

SSC Labelling W.G. Meeting Minutes

Attendees: Total of 10 including members and non-member advisors

Chair and Secretariat: ClientEarth

Location: [Food and Drink Federation](#), 6 Catherine Street, London, WC2B 5JJ.

Date & time: 15th November 2011, 9.45am – 2.30pm.

Agenda Items 1: Introduction

- Housekeeping, apologies
- Action since last meeting: CE have produced spreadsheet outlining code to provide key issues and gain feedback from members.
- Today's task: look through terms discussed last time to work on agreement on what code should say. Also want to look at acceptable variants, unacceptable terms, dolphin friendly, multiple areas.
- Additions to agenda: Discussion of third party traceability for "sustainably fished"

Agenda Item 2: Sustainably fished

- Suggested that umbrella term should be adherence to the FAO code of conduct for responsible fisheries, then provide ways to meet this e.g. independent cert.
- A member queried whether MSC certification is FAO compliant – was suggested that a score of 60 is in fact FAO compliant.
- A note on terminology: the FAO code is a set of principles that is "adhered to", not "met". FAO guidelines e.g on eco labelling are testable and can be met/complied with.
- Definition of standards was also discussed – which adhere to the FAO code of conduct? Do we need to go through standards and check against code of conduct?

Definition for code:

The claim "sustainably fished" shall only be used when each fish [*define: see AIPCE and Global Gap*] component utilised in a product is fully chain of custody [*word correctly*] traceable to source fishery(ies) [*define*] which adhere to the FAO Code of Conduct for Responsible Fisheries [NB – supply chain traceability was added because FAO eco labelling guidelines require entire supply chain to be traceable]

Adherence to the FAO Code of Conduct for Responsible Fisheries must be demonstrated by either:

- [*Word-smithing needed*] Independently certified to a 3rd party standard, assessed by an independently accredited auditor, that meets the following:
 - The standard must at least be based on and be consistent with the principles of the FAO Code of Conduct for Responsible Fisheries

- Comply with FAO eco labelling Guidelines [*query, does the Icelandic scheme?*] [*Members to go through eco labelling guidelines and check they agree with this being included*]
- ISO guidelines on product labelling

OR

- the fishery has been assessed by an independent competent third party using a standard [retailer standard/Icelandic standard?] which is based on and consistent with the principles
 - of the FAO Code of Conduct for Responsible Fisheries
 - comply with FAO Ecolabelling Guidelines [*query Icelandic scheme?*]
 - ISO Guidelines on Product Labelling
 - **and** the standard has been bench-marked by an independent competent third party to verify that it is compliant with the FAO Code for Responsible Fisheries; **and**
 - the fish complies with the criteria set out in this Code in relation to responsible sourcing; **and**
 - independent verification of full supply chain traceability.
-
- This definition still needs work. There are 2 main issues we need to address:
 1. Do members even want this second option included, i.e. do they want a route to “sustainably fished” that isn’t independent certification?
 2. If yes, does it have to be equivalently robust to the independent certification route? General feeling was yes, it has to be as robust otherwise there is no point using it. But, for this to be the case, would need to keep in compliance with FAO eco labelling guidelines, including full supply chain traceability. Alternatively, we could look into whether we could refer to compliance with *parts* FAO guidelines on eco labelling.
 - Is **and** must be AIPCE low risk being kept in?
 - What if the person setting the standard is being paid by the retailer to assess – doesn’t this mean there is a conflict of interest? Similarly, decision trees may be defined by retailer, so this is not independent. Could you have second party verification with public visibility? E.g. ideally the decision tree in the public domain but if not feasible then verifier must explain exactly how it has been judged and this must be made public. It was pointed out that FAO eco labelling guidelines say that decision trees must be periodically assessed to adhere requirements, and would need to be published.
 - Reference to decision tree was removed as it means that the code does not judge the decision tree, rather the final product is judged against the code.
 - We also need to define independent third party standards and independent third party verification:

CE to define criteria for independent competent third party, based on

- MRAG – did assessments for ISU
- Global Trust – own standard – Icelandic Resp + Alaskan Resp Fishing Schemes
- McAllister Elliot – have pre-assessment (to MSC type) standard
- SFP? Use fisheries scientists to score fisheries against MSC criteria using same scoring methodology (desk study)

- Moody Marine
- Cefas
- Food Certification international
- Poseidon
- Den Norsk Veritas
- Others – see MSC website

A competent third party must demonstrate that they can check against a standard – the standard would be developed by each member

Agenda Item 3: Sustainably farmed

- Not yet agreed: was decided that members need to review the various FAO codes (FAO guidelines for aquaculture certification, FAO private standards for certification of fisheries and aquaculture, FAO guidelines on aquaculture certification) – Karen Green, Seafish, offered to circulate these
- As it stands, sustainably farmed is:

The claim "sustainably farmed" shall only be used when each fish [define see AIPCE Global Gap] component utilised in a product is fully traceable to farming operation(s) [define] which adhere to the FAO Code of Conduct for Responsible Fisheries.

Adherence to the FAO Code of Conduct for Responsible Fisheries must be demonstrated by either:

- Independent certification in compliance with FAO Code of Conduct for responsible fishing

OR

- A competent (ISO-65 compliant?) third party has independently assessed the member's sourcing decision tree and audit process and has verified that it is [FAO CoC RF compliant] / compliant with the AIPCE risk assessment and responses to risk evaluations **AND**
- It is considered "low risk" according to the AIPCE-CEP risk assessment process

Agenda Item 4: Responsibly sourced

The claim "responsibly sourced" [both wild capture and aquaculture] shall only be used when each fish [define see Global Gap] component utilised in a product is fully traceable to source fishery(ies)/farm(s) [define] which have been assessed [by the member] in accordance with the AIPCE-CEP [insert proper wording] principles for environmentally responsible sourcing tool

AND IF gaps have been identified in the risk assessment [i.e. medium or high risk?], then:

- The appropriate actions as identified by the AIPCE-CEP have been put in place, including where applicable a FIP/AIP. The FIP/AIP, or at least the aims and milestones which constitute indicators for improvement, must have been defined and assessed by a competent third party.

