the systems within the fishery are not sufficient to make sure all fish and fish products identified as such by the fishery originate from the certified fishery.
- c. **If the point where chain of custody certification is required is covered by the fishery certificate, the team shall determine the parties or category of parties covered by the fishery certificate that require chain of custody certification.**¹³²
- 27.12.3 If the CAB determines the systems are not sufficient, fish and fish products from the fishery ~~may not enter into further certified chains of custody and are~~ not eligible to carry the MSC ecolabel.
- 27.12.3.1 The CAB shall state in its reports that fish and fish products from the fishery ~~may not enter into further chains of custody, and~~¹³³ are not eligible to carry the MSC ecolabels.
- 27.12.3.2 This determination shall remain in force until revised by the CAB in a subsequent assessment.
- 27.12.4 Where there are IPI stocks within the scope of certification teams shall follow Annex CH.

¹²⁹ TAB 19, date of application 14 November 2011

¹³⁰ TAB 19, date of application 14 November 2011

¹³¹ TAB 19, date of application 14 November 2011

¹³² TAB 19, date of application 14 November 2011

¹³³ TAB 19, date of application 14 November 2011

27.13 Preliminary Draft Report for client review

27.13.1 Once conditions (27.11) and the point at which fish may enter further chains of custody (27.12) have been determined, the CAB shall:

27.13.1.1 Issue a preliminary draft report to the client.

27.13.1.2 Ensure the report conforms with Annex CF1.2.

27.13.2 The CAB shall give the client an opportunity to question the team and have an issue re-examined if the client has a concern that insufficient information is available to support the team's decisions or that a decision has been made in error.

27.13.2.1 The CAB shall require clients to provide objective evidence in support of any additional claims or any claimed errors of fact.

27.13.2.2 The team does not have to accept client requests for changes in the report, but shall provide justifications for whatever responses are made to client comments.

27.13.2.3 A period of up to thirty days shall be made available after receipt of the draft report for the client to consider the report and respond to it. ■

27.13.3 Following client comments and changes (if any) the team may or may not revise the Preliminary Draft Report to become the Peer Review Draft Report.

27.13.4 Any comments made by the client and the team shall be documented and retained by the CAB and shall be available upon request to any party.

27.14 Peer review and Peer Review Draft Report

27.14.1 The CAB shall arrange review of the Peer Review Draft Report by a group of experts considered to be the peers of the team members. ■

27.14.1.1 There shall be a minimum of two people retained as peer reviewers.

~~27.14.2 The CAB shall appoint peer reviewers who collectively have appropriate demonstrated technical expertise in each of the following areas, although any one reviewer may be expert in more than one area: ■~~

~~27.14.2.1 Fish stock assessment – must have experience as a leader in the production of peer reviewed stock assessment(s) for relevant fishery(ies), and stock assessment technique(s) being used in the fishery under assessment.~~

~~27.14.2.2 Fish stock biology/ecology – must have at least five years research expertise in the biology and ecology of the target or similar species.~~

~~27.14.2.3 Fishing impacts on aquatic ecosystems – at least five years experience in research into, policy analysis for, or management of, fisheries impacts on aquatic ecosystems, and/or marine conservation biology; and specific knowledge of fishery impacts on the aquatic ecosystems and habitats affected by the fishery under assessment.~~

- ~~27.14.2.4 Fishery management and operations – must have at least five years experience as a practicing fishery/aquatic natural resource manager and/or fishery/aquatic natural resource management policy analyst. Must also have a good understanding of the management system(s) used in the fishery under assessment.~~
- ~~27.14.2.5 Current knowledge of the country, local fishery context and fisheries management arrangements that is sufficient to support meaningful assessment of the fishery.~~
- ~~27.14.2.6 A thorough understanding of the MSC Principles and Criteria and the MSC Certification Requirements~~
- 27.14.2 The CAB shall ensure that the peer reviewers have a thorough understanding of the MSC Principles and Criteria and the MSC Certification Requirements. ▣
- 27.14.3 The CAB shall also ensure that:
- 27.14.3.1 All peer reviewers comply with Row 1 of the Fishery Member qualification and competency criteria detailed in Table CM2 in Annex CM.
- 27.14.3.2 At least one of the peer reviewers complies with Row 5 of the Fishery Team qualifications and competencies detailed in Table CM3 in Annex CM.
- 27.14.3.3 The peer reviewers together comply with a minimum of two further requirements chosen from Items 1-4 of the Fishery Team qualifications and competencies detailed in Table CM3 in Annex CM. ▣
- 27.14.4 The CAB shall give reasons for the selection of the peer reviewers chosen in the Public Comment Draft Report and subsequent reports¹³⁴.
- 27.14.5 The CAB shall notify the MSC and stakeholders of the proposed peer reviewers and allow ten days prior to confirming peer reviewers for stakeholders to submit written comments and/or opposition as to the selection of a proposed member of the peer review panel.
- 27.14.5.1 CABs shall note that the MSC shall post the names and short CVs of the peer reviewers on the MSC website for the duration of the consultation period.
- 27.14.5.2 The CAB's decision on the choice of peer reviewers is final.
- 27.14.6 The CAB shall specify a timeframe for the peer review process and shall update timeframes on the MSC website as and if required.
- 27.14.7 The peer review draft report sent to the peer reviewers shall incorporate the client action plan and conditions (if applicable), scores, weightings and a draft determination.

¹³⁴ Derogation, TAB 2012

Clauses from 27.14.2 to 27.14.4 (including deletion of 27.4.2) does not apply to peer reviewers appointed before 14 March 2013.

27.14.7.1 The peer review draft report shall conform with Annex CF1.2. ¹³⁵

- 27.14.8 CABs shall require peer reviewers to submit their comments to the CAB using the current version of the form “Template for peer review of MSC fishery assessments”.
- 27.14.9 Upon receipt of the peer reviewers’ written comments, the team shall:
- 27.14.9.1 Explicitly address all the issues raised changing any part of the scoring, conditions and report as the team sees necessary.
 - 27.14.9.2 Incorporate peer reviewer comments, team responses to those comments and any appropriate changes into the peer review draft report to create the Public Comment Draft Report.
 - 27.14.9.3 Amend any conditions as required, and ensure the fishery client amends the client action plan, as required.

27.15 Public Comment Draft Report

- 27.15.1 The team shall include a draft determination on whether or not the applicant will be recommended for certification.
- 27.15.2 The CAB shall make the Public Comment Draft Report available for comment by stakeholders for a period of at least thirty days.
- 27.15.2.1 The Public Comment Draft Report shall include the scores and weightings, the draft determination and any conditions and the client action plan.
 - 27.15.2.2 Stakeholders shall be informed that they are to provide objective evidence in support of any additional claims or any claimed errors of fact.
- 27.15.3 CABs shall include the following in a separate section or appendix to the Public Comment Draft Report:
- 27.15.3.1 Written submissions from stakeholders (if any) received during consultation opportunities on:
 - a. The announcement of full assessment.
 - b. Proposed team membership.
 - c. Proposed peer reviewers.
 - d. The proposal for the use or modification of the default tree and/or use of the RBF (Annex CC).
 - 27.15.3.2 All written and a detailed summary of verbal submissions received during site visits material to the outcome of the assessment including those with information that could influence:
 - a. A PI score that would have fallen below 60.
 - b. A PI score that falls between 60 and 80.

¹³⁵ **TAB 19, date of application 14 November 2011**

- c. PI scores within any Principle for which the aggregate score at the Principle level falls below 80.
- 27.15.3.3 Explicit responses from the team to submissions described in 27.15.3.1 and 27.15.3.2.
- a. ~~The CAB shall have sent these responses to the stakeholders prior to their publication in the public comment draft report.~~
 - b. **The CAB shall identify specifically:**
 - i. **what (if any) changes to scoring, rationales, or conditions have been made;**
 - ii. **and where changes are suggested but no change is made, a substantiated justification.**¹³⁶
- 27.15.4 The team shall review the Public Comment Draft Report taking account of the stakeholder comments received during the consultation period (27.15.2) and revise the report as appropriate creating a draft final report.
- 27.15.5 **The Public Comment Draft Report shall conform with Annex CF1.2.**¹³⁷

27.16 Determination

- 27.16.1 The team shall review the Draft Final Report and shall confirm or amend the draft determination.
- 27.16.2 The team shall record the final determination to create a final report.

27.17 Final Report

- 27.17.1 **The team shall ensure that the Final Report conforms with Annex CF1.2.**¹³⁸
- 27.17.2 The CAB shall post the final report on the MSC website and the MSC will actively distribute to the public a statement that explains the meaning of the determination and the process to follow for raising an objection to a determination.
- 27.17.3 The CAB shall actively notify stakeholders involved in the fishery's certification assessment process of the existence of the final report.

27.18 Objections procedure

- 27.18.1 CABs shall note that an objection may be lodged with the MSC's Independent Adjudicator in conformity with the MSC Objections Procedure found in Annex CD during a period of fifteen working days from the posting of the Final Report and the determination on the MSC website.
- 27.18.2 The CAB shall not make a certification decision until:

¹³⁶ TSC 2012, date of application 14 March 2013

¹³⁷ TAB 19, date of application 14 November 2011

¹³⁸ TAB 19, date of application 14 November 2011

- 27.18.2.1 The fifteen United Kingdom working day period for objection is complete and no objections have been received; or
- 27.18.2.2 If objection(s) are received, until the objections procedure has finished in conformity with Annex CD.

27.19 Certification decision and certificate issue

- 27.19.1 At the end of the full assessment process the CAB shall finalise a Public Certification Report in accordance with [27.20](#) that shall incorporate the [final report](#) 27.17 and, if relevant, any written decisions arising from the [objections procedure](#) 27.18. The Public Certification Report shall be released to the public identifying an intention to certify or fail the fishery.
- 27.19.2 If the CAB makes a decision to award certification, the award of the certificate will not take place unless the Public Certification Report has been accepted by the client in writing and posted on the MSC website.
- 27.19.3 CABs shall submit to the MSC a copy of each fishery certificate issued, for posting on its website, within ten days from the date it is issued.
- 27.19.4 CABs shall make sure that when changes to the information contained on a fishery certificate are made that they provide the updated copy of the fishery certificate to the MSC for posting on its website within 10 days of changes occurring.
- 27.19.5 If there is a certificate sharing mechanism, the CAB shall make sure that the certificate, MSC Executive and stakeholders (through the MSC website) are advised of any changes to the client group and other eligible fishers within five days of the CAB becoming aware of the changes.

27.20 Public Certification Report

- 27.20.1 The form and content of the Public Certification Report shall be in conformance with **Annex CF.1.2**.¹³⁹
- 27.20.2 If other eligible fishers are identified in the unit of certification, the CAB shall make sure that, immediately following the release of the Public Certification Report:
 - 27.20.2.1 A statement describing the certificate sharing mechanism is submitted for public posting on the MSC web site.
 - 27.20.3 The CAB shall determine which entities should or should not be allowed to use the fishery certificate they have issued. Only fish caught by those fishers that are identified by reference to or on a valid fishery certificate by the CAB shall be eligible for chain of custody certification and subsequent use of the MSC ecolabel.

¹³⁹ **TAB 19, date of application 14 November 2011**

- 27.20.3.1 The CAB shall define entities in this case to include any processing companies or producer organisations or other bodies that the client wishes to make the certificate available to, at the exclusion of other non client group members.

27.21 Fisheries that fail assessment

- 27.21.1 None at this time.
- 27.21.2 In circumstances where a CAB makes a determination at any stage in the assessment process that a fishery will not be able to be recommended for certification all subsequent assessment steps shall be followed.
- 27.21.3 Where the CAB makes a decision not to award certification and fail the fishery, the Public Certification Report released to the public:
- 27.21.3.1 Shall not specify any mandatory conditions or defined actions that would need to be undertaken before the fishery could be reconsidered for certification in the future.
 - 27.21.3.2 Shall outline draft and non-binding conditions for any PIs that score more than 60 but less than 80.
 - 27.21.3.3 Shall clearly specify that the conditions outlined are non-binding and serve to provide an indication of the actions that may have been required should the fishery have been certified.
 - 27.21.3.4 Shall not include an agreement from the client to address conditions as in [27.11.2](#).
- 27.21.4 In the event of a subsequent re-assessment of a failed fishery, the CAB shall not shorten or abbreviate the Re-assessment's Preliminary Draft Report, Peer Review Draft Report, Public Comment Draft Report, Final Report and Public Certification Report. These shall be provided in full and shall not report only on elements revised between the initial and subsequent assessment of the fishery. The report shall:
- 27.21.4.1 Specify that the fishery is being re-assessed.
 - 27.21.4.2 Summarise the details of the initial assessment, including:
 - a. The results of the initial assessment.
 - b. The date of the original determination not to certify.
 - 27.21.4.3 Identify those PIs for which scoring and/or the rationale for scoring has changed from the original assessment.

27.22 Surveillance

- 27.22.1 **After each certification, surveillance and re-certification assessment, the CAB shall determine the level at which subsequent surveillance of the fishery shall be undertaken.**

- 27.22.1.1 The CAB shall calculate the overall surveillance score, by adding scores**

from sections 1-4 in Table C3.

Table C3: Criteria to determine surveillance score

Criteria	Surveillance Score
• Default Assessment tree used?	
Yes	0
No	2
• Number of open conditions	
Zero conditions	0
Between 1-5 conditions	1
More than 5	2
• Principle Level Scores	
≥85	0
<85	2
• Conditions on outcome PIs?	
Yes	2
No	0

27.22.1.2 The CAB shall use the surveillance score to identify the surveillance level appropriate to the fishery using Table C4.

27.22.1.3 Where the fishery has more than one unit of certification with different surveillance scores, the CAB shall adopt the highest score for all units¹⁴⁰.

¹⁴⁰ TAB 19, date of application 14 November 2011

Table C4: Surveillance Level

Surveillance score (from Table C3)	Surveillance level		Years after certification or recertification			
			Year 1	Year 2	Year 3	Year 4
2 or more	Normal Surveillance		On-site surveillance audit	On-site surveillance audit	On-site surveillance audit	On-site surveillance audit & recertification site visit
1	Remote Surveillance	Option 1	Off-site surveillance audit	On-site surveillance audit	Off-site surveillance audit	On-site surveillance audit & recertification site visit
		Option 2	On-site surveillance audit	Off-site surveillance audit	On-site surveillance audit	
0	Reduced Surveillance		Review of new information	On-site surveillance audit	Review of new information	On-site surveillance audit & recertification site visit

27.22.2 Surveillance audits shall take place ~~at least annually~~ **according to the frequency specified by the designated surveillance level in Table C4**¹⁴¹, or more frequently and at short notice depending on the:

27.22.2.1 Scale of the certified fishery.

27.22.2.2 Scope and intensity of resource management (e.g., the frequency and level of fishing, the range of management systems employed).

27.22.2.3 Ecological sensitivity of the resource base to management intervention.

27.22.2.4 Experience and reputation of the operators involved (managers and fishers).

27.22.3 The CAB and the client shall establish an agreed surveillance program for the certified fishery, based on 27.22.1 and 27.22.2, incorporating the agreed client action plan set out in 27.11.2.

27.22.3.1 CABs shall complete ~~each annual on-site visit~~ **the activities corresponding to the designated surveillance level**¹⁴² within 12, 24, 36 and 48 months respectively of the date of certificate award.

27.22.3.2 Under Remote Surveillance, the CAB shall state in the first surveillance announcement whether the first surveillance audit will be an on-site or an off-site surveillance audit (see options in Table C4). ▣

¹⁴¹ TAB 19, date of application 14 November 2011

¹⁴² TAB 19, date of application 14 November 2011

- 27.22.3.3 ~~On-site visits shall occur at least annually.~~¹⁴³
- 27.22.4 The CAB shall plan each surveillance audit, including:
- 27.22.4.1 Appointing a team of two or more individuals with the expertise comparable to the members of the original team to conduct the on-site visit.
 - 27.22.4.2 If team members are different to the original team, the selection of individuals to conduct audits shall be justified in writing and their relevant skills and/or expertise documented.
 - 27.22.4.3 Notifying stakeholders and the MSC of the **surveillance level**¹⁴⁴, time, place and scope of the audit and who will conduct it, **including via submitting this information for posting on the MSC website.**¹⁴⁵
- 27.22.5 During an on-site surveillance audit , the CAB shall:
- 27.22.5.1 Actively seek the views of the client and stakeholders about:
 - a. The fishery.
 - b. Its performance in relation to any relevant conditions of certification.
 - c. Issues relevant to the MSC's Principles and Criteria for Sustainable Fishing.
 - 27.22.5.2 Hold stakeholder interviews to ensure that the team is aware of any concerns of stakeholders.
 - a. Where stakeholders do not wish to be interviewed they shall be informed that they may submit written information to the team.
 - 27.22.5.3 Select areas to inspect within the fishery for current or recent management activity for continued conformity with the MSC's Principles and Criteria for Sustainable Fishing, such as:
 - a. Review any potential or actual changes in management systems.
 - b. Review any changes or additions/deletions to regulations.
 - c. Review any personnel changes in science, management or industry to evaluate impact on the management of the fishery.
 - d. Review any potential changes to the scientific base of information, including stock assessments.
 - 27.22.5.4 If the CAB identifies an issue requiring further investigation then the CAB shall:
 - a. Report and record the existence of the issue.
 - b. Immediately re-score any PIs where the information base for the scores has changed. Rescoring shall follow scoring processes set out in 27.10 and if the scoring is less than 80,
 - c. Define conditions and client actions according to requirements.

¹⁴³TAB 19, date of application 14 November 2011

¹⁴⁴TAB 19, date of application 14 November 2011

¹⁴⁵TSC 2012, date of application 14 March 2013

- 27.22.6 **During an off-site surveillance audit the CAB shall undertake the same activities remotely as are undertaken for an on-site surveillance audit.**
- 27.22.6.1 **A team of two or more individuals with the expertise comparable to the members of the original team shall conduct off-site audit.**¹⁴⁶
- 27.22.7 During each surveillance audit, the team shall verify that destructive fishing practices or controversial unilateral exemptions ([see 27.4.4](#)) have not been introduced.
- 27.22.8 At each surveillance audit the team shall evaluate progress against conditions.
- 27.22.8.1 The team shall audit conformity with, and progress and performance against, certification conditions. ▣
- a. The CAB shall document conformity with, and progress and performance against, certification conditions using the narrative or metric form of the original condition.
 - b. The CAB shall document whether progress is 'on target', 'ahead of target' or 'behind target', as well as its rationale for such a judgement.
 - i. If progress against the **measurable outcomes, expected results or (interim) milestones specified when setting the condition** is judged to be behind target, the CAB shall specify the remedial action, and any revised milestones, that are required to bring process back on track at the next surveillance audit to achieve the original condition ~~(or milestone)~~ **by the original deadline.**¹⁴⁷ [¹⁴⁸]
 - c. To verify that conditions have been met and outcomes have been achieved, the CAB shall:
 - i. Examine relevant objective evidence, and following that examination,
 - ii. Re-score all relevant PISGs relating to that condition and only if the score is raised above 80 or the level identified in 27.10.8 as the level required by the end of the certification period for all relevant PIs relating to the condition, should the condition be closed out. In doing this:
 - A. The rationale for the re-scoring and closing out of the condition shall be documented in the Surveillance Report.
- 27.22.9 In the event that the CAB determines that progress against ~~conditions is inadequate and/or~~¹⁴⁹ a condition is not back 'on target' within 12 months of

¹⁴⁶ **TAB 19, date of application 14 November 2011**

¹⁴⁷ **TAB 20, date of application 10 March 2012**

[¹⁴⁸] **Derogation TAB D-033, no expiry.**

Those fisheries who signed a certification contract prior to 7 February 2011 may apply the following in place of 27.22.8.1 b i:

If progress against an interim milestone is judged to be behind target, the CAB shall specify the remedial action required, and if relevant, further milestones and scores to be achieved, and the time frame by which the milestone shall be achieved.

¹⁴⁹ **TAB 20, date of application 10 March 2012**

falling 'behind target', the CAB shall: [¹⁵⁰]

27.22.9.1 Consider progress as inadequate.

27.22.9.2 Apply the requirements of 7.4 (suspension or withdrawal). ▣

27.22.10 In the event that the requirements of any condition are changed, the CAB shall provide written justification for this in the Surveillance Report.

27.22.11 **During the review of information of a fishery under Reduced Surveillance, the CAB shall:**

27.22.11.1 Perform the activities specified in 27.22.5.1 and 27.22.5.4.

27.22.11.2 If the CAB has access to new information that may affect the scoring of any PI under reduced surveillance, it shall undertake an off-site audit according to 27.22.6.

27.22.11.3 Publish a statement of the review of information under reduced surveillance. ¹⁵¹

27.22.12 **If the CAB conducts an on-site or off-site surveillance audit,** the CAB shall prepare a surveillance report, and send it to the client along with any requests or conditions that may arise from surveillance activities.

27.22.13 **If the CAB conducts an on-site audit,** the CAB shall prepare a public surveillance report as set out in Annex CG and this shall be forwarded to the MSC within thirty days of completing the on-site component of the audit, for publication on the MSC website following agreement by the MSC that it is acceptable for publication.

27.22.14 **If the CAB conducts an off-site audit,** the CAB shall prepare a public surveillance report as set out in Annex CG and this shall be forwarded to the MSC within 30 days of completing the activities **of the off-site audit** for publication on the MSC website following agreement by the MSC that it is acceptable for publication.

27.22.15 Where there are IPI stocks within the scope of certification teams shall follow Annex CH during each surveillance audit.

27.22.16 The CAB shall maintain complete and up-to-date records of the monitoring of all certificate holders.

27.22.17 The CAB shall undertake an "expedited audit", including as it determines necessary review of documents and an on-site audit if:

27.22.17.1 The CAB becomes aware of major changes in relation to the circumstances of the fishery.

- a. A 'major change' is one that is likely to have a material difference on the certification status. A PI score falling below 60 or outcome PI score falling below 80, or a change that could bring about a Principle Level

[¹⁵⁰]Derogation TAB D-033, no expiry

Those fisheries who signed a certification contract prior to 7 February 2011 may delete the following words in 27.22.9: "*is not back 'on target' within 12 months of falling 'behind target'.*"

¹⁵¹ **TAB 19, date of application 14 November 2011**

aggregate score to drop below 80 shall be considered material differences to certification status.

27.22.17.2 Significant new information becomes available in relation to the circumstances of the fishery including during the period between the original assessment and the issue of a certificate. ☐

- a. Significant new information is that which is likely to have a material difference on the certification status. A PI score falling below 60 outcome PI score falling below 80, or a change that could bring about a Principle Level aggregate score to drop below 80 shall be considered material differences to certification status

27.23 CAB assistance with certificate sharing

27.23.1 If the certificate has other eligible fishers and/or a certificate sharing mechanism the CAB shall, within thirty days of receiving a request to share the certificate, facilitate the client's and other eligible fishers' engagement in good faith efforts to enter into a certificate sharing agreement.

~~Suspension, Termination, Transfer or Withdrawal of Certification ☐~~

~~In addition to those circumstances covered in clause 8.3, a CAB shall suspend a fishery certificate if a certificate holder~~

~~Does not agree to allow the CAB to hold a scheduled surveillance audit within ninety days of being requested to do so.~~

~~If a CAB suspends a client for the reasons in 27.24.1 it shall only do so after ninety days have passed since the CAB informed the client of the possibility of suspension following non-conformity or non-acceptance of a request for information or audit date. ☐ ninety day notice period above may be contained in reports, requests for action or other documents provided to the certificate holder. ☐~~

~~The CAB may determine that it wishes to follow a suspension for the reasons in 27.24.1 by withdrawal of the certificate. If this occurs, the CAB shall:~~

~~Provide the certificate holder with a minimum one hundred twenty day notice of withdrawal.~~

~~At the time of notice of withdrawal indicate those steps required to avoid withdrawal and raise the suspension of the certificate.~~

~~If after 90 days from the date of notice in 27.24.3.1 the certificate holder has not undertaken the specified steps required to avoid withdrawal the CAB shall publicly advertise the fact that the certificate is to be withdrawn using the same methods as in clause 27.7.~~

~~If after 120 days from the date of notice in 27.24.3.1 the certificate holder has not undertaken the specified steps required to avoid withdrawal the CAB shall withdraw the certificate.~~

~~The CAB shall hear any appeals of its decision to suspend or withdraw a certificate under its appeals procedure (ISO Guide 65 clause 4.2 p.).~~

~~If the CAB initiates suspension, change of scope or withdrawal of a fishery certificate the CAB shall:~~

~~Inform the client that they must contact MSCI for information on the rules about stopping use of labels and other material identifying a fishery product as certified.~~

~~Advertise any changes in certification status in the same way as public announcements of assessments are made.~~

~~Copy all advice of plans to suspend, change scope or withdraw a certificate sent to the certificate holder to the MSC and ASI.¹⁵²~~

27.24 Re-assessment


27.24.1 The CAB should commence the re-assessment of a certified fishery by the fourth anniversary of the existing certificate. Exact timing and planning of the re-assessment shall remain the responsibility of the CAB, in consultation with the client.

27.24.2 The CAB, when conducting a re-assessment of a certified fishery, shall:


27.24.2.1 Apply all of the steps of the MSC Certification Requirements in force at the time of the re-assessment.


27.24.2.2 Apply interpretations of the MSC's Principles and Criteria for Sustainable Fishing that are current at the time of the re-assessment.

27.24.2.3 Take account of the way similar fisheries have been assessed.

27.24.2.4 Take into account all surveillance reports, outcomes, and **evaluate progress against¹⁵³ certification** conditions. 

a. The fishery should have met all conditions and milestones.

i. In the event that there are unmet conditions, the CAB shall apply 27.22.8 and 27.22.9 (excepting 27.22.9.2) in determining the adequacy of progress against those conditions and milestones. If the CAB concludes that the client has made inadequate progress, it shall not grant a new fishery certificate. 

b. **For fisheries with conditions written prior to the requirement for outcome-based conditions (2006), or against performance indicators in assessment trees which differ from those in the tree being used in the reassessment, CABs shall consider if the conditions as originally formulated are appropriate to meet the SG80 outcome for the PI, or the equivalent PI, within the reassessment tree;** 

¹⁵²TAB 19, date of application 14 November 2011

¹⁵³TAB 20, date of application 10 March 2012

- i. **If the conditions are appropriate to deliver SG80 outcomes in the reassessment tree, progress against these conditions shall be evaluated according 27.24.2.4.a**
- ii. **If the conditions are not appropriate to deliver SG80 outcomes in the reassessment tree, CABs shall consider what action is needed to deliver the outcome required at SG80 level, and evaluate whether this outcome has been achieved.**
 - A. **If the SG80 level has not been achieved, such conditions shall be rewritten against the reassessment tree following the requirements specified in 27.11, with a timeline for completion of less than one certification period.**
 - B. **If the SG80 level has been achieved, or if achievement of the condition would not affect the score of any PI which would otherwise score less than 80 in reassessment tree, these conditions shall be considered closed.**¹⁵⁴

27.24.2.5 Consider the relevance of the original unit of certification and assessment tree and if necessary, shall create modified or new units of certification and/or assessment trees.

27.24.2.6 Maintain records of its consideration of the issues above, as well as any rationale for decisions made relating to these issues.

27.24.3 Where there are IPI stocks within the scope of certification, teams shall follow Annex CH.

27.24.4 A fishery shall not be able to use the RBF in re-assessment of Principle 1 PIs if the RBF resulted in a score of less than 80 in a previous assessment.

27.24.5 The CAB shall note that the objections procedure in Annex CD applies for certification decisions made during re-assessment of fisheries.

27.24.5.1 If an objection is made to the recertification of a client, a CAB may extend the expiry date of the existing fishery certificate by up to a maximum of six months to allow the objection process to be followed.

27.24.6 **The CAB shall conform with the requirements specified in the MSC Full Assessment Reporting Template.**¹⁵⁵

28 Management System Requirements for CABs

28.1 The CAB shall conduct and document a review of each fishery assessment completed to identify any corrective or preventive actions that would contribute to continual improvement. The CAB shall:

¹⁵⁴ **TAB 20, date of application 10 March 2012**

¹⁵⁵ **TAB 20, date of application 10 March 2012**

28.1.1 Consider submissions and / or comments from stakeholders or other parties on the CAB's activities and processes in the review.

