

Sustainable Seafood Coalition (SSC) Members' meeting minutes

Date: 2 April, 2014

Location: The Counting House, 50 Cornhill Exchange, London EC3V 3PD

Number of attendees: 16 total (including 4 ClientEarth staff acting as facilitator, member, secretariat and minute taker)

Summary of agreed points

Item 1: Sourcing code - independent competent endorsement

- There was a unanimous vote that the sourcing code should state 'Endorsement by an independent competent party is best practice'.
- Including a risk assessment that covers the minimal requirements for small businesses in the guidance may be useful in the future but will not be developed prior to signing off the sourcing code.

Item 2: Sourcing code - other comments

- The suggested merged points regarding the legality of fishing operations will not be merged and will revert to individual bullets.
- The inclusion of marine ingredient sources will remain as a consideration for aquaculture audits.
- The wording for low, medium and high risk fisheries was amended (detail below).
- In the wild capture decision tree the word 'independent' was removed.
- The aquaculture text will be moved to the same page as the decision tree.
- The word 'farm' is to be replaced by 'aquaculture source' in the text and the aquaculture decision tree. Amendments to two additional boxes in the decision tree are detailed below (Item 2).
- In the aquaculture decision tree the words 'audited to a good aquaculture practice standard' were replaced and reads 'Audited to a good aquaculture standard or code of practice'.
- In the aquaculture decision tree the words 'Agreed actions not completed within

agreed timescales' were replaced with 'Non-compliances are not closed out within agreed timescales'.

- The secretariat will ensure references to the sourcing code and references between codes and the guidance are consistent, without seeking further agreement from all members.
- Subject to these changes the sourcing code is agreed by all members present.

Item 3: RASS (Risk Assessment for Seafood Sourcing) tool update

- Seafish will be invited to the next members' meeting in June to present and explain the RASS tool and receive feedback from SSC members.

Item 4: Labelling code

- The 95% commitment will be included in the labelling code.
- References to sustainable aquaculture will remain in the code.
- Under 'Responsibility' all the text will be removed and replaced with: 'Fish sourced in alignment with the SSC Code of Conduct on Environmentally Responsible Fish and Seafood Sourcing may carry claims of responsibility.'
- The six week public feedback period will include the labelling code, sourcing code and guidance document as a package.
- The secretariat will ensure references within the labelling code and references between codes and the guidance are consistent, without seeking further agreement from all members.

Item 5: Guidance document

- The redrafting group will expand on the sourcing guidance regarding 'appropriate responses', 'do not source', and 'improvement projects' (to include potential improvements that could be made to aquaculture sources other than AIPs).
- Wording was agreed in the meeting for Section 1.2 (Transparency) and Section 2.1 (Third party certification standards). See Item 5 for details.
- The guidance will state that members will not display the SSC logo on pack, including back of pack or anywhere else it could be deemed an ecolabel.
- Section 3.2 (Audit considerations): 'good aquaculture practice standard' to be replaced by wording from the aquaculture decision tree to read 'good aquaculture standard or code of practice'.
- In Section 4 (Improvement projects) wording will be added by the redrafting group which outlines examples of improvements a fishery could make outside of FIPs.
- In Section 6.1 (Sustainability) wording will clarify that sustainability claims for aquaculture cannot be used because existing aquaculture certifications only

make claims of responsibility, not sustainability.

- In the guidance for the labelling code, the reference to 'sustainable aquaculture' will be clarified to state that third party certifications currently certify to a responsibility standard and do not use the term sustainable.

Item 6: Timelines

- A redrafting group would meet in April to discuss and implement comments made in this meeting and to finalise the guidance before the feedback period begins at the end of April.
- A full members' meeting was agreed for June to discuss the feedback and the next stages (i.e. launch and implementation).

Item 7: Any Other Business

- Members would find an update from GSSI useful.
- Members would let the secretariat know if they were interested in being put in contact with the Commission to feature on their website.

