

Sustainable Seafood Coalition (SSC) Labelling Working Group minutes

Date: 8 May, 2013

Location: Billingsgate Seafood School, Billingsgate Fish Market, 1 Old Billingsgate Walk, 16 Lower Thames St, London EC3R 6DX

Number of attendees: 14 total including members, non-member experts and 3 ClientEarth staff (acting as facilitator, secretariat - minute taker, and secretariat - presenter)

Summary of agreed points:

In order to make a claim of responsibility for fish that have been risk assessed and come out as high or medium risk, the guidance document should recommend that the following steps be taken (in addition to the AIPCE-CEP principles):

1. Engagement in the Fishery/Aquaculture Improvement Project (FIP/AIP) should be relative to the size of the business;
2. The Member should communicate externally their business' role and work in engaging with the Fishery/Aquaculture Improvement Project;
3. The member should be transparent about the commitment the business is making, the goal, and how it will be achieved;
4. Member should ensure their business has accurate and up-to-date documentation to prove their engagement;
5. Members should commit to a timeframe for achieving milestones within the FIP/AIP engagement; and
6. Members should review progress of the projects regularly.

The guidance document should provide use examples and case studies of existing and past FIP/AIPs, along with references to other organisations' work on FIPs and AIPs.

NB: The agenda was not followed as had been set out prior to the meeting, but many of the relevant issues were covered and are outlined below.

Purpose of the meeting

1. Discuss FIPs/AIPs in the context of the labelling code.
2. Hear what the FIP/AIP processes involve with a firsthand experience from a business.
3. Discuss and agree what 'appropriate actions' are needed to label fish as "responsible" when it has a high or medium risk outcome (i.e. according to Option 4 in the draft code that has been released for public feedback).
4. Discuss and agree how measures of FIP/AIP success can be measured and monitored.

Background

The relevant section in the labelling code which was discussed during this meeting is in Option 4 for responsibility claims for both wild caught and aquaculture fish and seafood (pages 7 and 11 of the draft code for public feedback). The wording being referred to is:

"has achieved a 'high risk' or 'medium risk' risk assessment evaluation and the appropriate actions are being taken with measures of success defined and monitored, and appropriate conditions met where required, in alignment with high and medium risk evaluation response in the AIPCE-CEP Principles for Environmentally Responsible Fish Sourcing"

The six requirements listed on page 7 of the AIPCE-CEP Principles for Environmentally Responsible Fish Sourcing are:

1. Be able to demonstrate that the long term status of the fishery/aquaculture operation is best served by on-going engagement;
2. Define the aims and the milestones which constitute indicators for improvement;
3. Engage in consultation including independent input to drive and encourage positive change in the management measures;
4. Consult and report on progress;
5. Develop robust supply chain traceability and integrity; and
6. Where members determine to remain engaged with a 'high risk' status fishery / aquaculture operation, they will review the position regularly to assess whether the balance is still in favour of constructive engagement.

What constitutes 'appropriate actions?'

Setting the scene

It was clarified within the group that the claims being referred to and discussed today were claims regarding responsibility, not sustainability. This is appropriate to reflect the labeling code and because

making a claim of sustainability would not occur, by definition, if a fishery or farm was involved in a Fishery Improvement Project (FIP) or Aquaculture Improvement Project (AIP). The group noted that suitable guidance already exists, and this should be referred to in the SSC guidance to avoid duplication. It was also felt by some that there was no need to be more specific or prescriptive.

AIPs were discussed and it was noted that work on AIPs is much less developed than for FIPs. The question of whether it was possible or appropriate to certify aquaculture in the UK was raised and it was suggested that almost all the products coming into the UK are already certified. Since aquaculture brought into the UK is often already certified, an AIP is likely to be more appropriate in conjunction with certification. Consequently the discussion tended to focus on FIPs, but equivalency in AIPs was assumed in many cases. It was noted that they should be treated differently even though the process is similar for both FIPs and AIPs, because AIPs are more of a new area than FIPs.

Clarification for the participants

It was clarified that the purpose of the guidance was not enforcement or sanctioning but rather about helping member implement the labelling code which will set a good industry benchmark.

Expansion of SSC membership was raised and the role of representative members was clarified. It was confirmed that representative bodies are not directly responsible for one of their own members, and that the business itself is responsible for backing up any claims it makes with evidence, if necessary. It was confirmed that expansion of the SSC in the retail, supply, processing and foodservice sectors will continue once the codes have been developed further.

Summary of discussion points

Participants discussed what might be considered an 'appropriate action' to justify making a claim of responsibility, and how this could be communicated or used in the guidance. The suggestions are summarised below.

Actions: businesses making the claims should engage directly in a FIP or AIP - but at a relative scale (so for smaller businesses such as fish friers, it could be via their trade association); to withdraw from unsuitable fisheries that are refusing or failing to progress; commission an MSC (or alternative) pre-assessment; implement a sophisticated risk assessment on the fishery or farm; work to a timescale and have regular reviews. There were also suggestions that AIPs need to be developed further as they are not as advanced as FIPs; and that claims could be made relevant to the fishery rather than the business' behaviour.

