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**MSC SUSTAINABLE FISHERIES CERTIFICATION**



**Scottish Pelagic Sustainability Group (SPSG) North Sea Herring  
Fishery**

**3<sup>rd</sup> Annual Public Surveillance Report**

August 5<sup>th</sup> 2011

**Prepared For:** Scottish Pelagic Sustainability Group Ltd (SPSG)

**Prepared By:** Food Certification International Ltd



## Assessment Data Sheet

<b>Certified Fishery</b>	<b>SPSG North Sea Herring Fishery</b>
<b>Fishery Management Agency</b>	<b>Marine Scotland Sea Fisheries Policy under the EU Common Fisheries Policy</b>
<b>Species</b>	<b>North Sea Herring (<i>Clupea harengus</i>)</b>
<b>Fishing Method</b>	<b>Pelagic trawl</b>
<b>MSC Registration Number</b>	<b>F-FCI-0002</b>
<b>Certification Date</b>	<b>9<sup>th</sup> July 2008</b>
<b>Certification Expiration Date</b>	<b>8<sup>th</sup> July 2013</b>
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<b>Surveillance Stage:</b>	<b>3<sup>rd</sup> Annual Surveillance 2011</b>
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## Summary of progress on compliance with conditions

**Table 1 Summary of progress on compliance with conditions**

Binding Conditions / Recommendations	Descriptions	Status of Progress
Condition 1	Record all incidents of slippage	On target
Condition 2	Active support for research into the survival rates of slipped fish	On target
Condition 3	Annual verification available that the fishery makes no contribution to overshooting of the TAC.	On target
Condition 4	Active support for a North sea herring stock rebuilding plan provided	On target
Condition 5	Active lobby and support for the setting of TAC within the boundaries of the Harvest Control Rules with fishing mortalities set significantly above the target, undertaken.	On target
Recommendation 1	Record of interaction with Endangered, Threatened and Protected species (ETP)	On target
Recommendation 2	Written operating procedures	On target

## 1. Introduction

### 1.1 Purpose

The purpose of the annual Surveillance Report is fourfold:

1. to establish and report on whether or not there have been any material changes to the circumstances and practices affecting the original complying assessment of the fishery.
2. to monitor the progress made to improve those practices that have been scored as below “good practice” (a score of 80 or above) but above “minimum acceptable practice” (a score of 60 or above) – as captured in any “conditions” raised and described in the Public Report and in the corresponding Action Plan drawn up by the client.
3. to monitor any actions taken in response to any (non-binding) “recommendations” made in the Public Report.
4. to re-score any Performance Indicators (PIs) where practice or circumstances have materially changed during the intervening year, focusing on those PIs that form the basis of any “conditions” raised.