Purpose of the meeting

To agree the text in the sourcing code and get feedback on the guidance document; to ensure the labelling and sourcing codes are aligned; and to agree a timeline for the next steps, including the six week public feedback period.

Item 1: Sourcing code - Independent Endorsement

Regarding the sourcing code, the group discussed whether independent competent endorsement of the members' risk assessment should be a requirement. Members were presented with five potential solutions by the secretariat and discussed which option was most appropriate, or whether a new option would be more favourable.

Discussion and comments

- A member asked for clarification of the scope of the independent competent endorsement. The secretariat explained that endorsement would be of questions asked in the risk assessment, not of the outcomes. It would not be an audit.
- Some members felt it would be inconsistent if the code required independent competent endorsement of the risk assessment for fisheries but not for aquaculture.
- Members questioned what the process would be following any challenges to claims. Independent competent endorsement would mean that there is additional credibility of the member's risk assessment process, which might reduce the likelihood of

being challenged. Members noted that 'openness regarding sourcing decisions' is covered under Section 4.2 (transparency) of the code.

- A member stated that requiring independent competent endorsement would make implementation of the code extremely complex. They questioned who would undertake the endorsement; what standard would they be assessing to; and whether using an NGO be appropriate. There was a concern regarding intellectual property of risk assessments, which may be confidential. On the other hand, some felt that having a statement in a voluntary best-practice code of conduct to the effect that 'independent competent endorsement is best practice' was of little value.
- A member questioned whether the secretariat could act as the endorser. This would simplify the process because it already has expertise regarding the codes and wild capture fisheries. The secretariat explained that currently it does not consider itself to be competent in writing business' risk assessments. For this option to be viable, members would be asked to help the secretariat to develop a template risk assessment. An additional consideration would be that there might be criticisms of credibility if the secretariat of the SSC endorses members' risk assessments.
- A member said that their business already seeks external advice for their risk assessment. Additionally, there are only four points required for consideration in the sourcing code (i.e. legality, stocks, management and wider environmental impacts). For these reasons, they felt that a requirement for independent competent endorsement would be feasible and add credibility.
- Some felt that risk assessments provided by the Sustainable Fisheries Partnership (SFP) or Seafish may be too broad and overlook some of the complexities that members may choose to include. This may cause complications making endorsement a lengthy and therefore costly process.
- A member suggested there could be a 'minimum requirement risk assessment' for SSC members, with guidance on where to find further information. This would be particularly useful for businesses with fewer resources. However, the development of such a template would significantly delay the signing of the code.
- A member suggested that using the option 'independent competent endorsement is best practice' offers the simplest solution as it avoids further delays to signing off the code. This can be amended in the future if members wish.

Agreed:

- There was a unanimous vote that the sourcing code should state 'Endorsement by an independent competent party is best practice'.
- Including a risk assessment that covers the minimal requirements for small businesses in the guidance may be useful in the future but will not be developed prior to signing off the sourcing code.

Action:

The secretariat will edit the sourcing code to reflect the agreement.

Item 2: Sourcing code - other comments

The group discussed whether changes and clarifications to the sourcing code made by the redrafting group were appropriate. These included merging two of the requirements for risk assessments in wild capture fisheries; some wording in the aquaculture decision tree; and clarification of the wording describing low, medium and high risk fisheries.

