



Amanda Stern-Pirlot
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Sent by email

Date: 01/03/2019

Subject: Request for variation to the MSC Certification Requirement v2.0 FCR-7.23.6.1 for Australia silver lipped pearl oyster

Dear Amanda Stern-Pirlot,

I write with reference to your submission on 20/02/2019 of a request for variation to the MSC Certification Requirement (CR) to allow:

The 1st surveillance audit for the Australia silver lipped pearl oyster fishery will be held on or around April 4, 5 and 6, 2019 which is seven months after the anniversary of the certification.

As you are aware, the CR procedures relating to v2.0 FCR-7.23.6.1 state:

CABs may elect to undertake surveillance audits up to 6 months earlier or later than the anniversary date, where this deviation is appropriate given the circumstances of the fishery

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:

- There has been a prolonged process of renewing eligible CABs for WA MSC fishery projects, causing this surveillance audit to be put to tender until the renewal of eligibility process was completed.
- The project was awarded to MRAG Americas on December 17th, 2018, already more than 3 months after the anniversary of certification.
- The process of transferring the client from its previous certifier to MRAG Americas was delayed because of Christmas holidays.
- Once everything was in place to accept the client and transfer the certificate, it was already too late to schedule the audit for early February during the time when the assessment team was available, and now the assessment team is not available until early April for the audit visit.

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

- A total of 4 surveillance audits are held during the length of certification, and the last surveillance audit shall be held not later than 6 months after the 4th anniversary of the certificate date.
- The CAB can confirm that it is not aware at this time of any factor (related to either fishery status, or performance against conditions) that could result in the fishery no longer being in compliance with the MSC Fisheries Standard.
- Stakeholders are informed of the new date of the Surveillance Visit.
- ECert is updated with relevant timeline information.



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