29 Heading not used at this time

30 Heading not used at this time

----- End of Part C -----

Annex CA: Flow Chart of Fisheries Certification Process – Informative

Figure CA1 – Pre-Assessment

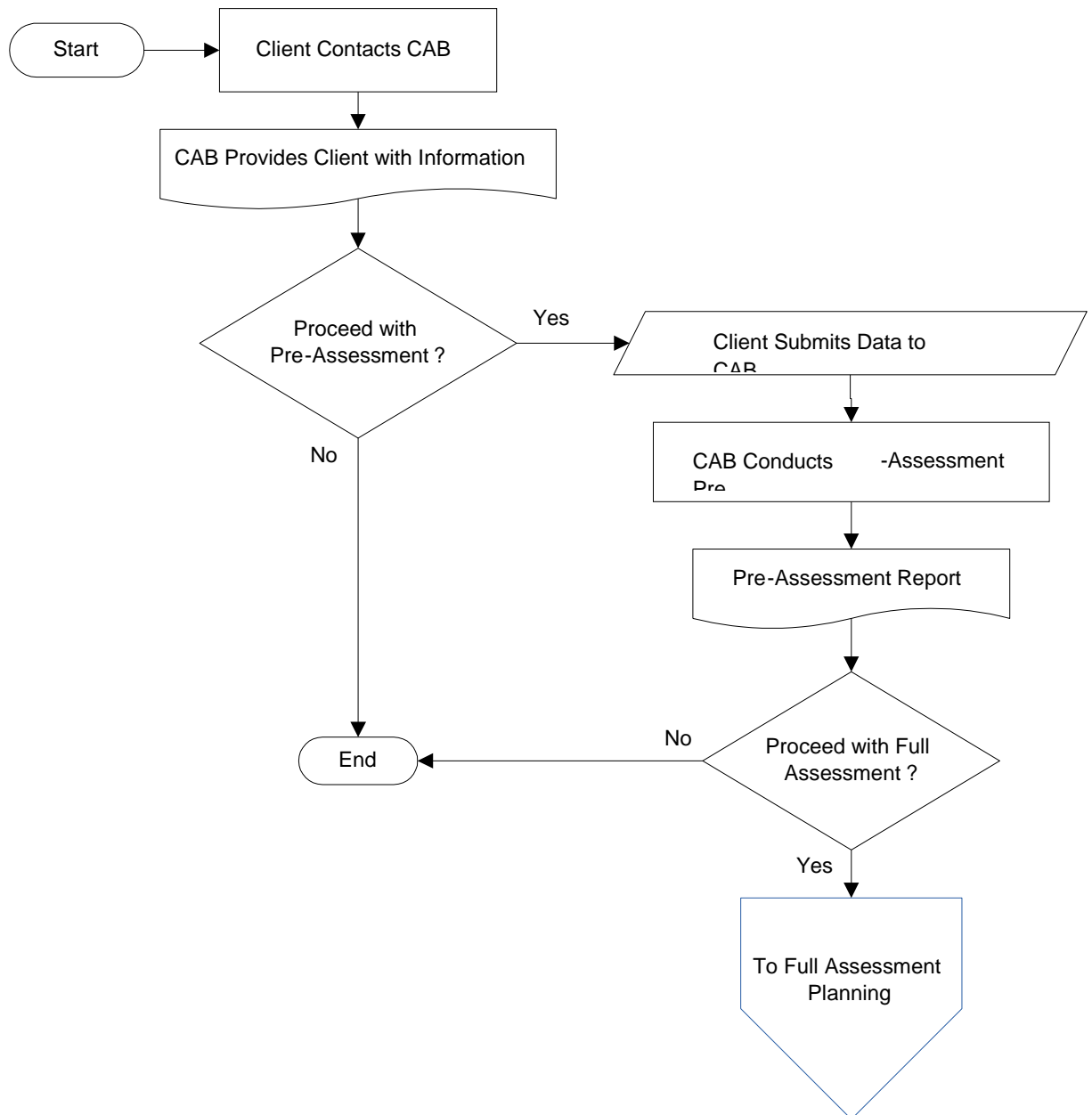


Figure CA2 – Full Assessment Planning

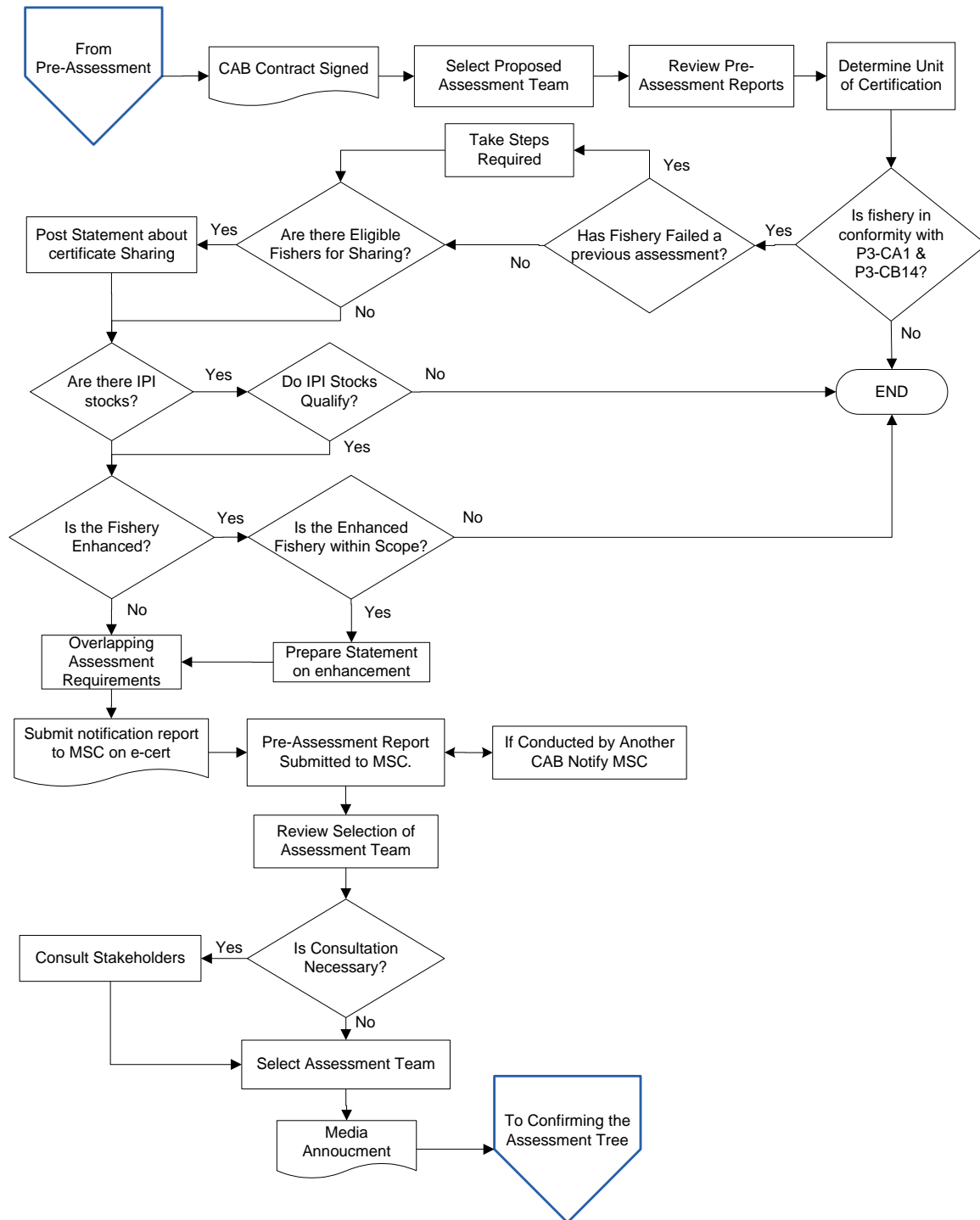


Figure CA3 – Confirming the Assessment Tree

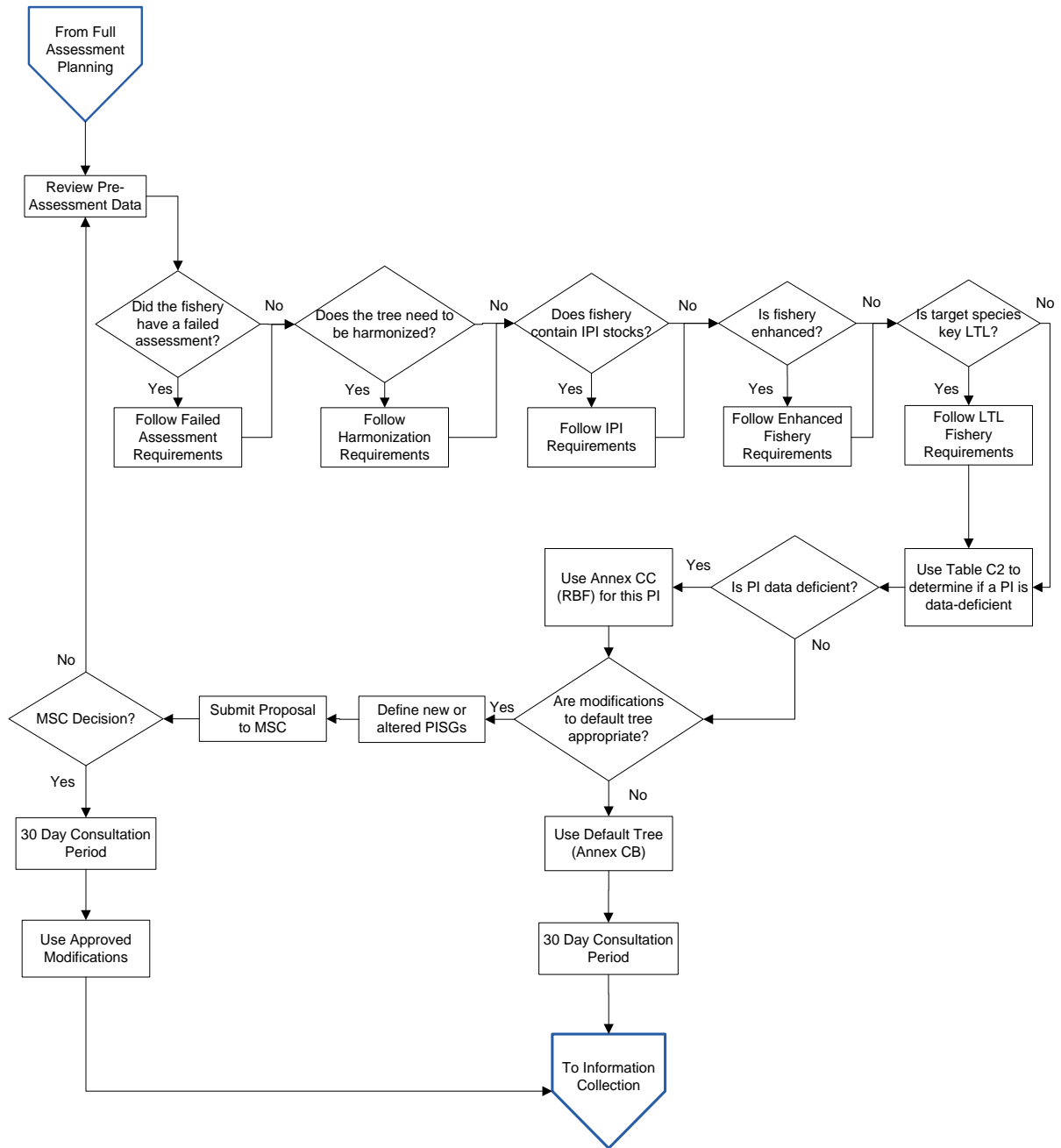


Figure CA4 – Gathering Information

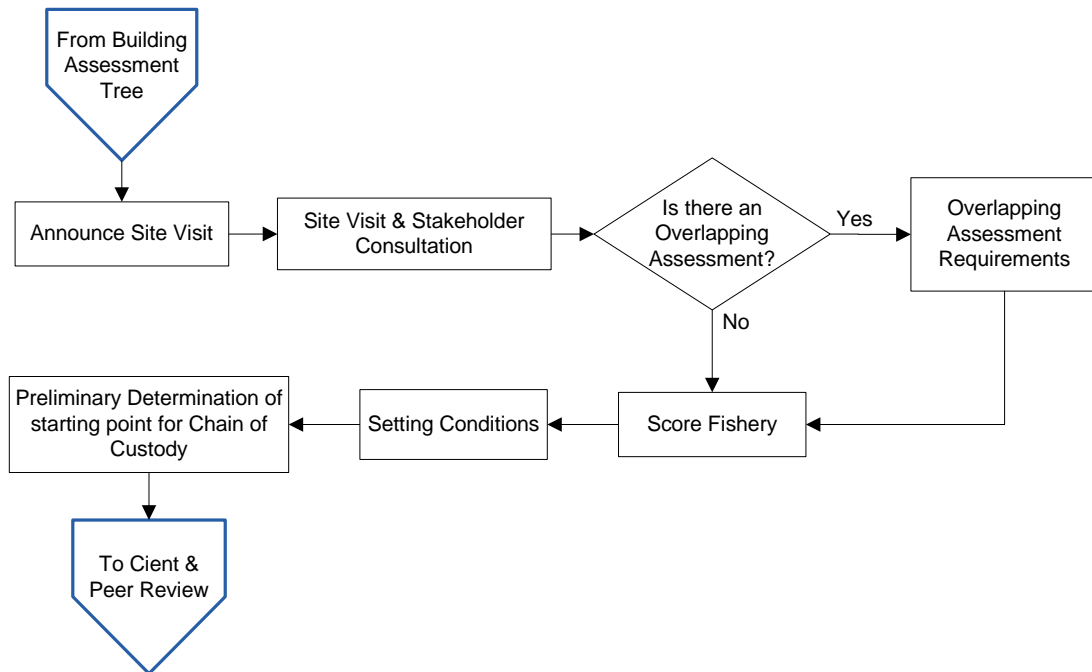


Figure CA5 – Client and Peer Review

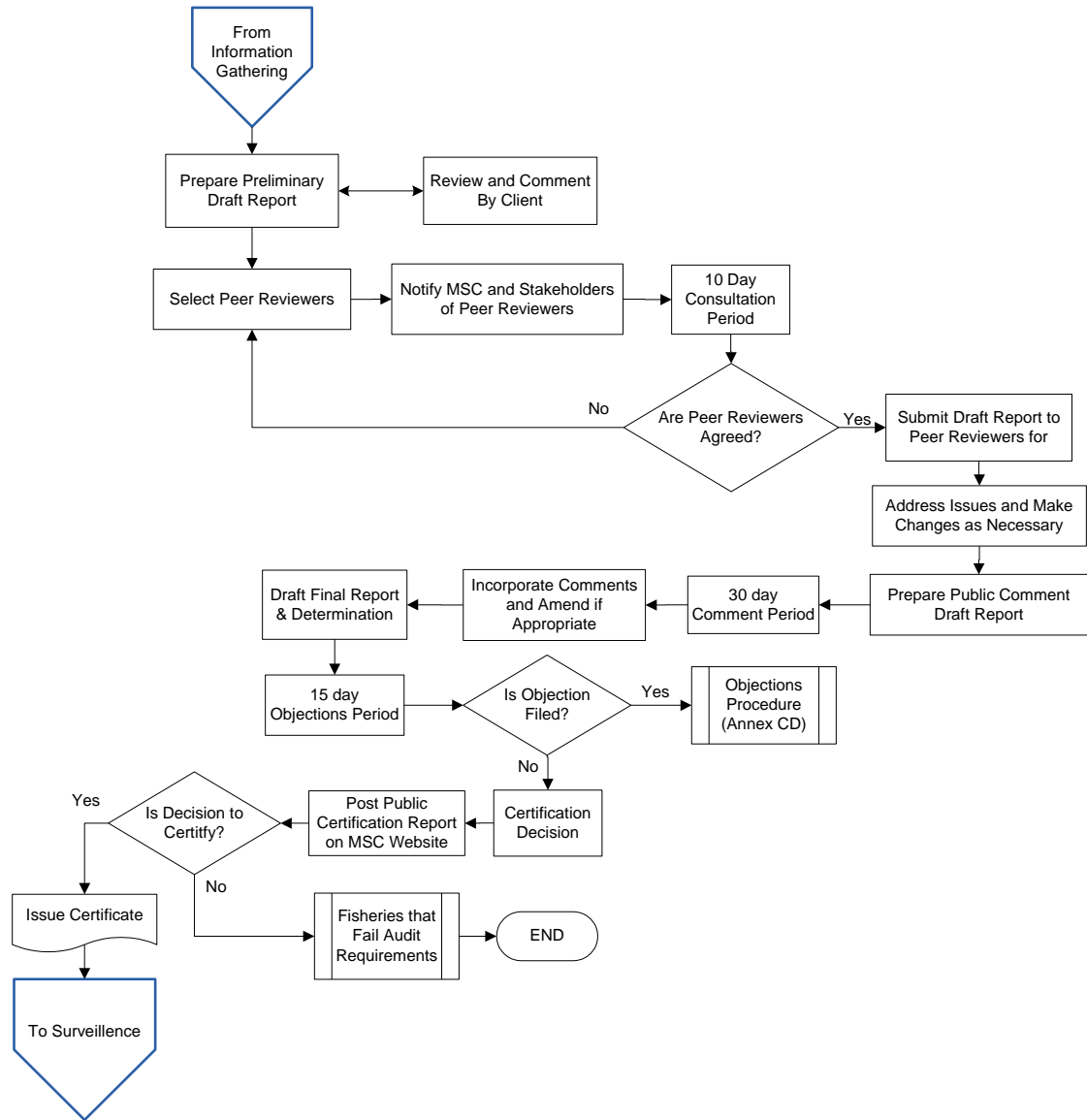
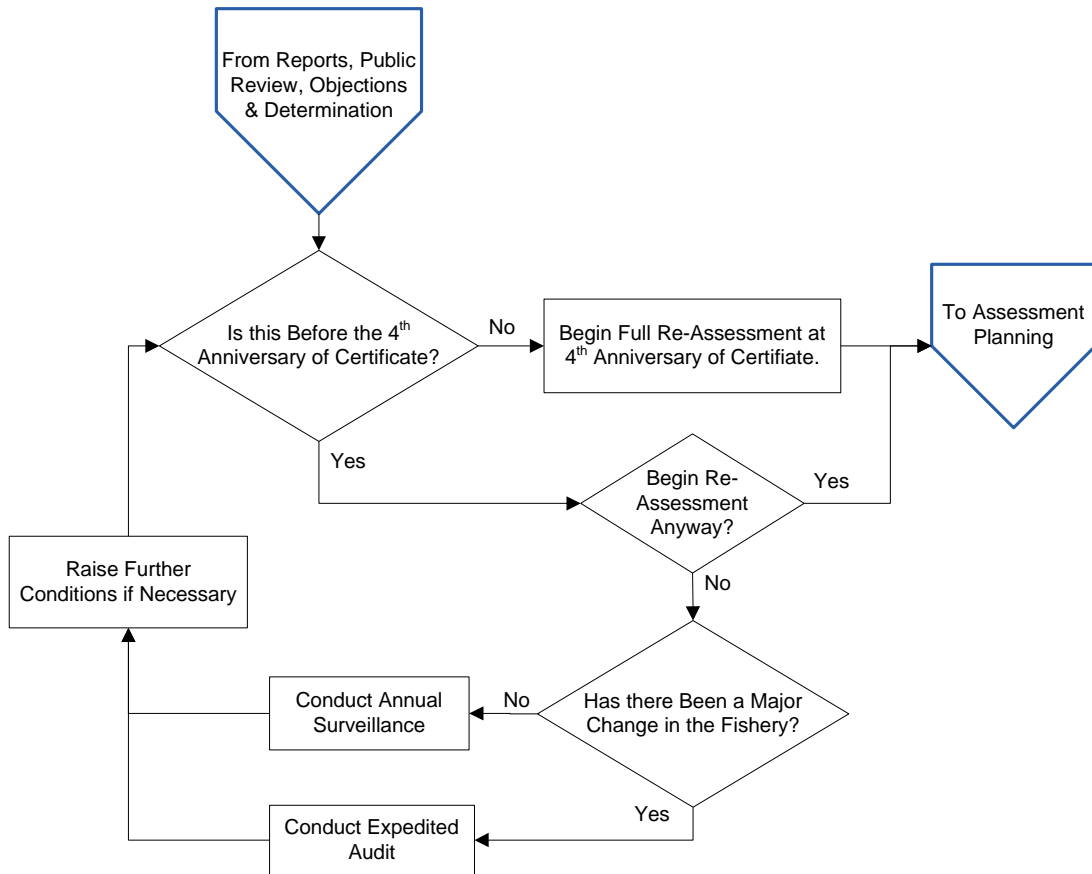


Figure CA6 – Surveillance and Re-Assessment



----- End of Annex CA -----

MSC Certification Requirements
Annex CB



Version 1.3, 14 January 2013

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Annex CB: The Default Tree - Normative

The default tree structure, including the PISGs for each of the three MSC Principles to be used in fishery assessments

CB1 General

- CB1.1 CABs shall focus all assessments of fisheries against the MSC Principles and Criteria on:
- CB1.1.1 The outcomes of fisheries management process.■
 - CB1.1.2 The management strategies implemented that aim to achieve those outcomes.
- CB1.2 CABs shall apply requirements set out in Annex CC when using the RBF.
- CB1.3 CABs shall follow specific annexes for species that require the use of a modified default tree.

CB2 Principle 1

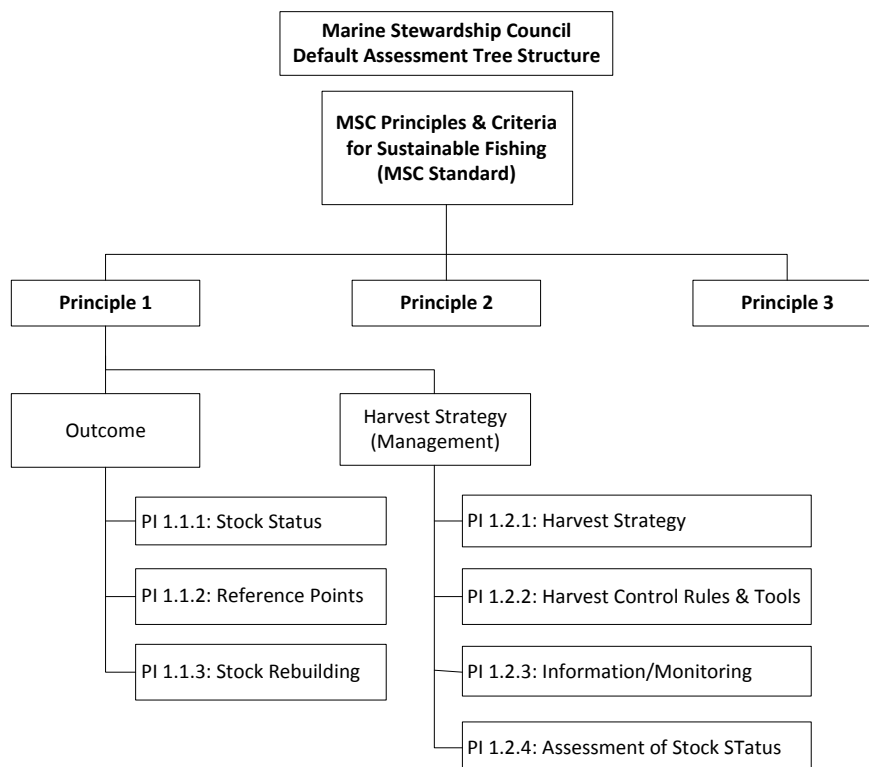


Figure CB1:

Principle 1 Default Tree Structure

CB2.1 General requirements for Principle 1■

No requirements

CB2.2 Stock Status PI (PI 1.1.1)

Table CB1: PI 1.1.1 Stock status PISGs


Component	PI	Scoring issues	SG60	SG80	SG100
Outcome	Stock status (C1) 1.1.1 The stock is at a level which maintains high productivity and has a low probability of recruitment overfishing	a. Stock status	It is likely that the stock is above the point where recruitment would be impaired.	It is highly likely that the stock is above the point where recruitment would be impaired.	There is a high degree of certainty that the stock is above the point where recruitment would be impaired.
		b. Stock status in relation to target reference point		The stock is at or fluctuating around its target reference point.	There is a high degree of certainty that the stock has been fluctuating around its target reference point, or has been above its target reference point, over recent years.

CB2.2.1 The team shall note that in P1 the terms “likely”, “highly likely” and “high degree of certainty” are used to allow for qualitative and quantitative evaluation. In a probabilistic context:

CB2.2.1.1 Likely means greater than or equal to the 70th percentile of a distribution (i.e. there shall be at least a 70% probability that the true status of the stock is higher than the point at which there is an appreciable risk of recruitment being impaired).

CB2.2.1.2 Highly likely means greater than or equal to the 80th percentile.

CB2.2.1.3 High degree of certainty means greater than or equal to the 95th percentile.

CB2.2.2 The team shall consider the biology of the species and the scale and intensity of both the fishery and management system and other relevant issues in determining relevant time periods over which to judge fluctuations. 

CB2.2.2.1 At SG80, there shall be evidence that the stock is at the target reference point now or has fluctuated around the target reference point for the past few years.

CB2.2.2.2 At SG100, there shall be evidence that the stock has fluctuated around the target reference point for longer periods.

- CB2.2.3 The team may accept use of proxy stock indicator points in fishery management systems based only on fishing effort, such as management of some short-lived species. If the team does accept proxy stock indicators:
- CB2.2.3.1 The team shall redraft the wording of the Stock Status SGs for management systems which are based purely on fishing mortality reference points.
 - CB2.2.3.2 The team shall evaluate the performance of indices of exploitation rate (e.g., fishing mortality reference points) against relevant benchmarks (such as F_{MAX} or F_{LIM}) in PI 1.2.2 in relation to the HCR to make sure that biomass reference points are met.
- CB2.2.4 In cases where F_{MSY} (or a proxy) is the management target, satisfying SG80 for PI 1.1.2, but the stock is still rebuilding towards B_{MSY} (or proxy), the condition of the stock cannot be considered to be fluctuating around a target that is consistent with B_{MSY} until the corresponding biomass is reached. In this case the CAB should award a score of less than 80 for PI 1.1.1 and trigger scoring of PI 1.1.3, until evidence shows that the biomass target has been achieved.
- CB2.2.5 Species fished as stock complexes may be treated the same as multi-species target species considered under PI 2.1.1. For each SG the team shall seek evidence that, as an outcome, the levels of 'likelihood' meet the levels of 'likelihood' specified in CB2.2.1 for each separate stock. ■

CB2.3 Reference Points PI (PI 1.1.2)

Table CB2: PI 1.1.2 Reference point PISGs

Component	PI	Scoring issues	SG60	SG80	SG100
Outcome	Reference points 1.1.2 Limit and target reference points are appropriate for the stock.	a. Appropriateness of reference points	Generic limit and target reference points are based on justifiable and reasonable practice appropriate for the species category.	Reference points are appropriate for the stock and can be estimated.	
		b. Level of limit reference point		The limit reference point is set above the level at which there is an appreciable risk of impairing reproductive capacity.	The limit reference point is set above the level at which there is an appreciable risk of impairing reproductive capacity following consideration of relevant precautionary issues .
		c. Level of target reference point		The target reference point is such that the stock is maintained at a level consistent with B_{MSY} or some measure or surrogate with similar intent or outcome.	The target reference point is such that the stock is maintained at a level consistent with B_{MSY} or some measure or surrogate with similar intent or outcome, or a higher level , and takes into account relevant precautionary issues such as the ecological role of the stock with a high degree of certainty .
		d. Key ¹⁵⁶ Low trophic level species target reference point		For key ¹⁵⁷ low trophic level species, the target reference point takes into account the ecological role of the stock.	

¹⁵⁶ TAB 19, date of application 14 November 2011

¹⁵⁷ TAB 19, date of application 14 November 2011

- CB2.3.1 The team shall make a decision at SG80 if limit reference points set by management are above the level at which there is an appreciable risk of impairing reproductive capacity, and that target reference points are set at a level “consistent with BMSY”.
- CB2.3.1.1 The team shall interpret “Consistent with BMSY” to mean close to or at BMSY or some other measure or surrogate with similar intent or outcome, which maintains a high productivity of the stock and is a level well above the point at which recruitment might be impaired.
- CB2.3.2 The team shall note that, for assessments using the default tree for Principle 1:
- CB2.3.2.1 For the purposes of PI 1.1.2 or pre default tree PI equivalents the team shall interpret reference points as reference points used for managing the fishery—i.e. explicit or implicit points used by management as part of management procedures, management strategies or decision rules to trigger management action.
- CB2.3.2.2 Teams shall include in their rationale for PI 1.1.2 or pre default tree PI equivalents an explanation of how the target reference point is or is not similar in intent or outcome to maintaining the stock at BMSY or above.
- CB2.3.2.3 In some cases, in the absence of explicit biomass targets used for managing a stock, the biomass target or limit reference point for scoring PI 1.1.2 or pre default tree PI equivalents can be implied from fishing mortality reference points, or other proxies, adopted in the management strategy. Thus with a fishing mortality target of FMSY (or proxy) it is possible to assume a biomass target of BMSY. In these cases, the team shall include in their rationale for PI 1.1.2 or pre default tree PI equivalents, an explanation of how this implicit target reference point is or is not similar in intent or outcome to maintaining the stock at BMSY.
- CB2.3.2.4 In cases where the target biomass or fishing mortality used in management is not consistent with BMSY or above, teams shall not consider the target reference point to meet the requirements of the third scoring issue of PI 1.1.2 or pre default tree PI equivalents under SG80.■
- CB2.3.2.5 If a score of less than 80 is assigned to PI 1.1.2 or pre default tree PI equivalents, the team shall set a condition that requires the implementation of reference points that meet the SG80 requirements. In this case, team and clients should consider, when developing the client action plan, the effects that fulfilling such a condition may subsequently have on the scores for PIs 1.1.1 and 1.1.3, and plan accordingly.
- CB2.3.2.6 For pre default tree fisheries where there are no clear equivalents to PIs 1.1.1 and/or 1.1.2, CABs shall submit a variation request to the MSC by following the procedure set out in Part A, clause 4.12, and specifying how the current interpretation of Principle 1 Criterion 1 will be accounted for as part of the fishery’s next annual surveillance audit.
- CB2.3.3 The team shall verify that management’s setting of reference points includes consideration of normal stock recruit relationships, any potential impacts on reproductive capacity of changes to genetic structure or sex composition.■

- CB2.3.3.1 In the case where neither BMSY nor BLIM are analytically determined, the following default reference points may be appropriate depending on the species: $TRP=BMSY=40%B_0$; $LRP=BLIM=20%B_0=1/2BMSY$.
- CB2.3.3.2 In the case where either BMSY or BLIM are analytically determined, those values should be used for reference points unless additional precaution is sought.
- CB2.3.3.3 In the case where $BMSY=TRP$ is analytically determined to be greater than $40%B_0$, and there is no analytical determination of the LRP, the default LRP should be $1/2BMSY$. This case covers the situation of low productivity stocks, where higher default LRPs may be justified.
- CB2.3.3.4 In the case where $BMSY=TRP$ is analytically determined to be lower than $40%B_0$ (as in some highly productive stocks), and there is no analytical determination of the LRP, the default LRP should be $20%B_0$ unless $TRP=BMSY<27%B_0$, in which case the default LRP should be $75%BMSY$.
- CB2.3.3.5 For stocks with average productivity, where BMSY is not analytically determined but assumed to be $40%B_0$ and the TRP is set greater than $40%B_0$ for precautionary reasons, the default LRP should be $20%B_0=1/2BMSY$ unless it is analytically determined. This covers situations where the management authority has deliberately chosen a conservative TRP, but where the default BLIM is still appropriate.
- CB2.3.4 In cases where the LRP is set at $20%B_0$, a default value for the TRP may be assumed to be $2xLRP$ (CB2.3.3.1). In other cases, for instance where the LRP is set at the lowest historical biomass, it cannot be assumed that $TRP(Bmsy) = 2xLRP$. Teams shall justify any TRP derived from an established LRP in terms of its consistency with Bmsy.
- CB2.3.5 Where management has defined a target range rather than a single level for a TRP, the team should interpret PIs for stock status and reference points against this range.
- CB2.3.6 The team should consider if different reference points are required for different components of the stock in their assessment.■
- CB2.3.7 The team should award scores between 80 and 100 to the second scoring issue in PI 1.2.2 if management chooses to set a limit reference point above the point that reproductive capacity starts to be appreciably impaired.■
- CB2.3.8 Where species are fished as stock complexes, the overall target reference points should be consistent with the intent of the PI, and maintain the high productivity of the stock complex.■
- CB2.3.9 Teams may allow use of surrogate metrics for stock biomass in scoring PIs 1.1.1, 1.1.2 and 1.1.3. ■ In that case:
- CB2.3.9.1 The terms “likely”, “highly likely”, and “high degree of certainty” may be interpretable either qualitatively or quantitatively.■
- CB2.3.9.2 The important features of SG80 are that:

- a. A limit reference point is set above the point where there is an appreciable risk of recruitment failure.
- b. A target reference point maintains the stock well above the limit reference point and at levels of production and stock sizes consistent with BMSY.

Consideration of Environmental Variability

CB2.3.10 As ecosystem productivity may change from time to time as marine environments change naturally, for instance under conditions of regime shift, the team shall verify that reference points are consistent with ecosystem productivity.

CB2.3.10.1 If changes in fishery productivity are due to natural environmental fluctuations, teams shall accept adjustments to the reference points consistent with such natural environmental fluctuations.

CB2.3.10.2 If fishery productivity is being affected through human-induced impacts (either directly from the fishery or from other sources such as pollution or habitat degradation), no changes to reference points are justified.

- a. The impacts should be resolved.
- b. The fishery should receive a reduced score in PI 1.1.1 until the stock is above the unadjusted reference points.

Consideration of Trophic position

CB2.3.11 The team shall consider the trophic position of target stocks to ensure precaution in relation to their ecological role, in particular for species low in the food chain. ■

CB2.3.12 Not used at this time

Identification of key Low Trophic Level (LTL) stocks

CB2.3.13 Teams shall treat a stock under assessment against Principle 1 as a key LTL stock if: ■

- a. It is one of the species types listed in Box CB1 and **in its adult life cycle phase the stock holds a key role in the ecosystem, such that it meets at least two of the following sub-criteria i, ii and iii.**
 - i. **a large proportion of the trophic connections in the ecosystem involve this stock, leading to significant predator dependency;**
 - ii. **a large volume of energy passing between lower and higher trophic levels passes through this stock;**
 - iii. **there are few other species at this trophic level through which energy can be transmitted from lower to higher trophic levels, such that a high proportion of the total energy passing between lower and higher trophic levels passes through this stock (i.e. the ecosystem is 'wasp-waisted').**

- b. It is not one of the species types listed in Box CB1, but **in its adult life cycle phase** it meets **at least two** of the **sub** criteria in **CB2.3.13a i-iii**, and **additionally** meets the following criteria:
 - i. The species feeds predominantly on plankton; has a trophic level of about 3 (but potentially ranging from 2 to 4); is characterised by small body size, early maturity, high fecundity and short life span (default values: <30cm long as adults, mean age at maturity <= 2, >10,000 eggs/spawning, maximum age <10 years respectively); and forms dense schools.
- c. Teams shall provide evidence specifically addressing each of the sub-criteria in CB2.3.13 to justify any decision to not define the stock as a key LTL species in the ecosystem under assessment.
 - i. In the case where there is no information on a sub-criterion in CB2.3.13, the stock shall be assumed to meet that sub-criterion.
 - ii. In providing rationales against the key LTL sub-criteria (CB2.3.13ai-iii), teams shall document the choice of spatial scale and provide reasonable justification for the choice.

CB2.3.14 Teams shall determine whether a species is to be considered a key LTL species based on its status at the time of assessment. The determination shall be reviewed at each surveillance audit. [¹⁵⁸]

Box CB1. Species types that are defined as “key LTL stocks” for the purposes of an MSC assessment. See ASFIS List of Species for species included in different families and orders (<http://www.fao.org/fishery/collection/asfis/en>). ◻

- Family Ammodytidae (sandeels, sandlances)
- Family Clupeidae (herrings, menhaden, pilchards, sardines, sardinellas, sprats)
- Family Engraulidae (anchovies)
- Family Euphausiidae (krill)
- Family Myctophidae (lanternfish)
- Family Osmeridae (smelts, capelin)
- Genus Scomber (mackerels)
- Order Atheriniformes (silversides, sand smelts)
- Species *Trisopterus esmarkii* (Norway pout)

¹⁵⁸ **Derogation, TAB 19 (effective date 15 October 2011)**

For fisheries that have entered assessment contract before 14 August 2011, requirements from CB2.3.12 to CB2.3.21 shall not apply. Expires 13 August 2016.

Scoring of key LTL stocks

- CB2.3.15** Species Stocks identified as key LTL stocks shall be scored according to the requirements outlined in CB2.3.17 to CB2.3.22. ☐
- CB2.3.16** For key and non-key LTL species stocks, default assumptions for BMSY and BLIM, which are reference points relevant in a single-species context, shall remain as given in CB2.3.3.
- CB2.3.17** When scoring PI 1.1.2 at SG60 (“Generic limit and target reference points are based on justifiable and reasonable practice appropriate for the species category”), the expectations for Target Reference Points (TRP) and Limit Reference Points (LRP) for key LTL species shall be as given below:
- a. The default generic TRP for a key LTL stock shall be set to allow for ecosystem needs substantially above the TRP determined according to CB2.3.3 in a single species context, and in any case it shall not be less than 40%B₀.
 - b. The default generic LRP for a key LTL species stock shall be half the ‘ecosystem needs’ TRP (given in clause (a) above), and in any case it shall not be less than 20%B₀.
 - c. In the case where the single species B_{LIM} is analytically determined, that value shall only be used as the LRP if it is greater than half the ‘ecosystem needs’ TRP. ☐
- CB2.3.18** When scoring the fourth scoring issue of PI 1.1.2 at SG80 (“For key low trophic level species, the limit and target reference points take into account the ecological role of the stock”), the expectations for key LTL species shall be as given below: ☐
- a. The default TRP shall be 75% of the spawning stock level that would be expected in the absence of fishing, i.e. 75%B₀.
 - b. A higher or lower TRP, down to the minimum allowed 40%B₀, may still achieve 80 level scores if it can be demonstrated, through the use of credible ecosystem models or robust empirical data for the fishery/ecosystem being assessed, that the level adopted.
 - i. Does not impact the abundance levels of more than 15% of the other species and trophic groups by more than 40% (compared to their state in the absence of fishing on the target LTL species); and
 - ii. Does not reduce the abundance level of any other species or trophic group by more than 70%.
 - c. The default LRP shall be half the ‘ecosystem needs’ TRP (as defined in clauses (a) and (b) above), and in any case it shall not be less than 20%B₀.

