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Sent by email

Date: 19 December 2013

Subject: Request for variation to the MSC Certification Requirement CR 7.5.9 for the Norway North Sea and Skagerrak Herring fishery

Dear Anna

I write with reference to your submission on 17th December, 2013 of a request for variation to the MSC Certification Requirement (CR 7.5.9) to extend the validity of the current certificate by a maximum of 6 months from the expiry date of 29 April, 2014.

As you are aware, the CR procedures relating to certificate expiry dates in 7.5.9 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:

- That the re-certification process for this fishery was fully integrated with the Norway Spring spawning herring fishery and re-certification of both fisheries was planned to be completed by April, 2014.
- Due to new developments in the AS herring management, the re-assessment process for Norway Spring Spawning Herring was delayed by approx. 6 months
- The Re-assessment process for Norway Spring Spawning Herring (NSSH) has shown that currently, there is no legally backed dispute resolution system in place or an agreed legally backed system for the allocation of national shares of the total TAC.
- Whilst there is no evidence of problems in the past and no issues at present, the similar situation which has now arisen with NSSH herring gives cause for concern and a close examination of EU / Norway agreements for the management of North Sea Autumn spawning herring is therefore required
- This will postpone the recertification of the North Sea Autumn spawning herring fishery for at least 4 months and more delay could be expected if extra time is required for: Re-scoring, drafting a condition/recommendation, consultation on the condition/recommendation and drafting of the client action plan
- The assessment team is therefore seeks a variation to extend the validity of the certificate with maximum period of 6 months from the expiry date of 29 April 2014. DNV ensures that this request does not alter the conformity with the MSC requirements

In this case, the MSC regards the rationale provided as insufficient to justify a full 6 month extension, and is willing to grant a variation to the CR, subject to the following condition.

- The validity of the certificate for this fishery shall be extended by a period of no more than 3 months, from the expiry date of 29 April, 2014.

If you have any questions regarding this response, please do not hesitate to contact Robert Lefébure, the Fisheries Assessment Manager for this fishery either by email, Robert.lefebure@msc.org or phone +44 (0)20 7246 8935.



Best regards,

Dan Hoggarth, Fisheries Oversight director, Marine Stewardship Council