



Polly Burns  
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**Sent by email**

Date: 05/12/2016

**Subject: Request for variation to the MSC Certification Requirement v2.0 FCR\_7.6.1.2 for Talley's New Zealand Skipjack Tuna Purse Seine**

Dear Polly Burns,

I write with reference to your submission on 29/11/2016 of a request for variation to the MSC Certification Requirement (CR) to allow:

The eligibility date will be the 1st December 2016, rather than the date of the first PCDR publication

As you are aware, the CR procedures relating to v2.0 FCR\_7.6.1.2 state:

The CAB shall nominate a date from which product from a certified fishery is eligible to be sold as MSC certified or bear the MSC ecolabel (the eligibility date). This shall be either:

The date of the certification of the fishery; or

The publication date of the first Public Comment Draft Report

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 New Zealand Skipjack fishery season starts on the 1st December 2016, so the client wanted their target eligibility date to be that date or before, meaning the PCDR would have to be published by this date. Due to harmonisation discussions, this assessment process was delayed, meaning the report went to peer review later than planned. The peer review comments are now in, but turning around the report ready for it to be published as a PCDR by 1st December 2016 is unlikely. We expect that the PCDR will be ready for publication around a week later than the 1st December. As this delay has been through no fault of the client, and we would like them to be able to have the whole season covered by the eligibility date, we would therefore request that the eligibility date is fixed as the 1st December 2016. The assessment team have no concerns over traceability and the storage of MSC eligible catch.

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

- 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 the relevant Fisheries Assessment Manager for this fishery.

Marine Stewardship Council  
cc: Accreditation Services International

