



Fisheries Standard Review

**Clarifying assessment of inseparable or practicably
inseparable stocks in a catch**

Impact Assessment Report

October 2021

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The views and opinions expressed in this report do not necessarily reflect the official policy or position of the Marine Stewardship Council. This is a working paper, it represents work in progress and is part of ongoing policy development. The language used in draft scoring requirements is intended to be illustrative only, and may undergo considerable refinement in later stages.

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How to reference this report: Takada, M. 2021. Clarifying assessment of inseparable or practicably inseparable stocks in a catch. Fisheries Standard Review Impact Assessment Report. Published by the Marine Stewardship Council [www.msc.org], (https://www.msc.org/docs/default-source/default-document-library/stakeholders/consultations/impact-assessments/fsr-impact-assessment-report_ipi-nov-2021), 9 pages.

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1. Impact Assessment Report - Overview

1.1. Impact Assessment Framework

The aim of impact assessment is to provide clear information on the impacts of the options developed to sort out the policy issues identified in the project inception. It serves as a basis for comparing options against one another and against the business-as-usual scenario, and identify a preferred option if possible. It does not replace decision-making but is used as a tool to support the decision-making process and underpin evidenced based decision-making; increasing transparency, making trade-offs visible and reducing bias.

Impact assessment should help to:

- Specify how proposed options will tackle the identified issues and meet objectives
- Identify direct and indirect impacts, and how they occur
- Assess impacts in both qualitative and quantitative terms.
- Help find perverse or unintended consequences before they occur.
- Where possible, make risks and uncertainties known.

This is achieved by following MSC's Impact Assessment Framework that outlines when and how to undertake Impact Assessment. This ensures an efficient, systematic and consistent approach to policy development to underpin a responsive, robust and credible program. In particular, the Impact Assessment Framework defines the different types of impact (see below) and a suite of methodologies best suited to assessing each type.

The impact types used in the Impact Assessment are defined as follows:

1. **Effectiveness:** The extent to which the change is deemed likely to be successful in producing the desired results and resolving the issue(s) originally identified.
2. **Acceptability:** The extent that the change is considered tolerable or allowable, such that the MSC program is perceived as credible and legitimate by stakeholders.
3. **Feasibility:** The practicality of a proposed change and the extent to which a change is likely to be successfully implemented by fisheries within a given setting and time period.
4. **Accessibility & Retention:** The extent to which the change affects the ability of fisheries (both currently certified and those potentially entering assessment in the future) to achieve and maintain certification (i.e. changes in scores, conditions and pass rates).
5. **Simplification:** The extent to which the change simplifies and does not further complicate the Standard such that it can be easily and consistently understood and applied.
6. **Auditability:** The extent to which the change can objectively be assessed by Conformity Assessment Bodies (CABs) and Accreditation Services International (ASI) to determine whether the specified requirements are fulfilled, and CABs can provide scores.

The Impact Assessment report presents the results of this process, whereby each of the options for proposed changes to the Fisheries Standard are tested to understand their potential effects across the six defined impact types.

1.2. Problem statement

The requirements for Inseparable or Practicably Inseparable (IPI) stocks are intended to incentivise improved management of non-target stocks (e.g. bring to Principle 1 level of performance or encourage mechanisms for catch separation), and to allow a defined and limited proportion of catches of IPI stock(s) to enter further certified Chains of Custody, and to use the MSC ecolabel. Several parts of the requirements on IPI stocks are unclear leading to inconsistent application. Specifically, the length of the reference period over which to judge levels for designation of IPI stocks and whether out-of-scope species are eligible to be IPI.

2. Objectives

The main objectives of this project are two-fold:

1. Draft revision options that will clarify the requirements and strengthen guidance for IPI designation reference periods.
2. Review the IPI eligibility requirements.

3. Options

3.1. Impact Assessment 0 – Reference Periods

The following options were considered in Impact Assessment 0 for the reference period topic.

Option #	Option title	Description
0	Status quo / business as usual	
1	5-year reference period	A 5-year reference period, to align with the MSC Fisheries Standard v2.01 – GSA3.4.2
3	Reference period dependent on life history	A reference period that incorporates life history traits (ie, shorter reference period for species with shorter generation time, etc.)

3.2. Impact Assessment 0 – Out-of-Scope species

The following options were considered in Impact Assessment 0 for the out-of-species topic.

Option #	Option title	Description
0	Status quo / business as usual	
1	Add out-of-scope species	Add language that out-of-scope species cannot be considered IPI

4. Summary of impacts

4.1 Reference periods

4.1.1. Impacts of status quo / business as usual – Option 0

IPI requirements set out catch composition thresholds above and below which certain processes or exemptions apply. It is for the assessment teams to determine whether these thresholds are exceeded and provide a supporting rationale, including information on the reference period used. There are no requirements on guidance on what this reference period should be, potentially leading to inconsistency in how IPI requirements are applied.

4.1.2. Impacts of the proposed changes – Option 1

Because 5 years is already the most used reference period by CABs, it is expected that the impact of the proposed change will be minimal. It is hoped that the inconsistencies will be reduced if guidance is provided on what reference period should be used by CABs.

4.1.3. Impacts of the proposed changes – Option 2

Upon reviewing the reports of fisheries that have IPI, it was determined that life history characteristics do not affect reference periods chosen by CABs. Additionally, some fisheries have multiple IPI species that belong in different species categories so determining reference periods can become a time-consuming endeavour.

4.2. Out-of-scope species

4.2.1. Impacts of the proposed changes – Option 0

While unlikely, it may be theoretically possible for an out-of-scope species to be determined as an IPI stock.

4.2.2. Impacts of the proposed changes – Option 1

This proposed change would eliminate the unlikely possibility that out-of-scope species would be determined as an IPI stock.

