



Rob Blyth-Skyrme, Lead Auditor
Polly Burns, Fisheries Technical Officer
Jason Combes, Head of Fisheries
Acoura Marine
Sent by email

Date: 24th November 2016
Subject: Request for variation to the MSC Fishery Certification Requirements (FCR) v2.0 clause 7.4.9 for PNA Western and Central Pacific Skipjack and Yellowfin, Unassociated/ Non-FAD Set, Tuna Purse Seine Fishery

Dear Rob, Polly and Jason,

I write with reference to your submission on 26th October 2016, with further communication by emails on the 3rd, 8th, 14th, 21st and 24th November 2016, with a request for a variation to FCR v2.0 clause 7.4.9 to allow confirmation of MSC eligibility to be determined upon hauling for the PNA tuna fishery and to avoid any doubt in relation to this requirement and the related guidance.

The MSC notes the following factors presented supporting your request, including:

- The PNA fishery Units of Certification (UoCs) are skipjack and yellowfin tuna purse seine free school, as determined at the time of setting the gear, when the skipper observes and the observer verifies there are no FADs (or objects acting as FADs) within 1nm of the fishing vessel.
- It is not always possible to ensure FADs are not present, particularly when they are submerged.
- With the intention to add rigour to their CoC system, the client excludes hauls from MSC eligibility when objects or FAD-associated species are discovered after the haul is made. This may occur on-board or at the processing factory.
- Acoura considers the system PNA uses to determine MSC eligibility is not contrary to clause 7.4.9 and in fact adds rigour to the PNA fishery certification.

Further to the factors presented in your request, MSC notes the following:

- The relevant guidance in the FCR v2.0 notes that the 7.4.9 requirement allows for post-haul definition in circumstances when it may not be possible to determine the gear type or area fished until the gear has been hauled. This request is consistent with the intent explained in the guidance.
- Particularly in complex tuna fisheries where some object-associated hauls are excluded from the UoC, MSC encourages post-haul verification to ensure only catch from the UoC enters certified supply chains.
- Where object-associated indicator species are used for the purpose of such verification, a variation against clause 7.4.9 is required.



Given the rationale provided, the MSC is willing to grant a variation to the FCR v2.0 in this case subject to the following conditions:

- This variation may only be applied for the purpose described and in a manner consistent with the information provided in the variation request.
- This variation shall not be taken as precedent for similar situations in the future.
- The MSC reserves the right to revoke or amend this variation at any time within 14 days' notice provided in writing.

If you have any questions regarding this response, please do not hesitate to contact us.

Best regards,

A handwritten signature in cursive script that reads 'Wendy Banta'.

Wendy Banta
Product Integrity Manager
Marine Stewardship Council
cc: ASI