

Lloyd's Register

Denmark, Estonia, Germany & Sweden Baltic Herring & Sprat

MSC Variation Request

1 Introduction

This form details the information required from Conformity Assessment Bodies (CABs) to enable the MSC to consider a CAB application to vary from a clause or requirement in any of the MSC program documents (GCR 4.12).

Please complete all unshaded fields. Where instructions are included in *italics*, please delete and replace with your specific information. All grey boxes containing instructions may be deleted, e.g. the 'Introduction' section.

Once this variation form is completed, delete guidance, save it as a PDF file and upload to the MSC database. On receipt, the MSC will consider your request and will usually respond within 14 days.

Please note that all variation request forms and MSC responses to the request will be published on the MSC website along with other assessment documents associated with the specific fishery.

2 Marine Stewardship Council variation request

Table 1 – Variation request

1	Date submitted to the MSC
	14 th January 2021
2	CAB
	Acoura Marine (t/a Lloyd's Register)
3	Fishery name and certificate number
	Denmark, Estonia, Germany & Sweden Baltic Herring & Sprat MSC-F-31479
4	Lead auditor or program manager
	Lead auditor – Jim Andrews LR HO project manager – Kate Morris
5	Request prepared by
	LR HO project manager – Kate Morris
6	Scheme requirement(s) for which variation requested
	MSC FCP v2.2 7.29.8 The CAB shall upload the expedited audit report to the MSC database for publication on the MSC website, within 60 days of announcing the expedited audit.
7	How many times has a variation for this requirement been accepted for the same assessment of the same fishery?
	0

Table 2 – Variation justification

1	Proposed variation	
	<p>LR seek a variation from MSC FCP v2.2 7.29.8 which requires LR to publish a finalised expedited audit report 60-days from announcing the audit.</p> <p>LR propose the expedited audit follows usual Surveillance timescales which requires CABs to publish the audit report 60-days from the last day of the site visit (MSC FCP v2.2 7.28.23 & 7.28.23.1). The reasoning for this request is detailed in 3 below.</p>	
2	Additional time requested	
	Original deadline date	19 th January 2021
	Modified deadline date requested	18 th April 2021
	Length of additional time requested	90 days from last day of the site visit
3	Justification	
	<p>An Expedited audit for the Central Baltic herring Units of Certification within the MSC-certified Denmark, Estonia, Germany, Sweden Baltic Herring and Sprat Trawl Fishery was announced on 20th November 2020.</p> <p>The announcement was made during the course of ongoing harmonisation discussions between the CABs for the overlapping UoCs (listed below) on rescoring of Principle 1. This fishery is harmonised with 4 MSC Certified Baltic fisheries, 1 in assessment fishery (this involves 3 CABs and 4 Principle 1 auditors).</p> <p>At the harmonisation discussion that took place between CABs on the 23rd October there was no clear agreement between P1 experts on whether or not the outcome of the harmonisation discussions would lead to a “material difference” in the assessment outcome. In accordance with the requirements of FCP 7.29.4, LR’s announcement of the expedited audit was made within 30 days of becoming aware that there may be a material difference in the circumstances of the fishery.</p> <p>A remote site visit was organised by LR for the weeks commencing 4th and 11th January 2021. Due to constraints on the availability of key stakeholders, it was not possible to organise meetings immediately after the 30-day consultation period or on consecutive days. The client closing meeting will consequently now be held early in w/c 18th January.</p> <p>Parallel to LR’s expedited audit, which seeks the views of stakeholders and stock assessment experts, harmonisation discussions are continuing with CABs of other Baltic fisheries. There have now been several harmonisation meetings and the next is scheduled for the 19th January. There is clear agreement among CABs from our harmonisation discussions is that there will be a new condition raised on PI 1.1.1(A). This will require the Client Fisheries to draft an acceptable Client Action Plan (CAP) for inclusion in the audit report.</p> <p>It is apparent from these dates that it will not be possible to complete the expedited audit process in accordance with the requirements of FCP 7.29.8, since the 60-day time period from the date of announcement would end on the 19th January. This is the day after the closing meeting with the client group and the same day as the next scheduled harmonisation discussion between CABs, at which the LR audit team will share their findings with other CABs and following which the final harmonised discussions on scoring of PIs and harmonisation of any new conditions of certification will take place. It will therefore not be possible for the assessment team to</p>	

start work on the substantial elements of its report until the 19th January. After presenting a draft report to the Client Fishery it will be necessary for them to prepare a revised CAP.