### 1.2 Recapitulation of Assessment and Surveillance Audits

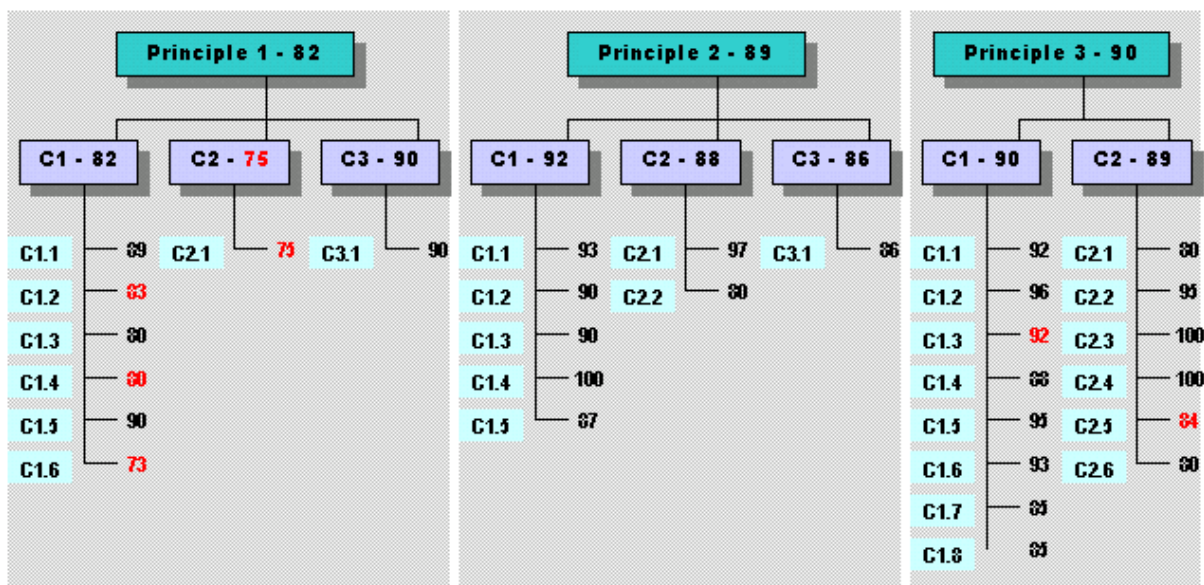
#### 1.2.1 The Original Assessment

The SPSG North Sea herring (*Clupea harengus*) was assessed according to the MSC sustainable fishery management principles and criteria as a well-managed fishery during May 2007 to July 2008. MSC certification was first awarded on July 9<sup>th</sup> 2008, and is intended to be valid for 5 years (9<sup>th</sup> July 2008 to 8<sup>th</sup> July 2013).

The MSC certification covers SPSG refrigerated seawater (RSW) registered pelagic trawler vessels exploiting herring fish within North Sea areas of ICES regions IVa and IVb. This fishery’s original MSC assessment scores are shown in **Figure 1**. Numbers in red correspond to MSC Performance Indicators scored below 80 and generating associated remedial actions, termed Conditions. Maintenance of the MSC certification is contingent on SPSG Ltd actively demonstrating compliance with these Conditions within the outlined time-scales. Non –binding Recommendations put forward by the assessment team to SPSG Ltd are not obligatory but are encouraged to be fulfilled in order to improve this fishery’s good practices and sustainability status. Complete details of SPSG North Sea herring fishery’s MSC full assessment, Client action plan, and certification can be access on the MSC website:

<http://www.msc.org/track-a-fishery/certified/north-east-atlantic/spsg-north-sea-herring/assessment-downloads>

Figure 1 Allocation of weighted scores at Sub-criteria, Criteria and Principle levels



Source: Original assessment report

The result of the original assessment raised 5 binding Conditions that should be delivered as certification progresses and 2 non-binding Recommendations. Annual surveillance monitoring of SPSG North Sea herring fishery is intended to report on progress (on target, ahead or behind target) being demonstrated on binding Conditions, namely:

1. Recording all incidents of fish slippage
2. Active support for research into the survival rates of slipped fish
3. Annual verification that fishery makes no contribution to overshooting of the TAC
4. Active support for North Sea herring stock rebuilding plans
5. Active lobby and support for the setting of TAC within boundaries of the Harvest Control Rule, with fishing mortalities set significantly above the target undertaken.

### 1.2.2 Previous Surveillances

Two previous surveillance audits and reports have been completed for SPSG NSH by members of the original assessment team in years 1 and 2 of their MSC certification. Both surveillances concluded the SPSG Ltd were delivering progress on binding conditions. During the first surveillance audit progress on Condition 1 (Recording all incidents of fish slippage) was measured to be "Behind target", however from positive developments progress on all 5 Conditions were measured to be "On target" at the time of the second surveillance audit. This is SPSG NSH third surveillance audit, before the anticipated re-certification process in 2012 to 2013 that should likely allow uninterrupted use of the MSC Ecolabel.

Further details of SPSG NSH previous surveillances can be viewed by following this provided link <http://www.msc.org/track-a-fishery/certified/north-east-atlantic/spsg-north-sea-herring/assessment-downloads>

## 1.3 Process

Discussions and written correspondence occurred among FCI project staff, expert team, and stakeholders prior to client site visit, and at stakeholders meetings during July 1<sup>st</sup> and week of July

4<sup>th</sup>. The Client site visit and stakeholders meetings took place in Lerwick, Shetland and Edinburgh, Scotland. The expert team received and contributed information on changes in North Sea herring stock status and management regimes. Discussions also included impacts with regards to changes in scientific processes, personnel's, and industry practices during the 2010 North Sea herring fishing season. Overall, coordination process and meeting discussions were guided according to the MSC fisheries certification methodology section 6 with respect to post – certification requirements and surveillance auditing.

Details of meetings held, consultees and documents referred to, are listed in **Appendix 1**

## 1.4 General Background to Fishery

The SPSG North Sea herring fishery has traditionally fished around the Shetland and Orkney Island of the North Sea during July to August most years. Occasionally, fishing occurs in June exploiting herring for Matjes markets (*Matjes is the general term for herring that have not spawned, caught, filleted, and prepared with salt, vinegar, sugar, and spices*). SPSG NSH fishers had reported high abundance of herring on the fishing grounds during 2010 season. This information corroborates with scientific advice which indicates herring stock supporting NSH fishery are in high abundance and at strong reproduction levels.

