

Report of the

**EXPERT CONSULTATION TO DEVELOP AN FAO EVALUATION
FRAMEWORK TO ASSESS THE CONFORMITY OF PUBLIC AND
PRIVATE ECOLABELLING SCHEMES WITH THE FAO GUIDELINES
FOR THE ECOLABELLING OF FISH AND FISHERY PRODUCTS
FROM MARINE CAPTURE FISHERIES**

Rome, 24–26 November 2010



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PREPARATION OF THIS DOCUMENT

This is the report of the Expert Consultation, held in Rome, from 24 to 26 November 2010, convened by the Food and Agriculture Organization of the United Nations (FAO) in response to the proposal by the Twelfth Session of the Sub-Committee on Fish Trade of the Committee on Fisheries (COFI:FT) that the FAO Secretariat should develop an evaluation framework to assess the conformity of public and private ecolabelling schemes with the FAO Guidelines for the Ecolabelling of Fish and Fishery Products from Marine Capture Fisheries. The Twenty-eighth Session FAO Committee on Fisheries (COFI) in 2009 had requested COFI:FT to consider an approach to assess the conformity of ecolabelling schemes with the FAO Guidelines suggested by the FAO Secretariat.

FAO.

Report of the Expert Consultation to Develop an FAO Evaluation Framework to Assess the Conformity of Public and Private Ecolabelling Schemes with the FAO Guidelines for the Ecolabelling of Fish and Fishery Products from Marine Capture Fisheries. Rome, 24–26 November 2010.

FAO Fisheries and Aquaculture Report. No. 958. Rome, FAO. 2011. 51p.

ABSTRACT

The FAO Guidelines for the Ecolabelling of Fish and Fishery Products from Marine Capture Fisheries, originally adopted by the Committee on Fisheries (COFI) in 2005, were adopted in revised form by the Twenty-eighth Session of COFI in 2009. Following two Expert Consultations held in 2006 and 2008, a third Expert Consultation convened in May 2010 completed the draft Guidelines for the ecolabelling of fish and fishery products from inland capture fisheries for consideration by COFI in January–February 2011.

Following discussion in both COFI and the Sub-Committee on Fish Trade of the Committee on Fisheries (COFI:FT) relating to checking claims of compliance of ecolabelling schemes with the FAO Guidelines on ecolabelling of fish and fishery products, the Twenty-eighth Session of COFI requested the Secretariat to present a proposal to address this issue to COFI:FT. The Secretariat prepared and presented a document outlining various options for assessing the conformity of ecolabelling schemes with the FAO Guidelines to the Twelfth Session of COFI:FT. The Twelfth Session of COFI:FT agreed that, as a first step, the FAO Secretariat should convene an Expert Consultation to develop an FAO evaluation framework to assess the conformity of public and private ecolabelling schemes with the FAO Guidelines for the ecolabelling of fish and fishery products from marine capture fisheries. The Expert Consultation was convened in response to this decision.

COFI:FT also noted that it would be beneficial to develop a similar evaluation framework to assess the conformity of ecolabelling schemes with the FAO Guidelines for the Ecolabelling of Fish and Fishery Products from Inland Fisheries after their adoption. Moreover, as these draft Guidelines follow very closely the marine Guidelines, the Expert Consultation also considered additional criteria relating specifically to the inland fisheries Guidelines. In the event of COFI adopting the Inland Guidelines, an evaluation framework for ecolabelling schemes certifying fish and fishery products from inland fisheries could readily be produced.

The Expert Consultation considered a number of issues relating to the Guidelines and the Evaluation Framework. *Inter alia*, it noted that the Guidelines, and therefore the draft Evaluation Framework, relate only to the biological sustainability of fishery resources and not to other aspects that might have an impact on sustainability. Also noted were the many commonalities between the Marine Ecolabelling Guidelines and the draft Inland Ecolabelling Guidelines, and that the major difference between them relates to the consideration of enhancement and the use of introduced and/or translocated species in the draft Inland Guidelines. The Expert Consultation noted that in both sets of Guidelines there is insufficient attention given to the chain of custody. The respective responsibilities of States and ecolabelling schemes in relation to assistance to developing countries was also discussed. The draft Evaluation Framework is provided in Appendix D with an explanation of the approach in the body of this report.

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OPENING OF THE MEETING AND ARRANGEMENTS FOR THE SESSION

1. The Expert Consultation to develop an FAO Evaluation Framework to Assess the Conformity of Public and Private Ecolabelling Schemes with the FAO Guidelines for the Ecolabelling of Fish and Fishery Products from Marine Capture Fisheries was held in Rome, Italy, 24–26 November 2010.
2. The Agenda shown in Appendix A was adopted by the Expert Consultation.
3. The list of experts and other participants in the meeting is shown in Appendix B.
4. The meeting was called to order by Mr Árni M. Mathiesen, Assistant Director-General, Fisheries and Aquaculture Department, who delivered the opening statement. The text of his statement is reproduced in Appendix C.
5. Mr Alastair Macfarlane was elected as Chairperson.
6. Mr Graeme Parkes presented the salient features of the draft Evaluation Framework prepared as a discussion document for the Expert Consultation.

BACKGROUND, OBJECTIVES AND EXPECTED OUTCOME OF THE EXPERT CONSULTATION

7. The FAO Guidelines for the Ecolabelling of Fish and Fishery Products from Marine Capture Fisheries were originally adopted by the FAO's Committee on Fisheries (COFI) at its Twenty-sixth Session in 2005. Revisions to these Guidelines¹ were subsequently endorsed by the Twenty-eighth Session of COFI in 2009.²
8. An Expert Consultation was held in May 2006 on drafting the FAO Guidelines for the Ecolabelling of Fish and Fishery Products from Inland Capture Fisheries.³ These draft Guidelines were again considered in 2008 by an Expert Consultation on the FAO Guidelines for Ecolabelling of Capture Fisheries.⁴ A third Expert Consultation, held in May 2010, finalized the draft Guidelines for the Ecolabelling of Fish and Fishery Products from Inland Capture Fisheries.⁵ The Twelfth Session of COFI:FT agreed that the outcome of this Expert Consultation should be forwarded to the Twenty-ninth Session of COFI (2011) for its consideration.⁶
9. The Twenty-eighth Session of COFI requested the Secretariat to present a proposal to COFI:FT for the assessment of compliance of ecolabelling schemes with the FAO ecolabelling Guidelines.⁷ The Twelfth Session of COFI:FT considered a document (COFI:FT/XII/2010/4) prepared by the Secretariat outlining various options for assessing conformity of ecolabelling schemes with the FAO Guidelines and decided that the Secretariat should develop an evaluation framework to assess the conformity of public and private ecolabelling schemes with the Guidelines.⁸ COFI:FT agreed that the

¹ FAO. 2009a. FAO Guidelines for the Ecolabelling of Fish and Fishery Products from Marine Capture Fisheries (Revision 1), Rome, 97p.

² FAO. 2009b. Paragraph 26. Report of the Twenty-eighth Session of the Committee on Fisheries. Rome, 2–6 March 2009. *FAO Fisheries and Aquaculture Report*. No. 902. Rome. 64p.

³ FAO. 2006. Report of the Expert Consultation on the Development of International Guidelines for Ecolabelling of Fish and Fishery Products from Inland Capture Fisheries. Rome, 23–26 May 2006. FAO Fisheries Report. No. 804. Rome. 30p.

⁴ FAO. 2008. Report of the Expert Consultation on the FAO Guidelines for Ecolabelling for Capture Fisheries. Rome, 3–5 March 2008. FAO Fisheries Report. No. 864. Rome. 21p.

⁵ FAO. 2010b. Report of the Expert Consultation on the Development of Guidelines for the Ecolabelling of Fish and Fishery Products from Inland Capture Fisheries. Rome, 25–27 May 2010. FAO Fisheries Report. No. 943. Rome. 37p.