Where, for fisheries, the assessment process and the FIP have as their ultimate goal of adherence and compliance with:

- The standard must at least be based on and be consistent with the principles of the FAO Code of Conduct for Responsible Fisheries
- Comply with FAO Ecolabelling Guidelines
- ISO Guidelines on Product Labelling

Where, for aquaculture, the assessment process and the AIP have as their ultimate goal of adherence and compliance with:

- The FAO Global Guidelines for Aquaculture Certification, FAO private standards for certification of fisheries and aquaculture, FAO guidelines on aquaculture certification

For aquaculture the AIPCE risk assessment process can be carried out through the following steps:

- An assessment against an independent GAP standard [which are acceptable?] which complies with the [FAO Global Guidelines for Aquaculture Certification, FAO private standards for certification of fisheries and aquaculture, FAO guidelines on aquaculture certification] [for review/define which ones we accept against]; **or**
- An assessment by a second party scheme using your own standard based on the FAO Guidelines for Aquaculture Certification [independent verification of standard that is being moved towards?][audit farm and decision tree?]
- The point was made that not all members independently audit. Therefore is it sufficient for a claim of responsibly sourced to send in a trained auditor to audit a farm, assessing against your own standard? Similarly, food services may not have decision trees and often rely on their suppliers to audit.
- It was also suggested that for farmed fish a retailer standard might actually be a step above independent certification.
- Membership of a FIP/AIP shouldn't be a requirement as is not feasible in all cases – does this wording need changing in the code?
- For the avoidance of doubt, it was suggested that a clause could be added that points out that going through an AIPCE risk assessment will include certain steps.
- If an operation falls out of timescale it can no longer be labelled responsibly sourced.

Agenda Item 5: Acceptable variants

- We either need to say that “sustainably fished”, “sustainably farmed” and “responsibly sourced” are only acceptable terms, or need to define others.

- Sustainable/responsible in isolation: Problem here is that “sustainable” relates to fishing/farming operation, while “responsible” relates to sourcing.
 - However, was pointed out that in some cases packaging space is limited so would be useful to be able to use these terms in isolation.
 - Agreed that “sustainable” will only be used in isolation when the product meets the code’s criteria for “sustainably fished/farmed”
 - “responsible” will only be used in isolation where the product meets the code’s criteria for “responsibly sourced”

- “Well managed fishery/farm” shall only be used if criteria for “sustainably fished/farmed” are met.
 - Most in agreement with this, and say this term is needed because “well managed” is a way to define “sustainable”
 - However was pointed out that this may add another layer of complexity to confuse consumers, and that consumers may not necessarily think that well managed means sustainable.
 - There is also a wider problem here if well managed means different things for farmed and wild capture because aquaculture independent standards aren’t equivalent to wild capture.
 - What do members think? Either just use it for farmed but not wild capture, or use for both but agree whether it means sustainable or responsible?

Agenda Item 6: Unacceptable terms

- Agreement not to use:
 - Environmentally friendly
 - Protects the environment
 - Discard free
 - Care for the ecology

- List as “including but not limited to”

- Dolphin friendly: Issue here is that products described as dolphin friendly can still involve other bycatch (or were never a threat to dolphins anyway). If buying something dolphin friendly, consumers might assume that there is no other bycatch issue. We want consumers to be buying products based on correct assumptions
 - Suggest that it should be used unless product also satisfies the conditions for responsible sourced?

- Was suggested that this could be a sticking point for a lot of members.
- EII use “dolphin safe”, so code should say that “dolphin friendly” is not acceptable.
- CE to look into whether EII look at other bycatch and how it is audited etc.

Agenda Item 7: Statements of origin/multiple area requirement

- 6.4 says statements of origin containing multiple areas must also include use of indicator letters
- 6.5 says where the origin, processing and packaging of the fish in a product are from different areas, the product must indicate each of these countries.
- Was pointed out that label space could be an issue, even to get indicator letters on.
- Labels are often pre-printed so it might not be up to the member
- If providing this info on-packaging isn't practical, could it be made available to the consumer?
- Issue with farmed fish is that only country of final development has to be labelled, i.e. where the fish is harvested from the water when it reaches its final size (that is, full maturity or any earlier stage to which it is being grown for its intended use for sale to the final consumer).
 - Could members go further and provide voluntary info about multiple countries (as recommended, but not required by legislation)?
 - There was some discussion of what is added for the consumer by providing this. CE suggest that it is about transparency, and the fact that consumers may make purchasing decisions based on where their product is from
- Suggested that while it might be unrealistic for the code to ask for specific catch method and specific area/country, the code could define how this should be done if members choose to.
 - Could ICES descriptors for catches be put on?

Other

- Letter from WWF has been sent to members. Their response was obviously disappointing, so this is an issue that could be discussed in a member's meeting to see how we should respond and whether we can change their mind.

Next steps

- ClientEarth to work on wording for criteria, e.g. define fish, fishery etc.
- Members to clarify that they want/don't want a second option (ie. Other than independent certification) for sustainably fished, and if so, whether this has to be equivalent to independent certification (see above) – review FAO eco labelling guidelines.

- CE to define criteria for independent competent third party
- Members to review FAO private standards for certification of fisheries and aquaculture, (FAO guidelines on aquaculture certification) in order to proceed on “sustainably farmed”
- Members to review spreadsheet and provide feedback