

Normandy and Jersey lobster (*Homarus gammarus*) fishery

Operated by

**States of Jersey Department of Planning and Environment
of
Howard Davis Farm, Route de la Trinité, Trinity. JE3 5JP**

and

**Jersey Fishermen's Association
of
Fish Quay, La Rue Gosset, La Collette, St. Helier, Jersey. JE2 3NX**

Control Union (UK) Limited (CU UK) certifies that the above-named Entity, as defined in the attached schedule, has been assessed against the MSC Fisheries Certification Requirements v2.0 and Annex CB of the MSC Certification Requirements v1.3 and has been found to meet the criteria for a well-managed and sustainable fishery. Fish and fish products originating from this MSC certified fishery are eligible to carry the MSC Logo, in accordance with the rules established by the MSC.

Note: Following a Variation Request (VR) which was granted by the MSC on the 14th of July, the certificate was extended by 12 months and new expiry date is now the 01/06/2023. Details of the Variation Request can be accessed following these links (or in the Appendix section of this Certificate pages 11-16) :

Variation Request: [HERE](#)

Response from the MSC: [HERE](#)

Authorising signatory:



Toru Tsuzaki
Fisheries Schemes Manager
Control Union (UK) Limited

Fishery name:	Normandy and Jersey lobster (<i>Homarus gammarus</i>) fishery
Certificate number:	MSC-F-31278
Certificate date of issue:	02-12-2016
Certificate expiry date:	01-06-2023 (following Variation Request)
Version control:	2.6, Last revision: 20-08-2021
Compliant with:	MSC CR 1.3 & FCR 2.0
CU UK accreditation code:	ACC-MSC-005

This certificate remains the property of Control Union (UK) Limited. The Jersey Department of Planning and Environment and Jersey Fishermen's Association are permitted to use this in accordance with the agreed Terms & Conditions of Certification.

Certificate Schedule

The MSC Unit of Certification covered by the scope of this Certificate is as follows:

Species and stock:	Lobster (<i>Homarus gammarus</i>)
Geographical range:	Granville Bay Treaty area and associated Basse Normandie and Jersey territorial waters
Method of capture	Inkwell pots / casiers classiques and parlour pots / casiers pièges
Management System(s):	Comité Régional des Pêches Maritimes de Normandie (CRPM BN), Comité Local des Pêches Maritimes CLP de Cherbourg, and CLP Ouest Cotentin, Délégation à la Mer et au Littoral de Basse-Normandie – DML DDTM Manche, Department of Fisheries and Marine Resources (Jersey) and Granville Bay Treaty
Client group:	Commercial fishermen from Basse Normandie (West and North Contentin) and Jersey
Parties or categories of parties entitled to use the certificate:	No other parties are entitled to use the certificate

Authorising signatory:



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Fisheries Schemes Manager
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Certificate Schedule

The point(s) at which fish and fish products may enter a Chain of Custody:

Lobster (*Homarus gammarus*) caught by commercial fishermen licensed by the States of Jersey Department of Planning and Environment with pots in the Granville Bay Treaty area and associated Basse Normandy and Jersey territorial waters are eligible to enter further chain of custody and be sold as MSC-certified provided the entire chain of custody obtain MSC Chain of Custody certification.

Lobster (*Homarus gammarus*) caught by commercial fishermen licensed by the States of Jersey Department of Planning and Environment with pots in the Granville Bay Treaty area and associated Normandy and Jersey territorial waters and equipped with MSC labelled zip ties are eligible to enter further chain of custody. On the basis that the MSC-labelled zip ties are considered consumer-ready tamper-proof packaging (CRTPP), CoC certification is not required for organisations trading or handling these products (see MSC Chain of Custody Certification Requirements v2.0). Currently, this provision is only available to the vessel J041 (BONNE PECHE), which has undergone a risk assessment conducted by Control Union UK. It has been agreed with the Jersey Department of Planning and Environment that, in the event that more fishermen wish to follow suit, efforts will be coordinated by the Jersey Department of Planning and Environment in order to ensure that the protocol outlines in the Risk assessment is consistently applied throughout the adherents of the JFA. If not bearing the CRTPP zip tie, all companies handling the Jersey product would be required to get CoC certified and are otherwise ineligible to enter certified chains of custody.

Lobsters sold through the Halles à Marée are eligible to bear the MSC ecolabel. Separate Chain of Custody would be required after the first change in ownership. The addresses of the two Halles à marée are given below (note that invoicing is carried out by these same parties):

- Halles à Marée, Quai Ouest, 50400 GRANVILLE
- Centre de Marée, Bassin du Commerce, 50100 CHERBOURG EN COTENTIN

Authorising signatory:



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Lobsters sold to fish merchants ("mareyeurs") directly would have to be subject to separate CoC certification. In this case, CoC would start at the point of landing.