⁶ FAO. 2010a. Paragraph 28. Report of the Twelfth Session of the Sub-Committee on Fish Trade. Buenos Aires, Argentina, 26–30 April 2010. *FAO Fisheries and Aquaculture Report*. No. 939. Rome. 68p.

⁷ FAO. 2009b. Paragraph 31.

⁸ FAO. 2010a. Paragraph 24.

Secretariat should convene an Expert Consultation to initiate this work, the results of which should be considered by the Twenty-ninth Session of COFI in January–February 2011.⁹ The benefits were also noted of establishing evaluation frameworks to assess the conformity of certification schemes with the Aquaculture Certification Guidelines and with the FAO Guidelines for the Ecolabelling of Fish and Fishery Products from Inland Capture Fisheries after their adoption.¹⁰

10. The FAO Secretariat thus convened the Expert Consultation with the objective of initiating the process of developing an evaluation framework to assess the conformity of public and private ecolabelling schemes with the Guidelines for consideration by COFI. The principal task was to develop an evaluation framework for marine capture fisheries. As COFI:FT had also noted that it would be beneficial to develop a similar evaluation framework to assess the conformity of ecolabelling schemes with the FAO Guidelines for the Ecolabelling of Fish and Fishery Products from Inland Fisheries after their adoption, and as these draft Guidelines follow very closely the marine Guidelines, the Expert Consultation also considered additional criteria relating specifically to the inland fisheries Guidelines.¹¹ In the event of COFI adopting the Inland Guidelines, an evaluation framework for ecolabelling schemes certifying fish and fishery products from inland fisheries could be readily produced.

11. Prior to the Expert Consultation, the Secretariat provided the following documents to the Experts:

- The draft agenda.
- A background paper entitled “Development of an evaluation framework to assess the conformity of public and private ecolabelling schemes with the FAO Guidelines for the ecolabelling of fish and fishery products from marine and inland capture fisheries” that included a proposed Evaluation Framework to serve as a discussion document during the Consultation.
- The 2009 FAO Guidelines for the Ecolabelling of Fish and Fishery Products from Marine Capture Fisheries (Revision 1).¹²
- The FAO draft Guidelines for the Ecolabelling of Fish and Fishery Products from Inland Capture Fisheries.¹³ Those paragraphs of the draft Guidelines that are not identical to the Marine Ecolabelling Guidelines were highlighted for ease of reference.
- The FAO Code of Conduct for Responsible Fisheries.

DISCUSSION

12. Ecolabelling schemes are designed to certify labels for products from sustainably managed marine and inland fisheries. The Evaluation Framework was developed to assess whether private or public ecolabelling schemes are in conformity with the FAO Guidelines for Marine Capture Fisheries and the draft FAO Guidelines for Inland Capture Fisheries¹⁴ (the Guidelines). The Evaluation Framework can also be used to assess schemes that, in addition, cover aspects other than those related to the biological sustainability of the fishery (e.g. social and economic aspects). The Evaluation Framework will, however, only provide an assessment in relation to the biological sustainability component of the scheme.

⁹ FAO. 2010a. Paragraph 25.

¹⁰ FAO. 2010a. Paragraph 26.

¹¹ An evaluation framework for aquaculture certification schemes was not considered as the Guidelines are very different to those for capture fisheries.

¹² FAO 2009a.

¹³ FAO 2010b.

¹⁴ Inland fisheries exist in natural waters such as streams, rivers, swamps, lakes and inland seas, temporary water bodies such as floodplains and seasonal water bodies, and also in man-made and modified habitats such as irrigation systems, rice paddies, reservoirs and enclosed natural water bodies.

13. The two sets of Guidelines (those for marine capture fisheries and the draft Guidelines for inland capture fisheries) are designed for third party voluntary ecolabelling schemes. These schemes potentially confer on the owner of a capture fishery product the opportunity to voluntarily affix a label on the packaging, or a list (e.g. a menu) containing the fishery product demonstrating that the product was sourced from a fishery that conforms to an environmental sustainability standard.

14. The Evaluation Framework may be used to assess conformity with FAO Guidelines through a variety of means. It could be used as a self-assessment tool by the ecolabelling scheme holder; it could also be used by third parties with an interest in assessing the conformity of ecolabelling schemes with the Guidelines. These would include governments, consumers, retailers, processors and harvesters that are seeking to make their own assessments against the agreed criteria. FAO will not actually undertake the conformity assessment of ecolabelling schemes, but will provide the tools with which to undertake the assessment.

15. The Guidelines recognize the special circumstances of developing countries and countries in transition including the need to use less data demanding approaches, financial and technical assistance, technology transfer, and training and scientific cooperation. In some instances these special circumstances can be addressed by ecolabelling schemes. In other instances these special circumstances can only be addressed by States, relevant intergovernmental and non-governmental organizations, and financial institutions. The Evaluation Framework only requires ecolabelling schemes to address the special circumstances when they fall within their capacity. The extent to which States, relevant intergovernmental and non-governmental organizations, and financial institutions respond to these requirements falls outside the scope of this Evaluation Framework. However, ecolabelling schemes should try to facilitate access to appropriate assistance from States, relevant intergovernmental and non-governmental organizations, and financial institutions.

16. The Consultation recognized the many commonalities between the marine and inland Guidelines. It was valuable to address the marine capture fisheries Guidelines and the draft inland capture fisheries Guidelines together. It was noted that the similarities between them made it possible to develop one Evaluation Framework for both of them.

17. The draft inland capture fisheries Guidelines are mainly differentiated from the marine capture guidelines on the issues of enhancement and the use of introduced and/or translocated species. The Expert Consultation (EC) noted that enhancement in marine fisheries is becoming more common and that this element is missing from the marine capture Guidelines. The EC considered that an amendment to the Guidelines would be required in order to address this issue in full.

18. The Guidelines require ecolabelling schemes to address the chain of custody certification. However, they do not provide effective minimum substantive requirements to ensure that the integrity of ecolabelled products is maintained at all points throughout the supply chain. The meeting has provided guiding comment in the Evaluation Framework in an effort to address the shortcomings. However, an amendment to the Guidelines would be required in order to address this issue in full.

19. The EC agreed that there is a need to assess the extent to which ecolabelling schemes in practice contribute to improved fisheries management and economic returns. The assertion is frequently made by proponents of ecolabelling schemes that they do. The meeting agreed that there is now a body of evidence emerging that should be analysed to verify whether these assertions have been borne out. The meeting considered that this was a task that FAO might consider undertaking.

20. The EC noted that the structure and function of fish sustainability recommendation lists (e.g. non-governmental organization [NGO] traffic light lists) could be evaluated using the Guidelines, but these lists are not equivalent to ecolabels and the Evaluation Framework is not directly applicable to them.

APPROACH

21. Appendix D sets out the Benchmarking Indicators developed by the EC and the corresponding paragraphs of the Guidelines for which these indicators can be used to assess conformance. The draft Evaluation Framework has been developed to cover both marine and inland fisheries with one set of indicators. Textual differences between the two sets of Guidelines, and associated differences in individual indicators, are identified in the text of the Framework. Text in the proposed Guidelines for inland fisheries that is not included in the Guidelines for marine capture fisheries (and the text in the corresponding performance indicators) is shown in grey highlight. Text in the Guidelines for marine capture fisheries that is not included in the proposed Guidelines for inland capture fisheries (and the text in the corresponding performance indicators) is shown in bold.

22. Three main parts of the Guidelines create the structure for the Evaluation Framework:

- The Principles (Guidelines, paragraphs 2.1 to 2.14).
- The Minimum Substantive Requirements, including ‘Management systems’, ‘Stocks under consideration’ and ‘Ecosystem’ (Guidelines, paragraphs 26 to 32).
- The Procedural and Institutional Aspects, including Guidelines for the setting of standards of sustainable fisheries, Guidelines for accreditation (of independent certifying bodies) and Guidelines for certification (of fisheries).

23. The Principles of the Guidelines describe a number of higher order requirements that are essential for all ecolabelling schemes. The details of how the schemes achieve these requirements are provided in the sections on Minimum Substantive Requirements and the Procedural and Institutional Aspects.