The SPSG NSH fishery may be fished by all 28 registered SPSG Ltd pelagic trawlers (with refrigerated seawater catch holding tanks). However during 2010 only 15 vessels fished NSH. Other vessels took options to swap quotas and fished other species such as mackerel and Atlanto-Scandian herring.

Advice and management of the North Sea herring fishery stocks is provided through ICES working groups and EU-Norway bi-lateral consultations. Further information with regards to scientific advice and management plans for North Sea herring fisheries can be viewed by following the provided link - <http://www.ices.dk/workinggroups/> - and searching with acronyms such as:

- » WKHMP ([Workshop on Herring Management Plans](#))
- » HAWG ([Herring Assessment Working Group](#))
- » WKWATSUP ([Workshop on procedures to establish the appropriate level of the mixed herring TAC](#))

At the time of this report, the North Sea herring fishery is considered to be the second most economically important fishery to the Scottish mid-water pelagic fleet, whose catches are mostly for human consumption. It is paramount to note that North Sea herring is also taken as by-catch by some industrial fisheries. In general the fishery is considered to be clean with insignificant mixing with other species; however there are reports of some occasions where small volumes of mackerel and horse mackerel are taken with main catch. In addition to Scotland, other countries exploit this fishery at significant catch levels includes Denmark, Faroe Islands, France, Netherlands, and Norway.

## 2. Changes in Circumstance or Practice

### 2.1 Certified North Sea Herring fisheries

At the time of this Surveillance Report, seven North Sea herring fisheries (from ICES regions VIa and VIb; and IIIa) have been certified. Details of these fisheries' location and certification bodies are provided in **Table 2**

**Table 2 North Sea Herring Fisheries under MSC certification**

Location	Fishery	Date Certified	CB
United Kingdom	Hastings fleet pelagic herring and mackerel fishery	Oct-05	Moody Marine Ltd
Netherlands	Pelagic freezer-trawler association North Sea herring fishery	May-06	Moody Marine Ltd
Sweden	Astrid Fiske Maatjes North herring fishery	Jun-08	FCI
United Kingdom	Scottish Pelagic Sustainability Group Ltd (SPSG) North Sea herring fishery	Jul-08	FCI
Norway	Norway North Sea and Skagerrak herring fishery	Apr-09	DNV
Denmark	Danish pelagic producers organization North Sea herring fishery	Jun-09	DNV
Sweden	SPPO Baltic herring fishery	May-10	Moody Marine Ltd

Harmonized Conditions of certification raised by the above MSC certified North Sea herring fisheries include:

- standard recording of all instance of slippage
- extension of the practice of recording instances of slippage to other fisheries exploiting North Sea herring, and
- development and implementation of appropriate stock rebuilding and sustainable harvesting strategy

It is expected that coordinated effort of this nature is likely to improve information and management advice for sustainability of these fisheries.

### 2.2 Stock Status

#### 2.2.1 Background information on stock status

ICES advice 2010, reports on concerns from potential environmental influences on the NS herring stock. Over the last 8 years juvenile recruitment to the stock is estimated to have been poor and below levels that are expected when the breeding stock (spawning stock biomass) is above 800 000t. Low larvae survival rates and oceanographic changes are suggested to be influencing further productivity of the stock. ICES advise that the NS herring stock is at a phase of low productivity when compared to pre – 2001 stock levels. Notwithstanding, the NS herring spawning stock biomass has continued to increase annually (2009 – 997kt; 2010 – 1.3mt; and 2011 anticipated – 1.7mt), with fishing mortality considered to be well below the target set by the management plan and MSY (ICES Advice 2011, Book 6).

## 2.2.2 Changes in stock status

North Sea herring stock is classified by ICES to be at full reproductive capacity and demonstrative of being harvested sustainably with fishing mortality below levels outlined in the management plan.

Spawning stock biomass has increased by 300kt, from 997kt in 2009 to 1.3mt in 2010. Fishing mortality is below the targets (F2-6 in 2010 was estimated at 0.12, below the target F2-6 of 0.2); In 2009 fishing mortality was estimated at 0.027 for juvenile fish (0-1 year old) and 0.112 for adult fish (2-6 year old): this means that less than 3%, by number, of juvenile (0-1 year old) fish and approximately 10%, by number, of adult (2-6 year old) fish were caught ([Marine Scotland Science](#)).