- d. **In the case where the single species B_{LIM} is analytically determined, that value shall only be used as the LRP if it is greater than half the 'ecosystem needs' TRP. ▣**

CB2.3.19 At SG100, a high degree of certainty is required when considering the ecological role of the stock. For **key**¹⁵⁹ low trophic level stocks to score 100, consideration of the ecological role of the stock shall require more certainty that the target reference point is appropriate given its ecological role than at SG80. ▣

CB2.3.20 **Where surrogate (proxy) reference points are used in the management of a key LTL fishery, the target reference points used shall take into account the requirements outlined in CB 2.3.17 to CB 2.3.19.**

- a. **In the scoring rationale for PI 1.1.2, assessment teams shall show how any surrogate target reference points used are equivalent to the levels required in CB2.3.17 to CB2.3.19.**

CB2.3.21 **Performance against these reference points shall be judged (in PI 1.1.1) in the context of recruitment variability typical for the given species in its ecosystem. ▣**

¹⁵⁹ **TAB 19, date of application 14 November 2011**

CB2.4 Stock Rebuilding PI (PI 1.1.3)

Table CB3: PI 1.1.3 Stock rebuilding PISGs

Component	PI Category	Scoring issues	SG60	SG80	SG100
Outcome	Stock Rebuilding (C2) 1.1.3 Where the stock is depleted, there is evidence of stock rebuilding within a specified timeframe.	a. Rebuilding strategy design	Where stocks are depleted rebuilding strategies, which have a reasonable expectation of success , are in place.		Where stocks are depleted, strategies are demonstrated to be rebuilding stocks continuously and there is strong evidence that rebuilding will be complete within the specified timeframe .
		b. Rebuilding timeframes	A rebuilding timeframe is specified for the depleted stock that is the shorter of 30 years or 3 times its generation time . For cases where 3 generations is less than 5 years, the rebuilding timeframe is up to 5 years.	A rebuilding timeframe is specified for the depleted stock that is the shorter of 20 years or 2 times its generation time . For cases where 2 generations is less than 5 years, the rebuilding timeframe is up to 5 years.	The shortest practicable rebuilding timeframe is specified which does not exceed one generation time for the depleted stock.
		c. Rebuilding evaluation	Monitoring is in place to determine whether the rebuilding strategies are effective in rebuilding the stock within the specified timeframe.	There is evidence that the rebuilding strategies are rebuilding stocks, or it is highly likely based on simulation modelling or previous performance that they will be able to rebuild the stock within the specified timeframe .	

[¹⁶⁰]

CB2.4.1 Teams shall only score this PI when Stock Status PI 1.1.1 reveals that a stock is depleted.

[¹⁶⁰] TAB D-032, No Expiry

Scoring issue b and CB2.4.5 do not apply to fisheries for which no site visit has been announced before 7 February 2011.

- CB2.4.1.1 The team shall consider the stock's performance relative to the target reference point, and whether it can be considered to be either:
- a. Fluctuating around it and is not depleted; or
 - b. To have dropped significantly towards the point at which recruitment is impaired and is depleted.
- CB2.4.1.2 The team shall consider a stock to be depleted when it is consistently below the target reference point. ■
- a. The team shall consider other information including recent biomass trends or other measures or surrogates with similar intent or outcome.
- CB2.4.1.3 Depleted stocks, except those covered in CB2.4.1.4, should always have a score of above 60 under PI 1.1.1.
- CB2.4.1.4 Stocks whose status is currently below the point at which recruitment is impaired shall not be eligible for certification even if there are recovery plans or programmes in place which are effectively increasing the status of the stock, until such time as the stock status meet SG60.
- CB2.4.2 In cases where stocks were not depleted at the time of assessment, but become depleted during a certification cycle, the CAB shall raise a condition that rebuilding strategies and monitoring are put in place within one year of becoming aware of the depleted status.■
- CB2.4.2.1 If in the early stages of depletion a stock has not been able to demonstrate any period of recovery the CAB shall require the fishery to demonstrate that it is highly likely that the stock will recover under the actions being taken to meet SG80's requirement of evidence of rebuilding. This demonstration shall be: ■
- CB2.4.2.2 Through robust simulation testing, or
- CB2.4.2.3 Through evidence that the measures taken had successfully recovered a stock in the past, or
- CB2.4.3 That there is a high expectation that the stock will start recovering in the near future (i.e. if a large year-class is just about to recruit).
- CB2.4.4 The team shall require that where a score of between 60 and 80 is awarded, the subsequent conditions are fulfilled within one certification period. ■
- CB2.4.5 The team shall interpret generation time as the average age of a reproductive individual in a given fish stock.

CB2.5 Harvest Strategy PI (PI 1.2.1)

Table CB4: PI1.2.1 Harvest Strategy PISGs

Component	PI	Scoring issues	SG60	SG80	SG100
Harvest strategy (management)	Harvest strategy 1.2.1 There is a robust and precautionary harvest strategy in place	a. Harvest strategy design	The harvest strategy is expected to achieve stock management objectives reflected in the target and limit reference points.	The harvest strategy is responsive to the state of the stock and the elements of the harvest strategy work together towards achieving management objectives reflected in the target and limit reference points.	The harvest strategy is responsive to the state of the stock and is designed to achieve stock management objectives reflected in the target and limit reference points.
		b. Harvest strategy evaluation	The harvest strategy is likely to work based on prior experience or plausible argument.	The harvest strategy may not have been fully tested but evidence exists that it is achieving its objectives.	The performance of the harvest strategy has been fully evaluated and evidence exists to show that it is achieving its objectives including being clearly able to maintain stocks at target levels.
		c. Harvest strategy monitoring	Monitoring is in place that is expected to determine whether the harvest strategy is working.		
		d. Harvest strategy review			The harvest strategy is periodically reviewed and improved as necessary.
		e. Shark finning	It is likely that shark finning is not taking place.	It is highly likely that shark finning is not taking place.	There is a high degree of certainty that shark finning is not taking place.

CB2.5.1 Teams shall interpret:

- CB2.5.1.1 “Evaluated” at SG100 to mean ‘tested for robustness to uncertainty, appropriate to the scale and intensity of the fishery’. ☐
- CB2.5.1.2 “Tested” at SG80 to mean the involvement of some sort of structured logical argument and analysis that supports the choice of strategy. ☐
- CB2.5.2 If conditions are set, changes to the Harvest Control Rules or assessment method may be needed to make these conditions operational. If new HCRs or assessment methods require different or additional information, the team shall ensure that it shall be either already available or shall be made part of the condition.
- CB2.5.3 If the target species is a shark, the team shall score scoring issue (e) to ensure that shark finning is not being undertaken in the fishery. ☐**
- CB2.5.4 The CAB shall interpret the level of onboard observer coverage as a level capable of detecting whether shark finning is occurring. ☐**
- CB2.5.4.1 A default rate of 20% shall apply for good onboard observer coverage, but the CAB may accept other rates with sufficient scientific justification.**
- CB2.5.4.2 A rate of at least 5% shall apply for some onboard observer coverage.**
- CB2.5.5 When scoring the PI 2.1.2 (e) at SG60, the expectation shall be that one of the following subparagraphs applies:**
- CB2.5.5.1 If fins are cut onboard:**
- a. There are regulations in place governing the management of sharks, and
 - b. shark fins and carcasses are landed in compliance with an appropriate ratio ☐;
 - i. CABs shall document the justification for using ratios that deviate from 5% wet weight.
- CB2.5.5.2 If sharks are processed onboard, such that no appropriate ratio can be determined, the CAB shall verify that:**
- a. There are strong regulations in place governing the management of sharks, including but not limited to the prohibition of shark finning; and
 - b. There is full documentation of the destination of all shark bodies; and
 - c. There is good onboard observer coverage to provide evidence that shark finning is not taking place.
- CB2.5.6 When scoring PI 2.1.2 (e) at SG80, the expectation shall be that one of the following subparagraphs applies:**
- CB2.5.6.1 All sharks are landed with fins naturally attached or,**
- CB2.5.6.2 If fins are cut onboard:**

- a. There are regulations in place governing the management of sharks, and ☐
- b. shark fins and carcasses are landed in compliance with an appropriate ratio☐;
- c. CABs shall document the justification for using ratios that deviate from 5% wet weight; and ☐
- d. There is some onboard observer coverage or other equivalent evidence that shark finning is not taking place. ☐

CB2.5.6.3 If sharks are processed onboard, such that no appropriate ratio can be determined, the CAB shall verify that:

- a. There are regulations in place governing the management of sharks;
- b. There is full documentation of the destination of all shark bodies; and
- c. There is good onboard observer coverage to provide evidence that shark finning is not taking place.

CB2.5.7 When scoring the e. scoring issue of PI 2.1.1 (e) at SG100, the expectation shall be that one of the following subparagraphs applies:

CB2.5.7.1 If sharks are landed with fins naturally attached, there is good onboard observer coverage or equivalent evidence that no sharks are landed without fins attached.

CB2.5.7.2 If fins are cut onboard: ☐

- a. There are regulations in place governing the management of sharks;and
- b. shark fins and carcasses are landed in compliance with an appropriate ratio ☐
- c. CABs shall document the justification for using ratios that deviate from 5% wet weight; and
- d. There is onboard observer coverage of all operations to provide evidence that shark finning is not taking place.

CB2.5.7.3 If sharks are processed onboard, such that no appropriate ratio can be determined, the CAB shall verify that: ☐

- a. There are regulations in place governing the management of shark; and
- b. There is full documentation of the destination of all shark bodies; and ☐

- c. **There is onboard observer coverage of all operations to provide evidence that shark finning is not taking place.¹⁶¹**

¹⁶¹**Derogation, TAB 21 (date of application 14 March 2013)**

For fisheries commencing assessment before 14 March 2013, the clauses from CB2.5.3 to CB 2.5.7.3 and the modification to the PI (Table CB4) shall apply by 14 March 2014.

CB2.6 Harvest Control Rules and Tools PI (PI 1.2.2)

Table CB5: PI1.2.2 Harvest control rules and tools PISGs


Component	PI	Scoring issues	SG60	SG80	SG100
Harvest strategy	Harvest control rules and tools 1.2.2 There are well defined and effective harvest control rules in place	a. Harvest control rules design and application	Generally understood harvest control rules are in place that are consistent with the harvest strategy and which act to reduce the exploitation rate as limit reference points are approached.	Well defined harvest control rules are in place that are consistent with the harvest strategy and ensure that the exploitation rate is reduced as limit reference points are approached.	
		b. Harvest control rules account for uncertainty		The selection of the harvest control rules takes into account the main uncertainties.	The design of the harvest control rules take into account a wide range of uncertainties.
		c. Harvest control rules evaluation	There is some evidence that tools used to implement harvest control rules are appropriate and effective in controlling exploitation.	Available evidence indicates that the tools in use are appropriate and effective in achieving the exploitation levels required under the harvest control rules.	Evidence clearly shows that the tools in use are effective in achieving the exploitation levels required under the harvest control rules.

CB2.6.1 Teams should require additional precaution to be built into the HCR at SG100 so the HCR keeps stocks well above limit reference points.

CB2.7 Information and Monitoring PI (PI 1.2.3)

Table CB6: PI1.2.3 information and monitoring PISGs

Component	PI	Scoring issues	SG60	SG80	SG100
Harvest strategy	Information / monitoring 1.2.3 Relevant information is collected to support the harvest strategy	a. Range of information	Some relevant information related to stock structure, stock productivity and fleet composition is available to support the harvest strategy.	Sufficient relevant information related to stock structure, stock productivity, fleet composition and other data are available to support the harvest strategy.	A comprehensive range of information (on stock structure, stock productivity, fleet composition, stock abundance, fishery removals and other information such as environmental information), including some that may not be directly relevant to the current harvest strategy, is available.
		b. Monitoring	Stock abundance and fishery removals are monitored and at least one indicator is available and monitored with sufficient frequency to support the harvest control rule.	Stock abundance and fishery removals are regularly monitored at a level of accuracy and coverage consistent with the harvest control rule , and one or more indicators are available and monitored with sufficient frequency to support the harvest control rule.	All information required by the harvest control rule is monitored with high frequency and a high degree of certainty, and there is a good understanding of the inherent uncertainties in the information [data] and the robustness of assessment and management to this uncertainty.
		c. Comprehensiveness of information		There is good information on all other fishery removals from the stock.	

CB2.7.1 The team should identify which information from the information categories in CB2.7.1.1 is relevant to both the design and effective operational phases of the harvest strategy, Harvest Control Rules and tools, and their evaluation should be based on this information. 

CB2.7.1.1 The team shall determine a combined score for this PI on the quality of data available, weighted by information category on the relevance to the harvest strategy, HCR and management tools. Information categories include:

- a. Stock structure.
- b. Stock productivity.
- c. Fleet composition.
- d. Stock abundance.
- e. Fishery removals.
- f. Other data.

CB2.7.2 Teams shall interpret “sufficient information” at the SG80 level to mean that all information required to implement the harvest strategy is available at a quality and quantity necessary to demonstrate achievement of the SG80 outcome PI 1.1.1.

CB2.7.3 The teams shall also consider the veracity of information.¹⁶²

¹⁶² **TAB 20, date of application 10 March 2012**

CB2.8 Assessment of Stock Status PI (PI 1.2.4)

Table CB7: PI1.2.4 Assessment of stock status PISGs

Component	PI	Scoring issues	SG60	SG80	SG100
Harvest strategy	Assessment of stock status 1.2.4 There is an adequate assessment of the stock status	a. Appropriateness of assessment to stock under consideration		The assessment is appropriate for the stock and for the harvest control rule.	The assessment takes into account the major features relevant to the biology of the species and the nature of the fishery.
		b. Assessment approach	The assessment estimates stock status relative to reference points.		
		c. Uncertainty in the assessment	The assessment identifies major sources of uncertainty.	The assessment takes uncertainty into account.	The assessment takes into account uncertainty and is evaluating stock status relative to reference points in a probabilistic way.
		d. Evaluation of assessment			The assessment has been tested and shown to be robust. Alternative hypotheses and assessment approaches have been rigorously explored.
		e. Peer review of assessment		The assessment of stock status is subject to peer review.	The assessment has been internally and externally peer reviewed.

CB2.8.1 For SG80, when considering the assessment of a stock which is comprised of multiple sub-stocks or a stock complex, the team should take into account that the level of assessment required for individual stocks within the stock complex should reflect their ecological importance.

CB3 Principle 2

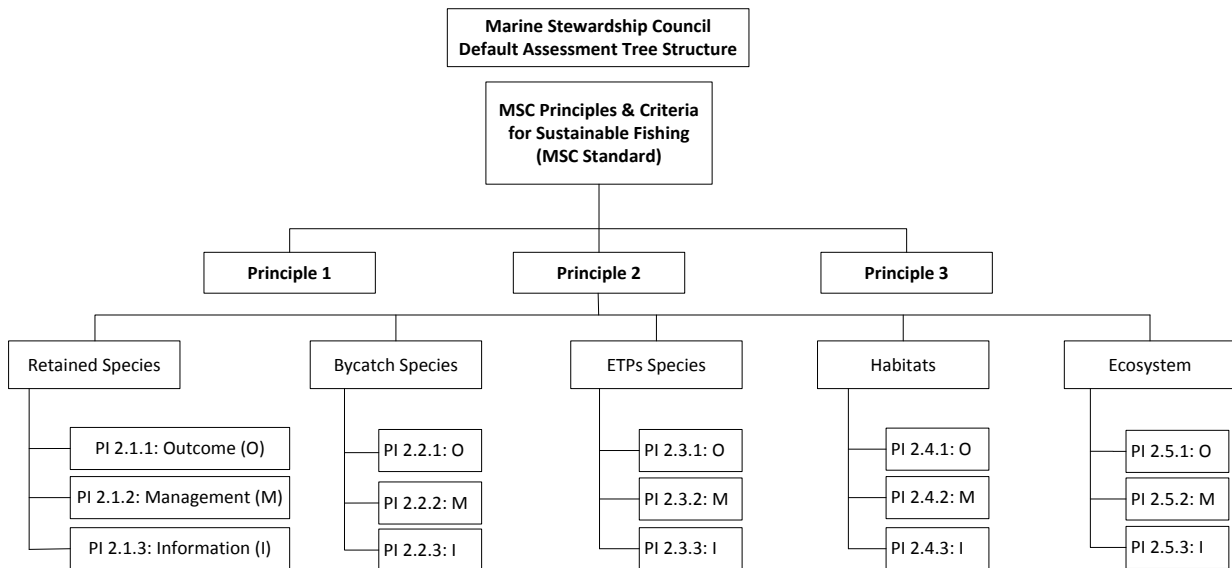


Figure CB2: Principle 2 Assessment Tree Structure

CB3.1 General requirements for Principle 2

CB3.1.1 The team shall determine and document under which component P2 species will be assessed prior to scoring the fishery.

CB3.1.2 The team shall consider each P2 species within only one of the Retained species, Bycatch species or ETP species components.

ACB3.1.2 The consideration of the impact of the fishery on all components in P2 shall include unobserved, in addition to observed fishing mortality and impacts.¹⁶³

CB3.1.3 The team should only consider those management tools, measures or strategies that manage the impact the fishery is having on the P2 component in the Management Strategy PIs within P2.

CB3.2 General Requirements for Outcome PIs

CB3.2.1 If a team determines that a fishery has no impact on a particular component, it shall receive a score of 100 under the Outcome PI.

CB3.2.2 The team shall consider both the current outcome status and the resilience of historical arrangements to function adequately and deliver low risk under future conditions when scoring outcome PIs.

¹⁶³ TAB 20, date of application 10 March 2012

CB3.2.3 The team shall note that the terms “likely”, “highly likely” and “high degree of certainty” are different to the values assigned under P1. To put the P2 values into probabilistic context:

CB3.2.3.1 ‘Likely’ means greater than or equal to the 60th percentile in the distribution (i.e. there shall be at least a 60% probability that the true status of the component is within biologically based limits).

CB3.2.3.2 ‘Highly likely’ means greater than or equal to the 70th percentile in the distribution.

CB3.2.3.3 ‘High degree of certainty’ means greater than or equal to the 80th percentile in the distribution.

CB3.2.4 The team shall interpret the term ‘biologically based limit’ in the SGs for P2 to refer to, at a minimum, to the point of serious or irreversible harm. ■

CB3.3 General Requirements for Management Strategy PIs ■

CB3.3.1 The team should interpret the term “if necessary” used in the management strategy PIs at SG60 and SG80 for the retained species, bycatch species, habitats and ecosystems components to be applicable to those fisheries that have no impact on the relevant component and where no management strategy is required.

CB3.3.2 If a team determines that a fishery has no impact on a particular component and has therefore scored 100 under the Outcome PI, the Management Strategy PI shall still be scored.

CB3.4 General requirements for Information PIs ■

CB3.4.1 If a team determines that a fishery has no impact on a particular component and has therefore scored 100 under the Outcome PI, the Information PI shall still be scored. ■.

CB3.5 Retained Species Outcome PI (PI 2.1.1)

Table CB8: PI2.1.1 Retained species outcome PISGs

Component	PI	Scoring issues	SG60	SG80	SG100
Retained species	Outcome Status 2.1.1 The fishery does not pose a risk of serious or irreversible harm to the retained species and does not hinder recovery of depleted retained species.	a. Retained species stock status	Main retained species are likely to be within biologically based limits. If not, go to scoring issue c below.	Main retained species are highly likely to be within biologically based limits. If not, go to scoring issue c below.	There is a high degree of certainty that retained species are within biologically based limits and fluctuating around their target reference points.
		b. Target reference points			Target reference points are defined for retained species.
		c. Recovery and rebuilding	If main retained species are outside the limits there are measures in place that are expected to ensure that the fishery does not hinder recovery and rebuilding of the depleted species.	If main retained species are outside the limits there is a partial strategy of demonstrably effective management measures in place such that the fishery does not hinder recovery and rebuilding.	
		d. Measures if poorly understood	If the status is poorly known there are measures or practices in place that are expected to result in the fishery not causing the retained species to be outside biologically based limits or hindering recovery.		

- CB3.5.1 The team shall interpret retained species in P2 as those parts of the retained catch that are not covered under P1 because they are not included in the Unit of Certification. ■
- CB3.5.2 The team shall determine and justify which species are considered 'main' and which are not. ■
- CB3.5.3 SG100 does not include the qualifier 'main' and the team shall consider all retained species in the assessment. If there are no P2 retained species in the fishery, or retention is exceptionally rare and negligible in its impact, then the fishery would meet SG100.
- CB3.5.4 The team may assess the terms 'likely' and 'highly likely' in SG60 and SG80 qualitatively or quantitatively, but SG100 should usually require quantitative evidence and exceptions would need strong justification of very low risk over the period of proposed certification. ■
- CB3.5.5 The team shall consider species used as bait in a fishery, if they are caught by the fishery under assessment or elsewhere under the Retained Species component in P2.

CB3.6 Retained Species Management Strategy PI (PI 2.1.2)

Table CB9: PI2.1.2 Retained species management strategy PISGs

Component	PI	Scoring issues	SG60	SG80	SG100
Retained species	<p>Management strategy</p> <p>2.1.2</p> <p>There is a strategy in place for managing retained species that is designed to ensure the fishery does not pose a risk of serious or irreversible harm to retained species.</p>	a. Management strategy in place	There are measures in place, if necessary, that are expected to maintain the main retained species at levels which are highly likely to be within biologically based limits, or to ensure the fishery does not hinder their recovery and rebuilding.	There is a partial strategy in place, if necessary, that is expected to maintain the main retained species at levels which are highly likely to be within biologically based limits, or to ensure the fishery does not hinder their recovery and rebuilding.	There is a strategy in place for managing retained species.
		b. Management strategy evaluation	The measures are considered likely to work, based on plausible argument (e.g., general experience, theory or comparison with similar fisheries/species).	There is some objective basis for confidence that the partial strategy will work, based on some information directly about the fishery and/or species involved.	Testing supports high confidence that the strategy will work, based on information directly about the fishery and/or species involved.
		c. Management strategy implementation		There is some evidence that the partial strategy is being implemented successfully .	There is clear evidence that the strategy is being implemented successfully
		d. Management strategy evidence of success			There is some evidence that the strategy is achieving its overall objective .
		e. Shark finning	It is likely that shark finning is not taking place.	It is highly likely that shark finning is not taking place.	There is a high degree of certainty that shark finning is not taking place.

CB3.6.1 Teams shall score this PI even if the fishery has no impact on this component.

- CB3.6.2** If the retained species is a shark, the team shall score scoring issue (e) to ensure that shark finning is not being undertaken in the fishery. ☐
- CB3.6.3** The CAB shall interpret the level of onboard observer coverage as a level capable of detecting whether shark finning is occurring. ☐
- CB3.6.3.1** A default rate of 20% shall apply for good onboard observer coverage, but the CAB may accept other rates with sufficient scientific justification.
- CB3.6.3.2** A rate of at least 5% shall apply for some onboard observer coverage.
- CB3.6.4** When scoring the PI 2.1.2 (e) at SG60, the expectation shall be that one of the following subparagraphs applies:
- CB3.6.4.1** If fins are cut onboard:
- a. There are regulations in place governing the management of sharks, and
 - b. shark fins and carcasses are landed in compliance with an appropriate ratio ☐;
 - i. CABs shall document the justification for using ratios that deviate from 5% wet weight.
- CB3.6.4.2** If sharks are processed onboard, such that no appropriate ratio can be determined, the CAB shall verify that:
- a. There are strong regulations in place governing the management of sharks, including but not limited to the prohibition of shark finning; and
 - b. There is full documentation of the destination of all shark bodies; and
 - c. There is good onboard observer coverage to provide evidence that shark finning is not taking place.
- CB3.6.5** When scoring PI 2.1.2 (e) at SG80, the expectation shall be that one of the following subparagraphs applies:
- CB3.6.5.1** All sharks are landed with fins naturally attached; or
- CB3.6.5.2** If fins are cut onboard:
- a. There are regulations in place governing the management of sharks; and ☐
 - b. shark fins and carcasses are landed in compliance with an appropriate ratio☐;
 - c. CABs shall document the justification for using ratios that deviate from 5% wet weight; and ☐
 - d. There is some onboard observer coverage or other equivalent evidence that shark finning is not taking place. ☐

CB3.6.5.3 If sharks are processed onboard, such that no appropriate ratio can be determined, the CAB shall verify that:

- a. There are regulations in place governing the management of sharks;
- b. There is full documentation of the destination of all shark bodies; and
- c. There is good onboard observer coverage to provide evidence that shark finning is not taking place.

CB3.6.6 When scoring the e. scoring issue of PI 2.1.1 (e) at SG100, the expectation shall be that one of the following subparagraphs applies:

CB3.6.6.1 If sharks are landed with fins naturally attached, there is good onboard observer coverage or equivalent evidence that no sharks are landed without fins attached.

CB3.6.6.2 If fins are cut onboard:

- a. There are regulations in place governing the management of sharks; and
- b. shark fins and carcasses are landed in compliance with an appropriate ratio
- c. CABs shall document the justification for using ratios that deviate from 5% wet weight; and
- d. There is onboard observer coverage of all operations to provide evidence that shark finning is not taking place.

CB3.6.6.3 If sharks are processed onboard, such that no appropriate ratio can be determined, the CAB shall verify that:

- a. There are regulations in place governing the management of shark; and
- b. There is full documentation of the destination of all shark bodies; and
- c. There is onboard observer coverage of all operations to provide evidence that shark finning is not taking place.¹⁶⁴

¹⁶⁴**Derogation, TAB 21 (date of application 14 March 2013)**

For fisheries commencing assessment before 14 March 2013, the clauses from CB2.6.2 to CB3.6.6.3 and the modification to the PI (Table CB9) shall apply by 14 March 2014.

CB3.7 Retained species information /monitoring PI (PI 2.1.3)

Table CB10: PI2.1.3 Retained species information / monitoring PISGs

Component	PI	Scoring issues	SG60	SG80	SG100
Retained species	Information / monitoring 2.1.3 Information on the nature and extent of retained species is adequate to determine the risk posed by the fishery and the effectiveness of the strategy to manage retained species.	a. Information quality	Qualitative information is available on the amount of main retained species taken by the fishery.	Qualitative information and some quantitative information are available on the amount of main retained species taken by the fishery.	Accurate and verifiable information is available on the catch of all retained species and the consequences for the status of affected populations.
		b. Information adequacy for assessment of stocks	Information is adequate to qualitatively assess outcome status with respect to biologically based limits.	Information is sufficient to estimate outcome status with respect to biologically based limits.	Information is sufficient to quantitatively estimate outcome status with a high degree of certainty.
		c. Information adequacy for management strategy	Information is adequate to support measures to manage main retained species.	Information is adequate to support a partial strategy to manage main retained species.	Information is adequate to support a comprehensive ¹⁶⁵ strategy to manage retained species, and evaluate with a high degree of certainty whether the strategy is achieving its objective.
		d. Monitoring		Sufficient data continue to be collected to detect any increase in risk level to main retained species (e.g. due to changes in the outcome indicator scores or the operation of the fishery or the effectiveness of the strategy)	Monitoring of retained species is conducted in sufficient detail to assess ongoing mortalities to all retained species.

CB3.7.1 Teams shall score this PI even if the fishery has no impact on this component.

¹⁶⁵ TSC 2012, date of application 14 March 2013

CB3.7.2 The team shall comply with the following: ▣

CB3.7.2.1 If all scoring elements in PI 2.1.1 are data-deficient and have been scored using the RBF, the CAB shall not score the Scoring issue in brackets in Table CB10.

CB3.7.2.2 If there are both data-deficient (RBF) and non-data-deficient scoring elements in PI 2.1.1, the scoring issue in brackets in Table CB10 shall not apply to the data-deficient scoring elements, but shall be applicable to the non-data-deficient scoring elements.

CB3.7.2.3 If all scoring elements in PI 2.1.1 are non-data-deficient, the CAB shall score all the scoring issues in the PI including the scoring issues in brackets in Table CB10.¹⁶⁶

¹⁶⁶**Derogation, TAB 21 (date of application 14 March 2013)**

For fisheries commencing assessment or reassessment before 14 March 2013, clauses under CB3.7.2 shall apply by 14 March 2017.

CB3.8 Bycatch Species Outcome PI (PI 2.2.1)

Table CB11: PI2.2.1 Bycatch species outcome PISGs

Component	PI	Scoring issues	SG60	SG80	SG100
Bycatch species	Outcome Status 2.2.1 The fishery does not pose a risk of serious or irreversible harm to the bycatch species or species groups and does not hinder recovery of depleted bycatch species or species groups.	a. Bycatch species stock status	Main bycatch species are likely to be within biologically based limits. If not, go to scoring issue b below	Main bycatch species are highly likely to be within biologically based limits If not, go to scoring issue b below	There is a high degree of certainty that bycatch species are within biologically based limits.
		b. Recovery and rebuilding	If main bycatch species are outside biologically based limits there are mitigation measures in place that are expected to ensure that the fishery does not hinder recovery and rebuilding.	If main bycatch species are outside biologically based limits there is a partial strategy of demonstrably effective mitigation measures in place such that the fishery does not hinder recovery and rebuilding.	
		c. Measures if poorly understood	If the status is poorly known there are measures or practices in place that are expected to result in the fishery not causing the bycatch species to be outside biologically based limits or hindering recovery.		

CB3.8.1 The team shall interpret bycatch species to be species in the catch that are not retained and that are discarded as well as those that die because of unobserved fishing mortality where those species have not already been assessed under P1 as target species or under the other components in P2 (see clause CB3.1.1). ■

CB3.8.1.1 If the bycatch species is considered ETP species as defined in CB3.11.1, the CAB shall score the species in the ETP section of the tree.

CB3.8.2 The team shall determine and justify which bycatch species are considered 'main' and which are not for SG60 and SG80. ■

CB3.8.3 SG100 does not include the qualifier 'main' and the team shall consider all bycatch species in the assessment. If there are no P2 bycatch species in the fishery, or retention is exceptionally rare and negligible in its impact, then the fishery would meet SG100.

CB3.9 Bycatch species management strategy PI (PI 2.2.2)

Table CB12: PI2.2.2 Bycatch species management strategy PISGs

Component	PI	Scoring issues	SG60	SG80	SG100
Bycatch species	Management strategy 2.2.2 There is a strategy in place for managing bycatch that is designed to ensure the fishery does not pose a risk of serious or irreversible harm to bycatch populations.	a. Management strategy in place	There are measures in place, if necessary, which are expected to maintain main bycatch species at levels which are highly likely to be within biologically based limits or to ensure that the fishery does not hinder their recovery.	There is a partial strategy in place, if necessary, that is expected to maintain main bycatch species at levels which are highly likely to be within biologically based limits or to ensure that the fishery does not hinder their recovery.	There is a strategy in place for managing and minimising bycatch.
		b. Management strategy evaluation	The measures are considered likely to work, based on plausible argument (e.g. general experience, theory or comparison with similar fisheries/species).	There is some objective basis for confidence that the partial strategy will work, based on some information directly about the fishery and/or the species involved.	Testing supports high confidence that the strategy will work, based on information directly about the fishery and/or species involved.
		c. Management strategy implementation		There is some evidence that the partial strategy is being implemented successfully .	There is clear evidence that the strategy is being implemented successfully .
		d. Management strategy evidence of success			There is some evidence that the strategy is achieving its objective .

CB3.9.1 The team shall score this PI even if the fishery has no impact on this component.

CB3.10 Bycatch species information / monitoring PI (PI 2.2.3)

Table CB13: PI2.2.3 Bycatch species information / monitoring PISGs

Component	PI	Scoring issues	SG60	SG80	SG100
Bycatch species	<p>Information / monitoring</p> <p>2.2.3</p> <p>Information on the nature and amount of bycatch is adequate to determine the risk posed by the fishery and the effectiveness of the strategy to manage bycatch.</p>	a. Information quality	<p>Qualitative information is available on the amount of main bycatch species affected by the fishery.</p>	<p>Qualitative information and some quantitative information are available on the amount of main bycatch species affected by the fishery.</p>	<p>Accurate and verifiable information is available on the amount of all bycatch and the consequences for the status of affected populations.</p>
		b. Information adequacy for assessment of stocks	<p>Information is adequate to broadly understand outcome status with respect to biologically based limits.</p>	<p>Information is sufficient to estimate outcome status with respect to biologically based limits.</p>	<p>Information is sufficient to quantitatively estimate outcome status with respect to biologically based limits with a high degree of certainty.</p>
		c. Information adequacy for management strategy	<p>Information is adequate to support measures to manage bycatch.</p>	<p>Information is adequate to support a partial strategy to manage main bycatch species.</p>	<p>Information is adequate to support a comprehensive strategy to manage bycatch, and evaluate with a high degree of certainty whether a strategy is achieving its objective.</p>
		d. Monitoring		<p>Sufficient data continue to be collected to detect any increase in risk to main bycatch species (e.g. due to changes in the outcome indicator scores or the operation of the fishery or the effectiveness of the strategy).</p>	<p>Monitoring of bycatch data are conducted in sufficient detail to assess ongoing mortalities to all bycatch species.</p>

CB3.10.1 The team shall score this PI even if the fishery has no impact on this component.

CB3.10.2 The team shall comply with the following:

CB3.10.2.1 If all scoring elements in PI 2.2.1 are data-deficient and have been scored using the RBF, the CAB shall not score the Scoring issue in brackets in Table CB13.

CB3.10.2.2 If there are both data-deficient (RBF) and non-data-deficient scoring elements in PI 2.2.1, the Scoring issue in brackets in Table CB10 shall not apply to the data-deficient scoring elements but shall be applicable to the non-data-deficient scoring elements.

CB3.10.2.3 If all scoring elements in PI 2.2.1 are non-data-deficient, the CAB shall score all the scoring issues in the PI including the scoring issues in brackets in Table CB13.¹⁶⁷ ☐

¹⁶⁷**Derogation, TAB 21 (date of application 14 March 2013)**

For fisheries commencing assessment or reassessment before 14 March 2013, clauses under CB3.10.2 shall apply by 14 March 2017.