24. The links between the paragraphs in these sections and the Principles is shown in Table 1. This Table demonstrates that there are a large number of paragraphs dealing with the issues of transparency (Principle 2.4), non-discrimination (Principle 2.5), accountability (Principle 2.7), independence of auditing and verification (Principle 2.8), best scientific evidence (Principle 2.10), practicality, viability and verification (Principle 2.11) and communication of truthful information (Principle 2.12). The only Principles not covered directly by later paragraphs are equivalence (Principle 2.9) and clarity (Principle 2.10). Comments are provided in Table 1 with respect to these two Principles.

25. The tiered structure of the Evaluation Framework based on the Guidelines is illustrated in Figure 1.

26. The EC developed benchmark indicators covering all paragraphs in the Minimum Substantive Requirements and the Procedural and Institutional Aspects. No separate benchmark indicators were developed for the Principles. Conformance with the Principles is to be assessed through conformance with the benchmark indicators developed under the Minimum Substantive Requirements and the Procedural and Institutional Aspects.

27. The approach used in developing the Evaluation Framework has been to identify indicators that will permit an assessment of conformity with the FAO Guidelines to be made. In the section dealing with Minimum Substantive Requirements and Criteria for Ecolabels one or more indicators are identified for each paragraph in the Guidelines. In the section dealing with Procedural and Institutional Aspects indicators are often identified to cover groups of paragraphs where related issues are identified. The indicators can be found in the Appendix D and follow closely the text of the Guidelines.

28. The main components of the Guidelines that are not considered to be part of the key elements for benchmarking are the General Considerations (paragraphs 4 to 6), the Terms and Definitions (paragraphs 7 to 25), the introductory paragraphs to the section on Procedural and Institutional Aspects (paragraphs 33 to 38) and the Introduction of the draft Inland Guidelines (paragraphs i–iv).

Nevertheless, these are important components of the Guidelines and could be considered to describe issues of scope that may be significant. For example, for the purposes of clarity, the terms and definitions used in the ecolabelling schemes being evaluated should be reasonably equivalent to those used in the Guidelines (paragraphs 7 to 25) – or a table of equivalences drawn up – to support a proper and unambiguous assessment of conformance.

29. The assessment process, at present, enables an evaluation to be made as to whether the scheme being assessed is in conformity with the indicators identified in the Evaluation Framework (Appendix D) only on a pass/fail basis. Complete conformance is determined only where all indicators have been included in a scheme being assessed.

30. The meeting discussed the benefits of more flexible approaches (e.g. a traffic light approach) to assess the extent of conformity. It recognized that this would require weighting indicators in order to identify those that are critical to ensure conformance with the principles. The performance assessment of other indicators of a more operational nature might lead to determinations of partial but acceptable conformance with the Guidelines. The EC considered that there could be value in this approach but there was insufficient time to attempt it.

31. The Evaluation Framework includes a very large number of benchmark indicators (155 in total, six of which apply only to the inland fisheries guidelines). The Framework does not provide specific guidance on how evaluators should make a determination of conformance, for example, the types of objective evidence that might be used. In undertaking an evaluation using these indicators, evaluators are encouraged to identify the evidence used. In this regard, the EC envisaged three categories of evidence that might be used to assess conformance:

- (a) internal evidence (i.e. the scheme says it does something);
- (b) outcome evidence (i.e. the scheme demonstrably does what it says it does); and
- (c) independent evidence (i.e. an independent expert has determined that the scheme does what it says it does).

32. The EC considered ways in which evaluators might present the results of the evaluation of conformance of an ecolabelling scheme with each indicator. In the first instance, conformance should be summarized by each section of the Guidelines, as illustrated in Figure 1. A simple percentage of the total number of indicators that the ecolabelling scheme passed could be presented on a rosette diagram as illustrated in Figure 2. The EC noted, however, that these approaches suffered from a number of limitations, including the different numbers of benchmark indicators addressing conformance with each section of the Guidelines. The EC was unable to develop more elaborate approaches in the time available, but encouraged evaluators to develop a range of options that most accurately reflect the overall picture of conformance in such a way that areas of both conformance and non-conformance are clear and required improvements can be identified.

33. The Evaluation Framework has not yet been tested by assessing any ecolabelling scheme. Future revisions should take into account the experience gained from undertaking such a test.

ADOPTION OF THE REPORT

34. The report of the Expert Consultation, including the proposed draft evaluation framework to assess the conformity of public and private ecolabelling schemes with the FAO Guidelines for the ecolabelling of fish and fishery products from marine and inland capture fisheries, was adopted on 26 November 2010.

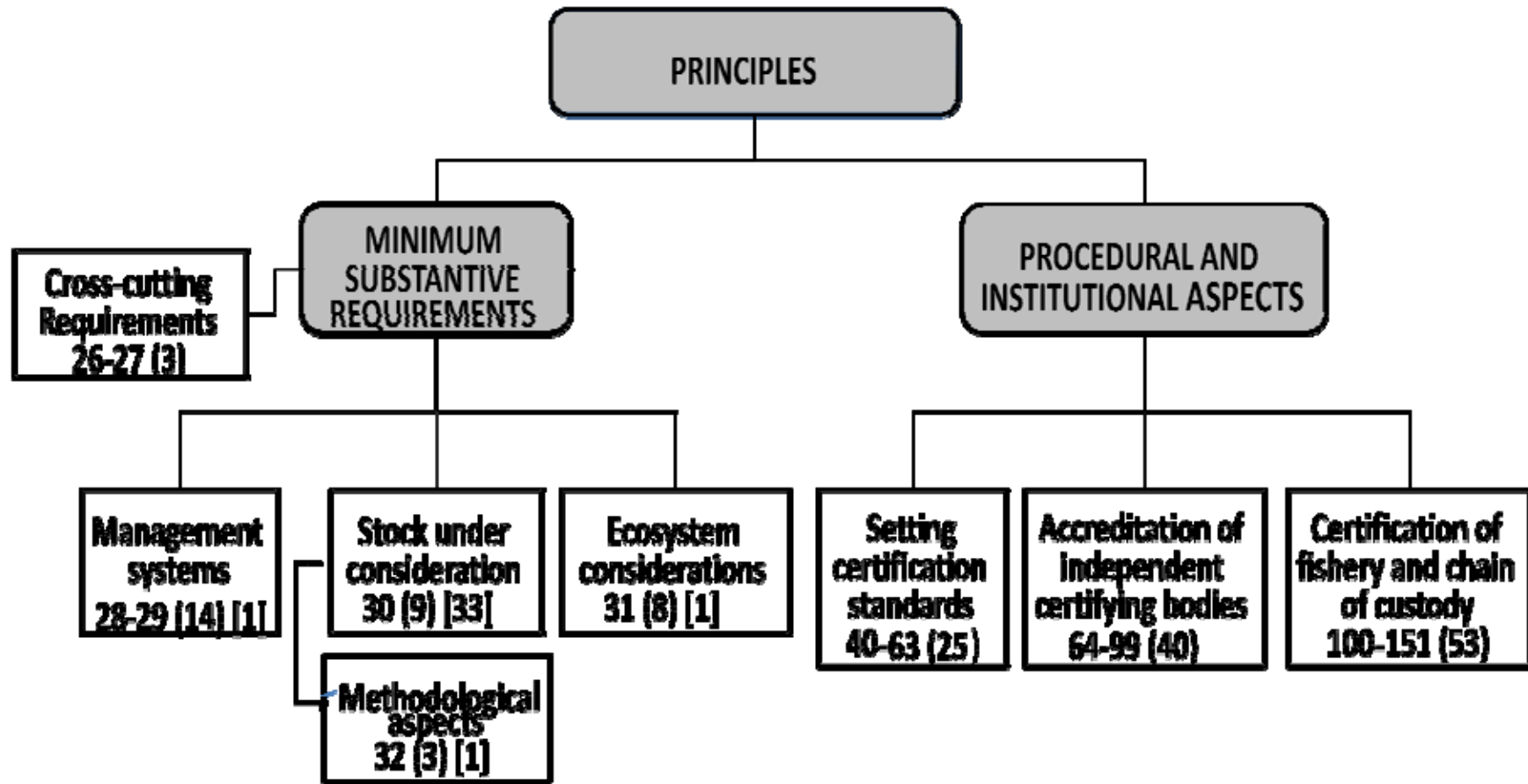


Figure 1. The tiered structure of the Guidelines used for the Evaluation Framework. References to the Guidelines paragraph numbers are provided in each box. Numbers in curved brackets () are the total numbers of benchmark indicators in each case while the numbers in square brackets [] give those that apply only to inland fisheries. Benchmark indicators were developed for all paragraphs in the Guidelines in the Minimum Substantive Requirements and the Procedural and Institutional Aspects (Appendix D).

