



Amanda Stern-Pirlot
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Sent by email

Date: 13/09/2021

Subject: Request for variation to the MSC Certification Requirement v2.2 FCP-7.30.1 for Gulf of Maine lobster fishery

Dear Amanda Stern-Pirlot,

I write with reference to your submission on 07/09/2021 of a request for variation to the MSC Certification Requirement (CR) to allow:

To not announce the reassessment within 90 days after the 4th anniversary date of the existing certificate.

As you are aware, the CR procedures relating to v2.2 FCP-7.30.1 state:

The CAB shall announce the reassessment of a certified fishery no later than 90 days after the 4th anniversary of the existing certificate

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 elected to wait to decide whether to proceed with reassessment until the Final Rule (regarding North Atlantic right whales), which was published on 31 August 2021, was in place and the team could determine whether the suspension could be lifted, and if so, what ongoing risks remain to the certificate

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

- Once the client determines whether to proceed to reassessment, the MSC and stakeholders are notified as soon as possible.
- The CAB shall inform the client that a delay to the reassessment announcement may result in the certificate expiring before the reassessment is complete and that the CAB and client cannot request a certificate extension unless there are extenuating circumstances that are outside the control of the client and CAB.

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