**Table 3** shows the relevant Total Allowable Catch (TAC) for North Sea herring stock that has been set in recent years.

**Table 3 Annual changes in Total allowable catch (TAC) for North Sea herring fishery**

Year	TAC - Quota (000' tons)	% change from previous year
2008	201	-41%
2009	171	-14%
2010	164	-4%
2011	188	*200 000t catch was agreed by fishers. This represents +21% increase over 2010 TAC, and over the annual 15% increase guidance of the management plan (driven mainly by the high increase of 2010 SSB and low fishing mortality)

Source: ICES Advice 2010, Book 6

**Table 4 Total allowable catch (TAC) and landings for North Sea herring fishery**

Year	TAC - Quota (000' tons)	TAC - Landings (000' tons)	000't / % change from previous year
2008	201	236	+35 / +17%
2009	171	156	-15 / -0.08%
2010	164	166	+2 / +1%

Source: ICES Advice 2010, Book 6

**Table 5 Total allowable catch (TAC) of North Sea herring fishery for UK (Scotland, England, NI, & Wales)**

Year	TAC - Quota (tons)	TAC - Landings (tons)	% over / under
2008	25 299	25 208	-0%
2009	23 205	23 132	-0%
2010	23 096	23 097	+0%
2011	27 295	N/A	N/A

Source: Marine Scotland – Compliance and catch inspection

**Table 6 North Sea Herring and Client Fishery catch data (2010 - 2011)**

Total TAC for most recent fishing year 2010:	164 000 t
Unit of Certification share of the total TAC established for the fishery in most recent fishing year 2010:	23 096 t
Client share of the total TAC established for the fishery in most recent fishing year 2010:	10 773 t
Total green-weight catch taken by the client group in the most recent calendar year 2010:	10 781 t

Source: Marine Scotland – Compliance and catch inspection

### 2.2.3 Management Plan review

A management plan for NS herring was agreed by EU and Norway in 2008 (Annex in ICES Advice 2011, Book 6). This management plan was evaluated and accepted by ICES to be appropriate and consistent with precautionary management approaches for the sustainability of NS herring fishery. However due to an exceptional increase in NS herring abundance the fishing industry has asked for a revision of the management plan objectives and annual TAC (Harvest control rule). A joint EU-Norway request the evaluation of the long-term management plan (LTMP) was placed on ICES to feedback on this matter by June 30<sup>th</sup> 2011. No updated publication was available at the time of this report. The agreed records of fisheries consultations between Norway and EU for 2011 (Bergen December 4<sup>th</sup> 2010) states that a review of the LTMP shall take place no later than 31<sup>st</sup> December 2011. (Joint EU-Norway Agreement, and [ICES Advice 2010, Book 6](#)).

## 2.3 Personnel changes and Data issues

Mr Mike Breen, who formerly supported fish survival research and contributions to ICES Study Group on unaccounted mortality in fisheries, has moved on from Marine Scotland Science. No known replacement has been announced. With regards to Marine compliance and catch inspection matters, Mr Gregor Mckenzie is advised to be the new point of contact, taking over from Mr David Terry at the Peterhead and Oban fisheries office. (Source: personal stakeholder's communications). Recent communication on the sampling of herring indicated some deterioration of sampling and reported process that is believed to have likely impact on accuracy of information and guidance for management of Western Baltic Spring spawning herring stock but not the North Sea herring stocks. No changes are anticipated for North Sea herring stock data or sampling methods over 2010([ICES Advice 2010, Book 6](#)).

## 2.4 Changes in fishing practices and fishing industry

Recent reports from ICES suggest un-reporting and mis-reporting of catch is in decline. From 2009 there has been little to no mis-reporting of catch. Fishers have reported that herring stocks are migrating further north, of the North Sea during summer periods. With this information the stock assessors are concerned that if this situation is correct, then catch management information and survey outcomes could be affected. However ICES suggest at this stage, there is no evidence to support these reports ([ICES Advice 2010, Book 6](#)).

## 2.5 Fishing Fleet update

During 2010, three pelagic vessels became members of the SPSG fishing fleet. North Sea herring catches for all Scotland and Northern Ireland pelagic refrigerated seawater vessels are currently under the SPSG certification for MSC sustainable well-managed fisheries. The vessel "Enterprise FR 365" is being replaced with a vessel of similar power and capacity. Further details of SPSG fishing fleet can be obtained by contacting the client or certification body (Food certification international).