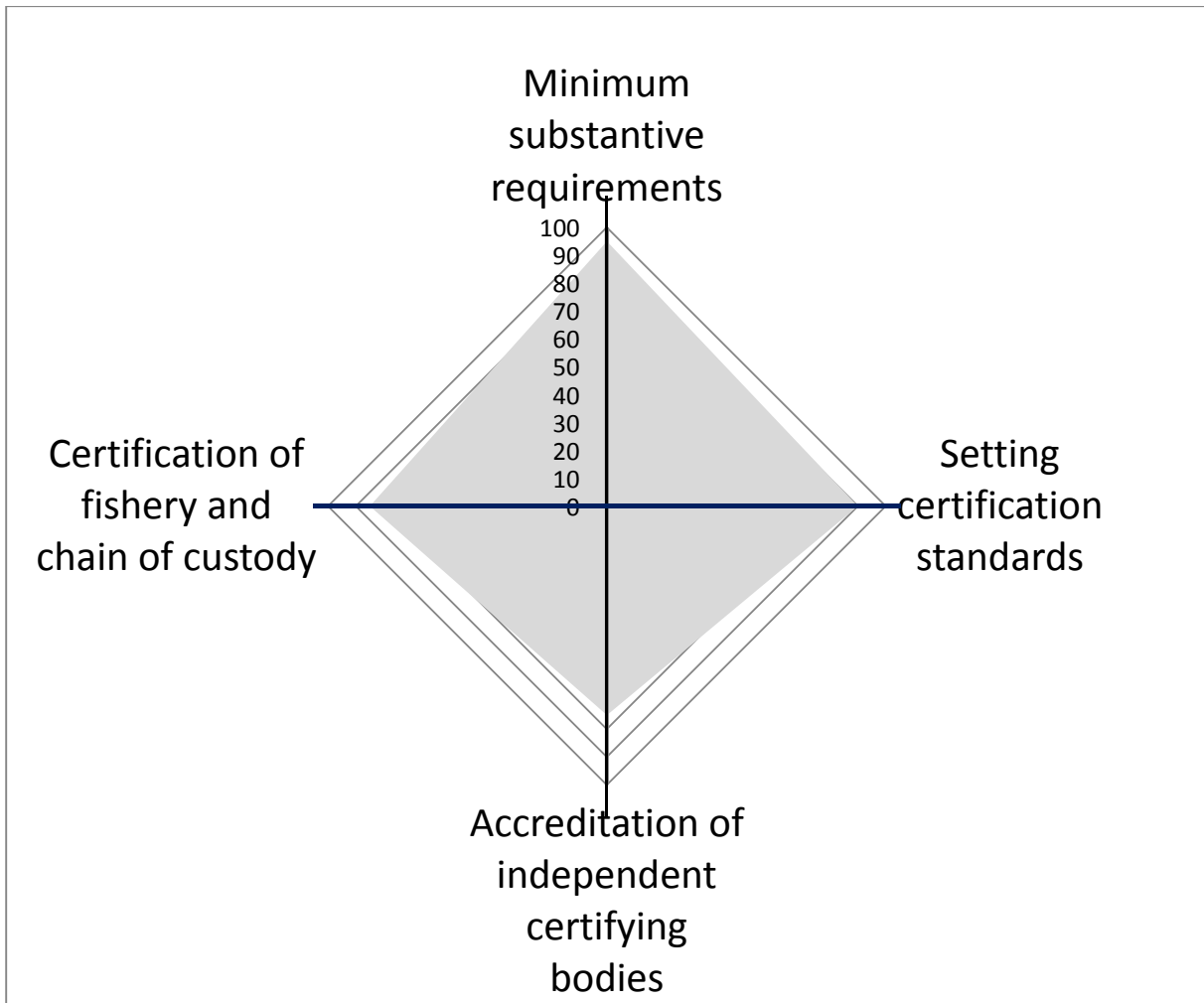


Figure 2: Stylized example of how the percentage of benchmark indicators passed by an ecolabelling scheme might be presented in a report of an evaluation.

Table 1. Relationships between paragraphs in the Principles of the Guidelines and the more detailed paragraphs in the Minimum Substantive Requirements and the Procedural and Institutional Aspects. Note: some paragraph numbers appear in more than one box.

Principle	Conformance with the Principles is to be assessed through compliance with the benchmark indicators for the Guideline paragraphs listed below			
	Minimum Substantive Requirements	Procedural and Institutional Aspects		
		Standards	Accreditation	Certification
<p>2.1 be consistent with [the 1982 United Nations Convention on the Law of the Sea and the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks], the FAO Code of Conduct for Responsible Fisheries, and the World Trade Organization (WTO) rules and other relevant international instruments</p> <p>2.1a Be consistent with the FAO Code of Conduct for Responsible Fisheries, the Convention on Biodiversity, the Ramsar Convention on Wetlands, and the World Trade Organization (WTO) rules and other relevant international instruments.</p> <p>2.1b Take into account the provisions of relevance for the management of inland capture fisheries contained in the 1982 United Nations Convention on the Law of the Sea and the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks</p>	28	42		104, 105, 106
2.2 Recognize the sovereign rights of States and comply with all relevant laws and regulations	28	42		
2.3 Be of a voluntary nature and market-driven		41		
2.4 Be transparent, including balanced and fair participation by all interested parties		46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 57, 58, 59, 60, 61, 62	67, 69, 82, 83, 84, 85, 86	109, 124, 125, 147, 148, 149, 150, 151
2.5 Be non-discriminatory, do not create unnecessary obstacles to trade and allow for fair trade and competition		41, 57, 58	67, 68, 96	112
2.6 Provide the opportunity to enter international markets		41		

2.7 Establish clear accountability for the owners of schemes and the certification bodies in accordance with international standards		43	64, 74, 75, 76, 77, 78, 87, 88	117, 118, 119, 126, 127
2.8 Incorporate reliable, independent auditing and verification procedures		54	39, 64, 65, 66, 69, 78, 79, 80, 81, 89, 90, 91, 92, 93, 94, 95	100, 101, 102, 104, 105, 107, 108, 109, 110, 111, 116, 128, 129, 130, 132, 133
2.9 be considered equivalent if consistent with these Guidelines	Schemes that meet all the requirements of the Guidelines are equivalent to each other in relation to their conformity with the Guidelines. The Schemes themselves do not need to explicitly recognize equivalence with each other.			
2.10 Be based on the best scientific evidence available, also taking into account traditional knowledge of the resources provided that its validity can be objectively verified	29.1, 29.2, 29.3, 30, 31, 32			
2.11 Be practical, viable and verifiable		40, 43, 44, 45, 56, 57, 58, 59, 63	64, 70, 71, 72, 73	113, 114, 115, 120, 121, 122, 123
2.12 Ensure that labels communicate truthful information		54	97, 98, 99	102, 103, 130, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146
2.13 Provide for clarity	<p>The scheme endeavours to ensure that ambiguity is avoided and its claims can be substantiated.</p> <p>The benchmarks used in the scheme itself for assessing conformance with the fishery and chain of custody standards should provide a clear and consistent vision of what is required to achieve a passing grade.</p> <p>Claims on the label and in associated literature should be clear, understandable to consumers and unambiguous.</p>			
2.14 Be based, at a minimum, on the minimum substantive requirements, criteria and procedures outlined in these Guidelines	All	All	All	All

