



Amanda Stern-Pirlot
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Sent by email

Date: 13/09/2021

Subject: Request for variation to the MSC Certification Requirements v2.4.1 GCR-7.4.3.d.v, 7.4.5.a, 7.4.5.b.ii 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 back date the lifting of the suspension date to 01 September 2021, which is one day after the Final Rule was published

As you are aware, the CR procedures relating to v2.4.1 GCR-7.4.3.d.v state:

Instruct the client not to make any claims of MSC certification on or after the date of suspension

And v2.4.1 GCR-7.4.5.a and GCR 7.4.5.b.ii state:

When the CAB has verified that the fishery client has addressed the reason for suspension, the CAB shall:

- a. Reinstate the certificate.
- b. Produce a report documenting the following:
 - ii. A statement confirming the reinstatement of the 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:

- New information shows that the recently published Final Rule will probably address the cause for suspension, and the Final Rule was published on 31 August, 2021, 1 day before the date to which the CAB is asking that the suspension be back-dated.

Given the rationale provided, the MSC is willing to grant a variation to the CR.

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