### 3. Progress in meeting the condition of certification

Condition 1: Record all incidences of slippage	
Performance Indicator	1.1.2.1, 2.1.2.2,
Delivery Timeline	Second surveillance
Summary of Issue	There is concern about the possibility that slippage related fish mortality in target and non-target species may be higher than currently assessed.
Suggested Action	Recording of slippage should be in place. Evidence of support for studying slippage survival rates and observer coverage of the Scottish fishery should be provided.

#### Progress in meeting condition 1

At the time of the 2<sup>nd</sup> and now 3<sup>rd</sup> surveillance audit the team was able to examine slippage reporting sheets from all SPSG vessels. No incidences of slippage were indicated. Discussions with members from Marine Scotland science observer coverage program confirms no slippage was observed during 9 trips of the 2010 NS herring fishing season.

SPSG Ltd and its members have communicated with Marine Scotland Science to participate in slipped fish survival rate research. However based on the situation that no slippage is indicated in this fishery, and staff changes at Marine Scotland Science, further research is highly unlikely. SPSG has received written correspondence from Marine Scotland Science explaining observer coverage will discontinue for this fishery as it is recognised there is no slippage in the NS herring fishery. On this note, no slipped fish survival rate research is being planned.

Using the information provided from client and stakeholder the assessment team considers this **condition met and closed out.**

**Status of condition: On Target**

Condition 2: Active support for research into survival rates of slipped fish is provided	
Performance Indicator	1.1.2.1, 2.1.2.2
Delivery Timeline	First surveillance
Summary of Issue	As a result of Condition 2, SPSG approached Marine Scotland Science – Research to establish if research into survival rates of NS herring or other specie slipped during catch was on-going or planned. SPSG suggest they would welcome the opportunity to participate in such research.
Suggested Action	If research on slippage survival rates is undertaken, full cooperation and support should be given to the researchers by the SPSG. In addition, the SPSG should actively promote and support such initiative, through the Scottish Government and the Pelagic RAC.

#### Progress in meeting condition 2

At the time of the 3<sup>rd</sup> surveillance audit no research program on survival rates of slipped NS herring was identified or planned. SPSG explained that discussions with Marine Scotland Science indicate reduced funding, staff changes (such as Dr Paul Fernandez, and particularly Mike Breen – formerly key person studying fish survival), and no observed slippage in the NS herring fishery; there is less likely to be any research of this nature.

The information provided indicates SPSG has continued to demonstrate communication with stakeholder - Marine Scotland Science in order to support NS herring slipped fish survival rate research. However no research is planned due to situation beyond SPSG remit. The assessment team therefore consider this **condition met and closed out.**

**Status of condition: On Target**

<b>Condition 3: Annual verification available the fishery makes no contribution to the overshooting of the TAC</b>	
Performance Indicator	1.1.4.3
Delivery Timeline	On-going over 5 years of certification – evidence annually
Summary of Issue	During the period of MSC certification total landing of NS herring should be equal to or lower than the quota allocated to the client (including any approved quota swaps). Data from SFPA should be used to verify this progress condition.
Suggested Action	The SPSG is expected to demonstrate that their vessels do not contribute to overshoot of the TAC.

### Progress in meeting condition 3

Information from Marine Scotland Sea Fisheries Policies and Compliance show that UK vessels landed a total of 23, 097t of NS herring in 2010 against a quota allocation of 23, 096t; evidencing to not overshooting the TAC as landings are equal to quota. Based on this information the condition is evidenced to be on target.

Portions of NS herring landed in Scottish ports was 12, 689t, while 1 015t was landed in other ports (North Ireland, England, and Wales). Overseas ports such as Norway, Holland, and Denmark shared landings of 9 394t.

### Status of condition: On Target

<b>Condition 4: Active support for North Sea herring stock rebuilding plan provided</b>	
Performance Indicator	1.1.4.2, 1.1.4.3, 1.1.6.1, 1.1.6.2, 1.2.1.1,
Delivery Timeline	On-going over 5 years of certification – evidence annually
Summary of Issue	The current Harvest Control Rule has limits and is recognised to be marginally effective in meeting management objectives. The current rule in use at time of full assessment, does not allow the stock to rebuild above the trigger points.
Suggested Action	SPSG is expected to put full weight behind the rebuilding plan and promotes its adoption at an industry – wide level. SPSG is expected to evidence this participation during surveillance audit immediately following publication of the rebuilding plan.

