

SAI Global

Gulf of St Lawrence fall herring gillnet fishery

MSC Variation Request

1 Introduction

This form details the information SAI Global is required to submit to the MSC to enable the MSC to consider an application to vary from a clause or requirement in any of the MSC program documents.

Once a Variation Request has been submitted the MSC will consider that request and will usually respond within 14 days.

2 Marine Stewardship Council variation request

Table 1. Variation request.

1	Date submitted to MSC
	19 th March 2019
2	CAB
	SAI Global
3	Fishery name and certificate number or CoC certificate number
	Gulf of St Lawrence fall herring gillnet fishery / F-SAI-018
4	Lead auditor or program manager
	Lead Auditor is Paul Knapman
5	Request prepared by
	Géraldine Criquet
6	Scheme requirement(s) for which variation requested
	<ul style="list-style-type: none"> • MSC CR v.1.3 CB2.4.1 - Teams shall only score this PI (PI 1.1.3 Stock rebuilding) when PI 1.1.1 Stock status reveals that a stock is depleted. • MSC FCR v.2.0 7.11.1.2 - The CAB should draft conditions to follow the narrative or metric form of the PISGs used in the final tree. • MSC FCR V.2.0 7.11.1.3 - 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.
7	How many times has a variation for this requirement been accepted for the same assessment of the same fishery?
	0 – This variation for these requirements has never been requested previously.

Table 2. Variation justification.

1	Proposed variation	
	<p>SIG would like to apply the MSC’s proposed approach when PI 1.1.1 is scored less than 80 during the certification cycle, and there is o rebuilding plan in place for the stock, as below:</p> <ul style="list-style-type: none">• The assessment team may choose to apply CR v.1.3 CB2.4.2;• The assessment team shall put a condition on PI 1.1.1 to have a rebuilding plan and monitoring in place, this condition timeline shall not be longer than 1 year;• The assessment team shall not score PI 1.1.3 Stock Rebuilding during the current surveillance audit.• Stock Rebuilding PI shall be scored within 1 year, e.g. at the nex surveillance audit.• The condition raised on PI 1.1.1 shall be closed within 1 years, e.g. at the nex surveillance audit.	
2	Additional time requested	
	Original deadline date	NA
	Modified deadline date requested	NA
	Length of additional time requested	NA
3	Justification	
	<p>There is direct conflict in the MSC Certification Requirements V1.3 and MSC FCR v.2.0 between clause CB2.4.2 and the clauses listed under Table 1 section 6. In order to apply clause CB2.4.2, those clauses need to be not conformed with.</p> <p>MSC Certification Requirements V1.3 clause CB2.4.2 states - <i>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.</i></p> <p>Clause CB2.4.2 is applicable to the fishery stated in Table 1 section 3 as this fishery was certified in November 2015 without need to score PI 1.1.3 Stock rebuilding. During the current surveillance audit, rescoring of PI 1.1.1 resulted in a reduced score for Scoring Issue b, leading in the need to score the PI 1.1.3 Stock rebuilding. However, this fishery does not have a rebuilding plan in place and therefore CB2.4.2 shall be applied.</p> <p>There are a number of reasons why the scoring approach results in the breach of CRv.1.3/FCR v.2.0 clauses:</p> <ol style="list-style-type: none">1. The rebuilding PI which must be scored when 1.1.1b <SG80 (CB2.4.1) will not be scored for one year.2. The condition associated with CB2.4.2 will be applied to PI 1.1.1 but cannot follow the requirements of 7.11.1.2 as the condition does not relate to the PISG of PI 1.1.1b.3. The condition will require that rebuilding strategies and monitoring are put in place within one year of being aware that the fishery is depleted. This condition will not result in 1.1.1 being ≥80 in one year therefore 7.11.1.3 cannot be applied.	
4	If a fishery assessment, implications for assessment	
	<p>If accepted, this VR will allow SAIG to re-score Principle 1 in accordance with the MSC’s proposed approach specified in Table 2 section 1. This approach will be used simultaneously by several CABs for different fisheries which are currently under the same situation (i.e. PI 1.1.1 is scored less than 80</p>	

Table 2. Variation justification.

	during the certification cycle, and there is a rebuilding plan in place for the stock), thus ensuring that the integrity of MSC fishery assessment is not undermined.
5	If a fishery assessment, mitigation of the implication for assessment
	<p>This is a short term mitigation strategy employed by CABs and agreed by the MSC after it was raised with the MSC in November 2018. The MSC in the medium term will develop a interpretation on the conflicting clauses and will review the clauses for the next fishery standard.</p> <p>SAIG informed the client about the VR but not other stakeholders. Stakeholders will be notified once the MSC's response to the VR will be provided.</p>
6	If a fishery assessment, how many conditions does the fishery have and will their progress be affected (positive or negative)?
	The fishery has currently 1 condition open on PI 1.2.2 Harvest Control Rules. A resolution to the rebuilding strategy may positively influence the progression of the milestones on the existing condition.
7	What is the status of the current assessment?
	SAI Global is currently carrying out the 3 rd surveillance audit for the Gulf of St Lawrence fall herring gillnet fishery. The surveillance report is expected to be submitted to MSC by 13 th April 2019, for publication.
8	Further comments
	No further comments.
9	If applicable, additional information added after MSC's request
	NA

3 Template information and copyright

This document was drafted using the 'MSC Variation Request Form v3.0'. While amendments have been made to formatting in order to comply with SAI Global's corporate identity, SAI Global has ensured that content and structure follow that of the original template.

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Table 3. Template version control.

Version	Date of publication	Description of amendment
1.0	1 January 2011	Date of application
1.1	24 October 2011	Updated to include a confidential information section
1.2	10 January 2012	Updated to include more detailed instructions on confidential information section
1.3	14 January 2013	Updated in line with requirements in MSC Certification Requirements v1.3, including P2 to P1 'expedited audit'
2.0	08 October 2014	Updates in line with release of Fisheries Certification Requirements v2.0
2.1	04 October 2016	Updated contact information
3.0	17 December 2018	Release alongside Fisheries Certification Process v2.1

A controlled document list of MSC program documents is available on the [MSC website](http://msc.org) (msc.org).

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