AGENDA AND TIMETABLE

Wednesday, 24 November 2010

Morning	
08.30–09.15	Arrival and registration
09.15–09.45	Welcome by Árni M. Mathiesen (Assistant Director-General, FAO Fisheries and Aquaculture Department)
	Introduction of participants
09.45–10.00	Nomination of Chairperson and Vice-Chairperson of the meeting
	Designation of rapporteur(s)
10.00–10.15	Adoption of the agenda
10.15–10.45	Presentation of background paper on the Evaluation Framework
10.45–11.30	Coffee break and collection of daily allowance
11.30–12.30	Discussion on the background paper
12.30–14.00	Lunch break
Afternoon	
14.00–15.30	Discussion on the background paper (cont.)
15.30–16.00	Coffee break
16.00–17.30	Development of an outline for the further elaboration of the Evaluation Framework

Thursday, 25 November 2010

Morning	
09.00–10.30	Drafting groups on the further elaboration of the Evaluation Framework
10.30–11.00	Coffee break
11.00–12.30	Drafting groups on the further elaboration of the Evaluation Framework (cont.)
12.30–14.00	Lunch break
Afternoon	
14.00–16.00	Drafting groups on the further elaboration of the Evaluation Framework (cont.)
16.00–16.30	Coffee break
16.30–17.30	Drafting groups on the further elaboration of the Evaluation Framework (cont.)

Friday, 26 November 2010

Morning	
09.00–10.30	Discussion of revised Evaluation Framework
10.30–11.00	Coffee break
11.00–12.30	Rapporteurs revise reports based on discussion and Secretariat consolidates draft report
12.30–14.00	Lunch break
Afternoon	
13.30–17.00	Plenary discussion/adoption of final report/closing of meeting

APPENDIX B

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OPENING STATEMENT BY MR ÁRNI M. MATHIESEN, ASSISTANT DIRECTOR-GENERAL, FAO FISHERIES AND AQUACULTURE DEPARTMENT

Ladies and Gentlemen, it is my pleasure to welcome you to Rome and to FAO.

I'm very grateful that you have accepted to serve as experts in this Consultation.

The Guidelines for the Ecolabelling of Fish and Fishery Products from Marine Capture Fisheries were adopted by the Twenty-sixth Session of the Committee on Fisheries in 2005. The FAO Guidelines are voluntary in nature. They are applicable to ecolabelling schemes that are designed to certify labels for products from well-managed fisheries and focus on issues related to the sustainable use of fisheries resources. The FAO Guidelines provide the framework for a level playing field in relation to the ecolabelling of fish and fishery products from marine capture fisheries.

A revised version of the Guidelines for the Ecolabelling of Fish and Fishery Products from Marine Capture Fisheries were adopted by the Twenty-eighth Session of COFI in 2009. The amendments in the FAO Guidelines address the recommendations from the Twenty-sixth Session of COFI in relation to the section on minimum substantive requirements and criteria, and in particular sections on the "stock under consideration" and the serious impacts of the fishery on the ecosystem.

In addition, building on the technical and political process and progress made for marine capture fisheries, COFI also recommended that international Guidelines be prepared by FAO on the ecolabelling of fish and fishery products from inland fisheries. Two Expert Consultations were convened in 2006 and 2010 to develop similar Guidelines for inland capture fisheries. An Expert Consultation in 2008, which proposed revisions to the marine capture fisheries Guidelines, also made recommendations regarding the Guidelines for inland capture fisheries.

At the Eleventh Session of the Sub-Committee on Fish Trade in June 2008, several members raised questions about the extent to which the FAO Guidelines were being used by private certification and ecolabelling schemes and whether claims by schemes that they were adhering to the FAO Guidelines were being checked. The Sub-Committee on Fish Trade requested the Secretariat to assess ways and means to enable all concerned to be informed in a transparent manner about which schemes meet the requirements of the FAO Guidelines on ecolabelling or certification in a credible manner.

The Twenty-eighth Session of COFI in 2009 requested the Secretariat to suggest an approach to assess the conformity of ecolabelling schemes with the FAO Guidelines for consideration by the Sub-Committee on Fish Trade.

The Twelfth Session of the Sub-Committee on Fish Trade that met earlier this year, agreed that the FAO Secretariat should develop an Evaluation Framework to assess the conformity of

public and private ecolabelling schemes with the FAO Guidelines. The Sub-Committee on Fish Trade also agreed that FAO itself would not undertake conformity assessments. Rather, it would make the Evaluation Framework available for third parties to undertake their own assessment. The Sub-Committee also agreed that as a first step in this process, the Secretariat should convene an Expert Consultation to initiate work on the Evaluation Framework.

The purpose of this Expert Consultation is, therefore, to follow-up on this recommendation and to develop an Evaluation Framework to assess the conformity of public and private ecolabelling schemes with the FAO Guidelines for the Ecolabelling of Fish and Fishery Products from Marine and Inland Capture Fisheries. The result of this Expert Consultation will be forwarded to the Twenty-ninth Session of COFI in January 2011 for its consideration. COFI will then provide guidance on how to proceed with this issue.

For those of you who are not familiar with FAO rules and procedures, I should clarify that the participants in an Expert Consultation attend in their individual capacities and not as representatives of their governments or organizations.

Finally, I would like to express my thanks to the Government of Canada and to ALLFISH for providing the funds necessary to hold this Consultation. I wish you fruitful deliberations over the coming days and look forward with interest to the results of your work.

I hope you'll have an enjoyable stay in Rome in spite of all the work to be done.

Thank you very much, Ladies and Gentlemen, for your attention.

DRAFT EVALUATION FRAMEWORK

Coding: **Grey highlight** = text relating to the draft inland fisheries ecolabelling guidelines only; **bold** = text relating to the marine fisheries ecolabelling guidelines only; plain text is text common to both sets of Guidelines.

Minimum Substantive Requirements for the Ecolabel Standard

Guidelines Paragraph	Assessing Conformance	
	Comments	Benchmark Indicator
<p>Introduction</p> <p>26. The following sets forth the minimum substantive requirements and criteria for assessing whether a fishery can be certified and an ecolabel awarded to a fishery. Ecolabelling schemes may apply additional or more stringent requirements and criteria related to sustainable use of the resources. The requirements and criteria presented below are to be based on and interpreted in accordance with the current suite of agreed international instruments addressing fisheries, in particular the 1982 UN Convention on the Law of the Sea, the 1995 UN Fish Stocks Agreement and the 1995 Code of Conduct for Responsible Fisheries, as well as related documentation including the 2001 Reykjavik Declaration on Responsible Fisheries in the Marine Ecosystem. including the 1995 Code of Conduct for Responsible Fisheries, the Convention on Biodiversity, the Ramsar Convention on Wetlands, as well as provisions of relevance for the management of inland capture fisheries contained in the 1982 UN Convention on the Law of the Sea and the 1995 UN Fish Stocks Agreement.</p>	<p>Not necessary as part of benchmarking.</p> <p>Not necessary for benchmarking. See benchmarks for Guideline Paragraph 2.1.</p>	N/A
<p>27. Requirements are specified for each of three areas: the management systems, the fishery and associated “stock under consideration” for which certification is being sought (subsequently referred to as “stock under consideration”), and consideration of serious impacts of the fishery on the ecosystem including stock enhancement activities. Criteria and related measurable performance indicators and a corresponding monitoring system should be established in order to assess the conformity of the fishery concerned with the requirements and the criteria of the ecolabelling scheme. In developing and applying the criteria and assessing the conformity of the fishery with the standard of certification, the views and opinions of States, RFMOs, RFBs, relevant regional commissions or other organizations or arrangements and FAO should be fully considered.</p>	<p>The certification standard must be accompanied by a series of criteria and/or performance indicators that enable independent certifiers to assess compliance with the standard in an auditable and repeatable way.</p> <p>For details on the certification assessment and monitoring</p>	<p>The standard specifies requirements for three main areas:</p> <ol style="list-style-type: none"> (1) the management systems; (2) the fishery and associated “stock under consideration” for which certification is being sought; and (3) consideration of serious impacts of the fishery on the ecosystem, including stock enhancement activities. <p>The standard establishes criteria and related measurable performance indicators to assess conformity.</p> <p>In developing and applying the criteria and assessing the conformity of the fishery with the standard of certification,</p>

