



Polly Burns, Acoura
Sent by email

Date: 14/05/2019

Subject: Request for variation to the General Certification Requirements GCR 7.5.6 (The CAB shall issue fishery certificates with a maximum validity period of 5 years from the issue date) for DFPO Denmark North Sea & Skagerrak cod & saithe; DFPO Denmark North Sea Sole; DFPO Denmark North Sea Plaice; DFPO Denmark North Sea and Skagerrak Haddock; CVO North Sea Plaice and Sole.

Dear Polly,

I write with reference to your submission on 14/05/2019 of a request for variation to the MSC General Certification Requirement (CR) with respect to the following Fishery Certificates:

- DFPO Denmark North Sea & Skagerrak cod & saithe;
- DFPO Denmark North Sea & Skagerrak haddock;
- DFPO Denmark North Sea plaice;
- CVO North Sea plaice and sole;
- DFPO Denmark North Sea sole;

The request is to allow:

- Certificate extensions (for 5 fishery certificates) until the Independent Adjudicator has accepted or rejected the Notice of Objection received for the Joint demersal fisheries in the North Sea and adjacent waters assessment.

As you are aware, the CR procedures relating to these requirements 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 in your letter supporting your request, including:

- The certificate for this fishery expires on the 15th May 2019. The fishery is currently being re-assessed as part of a new combined assessment - Joint demersal fisheries in the North Sea and adjacent waters.
- This new assessment received a Notice of Objection (NOO), with the objection submission period having closed on the 10th May, delaying the component certificates as part of this assessment.
- An automatic extension of 6 months is applied in the event the objection is accepted but this variation is needed to cover the time during which the Independent Adjudicator (IA) decides on the Notice of Objection (NOO) [either accepting or rejecting].



- These certificates have been the subject previous extensions requests and approvals. The original timelines and total extensions are included below:
 - DFPO Denmark North Sea & Skagerrak cod & saithe (original expiry date - 30th September 2017; 19 months and 15 days extension to 15/5);
 - DFPO Denmark North Sea & Skagerrak haddock (original expiry date - 6th August 2017; 21 months and 9 days extension to 15/5) ;
 - DFPO Denmark North Sea plaice (original expiry date - 30th September 2017; 19 months and 15 days extension to 15/5);
 - CVO North Sea plaice and sole (original expiry date - 6th June 2017; 23 months and 9 days extension to 15/5);
 - DFPO Denmark North Sea sole (original expiry date - 6th June 2017; 23 months and 9 days extension to 15/5);
- An extension of the existing certificate will prevent a lapse in relevant certifications until the conclusion of the IA with respect to the NOO.
- This extension as it relates to the decision of the IA is unlikely to be characterized by a very long period (likely to be days/weeks rather than months) but an absolute timeline is uncertain.

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

- Stakeholders are informed.

If you have any questions regarding this response, please do not hesitate to the Fisheries Assessment Manager for this fishery either by email or phone

Best regards,

Marine Stewardship Council

CC: Accreditation Services International, Lead Auditor