

SAI Global

Gaspésie lobster trap fishery

MSC Variation Request

1 Introduction

This form details the information SAI Global is required to submit to the MSC to enable the MSC to consider an application to vary from a clause or requirement in any of the MSC program documents.

Once a Variation Request has been submitted the MSC will consider that request and will usually respond within 14 days.

2 Marine Stewardship Council variation request

Table 1. Variation request.

1	Date submitted to MSC
	7 December 2020
2	CAB
	SAI Global
3	Fishery name and certificate number or CoC certificate number
	Gaspésie lobster trap fishery/ MSC-F-31180
4	Lead auditor or program manager
	Géraldine Criquet (Lead Auditor)
5	Request prepared by
	Géraldine Criquet (Lead Auditor)
6	Scheme requirement(s) for which variation requested
	MSC General Certification Requirements (GCR) v2.4.1 §7.5 Fishery certificates 7.5.6 <i>The CAB shall issue fishery certificates with a maximum validity period of 5 years from the issue date.</i>
7	How many times has a variation for this requirement been accepted for the same assessment of the same fishery?
	1 time. A variation to this requirement has previously been accepted for the same assessment of this fishery on the 25 th February 2020.

Table 2. Variation justification.

1	Proposed variation	
	SAI Global proposes to further extend the validity of the fishery certificate by 1 month and 12 days.	
2	Additional time requested	
	Original deadline date	13 January 2021
	Modified deadline date requested	25 February 2021 (current certificate expiring date for the Prince Edward Island lobster trap and the Bay of Fundy, Scotian Shelf and Southern Gulf of St Lawrence lobster trap fisheries)
	Length of additional time requested	1 month and 12 days
3	Justification	
	<p>The Gaspésie lobster trap fishery reduced re-assessment was announced on 4th June 2019.</p> <p>There has been substantial delay in the re-assessment process as follows:</p> <ol style="list-style-type: none"> Following the site visit (end of September 2020), delays occurred to allow the assessment team to review additional information related to MSC UoAs combined impacts on the North Atlantic right whale and species used as bait scored under primary species Performance Indicators (PI). The covid-19 pandemic impacted the availability of the assessment team between the Client and Peer review Draft Report (issued end of February 2020) and the Public Comment Draft Report (published on 7th December 2020). The Gaspésie lobster trap fishery overlaps with the AQIP snow crab trap fishery with regard to the cumulative effects of the MSC UoAs on the North Atlantic right whale population considered in PI 2.3.1 scoring issue (a). CABS recently held harmonisation discussions and following a continued disagreement among teams, MSC FCP v2.1 PB1.3.4.5.a.ii was applied. Consequently, PI 2.3.1 was rescored to 75 and a condition was raised. The client group was advised on 9th December 2020 of this change in scoring and has been requested to draft a client action plan as required by MSC FCP v2.1 §7.18.1.1. Therefore, additional time is needed for the client to develop the client action plan, for SAI Global to consult with the entity the client will rely upon to implement the client action plan, and for the assessment team to review the client action plan. <p>If the certificate extension was to be granted,</p>	

Table 2. Variation justification.

	<ol style="list-style-type: none"> 1. it will allow the fishery to be still covered by a valid certificate during the re-assessment process. It means that the client group will not be penalised by the delay that occurred for the reasons described above including covid-19 pandemic related delay. 2. It will allow aligning the certificate expiring date with the recently extended certificates of the Prince Edward Island lobster trap fishery and the Bay of Fundy, Scotian Shelf and Southern Gulf of St Lawrence lobster trap fishery which are also under re-assessment under the combined Maritime Canada inshore lobster trap fishery. Pending re-certification decision for all these lobster fisheries, a same re-certification date for these fisheries will ease the planning of combined surveillance audits thus harmonisation activities for Principle 2.
4	Implications for assessment <p>No implications for the re-assessment itself. SAI Global has not identified any risks to the integrity of the MSC Program from granting this VR. SAI Global's assessment team has not identified any issues that could prevent the fishery from continuing to conform with the MSC Fisheries Standard. The peer reviewer agreed with the assessment team's overall conclusion that the fishery should be re-certified.</p> <p>Note that 18 months from the fishery announcement (MSC FCP V2.1 §7.22.1) was 4th December 2020. However, the re-assessment was covered by MSC covid derogation issued in April 2020 which allowed a 6-months extension to the 18-month deadline. As a consequence, the new 18-month deadline is 4th June 2021.</p>
a	Mitigation of the implication for assessment <p>There are no implications requiring mitigation.</p>
6	How many conditions does the fishery have and will their progress be affected (positive or negative)? <p>All conditions raised during the initial assessment have been closed by the 3rds surveillance audit. As mentioned in section 3, a new condition on PI 2.3.1 has recently been raised as a result of harmonisation discussions.</p>
7	What is the status of the current assessment or audit? <ul style="list-style-type: none"> • The PCDR was published on 7th December 2020. • The Final Report and Determination is scheduled to be published by end of January 2021 • The PCR is scheduled to be published mid-February 2021.
8	Further comments <p>N/A</p>
9	If applicable, additional information added after MSC's request

3 Template information and copyright

This document was drafted using the 'MSC Variation Request Form – Fisheries v1.0'. While amendments have been made to formatting in order to comply with SAI Global's corporate identity, SAI Global has ensured that content and structure follow that of the original template.

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Table 3. Template version control.

Version	Date of publication	Description of a amendment
1.0	25 March 2020	Release alongside Fisheries Certification Process v2.2

A controlled document list of MSC program documents is available on the [MSC website](http://msc.org) (msc.org).

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