

Control Union (UK) Limited

**Scapêche, Euronor and Compagnie de Pêches de St
Malo saithe fishery**

and

**Compagnie des Pêches Saint Malo and Euronor cod
and haddock fishery**

MSC Variation Request

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1 Marine Stewardship Council variation request

Table 1 – Variation request

1	Date submitted to MSC
	10/11/2021
2	CAB
	Control Union (UK) Limited
3	Fishery name and certificate number
	Scapêche, Euronor and Compagnie de Pêches de St Malo saithe fishery (MSC-F-31269, MSC-F-31270, MSC-F-31271) Compagnie des Pêches Saint Malo and Euronor cod and haddock fishery (MSC-F-31333 and MSC-F-31334) The VR applies to both fisheries as the conditions are harmonised between them, and the surveillance audits were held in tandem.
4	Lead auditor or program manager
	Henry Ernst
5	Request prepared by
	Henry Ernst
6	Scheme requirement(s) for which variation requested
	FCP v2.2 7.28.23.1 If the client has revised the Client Action Plan following surveillance, the CAB shall upload the Surveillance Report to the MSC database within 90 days of completing the audit for publication on the MSC website.
7	How many times has a variation for this requirement been accepted for the same assessment of the same fishery?
	None, this is the first VR on this requirement for these fisheries.

Table 2 – Variation justification

1	Proposed variation	
	The CAB requests and extra 30 days for the submission of a Client Action Plans for the conditions raised at the surveillance audit.	
2	Additional time requested	
	Original deadline date	15/11/2021
	Modified deadline date requested	15/12/2021
	Length of additional time requested	30 days
3	Justification	
	<p>The client groups are working together (where applicable) to draft action plans for the conditions raised at the Year 4 surveillance report.</p> <p>These condition are on 1.2.1, 1.2.2 (all client groups) and on 2.3.1, 2.3.2, 2.3.3 (not all client groups - new condition on 2.3.3 for two separate UoAs).</p> <p>The key conditions concerned by this variation request are those on 1.2.1 and 1.2.2, as meeting these will require changes to the wider management of the target stock. Indeed, the CAB maintains that, as per clauses 7.19.8 and 7.19.9 of MSC FCP v2.2, external support will be needed to achieve the milestones and close out the condition, and it is in order to ensure the obtention of evidence of this support (either via a written letter of support or another form of evidence indicating that parties who can influence the achieving of the action plan support the client’s action plan) that additional time is being requested.</p> <p>There is reason to believe that such support is forthcoming: the client groups are reaching out to their Producer Organisations to (a) formalise their support and (b) reach out to larger, potentially more influential industry groups to gain their support for the action plans. The CAB believes this to be an effective mechanism, crucially because one of the Producer Organisations (PO) is FROM Nord (which is the PO for a currently certified herring fishery with a condition on PI 1.2.2), a PO which has in the past demonstrated the ability to ensure sufficient consultation and support in their action plan on a similar condition (by similar, the CAB means a condition on the harvest control rule of a stock that is managed at an international level). Indeed, the team currently undertaking the year 1 surveillance audit has deemed the condition on 1.2.2 to at least be on target (surveillance audit held on 09/11/2021), as wider harmonisation is required to determine whether the condition could even be lifted at this stage. As such, a key entity of the UoA has demonstrated the ability to garner appropriate and effective support for the resolution of such a condition in the past and this reassures the CAB that it will be done for these conditions as well.</p> <p>Currently, the client groups and associated POs (specifically FROM Nord) are heavily involved in, and occupied by the end of year negotiations (the “Northern agreements”) for fisheries agreements on key stocks (namely one of the target stocks of the saithe fishery). While there was hope that these would go more smoothly than last year, the complications linked to Brexit are still felt, and are resulting in a significant extra workload for the client groups and POs. With the talks scheduled to be held between the time of writing and the end of the year, the client groups, the POs, as well as most fisheries management structures in France have had to devote significant resource to preparing for these talks.</p>	

	The CAB believes that an additional 30 days would allow the client groups and POs to achieve the required consultation and obtain the support needed for their Client Action Plans.
4	Implications for assessment
	<p>The only implication the CAB is aware of would be the slight extension of the surveillance audit timeline. This will in no way affect the reassessment of these fisheries (which is currently ongoing for the Scapêche, Euronor and Compagnie de Pêches de St Malo saithe fishery, and which will begin in early 2022 for the Compagnie des Pêches Saint Malo and Euronor cod and haddock fishery).</p> <p>The added time will allow the client to obtain the letters of support from the relevant entities, which, if in conformity with FCP v2.2 clauses 7.19.8 and 7.19.9, would allow the CAB to accept the Action Plan.</p>
5	Mitigation of the implication for assessment
	The CAB has indicated to the client that, should this VR be granted, if the client were to receive letters of support ahead of the requested extension deadline, the Client Action Plan should be submitted to the CAB immediately. In doing so, there is a possibility to mitigate as much as possible the additional time required for this surveillance audit.
6	How many conditions does the fishery have and will their progress be affected (positive or negative)?
	<p>The saithe fishery currently has 12 conditions (6 of which are new and requiring a Client Action Plan to be drafted).</p> <p>The cod and haddock fishery currently has 4 conditions (1 of which is new and requiring a Client Action Plan to be drafted).</p>
7	What is the status of the current assessment?
	<p>For the saithe fishery: Year 4 surveillance, and reassessment. In the reassessment, the Client and Peer Review Draft report is scheduled to be sent to the client and Peer Review College this week.</p> <p>For the cod and haddock fishery: Year 3 surveillance audit.</p>
8	Further comments
	None.
9	If applicable, additional information added after MSC's request