Guidelines Paragraph	Assessing Conformance	
	Comments	Benchmark Indicator
	procedure see Area 3.3: Paragraphs 100–151.	the views and opinions of States, RFBs, relevant regional commissions or other organizations or arrangements, RFMOs and FAO are fully considered.
<p><u>Management systems</u></p> <p>28. Requirement: The fishery is conducted under a management system which is based upon good practice and that ensures the satisfaction of the requirements and criteria described in Paragraph 29. The management system and the fishery operate in compliance with the requirements of local, national and international laws and regulations, including the requirements of any regional fisheries management organization agreement that manages directs the management of the fisheries on the “stock under consideration”.</p> <p>28.1 For the “stock under consideration” there are documented management approaches with a well based expectation that management will be successful taking into account uncertainty and imprecision, and the multipurpose nature of the use patterns in inland waters.</p> <p>28.2 There are objectives, and as necessary, management measures to address pertinent aspects of the ecosystem effects of fishing as per paragraph 31.</p>	<p>The standard should include consideration of the management system (see also above – paragraph 27).</p>	<p>The standard for the management system is based on current international norms with respect to good practice and satisfies benchmarking requirements established under Guideline Paragraphs 29 and 31</p> <p>The standard for the management system requires compliance with local, national and international laws and regulations, including the requirements of any regional fisheries management agreement that directs the management of the fisheries on the “stock under consideration”.</p>
<p>29. The following criteria will apply to management systems for any fisheries, but it must be recognized that special consideration needs to be given to small-scale fisheries, which are prevalent in inland capture fisheries, with respect to the availability of data and with respect to the fact that management systems can differ substantially for different types and scales of fisheries (e.g. small scale through to large scale commercial fisheries).</p> <p>29.1 Adequate and reliable data and/or information are collected, maintained and assessed in accordance with applicable international standards and practices for evaluation of the current state and trends of the stocks (see below: Methodological aspects). This can include relevant traditional, fisher or community knowledge, provided its their validity can be objectively verified.</p>	<p>Whether the standard assesses if the management system ensures that reliable data are collected about the fishery.</p>	<p>The standard is applicable to management systems for any fisheries, with due consideration to availability of data and the fact that management systems can differ substantially for different types and scales of fisheries.</p> <p>The standard includes a requirement for the management system to ensure reliable and current data and/or other information about the fishery are collected and maintained to assess the current status and trends of the stocks.</p>

Guidelines Paragraph	Assessing Conformance	
	Comments	Benchmark Indicator
<p>29.2a In determining suitable conservation and management measures, the best scientific evidence available is taken into account by the designated authority, as well as consideration of relevant traditional, fisher or community knowledge, provided its their validity can be objectively verified, in order to evaluate the current state of the “stock under consideration” in relation to, where appropriate, stock specific target and limit reference points.</p> <p>29.2bisb: Taking due account of paragraph 32, for the “stock under consideration” the determination of suitable conservation and management measures should include or take account of:</p> <ul style="list-style-type: none"> • Total fishing mortality from all sources is considered in assessing the state of the “stock under consideration”, including discards, unobserved mortality, incidental mortality, unreported catches and catches in other fisheries. • Management targets are consistent with achieving MSY (or a suitable proxy) on average, or a lesser fishing mortality if that is optimal in the circumstances of the fishery (e.g. multi-species fisheries) or to avoid severe adverse impacts on dependent predators. • The management system should specify limits or directions in key performance indicators (see 30.2), consistent with avoiding recruitment overfishing or other impacts that are likely to be irreversible or very slowly reversible, and specify the actions to be taken if the limits are approached or the desired directions are not achieved. 	<p>The management system must evaluate the state of the stock. Whether management and conservation measures are determined for the fishery is covered in paragraph 29.4 below.</p>	<p>The standard includes a requirement for the management system to take into account the best scientific evidence available and consider relevant valid and verifiable traditional, fisher and community knowledge in evaluating the state of the stocks in relation to stock-specific target and limit reference points, where appropriate.</p> <p>The standard includes a requirement for the management system, in assessing the status of the stock under consideration and determining suitable conservation and management measures, to take account of:</p> <ul style="list-style-type: none"> • Total fishing mortality from all sources including discards, unobserved mortality, incidental mortality, unreported catches and catches in other fisheries. • Management targets consistent with achieving MSY (or a suitable proxy) on average, or a lesser fishing mortality if that is optimal in the circumstances of the fishery (e.g. multi-species fisheries) or to avoid severe adverse impacts on dependent predators. <p>The standard includes a requirement for the management system to specify limits or directions in key performance indicators (see Indicators under Guideline Paragraph 30.2), consistent with avoiding recruitment overfishing or other impacts that are likely to be irreversible or very slowly reversible.</p> <p>The standard includes a requirement for the management system to determine sustainability reference points and to specify in advance remedial actions to be taken if reference points are approached or exceeded or the desired directions are not achieved, including the specification of a recovery plan for stocks that become overfished.</p>

Guidelines Paragraph	Assessing Conformance	
	Comments	Benchmark Indicator
<p>29.3 Similarly, data and information, including relevant traditional, fisher or community knowledge, provided its their validity can be objectively verified, are used to identify adverse impacts of the fishery on the ecosystem, and timely scientific advice is provided on the likelihood and magnitude of identified impacts (see Paragraph 31).</p> <p>29.4 The designated authorities adopt and effectively implement appropriate measures for the conservation and sustainable use of the “stock under consideration” based on the data, information, and scientific advice referred to in the preceding bullets. Short-term considerations should not compromise the long-term conservation and sustainable use of fisheries resources.</p> <p>29.5 An effective legal and administrative framework at the local, national or regional level, as appropriate, is established for the fishery and compliance is ensured through effective suitable mechanisms for monitoring, surveillance, control and enforcement. This could include relevant traditional, fisher or community approaches, provided their performance could be objectively verified (see also Paragraph 6).</p> <p>29.6 In accordance with the Code of Conduct for Responsible Fisheries Article 7.5, the precautionary approach is being implemented to protect the “stock under consideration” and to preserve the aquatic environment. This should take due account of stock enhancement procedures. <i>Inter alia</i> this will require that the absence of adequate scientific information should not be used as a reason for postponing or failing to take conservation and management measures. Further, relevant uncertainties are being taken into account through a suitable method of risk assessment, including those associated with the use of introduced or translocated species. Appropriate reference points are determined and remedial actions to be taken if reference points are approached or exceeded are specified.</p>	<p>The standard should assess whether management considers ecosystem impacts.</p> <p>Refer to the best scientific evidence available – as per Guidelines Paragraph 2.10.</p> <p>Precautionary Approach covered in conjunction with paragraph 29.4.</p> <p>Reference points covered under paragraph 29.2bis.</p>	<p>The standard includes a requirement for the management system to receive timely scientific advice regarding the likelihood and magnitude of adverse impacts of the fishery on the ecosystem, taking into account relevant and objectively verified traditional fisher or community knowledge.</p> <p>The standard includes a requirement for appropriate management measures for the conservation and sustainable use of the stock under consideration and the protection of the aquatic environment to be adopted and implemented, based on the best scientific evidence available and the precautionary approach. Such management measures take due account of stock enhancement procedures.</p> <p>The standard includes a requirement for an effective legal and administrative framework for the fishery, including relevant traditional, fisher or community approaches, provided their performance can be objectively verified.</p> <p>The standard includes a requirement for suitable monitoring, surveillance, control and enforcement, including relevant traditional, fisher or community approaches, provided their performance can be objectively verified.</p> <p>The standard includes a requirement for relevant uncertainties to be taken into account through a suitable method of risk assessment, including in the case of inland fisheries, those associated with the use of introduced or translocated species.</p>