CB3.11 ETP Species Outcome PI (PI 2.3.1)

Table CB14: PI2.3.1 ETP species outcome PISGs

Component	PI	Scoring issues	SG60	SG80	SG100
ETP species	Outcome Status 2.3.1 The fishery meets national and international requirements for protection of ETP species. The fishery does not pose a risk of serious or irreversible harm to ETP species and does not hinder recovery of ETP species.	a. Fishery effects within limits	Known effects of the fishery are likely to be within limits of national and international requirements for protection of ETP species.	The effects of the fishery are known and are highly likely to be within limits of national and international requirements for protection of ETP species.	There is a high degree of certainty that the effects of the fishery are within limits of national and international requirements for protection of ETP species.
		b. Direct effects	Known direct effects are unlikely to create unacceptable impacts to ETP species.	Direct effects are highly unlikely to create unacceptable impacts to ETP species.	There is a high degree of confidence that there are no significant detrimental direct effects of the fishery on ETP species.
		c. Indirect effects		Indirect effects have been considered and are thought to be unlikely to create unacceptable impacts.	There is a high degree of confidence that there are no significant detrimental indirect effects of the fishery on ETP species.

CB3.11.1 The team shall define ETP (endangered, threatened or protected) species as follows:

- a. Species that are recognised by national ETP legislation;
- b. Species listed in the binding international agreements given below:
 - i. Appendix 1 of the Convention on International Trade in Endangered Species (CITES), unless it can be shown that the particular stock of the CITES listed species impacted by the fishery under assessment is not endangered. ■

CB3.11.2 The team shall assess species and stocks other than those defined in CB3.11.1 under retained or bycatch species components of the tree. ■

CB3.11.3 Where there are requirements for protection and rebuilding, provided through the national legislation or binding international agreements defined in CB3.11.1, the team's scoring shall reflect the likelihood that the fishery meets these requirements and its likelihood of causing unacceptable impacts.

CB3.11.3.1 The team shall interpret “unacceptable impacts” as:

- a. At SG60, where it is likely that the fishery meets the requirements, there is some evidence that requirements for protection and rebuilding are being achieved.
- b. At SG80, where it is highly likely that the fishery meets the requirements, there would be direct demonstration that requirements for protection and rebuilding are being achieved.
- c. At SG100, there should be full compliance with all requirements, negligible mortality of ETP species from the fishery. In addition, if there are no ETP species caught in the fishery then the fishery would meet the 100 SG.

CB3.11.4 Where there are **no** requirements for protection and rebuilding, provided through national legislation or binding international agreements defined in CB3.11.1, the team shall not score the first element in SG 2.3.1, which refers to such requirements.

CB3.11.4.1 The term shall interpret “unacceptable impact” as impacts which hinder recovery or rebuilding of ETP species/stocks, using the following:

- a. At SG60, known direct effects of the fishery are unlikely to hinder recovery or rebuilding of ETP species/stocks
- b. At SG80, known direct effects of the fishery are highly unlikely to hinder recovery or rebuilding of ETP species/stocks
- c. At SG100, there is a high degree of certainty that there are no significant detrimental effects (direct and indirect) of the fishery on the recovery of ETP species. In addition, if there are no ETP species caught in the fishery then the fishery would meet the 100 SG
- d. The terms ‘likely’, ‘highly likely’, and ‘high degree of certainty’ shall correspond to probabilities of unacceptable impacts of 30%, 20%, and 10%, respectively.
- e. The team shall provide quantitative evidence of the degree of impact of the fishery on ETP species.
- f. If it is not possible to provide quantitative evidence, then the Risk Based Framework (RBF) shall be used to evaluate PI 2.3.1.
- g. If the RBF is used to score PI 2.3.1, both the SICA and PSA methodologies shall be conducted, and MSC scores determined based on the PSA, regardless of the SICA outcome.
- h. Only in these cases where no requirements for protection and rebuilding of ETP species are provided through national ETP legislation or binding international agreements may the Risk Based Framework be used to score PI 2.3.1.

CB3.12 ETP Species Management Strategy PI (PI 2.3.2)

Table CB15: PI2.3.2 ETP species management strategy PISGs

Component	PI	Scoring issues	SG60	SG80	SG100
ETP species	<p>Management strategy</p> <p>2.3.2</p> <p>The fishery has in place precautionary management strategies designed to:</p> <ul style="list-style-type: none"> - meet national and international requirements; - ensure the fishery does not pose a risk of serious or irreversible harm to ETP species; - ensure the fishery does not hinder recovery of ETP species; and - minimise mortality of ETP species. 	a. Management strategy in place	There are measures in place that minimise mortality of ETP species, and are expected to be highly likely to achieve national and international requirements for the protection of ETP species.	There is a strategy in place for managing the fishery's impact on ETP species, including measures to minimise mortality, which is designed to be highly likely to achieve national and international requirements for the protection of ETP species.	There is a comprehensive strategy in place for managing the fishery's impact on ETP species, including measures to minimise mortality, which is designed to achieve above national and international requirements for the protection of ETP species.
		b. Management strategy evaluation	The measures are considered likely to work, based on plausible argument (e.g. general experience, theory or comparison with similar fisheries/species).	There is an objective basis for confidence that the strategy will work, based on information directly about the fishery and/or the species involved.	The strategy is mainly based on information directly about the fishery and/or species involved, and a quantitative analysis supports high confidence that the strategy will work.
		c. Management strategy implementation		There is evidence that the strategy is being implemented successfully.	There is clear evidence that the strategy is being implemented successfully.
		d. Management strategy evidence of success			There is evidence that the strategy is achieving its objective.

CB3.12.1 When scoring ETP Management Strategy PI SGs teams shall refer to the need to minimise mortality.

CB3.12.1.1 All sources of direct mortality shall be considered, including, but not limited to direct deaths and injuries leading to death.

CB3.12.2 The team shall evaluate the ETP species management strategy for the fishery under PI 2.3.2 where there are requirements of protection and rebuilding provided through national ETP legislation or international agreements.

CB3.12.3 The team shall evaluate the ETP species management strategy for the fishery under PI 2.3.2 Alternate (Table CB15a) where there are no requirements of protection and rebuilding provided through national ETP legislation or international agreements.

Table CB15a: PI2.3.2 Alternate ETP species management strategy PISGs

Component	PI	Scoring issues	SG60	SG80	SG100
ETP Species	Management strategy 2.3.2 alternate There is a strategy in place for managing ETP species that is designed to ensure the fishery does not hinder the recovery of ETP species.	a. Management strategy in place	There are measures in place that are expected to ensure the fishery does not hinder the recovery of ETP species.	There is a partial strategy in place that is expected to ensure the fishery does not hinder the recovery of ETP species.	There is a strategy in place for managing ETP species, to ensure the fishery does not hinder the recovery of ETP species.
		b. Management strategy evaluation	The measures are considered likely to work, based on plausible argument (e.g., general experience, theory or comparison with similar fisheries/species).	There is some objective basis for confidence that the partial strategy will work, based on some information directly about the fishery and/or species involved.	The strategy is mainly based on information directly about the fishery and/or species involved, and testing supports high confidence that the strategy will work.
		c. Management strategy implementation		There is some evidence that the partial strategy is being implemented successfully.	There is clear evidence that the strategy is being implemented successfully, and intended changes are occurring

CB3.13 ETP Species Information PI (PI 2.3.3)

Table CB16: PI2.3.3 ETP species information PISGs

Component	PI	Scoring issues	SG60	SG80	SG100
ETP species	Information / monitoring 2.3.3 Relevant information is collected to support the management of fishery impacts on ETP species, including: - information for the development of the management strategy; - information to assess the effectiveness of the management strategy; and - information to determine the outcome status of ETP species.	a. Information quality	Information is sufficient to qualitatively estimate the fishery related mortality of ETP species.	Sufficient information is available to allow fishery related mortality and the impact of fishing to be quantitatively estimated for ETP species.	Information is sufficient to quantitatively estimate outcome status of ETP species with a high degree of certainty.
		b. Information adequacy for assessment of impacts	(Information is adequate to broadly understand the impact of the fishery on ETP species.)	(Information is sufficient to determine whether the fishery may be a threat to protection and recovery of the ETP species.)	(Accurate and verifiable information is available on the magnitude of all impacts, mortalities and injuries and the consequences for the status of ETP species.)
		c. Information adequacy for management strategy	Information is adequate to support measures to manage the impacts on ETP species	Information is sufficient to measure trends and support a full strategy to manage impacts on ETP species	Information is adequate to support a comprehensive strategy to manage impacts, minimize mortality and injury of ETP species, and evaluate with a high degree of certainty whether a strategy is achieving its objectives.

CB3.13.1 The team should interpret “fishery related mortality” for SG60 and SG80 to mean the mortality in the fishery under assessment.

CB3.13.2 The team shall comply with the following:

CB3.13.2.1 If all scoring elements in PI 2.3.1 are data-deficient and have been scored using the RBF, the CAB shall not score the Scoring issues in brackets in Table CB16.

CB3.13.2.2 If there are both data-deficient (RBF) and non-data-deficient scoring elements in PI 2.3.1, the Scoring issues in brackets in Table CB16 shall not apply to the data-deficient scoring elements, but shall be applicable to the non-data-deficient scoring elements.

CB3.13.2.3 If all scoring elements in PI 2.3.1 are non-data-deficient, the CAB shall score all the scoring issues in the PI including the scoring issues in brackets in Table CC16.¹⁶⁸


¹⁶⁸**Derogation, TAB 21 (date of application 14 March 2013)**

For fisheries commencing assessment or reassessment before 14 March 2013, clauses under CB3.13.2 shall apply by 14 March 2017.

CB3.14 Habitats Outcome PI (PI 2.4.1)

Table CB17: PI2.4.1 Habitats outcome PISGs


Component	PI	Scoring issues	SG60	SG80	SG100
Habitats	<p>Outcome Status</p> <p>2.4.1</p> <p>The fishery does not cause serious or irreversible harm to habitat structure, considered on a regional or bioregional basis, and function.</p>	a. Habitat status	The fishery is unlikely to reduce habitat structure and function to a point where there would be serious or irreversible harm.	The fishery is highly unlikely to reduce habitat structure and function to a point where there would be serious or irreversible harm.	There is evidence that the fishery is highly unlikely to reduce habitat structure and function to a point where there would be serious or irreversible harm.

CB3.14.1 The team shall assess the habitats component in relation to the effects of the fishery on the structure and **role-function**¹⁶⁹ of the habitats impacted by the fishery. 

CB3.14.2 The team shall use these interpretations: 

CB3.14.2.1 Serious harm means gross change in habitat types or abundances, and disruption of the **role function** of the habitats.

CB3.14.2.2 Irreversibility means changes that are expected to take much longer to recover than the dynamics in un-fished situations would imply, some sort of regime change is implied from which recovery may not automatically occur.

CB3.14.3 The team shall consider the full extent of the habitats when assessing the status of habitats and the impacts of fishing, and not just the part of the habitats that overlap with the fishery. 

CB3.14.4 The team should score the fishery at SG100 if evidence shows that the fishery has no impact on habitats.

CB3.14.5 The team shall interpret the terms "unlikely", "highly unlikely" and "evidence for" in SG60, SG80 and SG100 as in Table CB18.

¹⁶⁹ Derogation, TAB 21

For fishery commencing assessment or reassessment before 14 March 2013, amendments to clause CB3.14.1 shall become effective by 14 March 2017.

Table CB18: Definition of terms for habitat and ecosystem outcome PIs

Score	Intended probability interpretation
SG60 “unlikely”	There should be no more than a 40% probability that the true status of the component is within the range where there is risk of serious or irreversible harm.
SG80 “highly unlikely”	There should be no more than a 30% probability that the true status of the component is within the range where there is risk of serious or irreversible harm.
SG100 “evidence”	There should be no more than a 20% probability that the true status of the component is within the range where there is risk of serious or irreversible harm.

CB3.14.6 The team should make sure that:

CB3.14.6.1 Where the team uses qualitative analysis and/or expert judgements in scoring a fishery at the 60 and 80 SGs this should be equivalent to the quantitative probability interpretation given in Table CB18.

- a. The justification for equivalence shall be provided.
- b. A range of informed viewpoints or alternative hypotheses may be used to make qualitative judgements about the probability interpretation of the SG.
- c. The team may consider using the SICA to assess these PIs as a means of obtaining a range of viewpoints and constructing the probability interpretation of the SG.

CB3.15 Habitats management strategy PI (PI 2.4.2)

Table CB19: PI2.4.2 Habitats management strategy PISGs

Component	PI	Scoring issues	SG60	SG80	SG100
Habitats	<p>Management strategy</p> <p>2.4.2</p> <p>There is a strategy in place that is designed to ensure the fishery does not pose a risk of serious or irreversible harm to habitat types.</p>	a. Management strategy in place	There are measures in place, if necessary, that are expected to achieve the Habitat Outcome 80 level of performance.	There is a partial strategy in place, if necessary, that is expected to achieve the Habitat Outcome 80 level of performance or above.	There is a strategy in place for managing the impact of the fishery on habitat types.
		b. Management strategy evaluation	The measures are considered likely to work, based on plausible argument (e.g. general experience, theory or comparison with similar fisheries/habitats).	There is some objective basis for confidence that the partial strategy will work, based on information directly about the fishery and/or habitats involved.	Testing supports high confidence that the strategy will work, based on information directly about the fishery and/or habitats involved.
		c. Management strategy implementation		There is some evidence that the partial strategy is being implemented successfully.	There is clear evidence that the strategy is being implemented successfully.
		d. Management strategy evidence of success			There is some evidence that the strategy is achieving its objective.

CB3.15.1 Teams shall score this PI even if the fishery has no impact on this component.

CB3.16 Habitats Information PI (PI 2.4.3)

Table CB20: PI2.4.3 Habitats information PISGs

Component	PI	Scoring issues	SG60	SG80	SG100
Habitats	Information / monitoring 2.4.3 Information is adequate to determine the risk posed to habitat types by the fishery and the effectiveness of the strategy to manage impacts on habitat types.	a. Information quality	There is a basic understanding of the types and distribution of main habitats in the area of the fishery.	The nature, distribution and vulnerability of all main habitat types in the fishery area are known at a level of detail relevant to the scale and intensity of the fishery.	The distribution of habitat types is known over their range, with particular attention to the occurrence of vulnerable habitat types.
		b. Information adequacy for assessment of impacts	Information is adequate to broadly understand the nature of the main impacts of gear use on the main habitats, including spatial overlap of habitat with fishing gear	Sufficient data are available to allow the nature of the impacts of the fishery on habitat types to be identified and there is reliable information on the spatial extent of interaction, and the timing and location of use of the fishing gear.	The physical impacts of the gear on the habitat types have been quantified fully.
		c. Monitoring		Sufficient data continue to be collected to detect any increase in risk to habitat (e.g. due to changes in the outcome indicator scores or the operation of the fishery or the effectiveness of the measures).	Changes in habitat distributions over time are measured.

CB3.16.1 The team shall score this PI even if the fishery has no impact on this component.

CB3.16.2 The team shall interpret “vulnerability” for SG80 and SG100 to mean the combination of:


CB3.16.2.1 The likelihood that the gear would encounter the habitat, and


CB3.16.2.2 The likelihood that the habitat would be altered if an encounter between the gear and the habitat did occur.

CB3.17 Ecosystem Outcome PI (PI 2.5.1)

Table CB21: PI2.5.1 Ecosystem outcome PISGs

Component	PI	Scoring issues	SG60	SG80	SG100
Ecosystem	Outcome Status 2.5.1 The fishery does not cause serious or irreversible harm to the key elements of ecosystem structure and function.	a. Ecosystem status	The fishery is unlikely to disrupt the key elements underlying ecosystem structure and function to a point where there would be a serious or irreversible harm.	The fishery is highly unlikely to disrupt the key elements underlying ecosystem structure and function to a point where there would be a serious or irreversible harm.	There is evidence that the fishery is highly unlikely to disrupt the key elements underlying ecosystem structure and function to a point where there would be a serious or irreversible harm.

CB3.17.1 The team shall score the other components of the assessment (i.e. target species, retained species, bycatch species, ETP species and habitats) separately to this PI, which considers the wider ecosystem structure and function. 

CB3.17.2 The team should interpret serious or irreversible harm in relation to the capacity of the ecosystem to deliver ecosystem services. 

CB3.17.3 The team should note that “key” ecosystem elements are the features of an ecosystem considered as being most crucial to giving the ecosystem its characteristic nature and dynamics, and are considered relative to the scale and intensity of the fishery. They are features most crucial to maintaining the integrity of its structure and functions and the key determinants of the ecosystem resilience and productivity.

CB3.17.4 The team shall interpret the terms “unlikely”, “highly unlikely” and “evidence for” in SG60, SG80 and SG100 as in Table CB18.

CB3.17.5 The team should make sure that:

CB3.17.5.1 Where the team uses qualitative analysis and/or expert judgements in scoring a fishery at the 60 and 80 SGs this should be approximately equivalent to the quantitative probability interpretation given in Table CB18.

- a. The justification for equivalence shall be provided.
- b. A range of informed viewpoints or alternative hypotheses may be used to make qualitative judgements about the probability interpretation of the SG.
- c. The team may consider using the SICA to assess this PI as a means of obtaining the range of viewpoints and constructing the probability interpretation of the SG.

CB3.18 Ecosystem Management PI (PI 2.5.2)

Table CB22: PI2.5.2 Ecosystem management PISGs

Component	PI	Scoring issues	SG60	SG80	SG100
Ecosystem	Management strategy 2.5.2 There are measures in place to ensure the fishery does not pose a risk of serious or irreversible harm to ecosystem structure and function.	a. Management strategy in place	There are measures in place, if necessary.	There is a partial strategy in place, if necessary,	There is a strategy that consists of a plan , in place.
		b. Management strategy design	The measures take into account the potential impacts of the fishery on key elements of the ecosystem.	The partial strategy takes into account available information and is expected to restrain impacts of the fishery on the ecosystem so as to achieve the Ecosystem Outcome 80 level of performance.	The strategy , which consists of a plan , contains measures to address all main impacts of the fishery on the ecosystem, and at least some of these measures are in place. The plan and measures are based on well-understood functional relationships between the fishery and the Components and elements of the ecosystem. This plan provides for development of a full strategy that restrains impacts on the ecosystem to ensure the fishery does not cause serious or irreversible harm.
		c. Management strategy evaluation	The measures are considered likely to work, based on plausible argument (e.g., general experience, theory or comparison with similar fisheries/ ecosystems).	The partial strategy is considered likely to work, based on plausible argument (e.g., general experience, theory or comparison with similar fisheries/ ecosystems).	The measures are considered likely to work based on prior experience , plausible argument or information directly from the fishery/ecosystems involved.
		d. Management strategy implementation		There is some evidence that the measures comprising the partial strategy are being implemented successfully .	There is evidence that the measures are being implemented successfully .

CB3.18.1 The team shall note that the measures required by SG60 may exist primarily to manage the impact on target species or other components, but have the capacity to achieve ecosystem outcomes.🔴

CB3.18.2 The team shall note that for SG80 and SG100, partial strategies and strategies respectively may also contain measures designed and implemented to address impacts on components that have been evaluated elsewhere in this framework.

CB3.18.2.1 If the measures address specific ecosystem impacts effectively enough to meet the appropriate standard, then it is not necessary to have special “ecosystem measures” to address the same impacts.

CB3.18.2.2 It may not be necessary to have a specific “ecosystem strategy” other than that which comprises the individual strategies for the other Components under P1 and P2.

CB3.18.2.3 If there are ecosystem impacts that may not be addressed effectively by existing measures, it may be necessary to add new measures or strengthen existing ones to address those impacts.

CB3.19 Ecosystem Information PI (PI 2.5.3)

Table CB23: PI2.5.3 Ecosystem information PISGs

Component	PI	Scoring issues	SG60	SG80	SG100
Ecosystem	<p>Information / monitoring</p> <p>2.5.3</p> <p>There is adequate knowledge of the impacts of the fishery on the ecosystem.</p>	a. Information quality	Information is adequate to identify the key elements of the ecosystem (e.g. trophic structure and function, community composition, productivity pattern and biodiversity).	Information is adequate to broadly understand the key elements of the ecosystem.	
		b. Investigation of fishery impacts	Main impacts of the fishery on these key ecosystem elements can be inferred from existing information, but have not been investigated in detail.	Main impacts of the fishery on these key ecosystem elements can be inferred from existing information, and some have been investigated in detail.	Main interactions between the fishery and these ecosystem elements can be inferred from existing information, and have been investigated in detail.
		c. Understanding of component functions		The main functions of the Components (i.e. target, Bycatch, Retained and ETP species and Habitats) in the ecosystem are known	The impacts of the fishery on target, Bycatch, Retained and ETP species and Habitats are identified and the main functions of these Components in the ecosystem are understood.
		d. Information relevance		Sufficient information is available on the impacts of the fishery on these Components to allow some of the main consequences for the ecosystem to be inferred.	Sufficient information is available on the impacts of the fishery on the Components and elements to allow the main consequences for the ecosystem to be inferred.

Component	PI	Scoring issues	SG60	SG80	SG100
		e. Monitoring		Sufficient data continue to be collected to detect any increase in risk level (e.g. due to changes in the outcome indicator scores or the operation of the fishery or the effectiveness of the measures).	Information is sufficient to support the development of strategies to manage ecosystem impacts.

CB3.19.1 A team shall, in the second scoring issue of this PI, ■

CB3.19.1.1 Require some information of “the main impacts of the fishery on these key ecosystem elements” at the SG80 level.

CB3.19.1.2 Focus on the “main interactions between the fishery and these ecosystem elements” at the SG100 level. At this level:

- a. Fisheries should be capable of adapting management to environmental changes as well as managing the effect of the fishery on the ecosystem.
- b. Monitoring the effects of environmental change on the natural productivity of fisheries should be considered best practice and should include recognition of the increasing importance of climate change.

CB3.20 Principle 2 Phrases

CB3.20.1 The team shall interpret key words or phrases used in P2 as shown in Table CB24.

Table CB24: Principle 2 Phrases

Term	Definition and discussion
Biologically based limits	<p>There is a benchmark against which status of a component can be evaluated, and the benchmark is chosen to provide a low risk of serious or irreversible harm to the ecosystem feature.</p> <p>The benchmark should be derived from biological information that is relevant to the ecosystem feature and fishery, although the information does not necessarily have to come from the specific area.</p>
Broadly understood	<p>There is a general knowledge of the ecological feature, process, or component. This general knowledge can be acquired from diverse sources that are relevant to the ecosystem and fishery under consideration, but does not have to be locally derived information. There is a “broad understanding” of an ecosystem when the main features of the ecosystem and their major inter-relationships can be specified.</p>
Does not hinder	<p>The impact of the fishery is low enough that if the species is capable of improving its status, the fishery will not deter that improvement. It does not require evidence that the status of the species is actually improving.</p>
In place	<p>When a measure or strategy is “in place” the measure or strategy has been implemented, and if multiple measures have been identified to address an impact of the fishery, there is a specified process with a clear timetable and endpoint for implementation of all of the measures.</p>
Information is adequate	<p>“Adequate” refers to the accuracy, precision and (when relevant) quantity and relevance of information that is available. It does <i>not</i> refer to what the information may indicate about the status of a species relative to a biologically based limit or the impact of the fishery on an ecosystem feature.</p>
Information is sufficient	<p>Interpret the same way as “information is adequate”, except that quantity and quality of information is high enough to justify the level of risk or certainty associated with the specific SG.</p>

CB4 Principle 3

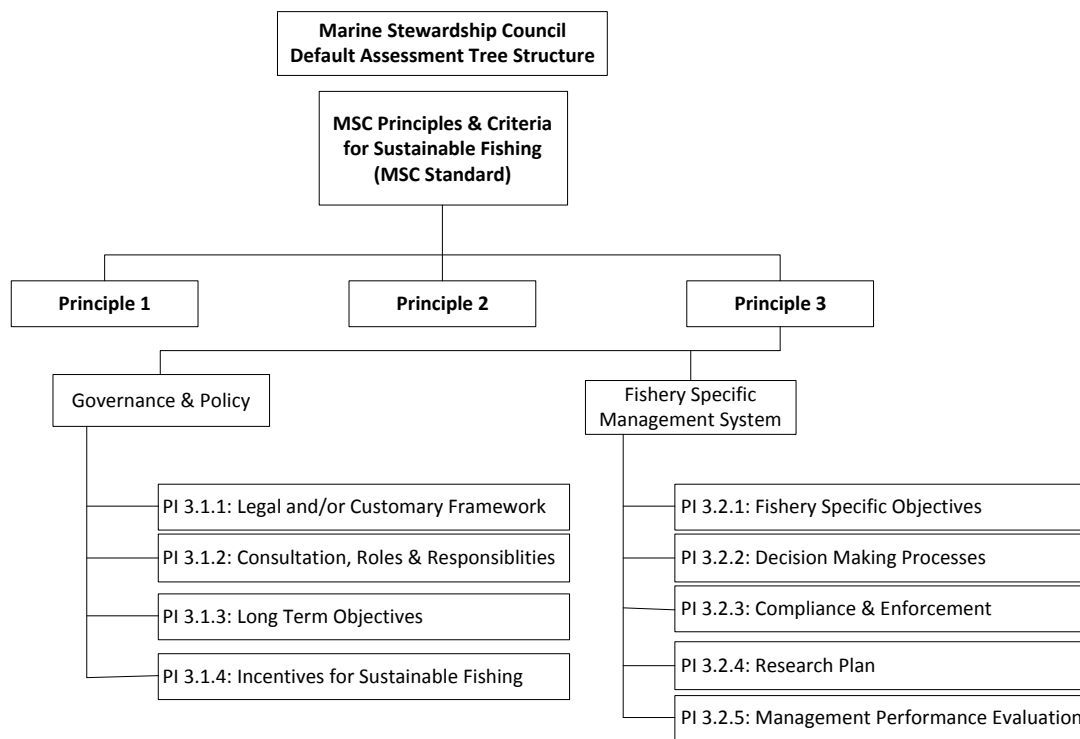


Figure CB3: Principle 3 default tree Structure

CB4.0 General requirements for Principle 3

CB4.0.1 CABs shall determine which jurisdictional category or combination of jurisdictional categories apply to the management system of the fishery under assessment, including consideration of formal, informal and/or traditional management systems ~~consider formal, informal and/or traditional management systems~~ when assessing performance of fisheries under Principle 3, including:

- a. Single jurisdiction;
- b. Single jurisdiction with indigenous component;
- c. Shared stocks;
- d. Straddling stocks;
- e. Stocks of highly migratory species (HMS);
- f. Stocks of discrete high seas non-HMS.

CBA4.0.1 Fisheries subject to international cooperation to manage stocks as well as fisheries not subject to international cooperation to manage stocks shall be subject to evaluation under P3 Performance Indicators.

CBA4.0.2 The performance of non-UoC management bodies where they are also subject to international cooperation to manage the stock shall not be individually assessed, except where they impact directly on P1 and P2 outcomes and/or P3 implementation. ¹⁷⁰

CB4.0.2 When scores are based on the consideration of informal or traditional management systems, the CAB shall:

CB4.0.2.1 Provide in the rationale, evidence demonstrating the validity and robustness of the conclusions by:

- a. Using different methods to collect information
- b. Cross checking opinions and views from different segments of the stakeholder community.

CB4.0.3 CABs shall consider the scale and intensity of the fishery in determining the appropriateness of the management system.

CB4.1 Principle 3 Terminology

CB4.1.1 The term “explicit” as used in the Principle 3 scoring guideposts is not applicable solely to formally codified or documented management measures and mechanisms.

CB4.1.2 “Explicit” shall also refer to informal management measures and mechanisms that are well established and effective.

CB4.1.3 In scoring management performance in the continuum from implicit to explicit, the CAB shall consider:

CB4.1.3.1 The extent to which such management measures, whether formal or informal, are established in the fishery.

CB4.1.3.2 How well they are understood and applied by users within the fishery, and

CB4.1.3.3 The extent to which such measures are considered durable and unambiguous. ¹⁷¹

¹⁷⁰ **Derogation, TAB 21(effective date 14 March 2013)**

For fishery commencing assessment or reassessment before 14 March 2013, clauses CB4.0.1, CBA4.0.1 and CBA4.0.2 shall become effective by 14 March 2017.

¹⁷¹ **TAB 19, date of application 14 November 2011**

CB4.2 Legal and/or Customary Framework PI (PI 3.1.1)

Table CB25: PI3.1.1 Legal and/or customary framework PISGs

Component	PI	Scoring issues	SG60	SG80	SG100
Governance and policy	Legal and/or customary framework 3.1.1 The management system exists within an appropriate and effective legal and/or customary framework which ensures that it: - Is capable of delivering sustainable fisheries in accordance with MSC Principles 1 and 2 and - Observes the legal rights created explicitly or established by custom of people dependent on fishing for food or livelihood; and - Incorporates an appropriate dispute resolution framework.	a. Consistency with laws or standards a. Compatibility of laws or standards with effective management ¹⁷²	The management system is generally consistent with local, national or international laws or standards that are aimed at achieving sustainable fisheries in accordance with MSC Principles 1 and 2. There is an effective national legal system and a <u>framework for cooperation with other parties, where necessary, to deliver management outcomes consistent with MSC Principles 1 and 2.</u>	There is an effective national legal system and <u>organised and effective cooperation with other parties, where necessary, to deliver management outcomes consistent with MSC Principles 1 and 2.</u>	There is an effective national legal system and <u>binding procedures governing cooperation with other parties</u> which delivers management outcomes consistent with MSC Principles 1 and 2.
		b. Resolution of disputes	The management system incorporates or is subject by law to a mechanism for the resolution of legal disputes arising within the system.	The management system incorporates or is subject by law to a transparent mechanism for the resolution of legal disputes which is considered to be effective in dealing with most issues and that is appropriate to the context of the fishery.	The management system incorporates or is subject by law to a transparent mechanism for the resolution of legal disputes that is appropriate to the context of the fishery and has been tested and proven to be effective .

¹⁷² Derogation, TAB 21

For fishery commencing assessment or reassessment before 14 March 2013, amendments to Table CB25 (SI.a and SI.c) shall become effective by 14 March 2017.

Component	PI	Scoring issues	SG60	SG80	SG100
		c. Approach to disputes	Although the management authority or fishery may be subject to continuing court challenges, it is not indicating a disrespect or defiance of the law by repeatedly violating the same law or regulation necessary for the sustainability for the fishery.	The management system or fishery is attempting to comply in a timely fashion with binding judicial decisions arising from any legal challenges.	The management system or fishery acts proactively to avoid legal disputes or rapidly implements binding judicial decisions arising from legal challenges.
		d. Respect for rights	The management system has a mechanism to generally respect the legal rights created explicitly or established by custom of people dependent on fishing for food or livelihood in a manner consistent with the objectives of MSC Principles 1 and 2.	The management system has a mechanism to observe the legal rights created explicitly or established by custom of people dependent on fishing for food or livelihood in a manner consistent with the objectives of MSC Principles 1 and 2.	The management system has a mechanism to formally commit to the legal rights created explicitly or established by custom on people dependent on fishing for food and livelihood in a manner consistent with the objectives of MSC Principles 1 and 2.

CB4.2.1 The team should focus scoring on whether or not there is an appropriate and effective legal and/or customary framework that is capable of delivering sustainable fisheries in accordance with P1 and P 2.

CBA4.2.1 At the SG60 level for scoring issue a, teams shall interpret compatibility with laws and standards as follows: ☐

CBA4.2.1.1 For a fishery not subject to international cooperation for management of the stock this means:

- a. the existence of national laws, agreements and policies governing the actions of all the authorities and actors involved in managing the fishery, and**

- b. that provides a framework for cooperation between national entities (e.g. between regional and national management, state and federal management, indigenous and other groups) on national management issues, as appropriate for the context, size, scale or intensity of the fishery.

CBA4.2.1.2 For a fishery subject to international cooperation for management of the stock (e.g.: shared, straddling, HMS, high seas non-HMS) this means the existence of:

- a. national and international laws, arrangements, agreements and policies governing the actions of the authorities and actors involved in managing the fishery, and
- b. a framework for cooperation with other territories, sub-regional or regional fisheries management organizations or,
- c. other bilateral/multilateral arrangements, that create the cooperation required to deliver sustainable management under the obligations of UNCLOS Articles 63(2), 64, 118, 119, and UNFSA Article 8.

CBA4.2.1.3 Cooperation shall at least deliver the intent of UNFSA Article 10 paragraphs relating to:

- a. the collection and sharing of scientific data,
- b. the scientific assessment of stock status, and
- c. development of scientific advice.

CBA4.2.1.4 The flag state of fishery participants in the UoC shall have at least cooperating non-member status within a relevant sub-regional or regional fisheries management organization or other bilateral/ multilateral arrangement, if such exists.

CBB4.2.1 At the SG80 level for scoring issue a, teams shall interpret consistency with laws and standards as follows: ▣

CBB4.2.1.1 For a fishery not subject to international cooperation for management of the stock, this means:

- a. the existence of national laws, agreements and policy governing the actions of all the authorities and actors involved in managing the fishery, which also provides for organised cooperation between national entities (e.g. between regional and national management, state and federal management, indigenous and other groups) on national management issues.

CBB4.2.1.2 For a fishery that is subject to international cooperation for management of the stock this means:

- a. The existence of national and international laws, agreements and policies governing the actions of the authorities and actors involved in managing the fishery,

- b. An effective regional and/or international cooperation that creates a comprehensive cooperation under the obligations of UNCLOS Articles 63(2), 64, 118, 119, and UNFSA Article 8.
- c. Cooperation shall at least deliver the intent of UNFSA Article 10 paragraphs relating to the collection, sharing and dissemination of scientific data, the scientific assessment of stock status and development of management advice, the agreement and delivery of management actions consistent with this sustainable management advice, and on monitoring and control.
- d. The flag state of fishery participants in the UoC shall be members of the relevant organization or participants in the arrangement, or agree to apply the conservation and management measures established by the organization or arrangement if such organization or arrangement exists.

