

MSC Independent Evaluation Public System Report

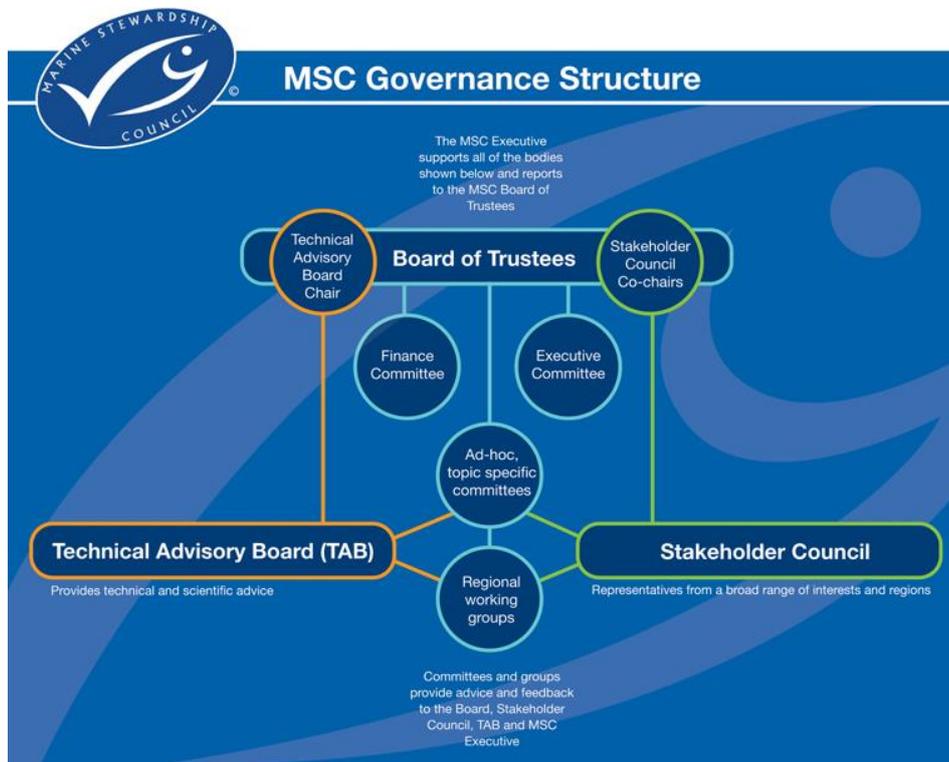
MSC Public System Report – Assurance System Structure

Governance

The MSC is governed by the [MSC Board of Trustees](#) who make the final decisions on any changes to the assurance system. Our [Technical Advisory Board](#) and [Stakeholder Council](#) advise the Board.

The Technical Advisory Board comprises up to 15 individuals representing a wide range of skills, experience and regional expertise. They provide advice and recommendation on all scientific and technical policy. In a standard review they guide policy development and provide a final recommendation to the Board of Trustees.

The Stakeholder Council provides advice to the Board of Trustees from the informed perspectives of the range of MSC’s stakeholders.



There are two "chambers" within the Stakeholder Council, each with up to 20 members.

- The Commercial Chamber is made up of interests from the catch, processing, supply, retail, food service sectors and other relevant commercial interests.
- The Public Interest Chamber is made up of interests from academia, science, management, the marine conservation community and other relevant public interests.

Trustees serving on the Board of Trustees are chosen for their knowledge, expertise and support for the MSC. It is recognised that the Board should be balanced with representatives from different sectors and geographical regions to reflect the broad mix of people who have a stake in the MSC's mission. Additionally, chairs from the Technical Advisory Board and Stakeholder Council sit on the Board of Trustees.

