

Sustainable Seafood Coalition (SSC) Members' meeting minutes

Date: 3 October, 2013

Location: BRC offices, 21 Dartmouth Street, Westminster, London SW1H 9BP

Number of attendees: 15 total (including 5 ClientEarth staff acting as facilitator, secretariat, member and minute takers)

Summary of agreed points

Item 1: Labelling code redraft discussion and sign off

- The members present agreed a final simplified text.
- This text needs to be agreed by the members not present, and the guidance document needs to be finalised before the code is signed off.
- The simplified writing in this version is more suitable for the intended purpose.
- 'Voluntary code' will be used rather than 'policy' and the document will be called the SSC 'Voluntary Code on Environmental Claims'.
- Environmental descriptors such as 'fast flowing waters' do not need to be explained in detail in the guidance document.

Item 2: The Guidance

- The guidance will be made less prescriptive by changing the language and tone to result in illustrative detailed guidance with suggestions and examples.
- There will be sector specific guidance on what 'own-brand' refers to.
- The re-draft of the guidance will be by a working group of SSC members.

Item 3: Detailed amendments to the labelling code

- The phrase 'competent endorsement' will be expanded on in the redrafted guidance document with case studies and examples.

- References to the guidance document will only be made once and repetitions of this will be deleted.
- The guidance document will include clarification of which standards and guidelines are referred to in the code (e.g. FAO guidelines) and a definition of 'independent audit'.
- New wording on the 'objective' was agreed - see re-drafted code for details.
- Sustainability criteria will be demonstrated by either certification to a third party sustainability standard; or an independent third party audit.
- Responsibility criteria will be demonstrated separately for fisheries and farms. For fisheries, it will be by certification to a third party responsibility standard; or a risk assessment that is either created or endorsed by a competent independent party. There will be clarification that 'where there is a medium or high risk outcome the Member will ensure appropriate levels of engagement are being taken to improve the fishery'. For farms, members will be able to demonstrate responsibility in one of two ways: certification to a third party responsibility standard, or an audit (removing the word 'independent').
- In the environmental claims section, it was agreed that the reference numbers (4.1 and 4.2) be removed.
- The criteria for making claims of sustainability and responsibility in the previous draft of the code referred to the fishery or farm needing to be consistent with 'key codes of conduct and guidelines'. This was amended to needing to be consistent with 'key international standards and codes of conduct', the nature of which will be explained in the guidance.
- The phrase 'action' in the responsibility section will be replaced with 'appropriate levels of engagement'.

Item 4: Foodservice sector and the labelling code

- Foodservice members will be asked whether they are happy to have wording regarding 'phased implementation' at the point of download for the code rather than in the code itself.

AOB

- As the whole agenda was not covered, questions on the sourcing code will be circulated directly to SSC members and another meeting will be held in November to address the sourcing code proposed changes and other issues that were tabled for this meeting but had to be postponed due to a lack of time.
- Members agreed to have the next meeting on the 11 November in Manchester - prior to the LABELFISH conference the following day.

Purpose of the members' meeting

The main purpose of the meeting was to review the latest version of the labelling code with the aim of agreeing it during the meeting. Other points intended to be addressed included proposed changes to the sourcing code following the last working group meeting, and future options for the SSC governance structure. However, the group were keen to take the time to get agreement on the labelling code and so the other issues will be discussed at a future meeting.

At the end of the meeting, members were invited to stay for [a presentation](#) on IUU due diligence by the Environmental Justice Foundation (EJF) and World Wildlife Fund (WWF) in conjunction with the BRC. N.B. this is an ongoing piece of work that will evolve over time, so the structure highlighted in this presentation is correct on 3 October 2013.

Item 1: Labelling code redraft discussion and sign off

The meeting started with an update on previous meetings including the foodservice meeting in September and an outline of how the labelling code has changed. The group also discussed some legal proceedings brought by the Salmon and Trout Association (Scotland) regarding responsibility claims, and its relevance to this group and labelling code.

Several of the members present helped draft the new version of the code. Some of the changes include:

- 'Code of Conduct' changed to 'policy';
- 'Claims' used as umbrella term for environmental claims and other additional voluntary information;
- The reference to social/ethical considerations was removed; and
- The detailed criteria for claims were completely omitted (see Item 2).