Under these exceptional circumstances it would therefore seem appropriate to apply the timescales normally used for a surveillance audit (as set out in FCP v2.2. at 7.28.23) instead of the usual timescale that applies to expedited audits.

This VR represents a deviation from FCP v2.2 7.29.8, but is necessary to allow LR to adhere to FCP v2.2 Annex PB and principle PB1.3.3.2 and PB1.3.3.3 (harmonisation of assessment timelines and assessment outcomes).

The status of the all Baltic fishery assessments are shown below.

DDES Herring Sprat (LR)	Finland Baltic Herring Sprat (LR)	Polish Herring Sprat (SAI Global)	LFPO pelagic trawl (BV)	NZRO Gulf of Riga (BV)
ExA announced 20 th Nov 2020	2 nd Surveillance ongoing while harmonisation concludes	In assessment fishery going into CPRDR stage	Announcement outstanding	Announcement outstanding

4 Implications for assessment

This extension will allow LR to conduct a thorough review of the ICES 2020 advice for Central Baltic Herring and fully investigate implications to scoring, taking in a wide range of views and evidence which can then be harmonised across MSC-certified Baltic fisheries. It will also give the DDES client time to formulate an appropriate CAP in response to new conditions raised. Stakeholder engagement in the expedited audit has not been affected; indeed, the extension is in part requested in order to ensure that LR have been able to provide adequate opportunities for stakeholder engagement in this expedited audit. Any comments submitted to LR, which are available to all on the MSC track a fishery webpage, will be addressed in the final audit report.

As LR is slightly ahead of other MSC Baltic fisheries in the assessment timelines Condition timelines will need to be harmonised as suggested below. The expedited audit report will include a clear statement of process followed and when conditions are expected to be closed.

5 Mitigation of the implications for assessment

Timelines for all fisheries affected have been evaluated and condition timelines have been harmonised. Please see below table.

	DDES Herring Sprat (LR)	Finland Baltic Herring Sprat (LR)	Polish Herring Sprat (SAI Global)	LFPO pelagic trawl (BV)	NZRO Gulf of Riga (BV)
Condition raised	EXA (conclude 18 th April 2021)	SA 2 (concluded Feb 2021)	FA (concluded June 2021)	SA 4 (June 2021)	SA 1 (June 2021)
Condition to be closed by	SA 2 (June 2022)	SA 4 (June 2022)	SA 1 (June 2022)	RA (June 2022)	SA 2 (June 2022)

6 How many conditions does the fishery have and will their progress be affected (positive or negative)?

5 conditions in total, including a new condition that is likely to be raised on PI 1.1.1A. Progress against existing conditions (Numbered 1-4) will not be affected.

7 What is the status of the current assessment or audit?

	<p>The Expedited audit is due to conclude w/c 18th January 2021 with the client closing meeting. The next harmonisation call is scheduled for the 19th January 2021. LR anticipate 90-days from the last day of the site visit will be sufficient time to conclude harmonisation discussions and draft the final audit report.</p>
8	Further comments
	- Please include any further relevant information.
9	If applicable, additional information added after the MSC's request

3 Template information and copyright

This document was drafted using the 'MSC Variation Request Form – Fisheries v1.0'.

The Marine Stewardship Council's 'MSC Variation Request Form – Fisheries v1.0' and its content is copyright of "Marine Stewardship Council" - © "Marine Stewardship Council" 2020. All rights reserved.

Template version control

Version	Date of publication	Description of amendment
1.0	25 March 2020	Release alongside Fisheries Certification Process v2.2

A controlled document list of MSC program documents is available on the MSC website (msc.org).

Marine Stewardship Council
Marine House
1 Snow Hill
London EC1A 2DH
United Kingdom

Phone: + 44 (0) 20 7246 8900
Fax: + 44 (0) 20 7246 8901
Email: standards@msc.org