### Progress in meeting condition 4

The Long term (LTMP) and Harvest control rules(HCR) for North Sea herring fishery are in place and recognised to be delivering a precautionary approach function for the stock, as agreed by ICES. SPSG has provided written communication of Pelagic RAC participation to resolve limitations of the present management plan. SPSG is a member of the Pelagic RAC and supports the objectives of 2008 management plan for North Sea herring; a review of management plan objectives are expected by December 31<sup>st</sup> 2011.

Latest advice at the time of this report indicate that North Sea herring stocks is at full reproductive capacity and is being harvested sustainably with fishing mortality (Fmsy) being below the management plan target. The spawning stock biomass in autumn 2010 increased from 997 t in 2009, and was estimated at 1.30 million t, just above Bpa. F2-6 in 2010 was estimated at 0.12, below the target F2-6 of 0.2. The 2011 spawning stock biomass is anticipated to increase to 1.7 million t. The 2008 and 2009 year classes are estimated above the long term recruitment geometric mean. On this basis it may be determined that North Sea herring stock is rebuilding appropriately and this condition is considered to be on target

Notwithstanding, the North sea herring stock remains classed as a fishery in low productive phase compared to its pre -2001 stocks levels, largely relating to weak juvenile recruitment, particularly

2002 to 2007 year class. Further monitoring of this condition is expected during this fishery's certification.

### Status of condition: On Target

<b>Condition 5:</b>	<b>Actively lobby and support for the setting of TAC within the boundaries of the harvest control rule, with fishing mortalities set significantly above the target undertaken</b>
Performance Indicator	1.1.4.2, 1.1.4.3, 1.1.6.1, 1.1.6.2, 1.2.1.1
Delivery Timeline	On-going over 5 years of certification – evidence annually
Summary of Issue	The decision makers have shown that they may not keep to the decision rules, but set TAC such that the fishing mortality is significantly higher than the target. This is not consistent with the MSC principles and criteria and has undermined confidence in the decision making process.
Suggested Action	SPSG should evidence canvassing for action through correspondence with Scottish Government and Pelagic RAC

### Progress in meeting condition 5

Discussions with SPSG provided support that they continue to canvas for the setting of a more precautionary TACs that conform to the Harvest control rule in use. Further effort by SPSG on this matter includes correspondence with Scottish Government, and direct representation at the Pelagic RAC meetings on these matters.

Notwithstanding, the final TAC adopted by the management bodies for 2010 was 164,300 t for Area IV and Division VIId. However, not more than 15,319 t should be caught in Division IVc and VIId. For 2011, total TAC was increased by 22% to 216,539 t (**200,000 t for the A-Fleet / human consumption**), including a TAC of 26,536 t for Division IVc and VIId.

While the 2010 TAC of 164,300 t complied with the 15% inter-annual variation (IAV) in the HCR, the change in the 2011 TAC exceeded it. However, the 2011 TAC is still below the HCR's intended fishing mortality where the constraining IAV is not applied. It should be noted that ICES considers that:

*"The stock is managed according to the EU–Norway management agreement which was updated in November 2008. In 2011 ICES re-examined the management plan and concluded that the management plan appears to operate well in relation to the objectives of consistency with the precautionary approach and a rational exploitation pattern.*

*The EU–Norway agreement calls for a review of the current plan no later than December 2011. With the current rate of increase in the stock size, the main unsatisfactory issue relative to achieving simultaneous stable and high yields appears to be the 15% inter annual variability limit on TAC change."* (ICES Advice 2011, Book 6)

This condition is considered to be in compliance, and will be monitored annually.

While this surveillance primarily takes into account periods of 2010, it might be of interest to recognise further estimated increase in NSH stock biomass of 1.7 million t with fishing mortality estimated to be well below targets for 2011 (ICES Advice 2011, Book 6).

### Status of condition: On Target

Although this condition of certification is considered to be on target at this stage; the assessment team and the Certification body are concerned by the lack of adherence to the agreed harvest control rule (for well-defined and effective harvest controls to be in place that evidence exploitation of the fishery within levels of the harvest control rules).

On this occasion some positives for this fishery are that stock biomass is increasing annually, fishing mortalities are within the reference points, and a process is initiated requesting ICES to review and approve new LTM approaches considered more appropriate for this fishery. However the situation to increase catch allocations above the approved management plan suggests a problem in the strategy with potential risk to sustainability of the fishery.

The CB and assessment team encourages SPSG to continue to canvas for the setting TACs that conform to an effective and consistent harvest management strategy, and in the spirit of this MSC certificate, demonstrate adherence to the recommendation 3 (support implementation of effective Harvest strategy by 31/12/2011). To this end, a recommendation 3 has been raised in support of correcting the harvest control rule. If this issue is not dealt with appropriately as is currently intended by the management system, it may become necessary to raise a condition.