Certificate Schedule

The vessels covered by this certificate are shown in the following table:

Jersey vessels:

Vessel	Port Letters	Length (m)	Gear
ABBA II	J407	5.78	Pots
AIGRETTE	J114	6.6	Pots
ANN VIRGINIA	J204	10.73	Pots
ANNE LOUISE	J321	4.98	Pots
AQUARIUS II	J307	9.1	Pots
AQUASPORT	J657	4.88	Pots
AURIGA	J008	5.68	Pots
BALLISTIC	J171	8.23	Pots
BANANA SPLIT	J357	6.86	Pots
BASS FISHER	J24	4.87	Pots
BELLE BIRD	J033	8.66	Pots
BLACK KNIGHT	J531	6.9	Pots
BLUE BELLE	J150	5.75	Pots
BONNE PECHE	J041	6.85	Pots
BRAMA	J013	7.01	Pots

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Vessel	Port Letters	Length (m)	Gear
BRETTANE	J214	5.8	Pots
CARMEN	J005	4.78	Pots
CAROL ANN	J559	5.49	Pots
CAROLE G	J049	9.55	Pots
CASTLE LIGHTS	J067	9.1	Pots
CONTENDER	J004	7.5	Pots
CYNTHIA MARY	J038	10.2	Pots
DAN-JOHN	J658	5.1	Pots
DAWN HUNTER	J252	5.73	Pots
DAWN LIGHT	J148	7.1	Pots
DEN-MAR	J076	8.03	Pots
DUSTY BIN	J135	9.13	Pots
DUSTY BIN	J135	9.13	Pots
EMMAJEN	J057	4.65	Pots
FISH TAILS	J095	3.94	Pots
FOU DE BASSAN	J035	7.9	Pots
GEMINI	J325	4.9	Pots
GOLDEN GRAIN	J485	11.58	Pots
GREY DAWN	J208	8.05	Pots

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Vessel	Port Letters	Length (m)	Gear
GRIZZLY	J200	4.98	Pots
HANNAH LOUISE	J104	9.67	Pots
HERITAGE	J073	9.98	Pots
HOMARD	J602	7.72	Pots
INVINCIBLE	J211	6.58	Pots
ISLE JERSEY	J059	4.62	Pots
IZZIE	J375	4.85	Pots
JADE S	J401	8.05	Pots
JAN FISHER	J006	6.52	Pots
JASON II	J180	5.58	Pots
JESSIE	J292	4.5	Pots
JILLMAR	J317	3.75	Pots
JUCLO	J350	4.2	Pots
KESTREL II	J273	4.85	Pots
KIRSTY LIN	J064	9.99	Pots
KONI	J122	4.48	Pots
LA CRISE	J060	8.16	Pots
LOUIS MARIE	J167	6.57	Pots
LOUISE MAY	J229	5.8	Pots

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Vessel	Port Letters	Length (m)	Gear
LOUP DE MER	J455	9.95	Pots
LOYAL FRIEND	J079	7.39	Pots
LUCUIS	J279	5	Pots
MARGARET WILLIAM II	J274	5.8	Pots
MARIA	J437	5.5	Pots
MASTER B	J121	4.4	Pots
MASTER B	J121	4.4	Pots
MATAURI BAY	J045	7.38	Pots
MAVERICK II	J094	10.73	Pots
MINUIT	J002	6.6	Pots
MY JEM	J159	9.95	Pots
OCEAN DANCER	J072	5.78	Pots
OUTRAGE	J238	4.83	Pots
PEDRO	J231	3.77	Pots
PERSEVERANCE	J649	6.27	Pots
PETER MICHAEL	J109	9.77	Pots
PETIT MOUSSE II	J399	7.4	Pots
PIERRETTE	J025	4.87	Pots
QUEQUEG	J022	6.42	Pots

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Vessel	Port Letters	Length (m)	Gear
RAE OF HOPE	J224	6.8	Pots
RIPTIDE	J145	6.98	Pots
SABOT	J275	4.25	Pots
SACRE BLEU	J494	5.78	Pots
SARAH ANN	J280	5	Pots
SAUCY SUE	J112	6.98	Pots
SEA KING	J194	5.28	Pots
SEA TONIC	J084	4.5	Pots
SEABASS	J419	5.79	Pots
SEAFORTH	J058	7.96	Pots
SEASHELL	J284	5.49	Pots
SENGALOU	J027	4.9	Pots
SENIOR MOMENT	J177	6.53	Pots
SENIOR MOMENT	J177	6.53	Pots
SHALLOW WATERS	J323	7.31	Pots
SHARANDAN	J620	5.32	Pots
SHARKIE TOO	J569	10.39	Pots
SHARNIC	J389	5.4	Pots
SHYLOCK	J388	5.72	Pots