Decision-making process

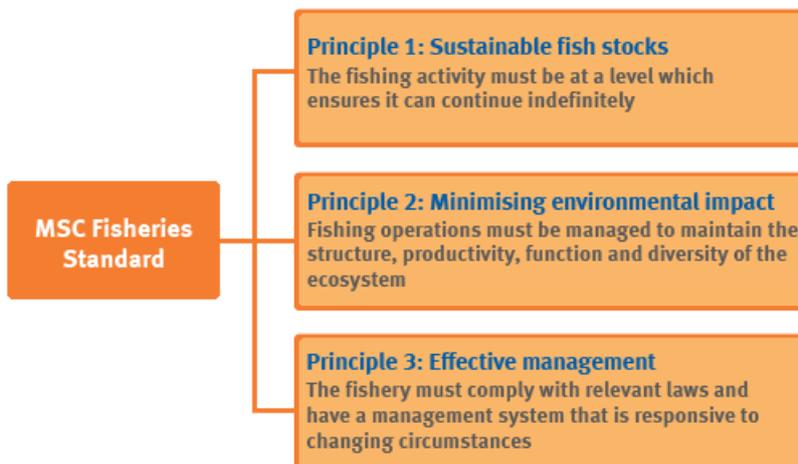
The membership of our Stakeholder Council and Technical Advisory Board ensures that the balance of interests is maintained during our decision-making processes. As stated in our [Technical Advisory Board Terms of reference](#), decisions shall be made by agreement of a simple majority of all members, i.e. a quorum. Moreover, Technical Advisory Board members must declare potential or perceived conflicts of interest before discussions.

During Technical Advisory Board and Stakeholder Council decision-making, consensus need not imply unanimity. As discussed in our [Standard Setting Procedure](#), if consensus is not reached, a Working Group shall be formed to

prepare a report to the Board of Trustees, including a summary of unresolved issues and recommendations of how to address them.

List of standards that are assessed through the assurance system

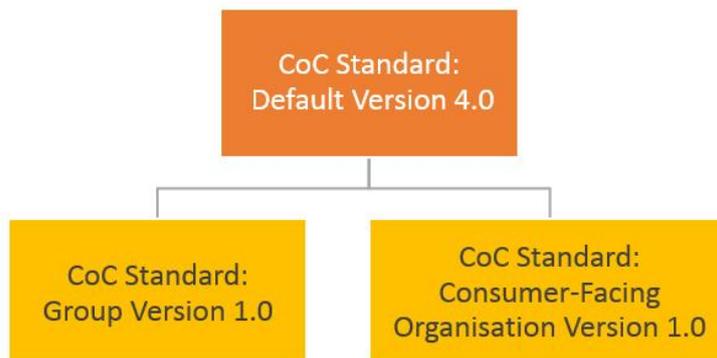
The MSC Fisheries Standard, is composed of three core principles and has three associated modifications for use in different types of fishery for salmon, bivalve, and data-poor fisheries. To reach the MSC Fisheries Standard every fishery must meet the three core principles:



[Click to view our video: MSC Fisheries Standard explained](#)

The MSC Fisheries Standard is open to wild capture fisheries globally, including both freshwater and marine fisheries. Exceptions include fisheries targeting amphibians, birds, reptiles and mammals, as well as fisheries using poisons or explosives or that are subject to a controversial unilateral exemption to an international agreement. Any members of a fishery client group that have been successfully prosecuted for a forced labour violation in the last 2 years are also excluded from the certificate (See [FCRV2.0, Clause 7.4](#) for full details). Aquaculture systems are not within scope though some enhancement activities are permitted within the Standard.

The MSC also has a Chain of Custody Standard to maintain the integrity of seafood supply chains. The CoC Standard has been restructured so that all company requirements are in one consolidated document, with new guidance provided (see diagram below.) Group CoC requirements are now aligned with the Default (single / multi-site) CoC Standard where relevant, but have been released as a separate Group version of the Standard. In addition, a new optional version of the CoC Standard has been developed specifically for Consumer-Facing Organisations (CFOs). This includes contract caterers, restaurants / restaurant chains, fishmongers, and retailer fish counters.