## 4. Progress in taking forward any assessment team recommendations

### Recommendation 1: Endangered, Threatened, and Protected species (ETP)

SPSG vessels should record vessel interactions with any seabird and marine mammals. Contacts should be made with SMRU to find out how such information may be recorded and what other help might be provided.

SPSG actions on this recommendation include implementation of The SPSG Standard Operating Practices Promoting Responsible Fishing. This Operating manual provides SPSG fishers with information and photos for identifying ETP species, and recording instances of interaction with ETP species. Data sheets provided by SPSG on interaction with ETP species indicate 6 Orca whales were seen during August fishing; however there were no interactions, injury or mortalities with the fishing operation. Discussion with Marine Scotland Science at-sea-observer corroborates that no ETP species interactions were observed during their sessions at sea. The at-sea-observers added that observation data of marine mammals are sent monthly to SMRU for compiling to generate awareness and management. ICES advice 2010, book 6, and reports from the observer programs suggest discarding of herring is not wide-spread and by-catch of sea mammals is low.

SPSG is considered to be on target with supporting this recommendation through recording data sheets of ETP sightings and interactions, and allowing at-sea-observes aboard their vessels to collect and share ETP data with SMRU (Dr Simon Northridge).

**Status of recommendation: On Target**

### Recommendation 2: Prepare and Implement written operating Procedures

The SPSG should formally place on record current vessels operating guidelines in the form of a vessel operating manual to incorporate the founding principles of the SPSG as detailed at <http://www.scottishpelagicsg.org/>. This manual should include procedures to be applied to address the conditions of certification, detailed above. This should include details in respect of the identification of herring shoals – and communication in event of slippage, the recording of occurrence and nature of slipping, and the recording of any interaction with ETP species.

SPSG provided copy of Operating practices manual that is embedded for use among fleet members. The SPSG operating manual included principles as detailed on SPSG website (<http://www.scottishpelagicsg.org/>) and guidelines for

- carrying out Pre- fishing sampling
- standard communication in the event of unsuitable or poor quality
- recording and reporting sightings and interaction with ETP species
- identification of fish shoals.

These efforts and documents evidence SPSG to be on target with fulfilling this recommendation

**Status of recommendation: On Target**

**Recommendation 3 (New): Support implementation of effective Harvest strategy by 31/12/2012****Suggested action:**

The SPSG is encouraged to support the further development of the management plan which can be adhered to whether the stock is increasing or decreasing, and has been tested and declared precautionary by the relevant fishery scientists.

**Suggested Timeline: on-going until harvest management is proven to not offer risk to sustainability of this fishery**

**Measure of success to be (On Target, Ahead Target, Behind Target)**

Clients' feedback on this recommendation states that:

*SPSG agree the management plan was not fully adhered to at the year-end of the EU-Norway fisheries consultations when agreeing the TAC. However, the managers reacted on a one off basis due to the management plan failing in one of its key objectives to provide stable and high yields. This decision was taken as the management plan was due to be revised during 2011 when appropriate adjustments could be made to ensure stable and high yields.*

*In terms of the HCR the management plan including the MSY approach foresees a mortality rate of 0.25, the actual harvest rate has been around 0.12. In the recent ICES advice the fishing mortality is described as being "below target" in both management plan and MSY scenarios. The ICES response to the EU/Norway request on the evaluation of the LTMP for NS herring advises that "the current fishing mortalities of the management plan are consistent with the MSY approach under the current low recruitment regime". (ICES special advice April 2011, request 3).*

## 5. Conclusions

### 5.1 Consequential Revised Scoring of Performance Indicators

**Table 7 Consequential revised scoring of Performance Indicators**

Performance Indicator (PI)	Original Score	Revised Score	Measure of progress - On Target, Behind Target, Ahead Target	PI Closed
1.1.2.1	75	<b>80</b>	On target	Yes
1.1.4.3	70	70	On target	No
1.16.1	75	75	On target	No
1.1.6.2	70	70	On target	No
1.2.1	75	75	On target	No

### 5.2 Rationale for Revised scoring

Performance indicator 1.1.2.1, was initially scored at 75 on the basis of gaps in the data provided for discards and landings.

