Sustainable Seafood Coalition (SSC)

Members' meeting minutes: Foodservice focus

Date: 11 September, 2013

Location: The Rose and Crown Pub, 47 Colombo Street, London, SE1 8DP

Number of attendees: 9 total (including 6 foodservice members and 3 ClientEarth staff acting as facilitator, secretariat and minute taker)

Summary of agreed points

Item 1: New EU regulations - implications for SSC members

- A member of the group asked about new regulations in the EU which would have to be considered in the near future. A discussion arose as a result on the Common Markets Organisation (CMO) regulation, food information regulation, and regulations regarding allergen information. The secretariat will keep members informed of any changes to the proposed CMO as it goes through its reform and amend the guidance document accordingly in line with the CMO changes. The secretariat will circulate links to ClientEarth's blog and SSC news article on proposed CMO changes to the members.

Item 2: Labels for allergy advice

- A member of the group raised the issues of new labelling requirements for allergy advice and providing information to consumers on menus or other areas. This lead to a short discussion between members with no resulting actions.

Item 3: Discussion of three proposed pathways to meet Option 3

- Members felt that Option 3 (as described in more detail in Item 3, below, and in version 8 of the draft labelling code) could be acceptable to most foodservice businesses, but there was a real need for a tool such as the Risk Assessment for Seafood Sourcing (RASS) tool being developed by Seafish Industry Authority to enable members to meet the commitments made under this option.

- Members were keen to discuss the timing of the labelling code for their sector and the feasibility of committing to Option 3 at this time.

Item 4: Prioritising the sourcing code for foodservice members

- Members agreed the current version of the labelling code applies more to the retail sector than the foodservice sector.

- Members agreed they would like completion of sections of the labelling code designed for the foodservice and small retailers to be postponed until the sourcing code has been signed.

- Members agreed that the discussion on defining multiple retailers/large processors will be left to the remaining members in the full SSC members' meeting in October.

- This group will propose in the wider SSC members' meeting that retail members/large processors sign off and progress with the labelling code, and allow for a bolt-on option to apply more to the foodservice/small retail sector at a later date. Members will all need to agree the spirit of the bolt-on in this meeting (e.g. similar to Option 3 in version 8 of the draft labelling code) to avoid later problems.

- The secretariat would help draft a bolt-on option in future for the foodservice/small retail sector.

Item 5: Discussion of the Seafish RASS tool and SSC members' input

- Members agreed that they would like the Seafish RASS tool to cover a wide scope - not just UK fish - and that an overall rating supplied by the tool would be beneficial, rather than ratings for specific elements selected within the tool.

- Members agree that an approach of prioritising assessments by fish landed by volume should be suggested to Seafish.

- Members agreed that having a specific section or tick box option for SSC members, e.g. a locked in option, should be suggested to Seafish. This could also be beneficial for future potential SSC members.

- The secretariat will report back to members after a meeting with Seafish.

- The secretariat will ensure that the SSC labelling code guidance document will clarify which elements in the tool would need to be selected to meet the criteria for risk assessment in the SSC codes, once the RASS tool has been completed.

Purpose of the members' meeting

The meeting opened with a general discussion amongst foodservice members on how they felt about the new draft version of the labelling code (V8) and its feasibility for their businesses. In particular, the aim was also to discuss proposed new sustainability labelling options for small and medium enterprises/foodservice.

Item 1: New EU regulations - implications for SSC members

A member of the group asked about new regulations in the EU which would have to be considered in the near future. A discussion arose as a result on the Common Markets Organisation (CMO) regulation, food information regulation, and regulations regarding allergen information.

Discussion and comments

- The majority of members present felt that having to provide additional information such as catch method and region is impractical considering the number of lines they use and the seasonality/fluctuation in where they source from.