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Vessel	Port Letters	Length (m)	Gear
SKYE	J490	5.8	Pots
SOIXANTE NEUF	J069	8.88	Pots
SUSIE TOO	J130	4.93	Pots
SYLVIES DAWN	J017	3.74	Pots
SYLVIES GRACE	J011	7.57	Pots
SYLVIES JOY	J053	8.72	Pots
T J ROCKHOPPER	J127	5.8	Pots
TELSTAR II	J077	4.5	Pots
THE GAMBLER	J028	6.5	Pots
THE KRAKEN	J170	7.56	Pots
THE SHILLING	J164	5.05	Pots
TICKETY TWO	J342	5.78	Pots
TIME N TIDE	J021	8.85	Pots
WAVE RIDER	J479	5.05	Pots
WHITE LADY	J003	7.97	Pots
WHITE WATERS	J100	9.75	Pots
ZEBEC	J209	7.78	Pots
ZEUS FABER	J082	7.01	Pots

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Certificate Schedule

The parties, or categories of parties, that are entitled to use this certificate to enter fish from the certified fishery into certified Chains of Custody:

Not applicable.

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Control Union (UK) Limited

Normandy and Jersey Lobster

MSC Variation Request

Control Union (UK) Limited

56 High Street, Lymington, Hampshire,
SO41 9AH, United Kingdom

Tel: 01590 613007 Fax: 01590 671573

Email: infofishuk@controlunion.com

Website: uk.controlunion.com

1 Marine Stewardship Council variation request

Table 1 – Variation request

1	Date submitted to MSC
	5 th May 2021 (resubmitted on 11 th May 2021)
2	CAB
	Control Union (UK) Limited
3	Fishery name and certificate number
	Normandy and Jersey lobster - MSC-F-31279 / MSC-F-31278
4	Lead auditor or program manager
	Mathias Deleau
5	Request prepared by
	Mathias Deleau
6	Scheme requirement(s) for which variation requested
	FCP 2.2 - 7.28.8 - The CAB shall undertake surveillance audits within 30 days prior to the anniversary date of the certificate. FCP 2.2 - 7.30.1 - The CAB shall announce the reassessment of a certified fishery no later than 90 days after the 4th anniversary of the existing certificate. GCR v.2.4.1 – 7.5.6 - The CAB shall issue fishery certificates with a maximum validity period of 5 years from the issue date.
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	
	The CAB is requesting a 12-month extension of the certificate anniversary in order to postpone the upcoming Year 4 Surveillance and Reassessment audits as the clients are currently experiencing difficulties in resourcing due to repercussions of Brexit and the ongoing COVID-19 pandemic, which impedes their ability to hold these audits according to the surveillance schedule.	
2	Additional time requested	
	Original deadline date	Certificate anniversary – 1 st June 2022
	Modified deadline date requested	1 st June 2023
	Length of additional time requested	12 months
3	Justification	
	<p>Due to outcome of Brexit, the Granville Bay Treaty which was the main regulatory framework element between France and Jersey is now considered obsolete. While this new agreement and negotiations are taking place, the clients have indicated to the CAB they must focus on maintaining their respective fleets at sea and getting the necessary licensing agreed to allow fishermen to carry on their business and also continue with access negotiations between Jersey and French waters. Due to Brexit and the escalating situation, this process has become extremely lengthy and convoluted. With both French and Jersey fisheries agreeing that priority must be given to resolve the immediate issues affecting the livelihood of the fishermen, which they consider has to take precedence over the MSC process.</p> <p>Following this request and after an internal consultation and discussion with the client, CU UK remains confident that the fishery management is still operating as normal and that communications between the parties (even if found difficult, as pointed by the client in their letter) are still ongoing and are sufficient to maintain the management of this fishery at a level to remain in conformity with the MSC Standard and to not trigger the expedited audit clause 7.29.1 of the FCP 2.2.</p> <p>The client is requesting an extension of their certificate in order to postpone the main deadline of the MSC process (of Year 4 and reassessment), where it is considered that negotiations would be concluded and the fishery's operations can regain some normality by this time. The client sees the MSC certification as an important part of the fishery's credentials and livelihood for which they have worked hard to obtain and are seen as being jeopardised for factors outside of their control.</p> <p>CU UK will closely monitor the evolution of the situation and the communications between parties to be sure that the fishery remains in conformity.</p> <p>Full details on the context as described by the client have been attached to the present VR (see below). This was presented under the form of a letter that was directly addressed to CU UK asking us to formulate this VR. Original letter and translation are attached with this submission.</p>	
4	Implications for assessment	
	If the request is accepted, the client will benefit from an extra 12 months to organise both the Year 4 surveillance and reassessment. Based on COVID derogation 6, the open conditions can benefit from a 12-	

