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Sent by email

Date: 14/02/2018

Subject: Request for variation to the MSC Certification Requirement v2.0 FCR-7.4.14 for Southern Gulf of California Thread Herring

Dear Sian Morgan,

I write with reference to your submission on 10/02/2018 of a request for variation to the MSC Certification Requirement (CR) to allow:

- (1) To allow IPI stocks at first annual surveillance audit. Clause 7.4.14 requires that the CAB shall “as early as practicable in the assessment process” and submit a variation request to the requirements section 7.4 for IPI stocks. SCS is proposing to submit a variation request for section 7.4 for the first annual surveillance of the fishery, rather than during the full assessment process. This will go into effect once the surveillance report for the 1st Annual audit is published.
- (2) To allow P2 retained and bycatch species in this fishery (small pelagic species, bony fish, crustaceans and some molluscs and echinoderms; See Table 2 at the end Section 6 for a complete species list), to be considered as coming from IPI stocks and to enter into chains of custody subject to Annex PA (FCR-7.14.4.1).

As you are aware, the CR procedures relating to v2.0 FCR-7.4.14 state:

7.4.14

If IPI stocks are identified and are below the level of 15% specified in 7.4.13.1.c, the CAB shall, as early as practicable in the assessment process and following the variation request procedure set out in section 4.12 of the GCR, submit a variation request to the requirements section 7.4 to the MSC to either:

7.4.14.1

Allow fish or fish products to be considered as coming from IPI stocks to enter into chains of custody subject to Annex PA.

a. The variation request to allow fish or fish products to be considered as coming from IPI stocks to enter into chains of custody shall include a detailed and substantiated rationale of how the catches under consideration fulfil the requirements of 7.4.14.1 above.

b. If this variation request is accepted, the requirements for IPI stocks in Annex PA shall apply.

7.4.14.2

Allow fish or fish products considered as coming from IPI stocks to enter chains of custody, with an exemption to the additional assessment requirements for IPI stocks given in PA4.2.

a. The variation request to allow an exemption to requirements for IPI stocks shall include a detailed and substantiated rationale showing that, in addition to 7.4.13.1:

i. The catch proportion of IPI stocks calculated in 7.4.13.1.c is less than or equal to 2% and the total catch of IPI stock(s) by the UoA does not create a significant impact on the IPI stock(s) as a whole.

ii. CABs shall note that significance will be assessed on basis of the status of the IPI stock, and the risk that the IPI catch poses to the health of the IPI stock

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:

- During the initial assessment SCS did not receive sufficient information in order to adequately identify IPI stocks. For this reason in the original assessment SCS determined that product from the certified fishery would not be eligible to enter the supply chain until approved in a future assessment.
- The current 1st annual surveillance, is the earliest practicable point in the assessment process that SCS is able to submit a variation request for IPI stocks.
- During the full assessment SCS already assessed the proposed IPI stocks under the retained and bycatch component of Principle 2
- The CAB states that the sustainability status is not believed to be affected by this change.
- CAB confirms that FCR-7.4.13.1b, c, d and e are met for all proposed IPI stocks.
- The CAB will apply the requirements in Annex PA to the IPI stocks and shall be reported in the 1st annual surveillance report.

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: Accreditation Services International