



Sam Dignan
SAI Global (SAI)

Sent by email

Date: 3/20/2020

Subject: Request for variation to the MSC Certification Requirement v2.1 FCP-7.29.8 for Omega Protein Corporation U.S. Atlantic menhaden purse seine

Dear Sam Dignan,

I write with reference to your submission on 18/03/2020 of a request for variation to the MSC Certification Requirement (CR) to allow:

To extend the deadline for SAI Global to upload the expedited audit report for publication on the MSC website for an additional 30 days from 21 March 2020 to 20 April 2020.

As you are aware, the CR procedures relating to v2.1 FCP-7.29.8 state:

The CAB shall upload the expedited audit report to the MSC database for publication on the MSC website, within 60 days of announcing the expedited audit

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:

- On 21 January 2020, this expedited audit was announced in response to the Atlantic States Marine Fisheries Commission's (ASMFC) and U.S. Secretary of Commerce's finding the Commonwealth of Virginia out of compliance for failing to implement and enforce a reduction in the Chesapeake Bay Reduction Fishery Cap approved in Amendment 3 to the Atlantic menhaden fishery management plan.
- This expedited audit report, in line with MSC FCP v2.1 §7.29.8, should be published by 21 March 2020.
- SAI Global's assessment is that the situation with regards to the specific issue that resulted in the triggering of this expedited audit is rapidly developing and it's likely that new findings will be available shortly. And the team would like to consider any developments that take place prior to 20 April 2020 as part of this audit.

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

Although the CAB reports that there have been several developments regarding the specific issue that resulted in the triggering of this expedited audit, the current situation is that the finding is still standing and is unclear when material changes may occur. Given this situation the MSC has considered this request and has declined the variation.

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