- Members discussed the proposed reform of the CMO, expected to be finalised in December 2013, and the facilitator gave an overview based on ClientEarth's understanding of the current situation. The facilitator stated that the SSC labelling code guidance document may have to change if this or other laws are passed. The facilitator noted that the CMO regulation in its current form states that any voluntary information must be verified, and that the scientific name, capture area and gear type must be stated (for wild fish). However, there was uncertainty on exactly when these proposed changes would apply from, and which sectors the specifications apply to. The facilitator advised members that ClientEarth is seeking a meeting with the Commission to understand the details of the proposed changes to the CMO, and will report any findings to SSC members. Members agreed that the public will be unlikely to understand the additional information on fishing catch method and specific area and it so may not be particularly useful for consumers.

- The facilitator also noted a potential change in the long term under the reformed CMO, which members may also wish to consider: a new ecolabel on fish - specifically to help consumers identify the ecological sustainability of fisheries products. If the CMO is passed as it is currently written then the Commission will conduct a feasibility study and prepare a report to the EU parliament and Council in 2015, with the intention of being implemented in 2020.

- A member suggested that as Seafish is opening a Brussels-based office on 1st October 2013, Seafish may be able to assist in this matter and provide clarity on the regulation and what it means to implement it. The facilitator noted that ClientEarth also has a Brussels office and will ensure the relevant staff from both organisations connect on this issue.

- The discussion turned to proposed CMO requirements to indicate if a product has been defrosted. There was uncertainty in the group as to whether this would apply to foodservice. A member raised the point it would be uncommon to detail whether a product had been defrosted on a restaurant menu, and it would mean very little to a consumer.

- A member asked if Trading Standards (TS) were interested in this new regulation. The facilitator suggested that TS are likely to be one of the enforcers of this regulation, and are also interested in the SSC. The facilitator suggested to members to ask Seafish/Defra/TS for guidance when the CMO comes into force.

Actions:

- The secretariat will keep members informed of any changes and amend the guidance document as necessary.

- The secretariat will circulate links to ClientEarth's blog and SSC news article on proposed CMO changes to the members.

Item 2: Labels for allergy advice

A member of the group raised the issues of new labelling requirements for allergy advice and providing information to consumers on menus etc. This lead to a short discussion between members, who expressed concerns that this will be challenging when menus change and preparation areas are exposed to potential allergens inducing particles such as gluten; it is difficult to list the details of every element of a dish.

Discussion and comments

- A member suggested creating an app whereby customers could access detailed menu information. Another said it was worthwhile discussing allergy labelling now, as consideration for extra information on menus and labels that have to change could correlate with labelling changes in line with the SSC labelling code.

Actions:

No actions.

Item 3: Discussion of three proposed pathways to meet Option 3

The suggestions for Option 3 were read out by the secretariat. These include a self-audit against the FAO Code of Conduct for Responsible Fisheries; or achieving a low-risk outcome through a risk assessment that has been endorsed by a competent third party; or achieving the highest sustainability rating on an non-government organisations (NGO) fish sustainability assessment (as described in Version 8 of the draft labelling code). These options were designed as a route to sustainability claims for small-medium sized enterprises, especially a number of foodservice businesses, to resolve the issues that Options 1 and 2 appear to cause.

Discussion and comments

- A member proposed that having an audit form for restaurants to complete themselves would be beneficial in implementing the proposed option for sustainability claims.

- Regarding the option to make claims when a fish has the highest sustainability rating on a credible NGO fish sustainability advice list, it was agreed that whilst this option has no direct cost, it could be very time consuming for members. This option was not intended specifically for the entire foodservice sector because, for example, many fish lines supplied by wholesalers would not exist on a fish list. Members also discussed the need to be specific on the wording 'high rating' of a credible NGO fish sustainability advice list: for example on the Marine Conservation Society's Good Fish Guide, would this be a rating of 1 or 'fish to eat' (ratings of both 1 and 2)?

- Members discussed different fish rating schemes, and the secretariat reminded members that the code does not include specifics on which fish guide to use; members have the flexibility to choose. Members also discussed potential options for internationally sourced fish which could be used - including Monterey Bay Aquarium's Seafood Watch list. Following a question on whether Regional Fisheries Management Organisations (RFMOs) are counted as NGOs and the secretariat advised that RFMOs would be considered governmental rather than an NGO.

