



Billy Hynes
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Sent by email

Date: 29/03/2017

Subject: Request for variation to the MSC Certification Requirement v2.0 FCR-7.23.11.5 for Falkland Island toothfish

Dear Billy Hynes,

I write with reference to your submission on 29/03/2017 of a request for variation to the MSC Certification Requirement (CR) to allow:

The announcement of a site-visit on the 29th of March which is due to take place on the 26th of April, providing only 27 days notice.

As you are aware, the CR procedures relating to v2.0 FCR-7.23.11.5 state:

CABs shall submit this information for posting on the MSC website at least 30 days before the audit activities are carried out

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:

- The client has a major vessel launch which has been moved from its proposed date conflicting with the planned surveillance date. With the fishery being based in the Falklands and the logistical challenges this can present, the surveillance takes place in London coordinated with other meetings that the client attends. The team and client have a window of availability on the 26th of April.
- There are military flights from the Falklands not every day, but twice a week. Every booking/rebooking with military flight is quite complicated, as they give civilian passengers only a certain and few seats, the rest being 'waitlisted' with uncertainty on dates. Tickets are already booked.
- The Certificate Anniversary is March 29th so this Surveillance Audit will already be 30 days after the certificate anniversary date.
- We would advise stakeholders when we announce the Surveillance Audit that they will still have 30 days to submit any comments on the fishery before the team begin working on the report

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

- o Given the short notification period, the CAB should allow stakeholders to meet with the team if stakeholders are unable to attend the audit.
- o Stakeholder comments should be adequately addressed by the assessment team, including any further requests for information or on-site visits to the fishery if necessary. The CAB should make clear that all members of the team are available to meet with stakeholders by virtual or other means, including at mutually convenient physical locations where it is shown that this would be necessary to effectively communicate key issues.



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