Discussion and comments

- Several members thought it is crucial that the guidelines be agreed prior to signing off the code. However, members were keen reach agreement in principle on the wording of the code in this meeting, subject to any changes that might arise as the guidance document is finalised, and subject to the agreement of members not present. Then, each business will gain organisational sign-off.
- A member involved in the redraft explained the changes were intended to make the code more consistent with corporate policies in brands / retail, with an intention to supply the detail in the guidance document. Changes included removing negative statements from the code (e.g. where it stated what is not covered, rather than what

is covered); and simplifying the language to facilitate internal and external understanding. Members supported this, with particular emphasis on the last point.

- A member was concerned about the feedback from any SSC members not present, as all members need to agree to the labelling code. The secretariat confirmed that some members that could not attend had expressed consent with the current version of the code, but of course consent would be sought from all those that did not attend this meeting.
- A member thought that if the labelling code changes its title to a labelling 'policy', it will appear to be more legal/formal in nature, rather than being a 'voluntary code'. There would also be implications for other documents, including the terms of reference and information on the SSC website. Several others agreed with this.
- Several members felt the voluntary aspect of the labelling code was in danger of getting lost in the wording; the redrafting attempted to alleviate this.
- Regarding the Salmon and Trout Association (Scotland) complaint, members thought that this code would clarify what members mean when they use claims of sustainability and responsibility. One member pointed out that whilst the code will be a valuable support mechanism, retailers will still be challenged on their packaging claims regardless of SSC membership.
- Several members agreed they would like the group or secretariat to devise specific wording relating to their membership of the SSC and labelling code which they can then use to support them in any challenges on their product labelling.
- Members discussed whether environmental descriptors, such as 'fast flowing waters', ought to be included in the guidance document. Several members thought the inclusion of this level of detail in the guidance document would make the guidance too long, detailed and too prescriptive. One suggestion was to simply state that it is necessary to ensure any environmental descriptors used are in line with the spirit of the code - clear, accurate, and not misleading.
- Members expressed the need to address the overlap between the labelling and sourcing codes, and also to clarify the circumstances in which the codes require engagement in fisheries. One suggestion was that the sourcing code be shortened to mirror the format and key content of the two page labelling code.

Agreed:

- The members present agreed a final simplified text.
- This text needs to be agreed by the members not present, and the guidance document needs to be finalised before the code is signed off.
- The simplified writing in this version is more suitable for the intended purpose.
- 'Voluntary code' will be used rather than 'policy' and the document will be called the SSC 'Voluntary Code on Environmental Claims'.
- Environmental descriptors such as 'fast flowing waters' do not need to be explained in detail in the guidance document.

Actions:

- Changes to the code discussed were made to the document during the meeting.
- A working group of SSC members will re-draft the guidance in line with the current version of the labelling code and the comments from today's meeting.

Item 2: The guidance

Many members felt the guidance document in its current form, which was written for the last version of the labelling code, is too prescriptive. The secretariat noted that the guidance would need to be completely redrafted to incorporate changes resulting from the two-page code and to take today's comments into consideration.

Discussion and comments

- Members felt that if guidance is highly descriptive or complicated, this gives the impression that members need to comply with the guidance in detail. There was a feeling that the language and layout of the guidance document should be changed to reflect the new version of the code, and include subheadings like 'what does this mean for my business' and what 'own-brand' would mean to different sectors. Other suggestions included more case studies and examples, which would be helpful to small or independent businesses.
- A member asked if there are legal implications for following the guidance (e.g. if they signed up to the labelling code but for any reason were not in line with all the details in the guidance document). The secretariat reminded them the code is voluntary and therefore not legally binding.
- A member suggested the sourcing code should be prioritised and noted that if everyone had clear sourcing policies, the environmental claims naturally follow. However another member said that since the code was so close to being agreed it would make sense to agree to it that day (subject to changes which might occur as a result of guidance redrafting).
- It was noted that a much more detailed code went out for public feedback compared to the new, simplified code, and a lot of helpful feedback was received from stakeholders. Some members felt that the detail should not be lost, but others thought the public feedback should be balanced with the needs of members.
- One participant thought the illustrative guidance document with sustainability / responsibility criteria, flow charts and case studies would be a useful tool for staff training sessions to help understand and implement the code. The guidance would be an educational tool that maintains the essence and intent of the code. They also suggested that a training day for staff in SSC member businesses, who have not attended SSC meetings but will be tasked with implementing the codes (e.g. New Product Development teams), should be considered. These could be given in-house or by the secretariat in a mixed group of SSC member attendees.