5. Impacts

The impact assessments presented in Tables 1 and 2 below is based on feedback from the Low Impacts Working Group.

5.1 Overview of impacts

Table 1. Impact assessment reporting table – reference periods

	Description	Option 0: Business as usual	Option 1: 5 year reference period	Option 2: life history-dependent reference period
Effectiveness	<i>Is the change effective at meeting the MSC's intent?</i>	No – there is inconsistency in the reference periods used by CABs	Yes	Yes

	Description	Option 0: Business as usual	Option 1: 5 year reference period	Option 2: life history-dependent reference period
	<i>The option seems effective at resolving the issue(s) consistently and reliably</i>	<i>1 = Completely disagree</i>	<i>5 = Completely agree</i>	<i>3 = Neither agree nor disagree</i>
Acceptability	<i>Is the change acceptable to stakeholders?</i>	Yes – no change would probably be easiest for stakeholders	Yes, it is already the most commonly used reference period.	Maybe – hard to say without pilot testing.
	<i>The option seems acceptable to stakeholders</i>	<i>4 = Agree</i>	<i>4 = Agree</i>	<i>3 = Neither agree nor disagree</i>
Feasibility	<i>Is the change feasible to fishery partners?</i>	Yes – no change	Yes, it is already the most commonly used reference period	Maybe – hard to say without pilot testing
	<i>The option seems technically feasible for fishery partners</i>	<i>5 = Completely agree</i>	<i>4 = Agree</i>	<i>3 = Neither agree nor disagree</i>
	<i>The option seems affordable for fishery partners</i>	<i>5 = Completely agree</i>	<i>4 = Agree</i>	<i>3 = Neither agree nor disagree</i>
	<i>The option seems possible given the management contexts of fishery partners</i>	<i>5 = Completely agree</i>	<i>4 = Agree</i>	<i>3 = Neither agree nor disagree</i>
	<i>The option seems doable within 5 years for fishery partners</i>	<i>5 = Completely agree</i>	<i>4 = Agree</i>	<i>3 = Neither agree nor disagree</i>
Accessibility & Retention	<i>Does the change affect the accessibility and retention of fisheries in the MSC Program?</i>	No	Probably not, as it's already the most commonly used reference period	Maybe – hard to say without pilot testing
	<i>The option seems accessible to fisheries seeking certification in the future</i>	<i>5 = Completely agree</i>	<i>4 = Agree</i>	<i>3 = Neither agree nor disagree</i>
	<i>The option seems accessible to currently certified fisheries</i>	<i>5 = Completely agree</i>	<i>4 = Agree</i>	<i>3 = Neither agree nor disagree</i>
Simplification	<i>Does the change simplify the Standard?</i>	No	Yes, takes the guesswork out of the equation.	No.
	<i>The option seems to</i>	<i>1 = Completely disagree</i>	<i>4 = Agree</i>	<i>1 = Completely disagree</i>

	Description	Option 0: Business as usual	Option 1: 5 year reference period	Option 2: life history-dependent reference period
	<i>simplify the Standard</i>			
Auditability	<i>Is the change auditable by CABs?</i>	Yes	Yes	Yes
	<i>The option seems to be auditable by CABs</i>	4 = Agree	4 = Agree	4 = Agree

Table 2. Impact assessment reporting table – out-of-scope species

	Description	Option 0: Business as usual	Option 1: Add out-of-scope species
Effectiveness	<i>Is the change effective at meeting the MSC's intent?</i>	No	Yes – we do not want out-of-scope species being considered as IPI
	<i>The option seems effective at resolving the issue(s) consistently and reliably</i>	1 = Completely disagree	5 = Completely agree
Acceptability	<i>Is the change acceptable to stakeholders?</i>	No change	Yes – I would think stakeholders would readily accept this change
	<i>The option seems acceptable to stakeholders</i>	4 = Agree	4 = Agree
Feasibility	<i>Is the change feasible to fishery partners?</i>	Yes	Yes – no fisheries so far have suggested out-of-scope species should be considered IPI
	<i>The option seems technically feasible for fishery partners</i>	5 = Completely agree	4 = Agree
	<i>The option seems affordable for fishery partners</i>	5 = Completely agree	4 = Agree
	<i>The option seems possible given the management contexts of fishery partners</i>	5 = Completely agree	4 = Agree
	<i>The option seems doable within 5 years for fishery partners</i>	5 = Completely agree	4 = Agree
Accessibility & Retention	<i>Does the change affect the accessibility and retention of fisheries in the MSC Program?</i>		
	<i>The option seems accessible to fisheries seeking certification in the future</i>	5 = Completely agree	4 = Agree
	<i>The option seems accessible to currently certified fisheries</i>	5 = Completely agree	4 = Agree
Simplification	<i>Does the change simplify the Standard?</i>	No change	Yes
	<i>The option seems to simplify the Standard</i>	3 = Neither agree nor disagree	4 = Agree
Auditability	<i>Is the change auditable by CABs?</i>	Yes	Yes
	<i>The option seems to be auditable by CABs</i>	4 = Agree	4 = Agree

5.2 Pilot testing

The IPI project has not yet undergone pilot testing

5.3 Consultations

The IPI project has not yet undergone any consultations.

6. Discussion and conclusion

In conclusion, Option 2 (incorporating a 5-year reference period as guidance) and Option 1 (add a clause that out-of-scope species are not to be considered IPI) are the preferred options for this project. The main guidance is aligned with the guidance already provided for the designation of ‘main’ species. Also, based on feedback from the low impacts working group, additional guidance was included on what can be included in ‘species characteristics.’

The project will next undergo pilot testing as part of the larger FCP pilot testing process.