

## Marine Stewardship Council - Variation Request

<b>Date submitted to MSC</b>	26 <sup>th</sup> October 2016
<b>Name of CAB</b>	Acoura
<b>Fishery Name/CoC Certificate Number</b>	PNA Western and Central Pacific Skipjack and Yellowfin, Unassociated / Non FAD Set, Tuna Purse Seine
<b>Lead Auditor/Programme Manager</b>	Rob Blyth-Skyrme / Polly Burns & Jason Combes
<b>Scheme requirement(s) for which variation requested</b>	<p>CR V2.0: 7.4.9: The UoA and UoC shall not be defined based on the species caught as determined at the time of fishing, where the objective is simply to exclude certain hauls from the assessment.</p> <p>CR V2.0: G7.4.9 Definition of UoA at time of fishing: The UoA must be defined based on the gears and practices that are used. It is not possible to define a UoA based on the species caught as observed at the time of landing. All of the potential impacts of the UoA from all hauls or landings that are defined as having been taken by the gear type and in the area defined in the UoA must be included in the assessment. In some circumstances it may not be possible to determine the gear type or area fished until the gear has been hauled, and this requirement allows for this post-haul definition. However, what should be avoided is defining the UoA based on, for instance, a subset of hauls that are defined as “targeting” a P1 species and for which a calculation of the proportion of the catch that includes that P1 species is required.</p>
<b>Is this variation sought in order to fulfil IPI requirements (FCR 7.4.14)?</b>	No

### 1. Proposed variation

To vary from the 7.4.9 requirement to allow confirmation of MSC eligibility to be determined upon hauling for the PNA Tuna fishery and ensure there is no room for interpretation of the clause and associated guidance.

### 2. Rationale/Justification

The PNA tuna fishery established protocols for the last certification period to exclude certain hauls prior to confirming MSC eligibility for the catch, but in the PNA case the objective is to add rigour to their processes, and it does not compromise the MSC assessment or the MSC Standard.

In the case of PNA, the two UoAs are defined as the ‘PNA free school skipjack tuna purse seine fishery’ and the ‘PNA free school yellowfin tuna purse seine fishery’. These ‘free school’ UoAs are determined

at the time of setting the gear, when the skipper declares and the observer verifies that there are no visible FADs (fish aggregating devices) or objects acting as FADs (e.g., whaleshark, whale, log, other debris) within 1 nautical mile of the fishing vessel. This practice is well-established in PNA waters; for example, it is used to enforce a FAD closure from July 1st to September 30th, annually. However, it is not always possible to ensure that objects acting as FADs are not present, particularly when the objects are submerged or semi-submerged.

As such, and to ensure the greatest possible rigour is applied to the identification of 'free school' sets, the PNA client established Chain of Custody protocols for the last certification period. Catches that include objects acting as FADs are excluded from the MSC line immediately. Furthermore, in hauls where FADs have not been identified, MSC status is given at the processing factory only once it is confirmed that no solely FAD-associated species are found.

Acoura considers that the distinction being made between the UoA (i.e., catches from all sets initially identified as being 'free school') that is under MSC reassessment and the UoC (i.e., only those catches from the UoA that are confirmed by the time of final factory grading as being 'free school') that determines final MSC status is not contrary to CR 7.4.9 and, in fact, adds rigour to the PNA fishery. Acoura is seeking a variation to CR 7.4.9 to ensure this requirement does not apply to the PNA fishery and confirm the intention of the clause is documented.

### 3. Implications for assessment (required for fisheries assessment variations only)

No impact. The assessment will proceed as normal.

### 4. Have the stakeholders of this fishery assessment been informed of this request? (required for fisheries assessment variations only)

No.  
Stakeholders will be notified on publication of this request.

### 5. Further Comments

None, thank you.