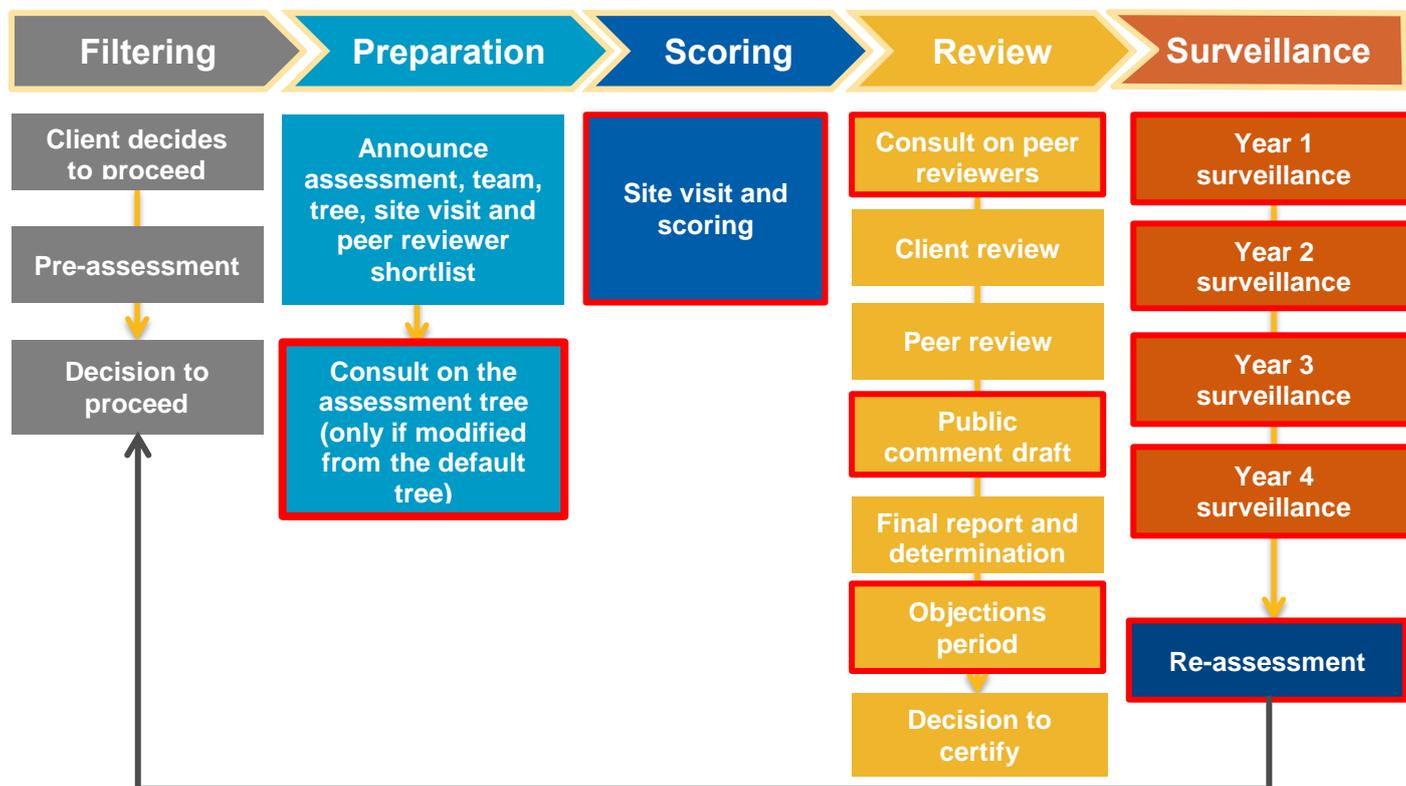


To achieve CoC certification, companies must meet all five of the current [CoC standard](#) principles:

- **Principle 1:** Certified products are purchased from certified suppliers
- **Principle 2:** Certified products are identifiable
- **Principle 3:** Certified products are segregated
- **Principle 4:** Certified seafood is traceable and volumes are recorded
- **Principle 5:** The organisation has a management system

The MSC's Certification Requirements (CR) specifically state that Conformity Assessment Bodies (CABs) undertaking fishery assessments and Chain of Custody (CoC) audits shall demonstrate conformity to ISO Guide 17065. MSC contracts Accreditation Services International (ASI) to accredit CABs, verifying that they both conform to ISO 17065 and have the necessary expertise to carry out MSC fishery assessments and CoC audits. ASI maintains a list of accredited and applicant CABs on its [website](#).

MSC's fishery assessment process provides numerous opportunities for stakeholders to be involved at the announcement, team and peer reviewer selection, choice of assessment tree, site visit, public certification draft report and objections process stages. Public announcements via the MSC website and media outlets are required to publicise the assessment and request stakeholder comments. This is illustrated in the following diagram which highlights all of the steps in the fishery assessment process when stakeholders can have an input.



