

Sustainable Seafood Coalition (SSC) Members' meeting minutes

Date: 8 January, 2014

Location: Food and Drink Federation, 6 Catherine Street, London, WC2B 5JJ

Number of attendees: 21 total (including 5 ClientEarth staff acting as facilitator, member, legal advisor, and secretariat - minute takers)

Summary of agreed points

Item 1: Vote outcomes (codes)

- When the SSC launches the sourcing and labelling codes, they will be implemented with a phased approach whereby larger members (such as multiple retailers and some brands and processors) will initially implement the codes.
- The sourcing and labelling codes will be signed off simultaneously.

Item 2: Sourcing code - transgenic fish

- Transgenic fish will not be included in the sourcing code or guidance document.

Item 3: Sourcing code - engagement

- New wording was agreed on screen at the meeting (detailed in Item 3, below).
- Details on how members might prioritise engagement, particularly regarding scale issues, will be decided at a later date and included in the guidance document.
- Explanatory detail of what is meant by 'appropriate level of engagement' - with consideration of the different issues that may arise depending on the scale of the business and the scale of the fishery - will be included in the guidance document.

Item 4: Sourcing code - working towards sustainability

- The statement on working towards sustainability will not be included in the code.

Item 5: Sourcing code - decision trees

- The decision tree for a non-compliant audit was changed to reflect the text as agreed in Item 3. The box now reads 'All required actions identified to correct

non-compliances are communicated and the timescale for this is agreed'.

- A risk assessment pathway to sourcing for aquaculture is not required at present and the third party certification or internal audit pathway will remain. The first box will be clarified to say 'risk assessment' and not just 'assessment'.
- Changes will be made to the sourcing code to ensure that the term 'environmental' is used or not used consistently with the relevant type of audit or certification.
- Fish sourced using the responsible sourcing code could be labelled as responsibly sourced, and the labelling and sourcing codes are to remain aligned.
- 'Good aquaculture practice' will be more clearly defined in the guidance and an explanation of first, second and third party audits will be included as guidance.
- The aquaculture decision tree (Figure 2) was amended on screen during the meeting; if non-compliances are corrected through all required actions, then the member can source from that farm.

Item 6: Sourcing Code - outstanding issues

- These issues are listed in Item 6 and will be dealt with by the secretariat by e-mail and phone calls with members by the end of January.

Item 7: Guidance

- A group comprised of members from each sector will help redraft the guidance.

Item 8: The Labelling Code

- Reference to 'well-managed' in the second bullet of Section 3 will be removed.
- The guidance for the labelling code will be redrafted to detail best practice and include examples of good and misleading terms members may want to use in conjunction with claims of sustainability or responsibility.
- Regarding the inclusion of descriptive terms that could be used in conjunction with sustainability or responsibility claims, the guidance will be rewritten to detail best practice and include examples of clear or potentially misleading terms.

Item 9: Logo use

- Taking the majority vote, members will not use the logo prior to code sign off.

Purpose of the members' meeting

The primary purpose of this meeting was to discuss and agree the sourcing code and its decision trees. The sourcing code has been re-drafted by a small group of members along with the secretariat in a way that reflects the new structure of the labelling code. The commitments from the previous draft remain in the code but some of the detail has been moved to the guidance document. The group also discussed a point on the labelling code;

the new, joint, guidance document and the timeframe to sign-off the Codes. The secretariat updated the group on the outcome of the recent votes regarding simultaneous sign-off of the codes, a phased implementation process and use of the SSC logo.

Item 1: Vote outcomes (codes)

Some members suggested at a meeting on [11 September 2013](#) that a phased implementation of the codes would enable the SSC as a whole to progress whilst a suitable solution to sustainability claims for foodservice is established. This was taken to the full members' meeting on [11 November 2013](#). Members also discussed then whether both codes would be better signed-off simultaneously, rather than the labelling code first. A choice of these options was proposed to all members in an electronic vote in December 2013. The results were as follows: a unanimous vote in support of a phased implementation (11 votes for, 0 votes against); and members voted in favour of simultaneous sign-off of the two codes (11 votes for, 2 votes against).

Discussion and comments

- A member asked for a clarification on what is meant by 'phased implementation'. This was explained as an initial group of members who would implement the codes at launch, with a second group that would sign up to and implement the codes at a later date. This is because the labelling code is currently unsuitable for some smaller businesses, such as many foodservice members, in being able to make sustainability claims.
- Members were asked whether they had any objections to the vote outcome. No objections were raised regarding the outcome of either vote.

Agreed:

- When the SSC launches the sourcing and labelling codes, they will be implemented with a phased approach whereby larger members (such as multiple retailers and some brands and processors) will initially implement the codes.
- The sourcing and labelling codes will be signed off simultaneously.

