



Fisheries Certification Process v2.2

Summary of Changes

Introduction

The Marine Stewardship Council (MSC) regularly reviews its standards and processes to incorporate feedback from stakeholders and align with global best practice. This document explains changes to the MSC Fisheries Certification Process and processes in 2020.

The MSC Fisheries Certification Process version 2.2 was released on 25 March 2020.

From **25 September 2020**, Conformity Assessment Bodies will use the updated Fisheries Certification Process v2.2 to conduct all new fishery assessments, as well as all reassessments, surveillance audits, scope extensions and expedited audits.

The MSC Fisheries Standard has not been changed.



Our standards

The MSC Fisheries Standard

The MSC Fisheries Standard is used to assess if a fishery is well-managed and sustainable. The standard reflects the most up-to-date understanding of internationally accepted fisheries science and management.

The MSC Fisheries Certification Process

The MSC Fisheries Certification Process is the instruction manual for Conformity Assessment Bodies (CABs). It sets out the processes for assessing a fishery against the MSC Standard. It also defines the criteria which determine whether a fishery is eligible for certification – these are called the scope requirements.

The MSC Chain of Custody Standard

The MSC Chain of Custody Standard ensures that products from MSC certified fisheries are traceable and separated from uncertified products.

The ASC-MSC Seaweed Standard

The ASC-MSC Seaweed Standard sets requirements for seaweed harvesting and farming practices to be sustainable and socially responsible.

You can download all [our fishery program documents](#) from our website.



The MSC Fisheries Certification Process review

We regularly review our program documents to ensure they continue to reflect widely accepted science and management best practice. The review process also allows us to improve the implementation of our standards and address issues raised by stakeholders or flagged by our own monitoring systems.

The MSC Fisheries Certification Process is reviewed approximately every three years to ensure the assessment process remains efficient, effective and credible. The changes made in v2.2 are the result of a review that started in 2017.

You can read more about how we [develop our standards](#) on our website.



Changes to the MSC Fisheries Certification Process

We have updated the **Unit of Assessment definition (page 6)** so that fishing vessels cannot target a certified stock using the same gear but with both certified and uncertified fishing practices.

We have introduced **new shark finning scope requirements (page 7)** as part of our commitment to ensuring that shark finning does not take place in MSC certified fisheries.

We have increased **transparency of stakeholder participation in fishery assessments (page 8)** by improving the way that they give input and the way that Conformity Assessment Bodies respond.

We have strengthened the **reporting of fishery improvements (page 9)** by reinforcing requirements on how assessors report the setting, monitoring and closing of improvement conditions.

We have improved the criteria for **expedited audits (page 10)** so that they will only be triggered if there are changes in circumstances or new information that could justify a fishery losing its certification.

We have accelerated the development of our **objection procedure (page 11)** by separating our Dispute Process from our Fisheries Certification Process.



Unit of Assessment definition

The Unit of Assessment (UoA) describes everything that is assessed against the MSC Fisheries Standard, while the Unit of Certification (UoC) describes what fishing is certified to the MSC Fisheries Standard.

Previously, the UoA and UoC could be defined by the way the fishing gear is used (the fishing method or fishing practice). This is no longer the case. Assessments will now consider the impacts of all fishing methods or practices using the same gear type. This will prevent certified and uncertified fishing methods being used to target the same stock.

Fisheries entering assessment for the first time will have to use the new definition from 25 September 2020. Fisheries that are already certified (or in assessment) will have until March 2023 to adopt the new definition. This can be done during a surveillance audit or via a scope extension.

What has changed

We have removed the terms ‘fishing methods’ and ‘practices’ from the definition of UoA and UoC. This means the UoA and UoC are now defined by the target stock(s), the fishing gear, and the fleets, vessels or individual fishing operators – but *not* by the way the fishing gear is used.

For example, a tuna purse seine fishery that fishes on both free schools and fish aggregating devices (FADs) can no longer seek certification for the free school component of its catch without including its FAD component in the assessment.

The geographical area within which the fishery operates will also be defined. This will improve the traceability of certified products.

The Unit of Assessment includes the certified fleet, the ecosystem, the target stock and every other vessel that fishes the same stock.



Vessels within the Unit of Certification



Other eligible fishers who fish on the same stock



Target stock



Assessing ecosystem impacts



Strengthening our scope requirements against shark finning

Shark finning (the removal of any fins of a shark and discarding the remainder of the shark at sea) is prohibited by the MSC Fisheries Standard. Conformity Assessment Bodies must verify that no fishing entities are engaged in shark finning when scoring Principle 1 (sustainable fish stocks) and Principle 2 (minimising environmental impact).

The scope criteria in the MSC Fisheries Certification Process are used to determine if a fishery is eligible for assessment and certification.

