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Sent by email

Date: 15/08/2018

Subject: Request for variation to the MSC Certification Requirement v2.0 FCR-7.23.18 for Australian Western rock lobster

Dear Sabine Daume,

I write with reference to your submission on 21/07/2018 of a request for variation to the MSC Certification Requirement (CR) to allow:

SCS requests a one-month extension to the due date for an MSC surveillance audit report (within 90 days instead of within 60 days) to the 21st August 2018.

As you are aware, the CR procedures relating to v2.0 FCR-7.23.18 state:

This Surveillance Report shall be forwarded to the MSC within 60 days of completing the audit, for publication on the MSC website

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:

- Two conditions were raised during the recertification of the fishery in 2017, both related to bait use in the fishery which is covered under indicator 2.1.1. These conditions are not due to be closed out until the third annual surveillance audit in 2019.
- Discussion paper surrounding these conditions have been drafted by the client (DPIRD) and submitted to MSC ahead of the most recent surveillance.
- Given that the client and DPIRD initiated discussions on this matter with the CAB and submitted the discussion paper to the MSC ahead of the audit and are still waiting for a formal response, SCS believe it is reasonable to request a one-month extension.
- Such a time-frame will enable the Client and DPIRD staff to provide a revised CAP and give the auditors sufficient time to review it.

In this case the rationale is insufficient for the MSC to grant a variation to the CR. This request is therefore declined.

- Awaiting response from MSC is not sufficient rationale for delaying the production of a surveillance report.
- The MSC is no longer providing interpretations to CABS and assessment teams and the MSC will therefore not be submitting a formal response.

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