Guidelines Paragraph	Assessing Conformance	
	Comments	Benchmark Indicator
29.7 In the case of enhanced fisheries, the management system is able to demonstrate that the stocking material originating from aquaculture facilities meets the requirements of paragraph 30d.	Covered in 30.d.	
29.8 In the case of enhanced fisheries, the fishery management system should take due regard of the natural production processes and minimise adverse impacts on ecosystem structure and function.		For enhanced fisheries, the standard requires the fishery management system to take due regard of natural production processes and to minimise adverse impacts on ecosystem structure and function.
<p>Stocks under consideration</p> <p>30a Requirement: The “stock under consideration” is not overfished, and is maintained at a level which promotes the objective of optimal utilization and maintains its availability for present and future generations, taking into account that longer term changes in productivity can occur due to natural variability and/or impacts other than fishing. In the event that biomass drops well below such target levels, management measures (Code of Conduct Article 7.6), including measures to favourably enhance the environment, should allow for restoration within reasonable time frames of the stocks to such levels (see also paragraph 29.2.bis). This requirement also pertains to species introductions or translocations that have occurred historically and which become established as part of the natural ecosystem. The following criteria are applicable:</p>	<p>See also paragraph 29.2bis with respect to the specification of levels and a recovery plan.</p> <p>This requirement also pertains to species introductions or translocations that have occurred historically and which become established as part of the natural ecosystem.</p>	<p>The standard includes an assessment of the state of the stock under consideration (see also paragraph 27)</p> <p>The standard includes the requirement that the stock under consideration is not overfished and promotes the objective of optimal utilization and maintains its availability for present and future generations. The standard includes a clear understanding of what is meant by overfished and overfishing, conforming to current international norms (e.g. Code of Conduct) through the specification of levels (reference points). In the case of enhanced fisheries, this requirement applies to the naturally reproductive components of enhanced stocks. (compare with paragraph 29.2bis).</p> <p>The standard requires that naturally reproductive components of enhanced stocks are not substantially displaced by stocked components. In particular, displacement must not result in a reduction of the natural reproductive stock component below abundance-based target reference points (or their proxies). (also applies to paragraph 30.c)</p> <p>In the event that biomass drops well below a specified level consistent with the objective of optimal utilization and availability for present and future generations due to natural variability and/or impacts other than fishing, management measures (Code of Conduct Article 7.6) [including measures to favourably enhance the environment], should allow for restoration of the stocks to such levels within reasonable time frames.</p>

Guidelines Paragraph	Assessing Conformance	
	Comments	Benchmark Indicator
<p>30a.1 The “stock under consideration” is not overfished if it is above the associated limit reference point (or its proxy).</p> <p>30a.2 If fishing mortality (or its proxy) is above the associated limit reference point, actions should be taken to decrease the fishing mortality (or its proxy) below that limit reference point.</p> <p>30a.3 The structure and composition of the “stock under consideration” which contribute to its resilience are taken into account.</p> <p>30a.4 In the absence of specific information on the “stock under consideration”, generic evidence based on similar stocks can be used for fisheries with low risk to that “stock under consideration”. However, the greater the risk of overfishing the more specific evidence is necessary to ascertain the sustainability of intensive fisheries.</p>	<p>If the size of the stock under consideration is above its limit reference point (or its proxy), the standard does not consider it to be overfished.</p> <p>This language relates to the requirement for restoration of the stocks above. If management measures are in place and are working, then all should be well. If not, the certificate may need to be suspended or revoked.</p>	<p>If fishing mortality (or its proxy) is above the associated limit reference point, the standard requires actions to be taken to decrease the fishing mortality (or its proxy) below that limit reference point.</p> <p>The standard requires that the assessment of the stock under consideration takes into account the structure and composition of that stock which contribute to its resilience.</p> <p>For fisheries with low risk, when specific information on the “stock under consideration” is lacking, the standard allows for the use of generic evidence based on similar stocks. Where the risk of overfishing is greater, the standard requires more specific evidence to ascertain the sustainability of intensive fisheries.</p>
<p>30b. The scope of these guidelines extends to enhanced components of the “stock under consideration” provided that a natural reproductive stock component is maintained and fishery production is based primarily on natural biological production within the ecosystem of which the “stock under consideration” forms a part. Specifically, to be within the scope of these guidelines, enhanced fisheries must meet the following criteria:</p> <ul style="list-style-type: none"> • the species are native to the fishery’s geographic area or were introduced historically and have subsequently become established as part of the “natural” ecosystem. • there are natural reproductive components of the “stock under consideration” • the growth during the post-release phase is based upon food supply from the natural environment and the production system operates without supplemental feeding. 		<p>The standard includes enhanced components of the stock under consideration, only when:</p> <ul style="list-style-type: none"> • A natural reproductive stock component is maintained fishery production is based primarily on natural biological production within the ecosystem of which the “stock under consideration” forms a part. • The species are native to the fishery’s geographic area or were introduced historically and have subsequently become established as part of the “natural” ecosystem.

Guidelines Paragraph	Assessing Conformance	
	Comments	Benchmark Indicator
		<ul style="list-style-type: none"> • There are natural reproductive components of the “stock under consideration”. • The growth during the post-release phase is based upon food supply from the natural environment and the production system operates without supplemental feeding.
<p>30c. In the case of enhanced fisheries, “stock under consideration” may comprise naturally reproductive components and components maintained by stocking. The overall enhanced fishery should be managed in such a way that the naturally reproductive components are managed in accordance with the provisions of Article 7 of the Code of Conduct for Responsible Fisheries and with paragraph 30a. The following criteria are to be interpreted in the context of avoiding significant negative impacts of enhancement activities on the natural reproductive components of “stock under consideration”.</p> <ul style="list-style-type: none"> • naturally reproductive components of enhanced stocks are not overfished • naturally reproductive components of enhanced stocks are not substantially displaced by stocked components. In particular, displacement must not result in a reduction of the natural reproductive stock component below abundance-based target reference points (or their proxies) defined for the regulation of harvest in accordance with paragraph 30a. 	<p>Requirement for naturally reproductive components of enhanced stocks to be not overfished covered under paragraph 30a.</p> <p>The requirement that the natural reproductive stock component is not reduced below abundance-based target reference points (specifically due to displacement) could be incorporated in paragraph 29.2bis.</p>	<p>This guideline paragraph is met through conformance with Guideline Paragraph 30.a.</p>
<p>30d. Enhanced fisheries may be supported in part by stocking of organisms produced in aquaculture facilities or removed from wild stocks other than the “stock under consideration”. Aquaculture production of organisms for stocking should be managed and developed according to relevant provisions of Article 9 of the Code of Conduct for Responsible Fisheries, especially in relation to maintaining the integrity of the environment, the conservation of genetic diversity, disease control, and quality of stocking material. Removal of organisms from wild stocks other than the stock of consideration should be managed according to the provisions of Article 7 of the Code of Conduct for Responsible Fisheries with respect to the stock from which organisms are being removed.</p>		<p>The standard requires that stocking of enhanced fisheries, whether sourced from aquaculture facilities or wild stocks, is undertaken in such a way that:</p> <ul style="list-style-type: none"> • the integrity of the environment; • the conservation of genetic diversity; • disease control; and • quality of stocking material are maintained.

