

SAI Global

Bay of Fundy, Scotian Shelf and Southern Gulf of St Lawrence lobster trap

MSC Variation Request

1 Introduction

This form details the information SAI Global is required to submit to the MSC to enable the MSC to consider an application to vary from a clause or requirement in any of the MSC program documents.

Once a Variation Request has been submitted the MSC will consider that request and will usually respond within 14 days.

2 Marine Stewardship Council variation request

Table 1. Variation request.

1	Date submitted to MSC
	02 November 2020
2	CAB
	SAI Global
3	Fishery name and certificate number or CoC certificate number
	Bay of Fundy, Scotian Shelf and Southern Gulf of St Lawrence lobster trap / MSC-F-31186
4	Lead auditor or program manager
	Géraldine Criquet (Lead Auditor)
5	Request prepared by
	Géraldine Criquet (Lead Auditor)
6	Scheme requirement(s) for which variation requested
	MSC General Certification Requirements (GCR) v2.4.1 §7.5 Fishery certificates <i>7.5.6 The CAB shall issue fishery certificates with a maximum validity period of 5 years from the issue date.</i>
7	How many times has a variation for this requirement been accepted for the same assessment of the same fishery?
	None. A variation to this requirement has not previously been accepted for this assessment of this fishery.

Table 2. Variation justification.

1	Proposed variation
	SAI Global proposes to extend the validity of the fishery certificate by 3 months.
2	Additional time requested
	Original deadline date
	25 November 2020
	Modified deadline date requested
	25 February 2021
	Length of additional time requested
	3 months
3	Justification
	<p>The Bay of Fundy, Scotian Shelf and Southern Gulf of St Lawrence lobster trap fishery has been combined with the Prince Edward Islands lobster trap. The new fishery resulting from that merging is the Maritime Canada inshore lobster trap fishery which is currently under re-assessment.</p> <p>There has been substantial delay in the re-assessment process as follows:</p> <ul style="list-style-type: none"> ● For the Scotian Shelf and Bay of Fundy UoAs, the condition on PI 1.2.2 HCRs & Tools has been carried over in the re-assessment with a revised milestone set during the 3rd surveillance audit to have well-defined HCRs adopted and therefore the condition closed before the publication of the PCDR. DFO Maritimes's initial timeframe for approval and implementation of the well-defined HCRs was March 2020. However, due to the covid-19 pandemic, DFO Maritimes' work plan for the adoption of well-defined HCRs has been delayed and HCRs have finally been adopted and implemented end of July 2020 for UoAs 4 and 5. ● SAI Global was advised in July 2020 that the Principle 3 assessor was no longer available to be part of the assessment team. SAI Global needed time to find a new Principle 3 assessor and a notification of change in the assessment team was published on 6th August 2020. Also, SAI Global allowed time to the new Principle 3 assessor to review the draft report and make amendments if necessary. ● As a consequence of the 2 points above, the CPRDR was made available to the client and the Peer Review College on 11th September 2020. ● The client's and the peer reviewers' comments were provided on 13th October 2020 and 16th October 2020; respectively. The assessment team needed time to address these comments. <p>Although, the lobster fishing season is currently closed in the Southern Gulf of St Lawrence (UoAs 1 and 2), the lobster fishing season is currently open in a portion of the Eastern Scotian Shelf (UoA 3), in the Southwest Scotian Shelf (UoA 4) and in the Bay of Fundy (UoA 5). Note that the lobster fishing season in the Southern Gulf of St Lawrence is due to open in spring 2021, the re-assessment is scheduled to be completed by that time.</p>

Table 2. Variation justification.

HCRs	Implications for assessment
	No implications for the re-assessment itself. SAI Global has not identified any risks to the integrity of the MSC Program from granting this VR. SAI Global's assessment team has not identified any issues that could prevent the fishery from continuing to conform with the MSC Fisheries Standard. Both peer reviewers agreed with the assessment team's overall conclusion that the fishery should be re-certified. The client has not provided any information that would lead to a material difference in the outcome of the re-assessment.
5	Mitigation of the implication for assessment
	There are no implications requiring mitigation.
6	How many conditions does the fishery have and will their progress be affected (positive or negative)?
	None. All conditions raised during the initial assessment are now closed and no condition was raised during the re-assessment.
7	What is the status of the current assessment or audit?
	The PCDR is scheduled to be published on the week of 2 nd November 2020. Therefore, stakeholders' comments on the PCDR should be received no later than 6 th December 2020. The Final Report & Determination is expected to be published before the Christmas break. Taking into account the Bank Holidays, the end of the objection period is expected to be in the 2 nd or 3 rd weeks of January 2021. The PCR should be available end of January 2021/early February 2021.
8	Further comments
	If the certificate extension was to be granted, it will allow the fishery to be still covered by a valid certificate during the whole re-assessment process. It means that the client group will not be penalised by the delay that occurred for the reasons described above including covid-19 pandemic related delay.
9	If applicable, additional information added after MSC's request

3 Template information and copyright

This document was drafted using the 'MSC Variation Request Form – Fisheries v1.0'. While amendments have been made to formatting in order to comply with SAI Global's corporate identity, SAI Global has ensured that content and structure follow that of the original template.

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Table 3. Template version control.

Version	Date of publication	Description of amendment
1.0	25 March 2020	Release alongside Fisheries Certification Process v2.2

A controlled document list of MSC program documents is available on the [MSC website](https://www.msc.org) (msc.org).

Marine Stewardship Council
Marine House
1 Snow Hill
London EC1A 2DH
United Kingdom

Phone: + 44 (0) 20 7246 8900
Fax: + 44 (0) 20 7246 8901
Email: standards@msc.org