

# **Lloyd's Register**

## **Eastern Canada Offshore Lobster**

### **MSC Variation Request**

## 1 Marine Stewardship Council variation request

**Table 1 – Variation request**

1	Date submitted to MSC
	- Please note the MSC will usually respond within 14 days, but for complex variations, longer may be necessary. The MSC will keep you informed if it will take longer than 14 days.
	10 <sup>th</sup> July 2019
2	CAB
	Lloyd's Register
3	Fishery name and certificate number or CoC certificate number
	Eastern Canada Offshore Lobster - F-ACO-0031
4	Lead auditor or program manager
	Polly Burns
5	Request prepared by
	Polly Burns
6	Scheme requirement(s) for which variation requested
	FCR 2.01 7.23.18 This Surveillance Report shall be forwarded to the MSC within 60 days of completing the audit, for publication on the MSC website.
7	How many times has a variation for this requirement been accepted for the same assessment of the same fishery?
	- e.g. Fill in 2 <sup>nd</sup> if a previous extension request on the 60 days requirement for surveillance reports has been accepted, and this request is for an additional time extension on top of that.
	<b>2<sup>nd</sup> – previous extension of 6 weeks previously granted by MSC.</b>

**Table 1 – Variation justification**

1	Proposed variation	
	<ul style="list-style-type: none"> <li>Please describe how the CAB proposes to vary from the requirement including, where required, any original deadline date, the length of additional time requested and the exact modified deadline date.</li> </ul>	
	LR propose to extend the surveillance report deadline from the 23rd July 2019 to 23 <sup>rd</sup> August 2019.	
2	Additional time requested	
	Original deadline date	23 <sup>rd</sup> July 2019
	Modified deadline date requested	23 <sup>rd</sup> August 2019
	Length of additional time requested	30 days
3	Justification	
	<ul style="list-style-type: none"> <li>Please explain in detail why the variation is requested and why the change is necessary. This helps the MSC decide whether the variation request should be granted.</li> </ul>	
	<p>As previously described, an early surveillance audit was announced for the Eastern Canada Offshore Lobster fishery on the 15th February 2019, with a site visit on the 12th April 2019. This surveillance audit includes a full review of the circumstances surrounding the convictions against Clearwater Seafoods from DFO that have been brought to our attention. The surveillance has therefore required an in-depth review of all the related documents, some of which require lengthy formal processes to request from the court and prosecution. LR now have all the documents relating to the fishery and the report has been issued to the client with the findings – which includes two new conditions. These require Client Action Plans (CAPs) from the client, which they are undertaking in collaboration with DFO. They have communicated that completing the Client Action Plans within the current timeframe is not achievable and LR are therefore requesting an extra 30 days, to give them chance to develop the plans, and get the required input from external sources. We have requested 30 extra days in accordance with the new V2.1 process, which permits 30 extra days when a new condition has been raised to allow the client time to generate action plans.</p>	
4	If a fishery assessment, implications for assessment	
	<ul style="list-style-type: none"> <li>- Please include any impacts on the assessment/certificate if the request is accepted referencing any other requirements which may be affected, and the risks these implications could have.</li> <li>- e.g. Timeline delays, stakeholder input</li> </ul>	
	No further implications for the certificate or assessment. The surveillance conclusion has the potential to affect the start of the reassessment.	
5	If a fishery assessment, mitigation of the implication for assessment	
	Please include information how risks of the implications for the assessment that have been identified under the previous question are proposed to be mitigated by the CAB.	
	LR are in discussions with the client around reassessments to ensure the MSC timeframes for this are met.	
6	If a fishery assessment, how many conditions does the fishery have and will their progress be affected (positive or negative)?	

	The fishery currently has one condition, with another 2 proposed by this surveillance audit. The consequence of the client not producing a CAP in the timeframe we currently have has the potential to undermine the MSC process for conditions.
7	What is the status of the current assessment?
	<ul style="list-style-type: none"> <li>Please include the latest version and timing of the report that has been prepared, and an indication when the next report is expected (e.g. the Client and Peer Review Draft Report has been sent to the client and the peer reviewers on 7 June 2018. The Public Comment Draft Report is expected to be ready on 1 September 2018).</li> </ul>
	<b>The 4<sup>th</sup> surveillance report is with the client for preparation of CAPs.</b>
8	Further comments
	<ul style="list-style-type: none"> <li>Please include any further relevant information.</li> </ul>
	<b>None thank you.</b>
9	If applicable, additional information added after MSC's request

## Template information and copyright

This document was drafted using the 'MSC Variation Request Form v3.0'.

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### Template version control

Version	Date of publication	Description of amendment
1.0	1 January 2011	Date of application
1.1	24 October 2011	Updated to include a confidential information section
1.2	10 January 2012	Updated to include more detailed instructions on confidential information section
1.3	14 January 2013	Updated in line with requirements in MSC Certification Requirements v1.3, including P2 to P1 'expedited audit'
2.0	08 October 2014	Updates in line with release of Fisheries Certification Requirements v2.0
2.1	04 October 2016	Updated contact information
3.0	17 December 2018	Release alongside Fisheries Certification Process v2.1

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

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