Providing examples and links: to use case studies and friendly examples; use and refer to existing guidance such as work by Sustainable Fisheries Partnership, WWF, and Conservation Alliance for Seafood Solutions; refer to standards, such as FAO, and potentially benchmark directly against those standards; share work and audits, such as by using Fish Source.

Helpful research tools: the guidance document could refer to source of information that would be useful for the member regarding FIP/AIP engagement including resources such as academic literature searches, fishermen's associations, Regional Fisheries Management Organisations (RFMOs), Marine Research Institute (MRI), International Council for the Exploration of the Seas (ICES), who are commissioned to provide advice for EU and North Atlantic Fisheries, as well as other fisheries around the globe.

Communicating the ‘Appropriate actions’

General considerations

The FIP process was discussed, including the initial assessment that needs to be completed. It was felt that other standards are already available for completing a risk assessment. It was noted that a key step in FIPs was to ensure that a clear goal is set at a very early stage.

Collaboration and communication between businesses stakeholders and through the supply chain may be appropriate, as well as talking or writing to Government and non departmental public bodies.

Scale considerations

It was discussed whether the term “responsible” can and should be used on a product or in communication if it was achieved via Option 4 for small and medium enterprises (SMEs) who have much smaller budgets and resources, which may make it unfeasible to engage in a FIP or AIP directly. The group considered whether it was enough for SMEs to simply ask the right questions of their suppliers to find out whether they themselves were sourcing responsibly or involved in a FIP or AIP. It was suggested that the onus should be on the buyer to ensure that the supplier is in a FIP or AIP. Some were concerned this would allow ‘free riders’ to gain from the work of others by making responsibility claims, whereas others felt it would be an incentive for suppliers to behave responsibly and would allow smaller businesses to use claims of responsibility without heavy financial burdens.

It was suggested that an appropriate level of participation for SMEs, such as a fish and chip shop, would be to communicate honestly and clearly with the public. Suggestions that the guidance should recommend businesses making claims publicly provide clarity on who has taken which actions *i.e.* the extent of involvement with FIP/AIP so as not to mislead consumers.

Providing more information on pack

The group discussed what information would need to be included and whether more information beyond just the use of claims regarding responsibility would be necessary. It was noted by one participant that the rationale behind providing more information is to ensure that the consumer is not misled, which aligns with the very purpose of the labeling code.

The difference between making a responsibility claim on a product or in corporate communication, such as on a website, was discussed. It was suggested that it needs to be clarified, especially on pack, and that further information should be provided. *E.g.* ‘This fish comes from a fishery involved in a Fishery Improvement Project’. However concerns were noted about fitting such information on packs/in communications.

It was further suggested that the exact involvement in the FIP should be made clear, to make the difference in involvement between a buyer, supplier and fishery. For example, an importer might make clear that their involvement was on-the-ground engagement, and a retailer may communicate that their involvement is from supplying the fish from that importer who is directly engaging in the FIP.

Action: to discuss the issue of scale of engagement at the next sourcing working group.

Timing of claims and FIP/AIPs

The group discussed at what stage claims regarding responsibility via Option 4 should be made. It was suggested that responsibility begins when a commitment is made to an agreed set of aims and a timescale, and that transparency in moving towards them is in place (*i.e.* indicators of progress are developed and used), and thus this is when a claim could be made.

It was agreed that retaining documentation and good record keeping would be critical to provide evidence to stakeholders (such as journalists, NGOs, the public and any others) that may choose to scrutinize the process. This could be achieved with formal audits, accurate labels and up-to-date documentation. A business must be able to meet and show how they meet the criteria and commitments made under the code and it was suggested that transparency would be appropriate.

Agreed:

At the end of the meeting, the following points were agreed as suggestions for the guidance document. In order to make a claim of responsibility for fish that have been risk assessed and come out as high or medium risk, the guidance document should recommend that the following steps be taken (in addition to the AIPCE-CEP principles):

1. Engagement in the Fishery/Aquaculture Improvement Project (FIP/AIP) should be relative to the size of the business
2. The Member should communicate externally their business' role and work in engaging with the Fishery/Aquaculture Improvement Project;
3. The member should be transparent about the commitment the business is making, the goal, and how it will be achieved;
4. Member should ensure their business has accurate and up-to-date documentation to prove their engagement;
5. Members should commit to a timeframe for achieving milestones within the AIP/FIP engagement; and
6. Members should review progress of the projects regularly.

The guidance document should provide use examples and case studies of existing and past AIP/FIPs, along with references to other organisations' work on FIPs and AIPs.

Action: Secretariat (ClientEarth) will incorporate these suggestions into the labelling code industry guidance document draft.