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Sent by email

Date: 13.03.2014

Subject: Request for variation to the MSC Certification Requirement CR27.22.3.1 for the Vietnam Ben Tre clam hand gathered fishery

Dear Paul,

I write with reference to your submission on 27.02.2014 of a request for variation to the MSC Certification Requirements (CR) relating to the timing of surveillance audits, to allow the fourth surveillance audit for this fishery to be conducted remotely before the end of March. A previous variation to delay the surveillance audit was granted on 20.12.2013, extending the surveillance timing by approximately one month to mid-February 2014. This additional variation will result in a total delay to the surveillance audit of approximately two months.

As you are aware, the CR procedures relating to the timing of surveillance audits 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 program.

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

- This fishery is in the process of transferring their certification to a new CAB, which has taken longer than anticipated but will be completed by 6 March 2014;

- The CAB wishes the surveillance audit to proceed as soon as practicable, and that all audit activities can be made remotely with no loss of provenance, as well as simpler logistics;
- There are no outstanding conditions on this fishery, and previous surveillance was conducted in May 2013, and
- The CAB does not believe these changes represent any risk to proper oversight for this fishery.

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 of these changes.
- The assessment team is not aware of any issues relating to the sustainability of this fishery.

If you have any questions regarding this response, please do not hesitate to contact Maylynn Nunn, the Fisheries Assessment Manager for this fishery either by email maylynn.nunn@msc.org or phone +61 9524 8400.

Best regards,



Fisheries Oversight Director
Marine Stewardship Council
cc: ASI, lead auditor