

Proposed objection to certification of the Omega Protein Corporation U.S. Gulf of Mexico menhaden purse seine fishery

Notice of Acceptance

The Marine Stewardship Council (MSC) is in receipt of a Notice of Objection (NOO) dated 25 June 2019 from the Theodore Roosevelt Conservation Partnership, the Coastal Conservation Association and the American Sportfishing Association (the objectors).

Notice of Acceptance

My first task as Independent Adjudicator to the objection is to consider under PD 2.4 of the MSC Objections Procedure whether the NOO is in a form required by these procedures and whether it has a “*reasonable prospect of success*”. I have decided that the objection meets these tests.

Date of Publication of Objections

The date of publication for these objections is 9 July 2019.

Representations/Response

Under PD 2.4.8, the subject fishery and any other stakeholder that participated in the fishery assessment process, may, within 15 working days of the date of publication, that is, by **5pm BST 30 July 2019**, submit written representations on the matters raised in the NOO.

Under PD 2.5.1 the CAB is to reconsider its Final Report and Determination in light of the matters raised in the NOO and by **5pm BST 6 August 2019** (that is within 20 working days of the date of publication), provide a written response.

Consultation Phase

After receipt of the CAB’s response the Independent Adjudicator shall, under PD 2.5.3, consult with the objectors, the subject fishery and the CAB in order to determine whether there is a possibility of a settlement; i.e. whether the differences between the parties may be resolved through a mutually acceptable adjustment to the Final Report and Determination (which may include any additional corrective

measures recommended by the certification body, or amendments). If such a settlement is not possible, then the matter will proceed to formal Adjudication.

The parties (the objectors, CAB and fishery client) should notify me as soon as possible after receiving and considering the further responses and submissions and in any event by **5pm BST 8 August 2019** whether they consider that there is any reasonable basis for exploring an acceptable solution to the whole or any part of the objection.

If so, arrangements will be put in place for a further exchange of views, including if useful, by telephone conference. Please can all parties ensure that relevant individuals are available for any telephone consultations that are appropriate between **12/13 August 2019**.

If there is no resolution of the issues, the objection will proceed to adjudication. As matters stand and if no consultation phase, I will aim to hear the objection in the week beginning **16 September 2019** (and the parties are asked to reserve these dates for a possible hearing in Washington).

Melanie Carter

Independent Adjudicator

9 July 2019