Possible future revisions to our shark finning requirements

We are continuing to research if and how management best practice relating to preventing shark finning has advanced since the current MSC Fisheries Standard requirements were set.

This includes investigating the global uptake of Fins Naturally Attached policies, which require the whole shark to be landed, not just its fins. For more information please see our webpage on [ending shark finning](#).

What has changed

We are introducing new scope criteria to help deliver our commitment that shark finning does not take place in MSC certified fisheries.

From September 2020, the vessel of any company or fisher convicted of shark finning will not be eligible to apply for MSC certification for at least two years.

We are retracting a previous interpretation of the shark finning requirements. The interpretation allowed for isolated cases of shark finning, if it was not occurring ‘systematically’ within a fishery, and if monitoring, control and surveillance systems were capable of detecting and applying adequate sanctions. Although this approach incentivised effective monitoring and control systems, stakeholders raised concerns about the inconsistent application of the interpretation.

We have also clarified that if evidence of shark finning is detected during an audit or assessment a fishery must remove the offending entity from the Unit of Certification or face suspension.

Improving the way stakeholders participate in fishery assessments

Stakeholders are an essential source of information in a fishery assessment. We are improving the way stakeholders provide input on assessments and the way Conformity Assessment Bodies (CABs) respond to stakeholder comments.

Improvements to the stakeholder input template and a more accessible exchange between stakeholders and CABs will increase transparency around stakeholder input and CAB responses, and increase everyone's confidence in the process.

Stakeholder input into fishery assessments and CAB response

What has changed

We have amended the stakeholder input template so that it's easier for stakeholders to see how assessors have responded to their comments.

Stakeholders who want to engage in a fishery assessment can [download the stakeholder input template from the MSC website](#) and use it to provide written comments to the CAB on the Announcement Comment Draft Report and during the site visit. The CAB will respond to the comments in the stakeholder input template and upload it to the [Track a Fishery](#) website when the Public Comment Draft Report is published. Stakeholders have 30 days to review the report and the CAB responses.

Stakeholders can follow up on the CABs responses and provide further input by adding to their template. The CAB will respond to this input and include the template, which records the exchange between the stakeholder and CAB, in the Public Certification Report.

CAB Response



Stakeholder input

Strengthening the reporting of fishery improvements (conditions)

The MSC Fisheries Standard is designed to reflect three levels of sustainability performance: minimum requirements, best practice and state of the art. To achieve certification fisheries must, on average, reach best practice in all three Principles.

Where a fishery scores less than best practice for a Performance Indicator, it must improve its performance to the best practice level. It must demonstrate improvements towards best practice every year and achieve best practice within five years and before seeking recertification (unless there are exceptional circumstances*). These improvement requirements form what we call conditions.

We have improved the way assessors report on the improvements being made by fisheries with conditional certificates. This will increase transparency of why conditions are set on certificates, as well as how they are monitored and closed. Conformity Assessment Bodies (CABs) will provide more information on improvement requirements (conditions) in full assessment reports and surveillance reports.

Carrying over or reopening conditions

Conditions can be carried over through a recertification if they are set during surveillance audits, scope extensions or expedited audits – when this happens fisheries are allowed up to five years to close the condition, and so the condition will last into the next certification.

Conditions can be reopened if there is a new version of the MSC Fisheries Standard which has led to an increase in the performance required at the SG80 level (i.e. the sustainability bar has been raised), or if there has been a change in status since the condition was closed.

What has changed

In all **assessment reports**, CABs will clearly identify condition deadlines. This includes setting out any exceptional circumstances* that would justify a condition deadline being longer than the length of a certificate.

In **reassessment reports**, CABs will clearly identify conditions that are already open and not new. These could be carried over from an earlier certificate or have been previously closed and now reopened. Conditions can also be rewritten but only if the reassessment is against a newer version of the MSC Fisheries Standard.

We have clarified the scenarios under which conditions may be carried over, reopened or rewritten, and CABs will now have to give precise reasons for allowing this to happen. They will also clearly document conditions that were closed during a reassessment.

In **surveillance reports** CABs will clearly identify the progress of conditions and if a condition was closed during the surveillance audit. CABs will identify if any new conditions have been set or if there have been any changes to condition milestones.

