



Billy Hynes
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Sent by email

Date: 12/09/2017

Subject: Request for variation to the MSC Certification GCR-7.5.6 for North West Atlantic Canada longline swordfish

Dear Billy Hynes,

I write with reference to your submission on 18/08/2017 of a request for variation to the MSC Certification Requirement (CR) to allow:

Both the North West Atlantic (NWA) harpoon swordfish and longline swordfish fisheries have certificates due to expire on the 30th September 2017, following earlier variations to extend the certificates as detailed below. Acoura request certificate extensions until 15th December 2017. This would result in a total extension for both certificates of 8 months for the longline fishery and 2 years and 6 months for the harpoon fishery.

As you are aware, the CR procedures relating to v2.1 GCR-7.5.6 state:

- The CAB shall issue fisheries certificates with a maximum validity period of 5 years from the issue date

These 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:

- Certificate previously extended for North West (NW) Canadian harpoon swordfish fishery by one year and 10 months from 17 June 2015 to 18 April 2017 to align with the NW Canadian longline fishery. The harpoon fishery had an extra 2 surveillance reports during this time.
- A previous certificate extension for both harpoon and longline was requested by Acoura on 5 April 2017 and granted by MSC to extend the certificates until 30 September 2017.
- Since the previous request in April 2017, subsequent factors that have delayed the reassessment include:



- Awaiting MSC response to 'exceptional circumstance' used in initial surveillance report;
- Time needed for a harmonised response to subsequent MSC TO on closing conditions;
- On-going correspondence with stakeholders following the publication of the surveillance report;
- Addressing responses following additional 30 days consultation for new information
- Delays have been further exacerbated by health issues for one team member
- The Preliminary Draft Report is complete and has been submitted to the clients for review. The Peer Reviewers are announced and the PCDR is now expected to be published by September 30th
- Following a review of new information, Acoura confirms that the sustainability status of the fishery is not believed to be affected by this change.

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

- The certificate extension is only granted until 30 October 2017. Further timeline extensions to the certificate will only be considered on receipt of the PCDR from the CAB for publication on the MSC website by no later than 28 September 2017.
- The CAB can confirm that it is not aware at this time of any factor (related to either fishery status, or performance against conditions) that could result in the fishery no longer being in compliance with the MSC Fisheries Standard.
- Stakeholders are informed.
- ECert is updated to reflect changes, including providing a certificate covering the period from the end of the current certificate to the date accepted in the variation response
- This variation acceptance should not be regarded as setting a precedent for future variation requests.

If you have any questions regarding this response, please do not hesitate to contact the relevant Fisheries Assessment Manager for this fishery.

Marine Stewardship Council
cc: Accreditation Services International