Item 2: Sourcing code - transgenic fish

The group discussed whether the SSC holds a united view on transgenic fish, and if so, whether a prescriptive statement should be included in the code and/or guidance.

Discussion and comments

- The term 'transgenic' was defined as a genetically modified organism that has had a gene or genes from another species artificially inserted into its DNA in order to modify specific traits (such as growth rate).

- One member felt that transgenic fish should be included in the code/guidance, as most members do not currently (or plan to) source transgenic or GM fish.
- Several members thought that transgenic fish should not be included at all because: the SSC codes work on processes and are not prescriptive at species level; that this decision should be made by individual businesses; and that genetics at this level is too complicated to be included so explicitly in SSC documents.

Agreed:

- Transgenic fish will not be included in the sourcing code or guidance document.

Actions:

- The secretariat will remove references to transgenic fish from the guidance.

Item 3: Sourcing code - engagement

The sourcing code previously stated that in order to source from a medium or high risk fishery an 'appropriate level of engagement' was required. The new, shorter code refers to monitoring and engagement of the fishery and participation in a 'formal Fisheries Improvement Project (FIP)'. This level of detail was added during redrafting. The secretariat asked members whether they agree, or if the previous statement was sufficient.

Discussion and comments

- One member felt that the term 'formal FIP' suggested a relatively high commitment, and others agreed that such a requirement is too prescriptive, in particular for members that have fewer resources available. For example, an individual restaurant member that sources from a high-risk fishery may not have the resources available to be involved in a 'formal FIP', but may be able to improve the fishery through other means of engagement, or may not need to if someone else is doing so (indirect engagement).
- Members were also concerned that organisations that source from many different fisheries may not be able to meet engagement requirements for each one. A suggested solution to this situation was to add text to the sourcing code that allows members to prioritise their engagement within the fisheries in their portfolio.
- One member pointed out that the code must use wording that is broad enough to be relevant to the wide range of fisheries and countries members' source from.
- The potential use of the word 'appropriate' engagement was discussed. A concern was raised that if it was not included, it could result in two members of different sizes both wishing to source from the same fishery, but only one being able to do so due to resource availability. On the other hand, the flexibility allowed by using such a term may be too great, resulting in issues of enforcement of a loosely defined term or the creation of a 'loophole', which could undermine the code.
- Several members wished for there to be emphasis on seeing a positive overall level of change due to engagement. Members discussed the inclusion of terms such as

'monitoring' or 'measuring'. The inclusion of a time scale for positive engagement when sourcing from high-risk fisheries was also discussed.

- A member pointed out that fisheries are dynamic. The status of a fishery may change due to natural variables. Therefore accurately influencing any measure of change to improve a fishery rating or risk assessment outcome may be impossible or difficult to judge. Another member suggested this concern could be addressed during the regular review cycle of sourcing decisions.
- A member suggested the phrase 'decline in status' should be clarified as 'decline to poor status' (under a high-risk outcome for wild capture fisheries, and decision tree Figure 1) to avoid a situation in which any decline in status (e.g. low to medium) would result in a high risk outcome.
- Several members pointed out that sections of the guidance document (such as 'Sourcing decision and appropriate response' for wild capture in 2.2, and for farmed fish in 3.2) show detail of actions that are required following a risk assessment. They suggested that the sourcing code does not need to replicate these sections, and the guidance should clarify what best practice would be, and not give further detail to the commitments of the code. Several members felt that the inclusion of words to the effect of 'intent to' would be appropriate for the code, with detail included in the guidance document.

Agreed:

- New wording was agreed on screen at the meeting as follows:
- The subheading 4.3 reads 'Sourcing decision and appropriate responses, as outlined in the decision trees (Figures 1 and 2)'. The wording beginning 'for wild capture fisheries...' is deleted.
- Section 4.3 for wild-capture fisheries reads: 'Members will use their risk assessment to identify fisheries as low, medium or high risk. Members will prioritise their engagement in improvement of the fisheries appropriate to their influence and resources. Members will identify a fisheries source risk outcome as follows'.
- Section 4.3 for medium risk: the word 'required' is replaced with 'appropriate' and reads 'Member can source with appropriate monitoring and/or engagement'.
- Section 4.3 for high risk: 'decline in status' is changed to 'decline to poor status'. The requirement for a formal FIP is removed and now reads ' Member will only source with appropriate engagement and monitoring'.
- Section 4.3 for aquaculture sourcing: a sentence has been added that reads 'All required actions identified to correct non-compliances are communicated and the timescale for this is agreed'.
- Details on how members might prioritise engagement, particularly regarding scale issues, will be decided at a later date and included in the guidance document.
- Explanatory detail of what is meant by 'appropriate level of engagement' - with consideration of the different issues that may arise depending on the scale of the business and the scale of the fishery - will be included in the guidance document.

Actions:

- The secretariat will redraft the code to reflect the agreed points.

