

Andy Hough  
Moody International Certification  
Merlin House, Stanier Way  
Wyvern Business Park  
DE21 6BF  
United Kingdom



3<sup>rd</sup> Floor Mountbarrow House  
6-20 Elizabeth Street  
London  
SW1W 9RB  
United Kingdom  
Tel: +44 (0)20 7811 3300  
Fax: +44 (0)20 7811 3301

Sent by email

Date: 21 March 2011

Subject: Request for variation to the MSC scheme requirement to complete the remaining outstanding surveillance audit and reassessment

Dear Andy,

I write with reference to your submission on 28 February 2011 of a request for variation to the MSC scheme requirement to allow completion of the remaining outstanding surveillance audit and the reassessment of the fishery.

As you are aware, the FCM procedures relating to fishery surveillance and reassessment are integral to ensuring all MSC accredited certification 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 scheme.

MSC notes the factors presented in your letter supporting your request, including:

- Extenuating circumstances constricting auditor availability to complete the assessments within the original timeframe.

The rationale provided, and indeed the description of what scheme requirements the request applies to, is very weak. The MSC also notes that similar cases of late surveillance audits and the late submission of surveillance reports are not only an issue for Lake Hjalmarén pikeperch fishtrap and gillnet, but with several fisheries assessments undertaken by Moody Marine, including also the Southwest mackerel handline, Hastings fleet pelagic herring and mackerel, Hastings fleet Dover sole (trammel net), and Hastings fleet Dover sole trawl and gillnet.

While it is evident that the MSC requirements have not been followed in these cases, despite variations already granted for certificate extensions in some of these assessments which are now yet again delayed, the MSC notes that the client fishery is not to blame for these non-conformities resulting from certification body inaction. If the fishery certificate lapses before the completion of successful reassessment as it would in this case, it is the fishery client and not the certification body that would be affected.

Given the situation described above, the MSC is willing to grant a variation to the scheme requirements in this case, in order to ensure that surveillance and reassessment continues and that the fishery client is not penalized for certification body inaction. Consequently, Moody Marine must submit an amended certificate to the MSC for posting with a certificate expiry date that corresponds to the estimated date of recertification stated in the amended assessment timeline.

However, due to the repeated problems with late surveillance auditing and reporting by Moody Marine, the MSC will be submitting an official complaint to Moody Marine's accreditation body, ASI, on these matters, for immediate attention.

If you have any questions regarding this response, please do not hesitate to contact me.

Best regards,



Andrew Mallison

Director, Standards & Licensing  
Marine Stewardship Council

cc: ASI, Jeff Challinor (Moody International Certification Ltd.), Inger Naslund (Fishery client, WWF Sweden)