Discussion and comments

- Members felt that merging the bullet points 'legality of fishing operations' with 'fishery management practices and compliance' to 'fishery management practices, including legality and compliance' (in Section 4.3, Risk Assessment/Audits) of the code had altered the original intended meaning. This is because it misses the legality of the fish source (such as from IUU vessels) and focuses on the legality of the fishery's management practices.
- Members felt that the aquaculture decision tree should use the same language used by auditors, such as 'non-compliances' and 'closed-out'.
- A member suggested 'farming organisation' was more appropriate than 'farm' as otherwise it implies that each single farm needs to be audited, which is not the case. Members agreed this needed clarifying throughout the code. The secretariat explained that this is also in the glossary of the guidance.
- Under the wording for high risk fisheries (Section 4.4, sourcing decisions and appropriate responses), a member felt that the suggested phrase 'inappropriate management' was not correct. This does not include a complete lack of management, as may be the case for some high risk fisheries. Additionally, members felt the format was unclear and that individual bullet points, rather than a full sentence, would be clearer for this section.
- A member felt that a requirement for 'demonstrable progress' in high risk fisheries is too difficult to justify because high risk fisheries don't always have demonstrable progress in the initial stages of engagement. Members suggested that 'monitoring of progress' would be more appropriate.
- One member felt that requiring an assessment of the 'marine feed sources' for aquaculture should be widened to 'feed sources'. However, the sustainability of other ingredients in feed (such as soy) has been previously discussed and is beyond the scope of the code at this stage. Another member noted that even the Aquaculture Stewardship Council (ASC) standard does not cover the sustainability of marine feed, and was concerned that the SSC would over committing. Another member stated that this is highly likely be covered by ASC in the future.
- A member pointed out that the wild capture decision tree referred to an 'independent risk assessment', but they are not necessarily independent.

Agreed:

- The suggested merged points regarding the legality of fishing operations (Section 4.3, Risk Assessment/Audit) will not be merged and will revert to individual bullets.

- In Section 4.3 (Risk Assessment/Audit) the inclusion of marine ingredient sources will not change, and will remain as a consideration for aquaculture audits.
- In Section 4.4 (Sourcing decision and appropriate responses) the wording was amended to read:
 1. For low risk: 'The fishery has a healthy stock status, adequate management, low environmental impact and/or is certified. Member can source with no further action.'
 2. For medium risk: 'The fishery requires improvements to mitigate its environmental impact and/or to manage stock. It may be data poor but has a stable/improving stock status with adequate management. Member can source with appropriate engagement and/or monitoring.'
 3. For high risk: To remove the word 'demonstrable' and use bullet points to clarify as follows. 'The fishery has one or more of the following: Proven poor stock status; High risk of decline to poor status without appropriate management; Unacceptable environmental impact; Complete data deficiency. Member will only source with appropriate engagement and monitoring of progress.'
- In the wild capture decision tree the word 'independent' was removed so the first box now reads 'Responsibility: Risk Assessment'.
- In Section 4.4 (Sourcing decision and appropriate responses), the aquaculture text will be moved to the same page as the aquaculture decision tree.
- In the sourcing code, the word 'farm' is to be replaced by 'aquaculture source'. In the aquaculture decision tree, the first box now reads 'Risk assessment of aquaculture source against minimum criteria'.
- In the aquaculture decision tree the words 'audited to a good aquaculture practice standard' were replaced and reads 'Audited to a good aquaculture standard or code of practice'.
- In the aquaculture decision tree the words 'Agreed actions not completed within agreed timescales' were replaced with 'Non-compliances are not closed out within agreed timescales'.
- The secretariat will ensure references to the sourcing code and references between codes and the guidance are consistent, without seeking further agreement from all members.
- Subject to these changes the sourcing code is agreed by all the members present.

Action:

The secretariat will make the agreed amendments and circulate the code to all members.

Item 3: RASS tool update

The members were informed that the secretariat had been in contact with Seafish Industry Authority (Seafish) regarding the Risk Assessment for Seafood Sourcing (RASS) tool to see whether their risk assessment parameters aligned with the SSC sourcing code. Seafish has offered to update members of the SSC directly, at the next meeting, if they wish.

Discussion and comments

- One member agreed the RASS tool would be useful for smaller members with fewer resources, and questioned whether it could include a 'source or do not source' result aligned with the sourcing code. The secretariat explained that Seafish cannot offer advice on whether or not individuals should source the fish, so this would not be possible.
- Members felt that it would be useful to have an update and discussion with Seafish regarding the RASS tool.

Agreed:

Seafish will be invited to the next members' meeting in June to present and explain the RASS tool and receive feedback from SSC members.