CBC4.2.1 At the SG100 level for scoring issue a, teams shall interpret consistence with laws and standards as follows: ▣

CBC4.2.1.1 For a fishery not subject to international cooperation for management of the stock, this would mean the existence of national laws, agreements and policies governing the actions of all the authorities and actors involved in managing the fishery, which also provides for a formal system for the cooperation between national entities (e.g. between regional and national management, state and federal management, indigenous and other groups) on national management issues.

CBC4.2.1.2 For a fishery that is subject to international cooperation for management of the stock this would mean the existence of national laws, agreements and policies governing the actions of the authorities and actors involved in managing the fishery, and binding legislation governing comprehensive international cooperation under the obligations of UNCLOS Articles 63(2), 64, 118, 119, and UNFSA Articles 8 and 10. Cooperation under the RFMO/arrangement, and the actions of the RFMO, shall demonstrably and effectively deliver UNFSA Article 10.¹⁷³

CB4.2.2 The team should interpret across SGs 60, 80 and 100 that “**generally consistent effective national legal system**”¹⁷⁴ means that the client can provide objective evidence that most of the essential features and elements needed to deliver sustainable fisheries are present in:

CB4.2.2.1 A coherent, logical set of practices or procedures, or ▣

CB4.2.2.2 Within a coherent, logical supporting ‘rule-making’ structure. ▣

¹⁷³ **Derogation, TAB 21 (effective date 14 March 2013)**

For fishery commencing assessment or reassessment before 14 March 2013, clauses under CBA4.2.1, CBB4.2.1 and CBC4.2.1 shall become effective by 14 March 2017.


¹⁷⁴ **TAB 21, date of application 14 March 2013**

- CB4.2.3 The team shall not make their own judgements or unilateral decisions about whether or not custom or national treaties relating to aboriginal or indigenous people have conferred rights upon any particular group or individual. ■
- CB4.2.3.1 The use of the term treaties, in relation to this scoring issue, does not include international treaties or treaties between states or nations, and is limited, in this context to national treaties relating specifically to aboriginal or indigenous people. ■
- CB4.2.4 The team should interpret “generally respect” in scoring issue d at SG60 to mean that there is some evidence that the legal rights created explicitly or established by custom of people dependent on fishing for food or livelihood, and their long term interests, are considered within the legal and/or customary framework for managing fisheries. ■
- CB4.2.5 The team should interpret “Observe” in scoring issue d at SG80 to mean:
- CB4.2.5.1 There are more formal arrangements such as bylaws or regulation that make explicit the requirement to consider the legal rights created explicitly or by custom of people dependent on fishing for food or livelihood; and
- CB4.2.5.2 Those peoples’ long-term interests are taken into account within the legal and/or customary framework for managing fisheries.
- CB4.2.6 The team should interpret “formally commit” in scoring issue d at SG100 to mean that the client can demonstrate a mandated legal basis where rights are fully codified within the fishery management system and/or its policies and procedures for managing fisheries under a legal framework.

CB4.3 Consultation, Roles and Responsibilities PI (PI 3.1.2)

Table CB26: PI3.1.2 Consultation, roles and responsibilities PISGs

Component	PI	Scoring issues	SG60	SG80	SG100
Governance and policy	Consultation, roles and responsibilities 3.1.2 The management system has effective consultation processes that are open to interested and affected parties.	a. Roles and responsibilities	Organisations and individuals involved in the management process have been identified. Functions, roles and responsibilities are generally understood .	Organisations and individuals involved in the management process have been identified. Functions, roles and responsibilities are explicitly defined and well understood for key areas of responsibility and interaction.	Organisations and individuals involved in the management process have been identified. Functions, roles and responsibilities are explicitly defined and well understood for all areas of responsibility and interaction.
		b. Consultation processes	The management system includes consultation processes that obtain relevant information from the main affected parties, including local knowledge, to inform the management system.	The management system includes consultation processes that regularly seek and accept relevant information, including local knowledge. The management system demonstrates consideration of the information obtained.	The management system includes consultation processes that regularly seek and accept relevant information, including local knowledge. The management system demonstrates consideration of the information and explains how it is used or not used .
		c. Participation		The consultation process provides opportunity for all interested and affected parties to be involved.	The consultation process provides opportunity and encouragement for all interested and affected parties to be involved, and facilitates their effective engagement.

CB4.3.1 Teams should focus scoring on the effectiveness and transparency of the consultation processes implemented by fishery managers to obtain and consider information from a wide range of sources, including local knowledge, for input into a broad range of decisions, policies and practices within the management system. 

- CB4.3.2 Teams shall not focus scoring under this PI on the type of information obtained, or on mandating for what or how it must be used. ■
- CB4.3.3 Teams shall verify that consultation processes within the management system include consideration of consultation processes at both the management system level and fishery-specific management systems that occur within it. ■
- CBA4.3.4 Consultation processes that exist at a multinational level and a national level shall be included and considered, subject to CBA4.0.1. ■¹⁷⁵**
- CB4.3.4 Teams shall interpret “local knowledge” to mean: qualitative, and/or anecdotal, and/or quantitative information, and/or data that come from individuals or groups local to the fisheries managed under the fisheries management system. ■

¹⁷⁵ **Derogation, TAB 21**


For fishery commencing assessment or reassessment before 14 March 2013, clause CBA4.3.4 shall become effective by 14 March 2017.

CB4.4 Long Term Objectives PI (PI 3.1.3)

Table CB27: PI3.1.3 Long term objective PISGs

Component	PI	Scoring issues	SG60	SG80	SG100
Governance and policy	Long term objectives 3.1.3 The management policy has clear long-term objectives to guide decision-making that are consistent with MSC Principles and Criteria, and incorporates the precautionary approach.	a. Objectives	Long term objectives to guide decision-making, consistent with MSC Principles and Criteria and the precautionary approach, are implicit within management policy.	Clear long term objectives that guide decision-making, consistent with MSC Principles and Criteria and the precautionary approach, are explicit within management policy.	Clear long term objectives that guide decision-making, consistent with MSC Principles and Criteria and the precautionary approach, are explicit within and required by management policy


CB4.4.1 The team shall interpret management policy to mean outside the specific fishery under assessment (i.e. at a higher level or within a broader context than the fishery-specific management system).

CB4.4.2 The team shall interpret the precautionary approach for the purposes of scoring this PI to mean being cautious when information is uncertain, unreliable or inadequate and that the absence of adequate scientific information shall not be used as a reason for postponing or failing to take conservation and management measures. 

CB4.5 Incentives for Sustainable Fishing PI (PI 3.1.4)

Table CB28: PI3.1.4 Incentives for sustainable fishing PISGs

Component	PI	Scoring issues	SG60	SG80	SG100
Governance and policy	<p>Incentives for sustainable fishing</p> <p>3.1.4</p> <p>The management system provides economic and social incentives for sustainable fishing and does not operate with subsidies that contribute to unsustainable fishing.</p>	a. Incentives	The management system provides for incentives that are consistent with achieving the outcomes expressed by MSC Principles 1 and 2.	The management system provides for incentives that are consistent with achieving the outcomes expressed by MSC Principles 1 and 2, and seeks to ensure that perverse incentives do not arise.	The management system provides for incentives that are consistent with achieving the outcomes expressed by MSC Principles 1 and 2, and explicitly considers incentives in a regular review of management policy or procedures to ensure that they do not contribute to unsustainable fishing practices.

CB4.5.1 The team should consider if the fishery management system provides for incentives that are consistent with achieving sustainable outcomes at SG80 by taking into account, including: 

CB4.5.1.1 The possibility for or existence of positive incentives that may incentivise fishers to fish sustainably.

CB4.5.1.2 The existence of perverse incentives (i.e. incentives for fishers to fish unsustainably), and

CB4.5.1.3 That the system is seeking to ensure that perverse incentives (i.e., incentives for fishers to fish unsustainably) do not arise.

CB4.6 Fishery-specific management system PIs

CB4.6.1 The team shall make sure that all aspects of the fishery-specific management system are appropriate to the scale, intensity and cultural context of the fishery under assessment.


CB4.7 Fishery-Specific Objectives PI (PI 3.2.1)

Table CB29: PI3.2.1 Fishery specific objectives PISGs

Component	PI	Scoring issues	SG60	SG80	SG100
Fishery-specific management system	Fishery-specific objectives 3.2.1 The fishery has clear, specific objectives designed to achieve the outcomes expressed by MSC's Principles 1 and 2.	a. Objectives	Objectives , which are broadly consistent with achieving the outcomes expressed by MSC's Principles 1 and 2, are implicit within the fishery's management system.	Short and long term objectives , which are consistent with achieving the outcomes expressed by MSC's Principles 1 and 2, are explicit within the fishery's management system.	Well defined and measurable short and long term objectives , which are demonstrably consistent with achieving the outcomes expressed by MSC's Principles 1 and 2, are explicit within the fishery's management system.

CB4.7.1 The team shall verify that the individual harvest or management strategies that are scored in PIs under P1 and P2 are consistent with the fishery-specific objectives being scored under P3.

CB4.7.1.1 The objectives shall be assessed under this PI and the strategies that implement the objectives shall be assessed under P1 and P2.

CB4.7.2 The team shall interpret "measurable" for this PI's SG100 to mean that in addition to setting fishery-specific objectives that make broad statements objectives are operationally defined in such a way that the performance against the objective can be measured. 

CB4.8 Decision-Making Processes PI (PI 3.2.2)

Table CB30: PI3.2.2 Decision making processes PISGs

Component	PI	Scoring issues	SG60	SG80	SG100
Fishery-specific management system	Decision-making processes 3.2.2 The fishery-specific management system includes effective decision-making processes that result in measures and strategies to achieve the objectives and has an appropriate approach to actual disputes in the fishery under assessment. ¹⁷⁶	a. Decision-making processes	There are informal some ¹⁷⁷ decision-making processes in place that result in measures and strategies to achieve the fishery-specific objectives.	There are established decision-making processes that result in measures and strategies to achieve the fishery-specific objectives.	
		b. Responsiveness of decision-making processes	Decision-making processes respond to serious issues identified in relevant research, monitoring, evaluation and consultation, in a transparent, timely and adaptive manner and take <u>some</u> account of the wider implications of decisions.	Decision-making processes respond to serious and other important issues identified in relevant research, monitoring, evaluation and consultation, in a transparent, timely and adaptive manner and take account of the wider implications of decisions.	Decision-making processes respond to all issues identified in relevant research, monitoring, evaluation and consultation, in a transparent, timely and adaptive manner and take account of the wider implications of decisions.
		c. Use of precautionary approach		Decision-making processes use the precautionary approach and are based on best available information.	

¹⁷⁶ **Derogation, TAB, 21 (effective date 14 March 2013)**

For fishery commencing assessment or reassessment before 14 March 2013, amendments to Table CB30 (SI.d and SI.e) shall become effective by 14 March 2017.

¹⁷⁷ **TAB 19, date of application 14 November 2011**

Component	PI	Scoring issues	SG60	SG80	SG100
		d. Transparency of decision-making		Explanations are provided for any actions or lack of action associated with findings and relevant recommendations emerging from research, monitoring, evaluation and review activity.	Formal reporting to all interested stakeholders describes how the management system responded to findings and relevant recommendations emerging from research, monitoring, evaluation and review activity.
		d. Accountability and transparency of management system and decision making process	Some information on fishery performance and management action is generally available on request to stakeholders	Information on fishery performance and management action is available on request, and explanations are provided for any actions or lack of action associated with findings and relevant recommendations emerging from research, monitoring evaluation and review activity.	Formal reporting to all interested stakeholders provides comprehensive information on fishery performance and management actions and describes how the management system responded to findings and relevant recommendations emerging from research, monitoring, evaluation and review activity.

Component	PI	Scoring issues	SG60	SG80	SG100
		e. Approach to disputes	Although the management authority or fishery may be subject to continuing court challenges, it is not indicating a disrespect or defiance of the law by repeatedly violating the same law or regulation necessary for the sustainability for the fishery	The management system or fishery is attempting to comply in a timely fashion with judicial decisions arising from any legal challenges.	The management system or fishery acts proactively to avoid legal disputes or rapidly implements judicial decisions arising from legal challenges. ¹⁷⁸ ..

CB4.8.1 The team shall verify that the absence of adequate scientific information is not used as a reason for postponing or failing to take conservation and management measures.

CB4.8.2 The team shall interpret that at SG80 and SG100 the precautionary approach in this PI to mean that decision-making processes use caution when information is uncertain, unreliable or inadequate.

CB4.8.3 The team shall verify that at SG100 resulting measures and strategies from decision-making processes should involve comprehensive, integrated measures or holistic strategies, rather than individual or single measures.

CB4.8.4 In assessing fisheries against scoring issue d -Accountability and transparency of management system and decision making process-, the team should consider the extent to which transparency and accountability is embedded within the management system. ▣

CB4.8.4.1 Teams should consider public access to information on fisheries performance and fisheries data.

¹⁷⁸ Derogation, TAB, 21

For fishery commencing assessment or reassessment before 14 March 2013, amendments to Table CB30 (SI.d and SI.e) shall become effective by 14 March 2017.

- CB4.8.4.2** The team should consider availability of information to stakeholders on actions taken by management that have implications for sustainable use of fisheries resource,
- CB4.8.4.3** The team should consider the transparency of the decision making process, so that it is clear to all stakeholders that decisions were arrived at based on available evidence and due process.
- CB4.8.5** At the SG60 level, at least a general summary of information on, subsidies, allocation, compliance and fisheries management decisions should be available to stakeholders on request.
- CB4.8.6** At the SG80 level, in addition to the information provided at the SG60 level, information on decisions, fisheries data supporting decisions, and the reasons for decisions, should be made available to all stakeholders on request.
- CB4.8.7** At the SG100 level, the information listed in the SG60 and SG80 levels should be comprehensive and available openly, publicly and regularly to all stakeholders.¹⁷⁹

¹⁷⁹ **Derogation, TAB, 21**

For fishery commencing assessment or reassessment before 14 March 2013, clauses from CB4.8.4 to CB4.8.7 shall become effective by 14 March 2017.

CB4.9 Compliance and Enforcement PI (PI 3.2.3)

Table CB31: PI3.2.3 Compliance and enforcement PISGs

Component	PI	Scoring issues	SG60	SG80	SG100
Fishery-specific management system	Compliance and enforcement 3.2.3 Monitoring, control and surveillance mechanisms ensure the fishery's management measures are enforced and complied with.	a. MCS implementation	Monitoring, control and surveillance mechanisms exist, are implemented in the fishery under assessment and there is a reasonable expectation that they are effective.	A monitoring, control and surveillance system has been implemented in the fishery under assessment and has demonstrated an ability to enforce relevant management measures, strategies and/or rules.	A comprehensive monitoring, control and surveillance system has been implemented in the fishery under assessment and has demonstrated a consistent ability to enforce relevant management measures, strategies and/or rules.
		b. Sanctions	Sanctions to deal with non-compliance exist and there is some evidence that they are applied.	Sanctions to deal with non-compliance exist, are consistently applied and thought to provide effective deterrence.	Sanctions to deal with non-compliance exist, are consistently applied and demonstrably provide effective deterrence.
		c. Compliance	Fishers are generally thought to comply with the management system for the fishery under assessment, including, when required, providing information of importance to the effective management of the fishery.	Some evidence exists to demonstrate fishers comply with the management system under assessment, including, when required, providing information of importance to the effective management of the fishery.	There is a high degree of confidence that fishers comply with the management system under assessment, including, providing information of importance to the effective management of the fishery.
		d. Systematic non-compliance		There is no evidence of systematic non-compliance.	

- CB4.9.1 The team should consider whether “*fishers cooperate, where necessary, with management authorities in the collection of catch, discard and other information that is of importance to the effective management of the resources and the fishery*” as one of the elements that should influence scoring.☐
- CB4.9.2 The team’s judgement on this PI should be informed, to the extent possible, by independent and credible information from relevant compliance and enforcement agencies or individuals and/or stakeholders.☐
- CB4.9.3 The team should, at SG100, consider if the monitoring, control and surveillance systems are comprehensive in relation to their coverage, the independence of the systems and the internal checks and balances.

CB4.10 Research Plan PI (PI 3.2.4)


Table CB32: PI3.2.4 Research plan PISGs

Component	PI	Scoring issues	SG60	SG80	SG100
Fishery-specific management system	Research plan 3.2.4 The fishery has a research plan that addresses the information needs of management.	a. Research plan	Research is undertaken, as required, to achieve the objectives consistent with MSC's Principles 1 and 2.	A research plan provides the management system with a strategic approach to research and reliable and timely information sufficient to achieve the objectives consistent with MSC's Principles 1 and 2.	A comprehensive research plan provides the management system with a coherent and strategic approach to research across P1, P2 and P3, and reliable and timely information sufficient to achieve the objectives consistent with MSC's Principles 1 and 2.
		b. Research results	Research results are available to interested parties.	Research results are disseminated to all interested parties in a timely fashion.	Research plan and results are disseminated to all interested parties in a timely fashion and are widely and publicly available .

CB4.10.1 Teams should consider the achievement of a strategic approach (at SG80) and a coherent and strategic approach (at SG100) to research **within the fishery-specific management system**.¹⁸⁰..

CB4.10.1.1 A strategic approach is pro-active, anticipatory and identifies gaps in knowledge in advance driven by management needs.

CB4.10.1.2 Coherent includes all aspects of the system and how they are integrated together.

CB4.10.2 Teams shall make sure scoring is not duplicated with the Management Strategy and Information PIs in P1 and P2. 

CB4.10.3 Teams shall interpret a "research plan" in both SG80 and SG100 to mean a written document that includes a specific research plan for the fishery under assessment, relevant to the scale and intensity and the issues requiring research.

¹⁸⁰ **Derogation, TAB, 21**

For fishery commencing assessment or reassessment before 14 March 2013, amendments to clause CB4.10.1 shall become effective by 14 March 2017.

CB4.10.4 Teams shall interpret a “comprehensive research plan” in SG100 as one that includes research that goes beyond the immediate short-term needs of **the fishery-specific management system** to create a strategic body of research relevant to the long-term management needs of the **specific** fishery.

CB4.10.5 The team’s consideration of “reliability” in both SG80 and SG100 should include:

CB4.10.5.1 The level of effective coordination among research providers, **within the fishery-specific management system**.¹⁸¹

CB4.10.5.2 The accessibility of research plans and results to the managing ‘entity’ (such as the managing agency or authority).

CB4.10.5.3 The quality of the research itself.


¹⁸¹ **Derogation, TAB, 21**

For fishery commencing assessment or reassessment before 14 March 2013, amendments to clauses CB4.10.4 and CB4.10.5.1 shall become effective by 14 March 2017.

CB4.11 Monitoring and Management Performance Evaluation PI (PI 3.2.5)

Table CB33: PI3.2.5 Monitoring and management performance evaluation PISGs

Component	PI	Scoring issues	SG60	SG80	SG100
Fishery-specific management system	Monitoring and management performance evaluation 3.2.5 There is a system for monitoring and evaluating the performance of the fishery-specific management system against its objectives. There is effective and timely review of the fishery-specific management system.	a. Evaluation coverage	The fishery has in place mechanisms to evaluate some parts of the management system.	The fishery has in place mechanisms to evaluate key parts of the management system.	The fishery has in place mechanisms to evaluate all parts of the management system.
		b. Internal and/or external review	The fishery-specific management system is subject to occasional internal review.	The fishery-specific management system is subject to regular internal and occasional external review.	The fishery-specific management system is subject to regular internal and external review.

CB4.11.1 Teams shall interpret “External review” at SG80 and 100 to mean external to the fisheryies **specific**¹⁸² management system, but not necessarily international. 

CB4.11.2 Teams should interpret “Occasional” and “Regular” relative to the intensity of the fishery.

----- **End of Annex CB** -----


¹⁸² **TAB 21, date of application 14 March 2013**

Annex CC: Risk-Based Framework – Normative

CC1 Introduction to the Risk-Based Framework

CC1.1 If a team concludes there are insufficient data to score a fishery using default tree outcome SGs according to Table AC2, the RBF may be used.

CC1.1.1 The team shall determine if they can apply the RBF (Annex CC).

CC1.1.1.1 The team shall use the criteria in Table AC2 for PIs 1.1.1, 2.1.1, 2.2.1, 2.3.1, 2.4.1 and 2.5.1 in determining **whether any scoring elements** within the PI are data-deficient. ¹⁸³ 

CC1.1.1.2 The team shall verify that they are able to use the RBF for particular PIs, and shall identify any restrictions for each PI using Table CC1 prior to proceeding.

Table CC1: Restrictions on the use of the RBF (Annex CC)

Performance Indicator	SICA	PSA	Notes
1.1.1 Stock status	✓	✓	If target species is considered a key LTL species, the RBF shall not be used see CC3.1.1 ¹⁸⁴ .
1.1.2 Reference points			If RBF is used for PI 1.1.1 default score of 80 given to this PI
1.1.3 Stock rebuilding			Do not score if RBF is used for PI 1.1.1
1.2.1 Harvest strategy	na	na	
1.2.2 Harvest control tools and rules	na	na	
1.2.3 Information/monitoring	na	na	
1.2.4 Assessment of stock status			If RBF is used for PI 1.1.1 default score of 80 given to this PI
2.1.1 Retained species outcome	✓	✓	
2.1.2 Retained species management strategy	na	na	
2.1.3 Retained species information / monitoring			If RBF is used for 2.1.1. see Annex CC3.6.1
2.2.1 Bycatch species outcome	✓	✓	
2.2.2 Bycatch species management strategy	na	na	
2.2.3 Bycatch species information / monitoring			If RBF is used for 2.2.1. see Annex CC3.6.1
2.3.1 ETP Species outcome	✓	✓	The RBF shall only be used for this PI when there are no requirements for protection and rebuilding
2.3.2 ETP Species management strategy	na	na	

¹⁸³ **TAB 21, date of application 14 March 2013**

¹⁸⁴ **Derogation, TAB, 21**

For fishery commencing assessment or reassessment before 14 March 2013, amendments to Table CC1, row 1 shall become effective by 14 March 2017.

2.3.3 ETP Species information / monitoring			If RBF is used for 2.3.1 see CC3.6.1
2.4.1 Habitats outcome	✓		No PSA
2.4.2 Habitats management strategy	na	na	
2.4.3 Habitats information/monitoring	na	na	
2.5.1 Ecosystem outcome	✓		No PSA
2.5.2 Ecosystem management strategy	na	na	
2.5.3 Ecosystem information/monitoring	na	na	
Principle 3	na	na	

- CC1.2 If the team determines that the RBF is to be used the CAB shall:
- CC1.2.1 Describe and justify the use of the RBF using form “Use of the RBF in a fishery assessment form”.
- CC1.2.2 Send form “Use of the RBF in a fishery assessment form” to the MSC for publication on its website.
- CC1.2.3 Using form “Use of the RBF in a fishery assessment form” notify stakeholders of the proposal to use the RBF.
- CC1.2.4 Allow at least thirty days for comment.
- CC1.2.5 Consider all stakeholder comments, recording why each comment has been accepted or rejected.
- CC1.2.6 Review the decision to use the RBF (in light of those comments).
- CC1.2.7 Notify the MSC if a decision is made not to use the RBF for any PI for which it was previously announced.
- CC1.2.8 Repeat steps CC1.2.1 to CC1.2.7 above if the CAB determines that the RBF is to be used for PIs not previously announced.
- CC1.2.9 Verify that team membership conforms to the qualification criteria in 27.5.5.
- CC1.2.10 Include form “Use of the RBF in a fishery assessment form” in the Public Comment Draft Report, and all related fishery assessment reports.
- CC1.3 The team shall first conduct a “Level 1” qualitative analysis (Scale Intensity Consequence Analysis - SICA), then, if necessary and applicable to that PI, conduct a “Level 2” semi-quantitative analysis (Productivity Susceptibility Analysis - PSA).

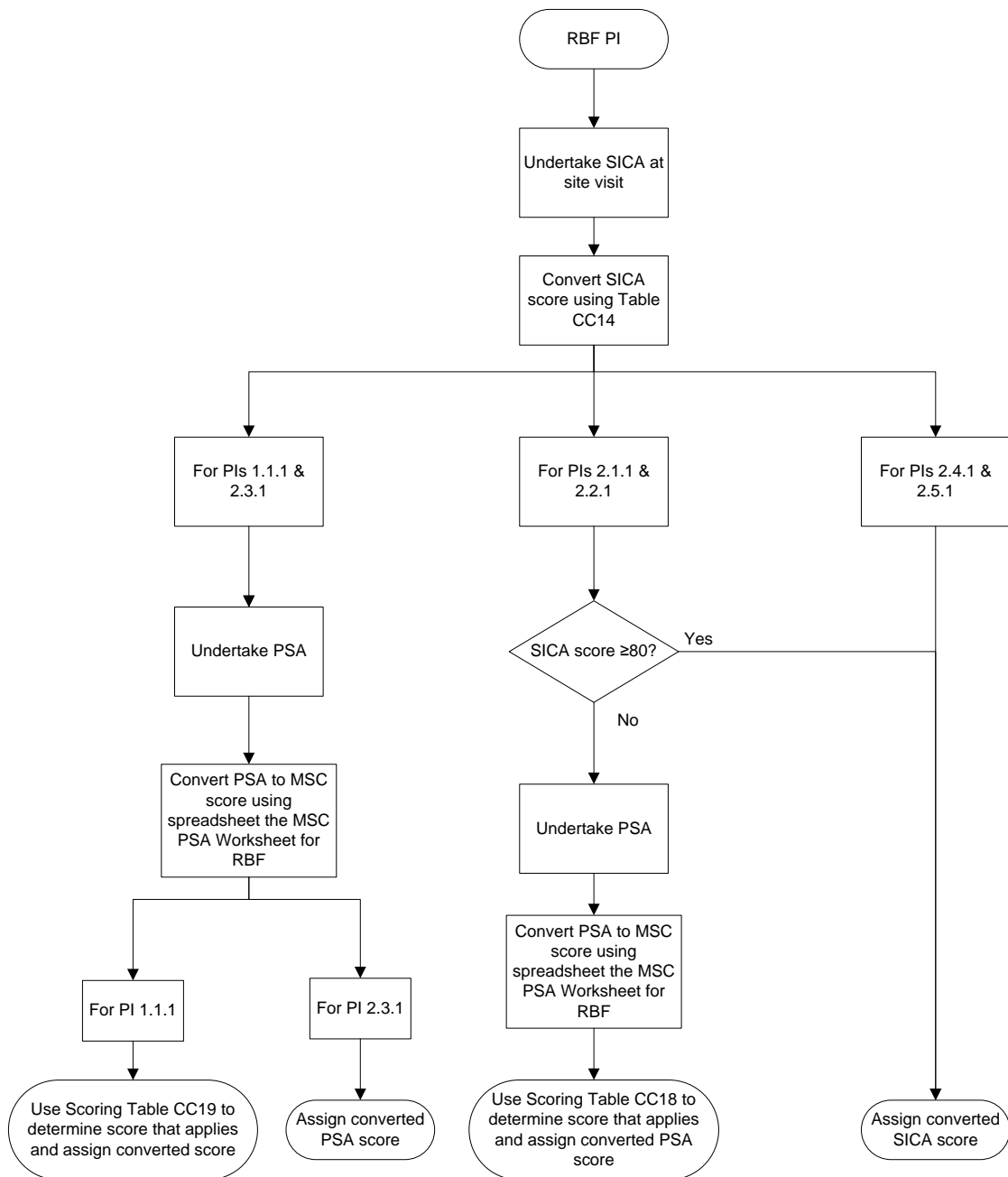


Figure CC1. How to apply the RBF in scoring

CC2 Applying the Risk-Based Framework

CC2.1 Information gathering and preparation

CC2.1.1 The team shall gather information needed for scoring risk including:

- a The type of fishery (target species, gear used, jurisdictional area).
- b The principle activities that occur in the process of fishing.
- c Management arrangements in place together with any specific strategies such as bycatch reduction or species recovery strategies.

- d A list of scoring elements for the PI being considered (species, habitat types and/or ecosystems) which are affected by the fishery:
 - i. All target species, and all “main” retained and bycatch species, which interact with the fishery in assessment shall be identified.
 - ii. Each benthic habitat unit shall be defined based on three attributes - substratum (sediment type), geomorphology (seafloor topography) and fauna (dominant faunal group).
 - iii. The Spalding et al (2007) classification of pelagic habitat should be used.

CC2.1.2 Where available the team shall gather:

- a. Maps of:
 - i. The distribution of fishing effort within the jurisdictional boundaries of the fishery.
 - ii. The distribution of all fishing effort on the target stock outside the fishery being certified.
 - iii. Species, habitat and community distributions (including depth ranges).
- b. Descriptions of any monitoring strategies in place, including at sea observer programs (coverage, duration, objectives).

CC2.1.3 The team shall identify hazards for each stock using Table CC2 or an adaptation of it. Hazards to be considered shall include additional identified hazards as appropriate:

- a. Those arising from both direct impact from capture of a species and from other causes.
- b. The preselected hazards in Table CC3 to 7 (the SICA scoring templates).
- c. Additional identified hazards as appropriate, and where identified included in the SICA scoring templates (Tables CC 3 to 7).
- d. **The team shall add the identified hazards that are not predefined in Tables CC3 to 7 to the predefined list in the Tables.**¹⁸⁵

CC2.1.4 The CAB shall document the full set of scoring elements that have been considered in each PI using Table CC2.

CC2.1.5 In every case, the team shall use all data that are available.

¹⁸⁵**Derogation, TAB 21 (date of application 14 March 2013)**

For fisheries commencing assessment or reassessment before 14 March 2013, clause CC2.1.3c shall apply by 14 March 2017.

Table CC2 Pro forma table for hazard identification (risk analysis)

Direct impact of Fishing	Fishing Activity	Present (yes/no)	Rationale
Capture	Bait collection		
	Fishing		
	Incidental behaviour		
Direct impact without capture	Bait collection		
	Fishing		
	Incidental behaviour		
	Gear loss		
	Anchoring/ mooring		
	Navigation/steaming		
Addition/ movement of biological material	Translocation of species (boat launching, reballasting)		
	Discarding catch		
	Stock enhancement		
	Provisioning		
Disturb physical processes	Bait collection		
	Fishing		
	Boat launching		
	Anchoring/ mooring		
	Navigation/ steaming		
External Hazards (specify the particular example within each activity area)	Other capture fishery methods		

CC2.2 Stakeholder involvement with the RBF.

CC2.2.1 The CAB shall carry out a stakeholder consultation process to gather data and to seek expert opinions.

CC2.2.2 The CAB shall use input from stakeholders to:

- a. **Assist in the identification of scoring elements which are affected by the fishery¹⁸⁶**
- b. Assist in the identification of the activities that occur in the fishery.
- c. Provide information suitable for the qualitative evaluation of the risks that the activities pose to the species or habitats included in the risk assessment.
- d. Assist in scoring the spatial and temporal scales and the intensity of the relevant risk causing activities.
- e. Assist in scoring the consequences for the particular species, habitat, or ecosystem.

¹⁸⁶**Derogation, TAB 21 (date of application 14 March 2013)**

For fisheries commencing assessment or reassessment before 14 March 2013, clause CC2.2.2a. shall apply by 14 March 2017.

- CC2.2.3 The team shall be responsible for scoring PIs.
- a. Stakeholders do not have to reach consensus.
- CC2.2.4 The CAB shall plan the stakeholder consultation strategy leading to the SICA to ensure effective participation from a range of stakeholders.
- CC2.2.5 Stakeholders involved should include; fishers, scientists, conservationists, indigenous representatives, managers, local residents, fish processors and others as necessary.
- CC2.2.6 Where CABs use the MSC email updates system to announce their site visits without providing a separate specific communication on the SICA requirements, announcements should, as a minimum, include text equivalent to that below.
- a. “A key purpose of the site visit is to collect information and speak to stakeholders with an interest in the fishery. For those parts of the assessment involving the MSC’s Risk Based Framework (RBF, see <http://www.msc.org/about-us/standards/methodologies/fam/msc-risk-based-framework>), we will be using a stakeholder-driven, qualitative analysis during the site visit. To achieve a robust outcome from this consultative approach, we rely heavily on participation of a broad range of stakeholders with a balance of knowledge of the fishery. We encourage any stakeholders with experience or knowledge of the fishery to participate in these meetings.”
- CC2.2.7 The CAB shall make sure that:
- a. Stakeholder consultation is conducted in a language that can be understood by all stakeholders.
 - i. Where different language groups, educational/vocabulary levels or cultural behaviours are present CABs should consider separate consultations tailored to those specific interest groups.
 - b. Any materials required for the stakeholder consultation are prepared in language understood by all participants.
 - c. Background information on the fishery is available so that the stakeholder consultation process is focused on providing information required for the SICA scoring process, while allowing participants to express their expert opinions.

CC2.3 Conducting a SICA

CC2.3.1 **SICA Step 1:** Determine “worst plausible case” combination of fishing activity and scoring element, and prepare a SICA scoring template for this species, habitat, or ecosystem.