- A member felt that given the amount of resources required to assess several hundred products (as a processor or wholesaler may have), organisations such as Seafish should aim to assess more fish using the RASS tool that are currently covered by their responsible sourcing guides. The member stated they cannot and will not have the resources to do these assessments themselves, and rely on other resources including the MCS Good Fish Guide and in the future the RASS tool.

- The option to make claims on fish after a suitable risk assessment (which could include the future Seafish RASS tool) has resulted in a low risk outcome was discussed. This option requires the risk assessment to be aligned with the AIPCE-CEP principles, but a member was concerned that SMEs in the foodservice sector would not be aware of what these are. The secretariat referred to the guidance document which gives recommendations on issues like this, such as who could competently endorse the risk assessment tool e.g. an NGO, or consultant. It was agreed that a tool such as Seafish's RASS would be very useful to some members.

- One member raised a concern that as Seafish is not an NGO some may view them as having vested interests and this could potentially diminish the credibility of a claim made using this route.

- A member suggested that the RASS tool needs to include suitable criteria so the outcomes, whether low or high, are seen as credible and relevant.

- The group was informed by a member that the Wildlife Trusts run a seafood campaign to promote local seafood in Dorset, and they have received funding to launch a similar scheme in Cornwall which may be of interest to some members sourcing seafood from that area.

- The secretariat asked if the term 'Small and Medium sized Enterprises' (SMEs) should be defined since Option 3 was created only for this sector. A member suggested changing the wording to be foodservice-specific, but the group then felt that it then becomes a grey area. Several members felt Option 3 does work for their business; however, they felt would need the use of a tool such as the RASS tool for their sourcing and labelling commitments. Another member said the usefulness of

the RASS tool would really depend on the size of the individual business, in addition to the number of lines their business uses.

- A member felt that Option 3 was retailer aligned rather than for the foodservice sector, and they would be dependent on an organisation such as Seafish or an NGO covering the species they use. Another member felt the SSC has three types of member - large retail / foodservice suppliers / small retail and smaller foodservice businesses (such as fish and chip shops/restaurants) and different options should be available for each type.

- A member stated that the communication of the code is important if it is to have mass appeal and recognition - this prompted a response that a request to produce a one page Code was discussed in the last meeting. The secretariat said there was a redraft attempted to reduce the size of the code which reduced it to four core pages.

Agreed:

- Members felt that Option 3 could be acceptable to most foodservice businesses, but there was a real need for a tool such as the RASS tool being developed by Seafish Industry Authority to enable members to implement the commitments of this option.

Actions:

- Members were keen to spend the rest of the meeting discussing the timing of the labelling code for their sector and feasibility of committing to Option 3 at this time.

Item 4: Prioritising the sourcing code for foodservice members

Concerns were raised about difficulties the foodservice sector faces in devising a feasible option for sustainability claims under the labelling code, which could frustrate the retail members by effectively causing a block to proceedings. In response to this, it was suggested that foodservice members could consider a delay in signing the labelling code, instead focussing on the sourcing code. Members present felt this would be more relevant, as the sourcing code is needed before commitments under the labelling code could be met. Members then discussed the next steps towards signing off the codes.

Discussion and comments

- The secretariat suggested that they can work on a 'bolt-on' document for the labelling code specific to the foodservice sector. Members expressed several views including that a bolt-on option should not be a concern for retail members because the two sectors work so differently and are not in competition, and that the bolt-on should be aligned so that the retail sector is not undermined by the foodservice sector. Overall, members felt the bolt-on was a positive suggestion. However, it was also felt that the bolt-on would need to be agreed or looked at by retail sector members to avoid objection, and that this suggestion would need to be proposed to the wider group at the next members meeting.