The MSC [Fisheries Standard](#) is reviewed every five years. The date of the next review is 2018-2019 and the new version of the Fisheries Standard will be published in 2020 (if the Board decides that changes are needed). The [CoC Standards](#) are reviewed every three years. The date of the next review is 2018 with publication of the new version of the CoC standard the same year.

The MSC maintains a [Program Improvements microsite](#). This holds all the details of policy developments past and present. It hosts the online consultations for standard development and revisions and allows stakeholders to provide input between revisions. Policy stakeholders can view the latest opportunities to contribute and sign-up to our mailing list on our ['Get Involved'](#) pages. The ['Have your say' section on msc.org](#) also encourages input from stakeholders at any time. We also have a robust and credible [Complaints Procedure](#) which allows all stakeholders to submit a complaint about activities within the scope of the MSC program.

Personnel Competence

Qualification and competency requirements for CAB audit personnel together with verification mechanisms are defined in the Certification Requirements for [fishery assessment team members](#) and [CoC auditors and group auditors](#).

The passing of online training modules for both fishery assessment team members and CoC audit personnel is required as part of the competency requirements. Training action plans are required to be undertaken by auditors' CABs should they fail any of these modules and the results of all auditors' assessments (pass or fail) are sent to ASI to assist in their accreditation audit activities. MSC has also launched translated versions of the CoC online training modules in German, Japanese and Chinese.

Calibration meetings for fishery assessment team experts have been held in 2014, 2015 and 2016, to work through fishery case studies applying the new version 2.0 requirements to ensure that they are consistently interpreted by

assessors. This has led to the production of additional interpretation guidance to help ensure consistent implementation of the Fisheries Standard.

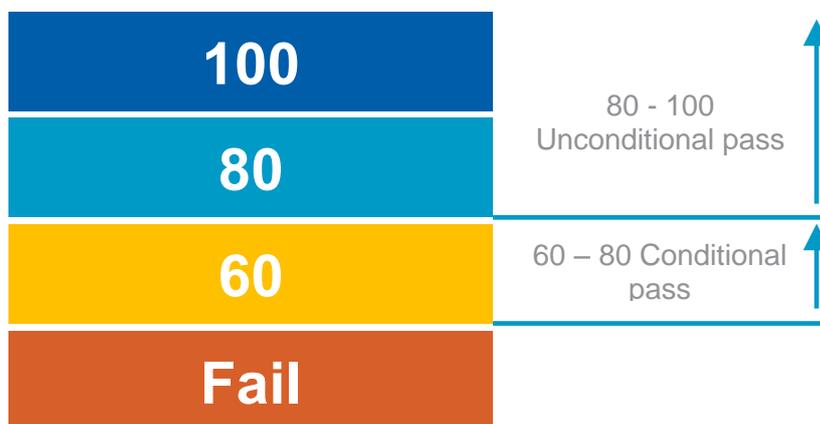
ASI, MSC’s accreditation body, reviews the competency procedures which CABs have in place, and regularly undertakes witness audits for both fishery assessments and CoC audits to supplement these reviews.

Assessment

Fisheries

The fishery assessment process is best summarised through the diagram above which details the different stages of an MSC fishery assessment. Further details can be found on the [MSC website](#).

To determine if each of the three core principles of the MSC Fisheries Standard are met, 28 performance indicators are used by independent Conformity Assessment Bodies to score the fishery. Each performance indicator must reach at least the minimum 60 level. Any which score at least 60 but do not achieve 80 are considered conditional passes with improvement to an 80 score normally required within the timeframe of 1 certification cycle (up to 5 years). Fisheries must also attain an average score of at least 80 against each of the 3 principles to become certified. Performance indicator scores of 100 are possible for ‘near perfect’ fisheries.



Once certified, fisheries are subject to an annual surveillance audit either on-site or remote, which will review progress against conditions and any changes to the fishery e.g. stock status, management regime, since the last audit. A full re-assessment of compliance with the Fisheries Standard is required every five years.

CoC

The key steps in the CoC audit process are given in the diagram below. Further details are given on the [MSC website](#).