CC2.3.1.1 The team shall work with stakeholders at the SICA consultation meeting to:

- a. Finalise a list of all potential activities with their resulting hazards about each PI, starting from the list of hazards prepared in CC2.1.3. ●
- b. Identify the scoring element “most vulnerable” to the identified fishing activities.
 - i. For PI 1.1.1 the target stock is usually the only scoring element. In that case this paragraph does not apply. ●
 - ii. For PIs in P2 there may be more than one scoring element identified during the information gathering stage. If so, the scoring element “most vulnerable” to fishing activities shall be identified.
 - iii. For PIs where there are several scoring elements, only the ‘data-deficient’ scoring elements shall be considered when identifying the “most vulnerable” to fishing activities
- c. This determination is made qualitatively based on knowledge about inherent species vulnerability, as well as frequency of interaction with the fishery, and level of damage done (e.g. released alive vs. always killed).
- d. If there are several scoring elements that appear to have a similar level of vulnerability and the group cannot agree on which one is most vulnerable for a given PI, a SICA shall be conducted on all of them.
- e. Identify which risk causing activity is likely to pose the greatest risk to the most vulnerable scoring element.
- f. Qualitatively determine which combination of risk causing activity and scoring element represents the “worst plausible case” scenario.
 - i. If there is doubt about the worst plausible case scenario, more than one combination of activity and scoring element may be scored in order to determine which represents the greatest risk. In the cases where this is necessary, the highest risk score is then used in the subsequent scoring steps
 - ii. The process of choosing the worst plausible case scenario shall be well documented and the choice justified in the assessment documentation.

CC2.3.1.2 When the SICA is used for habitat PIs the team should make sure that they and the stakeholders at the SICA consultation meeting:

- a. Focus discussion to those habitat types known to occur within the area of effort for the fishery.
- b. Should analyse and score all habitat types encountered by the fishing gear during fishing activities.
- c. Recognise that even at a relatively low level of intensity some habitats may demonstrate a high consequence score for some gears.

CC2.3.1.3 The team shall prepare a SICA scoring template (Tables CC3 to CC7), for the worst plausible case scenario(s).

CC2.3.1.4 The SICA scoring templates are reproduced in the “MSC Full Assessment Reporting Template” found at <http://www.msc.org/documents/scheme-documents>¹⁸⁷.

¹⁸⁷ **TAB 19, date of application 14 November 2011**

Table CC3: SICA Scoring Template for PI 1.1.1 Stock Status

Performance Indicator	Risk-causing activities	Spatial scale of activity	Temporal scale of activity	Intensity of activity	Relevant subcomponents	Consequence score	MSC Score
Target species outcome	Fishing activities from all fisheries including: <ul style="list-style-type: none"> • Direct capture • Unobserved mortality (e.g. gear loss) • Capture as bycatch in other fisheries • Other identified risk-causing activities (please specify) 				Population size		
					Reproductive capacity		
					Age/size/sex structure		
					Geographic range		
Rationale for selecting worst plausible case scenario							
Rationale for Spatial scale of activity							
Rationale for Temporal scale of activity							
Rationale for Intensity of activity							
Rationale for choosing most vulnerable sub-component							
Rationale for Consequence score							
Rationale for selecting worst plausible case scenario							

Table CC4: SICA Scoring Template for PI 2.1.1 Retained Species

Performance Indicator	Risk-causing activities from fishery under assessment	Spatial scale of activity	Temporal scale of activity	Intensity of activities	Relevant subcomponents	Consequence score	MSC Score
PRINCIPLE TWO: Retained Species Outcome	<ul style="list-style-type: none"> Fishing Gear loss Bait collection Other identified risk-causing activities (please specify) 				Population size		
					Reproductive capacity		
					Age/size/sex structure		
					Geographic range		
Species:							
Rationale for selecting worst plausible case scenario							
Rationale for Spatial scale of activity							
Rationale for Temporal scale of activity							
Rationale for Intensity of activity							
Rationale for choosing most vulnerable sub-component							
Rationale for Consequence score							

Table CC5: SICA Scoring Template for PI 2.2.1 Bycatch Species

Performance Indicator	Risk-causing activities from fishery under assessment	Spatial scale of activity	Temporal scale of activity	Intensity of activities	Relevant subcomponents	Consequence score	MSC Score
PRINCIPLE TWO: Bycatch Species Outcome	<ul style="list-style-type: none"> • Fishing • Gear loss • Bait collection • Other identified risk-causing activities (please specify) 				Population size		
					Reproductive capacity		
					Age/size/sex structure		
					Geographic range		
Species:							
Rationale for selecting worst plausible case scenario							
Rationale for Spatial scale of activity							
Rationale for Temporal scale of activity							
Rationale for Intensity of activity							
Rationale for choosing most vulnerable sub-component							
Rationale for Consequence score							

Table CCA6: SICA scoring template for PI 2.3.1 ETP species

Performance Indicator	Risk-causing activities	Spatial scale of activity	Temporal scale of activity	Intensity of activity	Relevant subcomponents	Consequence score	MSC Score
PRINCIPLE TWO: ETP Species Outcome	<ul style="list-style-type: none"> • Direct capture • Unobserved mortality (e.g. gear loss) • Capture as bycatch in other fisheries • Other identified risk-causing activities (specify) 				Population size		
Species:					Reproductive capacity		
					Age/size/sex structure		
					Geographic range		
Rationale for selecting worst plausible case scenario							
Rationale for Spatial scale of activity							
Rationale for Temporal scale of activity							
Rationale for Intensity of activity							
Rationale for choosing most vulnerable sub-component							
Rationale for Consequence score							

Table CC6: SICA scoring template for PI 2.4.1 Habitats

Performance Indicator	Risk-causing activities from fishery under assessment	Spatial scale of activity	Temporal scale of activity	Intensity of activities	Relevant subcomponents	Consequence score	MSC Score
PRINCIPLE TWO: Habitats Outcome	<ul style="list-style-type: none"> • Fishing • Gear loss • Bait collection • Anchoring/mooring • Other identified risk-causing activities (please specify) 				Habitat types		
Habitat:					Habitat structure and function		
Rationale for selecting worst plausible case scenario							
Rationale for Spatial scale of activity							
Rationale for Temporal scale of activity							
Rationale for Intensity of activity							
Rationale for choosing most vulnerable sub-component							
Rationale for Consequence score							

Table CC7: SICA scoring template for PI 2.5.1 Ecosystem

Performance Indicator	Risk-causing activities from fishery under assessment	Spatial scale of activity	Temporal scale of activity	Intensity of activities	Relevant subcomponents	Consequence score	MSC Score
PRINCIPLE TWO: Ecosystem Outcome	<ul style="list-style-type: none"> • Fishing • Gear loss • Bait collection • Other identified risk-causing activities (please specify) 				Species composition		
					Functional group composition		
					Distribution of the community		
					Trophic size/structure		
Rationale for selecting worst plausible case scenario							
Rationale for Spatial scale of activity							
Rationale for Temporal scale of activity							
Rationale for Intensity of activity							
Rationale for choosing most vulnerable sub-component							
Rationale for Consequence score							

CC2.3.2.1 **SICA step 2:** Score spatial scale of activity potentially causing an impact to the scoring element.

CC2.3.2.1 The team shall work with stakeholders at the SICA consultation meeting(s) to assign a spatial scale score.

- a. The greatest spatial extent shall be used to determine the spatial scale score for the activities relevant to the scoring elements within the PI under consideration (Table CC8). ■
 - i. For Principle 1, this is determined based on the percentage of the total range of the stock that overlaps with all fishing activity affecting the stock.
 - ii. For Principle 2, only overlap of the stock, habitat, or ecosystem with the fishing activity of the unit of certification shall be considered.
- b. The score shall be recorded onto the SICA scoring template for each component and the rationale documented.

Table CC8. SICA spatial scale score table.

<1%:	1-15%:	16-30%:	31-45%:	46-60%:	>60%:
1	2	3	4	5	6

CC2.3.3 **SICA Step 3:** Score temporal scale of activity/activities potentially causing an impact to the scoring element.■

CC2.3.3.1 The team shall work with stakeholders at the SICA consultation meeting(s) to assign a temporal scale score.

- a. The highest temporal frequency shall be used for determining the temporal scale score for the activities relevant to the scoring elements within the PI under consideration (Table CC9).
- b. The score shall be recorded onto the SICA scoring template for each component and the rationale documented.

Table CC9: SICA temporal scale score table

1 day every 10 years or so	1 day every few years	1-100 days per year	100-200 days per year	200-300 days per year	300-365 days per year
1	2	3	4	5	6

CC2.3.4 **SICA Step 4.**Score the intensity of the relevant activity

CC2.3.4.1 The team shall work with stakeholders at the SICA consultation meeting(s) to assign a score for intensity.

- a. The intensity of the activity shall be based on the spatial and temporal scale of the activity, its nature and extent.
- b. The direct impacts to the scoring element under evaluation shall be considered for the score for intensity of an activity (Table CC10).
- c. The score shall be recorded onto the SICA scoring template for the component in question and the rationale documented.

Table CC10: SICA intensity score table

Level	Score	Description
Negligible	1	remote likelihood of detection of activity at any spatial or temporal scale
Minor	2	activity occurs rarely or in few restricted locations and evidence of activity even at these scales is rare
Moderate	3	moderate detection of activity at broader spatial scale, or obvious but local detection
Major	4	detectable evidence of activity occurs reasonably often at broad spatial scale
Severe	5	easily detectable localised evidence of activity or widespread and frequent evidence of activity
Catastrophic	6	local to regional evidence of activity or continual and widespread evidence

CC2.3.5 **SICA Step 5.**Identify the most vulnerable subcomponent of the scoring element, and score the consequence of the activity on the subcomponent

CC2.3.5.1 The team shall work with stakeholders at the SICA consultation meeting(s) to assign a score for the consequences of the relevant activity on the selected subcomponent of the scoring element.

- a. One subcomponent should be chosen that, when impacted by fishing activities, results in the worst plausible case. ●
- b. When choosing which subcomponent to score, recognise that different subcomponents may be proxies for measuring the same effect but are much easier to observe and score on a qualitative basis.
- c. The score should be based on information provided by all stakeholders and the expert judgment of the team, and draw qualitatively from the scale and intensity scores awarded in CC2.3.2, CC2.3.3 and CC2.3.4.
- d. In the absence of agreement or information, the highest score (worst-case scenario) considered plausible shall be used.
- e. The consequence of the activity is scored using the SICA consequence tables In Tables CC11. CC12 and CC13.

- f. **The CAB shall record the consequence score as higher than 3 (>3) if the consequence of the activity is determined not to meet the performance levels in consequence category 3 or lower.**¹⁸⁸
- g. When assessing “changes” to subcomponents only changes due to fishing activities shall be considered. ☐
- h. The score shall be recorded onto the SICA scoring template for the component in question and the rationale documented.

Table CC11: SICA Consequence Table for Principle 1, Target Species, and Principle 2, Retained Species and Bycatch Species☐

Subcomponent	Consequence Category		
	1	2	3
Population size	Insignificant change to population size/growth rate (r). Unlikely to be detectable against background variability for this population.	Possible detectable change in size/growth rate (r) but minimal impact on population size and none on dynamics.	Full exploitation rate but long-term recruitment dynamics not adversely damaged.
Reproductive capacity	No detectable change in reproductive capacity. Unlikely to be detectable against background variability for this population.	Possible detectable change in reproductive capacity but minimal impact on population dynamics.	Detectable change in reproductive capacity, impact on population dynamics at maximum sustainable level, long-term recruitment dynamics not adversely damaged.
Age/size/sex structure	No detectable change in age/size/sex structure. Unlikely to be detectable against background variability for this population.	Possible detectable change in age/size/sex structure but minimal impact on population dynamics.	Detectable change in age/size/sex structure. Impact on population dynamics at maximum sustainable level, long-term recruitment dynamics not adversely damaged.
Geographic range	No detectable change in geographic range. Unlikely to be detectable against background variability for this population.	Possible detectable change in geographic range but minimal impact on population range and none on dynamics.	Clear change in geographic range due to fishing activities.

¹⁸⁸**Derogation, TAB 21 (date of application 14 March 2013)**

For fisheries commencing assessment or reassessment before 14 March 2013, clause CC2.3.5.1f. shall apply by 14 March 2017.

Table CC12: Principle 2 SICA Consequence Table for PI 2.4.1, Habitats

Subcomponent	Consequence Category		
	1	2	3
Habitat types	No direct impact on habitat types. Impact unlikely to be detectable. Time taken to recover to pre-disturbed state on the scale of hours to days.	Detectable impact on distribution of habitat types. Time to recover from local impact on the scale of days to weeks, at larger spatial scales recovery time up to one year.	Impact reduces distribution of habitat types. Time to recover from local impact on the scale of months to a few years, at larger spatial scales recovery time of several years to less than two decades.
Habitat structure and function	No detectable change to the internal dynamics of habitat or populations of species making up the habitat. Time taken to recover to pre-disturbed state on the scale of hours to days.	Detectable impact on habitat structure and function. Time to recover from impact on the scale up to one year, regardless of spatial scale.	Impact reduces habitat structure and function. For impacts on non-fragile habitat structure, this may be for up to 50% of habitat affected, but for more fragile habitats, to stay in this category the % area affected needs to be smaller-- up to 20%. Time to recover from impact up to two decades.

Table CC13: Principle 2 SICA Consequence Table for PI 2.5.1, Ecosystem

Subcomponent	Consequence Category		
	1	2	3
Species composition	Interactions may be occurring which affect the internal dynamics of communities leading to change in species composition not detectable against natural variation.	Impacted species do not play a keystone role (including trophic cascade impact) – only minor changes in relative abundance of other constituents. Changes of species composition up to 5%. Time to recover from impact up to five years.	Detectable changes to the community species composition without a major change in function (no loss of function). Changes to species composition up to 10%. Time to recover from impact on the scale of several to twenty years.
Functional group composition	Interactions that affect the internal dynamics of communities leading to change in functional group composition not detectable against natural variation.	Minor changes in relative abundance of community constituents up to 5%.	Changes in relative abundance of community constituents, up to 10% chance of flipping to an alternate state/ trophic cascade.
Distribution of the community	Interactions that affect the distribution of communities unlikely to be detectable against natural variation.	Possible detectable change in geographic range of communities but minimal impact on community dynamics change in geographic range up to 5 % of original.	Detectable change in geographic range of communities with some impact on community dynamics Change in geographic range up to 10 % of original. Time to recover from impact on the scale of several to twenty years.
Trophic/size structure	Changes that affect the internal dynamics unlikely to be detectable against natural variation.	Change in mean trophic level, biomass/ number in each size class up to 5%.	Changes in mean trophic level, biomass/ number in each size class up to 10%... Time to recover from impact on the scale of several to twenty years.

CC2.3.6 SICA Step 6. Convert the consequence score into an MSC score, and feed back into the assessment tree, or go to PSA

CC2.3.6.1 The Team shall convert the consequence score to an MSC score using the scoring conversion in Table CC14 and record the score in the SICA scoring tables.

CC2.3.6.2 For PIs 1.1.1 and 2.3.1 the SICA score shall be recorded and the PI further evaluated using a PSA.

CC2.3.6.3 For PIs where all scoring elements are data-deficient (RBF) the converted SICA score shall be the final score for the PI if any of the following are met:

- a. The consequence score for the most vulnerable scoring element in PI 2.1.1 or 2.2.1 is a 1 or 2.
- b. The PI being considered is 2.4.1 or 2.5.1

CC2.3.6.5 If the consequence score is 3 or higher for PI 2.1.1 or 2.2.1, the SICA score shall be recorded but not used further in the assessment and the PI shall be further evaluated using a PSA.

CC2.3.6.6 For PIs where there are scoring elements that are both data-deficient (RBF) and non-data-deficient, the converted SICA score shall be considered as one scoring element and combined with scores for non-data-deficient scoring elements to determine the overall score for the PI using Table C2 if any of the following are met:

- a. The consequence score for the most vulnerable data-deficient scoring element in PI 2.1.1 or 2.2.1 is a 1 or 2.
- b. The PI being considered is 2.4.1 or 2.5.1

CC2.3.6.7 If the consequence score is 3 or higher for PI 2.1.1 or 2.2.1, the SICA score shall be recorded but not used further in the assessment and the data-deficient scoring elements shall be further evaluated using a PSA.

CC2.3.6.8 The team may amend a converted MSC score within a scoring guidepost category's 20-point range if there is any additional relevant information available which justifies an amendment.¹⁸⁹

Table CC14: SICA consequence categories and associated MSC SG scores

Consequence category	MSC equivalent score	
	Target, bycatch, retained species	Habitats and ecosystems
1	100	100
2	80	80
3	-	60
>3	-	<60

CC2.3.6.6 The team shall record all changes made and their justifications for the changes.

CC2.4 Conducting a Productivity-Susceptibility Analysis (PSA)

¹⁸⁹TAB 21, date of application 14 March 2013

CC2.4.0.1 The PSA shall be used if required according to Figure CC1.

CC2.4.0.2 An **MSC PSA Worksheet for RBF** is available from the MSC website and should be used by teams to calculate PSA scores.

CC2.4.0.3 The team shall conduct a PSA for each data-deficient scoring element identified within a given PI (e.g. each species) using the PSA. ◻

CC2.4.0.4 Teams may elect to conduct a PSA on only “main” species when evaluating PI 2.1.1 or 2.2.1 where retained or bycatch species are encountered extremely rarely, and there may be little data available on them. ◻

CC2.4.0.5 The score for each component of the PSA shall be recorded in the MSC PSA Worksheet for RBF, and the rationale for each component documented.¹⁹⁰

CC2.4.1 **PSA Step 1: Score species for productivity**

CC2.4.1.1 The team shall score the productivity of each data-deficient scoring element (species) using Table CC15. ◻

- a. Teams shall score each productivity attribute on a three-point risk scale: low (3), medium (2) or high (1), using the cut-offs in Table CC15.
- b. Teams shall calculate the average of these risk scores (rounded to two decimal places) to give the overall productivity risk score.

¹⁹⁰**Derogation, TAB 21 (date of application 14 March 2013)**

For fisheries commencing assessment or reassessment before 14 March 2013, clause CC2.4.0..5.. shall apply by 14 March 2017.

Table CC15: PSA Productivity attributes and scores

Productivity determinant	Low productivity (high risk, score=3)	Medium productivity (medium risk, score=2)	High productivity (Low risk, score=1)
Average age at maturity	>15 years	5-15 years	<5 years
Average maximum age	>25 years	10-25 years	<10 years
Fecundity	<100 eggs per year	100-20,000 eggs per year	>20,000 eggs per year
Average maximum size	>300 cm	100-300 cm	<100 cm
Average size at maturity	>200 cm	40-200 cm	<40 cm
Reproductive strategy	Live bearer	Demersal egg layer	Broadcast spawner
Trophic Level	>3.25	2.75-3.25	<2.75

CC2.4.2 PSA Step 2: Score species for susceptibility ■

CC2.4.2.1 The team shall score the susceptibility of each scoring element (species) using Table CC16 and the MSC PSA Worksheet for RBF.

- a. The team shall score four susceptibility attributes, areal overlap, vertical overlap, selectivity and post capture mortality.
- b. Each susceptibility attribute shall be scored on a three-point risk scale: high (3), medium (2) or low (1), using the cut-offs in Table CC16. Further requirements for specific circumstances are contained in CC2.4.2.2.
- c. The risk scores are multiplied (possible range 1-81) and rescaled to the range (1-3) to generate the overall susceptibility risk score.
- d. Where no cut-offs for a particular gear type are provided, teams shall develop similar selectivity tables that are appropriate for the gear being considered in the certification. The assessment report shall include a justification for the factors used and cut-offs selected in these cases.

Table CC16: PSA Susceptibility attributes and scores

	Low susceptibility (low risk, score=1)	Medium susceptibility (medium risk, score=2)	High susceptibility (High risk, score=3)
<p>Areal Overlap Overlap of the fishing effort with a species distribution of the stock.</p>	<10% overlap	10-30% overlap	>30% overlap
<p>Vertical Overlap The position of the stock/species within the water column relative to the fishing gear.</p>	Low overlap with fishing gear	Medium overlap with fishing gear	High overlap with fishing gear
<p>Selectivity for set gillnets Selectivity is the potential of gear to capture or retain the species</p>	Length at maturity < mesh size, or >5 m in length	Length at maturity is 1-2 times mesh size or 4-5 m in length	Length at maturity >2 times mesh size, to say, 4 m in length
<p>Selectivity for hooks Defined by typical weights of the species caught relative to the breaking strain of the snood, the gaffing method used in the fishery, and by diet of potential species</p> <p>Scores for hook susceptibility may be assigned using the categories to the right. If there are conflicting answers, e.g. Low on point 1 but medium on point 2, the higher risk score shall be used.</p>	<p>a. Does not eat bait (e.g. diet specialist), filter feeder (e.g. basking shark), small mouth (e.g. sea horse). Most robust scoring attribute.</p> <p>b. Species with capacity to break line when hooked (e.g. large toothed whales, and sharks).</p> <p>c. Selectivity known to be low from selectivity analysis/experiment (e.g. <33% of fish encountering gear are selected)</p>	<p>a. Large species, with adults rarely caught, but juveniles captured by hooks.</p> <p>b. Species with capacity to break snood when being landed.</p> <p>c. Selectivity known to be medium from selectivity analysis/experiment (e.g. 33-66% of fish encountering gear are selected).</p>	<p>a. Bait used in the fishery is selected for this type of species, and is a known diet preference (e.g. squid bait used for swordfish), or important in wild diet.</p> <p>b. Species unable to break snood when being landed</p> <p>c. Selectivity known to be high from selectivity analysis/experiment (e.g. >66% of fish encountering gear are selected)</p>
<p>Selectivity for Traps/Pots</p> <p>Scores for trap susceptibility may be assigned using the categories to the right. If there are conflicting</p>	<p>a. Cannot physically enter the trap (e.g. too big for openings, sessile species, wrong shape, etc).</p>	<p>a. Can enter and easily escape from the trap, but is attracted to the trap (e.g. does eat the bait, or trap is attractive as habitat)</p>	<p>a. Can enter, but cannot easily escape from the trap, and is attracted to either the bait, or the habitat provided by the trap.</p>

	Low susceptibility (low risk, score=1)	Medium susceptibility (medium risk, score=2)	High susceptibility (High risk, score=3)
answers, e.g. Low on point 1 but medium on point 2, the higher risk score shall be used.	b. Can enter and easily escape from the trap, and no incentive to enter the trap (does not eat bait, trap is not attractive as habitat, etc.)	b. Can enter, but cannot easily escape from the trap, and no incentive to enter the trap (does not eat bait, trap is not attractive as habitat, etc.) c. Species occasionally found in the trap.	b. Species regularly found in the trap
Post-capture mortality(PCM) (scores vary by fishery) The chance that, if captured, a species would be released in condition that would permit subsequent survival	Evidence of post-capture release and survival	Released alive	Retained species, or majority dead when released

CC2.4.2.2 The team shall take the following matters into account when scoring the susceptibility of each species using Table CC16.

CC2.4.2.2.1 Principle 1 

- a. Each fishery affecting the given target stock shall be identified and listed separately.
- b. For stocks upon which there are multiple fisheries, susceptibility attributes for each fishery shall be combined and considered as follows:
 - i. **Areal Overlap:** The combined geographical overlap of all fisheries impacting the stock shall be considered for which areal overlap risk score to assign.
 - ii. **Vertical Overlap:** The combined vertical overlap between all fishing gears impacting the stock shall be considered for which vertical overlap risk score to assign.
 - iii. The resulting areal overlap and vertical overlap risk scores shall be entered into those cells in the MSC PSA Worksheet for RBF for all listed fisheries.

- iv. The selectivity and post capture mortality risk scores for each fishery on a given target stock shall be determined individually, and entered in the respective cells of the MSC PSA Worksheet for RBF.
- c. If precise catch data are available, weights for each fishery shall be assigned according to known proportions of total catch of the given target stock.
- d. If catch data are not available, a qualitative information gathering process shall be used and documented to apply a weight to each fishery according to Table CC17:
- e. A weighted average of PSA scores for each fishery shall be calculated in order to derive the final overall PSA score for Principle 1.

Table CC17: Weighting of fisheries

% contribution of catch	Weighting score
0-25	1
25-50	2
50-75	3
75-100	4
Contribution unknown	4

CC2.4.2.2.2 Scoring Areal overlap

- a. The team shall generate areal overlap scores after consideration of the overlap of the fishing effort with the distribution of the stock.
 - i. For species with good distribution maps, availability areal overlap shall be scored using detailed mapping analysis: the amount of overlap between fishing effort and species stock distribution.
 - ii. For species without good distribution maps, stakeholder generated maps may be used.

CC2.4.2.2.3 Scoring vertical overlap

- a. The team shall generate vertical overlap scores after consideration of the likelihood that a species will encounter fishing gear that is deployed within the geographic range of that species.
 - i. The deployment of fishing gear in relation to its adult habitat is the main aspect to be considered for each species.

CC2.4.2.2.4 Scoring selectivity

- a. The team shall generate selectivity scores after consideration of the potential of gear to capture or retain the species that do encounter fishing gear.
 - i. The team shall consider factors including length, overall shape, fin spines, swimming speed relative to speed of the gear when considering selectivity of nets.
 - A. Recognising that among these factors only length is available for most of the species being assessed, size at maturity shall be used rather than maximum size. ☐
 - ii. Selectivity of hooks shall be defined by typical weights of the species caught relative to the breaking strain of the snood, the gaffing method used in the fishery and by diet of potential species.
 - iii. For hook fisheries, body weight cut-offs are determined from observer data. These weight cut-offs shall be converted to size cut-offs using length weight relationships where available.

CC2.4.2.2.5 Scoring Post capture mortality (PCM)

- a. The team shall use their knowledge of species biology and fishing practice together with Independent field observations to assess:
 - i. Biological factors that may limit the potential of a species to be captured alive.
 - ii. Handling practices of the fishery (ies) being considered.
 - iii. The time taken to clear discards from the deck.
 - iv. The probability that if a species is captured it would be released in condition that would permit subsequent survival. ☐
- b. In the absence of observer data or other verified field observations made during commercial fishing operations that indicate the individuals are released alive and survivorship can be demonstrated the default value for the PCM of all species shall be high.
- c. Given the PSA's inability to distinguish between selectivity across a species size range, and selectivity for a particular species the team may reduce the PCM from the default score of high if:
 - i. There is high rate of discard of live animals.☐
 - ii. A high score has been allocated for the selectivity.
 - iii. A large portion of animals are returned alive and survive the encounter.

CC2.4.2.2.6 The team may make changes to the susceptibility scores if: ☐

- a. The team has additional information regarding an attribute that justifies a change in score.

- b. Independent observer information is provided. Where possible, observer data shall be verified in face-to-face observer meetings to make sure that the observer is qualified to identify the species concerned.
- c. Other sources of data appropriate to the fishery (ies) or region(s) are available.

CC2.4.2.2.7 The team shall record the rationale for all changes made.

CC2.4.3 **PSA Step 3.** Calculate risk scores and plot species onto a PSA plot. ●

CC2.4.3.1 The team shall use the overall productivity and susceptibility risk scores for each species to place the respective scoring element on 2D plots using the PSA Excel workbook.

CC2.4.4 **PSA Step 4:** Convert PSA scores into MSC scores and feed back into default assessment tree.

CC2.4.4.1 The team shall convert the PSA score into an MSC score. Where there is more than one scoring element, the team shall convert the scores, using the MSC PSA Worksheet for RBF.●

- a. **The team shall round the MSC score resulting from the PSA conversion to the one decimal place.**¹⁹¹

CC2.4.4.2 The team shall make sure that for each PI triggering the PSA, there is one PSA score **per scoring element** (species). ●

CC2.4.4.3 In cases in P2 where there is more than one scoring element, and they are all 'data-deficient' (RBF), the team shall derive a final MSC score by applying rules in Table CC18 to the set of MSC equivalent scores:

ACC2.4.4.4 In cases in P2 where there is a combination of both data-deficient (RBF) and non-data-deficient scoring elements, the team shall derive a final MSC score by using Table C2.

Table CC18: Combining multiple scoring element scores

MSC Score	Requirement to gain score
none	Any scoring elements within a PI that fail to reach a score of 60 represent a failure against the MSC Principles and Criteria and no score shall be assigned.
60	All elements have a score of 60, and only 60.
65	All elements score at least 60; a few achieve higher scores, approaching or exceeding 80, but most do not reach 80.
70	All elements score at least 60; some achieve higher scores, approaching or exceeding 80; but some fail to achieve 80 and require intervention action

¹⁹¹**Derogation, TAB 21 (date of application 14 March 2013)**

For fisheries commencing assessment or reassessment before 14 March 2013, clause CC2.4.4.1. shall apply by 14 March 2017.

75	All elements score at least 60; most achieve higher scores, approaching or exceeding 80; only a few fail to achieve 80 and require intervention action
80	All elements score 80
85	All elements score at least 80; a few achieve higher scores, but most do not approach 100
90	All elements score at least 80; some achieve higher scores approaching 100, but some do not.
95	all elements score at least 80; most achieve higher scores approaching 100; only a few fail to score at or very close to 100
100	All elements score 100.

CC2.4.4.4 For P2 and P1 PIs the team shall consider if there is additional information to bring to bear on the PI.■

- a. If not, the team shall apply the converted score directly to the PI, with the accompanying scoring template and a rationale provided as justification.
- b. If there is additional information that justifies modifying the MSC score within the 20-point range, such information may be used to reach the final score for the PI.

CC2.4.4.5 For P2, if the team has only considered “main” species in its PSA analysis the final PI score shall be adjusted downwards by the team and shall not be greater than 80 to reflect that only a subset of the total number of species has been evaluated. ■

CC2.4.5 Using the PSA to set conditions

CC2.4.5.1 Where any of the species scored in the PSA are at medium risk (i.e. <80 but >60) the team shall set a condition on that PI.

- a. A number of species could be in this category for a given PI, and the conditions shall address every “medium risk” species.

CC2.4.5.2 High risk (equivalent to less than 60) for any of the species assessed in the PSA will result in failure for the PI, unless convincing evidence can be presented that the risk was overestimated.

CC2.4.5.3 If a condition is triggered when assessing a PI using the PSA, CABs should make sure that the client action plan proposed by the fishery is capable of raising the score to 80 without causing additional associated problems. ■

CC2.4.5.4 A CAB may elect to test if the proposed client action plan will have the desired effect at the time of agreeing corrective actions by re-running the PSA. ■

CC3 Requirements for using the RBF for specific PIs

CC3.1 RBF Requirements for PI 1.1.1

CC3.1.1 ~~Where the target species is determined to be a key LTL species (see CB2.3.13), the use of RBF shall not be permitted for its assessment against PI 1.1.1.~~¹⁹²

CC3.1.2 If the RBF is used to score PI 1.1.1, the team shall:

CC3.1.2.1 Conduct both the SICA and PSA methodologies.

CC3.1.2.2 Use the PSA score to confirm the SG category into which the fishery falls.

CC3.1.2.3 Apply the PSA score if the fishery scores less than 80 at SICA and over 80 at PSA, according to Table C19.

Table CC19: Rules for use of SICA or PSA scores

SICA	PSA	Rule
>80	>80	Higher score of the two, continue RBF use
>80	60 to 80	Use PSA, only allowed to use RBF once
>80	<60	Fail
60 to 80	>80	Use PSA, only allowed to use RBF once
60 to 80	60 to 80	Use PSA, only allowed to use RBF once
60 to 80	<60	Fail
<60	>80	Use PSA, only allowed to use RBF once
<60	60 to 80	Use PSA, only allowed to use RBF once
<60	<60	Fail

CC3.1.3 The CAB shall not allow a fishery to use the RBF for this PI in subsequent MSC assessments if the MSC scores resulting from either the SICA or PSA analyses are less than 80.

CC3.1.4 If either the MSC score is less than 80, the team shall raise conditions on this PI:

- a There shall be measures put in place that will reduce the score within the specified timeframe of the condition.

¹⁹² TAB 21, date of application 14 March 2013

- b There shall be information collected and analysis completed when there is a direct measure of stock status (e.g. biomass) that can be compared with biologically based reference points by the time of re-assessment. At re-assessment, PI 1.1.1 shall then be scored using the SGs present in the default tree, and if necessary, PI 1.1.3 shall then be scored as well.

CC3.1.4 The CAB shall as appropriate allow the RBF to be used in subsequent assessments (surveillance audits and re-assessment) if the SICA and PSA scores are both 80 or greater, as long as the scores do not drop below 80, in which case CC3.1.3, shall apply. ■

CC3.1.5 For assessments using the RBF for PI 1.1.1.:

- a. When the RBF is used to assess the unmodified Annex CB PI 1.1.1, teams shall interpret reference points for all PIs in P1 as “risk-based” reference points.
- b. Teams shall include in their rationale for the unmodified Annex CB PI 1.2.1 an explanation of how the harvest strategy works to achieve stock management objectives consistent with ensuring the fishery operates at a low risk as defined in the RBF.
- c. Teams shall include in their rationale for PI 1.2.2 an explanation of how harvest control rules act to reduce the risk as defined in the RBF, as unacceptable risk levels are approached.

CC3.2 RBF requirements for PI 1.1.2■

CC3.2.1 When the RBF is used to score PI 1.1.1, teams shall give PI 1.1.2 (reference points) a score of 80.

CC3.3 RBF requirements for PI 1.1.3■

CC3.3.1 Teams shall not score PI 1.1.3 when the RBF is used to score PI 1.1.1. Instead, CC3.1.3 concerning mandatory conditions on PI1.1.1 shall apply in cases where PI 1.1.1 receives a score between 60 and 80.

CC3.4 RBF requirements for PI 1.2.4■

CC3.4.1 When the RBF is used to score PI 1.1.1, teams shall give PI 1.2.4 (Assessment of stock status) a score of 80.

CC3.5 RBF requirements for PI 2.3.1

CC3.5.1 If the RBF is used to score PI 2.3.1., the team shall conduct both the SICA and PSA methodologies, and determine MSC scores based on the PSA, regardless of the SICA outcome.

