



Andy Hough  
Acoura Marine

Sent by email

Date: 10 February 2016

Subject: Request for variation to the MSC Certification Requirement (NIPSG) Irish Sea-Atlantic Mackerel, West of Scotland Herring and North Sea herring

Dear Andy,

I write with reference to your submission on 8 February 2016 of a request for variation to the MSC Certification Requirement (CR) CR-24.2.3.3 (v1.3) to allow the assessment to proceed without following the requirements outlined in CR-24.2.3.3b and CR-24.2.3.c, the need to apply the most recent version of the MSC Certification Requirements (v2.0).

As you are aware, the CR procedures relating to CR-24.2.3.3b and CR-24.2.3.3c 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 in your letter supporting your request, including:

- The NIPSG fisheries assessment has encountered delays resulting from extensive and protracted harmonisation discussions in 2015 concerning the Mackerel component.
- More than 9 months elapsed between the site visit and the publication of the PCDR meaning CR-24.2.3 (v1.3) (FCR-7.3.4.3) has not been complied with. Acoura accepted responsibility for this oversight and as a corrective action has followed the procedural steps of CR-24.2.3 (v1.3).
- This variation requests that MSC permit the assessment to proceed without following the requirements outlined in CR-24.2.3.3b and CR-24.2.3.c, namely the need to apply the most recent version of the MSC Certification Requirements (v2.0). Instead, the re-score would be limited to the v1.3 assessment tree.
- Given that the changes to the scoring do not have a significant impact Acoura requests to use only one of the original Peer Reviewers.



- Acoura cites time and cost consequences to following these clauses that would disadvantage the fishery client and other fisheries during an already extensively delayed assessment process. In addition, re-scoring under v2.0 will add to the complexity of the assessment and future surveillance audits and harmonisation with other fisheries.

Given the rationale provided, the MSC is willing to grant a variation to the CR in this case. MSC has taken this action allowing for the unique circumstances surrounding this fishery. This variation acceptance should not be regarded as setting a precedent for future variation requests, and MSC's position remains that the clauses in CR-24.2.3 shall be adhered to by all CABs. The MSC is willing to grant a variation to CR-24.2.3.3b and CR-24.2.3.3c in this case.

If you have any questions regarding this response, please do not hesitate to contact Emily McGregor, the Fisheries Assessment Manager for this fishery either by email [emily.mcgregor@msc.org](mailto:emily.mcgregor@msc.org) or phone +44 (0)20 7246 8938.

Best regards,

A handwritten signature in black ink, appearing to read 'Dan Hoggarth'.

Dan Hoggarth

Head of Fishery Standard

Marine Stewardship Council

CC: ASI, lead auditor