- A member proposed to specify that when signed off, the labelling code would only apply to large multiples and large processors or wholesalers that mainly supply to the large multiples. The secretariat suggested devising terms that would apply to existing members such as 'retailers, processors and suppliers to retail'. Members agreed, although one member said there was a loophole for fishmongers who could be considered a retailer (but obviously a much smaller retailer than, for example, a supermarket). As there is a need to define who the bolt-on would apply to, a member suggested it may be easier to say who it would not apply to. It was therefore agreed that the term for such members should be discussed in the wider members meeting in October so the supermarkets, processors and other members can decide themselves if they agree to the proposed strategy for the labelling code.

Agreed:

- Members agreed the current version of the labelling code applies more to the retail sector than the foodservice sector.

- Members agreed they would like completion of sections of the labelling code designed for the foodservice and small retailers to be postponed until the sourcing code has been signed.

- Members agreed that the discussion on defining multiple retailers/large processors will be left to the remaining members in the SSC meeting in October.

Action:

- Propose in the wider SSC members meeting that retail members/large processors progress with the labelling code, and allow for a bolt-on option to apply more to the foodservice/small retail sector at a later date. Members will all need to agree the spirit of the bolt-on in this meeting (e.g. similar to Option 3 in version 8 of the draft labelling code) to avoid later problems.

- The secretariat would help draft a bolt on option in future for the foodservice/small retail sector.

Item 5: Discussion of the Seafish RASS tool and SSC members' input

A risk assessment tool being devised by Seafish Industry Authority, called the Risk Assessment for Seafood Sourcing (RASS) will be publicly available for industry-wide use, including all SSC members. It is intended to eventually cover thousands of fish lines, and would be a key resource for SSC members with limited resources for implementing the labelling and sourcing codes. Seafish were keen to get input from SSC members on their needs for such a tool and to discuss how it complements the commitments in the SSC codes, in a meeting following immediately after this members meeting, so the group explored this further.

Discussion and comments

- The secretariat gave a brief overview of the RASS tool, stating that users can select specific options and potentially tailor the assessment report to their requirements and exclude elements less relevant under the SSC codes. Seafish is interested in the response and feedback from SSC members, who would potentially be key users of the tool, and wants to know what elements to include in this tool.

- Members agreed they need to establish which elements need assessing when using the tool for the SSC codes. One member said that if NGO ratings were included in the tool, it could be useful and time saving for some businesses.

- Members' discussion included how often it would be updated, how quickly certain fish species would be available using this tool, and issues around data deficient fisheries. Members voiced concerns over the inclusion of fish from export, or more obscure species of fish and seafood which may be a challenge for the RASS tool.

- A member proposed that fish to be covered by the RASS tool should be prioritised by volume landed/brought in by levy.

- The secretariat summarised the key requirements to take to Seafish from SSC foodservice members: (1) Catch location; (2) Data deficiency from fish caught in waters outside the EU; and (3) The volume of fish landed dictates priority in the species to be covered by RASS.

- A member said that there is a risk of penalising a country which is dependent on the export for the benefit of the local community.

- When asked by the secretariat if members feel they need an overall rating from the tool, members agreed they did. Members also suggested having an 'SSC' option to tick so specific categories needed to meet SSC criteria are pre-selected in the tool. Members also suggested including a confidence level for each set of outcomes.

Agreed:

- Members would like the RASS tool to cover a wide scope - not just UK fish.

- Members agree that an approach of prioritising assessments by fish landed by volume should be suggested to Seafish.

- Members agreed an overall rating supplied by the tool would be beneficial, rather than ratings for specific elements selected within the tool.

- Members agreed that having a specific section or tick box option for SSC members, e.g. a locked in option, should be suggested to Seafish. This could also be beneficial for potential SSC members.

Actions:

- The secretariat will report back to members after a planned meeting with Seafish.

- The secretariat will ensure that the SSC guidance document will clarify options in the tool that need to be selected to meet the criteria for risk assessment in the SSC codes, once the RASS tool has been completed.