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Lesley Hamilton

Scheme Administrator

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Sent by email

Date: 15 September 2014

Subject: Request for variation to the MSC Certification Requirement CR 27.4.2 for the DFPO Denmark North Sea and Skagerrak Saithe, Haddock, North Sea sole and North sea plaice fisheries

Dear Lesley

I write with reference to your submission on 11th September, 2014 of a request for variation to the MSC Certification Requirement (CR 27.4.2) to change the UoC of these certified DFPO fisheries to include new Swedish vessels as part of the UoC, even though they were not part of the original certification as 'Other eligible fishers'.

As you are aware, the CR procedures relating to the definition of the UoC 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 client would like to include the seven Swedish North Sea vessels on the DFPO Unit of certifications as 'Other Eligible Fishers' and extend certificate sharing to them.
- The landings for these Swedish vessels for these species are not substantial enough in their own right for them to be economically viable to undertake MSC certification themselves but would like to be included under the certification for the above fisheries and abide by the conditions of these certificates in order to fish sustainably
- During the recent scheduled surveillance audit, the assessment team met with representatives from Sweden and assessed the Swedish Vessel's eligibility to be added as 'Other Eligible Fishers' onto these DFPO Units of Certification.
- The findings of the evaluation of the eligibility of the Swedish vessels to be included in the UoC for each fishery are described in an Appendix in the surveillance reports.
- The final conclusion of the report was that there is no reason to believe that the addition of the 7 Swedish vessels to the DFPO member vessel fleet represents a measurable change in the environmental footprint of the fleet nor that there are any issues concerning the effective management of the fishing operations and conduct of these vessels.
- FCI therefore propose to change all of the units of certification for all of the above DFPO fisheries to include reference to these Swedish vessels under a certificate sharing arrangement and will submit a certificate sharing letter as required.
- Furthermore, as this is a significant change we propose that in order for stakeholders to provide their comments on this change that a stakeholder consultation period of 15 days is undertaken from the date of posting the appropriate announcement and surveillance reports for all four DFPO fisheries.

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

- That a stakeholder notification is posted to indicate that a stakeholder comment period on this change to the UoC, as outlined in the Appendices to the surveillance report for each of the DFPO fisheries, will start from the date of posting.
- That due to the proposed significant changes to the UoC, that the reports will be available for stakeholder comment for a period of 30 days, NOT 15 days as outlined in the request.
- That any stakeholder comments received, are reviewed and responded to by FCI and a finalized notice is made available to stakeholders, as well as included on the MSC website

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, reading "Dan Hoggarth". The signature is written in a cursive, flowing style.

Dan Hoggarth, Fisheries Oversight director

Marine Stewardship Council