



**Title:** Derogation 9 - Use of both ASC and MSC labels on products coming from seaweed operation category Bii

**MSC program document(s) and clause reference(s):**

- ASC-MSC Seaweed (Algae) Certification and Accreditation Requirements (CAR) v1.01
  - Guidance 4.9.1
- MSC Chain of Custody Standard (Default v5.1 & Group v2.1)
  - Clause 1.1.1
  - Guidance 2.1; 2.2
- MSC General Certification Requirements (GCR) v2.6
  - Clause 7.5.1

**Effective date:** Effective date applies based on new and existing certificate holders (CH) as outlined below.

- **Effective date for new CH:** The effective date is 6 November 2023. All audits carried out on or after this date shall apply this derogation.
- **Effective date for existing CH:** Existing certificate holders shall have 3 years to implement this for existing seaweed products from the 6 November 2023 if a label has already been approved for use. New products developed after 5<sup>th</sup> February, 2024 shall use both ASC and MSC labels.

**Expiration date:** This derogation will be withdrawn once it has been incorporated into the next version of all affected program documents, and those documents are made effective (MSC Chain of Custody Standard (Default & Group), MSC General Certification Requirements and ASC-MSC Seaweed (Algae) Certification and Accreditation Requirements (CAR)).

**Issuing authority and date:** Dr Rohan Currey, Chief Science and Standards Officer, 2 November 2023.



**To:** MSC Accredited Conformity Assessment Bodies

**Cc:** Assurance Services International







**Communication:** The derogation shall be communicated as indicated under clause 7.3.2 of the GCR v2.6.

Labels used for seaweed products are determined by the category which Conformity Assessment Bodies (CABs) assign to the production unit. The current system allows for some subjectivity in categorising production units. This has led to inconsistencies in assessments and categorisation bringing challenges and confusion for producers and stakeholders. The objective of this derogation is to ensure consistency in the categorisation and labelling of seaweed products.

Before this derogation, category Bii (seaweed cultivated at sea) allowed for the use of only ASC labelling on products. Following this derogation, both the ASC and the MSC labels shall be used on products coming from seaweed operation categorised as Bii. Therefore, all seaweed cultivated at sea, regardless of whether seeds are sourced from the wild or not, shall use both MSC and ASC labels.

The updated label user rules for seaweed products are as follows:

- Production units harvesting wild seaweed (category A) shall use only the MSC label.
- Land-based aquaculture systems that do not require or rely on supply from wild stock (category Cii) shall use only the ASC label.
- Land-based enhanced production units, where seeds are supplied from the wild (category Ci) shall use both the ASC and the MSC labels together.
- All cultivation at sea, regardless of whether seeds are sourced from the wild (categories Bi and Bii), shall use both the ASC and the MSC labels together.

Production category	Production category	Production identification category	Ecolabel use
Category A	Wild harvest	MSC	
Category Bi and Bii	All cultivation at sea, regardless of whether seeds are supplied from the wild	ASC - MSC	 AND 
Category Ci	Land-based enhanced production units, where seeds are supplied from the wild	ASC - MSC	 AND 
Category Cii	Land-based aquaculture systems that do not require or rely on supply from wild stock	ASC	

Given the new label user rules for seaweed products, modification of clauses and guidance in the MSC CoC Standard, MSC General Certification Requirements and ASC-MSC Seaweed (Algae) CAR will be required. Affected clauses are the following:

- ASC-MSC Seaweed (Algae) Certification and Accreditation Requirements (CAR) v1.01
  - Guidance 4.9.1
- MSC Chain of Custody Standard (Default v5.1 & Group v2.1)
  - Clause 1.1.1
  - Guidance 2.1; 2.2
- MSC General Certification Requirements (GCR) v2.6
  - Clause 7.5.1