

DRAFT SSC Aquaculture Labelling W.G. Meeting Minutes

Attendees: total of 19, comprising SSC members and non-member advisers.

Chair and Secretariat: ClientEarth

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

Date & time: 25 July 2011, 10.30am – 4pm.

Conclusions

Scope of the SSC Code

- The SSC Code should cover any environmental claim on all types of seafood product; AND any commercial communication made in the context of fish.
- Commercial communications include all labelling, presentation or advertising of foods to be delivered as such to the final consumer¹ (e.g. product labels, in-store signs, internet descriptions, magazines, advertisements, images or logos that portray the product origin/claim/information, social media, and direct consumer communications).
- Provisions for label positioning on products are outside scope of this code.

Types of self-declared claim (workshop)

GROUP 1:

- **Responsibly sourced / farmed** = interchangeable, but 'sourced' generally relates to policy whereas 'farmed' relates to the product itself.
- **Sustainably farmed** = endpoint (job done).

GROUP 2:

- **Responsibly sourced** = corporate policy (environmental & social).
- **Responsibly farmed** = 3rd party certified (OR 1st / 2nd party certified + evidence of equivalence).
- **Sustainably farmed** = not used widely, hard to define, may be basis for use in EU Organic legislation.
- **Sustainably sourced** = meaningless, bad English.
- **Ecological claims** = meaningless, unless in a specific context (e.g. Mangrove protection for warm water prawn farms).
- **Ethical claims** = relating to social justice / labour standards, outside scope of Code.

Criteria for defining the claims (workshop)

GROUP 1:

General notes:

- The claims do not include a life-cycle analysis, therefore only relate to the environmental impacts on the fish/shellfish being sold, rather than wider environmental considerations such as the carbon footprint of the product.
- The claims should cover processes at the hatchery, the farm, the place of processing and the feed mill (genetically modified, soya, terrestrial, etc.).

¹ This definition is derived from Article 1(2) European Parliament and Council Regulation 1924/2006/EC on nutrition and health claims made on foods.

- The claims should cover social issues where appropriate; depending on the farm type (e.g. labour standards may be different in developing countries).
- The agreed meanings of the claims refer to the minimum requirements, whereas many standards will go beyond these minimum requirements.
- It was suggested that the SSC should build on the AIPCE-CEP principles for responsible sourcing, adding certain 'bolt-on' aspects for specific issues.
- It was noted that aquaculture standards are dynamic and constantly changing - what is defined as 'responsible' today, may be different to in two years time - thus the code will need regular review and updating.

Responsibly sourced / farmed:

- Proactive process / behaviour, moving towards sustainable.
- *"Avoid the Worst, Promote the Best and Improve the Rest"*.

Sustainably farmed:

- Sustainable refers to the end point or gold standard at the time.
- However some general discomfort with using the word 'sustainable'.
- There is a danger of re-inventing existing standards, but some areas of critical concern that have to be addressed may need to be listed in the development of this code.

GROUP 2:

Responsibly farmed:

- May include all criteria mentioned in workshop (see ClientEarth presentation slide 38). With the possible exception of social issues.
- Evaluating the relevance and risk of each criterion is the job of credible standard setting bodies.
- There are multiple 3rd party standards that could meet the claim 'responsible'.
- Alternatively if a 1st/2nd party standard can be shown to meet equivalent standards for all criteria covered by a similar 3rd party standards, it could also be 'responsible'.

Sustainably farmed:

- No universally accepted standard to justify claim.
- EU Organic regulations may justify use of this claim.
- Bivalves (e.g. Rope grown mussels, oysters, etc.) may justify use of this claim.²

Standards that meet these criteria

- Many standards meet all relevant criteria, and as long as they are 3rd party certified (or 1st / 2nd party certified + evidence of equivalence), they substantiate a claim about 'responsible' farming or sourcing. There is not yet any universally accepted standard that would substantiate 'sustainable' farming or sourcing, unless the EU Organic legislation can be used as a basis for this claim.
- It was noted that the SSC needs a method of gauging whether a standard setting body itself is credible. It was suggested the SSC could refer to the FAO Ecolabelling Code, ISO 65 and ISEAL processes for evaluating standard setting bodies.
- An industry group (comprised of members of the SSC and others) has already drawn up an 11-point document to evaluate standard setting bodies, which could be relied upon.