Item 4: Sourcing code - working towards sustainability

The sourcing code previously stated that the SSC aimed to 'encourage and promote the move of fisheries and farms towards sustainability'. This was removed during the redrafting process as it is covered by the SSC's vision and aims. Members were asked whether this phrase should be reinserted into the code.

Discussion and comments

- Members felt it should not be reinserted as the statement is not unique to sourcing decisions, and the sentiment is adequately covered by the SSC's vision and aims.

Agreed:

- The statement on working towards sustainability will not be reinserted in the code.

Item 5: Sourcing code - decision trees

The redrafting group created two new decision trees for sourcing wild capture and farmed fish (Figures 1 and 2 in the code, respectively). These were combined from previous versions in the codes and guidance document, and were created with a view to simplifying the decision trees and making them applicable to both the sourcing and labelling codes.

Discussion and comments

- A member raised an issue with regard to the process for sourcing aquaculture (Figure 2). When an audit outcome is non-compliant, if a business makes appropriate changes to become compliant the member argued that they should not have to repeat the whole audit process to be allowed to source the fish. Additionally, this may come at significant cost to a member and is inconsistent with the wild fisheries decision tree, where sourcing can take place whilst improvement actions are being undertaken.
- Regarding the inconsistency between aquaculture and wild capture fisheries, some members felt they may not be able to complete an audit to the level required in the code, and that smaller businesses should be able to receive help from their suppliers to ensure sourcing from an audit compliant farm.
- Members were made aware that should a risk assessment be included as a route to sourcing from aquaculture, this would contradict the labelling code requirements for claims of responsibility. This would result in a situation where products from a risk

assessed farm could be sourced responsibly but not labelled as such, as the latter requires a compliant audit and the former does not.

- Members discussed the scenario where products sourced under the 'responsible sourcing code' could not be labelled with claims of responsibility. This would lead to a lack of clarity to the consumer and increased complexity for overarching claims (such as "we source all our fish responsibly").
- The group discussed the difference between an audit and a risk assessment for aquaculture. One member said that an audit is part of a larger risk assessment process, and that the initial question in that process would be whether the farm had been audited. Greater risk would be assigned to a farm that was not audit compliant. Another member pointed out that this is already part of the decision tree, in the first box, which could simply be clarified to show it is a risk assessment.
- During discussion, a member clarified the meaning of first, second and third party audit. The group felt that the guidance document should contain details on what is required of a third party audit for its outcome to be acceptable, as well as what factors should be considered during a first or second party audit.
- A member was concerned that 'good aquaculture practice (GAP)' was not explicitly defined anywhere. GAP does not currently have a single, universal definition and refers to general good aquaculture standards. The group felt that having some guidance on criteria or considerations required for an acceptable standard of aquaculture practice would be useful.
- Some members felt that the use of the term 'environmental' in relation to certification and audit requirements in the code (under Section 4.2) is currently misleading as it has practical implications for the type of certification and audit that can be used. More specifically, an 'environmental audit' may not include wider issues for aquaculture that are included in the code, such as fish welfare, and aquaculture certifications do not always have environmental considerations. For fisheries, there are various third party certifications and the code should specify that environmental certifications are required.

Agreed:

- The decision tree for a non-compliant audit was changed to reflect the text as agreed in Item 3. The box now reads 'All required actions identified to correct non-compliances are communicated and the timescale for this is agreed'.
- A risk assessment pathway to sourcing for aquaculture is not required at present and the third party certification or internal audit pathway will remain. The first box will be clarified to say 'risk assessment' and not just 'assessment'.
- Changes will be made to the sourcing code to ensure that the term 'environmental' is used or not used consistently with the relevant type of audit or certification.
- Fish sourced using the responsible sourcing code could be labelled as responsibly sourced, and the labelling code and sourcing codes are to remain aligned.
- 'Good aquaculture practice' will be more clearly defined in the guidance and an explanation of first, second and third party audits will be included as guidance.

- The aquaculture decision tree (Figure 2) was amended on screen during the meeting; if non-compliances are corrected through all required actions, then the member can source from that farm.

Action:

- The secretariat will amend the code and guidance to reflect the agreed points.

Item 6: Sourcing Code - outstanding issues

A few issues had been identified by members that were not covered during the meeting due to time constraints and these were collated by the secretariat. The list was gathered with a view to small changes being amended by the secretariat and larger points to be agreed by phone or email.

