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# **LRQA**

## **Denmark, Estonia, Germany, Sweden Baltic herring and sprat**

### **MSC Variation Request**

# 1 Marine Stewardship Council variation request

**Table 1 – Variation request**

1	Date submitted to the MSC
	14 <sup>th</sup> October 2021 (updated on 4 <sup>th</sup> March 2022)
2	CAB
	Acoura Marine (t/a LRQA)
3	Fishery name and certificate number
	Denmark, Estonia, Germany, Sweden Baltic herring and sprat MSC-F-31479  This variation request applies to the following Units of Certification:- <ul style="list-style-type: none"> <li>• UoC 10: German sprat trawl fishery; and</li> <li>• UoC 12: Swedish sprat trawl fishery.</li> </ul> It does not presently apply to the following Units of Certification:- <ul style="list-style-type: none"> <li>• UoC 9: Danish sprat trawl fishery; or</li> <li>• UoC 11: Estonian sprat fishery; or</li> <li>• UoC 14: Swedish sprat purse-seine fishery.</li> </ul>
4	Lead auditor or program manager
	Lead auditor – Jim Andrews LRQA HO Fisheries Technical Officer – Gillian Irvine
5	Request prepared by
	Lead auditor – Jim Andrews LRQA HO Fisheries Technical Officer – Gillian Irvine
6	Scheme requirement(s) for which variation requested
	MSC Fisheries Certification Process v2.2 at 7.5.9.1.e:-  <i>7.5.9 The CAB shall determine whether there are catches of non-target (Principle 2) stock(s) that are inseparable or practicably inseparable (IPI) from target (Principle 1) stock(s).</i>  <i>7.5.9.1 The CAB shall only recognise stock(s) as being an IPI stock where the inseparability arises because either:</i> <ol style="list-style-type: none"> <li><i>The non-target catch is practicably indistinguishable during normal fishing operations (i.e. the catch is from a stock of the same species or a closely related species), or</i></li> <li><i>When distinguishable, it is not commercially feasible to separate due to the practical operation of the fishery that would require significant modification to existing harvesting and processing methods.</i></li> </ol> <i>And:</i> <ol style="list-style-type: none"> <li><i>The total combined proportion of catches from the IPI stock(s) do not exceed 15% by weight of the total combined catches of target and IPI stock(s) for the UoA.</i></li> </ol>

	<p><i>d. The IPI stock(s) are not endangered, threatened or protected (ETP) species.</i></p> <p><b><u>e. The IPI stock(s) are not certified separately.</u></b></p>
7	How many times has a variation for this requirement been accepted for the same assessment of the same fishery?
	0

**Table 2 – Variation justification**

1 Proposed variation	
<p>LR seek a variation from the constraint which prevents separately certified stocks from being treated as “Inseparable or practicably inseparable” (“IPI”) catches.</p> <p>The request to vary from this requirement is made to allow a small quantity of Central Baltic herring to be included as an IPI catch in batches of MSC-certified sprat landed by vessels in this fishery.</p> <p>This request is made in connection with those UoCs for which catch data for Central Baltic herring have been provided for fishing trips that have targeted sprat, currently:-</p> <ul style="list-style-type: none"> <li>• UoC 10: German sprat trawl fishery; and</li> <li>• UoC 12: Swedish sprat trawl fishery; and</li> </ul> <p>It does not presently apply to the following Units of Certification:-</p> <ul style="list-style-type: none"> <li>• UoC 9: Danish sprat trawl fishery; or</li> <li>• UoC 11: Estonian sprat fishery; or</li> <li>• UoC 14: Swedish sprat purse-seine fishery.</li> </ul>	
2 Additional time requested	
Original certificate expiry date	No change
Modified deadline date requested	No change
Length of additional time requested	No change
3 Justification	
<p>On the 15<sup>th</sup> September 2021 the Central Baltic herring Unit of Certification for this fishery was suspended at the client's request.</p> <p>This self-suspension was a response to changes in perception of the status of the Central Baltic herring stock and its management. The suspension was harmonised across both the already-certified Central Baltic herring fisheries and harmonised with a fishery that was under assessment at that time. LR issued a notice to stakeholders on the 15<sup>th</sup> of September, notifying them of this suspension and also that the only fish that could be offered for sale under the MSC ecolabel would be consignments of fish that did not contain any Central Baltic herring.</p> <p>The effect of the suspension, coupled with the application of 7.5.9.1.e above, is that any catches of Baltic sprat which may contain even a single Central Baltic herring cannot be offered for sale as MSC-certified sprat. This is because even though the Central Baltic herring Unit of Certification has been suspended, the certificate itself has not been withdrawn, and hence the stock remains within the ambit of 7.5.9.1.e, which prevents already-certified fish from being considered as an IPI stock.</p>	

The client group in this fishery (and also in overlapping fisheries) report that this constraint has significant practical and commercial implications. Sprat catches are never 100% clean and may contain up to 2% herring. There are legal constraints in place that prevent sorting of the catch at sea in the Baltic Sea, and practical difficulties of sorting the catch after landing mean that it is impossible to separate these Central Baltic herring from the sprat catch prior to sale.

