



Sian Morgan

SCS Global Services

2000 Powell Street, Suite 600

Emeryville, CA 94608, USA Sent by email

Date: 18/12/2015

Subject: Request for variation to the MSC Certification Requirement CRv1.3 24.2.3.2b, 3b, 3c for Northeastern Tropical Pacific Purse Seine Yellowfin and Skipjack Tuna fishery

Dear Sian,

I write with reference to your submission on 14/12/2015 of a request for variation to the MSC Certification Requirement (CR) to allow the fishery to not undertake the solicitation of new information from stakeholders and rescoring based on any new information provided.

As you are aware, the CR procedures relating to seeking new information from stakeholders if a fishery assessment exceeds 9 months between site visit and production of PCDR is 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:

- Current timeline delays are due to ongoing MSC consultation surrounding harvest control rules and PI1.2.2 interpretation.
- Teams have made and will make, real efforts to assure that information remains up to date up until the point at which the PCDR is published.
- New information from stakeholders that is provided close to the PCDR publication is sometimes interpreted as further opportunities to comment. Though additional comments can be provided once the PCDR is published.
- SCS has delayed movement into Peer Review for these tuna fisheries due to the ongoing discussions regarding scoring of PI1.2.2 as this scoring is pertinent to assigned conditions and associated client action plans, a necessary piece for the Peer Review Draft, as well as possible risk of objections.
- If the fishery was to review new information and re-score against the latest versions (2.0) of the standard based on this information potentially requires substantial



additional cost in terms of professional fees and further timeline delays to complete this rescoring

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

- The CAB has identified that the delay for the production of the PCDR was due to MSC consultation on a Harvest Control Rule (HCR) interpretation developed for PI 1.2.2.
- The interpretation has been finalised and was released on 16/12/2015. Further delays are therefore not anticipated for the fishery assessment from the HCR interpretation. Thus, the PCDR for this fishery needs to be published by the CAB within 60 days from the release of the HCR interpretation, being 16/02/2016.
- Stakeholders are made aware of the changes.

If you have any questions regarding this response, please do not hesitate to contact Adrian Gutteridge by email on [adrian.gutteridge@msc.org](mailto:adrian.gutteridge@msc.org) or by phone +61 405 390 660.

Best regards,

A handwritten signature in black ink that reads 'Dan Hoggarth'.

Dan Hoggarth  
Head of Fisheries Standard

Marine Stewardship Council  
cc: ASI, lead auditor