CU MSC Variation Request Form v3.2 (25th September 2020) (based on MSC Variation Request Form - Fisheries v1.0)

2862VR01

	month extension already and, based on the client statement (original and translated versions attached), data collection and other requirements to close those condition are still ongoing but seem difficult to achieve as per the current situation with Brexit and the COVID-19 pandemic.
5	Mitigation of the implication for assessment
	<p>CU UK remains optimistic that a resolution will be found in the short term. However, while monitoring the situation, if CU UK considers that the fishery becomes at risk of non-conformity against the MSC standard (despite this variation request being granted), launching an Expedited Audit will be considered. Clients have been made aware of the situation and of CU UK position as a certifier regarding this.</p> <p>For this fishery, if the VR is granted and negotiations have concluded, CU UK would be looking at resuming the assessment as soon as it is practicable. The current assessment timeline allows the Y4S surveillance to take place until December (6 months period after anniversary). However, the fishery is also looking at reassessment which must be announced within 90 days following the anniversary. Therefore, there is a realistic chance the fisheries certificate will expire prior to the reassessment being completed. As stated above, the client sees the MSC certification as an important part of the fishery's credentials and livelihoods depend on this certification for which they have worked hard to obtain. They consider a lapse in certification for factors outside of their control a bitter blow coupled with the ongoing political upheaval and difficult economic situation.</p>
6	How many conditions does the fishery have and will their progress be affected (positive or negative)?
	<p>This fishery is still under FCR 1.3.</p> <p>3 conditions – 1.1.2, 1.2.4 and 2.1.3. (all potentially benefiting from COVID derogation 6) – this VR will not affect their progress as the milestones and completion deadlines have already been extended by 12 months as a result of the aforementioned derogation. Based on discussion with the client, progress on conditions will be maintain at a lower regime but sufficient enough to be able to achieve objectives at the next deadline.</p>
7	What is the status of the current assessment?
	The assessment should enter Year 4 Surveillance and the announcement of the reassessment. The current certificate anniversary is the 1 st of June.
8	Further comments
	Please see letter from the client
9	If applicable, additional information added after MSC's request



Marine Stewardship Council

Mathias Deleau
Control Union UK
56 High Street
Lymington
United Kingdom
SO41 9AH

Sent by email

Date: 14/07/2021

Subject: Request for variation to the MSC Certification Requirement v2.4.1 GCR-7.5.6 for Normandy and Jersey lobster

Dear Mathias Deleau,

I write with reference to your submission on 11/05/2021 of a request for variation to the MSC Certification Requirement (CR) to allow:

A certificate extension of 12 months in combination with a delay to the 4th surveillance audit and the reassessment of this fishery.

As you are aware, the CR procedures relating to v2.4.1 GCR-7.5.6 state:

The CAB shall issue fishery 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 supporting your request, including:

- Due to Brexit, the Granville Bay Treaty, which was the main regulatory framework element between France and Jersey, is now obsolete.
- While a new agreement and negotiations are taking place, the clients have indicated to the CAB that they must focus on the negotiations and maintaining their respective fleets at sea, as well as obtaining the necessary licensing to allow fishermen to continue with their business.
- The CAB remains confident that the fishery's management is still operating as normal. Communications between the parties are ongoing and are sufficient to maintain the management of this fishery at a level to remain in conformity with the MSC Standard; and to not trigger the expedited audit clause 7.29.1 of the FCP 2.2.
- The CAB is closely monitoring the evolution of the situation to ensure that the fishery remains in conformity.
- This VR also incorporates variations to: FCP 2.2 - 7.28.8 - The CAB shall undertake surveillance audits within 30 days prior to the anniversary date of the certificate; and FCP 2.2 - 7.30.1 - The CAB shall announce the reassessment of a certified fishery no later than 90 days after the 4th anniversary of the existing certificate.
- Full details on the context of this VR have been described by the client in a letter attached to the variation request.

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 shall continue to monitor information on stock status. If it becomes evident that PI 1.1.1 would score <60, then an expedited audit is required.
- Surveillance audits should be re-scheduled as soon as disruption to management has passed, which may be earlier than 12 months.

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Company Reg. 3322023 Limited by guarantee. Registered Office: 1 Snow Hill London EC1A 2DH Registered Charity No. 1066806

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Registered in England and Wales No: 1141329

CU Fishery Certificate v1.7 (1st May 2020)



Marine Stewardship Council

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: Assurance Services International

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