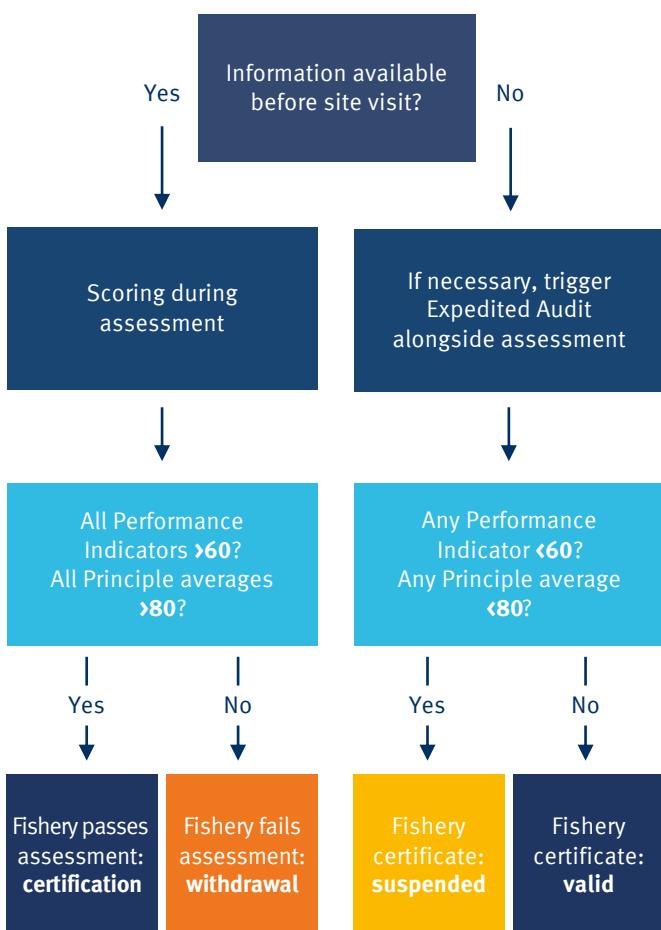
We have also made it clearer that if progress against a condition is not being made or the condition deadline is not met, the fishery will be suspended until such time that progress is demonstrated or the improvement has been completed. A fishery suspended for lack of progress cannot enter a new assessment without closing existing conditions first.

* Exceptional circumstances are situations where, even with perfect implementation, achieving the best practice level of performance may take longer than the certification period. Exceptional circumstances can relate to natural ecological functions and response times and timeframes needed for research to be funded, undertaken and published.

Clarifying expedited audits

If there are changes to a fishery that could change the certified status of a fishery, their Conformity Assessment Body (CAB) conducts an audit to check if it still meets the MSC Fisheries Standard. This is called an expedited audit, and can also be the result of new information becoming available. The audit is conducted quickly and focuses on the impact of the changes to the fishery or the new information.

Potential outcomes of audits and assessments following receipt of critical new information



What has changed

We have changed the threshold for triggering an expedited audit. This will now only happen if changes to the fishery or new information indicate the status of a fishery certificate could change – either because the fishery no longer conforms to the MSC Fisheries Standard or there has been a change to the scope of the fishery. Where changes to the fishery or new information would only require a new condition to be imposed, the CAB will consider this during the next scheduled annual surveillance audit.

Expedited audits can no longer be used just to review information, and can only be triggered after being reviewed by an assessment team leader with the relevant expertise.

If an expedited audit is triggered during an assessment or reassessment, the CAB will conduct the expedited audit alongside the (re)assessment. We have added requirements that detail how an expedited audit is conducted during a (re)assessment.

We have made it clearer that an expedited audit can also be conducted during a surveillance audit if the timing of surveillance audit can be rescheduled.

We are confirming that the cut-off date for information that is used by the assessment team to score a fishery against the MSC Fisheries Standard is the last day of the site visit. If new information becomes available after the site visit it could trigger an expedited audit if it is likely to impact the fishery's conformance to the MSC Fisheries Standard. The CAB will conduct the expedited audit alongside the (re) assessment. The fishery will be certified based on the information available at the site visit, but if the expedited audit shows that the fishery does not meet the MSC Fisheries Standard anymore, the fishery will be suspended immediately upon certification. This approach means the fishery has the opportunity to address the issues identified and come back into the program by lifting their suspension.

Creating a stand-alone Dispute Process

At the end of the assessment process, stakeholders have an opportunity to object to the Conformity Assessment Body's (CAB's) decision. This is regulated by the Objection Procedure, which was an annex to the MSC Fisheries Certification Process.

What stakeholders can and can't object to

When v2.1 of the MSC Fisheries Certification Process was released in March 2019, we made changes to what stakeholders could object to at the end of the assessment process. As part of this, stakeholders can no longer object to the conditions set by the CAB.

Stakeholders can still object to the scoring (which determines whether a condition is needed). Stakeholders can also object to the CAB's decision to accept the Client Action Plan provided by a fishery that outlines the actions it will take to resolve its conditions.

What has changed

We have now separated the Objection Procedure from the Fisheries Certification Process and put it in a stand-alone document called the MSC Dispute Process.

This will allow us to make improvements to the Procedure outside of the review cycle of the Process. **The MSC's Assurance Review** is exploring the best way disputes can be resolved, and the results of this work will be incorporated into the MSC Dispute Process.

All [fisheries documents](#) can be found on our website.



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