Action:

The secretariat will invite Seafish to attend the next SSC members' meeting.

Item 4: Labelling Code

The members discussed clarifications and amendments that had arisen from the redrafting group. These included the addition of 95% commitment to the code; references to sustainable aquaculture; being more explicit in the links between the labelling and sourcing codes; and whether the labelling code should go for public feedback again.

Discussion and comments

- Members felt the 95% commitment should be a commitment in the labelling code, and not just in the guidance.
- Members felt that the labelling code should be consistent with the sourcing code, and explicitly state that all fish sourced under the sourcing code could be labelled with claims of responsibility.
- Members discussed the references to aquaculture under sustainability claims in Section 4. The guidance clearly states that the SSC does not currently believe there is any sustainable aquaculture, and that third party certifications (which would potentially meet the criteria) only use responsibility claims. It was originally included in the code with the hope that it would one day become a reality. Members felt that

removing the reference to farms may draw criticism from the media and many believed it should remain in the code.

- A member suggested that the code should be consistent in its references both within the labelling code and between it and the sourcing code and guidance documents. The group discussed other small amendments for clarification, such as removing the word any in 'any fish sourced', as it is unnecessary.
- The group discussed whether the labelling code should also be put out for another public feedback period, along with the sourcing code and guidance document, because they are so inter-related, and the labelling code has changed significantly since the public feedback period in 2013.

Agreed:

- The 95% commitment will be included in the labelling code and now reads: 'At least 95% (by weight) of the component fish in the product or dish must satisfy the criteria for claims regarding sustainability.'
- References to sustainable aquaculture will remain in the code and the guidance will clarify that third party certifications for aquaculture currently only certify to a responsibility standard.
- In the labelling code under 'Responsibility' all the text will be removed and replaced with: 'Fish sourced in alignment with the SSC Code of Conduct on Environmentally Responsible Fish and Seafood Sourcing may carry claims of responsibility.'
- The six week public feedback period will include the labelling code, sourcing code and guidance document as a package.
- The secretariat will ensure references within the labelling code and references between codes and the guidance are consistent, without seeking further agreement from all members.

Actions:

The secretariat will make the agreed changes and circulate to the whole group.

Item 5: Guidance document

Members were presented with the updated guidance document, which a smaller re-drafting group had worked to improve since the last meeting. The purpose was to get feedback on structure and content and to discuss whether the SSC logo could be used on pack.

Discussion and comments

- Members were pleased with the guidance documents and felt it had significantly improved. They felt a few more changes needed to be made and that this could be achieved with one more re-drafting group meeting.

- Regarding the structure, members felt that in the guidance for the sourcing code (part 1), risk assessment/audit considerations should come before any guidance on third party certifications.
- Regarding the guidance for sourcing from wild capture fisheries, under 'appropriate responses' (Section 2.5.2), members felt the information provided did not sufficiently reflect the decision tree in the sourcing code and requires further work.
- Members suggested that the guidance on improvement projects should outline other improvements a fishery or aquaculture source could make in addition to Fishery Improvement Projects (FIPs) or Aquaculture Improvements Projects (AIPs), respectively. A member volunteered to help in providing examples for this.
- A member suggested that Section 1.2 (Transparency) of the guidance document should reflect that general sourcing policies only cover both wild and farmed fish if appropriate (i.e. if the member sources both wild and farmed fish).
- Members felt that Section 2.5.3 (Do not source) of the sourcing code guidance should be explained in greater detail and state that members are encouraged to change fishery practices before refusing to source, in order to provide a market incentive for improvement. The guidance should show that a decision to not source is based on ineffective or impractical engagement.
- Members raised concerns regarding the timescale in which a member may continue to source from a high risk fishery while trying to engage with it, as each fishery will respond at different rates. It was suggested that guidance for timescales may reference existing documents, such as the WWF guidance on FIPs.
- Members felt the wording in Section 3.2 (Audit considerations) should match that in the decision tree as closely as possible.
- A member identified that there are no aquaculture standards which currently claim sustainability, whereas Section 6.1 (Sustainability) states that 'there are no sustainability standards that meet the criteria in the labelling code'. They suggested that the guidance should make clear that existing standards make claims of responsibility only, not of sustainability.
- Some members felt several terms were missing from the glossary.
- Regarding the use of the SSC logo being used on back of pack, members felt this would be likely to confuse consumers. Even with the inclusion of any statements of membership, such as 'we are a member of the SSC', most members felt it would be misinterpreted as an eco-label and therefore should be avoided anywhere on pack. For the same reason members felt that use of the logo on any label associated with a particular product, for example on an individual fish ticket at a fish counter, should also be avoided.

