



Billy Hynes
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Sent by email

Date: 29/11/2017

Subject: Request for variation to the MSC Certification Requirement v2.1 GCR-7.5.6 for SSMO Shetland inshore brown & velvet crab and scallop

Dear Billy Hynes,

I write with reference to your submission on 23/11/2017 of a request for variation to the MSC Certification Requirement (CR) to allow:

The extension the certificates of the king scallop and brown crab units of certification of the fishery from the 30th November 2017 until the 30th January 2018 (ca 9 weeks) or the successful completion of the objection period, whichever comes first.

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 supporting your request, including:

- This request adds to total of 10.5 months extension to original expiry date. The new expiry date will be 30 January 2018 or the successful completion of the objection period, whichever comes first. The first variation request was for 5.5 months from 13 March 2017 to 31 August 2017. The second variation request was for 3 months from 31 August 2017 to 30 November 2017. Now, the third variation request is for max. 2 months from 30 November 2017 to 30 January 2018.
- The primary delay was caused by internal developments of the client and to coincide with the site visit for Shetland & Scottish Mainland Rope Grown Mussel Enhanced Fishery.
- This assessment has been further delayed in the earlier stages due to health issues in the team.
- There was also a delay in critical stock assessment information being supplied to the assessment team.
- The timing of the Peer Review Draft Report clashes with other time demands on one of the Peer Reviewers causing an additional delay in the consultation on the revised nominated Peer Reviewers.
- The fishery has three certificates:
 - F-ACO-0086 – King Scallop
 - F-ACO-0087 – Velvet Crab
 - F-ACO-0088 – Brown Crab

Acoura is in the process of suspending the velvet crab unit of assessment due to the results of the reassessment. The requested extension of certificate does not apply to F-ACO-0087 – Velvet Crab. Acoura has no concerns about the certified status of the fishery king scallop or brown crab.

- The additional time requested ensures that the re-assessment is completed without need for further variations.

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 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 certificates covering the period from the end of the current certificates to the date accepted in the variation response - 30 January 2018.
- This variation acceptance should not be regarded as setting a precedent for future variation requests.
- The MSC shall not grant any further extensions for the current certificate of this fishery.

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