

Marine Stewardship Council - Variation Request

Date submitted to MSC	06/06/2018
Name of CAB	Bureau Veritas Certification Holding SAS
Fishery Name/CoC Certificate Number	DERIS S.A – Pesca Chile- Antarctic Krill Fishery / Fishery still under assessment
Lead Auditor/Programme Manager	Jose Rios
Scheme requirement(s) for which variation requested	FCR 7.4.13.1(e)- The CAB shall only recognise stock(s) as being an IPI stock, where the inseparability arises because either: (...) (e) The stocks are not certified separately. FCR 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.
Is this variation sought in order to fulfil IPI requirements (FCR 7.4.14)?	Yes. See above.

1. Proposed variation

This variation request is against FCR 7.4.13.1(e) so mackerel icefish from subarea 48.3 can be classified as IPI, and then against FCR 7.4.14.2 to allow entering IPI stocks in the MSC chain of custody with an exemption to requirements given in PA4.2

2. Rationale/Justification

The assessed vessel operates in CCAMLR subareas 48.1, 48.2 and 48.3. The assessment team identified that in the Antarctic krill fishery fingerlings and juveniles of several fish and non-fish taxa are caught and processed together with Antarctic krill. Different sources of information (including recent and comprehensive CCAMLR reviews on the issue) agree in estimating that although this bycatch in CCAMLR area 48 is comprised by many different taxa (a total of 77 taxa have been identified and assessed against P2 in the PRDR already prepared) they only represent between 0.1-0.2% in volume of total catches of the fishery. Mackerel icefish (*Champsocephalus gunnari*) is included among those taxa.

There is an MSC-certified fishery ([South Georgia icefish pelagic trawl](#)) targeting the mackerel icefish stock in subarea 48.3 (this is considered to be a separate stock from the rest of the CCAMLR Area 48). Due to the high selectivity of the krill fishery (almost 100% of the catches are comprised by Antarctic krill), the very reduced volume of *C.gunnari* from 48.3 that will end up in the krill-based final products carrying the ecolabel, the impracticability of avoiding that fishing area or segregating the catches on board, together with the fact that according to the most recent reviews on the issue carried out by CCAMLR no concerns have been raised in relation to the impact on the fish bycatch in the krill fishery, Bureau Veritas is requesting an exemption against FCR 7.4.13.1 (e), so mackerel icefish from subarea 48.3 can be recognised as IPI.

Further, in accordance with FCR 7.4.14.2, Bureau Veritas is requesting to allow the incidental bycatch described above (all fish and non-fish taxa) to be considered as coming from IPI stocks to enter into chains of custody, with an exemption to the additional assessment requirements for IPI stocks given on PA4.2.

As required by MSC in the case the variation request is referred to IPI stocks, a detailed and substantiated rationale is provided in Section 6.

Current variation request does not alter the conformity of the applicant or certificate holder in relation to the relevant MSC standard. The fishery remains consistent with the standard.

3. Implications for assessment (required for fisheries assessment variations only)	
Not applicable	
4. Have the stakeholders of this fishery assessment been informed of this request? (required for fisheries assessment variations only)	No. The stakeholders will have access to this variation request when MSC publish it.
5. Further Comments	
No further comments	

6. Inseparable or practicably inseparable (IPI) catches

Is this request to allow fish or fish products from IPI stocks to enter into chains of custody?

Yes

A negligible percentage of the catches from the midwater trawl fishery targeting Antarctic krill in CCAMLR subarea 48 is comprised by several fish and non-fish taxa which are caught together with the krill. Due to their small size (modal size class of <10cm, similar to the krill length-frequency distribution), low frequency of occurrence and minimal percentage in volume (between 0.1-0.2%), it is not commercially feasible to separate them from the krill catch before processing (in the case of the assessed vessel to produce full fat dried krill which will be later on further processed to obtain different krill-based final products). This incidental bycatch can only be detected and identified through observer's sampling (within the CCAMLR area there is a Scheme for International Scientific Observation –SISO- which, among other tasks, is commissioned to perform bycatch samplings). Two comprehensive reviews on fish-bycatch occurrence and species composition have been recently performed by two CCAMLR Working Groups: the working group for Ecosystem Monitoring and Management (WG-EMM) and the Working Group on Fish Stock Assessment (WG-FSA).

The report WG-EMM-14/31 and subsequent WG-FSA-16/04 provided an update on the fish by-catch in the krill fishery using data from SISO and from the commercial fleet to examine the frequency of occurrence (FOO), proportion by mass, length-frequency distribution and geographic provenance of the key fish taxa reported. A total of 9,303 hauls collected on 60 cruise involving 18 different vessels over the period 2010-2014 were analysed to elaborate the report WG-EMM-14/31. While for the most recent WG-FSA-16/04 updated this study using 2014-2016 data on fish by-catch in the krill fishery from commercial catch data (95,513 hauls) and CCAMLR SISO data (11,875 hauls). Both studies show similar results, in terms of species composition and frequencies of occurrence. For instance WG-FSA-16/04 estimated that total annual mass of fish bycatch in a 300,000 tonnes krill fishery (in recent years total annual catches from the entire fleet targeting Antarctic krill¹ are ranging between 200,000 and 300,000 tonnes) would be 370 tonnes (**meaning 0.12% of total catch in volume**), comprising 50% mackerel icefish (*C.gunnari*) and 30% the Nototheniid (*L.larseni*).