These client groups are therefore faced with the choice of either being unable to realise the benefit of their investment in the sustainable management of the sprat fishery, or of withdrawing the Central Baltic herring stock from the MSC programme in order that it can then become eligible as an IPI species.

If the variation is granted, then consignments of sprat with a small proportion of Central Baltic herring could be offered for sale under the Baltic sprat UoC certificate. This would retain the commercial benefit of MSC certification for the sprat fishery whilst enabling the suspended (but still certified) Central Baltic herring fisheries to remain MSC-certified and hence subject to the conditions of certification that are intended to encourage improvements in the management of the fishery.

Granting this variation will not result in any increase in fishing effort or environmental impact of the fishery; indeed it is likely that it will help to support sustainable fisheries management in the Baltic Sea.

LRQA has discussed this Variation Request with MSC staff during the period since it was submitted in October 2022. During these discussions it has become apparent that the MSC require information about the total catch of Central Baltic herring (in tonnes) to fully evaluate the implications of any decision on this request. This information has been provided in section 9 of this request.

#### 4 Implications for assessment

This request has no implications for the assessment outcome.

#### 5 Mitigation of the implications for assessment

As there are no implications for the assessment outcome, no mitigating action is needed.

#### 6 How many conditions does the fishery have and will their progress be affected (positive or negative)?

The fishery has 38 conditions of certification, of which 6 are specific to (suspended) Central Baltic herring fishery and 6 are specific to the Baltic sprat fishery. There are 26 conditions of certification that apply to both stocks.

These conditions are very much inter-connected. By retaining the CB herring UoC within the MSC programme whilst it is certified, the variation is likely to have a positive impact on progress.

#### 7 What is the status of the current assessment or audit?

This fishery was certified against the MSC Standard on 1<sup>st</sup> July 2020.

#### 8 Further comments

#### 9 If applicable, additional information added after the MSC's request

The client group has been asked to provide information on the catch (in tonnes) of Central Baltic herring that is associated with the sprat fishery. This information is presented below.

**UoC 9: Danish sprat fishery**

Official landings data requested by client and will be presented when available.

**UoC 10: German sprat fishery**

Catch data for fishing trips targeting sprat are presented below.

Species	2019		2020		2021		Total	
	Kg	%	Kg	%	Kg	%	Kg	%
Sprat	10,587,112	92 %	7,677,407	93 %	11,826,342	96 %	30,090,861	94 %
Herring	904,486	8%	601,639	7%	529,441	4%	2,035,566	6%
Flounder	22	0%	142	0%	21,817	0%	21,981	0%
Whiting	-	0%	98	0%	1,060	0%	1,158	0%
Saithe		0%	21	0%		0%	21	0%
Lumpfish	-	0%		0%		0%	-	0%
Cod	478	0%		0%		0%	478	0%
Salmon	60	0%		0%		0%	60	0%
<b>Total</b>	<b>11,492,158</b>		<b>8,279,307</b>		<b>12,378,660</b>		<b>32,150,125</b>	

**UoC 11: Estonian sprat fishery**

Official landings data requested by client and will be presented when available.

**UoC 12: Swedish sprat fishery**

Catch data for fishing trips targeting sprat are presented below.

Species	2019		2020		2021		Total	
	(kg)	%	(kg)	%	(kg)	%	(kg)	%
<b>Sprat</b>	<b>8 949 880</b>	<b>91,6032</b>	<b>12 047 545</b>	<b>94,8076</b>	<b>12 944 662</b>	<b>95,95</b>	<b>33 942 088</b>	<b>94,3675</b>
Herring	785 209	8,0367	647 930	5,0988	524 998	3,89	1 958 016	5,4438
Whiting	19 057	0,1951	5 045	0,0397	12 538	0,09	36 640	0,1019
Saithe	12 707	0,1301	3 996	0,0314	307	0,00	17 010	0,0473
Salmon			74	0,0006	7 762	0,06	7 836	0,0218
Sandeels nei	1 782	0,0182	1 129	0,0089	3	0,00	2 914	0,0081
Ohte marine species	268	0,0027	1 478	0,0116	140	0,00	1 886	0,0052
Three-spined stickleback	1 355	0,0139					1 355	0,0038
Cod			169	0,0013			169	0,0005
Sticklebacks nei	4	0,0000			45	0,00	49	0,0001
Flounder	8	0,0001					8	0,0000
Plaice					6	0,00	6	0,0000
Mackerel			2	0,0000			2	0,0000
<b>Sum</b>	<b>9 770 270</b>	<b>100,0000</b>	<b>12 707 368</b>	<b>100,0000</b>	<b>13 490 461</b>	<b>100</b>	<b>35 967 978</b>	<b>100,0000</b>

## 2 Template information and copyright

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### Template version control

Version	Date of publication	Description of 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 ([msc.org](http://msc.org)).

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