² World Wildlife Fund (WWF), (2010), Aquaculture Stewardship Council (ASC), *Bivalve Aquaculture Dialogue Standards*, p.9, refers to developing 'sustainability standards beyond those required by law'.

Agenda Items 1+2: Introduction and Labelling Overview

1. Began with introduction to the SSC (see ClientEarth presentation slides 3 – 9).
Followed by two presentations:
 - Overview of current laws, typical labels found on aquaculture products today, consumer requirements and aim of SSC aquaculture labelling working group (see ClientEarth presentation slides 10 – 18).
 - Other regulatory factors to consider when labelling aquaculture products.
2. Some preliminary issues and discussion arising from the introduction and presentations were as follows:
 - Market research may be necessary in order to test the 'indicators' for defining the self-declared claims, in future.
 - It was noted that Aquaculture Improvement Projects conducted by the Sustainable Fisheries partnership (SFP) are usually aligned with a standards, such as the Global Aquaculture Alliance (GAA).
 - It was noted that the claims agreed in the aquaculture labelling working group should be consistent and should not undermine those claims agreed in the wild capture labelling working group. However, it was recognised that there are different issues to consider in aquaculture that do not apply to wild capture (e.g. RSPCA freedom food and Fair Trade standards covering animal welfare and social issues respectively).
 - SSC is working to involve other retailers that are not already involved, for example the Tesco front-end team for aquaculture policy have indicated to an SSC member that they are keen to be involved.
 - The SSC are planning to draft a letter to the EU Commission regarding the proposed amendments to the Common Organisation of the Markets (COM) Regulation. It was noted that DG Environment and DG SANCO (Health) are pushing hard for ecolabel legislation and there is a need to encourage DG MARE to get involved in this debate. DEFRA has not issued a position on the ecolabel. There is a report on ecolabels (including fish) due in the Autumn, from a private consultant commissioned by a joint body on sustainability made up of people from DG Env/Agri/SANCO.
 - In terms of who will police the SSC Code, once agreed, it is still up for discussion and needs to be agreed by the Members.
 - It was noted that a representative from the Aquaculture Stewardship Council (ASC) should be invited to future working group meetings; also the Global Aquaculture Alliance (GAA) and the International Federation of Organic Agriculture Movement (IFOAM) had been invited to this meeting, but could not attend.
 - There was a preliminary discussion about the term 'sustainable', prompted by the conclusions from the SSC Wild Capture working group meeting, and some felt that only an ISEAL certified standard setting body could be associated with the term

'sustainable'. Others felt that ISEAL was associated with the process of standard development and didn't necessarily mean a fishery/farm was sustainable. It was felt that this meeting was discussing how you assess the operation of a farm, and it was acknowledged that you needed to subsequently assess the independence / review process of the standard setting body.

- Market research carried out by one retailer had shown that 'sustainably' and 'responsibly' mean the same thing to the consumer.
- It was noted that there were now Global Good Agricultural Practice (GlobalGAP) and GAA standards for farmed seabream.
- Additional points on the Food Information Regulation were that data on first freezing would be required; as would meat 'glue' terms ('formed' or 'formed from bits'); and 'added water' (if >5%) would have to be included.
- There was no clarity on whether wild fish being imported for ranching required a catch certificate, but it was thought that the Codex definition for 'aquaculture' included ranched fish within its scope. It was felt that a time limit on ranching was necessary in order to distinguish it from wild, even if only held for a few days. It was noted that shellfish becomes 'farmed' once it is located in a controlled area (e.g. on a mussel rope or an oyster bed).

