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Sent by email

Date: 13/03/2019

Subject: Request for variation to the MSC Certification Requirement v2.0 FCR-7.3.2 for Joint demersal fisheries in the North Sea and adjacent waters

Dear Chrissie Sieben,

I write with reference to your submission on 08/03/2019 of a request for variation to the MSC Certification Requirement (CR) to allow:

The 18-month deadline for submission of the Final Report of the Joint demersal fisheries in the North Sea and adjacent waters is the 16th March 2019. CU Pesca requests a one month-extension to this deadline so that the report can be submitted to MSC for publication on the 16th April 2019.

As you are aware, the CR procedures relating to v2.0 FCR-7.3.2 state:

7.3.2: If the period from the full assessment announcement to the receipt of the Final Report by the MSC is more than 18 months, the CAB shall withdraw the fishery from the MSC assessment process

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:

- This requirement has been subject to a previous Variation request which was accepted - a 6 month extension was granted (18 to 24 months). A key justification was on the basis of scale of the fishery: 13 species (corresponding to 20 Principle 1 target stocks), four fishing areas, four client groups and 10 gear types.
- There was an extension of the consultation timelines: The Public Comment Draft Reports were published on the MSC website on the 20th December 2018. Due to the scale of the assessment, the level of stakeholder interest, and to account for the 2018 Christmas holiday period, the consultation period was extended to a total of 65 days. The standard MSC requirement for PCDR consultation is 30 days, although this had already been extended on a voluntary basis to 45 days at the start of assessment.
- The volume of stakeholder feedback to the PCDR was extensive: Since the closure of the PCDR comment period on the 22nd February, there has been substantial stakeholder input, involving the submission of a 76 page document from an NGO consortium made up of WWF-NL, WWF-DE, WWF-DK, WWF-SE, North Sea Foundation and Dutch Elasmobranch Society.
- To adequately respond to the concerns raised by the consortium, CU Pesca requests that an additional month is granted for the preparation of the Final Report.
- It is noted that several fisheries that are already part of the MSC programme would be absorbed into this fishery and have their certificates extended to the 15th May 2019. Approval of this variation request would not impact on this date.
- Assuming a Final Report publication date on the 16th April 2019, the 15-working day objection period would finish at 17:00 GMT on the 6th May 2019.



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

- Evidence of progress can be provided (if requested);
- Stakeholders are informed, including an updated timeline on the MSC website.

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