Agreed:

- The guidance will be made less prescriptive by changing the language and tone to result in illustrative detailed guidance with suggestions and examples.
- There will be sector specific guidance on what 'own-brand' refers to.
- The re-draft of the guidance will be by a working group of SSC members.

Actions:

- One member has discussed organising a working group with some other members to amend the guidance document in accordance with all the feedback from the meeting. Once this has been drafted the secretariat will circulate it to all members.

Item 3: Detailed amendments to the labelling code

Comments on the labelling code were addressed during the meeting and projected onto a large screen by the secretariat so members could see, suggest and agree amendments.

Discussion and comments

- Members discussed standards (with clarification on first, second, and third party standards) referred to in the labelling code, including the specific definitions of each and their use or relevance to fish farms or fisheries.
- One member pointed out that they would still like to operate in 'amber rated' fisheries they currently use, as they feel their presence and dialogue is helping make a positive difference and pulling out of the fishery would be counter-productive. For example, current circumstances may mean the member cannot make commitments to specific actions at the moment, but they feel it is important to have the option of using responsibility claims from fisheries they are trying to positively influence or incentivise. With regards to high or medium risk fisheries, an appropriate level of dialogue from the buyer should allow them to source from that fishery. Another member suggested using wording similar to 'involvement is better than avoiding / not sourcing' and the AIPCE-CEP Principles for Environmentally Responsible Fish Sourcing wording was noted as being similar, and could potentially be used [see page 7, under risk assessments].
- Members discussed the differences between fishery and farm risk assessments and audits, and one member felt the farming and fishery requirements for responsibility claims need to be addressed separately in the code. This would allow for flexibility between farming and aquaculture processes.
- 'Appropriate levels of engagement' wording was discussed and agreed as below.
- One member was not satisfied with the use of an independent audit for responsibility claims, and asked that 'independent' should be removed from the code. This was agreed because farms can have first and second party audits, so do not necessarily need to be independent.

Agreed:

- The phrase 'competent endorsement' will be expanded on in the redrafted guidance document with case studies and examples.
- References to the guidance document will only be made once and repetitions of this will be deleted.
- The guidance document will include clarification of which standards and guidelines are referred to in the code (e.g. FAO guidelines) and a definition of 'independent audit'.
- New wording on the 'objective' was agreed - see re-drafted code for details.
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- The phrase 'action' in the responsibility section will be replaced with 'appropriate levels of engagement'.

Action:

- The changes to the code were seen and agreed by all members present at the meeting. These changes will be formalised by the secretariat and circulated to members.

Item 4: Foodservice sector and the labelling code

As agreed at the foodservice members meeting on 11 September, the foodservice group (including those who also sell small amounts to retail) will not sign up to the labelling code yet, but will find a workable solution once the sourcing code is completed: this may involve some new wording in the labelling code that caters for this sector. The secretariat

explained to members that the foodservice group were keen to have wording agreed and put into the code which explains how the foodservice group will adopt and modify the labelling code for their sector after the sourcing code is finished. The secretariat suggested it would be important to show that this was a planned activity and not an afterthought.

- A member suggested this information (stating who the code applies to or not) could be included in the website text at the point of download of the document.
- Several members pointed out that this is Version 1 of what will be a dynamic document. The secretariat suggested a 'phased implementation' for some members (i.e. foodservice) and noted it should state in the code that it will be revised.

Agreed

- Foodservice members will be asked whether they are happy to have wording regarding 'phased implementation' at the point of download for the code rather than in the code itself.

Action

- The secretariat will formulate wording referring to the foodservice sector's intention to sign up to the labelling code, which will be circulated amongst SSC members for approval.
- The secretariat will communicate with the foodservice members on these points.

AOB

At the end of the SSC members meeting, the Environmental Justice Foundation (EJF) gave a presentation on due diligence and IUU fishing. The EJF, in conjunction with the BRC, MMO and WWF, are compiling guidelines for retail and industry bodies to prevent IUU fish from entering the supply chain, and are aiming to launch this in January/February 2014. The long term aim is to use these guidelines across the EU, with the UK leading the way.

Agreed

- As the whole agenda was not covered, questions on the sourcing code will be circulated directly to SSC members and another meeting will be held in November to address the sourcing code proposed changes and other issues that were tabled for this meeting but had to be postponed due to a lack of time.
- Members agreed to have the next meeting on the 11 November in Manchester - prior to the LABELFISH conference the following day.

Action

- The secretariat will confirm details for the next members meeting and circulate relevant documents.