Agenda Item 3: Scope of the Voluntary Code

3. Presentation on the scope of the voluntary code (see ClientEarth presentation slides 22-33).
4. Discussions arising:
 - All felt that there was a difference between what was stated on the pack and what was stated in the company policy; the Code should not just be applied to the point of sale, but should apply to all commercial communications (as defined in the wild capture labelling working group – i.e. with reference to the Nutrition and Health Regulations). Other communication formats, (in addition to those mentioned in slide 33 of the ClientEarth presentation) were social media sites and direct written communications in response to consumer inquiries.
 - It was noted that public sector food service (e.g. schools, prisons, government offices, etc.) should be included when SSC membership is extended to food service.
 - Some felt that the scope of the Code should be reserved for products for human consumption whose core ingredient was fish (i.e. not including cat food or prawn crackers). However, most felt that if a company wants to make an environmental claim on any seafood product (even if it only contains fish traces, e.g. prawn crackers, although it is unlikely a claim would be made on such a product) the Code should apply to that claim. If making a broader claim about the company policy, then it should be consistent with all the seafood products the company sells (including those that are not own brand, and even those that don't have fish as the core product) since the claim reflects the universal approach by the company and should be backed up by systemic proof that it applies to all products.

- It was noted that the Trading Standards had the power to request evidence to substantiate any claims made, therefore if a claim is made on prawn crackers, there would have to be evidence to back up that claim. It was also suggested that Trading Standards would look to industry standards such as the SSC Code in order to assess the validity of a claim; therefore other companies would ultimately be bound by the Code.
- References to definitions of certain claims should be made to the SSC Code, by a link to the SSC webpage or a downloadable pdf.
- It was felt that the Code should not cover label positioning on packs.

Agenda Item 4: Criteria for Self-declared Claims

5. Presentation on the criteria for self-declared claims (see Marine Conservation Society presentation). Discussions arising:
 - Some felt the definition of 'sustainability' is limited to environmental, but should include social and economic too. Many thought that it was too broad to be definable in a Code like this and you had to focus on the environmental to begin with (e.g. MSC uses 'sustainable' claim, but doesn't address the other pillars).
 - A company representative said that consumer research that they had done indicated a strong preference and better understanding of the word 'sustainable'. Others suggested that 'sustainable' and 'responsible' are interchangeable and mean the same to the consumer. Others suggested that their consumer research showed that consumers felt 'responsible' referred to existing conditions and 'sustainable' referred to a future goal.
 - Some felt that 'responsible' was about the corporate approach and it doesn't matter what the consumer believes, but rather it is the job of those with the knowledge to educate consumers and define the terms in the best possible manner. Consumer research has shown that consumers expect the companies to have done the work to ensure the product is 'responsibly sourced'.
 - It was noted that although the MSC uses 'sustainable', the ASC has steered clear and uses 'responsible', probably because the understanding of these terms has advanced since the inception of the MSC 13 years ago.
6. Presentation on the scope of the GlobalGAP standard (see GlobalGAP presentation) and the Organic standards, including the Soil Association aquaculture work.
7. Workshop in two groups – conclusions outlined above.

Agenda Item 5: Communication

8. Presentation on the communication of these claims and the definitions (see ClientEarth presentation slides 39 – 40). Discussion arising:
 - May be no need to proactively communicate the agreed meanings of self-declared claims to the consumer, since the end goal of the Code is to remove misleading labelling from the market, not necessarily to have a concerted consumer campaign.

- It was agreed that the information explaining the terms should certainly not be on pack, but should be available publically on the SSC webpage and on Member's webpages (as links or a downloadable pdf document).
- There is an obligation to provide the public with as much information as possible and the SSC Members should continue with the supply on demand type of approach that currently exists.
- It was noted that the information may be useful to suppliers of fish, to determine what standards they have to meet in order to be able to supply a particular company.
- The Code should certainly be communicated to legislators (national and EU level) in order to influence legislative reform.
- In terms of who should check the implementation of the Code, it was felt that the Code should be self-policing by the industry; like other industry standards such as those developed by the Advertising Standards Authority (ASA).

Next steps

9. Secretariat to circulate these minutes and the presentation slides used in the meeting.
10. Secretariat to begin drafting the code for labelling wild capture seafood products to present to SSC members on 1 September 2011.