The industry has made positive progress from the period of HAWG 2007 report where limited participation in catch sampling was carried out by coastal states exploiting the NS herring stocks. At this stage acoustic surveys are being conducted by joint-nations exploiting the stock. Greater confidence and accuracy has been demonstrated from use of tuning index for this stock. Additionally evidence from observer programs suggests discarding of herring is not wide-spread, and there is reduction in mis-reporting of catches. Furthermore, implementation of the vessel monitoring system and registered buyers / seller program has helped to improve information on fish removals and landings. Trans-nations participation in the Community Fisheries Control Agency (CFCA) framework is also expected to deliver improved information for stock management.

This information when considered with SPSG active participation with Marine Scotland Science, Research, and fisheries control authorities, suggest all major sources of fishing mortality and landings for juvenile and adults of the NS herring stock are sufficiently taken into consideration during annual evaluation of the stock, thus revising score for this PI to 80.

### 5.3 Condition Closed

Conditions 1 and 2 for the SPSG NS herring fishery are being closed on the basis that no slippage has been observed by SPSG fishers implementing the slippage data recording system over the last two years. In addition slippage protocol now forms part of the SPSG Standard Operating practices for promoting Responsible fishing to which all SPSG members have signed to. With the report of no slipped NS herring fish and strong likelihood of reduced funding and personnel to support research into survival rates of slipped fish, this condition is closed.

### 5.4 Summary of Progress and Conclusion

SPSG has participated with relevant stakeholders to deliver reasonable progress on the conditions and recommendations of their MSC certified North Sea herring fishery. Collaboration with Marine Scotland Science observer program and participation in Pelagic RAC for stock management were

demonstrative areas of SPSG efforts to support sustainability of the NSH fishery. However although some information is available from ICES reports, the EU-Norway consultations, and the industry; there is uncertainty with regards to ICES response to the PRAC request for increase 2011 catch allocation, or suggested changes to the current LTMP and harvest control rules. A new recommendation is generated on this fishery by way of these uncertainty and associated risk that SPSG is encouraged to support in the spirit of their MSC certification and commitment to fishery sustainability.

Progress of the fishery includes reduction in mis-reporting of catch and improved information on stock status through trans-nation stock sampling and sharing of information. Revised scoring was applied to Performance indicator based on information of improved data on NSH catch and discards. Condition 1 and 2 were closed, substantiated by no slippage recorded in the NSH fishery and reduced funding and personnel impacting the likelihood of research into survival rates of slipped NSH fish.

Overall the NSH fishery is considered to be operated as a well-managed and sustainable fishery with annual increases in stock biomass and low levels of fishing mortalities. However issues on catch limits in line with scientific advice and objectives of the management plan urgently need to be resolved for continued demonstration of well-managed fishery. The management plan of this fishery is expected to be reviewed by December 31<sup>st</sup> 2011.

SPSG on-going participation in these matters as related to the active conditions of certification and client action plan of its NSH fishery is expected to improve sustainability of the fishery.

Over 36 stakeholder organizations and individuals having relevant interest in the SPSG NS herring fishery assessment were consulted during this fishery MSC certification and monitoring. Interest of others not appearing on this list was solicited through postings on the MSC website.

## Appendix 1 – List of Consultees and Reference Documents

### Consultees:

- Mr Craig Davis – Marine Scotland Science – Observer Program Coordinator
- Mr Ian Gatt – Chief Executive - SPFA Limited
- Dr Emma Hatfield – Marine Scotland Science – Population Biologist
- Mr Brian Isbister – Chief Executive - Shetland FPO
- Mr Gregor McKenzie – SFPA – Area Manager NE and West Coast Scotland
- Mr David Terry / Ms Gillian Smith - Marine Scotland – Fisheries Policy
- Dr Bill Turrell – Marine Scotland Science - Ecosystem Team Leader
- Dr Simon Northridge – SMRU, University of St Andrews
- Mr John Goodlad – Chairman SPSG and Shetland Catch
- Skippers – Richard Williamson (Vessel – Research), David Hutchinson (Vessel- Charisma)
- Mr Iain MacSween – Chief Executive – Scottish Fishermen’s Organisation

### Documents referred to include:

- [EU-Norway Bi-lateral Agreement 2008](#)
- [ICES HAWG Reports 2007, 2008, 2009, 2010, and 2011.](#)
- [ICES WKHMP Report 2008](#)
- [ICES WKWATSUP Report 2010](#)
- [Marine Scotland Science – North Sea Herring Fishery – Marine Fishery - Herring](#)
- Pelagic RAC correspondence with EC and ICES on herring Long term management plan and Harvest control rule.
- SPSG Fishing Fleet Operating practices for responsible fishing
- SPSG Data sheet on recording of slippage and ETP interactions