As part of the fishery assessment the assessment team analysed different sources information (WG-FSA16-04, WG-EMM-14/31, Hønneland et al 2014, Hønneland et al 2015, Arana and Rolleri 2017, and observer's data collected on board the assessed vessel) in order to compile the most comprehensive list of bycatch taxa. A total of 73 taxa (66 fish taxa, 2 mollusc taxa, 3 crustacean taxa, 1 salp taxa, and 1 jellyfish taxa) were identified and assessed under P2. Only the mackerel icefish (*C.gunnari*) was assessed as Minor Primary species, while all the others were assessed as Minor Secondary species. No ETP species were found. Finally, the only stock which is certified separately (South Georgia icefish pelagic trawl) corresponds to the mackerel icefish in subarea 48.3 (it is considered to be a separate stock from the rest of the CCAMLR Area 48).

Therefore, all catches shall be recognized as IPI stocks in accordance with FCR 7.4.13.1 (b, c, d, e), with the

¹ CCAMLR establishes an annual trigger level of 620,000 tons for the entire fishery, irrespective of the number of vessels participating. For instance, the number of vessels has ranged between 15 and 10 in the last 6 years (comprising different nationalities Norway, China, Ukraine, Korea, Chile, Poland...)

only exception to those corresponding to *C.gunnari* from subarea 48.3.

Taking into account that:

- The amount of *C.gunnari* from subarea 48.3 contained in krill-based final products carrying the ecolabel (nutritional ingredients, medical foods, feeds for aquaculture, pet food, etc.) can only be an undetectable trace.
- Fishing grounds for krill are restricted to the Bransfield Strait off the Antarctic peninsula (in subarea 48.1), the northwest of South Orkney Islands (in subarea 48.2) and the north of South Georgia Islands (in subarea 48.3). From an operational point of view it is impossible to avoid subarea 48.3 since this is the fishing ground used during winter, when the more southern grounds are covered by ice.
- Since the average duration of a fishing trips is around 60 days it is likely that, in the same trip, vessels move between different the fishing grounds searching for krill. Form an operational point of view it would result impossible to segregate catches from a particular subarea (eg. 48.3).
- Krill fishery is well recognized as a highly selective fishery, since almost 100% of their catches consist exclusively in krill. As explained above, all *C.gunnari* bycatches may account for only 0.05-0.1% of total catches of the fishery. In this situation, we consider that the promotion of this species for its P1 assessment is not appropriate.
- Certificate sharing with the existing certificated fishery targeting mackerel icefish in subarea 48.3 (the South Georgia icefish pelagic trawl) is not possible since the fishing gear is totally different.
- CCAMLR has recognized that improved data from observers on fish bycatch was necessary to provide to evaluate the potential impact of the krill fishery on the population of krill-eating fish species and recent reviews on the issue are the result of that effort. Results on the SISO data reporting and fish bycatch in the krill fishery are included in the annual report on the fishery elaborated by the CCAMLR WG-EMM. This data are also available to the CCAMLR WG in charge of performing the fish stock assessments (WG-FSA), actually the latest and most comprehensive review on this issue was elaborated by this WG (WG-FSA-16/04). No further studies exist so far in relation to the impact of the krill fishery on fish stocks and no concerns has been raised on this issue by CCAMLR or any other stakeholder. Concerns regarding the impact of the krill fishery are focused on preventing excessive localized depletion of the krill stock and consequent impacts on central-placed krill predators such as penguins and seals (colony-based predators with a limited foraging area). In order to address this issue CCAMLR has established an interim distribution of the trigger level in each Subarea ([CM- 51-07, 2016](#)), and more ambitious approaches are being considered at this moment (eg. a feedback management which includes subdividing the precautionary catch limit in Area 48 into 15 small-scale management units (SSMUs) –Hewitt et al 2004, Watters et al 2013-, or a risk-based management system based in overlapping indices between the fishery and the foraging areas for penguins and seals –Hinke et al 2017-).

Bureau Veritas requests an exemption against FCR 7.4.13.1 (e), so mackerel icefish from subarea 48.3 can also be recognised as IPI.

Is this request to allow an exemption to detailed requirements for IPI stocks?

Yes

The catch proportion of all IPI stocks is much lower than 2% (it is estimated to be around 0.1-0.2%) and the

total catch of IPI stocks by the UoA does not create a significant impact on the fish and non-fish taxa caught as bycatch. According to the most recent reviews on the issue carried out by CCAMLR (see above) no concerns have been raised in relation to the impact on the fish bycatch in the krill fishery. Concerns regarding the impact of the krill fishery are focused on preventing excessive localized depletion of the krill stock and consequent impacts on central-placed krill predators such as penguins and seals (colony-based predators with a limited forage area).

All the bycatch taxa identified by the assessment team were assessed as Minor Primary species (*C.gunnari*) or Minor Secondary species (the remaining 72 fish and non-fish taxa) and outcome Performance Indicators achieved 80 (PI2.1.1.) and 100 (PI 2.2.1) respectively.

Based on the above the Bureau Veritas considers that IPI stocks described above fulfill requirements 7.4.14.2 (i) and (ii). Thus, a request is being addressed to MSC in order to allow those IPI stocks to enter chain of custody with an exemption to the additional assessment requirements for IPI stocks given in PA4.2.

References:

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WG FSA-16/04. Fish by-catch in the krill fishery:2016 update. 13 September 2016. Prepared by the CCAMLR Secretariat