Agreed:

- Section 1.2 (Transparency): the first sentence is to be clarified to read 'Where appropriate, general sourcing policies should explicitly state that they cover both wild and farmed own branded fish and, if applicable, other branded fish'.

- Section 2.1 (Selecting a third party certification scheme): to be renamed 'Third party certification standards' and moved to after 'Risk assessment/Audit considerations' in the relevant sections for both wild capture and aquaculture.
- The redrafting group will expand on the sourcing guidance regarding 'appropriate responses', 'do not source', and 'improvement projects' (to include potential improvements that could be made to aquaculture sources other than AIPs).
- The guidance will state that members will not display the SSC logo on pack, including back of pack or anywhere else it could be deemed an eco-label.
- Section 3.2 (Audit considerations): 'good aquaculture practice standard' to be replaced by wording from the aquaculture decision tree to read 'good aquaculture standard or code of practice'.
- In Section 4 (Improvement projects) wording will be added which outlines examples of improvements a fishery could make outside of FIPs. This wording will be finalised by the redrafting group.
- In Section 6.1 (Sustainability) wording will clarify that sustainability claims for aquaculture cannot be used because existing aquaculture certifications only make claims of responsibility, not sustainability.
- In the guidance for labelling code, the reference to 'sustainable aquaculture' will be further clarified to state that third party certifications currently certify to a responsibility standard and do not use the term sustainable.

Actions:

- Some members volunteered to redraft some sections of the guidance document and the glossary and the secretariat will organise the next redrafting group.
- The redraft group will make amendments to the guidance as agreed.
- The secretariat will circulate the guidance document to all members and request comments prior to the next re-drafting meeting so that the text can be finalised in time for the public feedback period.

Item 6: Timelines

The members discussed the timeline for the next steps and dates were agreed in the diary.

Agreed:

- A redrafting group would meet in April to discuss and implement comments made in this meeting.
- The labelling code, sourcing code and guidance document would be sent for a six week public and internal feedback period, beginning at the end of April.

- A full members' meeting was agreed for June to discuss the final feedback and the next stages (i.e. launch and implementation).

Action:

The secretariat will arrange the meetings and prepare documents for feedback.

Item 7: Any Other Business

Members were given the opportunity to raise any other business relevant to the SSC.

Discussion and comments

- The secretariat thanked members for their assistance in reporting project status and progress to the funders of the SSC.
- The secretariat informed the group that two or three members are invited to feature under the 'testimonial' section of the EU Commission's new fish sustainability website, Inseparable (<http://ec.europa.eu/fisheries/inseparable/en/home>). This already links to the SSC as a resource for the UK. One member suggested it may be better to delay this until the codes have been signed.
- Members discussed whether they would like an update from the Global Seafood Sustainability Initiative (GSSI) as well as the RASS tool at the next meeting.

Agreed:

- Members would find an update from GSSI useful and one member offered to see if a representative from GSSI would be available.
- Members would let the secretariat know if they were interested in being put in contact with the Commission for the Inseparable website.

Actions:

- The secretariat will share a link to the Inseparable website and members will let the secretariat know if they would like to be put in contact.
- One member will check the availability of the GSSI and the secretariat will follow up with an invitation to attend the next SSC meeting.