



Gabriela Anhalzer  
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**Sent by email**

Date: 07/10/2021

**Subject: Request for variation to the MSC Certification Requirement v2.2 FCP-7.28.16.4 for Mexico Baja California red rock lobster**

Dear Gabriela Anhalzer,

I write with reference to your submission on 16/07/2021 of a request for variation to the MSC Certification Requirement (CR) to allow:

To extend the fishery's condition 1-1 (PI 1.1.2 Sib) deadline at the time of the fourth-year surveillance (9/2021) to the 1st surveillance following re-assessment.

As you are aware, the CR procedures relating to v2.2 FCP-7.28.16.4 state:

If a condition is not closed by its deadline, the CAB shall:

- a. Consider progress as inadequate.
- b. Apply the requirements of GCR Section 7.4 (suspension or withdrawal).
- c. Inform the fishery client that they cannot enter the same Unit(s) of Certification, or any entity in the Unit of Certification(s), into full assessment under either the same or an alternative name unless the cause for suspension has been addressed

These are integral to ensuring all MSC accredited Conformity Assessment Bodies operate in a consistent and transparent manner. The MSC intends that these requirements be met across all fisheries and CoC certificate holders, except in exceptional, well-justified circumstances, as part of the MSC programme.

**MSC notes the factors presented supporting your request, including:**

- Due to COVID-19, the public process required to fully develop reference points based on stakeholder input and feedback – in coordination with the Mexican government and FEDECOOP's 9 cooperatives – will not be completed by the fourth-year surveillance.

**Given the rationale provided, the MSC is willing to grant a variation to the CR.**

If you have any questions regarding this response, please do not hesitate to contact the relevant Fisheries Assessment Manager for this fishery.

Marine Stewardship Council  
cc: Assurance Services International