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Sent by email

Date: 17 December 2014

Subject Request for variation to the MSC Certification Requirement CR 7.5.9 for the
Faroese Pelagic Organization Atlanto-Scandian Herring fishery

Dear Anna

I write with reference to your submission on 9th December, 2014 of a request for variation to the MSC Certification Requirement (CR 7.5.9) to extend the certificate validity of this fishery by one additional year, until the 26th February, 2016.

As you are aware, the CR procedures relating to certificate validity in 7.5.9 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:

- That the certificate for this fishery is due to expire on the 28th February 2015 and the fishery is currently suspended due to a dispute over the Atlanto-Scandian herring quota allocations among Coastal States.
- That since the effective suspension date, the client has made significant progress as outlined in the variation request, including a significant quota reduction, new scientific information leading to a confirmed zonal attachment of AS herring to Faroe Islands coastal waters and recognition among coastal states that a new allocation key for 2015 has to be set.
- Despite all this progress, more time is needed as the client will not be able to lift the suspension before the current certificate expiry date of 28th February, 2015 and it is therefore proposed to extend the validity of the certificate in order to:
 - allow fishery to continue working towards a solution. A new round of coastal state negotiations will take place in December 2014 and if no agreement is still reached, negotiations will continue in 2015.
 - start and achieve harmonization of FPO AS herring fishery with other AS herring fisheries in the MSC programme. Harmonization process will start in Q1 2015 and is expected to be finalized in Q2 2015.
 - Allow assessment of fishery to contribute from the new ICES advice which is expected to be published in September 2015.
 - In addition, the reassessment process is planned to commence in Q1 of 2015, site visit would take place in Q2 2015 (most likely March 2015) and PCDR will be made available for stakeholder comment in Q3 2015, after publication of the ICES advice.
- The fishery will remain suspended and no products from this fishery will enter CoC until the decision to lift the suspension could be taken.
- An expedited surveillance audit will be conducted, should a suspension of the fishery be lifted before the re-assessment process is completed (MSC interprets this to mean that an expedited audit would be conducted to the status of the fishery prior to any decision to lift the suspension).

Given the rationale provided, the MSC is willing to grant a variation to the CR in this case subject to the following conditions:

- That all stakeholders are notified that the certificate validity of this fishery will be extended until 26th February, 2016.
- The CAB will update the fourth surveillance report for the fishery, to the current status of the fishery, and any progress on conditions, and publish this prior to starting reassessment.

If you have any questions regarding this response, please do not hesitate to contact Robert Lefébure, the Fisheries Assessment Manager for this fishery either by email, Robert.lefebure@msc.org or phone +44 (0)20 7246 8935.

Best regards,

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

Dan Hoggarth

Fisheries Oversight director

Marine Stewardship Council