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**Sent by email**

Date: 03/09/2021

**Subject: Request for variation to the MSC Certification Requirement v2.2 FCP-7.28.16.1.b, 7.28.16.2, 7.28.16.4 for Canada northern and striped shrimp**

Dear Paul Knapman,

I write with reference to your submission on 12/08/2021 of a request for variation to the MSC Certification Requirement (CR) to allow:

To extend the conditions deadlines by 22 months (Condition #1) and 2 years (Conditions 4,5,6) to provide appropriate time to ensure delivery of the conditions, the progress toward which has been significantly affected by the COVID-19 pandemic.

As you are aware, the CR procedures relating to v2.2 FCP-7.28.16.1.b state:

The team shall audit conformity with, and progress and performance against, certification conditions.

b. The CAB shall document whether progress is 'on target', 'ahead of target' or 'behind target', as well as its justification for such a judgement.

And, the CR procedures relating to v2.2 FCP-7.28.16.2 state:

If the CAB determines that progress against a condition is not back 'on target' within 12 months of falling 'behind target', the CAB shall:

- a. Consider progress as inadequate.
- b. Apply the requirements of GCR Section 7.4 (suspension or withdrawal).
- c. Inform the fishery client that they cannot enter the same Unit of Certification(s), or any entity in the Unit(s) of Certification, into full assessment under either the same or an alternative name unless the cause for suspension has been addressed.

And, the CR procedures relating to v2.2 FCP-7.28.16.4 state:

If a condition is not closed by its deadline, the CAB shall:

- a. Consider progress as adequate.
- b. Apply the requirements of GCR Section 7.4 (suspension or withdrawal).
- c. Inform the fishery client that they cannot enter the same Unit(s) of Certification, or any entity in the Unit of Certification(s), into full assessment under either the same or an alternative name unless the cause for suspension has been addressed.

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 fishery client has faced challenges in processing their outcome as a result of COVID-19 by slowing the ability of the scientific and consultative processes in delivering what are very technically challenging conditions.
- While Conditions 1 and 5 on reference points are not technically covered by the derogation because they are under PI 1.1.2 (CR v1.3), had the fishery been certified under v2.0, they would have been as they would be under a harvest strategy PI (1.2.4) rather than an output PI.
- While work is ongoing on developing appropriate reference points for northern shrimp in UoC 5 (Condition 5), it is difficult to assess both the stock status in relation to reference points in UoC 5 (Condition 4) and whether or not the rebuilding strategy has rebuilt the stock back above reference points (Condition 6).

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

- **A full 22 month extension is granted for Condition 1 but only a 1 year extension is granted for Conditions 4, 5, and 6.**

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