CC3.5.2 The team may only use the RBF to Score PI 2.3.1 in those cases where no requirements for protection and rebuilding of ETP species are provided through national ETP legislation or binding international agreements.

CC3.6 RBF requirements for PI 2.4.1 and PI 2.5.1

CC3.6.1 If the RBF is needed for the Habitats and Ecosystem PIs, 2.4.1 and 2.5.1, only a SICA analysis shall be undertaken, and the PI shall be scored based on the SICA, even if it results in a score below 80.

CC3.7 Specific requirements for Information PIs when the RBF is applied ☐

CC3.7.1 When scoring PI 2.1.1, the team shall comply with the following:

- a. If all scoring elements in PI 2.1.1 are data-deficient and have been scored using the RBF, the CAB shall not score the Scoring issue in brackets in Table CB10. ☐
- b. If there are both data-deficient (RBF) and non-data-deficient scoring elements in PI 2.1.1, the CAB shall score the Scoring issue in brackets in Table CB10, but shall only consider the non-data-deficient scoring elements when scoring the Scoring issue in bracket

CC3.7.2 When scoring PI 2.2.1, the team shall comply with the following:

- a. If all scoring elements in PI 2.2.1 are data-deficient and have been scored using the RBF, the CAB shall not score the Scoring Issue in brackets in Table CB13.
- b. If there are both data-deficient (RBF) and non-data-deficient scoring elements in PI 2.2.1, the CAB shall score the Scoring Issue in brackets in Table CB13, but shall only include the non-data-deficient scoring elements when scoring the Scoring Issue in brackets. ☐

CC3.7.3 When scoring PI 2.3.1, the team shall comply with the following:

- a. If all scoring elements in PI 2.3.1 are data-deficient and have been scored using the RBF, the CAB shall not score the Scoring Issue in brackets in Table CB16.
- b. If there are both data-deficient (RBF) and non-data-deficient scoring elements in PI 2.3.1, the CAB shall score the Scoring Issue in brackets in Table CB16, but shall only include the non-data-deficient scoring elements when scoring the Scoring Issue in brackets. ☐¹⁹³

----- End of Annex CC -----

¹⁹³**Derogation, TAB 21 (date of application 14 March 2013)**

For fisheries commencing assessment or reassessment before 14 March 2013, clauses under CC3.7 shall apply by 14 March 2017.

Annex CD Objections Procedure – Normative

CD1 Background

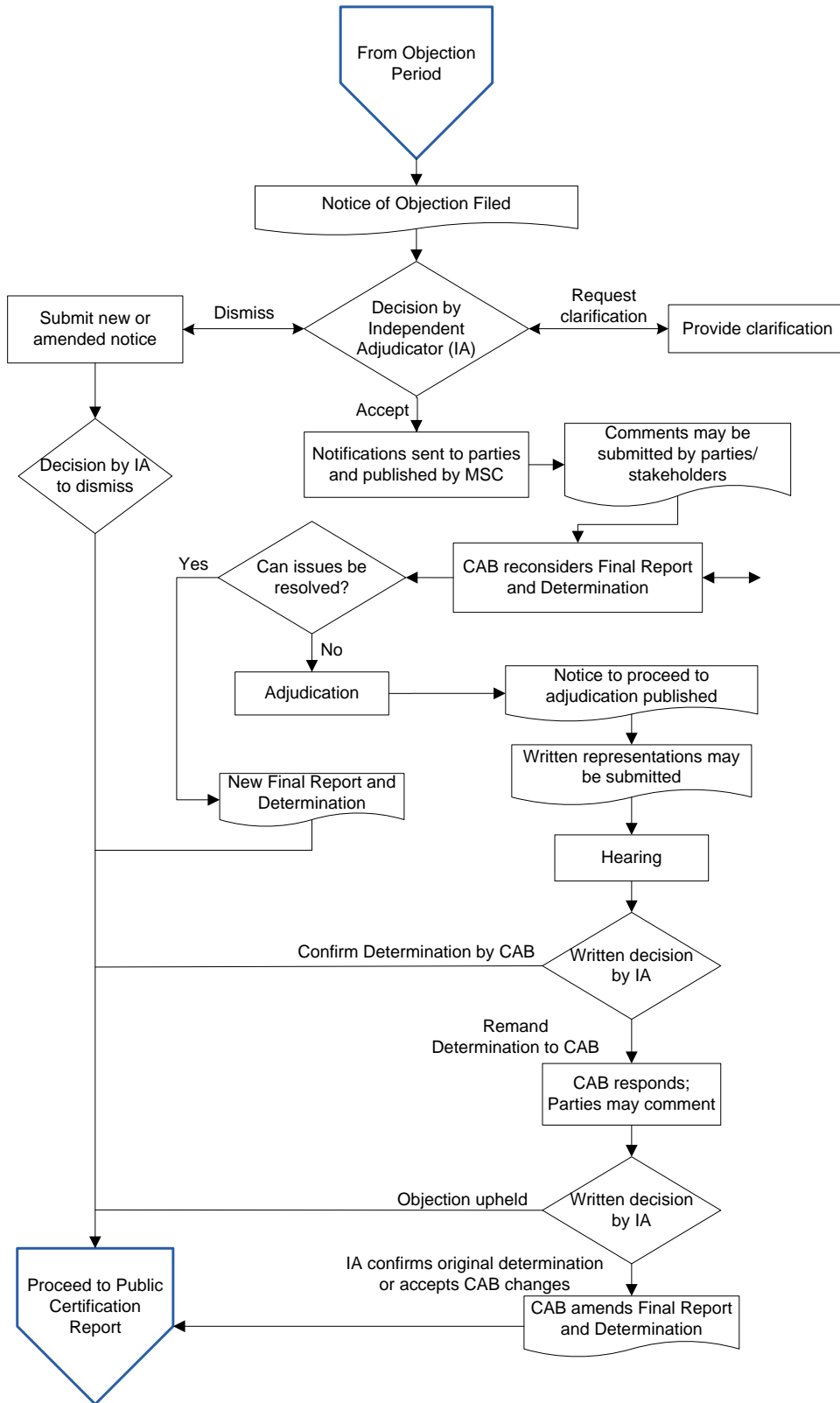


Figure CD1: Objections Procedure

- CD1.1** The MSC Objections Procedure is a key component of the fishery assessment process. It is intended to provide a robust dispute resolution mechanism and produce an outcome that all parties in a fishery certification would consider fair and impartial. There are two objectives of the process:
- a To provide for an independent review of CAB decisions to make sure that the decisions are not arbitrary or unreasonable, and
 - b To provide an orderly, structured procedure in which parties' concerns about certification decisions can be transparently addressed and resolved.

CD2 Objections procedure

CD2.1 Object and purpose

CD2.1.1 The purpose of the Objections Procedure is to provide an orderly, structured, transparent and independent process by which objections to the final report and determination of a CAB can be resolved.

CD2.1.1.1 It is not the purpose of the Objections Procedure to review the subject fishery against the MSC Principles and Criteria for Sustainable Fishing, but to determine whether the CAB made an **error of procedure or scoring**¹⁹⁴ that materially affected the outcome of its determination.

CD2.1.2 Subject to CD2.3.1.3 the procedure is open only to parties involved in or consulted during the assessment process.

CD2.1.3 An Independent Adjudicator will examine the claims made by an objector in a notice of objection and will make a written finding as to whether the CAB made an error that materially affected the outcome of its determination. If any error is identified, and if there is adjudged to be a real possibility that the CAB may have come to a different conclusion, the Independent Adjudicator will remand the determination back to the CAB for reconsideration.

CD2.1.4 In the event that a notice of objection is filed, a certificate shall not be issued or ecolabel licensing agreements entered into relating to any fishery product until the objections procedure has run its course in accordance with the procedures set out in this Annex and the Public Certification Report has been issued in accordance with 27.19.1.

CD2.2 The Independent Adjudicator

CD2.2.1 The MSC Board of Trustees shall appoint an Independent Adjudicator to consider all objections to a final report or determination.

¹⁹⁴ **Board 19, date of application 14 November 2011.**

- CD2.2.1.1 The Independent Adjudicator shall be appointed for a period of three years and may be reappointed.
- CD2.2.1.2 The decision of the Board in appointing or reappointing the Independent Adjudicator shall be final.
- CD2.2.1.3 The Independent Adjudicator shall perform all the functions allocated to him or her in accordance with the procedures set out in Part C of the MSC Certification Scheme Requirements.
- CD2.2.1.4 An additional Adjudicator may be appointed at any time to act in cases where the Independent Adjudicator is unavailable to act for any reason, including a conflict of interest or unavailability.
- CD2.2.2 The Independent Adjudicator may be removed by the MSC Board of Trustees for good cause, including incompetence, bias or impropriety.
- CD2.2.3 The Independent Adjudicator shall be independent of the MSC Executive, but the MSC Executive may provide him or her with appropriate administrative and logistic support, including sending and receiving notices and correspondence.

CD2.3 Notice of objection

- CD2.3.1 A notice of objection to a final report or determination may be submitted by:
 - CD2.3.1.1 The fishery client(s).
 - CD2.3.1.2 Any party to the assessment process that made written submissions to the CAB during the fishery assessment process or attended stakeholder meetings.
 - CD2.3.1.3 Any other party that can establish that the failure of the CAB to follow procedures prevented or substantially impaired the objecting party's participation in the fishery assessment process.
- CD2.3.2 A notice of objection must be submitted no later than fifteen days after the date on which the final report and determination is posted on the MSC website.
- CD2.3.3 A notice of objection must be submitted in the format prescribed by the MSC Executive (see Annex CE). It shall be addressed to the Independent Adjudicator with a copy to the MSC Chief Executive.
- CD2.3.4 The notice of objection must set out clearly and precisely the basis upon which CD2.7.2 is said to apply. It must:
 - CD2.3.4.1 Identify the alleged errors in the final report and determination;
 - CD2.3.4.2 Explain in sufficient detail why it is claimed that the alleged errors made a material difference to the outcome of the determination or the fairness of the assessment.
- CD2.3.5 If it is asserted that the determination should be remanded for the reasons set out in CD2.7.2.3 the notice of objection must specify, in sufficient detail, the:
 - CD2.3.5.1 Nature of the additional information that it is asserted should reasonably have been made available to the CAB, and

CD2.3.5.2 Reasons why it is considered that the material, if considered, could have made a material difference to the outcome of the assessment.

CD2.3.6 Upon receipt of a notice of objection, the Independent Adjudicator shall proceed in the manner set out in CD2.4.

CD2.4 Procedure on receipt of a notice of objection

CD2.4.1 If the Independent Adjudicator, in his or her discretion, determines that the notice of objection is not in the form required by these procedures or has no reasonable prospect of success, the Independent Adjudicator may either:

CD2.4.1.1 Dismiss the objection, giving written reasons therefore; or

CD2.4.1.2 Request further clarification from the objector.

CD2.4.2 For purposes of this Section, an objection has a “reasonable prospect of success” if, in the view of the Independent Adjudicator:

CD2.4.2.1 It is not spurious or vexatious;

CD2.4.2.2 Some evidence is presented on the basis of which the Independent Adjudicator could reasonably expect to determine that one or more of the conditions set forth in CD2.7.2 are satisfied.

CD2.4.3 In the event that the Independent Adjudicator decides to dismiss the objection, the objector may nonetheless submit a new or amended notice of objection within five days of being so notified by the Independent Adjudicator. An objector shall have only one opportunity to submit such a new or amended notice of objection.

CD2.4.4 In the event that the Independent Adjudicator requests further clarification from the objector, the Independent Adjudicator shall notify the objector in writing of the clarification sought and the time limit for responding (which, in the absence of special circumstances to justify a longer time, should normally be not more than five days). If the objector fails to respond within the time specified, it shall be assumed that the objector does not wish to proceed further and the Independent Adjudicator shall thereupon issue a notice in writing dismissing the objection.

CD2.4.5 If the Independent Adjudicator, in his or her discretion, determines that the new or amended notice of objection submitted under CD2.4.2 or CD2.4.3 does not disclose any of the grounds set out in CD2.3.4, is not in the form required by these procedures, has no reasonable prospect of success or is spurious or vexatious, the Independent Adjudicator shall dismiss the objection, giving written reasons therefore.

CD2.4.6 Where a notice of objection is accepted, the Independent Adjudicator shall promptly notify the CAB, the fishery client(s) and any other objectors, of the objection. The MSC Executive shall also cause a copy of the notice of objection to be posted on the MSC website. The date upon which the notice of objection is posted on the website shall be the “date of publication”.

CD2.4.7 The fishery client(s) or any stakeholder that participated in the fishery assessment process (other than the objector(s)), may, within fifteen days of the

date of publication, submit written representations on the matters raised in the notice of objection. All such written representations shall be submitted through the Independent Adjudicator and shall be posted on the MSC website.

CD2.5 Reconsideration by the CAB

- CD2.5.1 Where a notice of objection has been accepted, the CAB shall be required to reconsider its final report and determination in light of the matters raised in the notice of objection. The CAB shall, within twenty days of the date of publication, provide a written response to the notice of objection.
- CD2.5.1.1 The response shall provide appropriate information indicating the extent to which the matters set forth in the notice of objection were considered in the fishery assessment and the impact thereof on the determination.
- CD2.5.1.2 In formulating its response, the CAB shall also take into account any written representations received in accordance with CD2.4.7.
- CD2.5.1.3 The CAB shall also indicate and give reasons for any proposed changes to its final report and determination in the light of the reconsideration.
- CD2.5.2 The response of the CAB shall be made available to all interested parties, including the objector(s), the fishery client(s) and the MSC Executive.
- CD2.5.3 Upon receipt of the response by the CAB, the Independent Adjudicator shall consult with the objector(s), the fishery client(s) and the CAB in order to determine whether the response of the CAB, including any proposed changes to the final report and determination, adequately addresses the issues raised in the notice of objection.
- CD2.5.3.1 The Independent Adjudicator shall strive to conclude such consultations within a period of ten days but may if necessary, at his or her discretion after consultation with the parties, extend such period if it appears that there is a real and imminent prospect of reaching a solution that is acceptable to all relevant parties.
- CD2.5.4 In the event that the issues raised in the notice of objection can be resolved through consultations, the CAB, in consultation with the Independent Adjudicator, shall make such changes and revisions to the final report and determination as may be agreed and shall proceed to prepare a Public Certification Report in accordance with 27.19.1 No further appeal or objection shall be permitted.
- CD2.5.5 In the event that some or all of the issues raised in the notice of objection cannot be resolved through consultations, the Independent Adjudicator shall notify all parties that the adjudication phase will commence immediately in accordance with CD2.6.

CD2.6 Adjudication

- CD2.6.1 Subject to CD2.9 (Costs), the Independent Adjudicator shall, within thirty days of the date upon the parties were notified of the intention to proceed to adjudication,

convene an **oral**¹⁹⁵ hearing of the objection, unless the parties to the objection agree otherwise.

- CD2.6.2 The **oral** hearing is intended to provide an opportunity for the CAB, the objector(s) and the fishery client(s) (if not the objecting party) to present their respective cases in person, including by video or teleconference.
- CD2.6.3 The Independent Adjudicator shall conduct the hearing in accordance with the provisions of this section but may also promulgate additional rules of procedure, including time limits on **oral** presentations and rules as to representation. The Independent Adjudicator shall normally aim to complete the hearing during one session, but may, where necessary, adjourn to continue the hearing using electronic communications or other means.
- CD2.6.4 The fishery client(s), the objector(s), and the CAB may submit additional or supplementary written representations on the matters raised in the notice of objection or in the written representations submitted by other parties under CD2.4.7. All such written representations shall be submitted through the Independent Adjudicator and must be received not later than five days before the date set for hearing.
- CD2.6.5 The Independent Adjudicator shall evaluate objections solely on the basis of:
- CD2.6.5.1 The record, which shall include and be limited to:
- a The final report of the CAB and the record on which the final report was based, including written submissions and reports provided to the CAB during the assessment process, the written record of oral, written or documentary evidence submitted in the assessment process, as well as any other evidence referenced or cited in the final report;
 - b The notice of objection;
 - c Any written representations submitted pursuant to CD2.4.7 and CD2.6.4;
 - d Any representations made by any party at an **oral** hearing pursuant to these procedures; and,
 - e Other clarifications required by the Independent Adjudicator.
- CD2.6.5.2 Any additional information, not forming part of the record, that is relevant to matters accepted in the notice of objection and the circumstances at the date of the scoring of the fishery that:
- a Was known or should reasonably have been known to any party to the assessment process, and
 - b Should reasonably have been made available to the CAB during the assessment process, and
 - c If considered, could have made a material difference to the outcome of the assessment;

¹⁹⁵ **Board 20, date of application 10 March 2012**

- CD2.6.5.3 The MSC Principles and Criteria for Sustainable Fishing; and
- CD2.6.5.4 The MSC Certification Requirements current at the time of the assessment in question, together with Guidance and amendments thereof made by the MSC Technical Advisory Board and the Board of Trustees, any related interpretations to these documents whether or not of mandatory effect with regard to CAB conformity made by the MSC Executive and ASI.
- CD2.6.6 The Independent Adjudicator may not consider issues not raised in the notice of objection, even if the Independent Adjudicator is of the view that a particular issue should have been raised. In no case shall the Independent Adjudicator substitute his or her own views or findings of fact for those of the CAB.
- CD2.6.7 The Independent Adjudicator may solicit external advice on technical matters from, and for this purpose may sit with and receive technical advice from, qualified experts. Such technical experts shall not take part in decision-making. Any written reports or advice tendered by the technical experts shall be attached to the Independent Adjudicator's written decision.
- CD2.6.8 The experts selected by the Independent Adjudicator to provide advice in relation to any particular objection shall not be involved in any activity that constitutes a conflict of interest. Such conflicts include, but are not limited to, the following criteria:
- CD2.6.8.1 Experts shall not be members of the MSC Board of Trustees, Technical Advisory Board, Stakeholder Council or Executive;
- CD2.6.8.2 Experts shall not have commercial involvement with the CAB, the subject fishery or the objector(s);
- CD2.6.8.3 Experts shall not be involved in management, or lobbying for or against the fishery or be involved with an organisation that has indicated its opposition to the certification of the fishery under objection;
- CD2.6.8.4 Experts shall not have been involved in any part of the current assessment process for the fishery under objection.
- CD2.6.9 In order to facilitate the Objections Procedure, the MSC Executive may maintain a public register of suitably qualified persons willing and available to act as independent experts. Experts may, however, be selected who are not on the register.
- CD2.6.10 In the event that, in relation to any particular objection, there is a conflict of interest involving the Independent Adjudicator, he or she shall excuse him or herself from further participation in that particular objection. The Chair of the MSC Board of Trustees shall appoint another suitably qualified candidate to act as Independent Adjudicator ad hoc for that particular objection. In the event of any difference of opinion between the Independent Adjudicator and any party to the objection as to whether a conflict of interest exists, the decision of the MSC Board of Trustees on the matter shall be final.
- CD2.6.11 At any stage of the objections process, any party to an objection may, by notification in writing, call the attention of the Independent Adjudicator to an alleged error of fact, procedural error or unfairness on his or her part with respect

to the objections process and the Independent Adjudicator shall respond as soon practicable.

CD2.7 Powers of the Independent Adjudicator

CD2.7.1 The Independent Adjudicator shall issue a decision in writing either:

CD2.7.1.1 Confirming the determination by the CAB; or

CD2.7.1.2 Remanding the determination to the CAB.

CD2.7.2 The Independent Adjudicator shall remand the determination to the CAB if he or she determines either:

CD2.7.2.1 There was a serious procedural or other irregularity in the fishery assessment process that made a material difference to the fairness of the assessment; or

ACD2.7.2.1 The setting of conditions by the CAB in relation to one or more performance indicators cannot be justified because the conditions fundamentally cannot be fulfilled, or the condition setting decision was arbitrary or unreasonable in the sense that no reasonable CAB could have reached such a decision on the evidence available to it; or¹⁹⁶

CD2.7.2.2 The score given by the CAB in relation to one or more performance indicators cannot be justified, and the effect of the score in relation to one or more of the particular performance indicators in question was material to the outcome of the determination, because either:

- a The CAB made a mistake as to a material fact.
- b The CAB failed to consider material information put forward in the assessment process by the fishery or a stakeholder.
- c The scoring decision was arbitrary or unreasonable in the sense that no reasonable CAB could have reached such a decision on the evidence available to it.

CD2.7.3 It is necessary to remand the determination in order to enable the CAB to consider additional information described in CD2.6.5.2 and described in the notice of objection. In such a case, the remand shall be limited to a request to the CAB to consider the impact of the additional information on its original determination and to provide a response in accordance with CD2.8.2.

CD2.8 Remand

CD2.8.1 In the event that a determination is remanded, the Independent Adjudicator shall state, in writing, the grounds upon which the objection has been remanded, the specific matters that the CAB must consider in the remand and the relationship of these matters to one or more of the MSC's Principles and Criteria for Sustainable Fishing or procedural rules. Copies of the remand shall be sent to the MSC Chief Executive, the fishery client(s) and the objecting party.

¹⁹⁶ Board 20, date of application 10 March 2012

- CD2.8.2 Within ten days after receipt of the remand instructions, unless the Independent Adjudicator has granted the CAB a specific amount of additional time, the CAB shall respond in writing to the matters specified in the remand, with copies sent to the MSC Chief Executive, the fishery client(s) and the objecting party. The response of the CAB either:
- CD2.8.2.1 Shall include a statement of “no change” in relation to the scoring of performance indicators.
 - CD2.8.2.2 Shall indicate any proposed changes to the justification for a score or indicate a change in the score in relation to any of the performance indicators.
 - CD2.8.2.3 And shall give reasons for its decision under either CD2.8.2.1 or CD2.8.2.2.
- CD2.8.3 Any party to the objection may make written submissions on the matters specified in the remand or on the response thereto by the CAB under CD2.8.2. Such submissions must be received by the Independent Adjudicator no later than five days following the response by the CAB.
- CD2.8.4 The Independent Adjudicator shall, within ten days of the response by the CAB, either:
- CD2.8.4.1 Accept the response as adequate to meet the matters raised in the remand and confirm the original or amended Determination, as the case may be, by the CAB.
 - CD2.8.4.2 After reviewing the response of the CAB, determine that the objection shall be upheld on one or more of the grounds specified in CD2.7.2.
- CD2.8.5 If the CAB does not respond to the remand within the time limits specified in CD2.8.2 the Independent Adjudicator shall proceed to CD2.8.4 as if the CAB had made a “no change” response to the remand.
- ACD2.8.6 The Independent Adjudicator shall include in the final decision a summary of conclusions from previous decisions, in order to provide a complete record of issues, including for example issues that are rejected, dismissed or closed prior to the final decision.¹⁹⁷**
- CD2.8.6 A decision by the Independent Adjudicator under CD2.8.4 is final. No additional objections may be lodged under these procedures in respect of such decision. The certification decision of the CAB shall be made with reference to the decision of the Independent Adjudicator **and assessed for adequacy by the Independent Adjudicator as per CD2.8.8¹⁹⁸.**
- CD2.8.7 In the event that the Independent Adjudicator confirms the amended determination, the CAB shall make such amendments to its final report and determination as may be necessary in the light of the findings of the Independent Adjudicator and shall proceed to issue a Public Certification Report in accordance with 27.19.1 **which shall be assessed for adequacy by the Independent Adjudicator as per CD2.8.8¹⁹⁹.**

¹⁹⁷ Board 21, date of application 14 March 2013

¹⁹⁸ Board 19, date of application 14 November 2011

¹⁹⁹ Board 19, date of application 14 November 2011

CD2.8.8 The Independent Adjudicator shall determine whether the amendments to the Final Report and Determination or the Public Certification Report adequately address the findings of the Independent Adjudicator by assessing whether the amendments are adequately supported with evidence rationale and therefore reasonable.

- a. **If the Independent Adjudicator determines that the amendments ~~are supported by evidence and therefore reasonable~~ adequately address the findings of the Independent Adjudicator, the MSC shall publish the Public Certification Report in accordance with 27.19.1.**

- b. **If the Independent Adjudicator determines that the amendments ~~are not supported by evidence and therefore unreasonable~~ do not adequately address the findings of the Independent Adjudicator, the Public Certification Report shall not be published and the Independent Adjudicator shall remand the Public Certification Report back to the CAB for further amendments to be made and then to be considered by the Independent Adjudicator as per CD2.8.8.²⁰⁰**

CD2.8.9 Nothing in these procedures shall prevent any party to a fishery assessment from submitting a complaint relating to the CAB to ASI in accordance with the procedures of ASI. No such appeal to ASI shall affect the outcome under this Objection Procedure.

CD2.9 Costs

CD2.9.1 The costs of the adjudication process, up to a maximum level established from time to time by the MSC Board of Trustees,²⁰¹ shall be borne by the objector or, if there is more than one objector, the objectors in equal shares.

CD2.9.2 In exceptional circumstances, the Independent Adjudicator may decide to waive the costs in respect of an objector in whole or in part in accordance with CD2.9.6.

CD2.9.3 The MSC Executive shall provide information relating to the costs agreement and waiver application to the objector(s) at the earliest opportunity after the acceptance of the notice of objection and in any case no later than five days from when the notice of objection is accepted as per CD2.4.6.

CD2.9.4 Notwithstanding the provisions of CD2.6, an objection shall not proceed to adjudication unless, within ten days after the date on which the Independent Adjudicator notifies the parties that the adjudication phase will commence, the objector(s) have either:

CD2.9.4.1 Signed a costs agreement with the MSC Executive; or

²⁰⁰ Board 19, date of application 14 November 2011

²⁰¹ The maximum level established by the MSC Board is presently £5,000.

- CD2.9.4.2 Obtained a waiver from the Independent Adjudicator in accordance with CD2.9.6.
- CD2.9.5 An application for a waiver shall be made in writing to the Independent Adjudicator by a duly authorized representative of the objector within fifteen days from when the notice of objection is accepted per CD2.4.6. Such an application should provide the justification as to why a waiver is sought and must be accompanied by appropriate evidence to demonstrate exceptional circumstances, including, where available, the objector's most recent audited financial report.
- CD2.9.6 The Independent Adjudicator shall decide within five days, to refuse the application or to waive the whole or part of the costs that would otherwise be attributed to the objector. A waiver shall only be granted if the Independent Adjudicator is satisfied that there are exceptional circumstances justifying such a waiver. The onus is on the objector to demonstrate that there are such exceptional circumstances. In determining whether there are exceptional circumstances, the Independent Adjudicator shall take into account:
- CD2.9.6.1 Any evidence relating to the financial ability of the objector to meet the costs of the adjudication process.
- CD2.9.6.2 The impact on the objector's other activities of paying the costs of the adjudication process.
- CD2.9.6.3 The ability of the objector to raise funds from external sources, including support from other participants in the assessment process, for the purposes of meeting the costs of the adjudication process.
- CD2.9.7 Where the application is refused or where a partial waiver is granted, the objector must sign a costs agreement with the MSC Executive in order for the objection to proceed further.
- CD2.9.8 In the event that, ten days after the date on which the Independent Adjudicator notified the parties that the adjudication phase will commence, any objector has not either signed a costs agreement with the MSC Executive or obtained a waiver from the Independent Adjudicator in accordance with CD2.9.6, the objection in respect of that objector shall be considered to have been dismissed.
- CD2.9.8.1 If there is more than one objector, the Independent Adjudicator shall nonetheless go on to consider the notice of objection submitted by those objectors that have either signed a costs agreement with the MSC Executive or obtained a waiver from the Independent Adjudicator in accordance with CD2.9.6.
- CD2.9.8.2 If the Independent Adjudicator fails to decide the waiver issue within the time specified by CD2.9.6, and such failure is attributable solely to the Independent Adjudicator, the time deadline specified in the first sentence of this subsection shall be extended for such limited period as the MSC Executive considers appropriate under the circumstances
- CD2.9.9 Nothing in this section shall prevent reconsideration by the CAB and consultations pursuant to CD2.5.

CD2.10 General provisions relating to the objections process

CD2.10.1 Where these procedures require that any notice or document is to be submitted to the Independent Adjudicator or to the MSC Chief Executive within, or before, a specified time limit, the following provisions shall be applied in order to determine whether the notice or document was served in time:

CD2.10.1.1 Service shall be effective if made by hand, or by facsimile or by the provision of the information in an electronic document containing a digital signature

CD2.10.1.2 Service by hand shall be effective when made. Delivery by facsimile shall be effective when the "transmit confirmation report" confirming the transmission to the recipient's published facsimile number is received by the transmitter. An electronic document is presumed to be received by the addressee when it enters an information system designated or used by the addressee for the purpose of receiving documents of the type sent and it is capable of being retrieved and processed by the addressee.

CD2.10.1.3 The working language of the MSC is English. Documents shall be submitted in English, or with an accompanying full English translation at the cost of the submitting party.²⁰²

CD2.10.1.4 Any references to time shall, unless it is otherwise specifically stated, be held to be British Standard Time, or during daylight savings, British Daylight Time.

CD2.10.1.5 "Days" means "working days".

CD2.10.1.6 A document served after 5 p.m. or at any time on a Saturday, Sunday or a United Kingdom Bank Holiday, will be treated as being served on the next working day.

CD2.10.1.7 Where the time limits prescribed in these procedures do not account for statutory holidays in countries where involved stakeholders reside, the Independent Adjudicator may allow an extension of time limits so as to give effect to the intent of these procedures; that all parties have the nominated number of days within which to respond.

CD2.10.2 For the avoidance of any doubt, every notice or document issued, or posted on the MSC website, by the Independent Adjudicator or the MSC Executive, shall bear the date upon which it was so issued or posted and shall also specify the date upon which any subsequent notice, response, submission or document is required to be submitted in accordance with these procedures. Notwithstanding any other provision of these procedures, and regardless of whether a particular document is posted on the MSC website or not, any documentation submitted by any party to an objection, except for documentation relating to costs under CD2.9, shall be available to any other party.

CD2.11 Final documentation of an objection on the MSC website

²⁰² Board 19, date of application 14 November 2011

CD2.11.1 In the final decision, the Independent Adjudicator shall include a summary record of each objection issue, including information on whether the issue was considered in the adjudication and the final decision.

CD2.11.2 In accordance with 27.19.1, the CAB shall include this summary in the Public Certification Report and indicate the changes that have been made to the Final Report in response to the determination.²⁰³

----- End of Annex CD -----

²⁰³ Board 21, date of application 14 March 2013

Annex CE MSC Objections Form – Normative

CE1 Submission of Objections

CE1.1 As required in CD2.3.3, all objections shall be submitted to the MSC using the current version of the form “MSC Notice of Objection Form” found at <http://www.msc.org/documents/scheme-documents>.

----- End of Annex CE -----

Annex CF CAB Reports - Normative

CAB Reports – format and contents

CF1 Submission of CAB assessment reports

CF 1.1 Fisheries pre-assessment reports shall conform with the template “MSC Pre-Assessment Reporting Template found at <http://www.msc.org/documents/scheme-documents>.

CF 1.1.1 CABs shall use the version of the Pre-Assessment Reporting Template which was current at the time the Pre-Assessment report was prepared.

CF1.2 Fisheries assessment reports shall conform with the template “MSC Full Assessment Reporting Template” found at <http://www.msc.org/documents/scheme-documents>.²⁰⁴

CF 1.2.1 CABs shall use the version of the MSC Full Assessment Reporting Template current at the time of the fishery announcement unless A24.2.3 or 24.2.3 applies.²⁰⁵

CF 1.2.1.1 If a new version has been released since the fishery announcement CABs may then choose to use the version of the MSC Full Assessment Reporting Template that was current at the time announcement or any subsequent version.²⁰⁶

----- End of Annex CF -----

²⁰⁴ TAB 19, date of application 14 November 2011

²⁰⁵ TAB 20, date of application 10 March 2012

²⁰⁶ TAB 19, date of application 14 November 2011

Annex CG Surveillance Report – Normative

CG1– Format and Contents

- CG1. Title and heading information
- CG1.1 Title ("Surveillance Visit - Report for XYZ Fishery").
- CG1.2 Certificate **code**.
- CG1.3 Name and Address of CAB.
- CG1.4 Date of Summary.

CG2 General Information

- CG2.1 Name and contact information for the certified fishery: Source name, contact person, address, and telephone/fax/email.
- CG2.2 General background about the fishery.

CG3 The Assessment Process

- CG3.1 **The determination of the surveillance level based on Table C3 and C4 shall be included in the Surveillance Certification Report²⁰⁷**
- CG3.2 Date(s) of the Surveillance Visit
- CG3.3 Members of the team, including specifying who the team leader is.
- CG3.4 Description of the audit process.
 - CG3.4.1 Scope and history of assessment(s).
 - CG3.4.2 Outline surveillance activities, e.g., what was inspected, who was given the opportunity to provide information, stakeholder consultation.
 - CG3.4.3 Reference the MSC standards, requirements and guidelines and their versions used in the surveillance.
 - CG3.4.4 Where the fishery has been enhanced the CAB shall include the following in the reports:
 - a. A statement on the fishery's position in relation to the scope criteria.

CG4 Results, Conclusions and Recommendations

- CG4.1 Discussion of findings and statement confirming the status of the Certification.
- CG4.2 Status of previously raised conditions.
 - CG4.2.1 All reporting on conditions shall use the same narrative or metric form as the original condition. Progress against interim milestones, any changes to conditions or closing out of conditions shall be documented.