The audit process follows the audit protocols outlined in ISO 19011, with an opening and closing meeting either side of the physical audit when the auditor collects and reviews evidence to verify compliance with the appropriate MSC CoC Standard, using the matching [MSC CoC Checklist](#). Any non-conformities found are explained to the client, together with the timelines for closing these (minor one year, major 1 month for existing certificate holders, 3 months for initial applicants prior to certification being granted.)

CABs can recommend an applicant for CoC certification where:

- There are no non-conformities raised, and/or
- An action plan is in place which satisfactorily addresses minor non-conformities and
- Any major non-conformities raised are closed out or downgraded to minor

Where certification is granted the validity of the CoC certificate is for three years, after which time a full re-certification audit is needed. Regular surveillance audits take place to review progress in closing out non-conformities and on-going compliance with the CoC Standard.

There are some additional requirements for the MSC Group and Consumer Facing Organisation (CFO) CoC certifications. These include:

- Sampling plan design and site selection based on a risk assessment (group and CFO)
- Evaluation procedures (CFO only) and
- Grading and follow-up actions for non-conformities depending on whether the non-conformity is detected at an individual site or central office administration centre, (group only)

Further details are given in the [CoCCR](#).

Oversight

As noted above, MSC contracts Accreditation Services International (ASI) to accredit CABs, verifying that they both conform to ISO 17065 and have the necessary expertise to carry out MSC fishery assessments and CoC and group audits. MSC's contract with ASI specifies that ASI will undertake office, chain of custody and fishery assessments of applicant CABs and accredited CABs through accreditation, annual surveillance and re-accreditation assessments which take place every five years.

The [ASI procedures](#) for carrying these out are contained in various documents on Accreditation, Assessment Findings, Appeals, Complaints and Surveillance and Sampling which are publicly available on the ASI website. [The ASI Assessment Findings procedure](#) describes the circumstances where ASI will raise minor and major non-conformities against CABs. Timelines for CABs to implement corrective actions to address minor non-conformities are normally 12 months, though this can be subject to change (see section 6.2 of ASI's Findings procedure). Any major non-conformities have to be satisfactorily addressed, if found at initial, re-accreditation or extension of scope assessments, before the CAB can be recommended for accreditation. For existing CABs, any new major non-conformities raised at other times have to be addressed within three months. If this is not achieved, the CAB can be suspended.

MSC requires ASI to be compliant with ISO 17011 and has required an external peer review of compliance to be undertaken. This was carried out by SAAS (Social Accountability Accreditation Services) and IOAS (International Organic Accreditation Service), both full ISEAL members in December 2013, and a summary of the results has been published on the [ASI website](#). These show that ASI has implemented a series of improvements in recent years that have enabled ASI to expand their capacity and the scope of their services. The peer reviewers identified several areas of improvement which have resulted in various work plans to ensure that suitable actions are taken to address each finding in a timely manner. ASI are currently piloting the ISEAL accreditation peer review process and the results are expected later this year.

On-going Scrutiny

The MSC's chain of custody certification requirements include provisions for tracebacks of products through chains of custody and product authentication (DNA) testing of fish products where this is possible to ensure fraud is prevented. The [DNA test results](#) have shown that less than 1% of the more than 300 MSC-certified products sampled in each of the years 2012 and 2013 were mislabelled; in 2015 only one of the 256 sampled products was mislabelled (0.4%). In the case of mislabelling, MSC contacts the CAB and certificate holders involved to inform them directly so that the matter can be investigated.

The MSC also conducts tracebacks to understand the full supply chain involved and to help identify where any substitution or mislabelling occurred. Where relevant, certifiers of involved companies may also conduct expedited or remote audits to investigate the source of a problem within the supply chain, and take appropriate action, which could result in the suspension of certification if any evidence of substitution with non-MSC certified seafood is found.

The logo licensing team also maintains vigilance about the use of the MSC's trademarks and ecolabel and responds to tips and complaints about fraudulent products or services. Complaints concerning misuse of the ecolabel are recorded in an internal Incident Log and there is an internal process for describing the actions to be taken when misuse is discovered. The [MSC's complaints procedure](#) can also be used by stakeholders to alert the organisation to cases of potential fraud.

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