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Steven Devitt  
Intertek Moody Marine

Sent by email

Date: 14 December 2012

Subject: Request for variation to the MSC Certification Requirement 27.22.4.3 and 27.22.14 for Pacific hake mid-water trawl

Dear Steven Devitt,

I write with reference to your submission on 10/12/2012 of a request for variation to the MSC Certification Requirement (CR) to allow an additional 30 days to open a stakeholder consultation period and to complete the 3<sup>rd</sup> annual surveillance report.

As you are aware, the CR procedures relating to notifying the stakeholders of the surveillance audit and submitting the audit report within 30 days of completing the off-site audit 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.

Given that MSC does not accept retrospective variations, the request for variation to certification requirement 27.22.4.3 is rejected. However, MSC notes the factors presented in your letter supporting your request for variation from CR 27.22.14:

- The additional 30 days will allow stakeholders to participate in the consultation process.

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

- A stakeholder announcement is submitted to MSC for posting on the MSC website. The announcement shall include an explanation of the oversight, the date the surveillance audit was held and the start and end date of the 30 day consultation now available to stakeholders.

If you have any questions regarding this response, please do not hesitate to contact Megan Atcheson the Fisheries Assessment Manager for this fishery either by email [megan.atcheson@msc.org](mailto:megan.atcheson@msc.org) or phone +44 (0)207 246 8978.

Best regards,



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cc: ASI, lead auditor