²⁰⁷ **TAB 19, date of application 14 November 2011**

- CG4.2.2 The progress being made by the fishery client to address conditions from previous assessment visit(s) shall be detailed.
- CG4.2.3 Any conditions that have not been closed out within previously agreed timescales shall be detailed together with the reasons. The report shall detail what actions are required by the fishery, including revised timescales, and what the implications are for continued certification.
- CG4.2.4 Any conditions that have been closed out by the CAB shall be detailed.
- CG4.3 Describe any new conditions and recommendations and agreed timescales for implementation and timeframes for achievement. Provide the conditions raised.
- CG4.4 CABs shall include all written submissions made by stakeholders during the annual surveillance audit process in full in a separate section or appendix to the annual Surveillance Reports, together with the explicit responses of the team that identify:
- CG4.4.1 Specifically what (if any) changes to scoring, rationales, or conditions have been made as a result of the information submitted.
- CG4.4.2 Where the need for changes is suggested but no change is made, a substantiated justification.

CG5 Catch Data

- CG5.1 CABs shall include the following information:
- CG5.1.1 Total TAC established for the fishery in the most recent fishing year.
- CG5.1.2 Unit of Certification (UoC) share of the total TAC established for the fishery in the most recent fishing year.
- CG5.1.3 Client share of the total TAC established for the fishery in the most recent fishing year.
- CG5.1.4 Total green weight catch taken by the client group in the two most recent calendar years.
- CG5.2 At the time of submission of each surveillance report, CABs shall add catch figures for the Unit of Certification share of the catch for the most recent fishing year into the MSC database for each Unit of Certification.
- CG5.2.1 In cases where these data are not available for each UoC, CABs shall contact the MSC's S&L Database Administrator for further instruction.

----- **End of Annex CG** -----

Annex CH IPI fisheries - Normative. [²⁰⁸]

CH1 Scope

CH1.1 The requirements of this annex shall apply to all IPI fisheries.

CH2 Default Tree

CH2.1 The CAB shall review and if necessary propose modifications to the default tree if the MSC accepts the variation request to proceed with the assessment of IPI stock(s). Using the tree, the CAB shall:

CH2.1.1 Assess the IPI catch under the retained species component of Principle 2 (PIs 2.1.1, 2.1.2, and 2.1.3).

CH2.1.3 Separately assess the impact of all fishing activity on the IPI stock(s) considered for entry into certified chains of custody using the criteria specified in Annex CH 4.2 for the purposes of determining the eligibility for the catches of IPI stock(s) to enter further certified chains of custody.

CH3 Conditions

CH3.1 Where there are IPI stocks within the scope of certification, the CAB may make recommendations to promote the future Principle 1 assessment of the IPI stock(s), or to promote the development of techniques to effectively separate catches of currently IPI stock(s).

CH4 Entry into Further Chains of Custody

CH4.1 The CAB shall only allow defined and limited proportions of catches from MSC-approved IPI stocks to enter into certified chains of custody and use the MSC ecolabel for a maximum of one certification period. ■

CH4.2 The CAB shall verify that IPI stock(s) meet the following requirements in full prior to being considered eligible to enter further certified chains of custody:

CH4.2.1 The IPI stock(s) are likely to be within biologically based limits, or if outside the limits, there are measures in place that are expected to make sure that all fishing-related mortality does not hinder the recovery and rebuilding of the depleted IPI stock(s).

CH4.2.2 If the stock status is poorly known, there are measures or practices in place that are expected to keep the IPI retained stock(s) within biologically based limits, or to prevent all fishing activity from hindering recovery.

[²⁰⁸] Derogation TAB D-030, no expiry

Any fishery currently undergoing assessment having signed a contract with a CAB prior to the 6th of September 2010 or any fishery that is certified may elect not to implement Annex CH until the time that they enter re-assessment

CH4.2.3 The measures are considered likely to work, based on plausible argument (e.g. general experience, theory or comparison with similar fisheries/species).

CH5 Surveillance

CH5.1 If the fishery involves IPI stocks, the CAB shall review and document the continuing performance of IPI stock(s) eligible to enter further certified chains of custody against the requirements of Annex CH 4.2.1 to 4.2.4.

CH6 Re-Assessment

CH6.1 Where there are IPI stocks within the scope of certification, in order to comply with CH4.1 the CAB may:

CH6.1.1 Inform clients that Annex CH may only be applied for one assessment, therefore in order to continue using the Ecolabel on certified products will need to:

CH6.1.1.1 Certify all IPI Stocks against Principle 1, or

CH6.1.1.2 Develop techniques to effectively separate catches of currently IPI stock(s), from target stocks, or

CH6.1.1.3 Develop measures to reduce the proportion of IPI stocks so as to be able to submit a variation request to the requirements for IPI stocks (27.4.10.2)

CH6.2 If the fishery involves IPI stocks, the CAB shall at re-assessment conduct an assessment of the IPI Stock(s) against Principle 1.²⁰⁹

----- End of Annex CH -----

²⁰⁹ Standards Director, 24 October 2011, date of application immediate, change in numbering formatting

Annex CI Harmonised fisheries -- Normative

CI1 Scope

CI1.1 This annex shall be used where fisheries overlap, requiring harmonised assessments.

CI2 Default Tree

CI2.1 If the scope of the fishery contains a fishery whose tree must be harmonised with others the CABs involved shall use the same assessment tree if the scope of two assessments carried out at the same time overlaps.

CI2.1.1 If there is justification for differing trees to be used the CAB shall submit a variation request to requirements CI2.1 to the MSC following the procedure for set out in Part A, clause 4.12 including providing a detailed and substantiated rationale showing that:

CI2.1.1.1 All PISGs have been set at equivalent levels

CI2.1.1.2 Where PISGs differ, the differences have been identified and evidence provided to show that if a PI is missing the topic it covers is adequately covered elsewhere in the tree.

CI2.1.2 If the MSC:

CI2.1.2.1 Accepts the variation request, differing trees may be used.

CI2.1.2.2 Does not accept the variation request, the same tree shall be used.²¹⁰

CI2.2 The CAB shall use a complementary assessment tree to that used in the first assessment if a fishery under assessment overlaps with a certified fishery.

CI2.3 If the CAB uses a tree that differs from the original/s, the CAB shall make sure that key:

CI2.3.1 Aspects of previous trees are included in the new tree

CI2.3.2 Issues raised in the previous assessment are explicitly considered in scoring the tree.

CI3 Harmonised fishery assessments for overlapping fisheries

CI3.1 CABs assessing overlapping fisheries shall ensure consistency of outcomes so as not to undermine the integrity of MSC fishery assessments.

²¹⁰ TSC 2012, date of application 14 March 2013

- CI3.2 CABs shall coordinate their assessments where assessments of two or more applicant fisheries occur at the same time to make sure that harmonisation of important steps in the assessment and subsequent surveillance audits take place.
- CI3.2.1 CABs shall undertake the following activities:
- CI3.2.1.1 Mediation where appropriate.
 - CI3.2.1.2 Coordination meetings between CABs.
 - CI3.2.1.3 Coordinated assessment planning and conduct, including coordinated process steps and publications of assessment products.
 - CI3.2.1.4 The use of common assessment trees (covered in 27.8.7).
 - CI3.2.1.5 The sharing of fishery information.
- CI3.2.2 CABs shall ensure that conclusions are consistent between the two (or more) fisheries, with respect to evaluation, scoring and conditions.
- CI3.2.3 CABs shall coordinate their assessments where a fishery under assessment overlaps with a certified fishery to make sure that key assessment products and outcomes are harmonised.
- CI3.2.3.1 Where an assessment overlaps with a certified fishery or fishery in assessment that a CAB has already scored, the team shall base their assessment on the rationale and scores detailed for the previously scored fishery.
 - CI3.2.3.2 To achieve harmonisation, CABs shall undertake the following key activities:
 - a. The use of complementary assessment trees.
 - b. The sharing of fishery information.
 - c. The achievement of consistent conclusions with respect to evaluation, scoring and conditions.
 - CI3.2.3.3 The team shall explain and justify any difference in the scores in the scoring rationale for relevant PIs.
 - CI3.2.3.4 The team responsible for the new assessment shall consider the findings of the surveillance report(s) produced for the overlapping certified fishery, if any.
- CI3.2.4 CABs shall note that the MSC may at its discretion, amongst other things:
- CI3.2.4.1 Facilitate joint communications and meetings between CABs.
 - CI3.2.4.2 Require peer review of final assessment products by a member or members of the team assessing the overlapping fishery.

C13.2.4.3 ~~Not post final products of assessments steps (e.g., final trees, surveillance reports) on the MSC website unless CABs have demonstrated harmonised outcomes.~~²¹¹

----- End of Annex CI -----

²¹¹ **TAB 21, date of application 14 March 2013**

Annex CJ: Introduced Species Based Fisheries (ISBF) - Normative

CJ1 Determination of Scope

CJ1.1 A CAB may only accept an application for certification from a fishery that meets the scope criteria contained in table CJ1.

Table CJ1: Provisional scope criteria for ISBF

<p>A. Irreversibility of the introduction in the new location</p> <ul style="list-style-type: none">i. The introduced species has a large population size (comparable to or larger than the population sizes of other native species occupying similar ecological niches in the new location).ii. The species has spread to a range beyond that of its initial introduction in the new location.iii. There is evidence to demonstrate that the species cannot be eradicated from the location by known mechanisms without serious ecological, economic and/or social consequences.
<p>B. History of the introduction</p> <ul style="list-style-type: none">i. The species was introduced to the new location prior to 1993; this being the year that the Convention on Biological Diversity (CBD), which includes provisions on introduced species was ratified.ii. If the introduction occurred after the CBD was ratified such fisheries shall only potentially be in scope if the introduction was non-deliberate and occurred at least 20 years prior to the date the application is made for assessment against the MSC standard.
<p>C. No further introductions</p> <ul style="list-style-type: none">i. There is no continuing introduction of the introduced species being considered for certification to the location (i.e. the species is now entirely self sustaining in its new location).

CJ1.2 If the fishery is found to be in scope the CAB shall document a rationale for the determination that the fishery is in scope.

CJ1.2.1 The CAB shall include a statement on the fishery position in relation to the scope criteria in all assessment reports.

CJ2 Initial requirements on assessment issues

- CJ2.1 The CAB shall consider the ecological role of the introduced species.
- CJ2.1.1 The CAB shall assess the ISBF against default PISGs in Principle 1. ■
- CJ2.1.2 The CAB shall make modifications to the scoring issues at PI 1.1.2 for fisheries that include setting target reference points at levels which may be lower than MSY as a deliberate measure to allow for reduced biodiversity impact.
- CJ2.1.2.1 The CAB shall not accept limit reference points set at levels below which there is an appreciable risk of impairing reproductive capacity.
- CJ2.1.3 CABs shall address measures in place in the fishery to prevent further ecosystem impacts that may have occurred as a result of the introduction of the species to the new location under the Ecosystem component of Principle 2.
- CJ2.1.3.1 When relevant CAB's shall define and include an additional scoring issue and corresponding guideposts at 60, 80 and 100 levels to the Ecosystem Management PI 2.5.2 which evaluates measures in the fishery to prevent progression of further ecosystem impacts from occurring due to the presence of the introduced species.
- CJ2.1.3.2 CABs shall include mechanisms against this additional scoring issue to be:
- a. Setting target reference points at levels that allow for recovery of species impacted by the introduction,
 - b. Containment measures such as fishing down at the boundaries of the stock to prevent further spread,
 - c. Protection and/or creation of faunal refugia,
 - d. Provisions in legislation to prohibit further introductions of any other alien species.
 - e. Other relevant mechanisms.
- CJ2.1.4 The CAB shall provide a rationale to justify why no measures to prevent further impact on biodiversity are considered necessary in that particular fishery if there are no measures in place.
- CJ2.1.5 CABs should define a corresponding Ecosystem Information scoring issue that addresses the collection of information important to understanding and preventing further progression of impact of the introduced species on biodiversity.

CJ3 Introduced species as non-target species

- CJ3.1 The CAB shall determine if the introduced species is not the target species in the fishery being considered for certification, but is a bycatch or retained species that is impacted in some way by fishing activity on the target species.
- CJ3.1.1 Consideration of how such species are treated in an assessment shall depend on the status accorded that species by management.

- CJ3.1.1.1 If the retained/bycatch, non-native species is being managed for high productivity because it is a target species in another managed fishery, then in a similar way to any mainstream MSC assessment, the CAB shall evaluate the fishery to determine that it is not having an unacceptable impact on the non-native, retained/by-catch species.
- CJ3.1.1.2 If the non-native bycatch/retained species is subject to a formal or informal eradication policy because it is considered to have a “nuisance” status the CAB shall not take the impact of the fishery on the introduced species into consideration in the assessment.

CJ 4 Implementation of this Annex

- CJ4.1 CABs shall note that this Annex is in effect during a pilot phase which commenced 19 January 2011.
- CJ4.1.1 The purpose of the pilot phase is to test, review and revise as necessary the scope criteria and initial assessment guidance provided for assessments of ISBFs.
- CJ4.2 CABs that wish to assess an ISBF during this pilot phase shall consult with the MSC on proposed modifications to the default tree.
- CJ4.2.1 CABs should note that the MSC may advise on further considerations to the modification.
- CJ4.2.2 CABs shall submit final trees to be used for ISBF's to the MSC by following the procedure for modified assessment trees in Part C, clause 27.8.12.
- CJ4.3 During the pilot phase CABs shall be required to submit a copy of the Draft Report to the MSC fifteen days prior to release of the Public Comment Draft Report.
- CJ4.4 CABs shall advise their clients of the pilot nature of this Annex.
- CJ4.4.1 CABs shall make potential fishery clients aware of the possibility of further changes to requirements in the course of the assessment of the fishery.

----- **End of Annex CJ** -----

Annex CK: Modifications to the Default Tree for Enhanced Bivalve Fisheries - Normative

Modifications to the default tree structure to be used in enhanced bivalve fishery assessments

CK1 General

- CK1.1 CABs shall apply Annex CK as a supplement to Annex CB in all enhanced bivalve fishery assessments unless a team can show just cause for why a variation should apply.
- CK1.2 In general, only additions or modifications in relevant sections of the default assessment tree and requirements are included herein. Unless specifically noted, all other Annex CB PISGs and requirements still apply.

CK2 Principle 1

CK2.1 General Requirements for Principle 1

- CK2.1.1 CABs shall clearly define in the MSC notification report form (27.7.3.1) which type of enhanced bivalve fishery will be assessed. ☑
- CK2.1.2 CABs shall make an initial evaluation of whether there is evidence that an enhanced catch-and-grow (CAG) bivalve fishery negatively impacts the parent stock. ☑
- CK2.1.3 CABs shall assume that CAG fisheries that involve translocations (see G27.8.7.1b) may impact the parent stock. ☑
 - CK2.1.3.1 If an enhanced CAG bivalve fishery does not involve translocations, and there is no evidence that it negatively impacts the parent stock, CABs may choose not to score Principle 1.
 - a. The CAB shall include a rationale for this decision in the MSC notification report form, assessment tree consultation (27.8.1), and full assessment reports.
 - CK2.1.3.2 If Principle 1 is not to be scored, CABs shall not apply clause 27.5.2.1 (Team Selection - Fish stock assessment).
- CK2.1.4 If there are translocations within an enhanced CAG bivalve fishery, Principle 1 PIs shall be scored in accordance with the RBF requirements.

- CK2.1.4.1 The assessment shall be conducted on all sources of seed stock used in the fishery.
- CK2.1.4.2 Enhanced CAG bivalve fisheries that involve translocations shall also be scored against the Genetic outcome PI 1.1.4.
- CK2.1.5 Bivalve fisheries involving hatchery enhancement assessed as hatch-and-catch (HAC) fisheries shall be scored against Principle 1 PIs in accordance with the default assessment tree or the RBF requirements specified in Annex CB or Annex CC, respectively.
- CK2.1.5.1 Enhanced HAC bivalve fisheries shall also be scored against the Genetics PIs 1.1.4, 1.2.5, and 1.2.6.

CK 2.2 Genetics

Table CK1: PI 1.1.4, 1.2.5, 1.2.6 Genetics component

Component	PI	Scoring issues	SG60	SG80	SG100
Genetics	Genetic Outcome 1.1.4 The fishery has negligible discernible impact on the genetic structure of the population.	Genetic impact of enhancement activity	The fishery is unlikely to impact genetic structure of wild populations to a point where there would be serious or irreversible harm.	The fishery is highly unlikely to impact genetic structure of wild populations to a point where there would be serious or irreversible harm.	An independent peer-reviewed scientific assessment confirms with a high degree of certainty that there are no risks to the genetic structure of the wild population associated with the enhancement activity.
	Genetic Management 1.2.5 There is a strategy in place for managing the hatchery enhancement activity such that it does not pose a risk of serious or irreversible harm to the genetic diversity of the wild population.	a. Genetic management strategy in place	There are measures in place, if necessary, which are expected to maintain the genetic structure of the population at levels compatible with the SG80 Genetic outcome level of performance (PI 1.1.4).	There is a partial strategy in place, if necessary, which is expected to maintain the genetic structure of the population at levels compatible with the SG80 Genetic outcome level of performance (PI 1.1.4).	There is a strategy in place to maintain the genetic structure of the population at levels compatible with the SG80 Genetic outcome level of performance (PI 1.1.4).
		b. Genetic management strategy evaluation	The measures are considered likely to work based on plausible argument (e.g. general experience, theory, or comparison with similar fisheries/species).	There is some objective basis for confidence that the partial strategy will work based on information directly relevant to the population(s) involved.	The strategy is based on in-depth knowledge of the genetic structure of the population, and testing supports high confidence that the strategy will work.

Component	PI	Scoring issues	SG60	SG80	SG100
		c. Genetic management strategy implementation		There is some evidence that the partial strategy is being implemented successfully, if necessary.	There is clear evidence that the strategy is being implemented successfully . There is some evidence that the strategy is achieving its overall objective .
	Genetic Information 1.2.6 Information on the genetic structure of the population is adequate to determine the risk posed by the enhancement activity and the effectiveness of the management of genetic diversity.	a. Information quality	Qualitative or inferential information is available on the genetic structure of the population Information is adequate to broadly understand the likely impact of hatchery enhancement.	Qualitative or inferential information and some quantitative information are available on the genetic structure of the population. Information is sufficient to estimate the likely impact of hatchery enhancement.	The genetic structure of the population is understood in detail. Information is sufficient to estimate the impact of hatchery enhancement with a high degree of certainty .
		b. Information adequacy for genetic management strategy	Information is adequate to support measures to manage main genetic impacts of the enhancement activity on the stock, if necessary.	Information is adequate to support a partial strategy to manage the main genetic impacts of the enhancement activity on the stock, if necessary.	Information is adequate to support a comprehensive strategy to manage the genetic impacts of the enhancement activity on the stock and evaluate with a high degree of certainty whether the strategy is achieving its objective.

CK3 Principle 2

CK3.1 General Requirements for Principle 2

- CK3.1.1 Enhanced CAG bivalve fisheries based solely on spat collection shall not be scored for the retained species PIs.
 - CK3.1.1.1 Enhanced CAG bivalve fisheries involving dredging for seed shall be scored against the retained species PIs as per the requirements found in Annex CB.
- CK3.1.2 Enhanced CAG bivalve fisheries based solely on spat collection shall not be scored for the bycatch species PIs.
 - CK3.1.2.1 Enhanced CAG bivalve fisheries involving dredging for seed shall be scored against the bycatch species PIs as per the requirements found in Annex CB.
- CK3.1.3 For enhanced CAG bivalve fisheries, PIs for ETP species shall be scored as per the requirements found in Annex CB.
- CK3.1.4 For enhanced CAG bivalve fisheries, PIs for habitats and ecosystems shall be scored as per the requirements found in Annex CB with assessment teams taking into account the specific habitat and ecosystem impacts associated with enhanced CAG bivalve fisheries.
 - CK3.1.4.1 For suspended culture systems, scoring shall consider the habitat impacts of bio-deposition and benthic organic enrichment and the ecosystem and carrying capacity impacts of localized phytoplankton depletion from bivalve filtration.
- CK3.1.5 If an enhanced CAG bivalve fishery in assessment involves the translocation of seed or adult shellfish, the assessment team shall score the fishery against the Translocation PISGs 2.6.1, 2.6.2, and 2.6.3.
- CK3.1.6 Principle 2 PIs from the default tree shall be scored for all sources of seed stock for CAG bivalve fisheries involving translocations.

CK3.2 Translocations

Table CK2: PI 2.6.1, 2.6.2, 2.6.3, translocation component

Component	PI	Scoring issues	SG60	SG80	SG100
Translocation	Translocation Outcome 2.6.1 The translocation activity has negligible discernible impact on the surrounding ecosystem.	Impact of translocation activity	The translocation activity is unlikely to introduce diseases, pests, pathogens, or non-native species (species not already established in the ecosystem) into the surrounding ecosystem.	The translocation activity is highly unlikely to introduce diseases, pests, pathogens, or non-native species into the surrounding ecosystem.	There is evidence that the translocation activity is highly unlikely to introduce diseases, pests, pathogens, or non-native species into the surrounding ecosystem.
	Translocation Management 2.6.2 There is a strategy in place for managing translocations such that the fishery does not pose a risk of serious or irreversible harm to the surrounding ecosystem.	a. Translocation management strategy in place	There are measures in place which are expected to protect the surrounding ecosystem from the translocation activity at levels compatible with the SG80 Translocation outcome level of performance (PI 2.6.1).	There is a partial strategy in place, if necessary, that is expected to protect the surrounding ecosystem from the translocation activity at levels compatible the SG80 Translocation outcome level of performance (PI 2.6.1).	There is a strategy in place for managing the impacts of translocation on the surrounding ecosystem.
		b. Translocation management strategy evaluation	The measures are considered likely to work based on plausible argument (e.g. general experience, theory, or comparison with similar fisheries/species).	A valid documented risk assessment or equivalent environmental impact assessment demonstrates that the translocation activity is highly unlikely to introduce diseases, pests, pathogens, or non-native species into the surrounding ecosystem.	An independent peer-reviewed scientific assessment confirms with a high degree of certainty that there are no risks to the surrounding ecosystem associated with the translocation activity.

Component	PI	Scoring issues	SG60	SG80	SG100
		c. Translocation contingency measures		Contingency measures have been agreed in the case of an accidental introduction of diseases, pests, pathogens, or non-native species due to the translocation.	A formalised contingency plan in the case of an accidental introduction of diseases, pests, pathogens, or non-native species due to the translocation is documented and available.
	Translocation Information 2.6.3 Information on the impact of the translocation activity on the environment is adequate to determine the risk posed by the fishery.	a. Information quality	Information is available on the presence or absence of diseases, pests, pathogens, and non-native species at the source and destination of the translocated stock to guide the management strategy and reduce the risks associated with the translocation.	Information is sufficient to adequately inform the risk and impact assessments required in the SG80 Translocation management level of performance (PI 2.6.2).	Information from frequent and comprehensive monitoring demonstrates no impact from introduced diseases, pests, and non-native species with a high degree of certainty .

CK4 Principle 3

CK4.1 General Requirements for Principle 3

CK4.1.1 With the exception of CAG fisheries where P1 is not scored, enhanced bivalve fisheries shall be scored against Principle 3 PIs as per the requirements found in Annex CB.

CK4.1.1.1 In cases where P1 is not scored, assessment teams shall focus P3 scoring on whether or not the appropriate and effective legal and/or customary framework is capable of delivering sustainable fisheries in accordance with P2 PISGs.

----- End of Annex CK -----

Annex CL Expedited Principle 1 Assessments-Normative²¹²

CL1 Scope

- CL1.1 The requirements of this Annex shall apply to all expedited Principle 1 assessments.

CL2 Assessment Process

- CL2.1 The CAB shall complete sections 7-10 of the MSC Variations Request Form and submit it to the MSC, requesting a variation to proceed with the expedited assessment as outlined below or with modifications. ■
- CL2.1.1 If the variation request is accepted the CAB shall undertake the expedited P1 assessment including at least the following steps.■
- CL2.2 The CAB shall propose at least one qualified expert team member having the expertise described in Annex CM, Table CM2, and Table CM3 rows 1 and 2, to carry out the expedited Principle 1 assessment.
- CL2.2.1 The CAB shall follow CR 27.5.7 to announce, consult on, and confirm the proposed team member.
- CL2.3 CABs shall conduct the expedited P1 assessment during a planned on-site expedited audit or a regular on-site surveillance audit.
- CL2.3.1 The CAB shall notify stakeholders and the MSC according to 27.22.4.3, specifically identifying that the scope of the expedited or regular surveillance audit will include an expedited Principle 1 assessment of previously assessed main retained stocks.
- CL2.3.1.1 The CAB shall identify in the notification which stocks will be assessed in the expedited Principle 1 assessment.
- CL2.3.1.2 The CAB shall notify stakeholders at least 30 days ahead of the scheduled surveillance audit.
- CL2.4 CABs shall evaluate the proposed new P1 stocks using all requirements in section CB2 following the process as described in sections 27.10, 27.11, and 27.12.
- CL2.4.1 If the stock under assessment is based on overlapping fisheries, as described in section 27.4.13 and 27.8.7, the CABs shall follow the harmonization steps in Annex CI.
- CL2.5 CABs shall rescore PIs 2.1.1, 2.1.2, and 2.1.3 for the remaining retained species using section 27.10 and 27.11. ■

CL3 Reporting

- CL3.1 CABs shall produce a preliminary draft report for client review, Peer Review

²¹² TAB 21, date of application 14 March 2014

Draft, Public Comment Draft and Public Certification Reports according to sections 27.13, 27.14, 27.15, and 27.20.

CL3.1.1 When the expedited P1 assessment is taking place outside the regular surveillance cycle CABs shall generate reports using the following sections of Appendix 1 of the Full Assessment Reporting Template (CF 1.2):

CL3.1.1.1 Sections 1, 2, 3.1-3.3, 4, 5, 6;

CL3.1.1.2 Principle 1; and

CL3.1.1.3 Performance Indicators 2.1.1, 2.1.2 and 2.1.3

CL3.1.2 When the expedited P1 assessment is taking place as part of a regular surveillance audit for the fishery, only CL3.1.1.2 and CL3.1.1.3 need to be reported, and they may form part of the regular surveillance report. ■

CL3.1.2.1 The CAB should make available for public comment the sections related to the expedited audit when publishing the surveillance report following 27.22.1.

■

CL3.2 CABs shall appoint at least one peer reviewer to conduct a peer review as long as s/he has demonstrated technical expertise in the areas described in 27.14.2.1.

CL3.2.1 CABs shall follow CR 27.14.3-27.14.7 to announce, consult on, and confirm the proposed peer reviewer.

CL4 Certification decision and certificate issue

CL4.1 CABs shall make a decision regarding the assessment outcome.

CL4.2 Annex CD shall not apply.

CL4.3 If the CAB determines that the newly assessed stock(s) pass the expedited P1 assessment, the CAB shall:

CL4.3.1 Add these stocks to the scope of the existing valid fishery certificate, and

CL4.3.2 Follow 27.19.4 and 27.19.5.

CL4.4 If the CAB determines that the newly assessed stock(s) do not pass the expedited P1 assessment, the CAB shall report this outcome in the expedited or regular surveillance report, and shall make no changes to the scope of the existing valid fishery certificate.

----- **End of Annex CL** -----

Annex CM: Fishery Team Leader, Team Member, Team And Peer Reviewer Qualifications And Competencies - Normative²¹³

Introduction

This annex sets out the requirements for Fishery Team Leader, Team Member and Team qualifications and competencies which CABs shall verify in accordance with section 6.1.

CM1 Fishery Team Leader Qualification And Competency Criteria

Table CM1: Fishery Team Leader Qualification And Competency Criteria

Fishery Assessment Team Leader	Qualifications	Competencies	Verification Mechanisms
1. General	Degree or equivalent in business, economics, science or technical subject E.g.: supply chain and logistics management, food/seafood science and fisheries science OR 5 years' experience in the fisheries sector related to the tasks under the responsibility of the team leader		<ul style="list-style-type: none"> • CV • Certificates
2. Understanding of MSC Principles & Criteria and MSC fishery certification requirements	a) Pass MSC's fishery team leader training course every 3 years AND b) Pass MSC's annual fishery team leader training on updates to the fishery requirements by the end of June	To be able to: <ul style="list-style-type: none"> i. Describe the intent and requirements of the MSC Principles & Criteria ii. Place the different steps of the fisheries assessment process in the correct order iii. Identify the steps where stakeholder consultation occurs iv. Score a fishery 	<ul style="list-style-type: none"> • Examination pass • ASI witness or office audits • CAB witness audits

²¹³**Derogation, TAB 21 (date of application 14 March 2013)**

For personnel commencing assessment or reassessment before 14 March 2013, Annex CM. shall apply by 14 March 2014.

	each year.	using the default assessment tree v. Describe how conditions are set and monitored vi. Describe the reporting stages including the role of the peer reviewer	
3. Assessment experience	Have undertaken 2 MSC fishery assessment or surveillance site visits as a team member in the last 5 years OR Will undertake an assessment as team leader which will be witnessed by ASI as part of a CAB's initial accreditation audit	Ability to apply knowledge of auditing techniques in the gathering of information, the scoring of the fishery and the rationales for the scores given	<ul style="list-style-type: none"> • CAB records • Previous employer reference letter • ASI witness or office audits • CAB witness audits • Previous audit reports
4. Communication & Stakeholder Facilitation Skills	Experience in applying different types of interviewing and facilitation techniques	Ability to effectively communicate with the client and other stakeholders	<ul style="list-style-type: none"> • CV • CAB records • ASI witness or office audits • CAB witness audits

CM2 Fishery Team Member Qualification And Competency Criteria

Table CM2: Fishery Team Member Qualification and Competency Criteria


Fishery Team Member	Qualifications	Competencies	Verification Mechanisms
1. General	University degree in fisheries or marine conservation biology, or natural resources or environmental management or relevant field e.g. economics, mathematics, statistics		<ul style="list-style-type: none"> • CVs • Certificates

	<p>Or</p> <p>5 years management or research experience in a marine conservation biology or fisheries, natural resources or environmental management position</p>		
<p>2. Understanding of MSC Principles & Criteria and relevant MSC certification requirements</p>	<p>Pass MSC's fishery team member training course every 3 years</p> <p>OR</p> <p>Have undertaken at least 2 MSC fishery assessment or surveillance site visits in the last 5 years</p>	<p>i. To be able to describe the intent and requirements of the MSC Principles & Criteria</p> <p>ii. To be able to score a fishery using the default assessment tree</p> <p>iii. To be able to describe how conditions are set and monitored</p>	<ul style="list-style-type: none"> Examination pass CAB records

CM3 Fishery Team Qualification and Competency Criteria

CM3.1 CABs shall ensure that the fishery team collectively complies with the qualification and competency criteria listed in Table CM3.

Table CM3: Fishery Team Qualification and Competency Criteria

Fishery Team (collectively)	Qualifications	Competencies	Verification Mechanisms
<p>1. Fish stock assessment </p>	<p>Five years or more experience applying relevant stock assessment techniques being used by the fishery under assessment</p> <p>OR</p> <p>Primary authorship of two</p>	<p>Ability to undertake a stock assessment using stock assessment techniques relevant to the fishery</p>	<ul style="list-style-type: none"> CV with full publication list Employer's reference letter CAB witness audits

	peer reviewed stock assessments of a type used by the fishery under assessment		
2. Fish stock biology / ecology ☐	Five years or more experience working with the biology and population dynamics of the target or species with similar biology	Demonstrate knowledge of, and ability to interpret, scientific information relating to the biological processes of the target species, or species with similar population dynamics	<ul style="list-style-type: none"> • CV with full publication list • Employer's reference letter • CAB witness audits
3. Fishing impacts on aquatic ecosystems	Five years or more experience in research into, policy analysis for, or management of, fisheries impacts on aquatic ecosystems.	Demonstrate knowledge of and ability to interpret scientific data relating to fishery impacts on the ecosystem	<ul style="list-style-type: none"> • CV • Employer's reference letter • ASI witness or office audits • CAB witness audits
4. Fishery management and operations	Five years or more experience as a practicing fishery manager and/or fishery/ policy analyst.	Ability to: <ul style="list-style-type: none"> i. identify likely problems for fishery under P1 and P2 that would arise from poor management ii. demonstrate a good understanding of the types of management system(s) and laws applicable to the fishery under assessment 	<ul style="list-style-type: none"> • CV with full publication list • Employer's reference letter • ASI witness or office audits • CAB witness audits
5. Current knowledge of the country, language and local fishery context ☐	Knowledge of a common language spoken by clients and stakeholders AND Either: Two years fishery work experience in the country or in a relevant fishery in the last 15 years. OR Two assignments in the country or region in which	Ability to: <ul style="list-style-type: none"> i. Communicate effectively with stakeholders in the country in a common language ii. Explain the geographical, cultural, and ecological context of the fishery 	<ul style="list-style-type: none"> • CV • Employer's reference letter • Journal extracts • ASI witness or office audits • CAB witness audits

	<p>the fishery under assessment is based in the last 10 years</p> <p>OR</p> <p>Primary authorship of at least one published paper in a journal or grey literature in the last 5 years on a fishery issue in the country or region in which the fishery under assessment is based.</p>	<p>under assessment.</p>	
<p>6. Understanding of the CoC Standard and CoC Certification Requirements</p>	<p>Pass MSC's Traceability training module every 3 years</p>	<p>To be able to explain the elements of traceability which are relevant to fishery assessments.</p>	<ul style="list-style-type: none"> • Examination pass • CAB records • CAB witness audits
<p>7. Use of the RBF (when applicable)</p>	<p>a) Pass MSC's RBF training course every three years.</p> <p>b) Pass MSC's annual RBF training on updates to the RBF requirements by June of each year.</p>	<p>Demonstrate an understanding of:</p> <ul style="list-style-type: none"> i. when the RBF can be used ii. how to implement RBF components iii. how to engage stakeholders effectively when the RBF is used iv. how Performance Indicators are scored when the RBF is used v. the reporting of the RBF process and outcomes 	<ul style="list-style-type: none"> • Examination pass • CAB witness audits

-----End of Annex CM-----