Comments

- In Section 3, the third bullet should include audit as well as risk assessment outcomes.
- In Section 4, it would be more logical for 'transparency' (currently Section 4.5) to be placed immediately after 'traceability' (Section 4.1) and before risk assessments.
- The text and structure of the decision trees should be mirrored in the body of the text, especially for sourcing from a fishery that has a third party certification.
- In Section 4, on sourcing policies, there may be an issue with the current inclusion of members' policies being communicated to the public.
- A member had concerns regarding the requirement for independent competent endorsements of risk assessments in Section 4.2.
- In Section 4.2, the certification status of the fishery or farm should be removed from the list of bullets (for risk assessment considerations) and be discussed separately in the code and guidance.
- The sourcing code currently states that an audit should be conducted on an annual basis, whereas the guidance states every two years. These should be consistent.
- A member suggested the removal of 'certification status' from the criteria assessed during an audit, as it is a consideration but not a criterion.

Agreed:

- These issues will be dealt with by the secretariat via personal communication (by e-mail and phone calls) with members by the end of January.

Actions:

- The secretariat will address these comments and distribute the amended code prior to the next Members' meeting.

Item 7: Guidance

This document now covers guidance information for both the sourcing and labelling codes to minimise the number of documents required and to streamline the content. The secretariat has worked with a redrafting group of five or six members on both the guidance document and the sourcing code to speed up the process. The guidance is a work in progress, and the secretariat sought feedback from members during the meeting. The discussion and agreement points below do not include guidance related issues that have already been detailed in these minutes in Items 2, 3, 5 and 8.

- The secretariat clarified that all members are invited to participate in the re-drafting process, and it particularly encouraged members from different sectors to volunteer.
- One member suggested that the guidance should have an introduction that states at the outset that this is a coalition of businesses of varying sizes - and what is appropriate for one business may not be appropriate for another. However, defining what is appropriate for each type of business would be difficult as there will always be variation in the amount sourced and the type of fishery sourced from.
- A member suggested the guidance should include a definition of what is meant by a 'farm' under farmed fish.
- A member pointed out that the guidance mentions the Seafish RASS tool in Section 2.1. The member clarified that the Seafish RASS tool is not a risk assessment in itself; it highlights risks and it is for the individual to interpret the outcome.
- A member suggested that under Section 2.2.3, there should be a timeframe for the members' withdrawal from commercial engagement with a fishery when the minimum criteria cannot be met and the fishery status cannot be improved.
- Several members volunteered to join the redrafting group.

Agreed:

- A group comprised of members from each sector will help redraft the guidance.

Actions:

- The secretariat will email foodservice members regarding communicating their thoughts on the guidance document to a representative member that volunteered to attend the redrafting group meetings.
- Members will send comments on the guidance document to the secretariat, who will forward it to the redrafting group. The redrafting group will meet to address comments and reformat the guidance.

- The secretariat will then circulate the new version of the guidance document and members will send back feedback prior to the next members meeting. Deadlines for the above actions will be communicated via email.

Item 8: The Labelling Code

The text for the labelling code was agreed on [3 October](#). Since then, and by working on the guidance, a new question has been raised over the use of descriptive terms in conjunction with sustainability and responsibility claims. Currently, the labelling code states that no descriptors other than 'well managed' can be used in this context, and that the term cannot be used in isolation. This particular term was chosen as it is a meaningful and defined term that is used in the FAO Code of Conduct for Responsible Fisheries.

Discussion and comments:

- Members felt that singling out 'well-managed' was unnecessary, and that only using this term may be too restrictive. However, it was emphasised that members must not use terms that will mislead the consumer.
- Members felt the code should be limited to detailing 'responsibility' and 'sustainability' claims only. The guidance should detail the terms that can or cannot be used in conjunction with responsibility and sustainability claims. This should make reference to the DEFRA green claims guidance and should detail best practice, including examples of misleading terms like 'environmentally friendly' and better terms with defined meaning such as 'well-managed'.

Agreed:

- Reference to 'well-managed' in the second bullet of Section 3 will be removed.
- The guidance for the labelling code will be redrafted to detail best practice and include examples of good and misleading terms members may want to use in conjunction with claims of sustainability or responsibility.
- Regarding the inclusion of descriptive terms that could be used in conjunction with sustainability or responsibility claims, the guidance will be rewritten to detail best practice and include examples of clear or potentially misleading terms.

Actions:

- The secretariat will amend the labelling code as agreed.
- The redrafting group will address concerns throughout the guidance document.

Item 9: Logo Use

At the last Members' meeting in November, the issue of members using the SSC logo was raised. Members were divided on whether it should be possible to use the SSC logo prior to launching at least one of the codes (as per minutes [11 November](#), Item 1), and this was subsequently voted on by members. The majority voted in favour of not using the SSC logo prior to signing off at least one code (9 voted against; 4 voted in favour).

Agreed:

- Taking the majority vote, members will not use the logo prior to code sign off.

Item 10: AOB

- Meeting dates were agreed for the redrafting group to work on guidance issues and amendments, and these will be circulated to members by email in due course.
- The next full members' meeting date has been agreed and an invite and updated documents will be emailed to members by the secretariat.