



Sian Morgan
Scientific Certification Systems
2000 Powell Street
Suite 600, Emeryville
United States
94608

Sent by email

Date: 26/04/2017

Subject: Request for variation to the MSC Certification Requirement v2.0 FCR-7.4.14.2 for Small Pelagics Fishery in Sonora, Gulf of California

Dear Sian Morgan,

I write with reference to your submission on 25/04/2017 of a request for variation to the MSC Certification Requirement (CR) to allow:

To allow fish or fish products considered as coming from IPI stocks to enter chains of custody, with an exemption to the additional assessment requirements for IPI stocks given in PA4.2.

As you are aware, the CR procedures relating to v2.0 FCR-7.4.14.2 state:

Allow fish or fish products considered as coming from IPI stocks to enter chains of custody, with an exemption to the additional assessment requirements for IPI stocks given in PA4.2

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:

- Pacific sardine and thread herring are assessed as P1 species in this assessment.
- SCS identified catches of non- target stock(s) that are considered to be inseparable or practicably inseparable (IPI) from target (P1) stock(s), these are organized into two groups: (1) Thread herring (*Opisthonema bulleri* and *Opisthonema medirastre*) and (2) Non-small pelagic species 'minor' retained species.
- The catches under consideration fulfil all requirements under FCR 7.4.13 & 7.4.14 and the sub-clauses.
- IPI stocks: Thread herring (*O. bulleri* and *O. medirastre*):
O. libertate is the dominant species in this region of the Gulf of California.
O. libertate is distinguishable from the other two *Opisthonema* spp. only by the number of gill rakers, making these two practicably visually indistinguishable during normal fishing operations.
Catch of *O. bulleri* and *O. medirastre*, represents 1.2% of catch of the UoAs for Pacific sardine and thread herring.
- IPI stocks: Non-small pelagic species 'minor' retained species:
The fleet is reported to capture approximately 100 fish species, and 29 invertebrates categorized as 'minor retained', (not including ETP species and vulnerable elasmobranch species).
Due to the operational challenges of separating these 'non-target' species from the rest of the catch of small pelagics, they are mostly retained.
These species are distinguishable from thread herring and Pacific sardine, it is not commercially feasible to separate them during the harvesting and processing operations and thus are considered IPI stocks.
The combined volume of these minor retained species accounts for <0.15% of the total catches of the fishery.
- The combined proportion of catches from the IPI stock(s) identified above (both thread herring species and minor retained species) are estimated to average 1.36% of the total catches of the UoA/UoC in most recent fishing seasons, which are the most recent fishing seasons with available observer data.



- None of the species identified above as IPI are designated as ETP nor are they certified separately.
- This request to allow IPI stocks to enter into chain of custodies does not include ETP species or the additional thirteen elasmobranch species identified as being caught in this fishery. According to observer records and information provided during the onsite the number of individuals of these species are very low, and the assessment team believes the risk of mixing fish ETP species or vulnerable elasmobranch species with the rest of the catch is negligible as the total volume of ETP and elasmobranch catch is extremely low and these are mostly larger individuals that may be separated during operations.
- The assessment team was unable to verify the effectiveness of the traceability and segregation systems in mitigating the risk of mixing between certified and non-certified catch. For this reason at the Client Draft stage SCS concluded that certain fish products (fishmeal and fish oil) originating from the UoAs were not eligible to be sold as MSC-certified or carry the ecolabel.
- The client has already started to implement additional systems (observer program and on-board cameras), which are expected to provide verification for current traceability systems, however, these systems will need to undergo verification before the determination can be revised.
- This request to allow fish or fish products from IPI stocks to enter into chains of custody, will enter into effect only once the fishery obtains a positive determination of the sufficiency of the tracking and tracing systems.

Given the rationale provided, the MSC is willing to grant a variation to the CR in this case subject to the following conditions:

- Stakeholders are informed
- ECert is updated

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