Guidelines Paragraph	Assessing Conformance	
	Comments	Benchmark Indicator
<p>Ecosystem considerations</p> <p>31. Requirement: Adverse impacts of the fishery and any associated culture and enhancement activity on the ecosystem should be appropriately assessed and effectively addressed. Enhanced fisheries will be managed to ensure biodiversity of aquatic habitats and ecosystems are conserved and endangered species protected. Any modifications to the habitat for enhancing the “stock under consideration” are reversible and do not cause serious or irreversible harm to the natural ecosystem’s structure and function. Much greater Significant scientific uncertainty is to be expected in assessing possible adverse ecosystem impacts of fisheries, than in assessing the state of target stocks including culture and enhancement activities. This issue can be addressed by taking a “risk assessment/risk management approach”. For the purpose of development of ecolabelling schemes, the most probable adverse impacts should be considered, taking into account available scientific information and traditional, fisher or community knowledge, provided that its their validity can be objectively verified. Those impacts that are likely to have serious consequences should be addressed. This may take the form of an immediate management response or further analysis of the identified risk. In this context, full recognition should be given to the special circumstances and requirements in developing countries and countries in transition, including financial and technical assistance, technology transfer, and training and scientific cooperation. The following criteria are to be interpreted in the context of avoiding high risk of severe adverse impacts:</p> <p>31.1 Non-target catches, including discards, of stocks other than the “stock under consideration” are monitored and should not threaten these non-target stocks with serious risk of extinction; if serious risks of extinction arise, effective remedial action should be taken. ...with recruitment overfishing or other impacts that are likely to be irreversible or very slowly reversible arise, effective remedial action should be taken.</p>	<p>Basic requirement for inclusion of assessment and management of impacts of the fishery on the ecosystem covered under paragraph 29.3.</p> <p>Could cover risk assessment procedures and recognition of special circumstances of developing countries, etc.</p>	<p>The standard includes a requirement that adverse impacts of the fishery and any associated culture and enhancement activity on the ecosystem are assessed and addressed by management, and satisfied benchmarking requirements established under paragraphs 31.1–31.3. This issue can be addressed by taking a “risk assessment/risk management approach”.</p> <p>The standard requires that enhanced fisheries are managed to ensure biodiversity of aquatic habitats and ecosystems are conserved and endangered species protected. Any modifications to the habitat for enhancing the stock under consideration are reversible and do not cause serious or irreversible harm to the natural ecosystem’s structure and function.</p> <p>The standard requires that full recognition is given to the special circumstances and requirements in developing countries and countries in transition with respect to the management response to serious consequences to the ecosystem, which may depend on financial and technical assistance, technology transfer, and training and scientific cooperation.</p> <p>The standard includes a requirement that non-target catches, including discards, are monitored, and such catches do not threaten these non-target stocks with serious risk of extinction / with recruitment overfishing or other impacts that are likely to be irreversible or very slowly reversible. The standard requires that effective remedial action be taken.</p>

Guidelines Paragraph	Assessing Conformance	
	Comments	Benchmark Indicator
<p>31.2 The role of the “stock under consideration” in the food-web is considered, and if it is a key prey species in the ecosystem, management measures are in place to avoid severe adverse impacts on dependent predators.</p> <p>31.3 There is knowledge of the essential habitats for the “stock under consideration” and potential fishery impacts on them. Impacts on essential habitats and on habitats that are highly vulnerable to damage by the fishing gear involved are avoided, minimized or mitigated (Code of Conduct for Responsible Fisheries 7.2.2). In assessing fishery impacts, the full spatial range of the relevant habitat should be considered, not just that part of the spatial range that is potentially affected by fishing.</p> <p>31.4 In the absence of specific information on the ecosystem impacts of fishing for the unit of certification, generic evidence based on similar fishery situations can be used for fisheries with low risk of severe adverse impact. However, the greater the risk the more specific evidence is necessary to ascertain the adequacy of mitigation measures.</p>		<p>The standard requires that the role of the “stock under consideration” in the food-web is considered, and if it is a key prey species in the ecosystem, management measures are in place to avoid severe adverse impacts on dependent predators.</p> <p>The standard includes a requirement that impacts on essential habitat for the stock under consideration and on habitats that are highly vulnerable to damage by the fishing gear involved are avoided, minimized or mitigated. In assessing fishery impacts, the standard full spatial range of the relevant habitat should be considered, not just that part of the spatial range that is potentially affected by fishing.</p> <p>When specific information on the ecosystem impacts is lacking, the standard allows for the use of generic evidence based on similar fishery situations for fisheries with low risk.</p> <p>Where the risk of ecosystem impacts is greater, the standard requires more specific evidence to ascertain the adequacy of mitigation measures.</p>

Guidelines Paragraph	Assessing Conformance	
	Comments	Benchmark Indicator
<p>Methodological aspects</p> <p><i>Assessing current state and trends in target stocks</i></p> <p>32a. There are many ways in which state and trends in stocks may be evaluated, that fall short of the highly quantitative and data-demanding approaches to fish stock assessment that are often used for large scale fisheries in developed countries. Use of less elaborate methods for stock assessment frequently used for inland capture fisheries should not preclude fisheries them from possible certification for ecolabelling. However it should be noted that, to the extent that the application of such methods may result in greater uncertainty about the state of the “stock under consideration”, more precautionary approaches to managing fisheries on such resources could will be required which may necessitate lower levels of utilization of the resource. There is a variety of management measures commonly used in small scale or low value fisheries that nonetheless can achieve quite adequate levels of protection for stocks in the face of uncertainty about the state of the resource. A past record of good management performance could be considered as supporting evidence of the adequacy of the management measures and the management system.</p>	<p>Ecolabelling schemes should have measures in place that facilitate participation by fisheries that use methods for stock assessment that are less quantitative and data-demanding as approaches often used for large scale fisheries in developed countries.</p>	<p>Certification of fisheries against the standard allows for the consideration of fisheries whose stock status is assessed using less quantitative and data-demanding approaches, but requires fisheries that fall into this category to demonstrate more precautionary approaches to management.</p> <p>The standard recognizes that a record of good management performance can be considered as supporting evidence of the adequacy of the management measures and the management system.</p>
<p>32b. With due regard to paragraph 32a, stock assessment of fisheries that are enhanced through aquaculture inputs must consider the separate contributions from aquaculture and natural production.</p>		<p>For fisheries that are enhanced through aquaculture inputs, the standard requires that stock assessments consider the separate contributions from aquaculture and natural production.</p>

Conformance: Procedural and Institutional Aspects

Setting of the certification standards for sustainable fisheries

	Guidelines Paragraph	Assessing Conformance	
		Comments	Benchmark Indicator
	N.B.: Paragraph 39 moved to after paragraph 63.		
Purpose	<p>40. The setting of standards is among the most critical tasks of any ecolabelling scheme of products from sustainable marine inland capture fisheries, including enhanced fisheries. The standards reflect the objectives for sustainable inland capture fisheries that are being pursued through the scheme. Standards comprise quantitative and qualitative indicators of the governance system or management regime of a fishery as well as of its outcome in terms of sustainable fisheries use and conservation of marine fishery the resources and related ecosystems.</p> <p>41. Standards should not distort global markets and should not create unnecessary obstacles to international trade.</p>	<p>N/A</p> <p>Comment: We have drawn on the Mexico-US WTO dispute about dolphin-safe tuna to develop these indicators to try to address Guideline paragraph 41. See http://www.cuts-citee.org/pdf/DP-Eco-labels.pdf for a summary.</p>	<p>N/A</p> <p>The standards do not distort global markets and do not create unnecessary obstacles to international trade. Use of the standard is voluntary – there are no mandatory requirements by the scheme for a fishery to be certified in order to access any markets.</p>
Normative basis	<p>42. The normative basis of standards of sustainable fisheries is given by international fisheries instruments and applicable national legislation. Relevant international fisheries instruments include, <i>inter alia</i>, the FAO Code of Conduct for Responsible Fisheries, the Convention on Biodiversity, the Ramsar Convention on Wetlands, and the provisions of relevance for the management of inland capture fisheries contained in the 1982 UN Convention on the Law of the Sea and the 1995 UN Fish Stocks Agreement and the 1995 Code of Conduct for Responsible Fisheries.</p>	<p>Not necessary for benchmarking. See Table 1.</p>	<p>These normative documents are complied with.</p>

	Guidelines Paragraph	Assessing Conformance	
		Comments	Benchmark Indicator
	<p>43. In procedural terms, the normative basis for standard development includes the following.¹⁵</p> <ul style="list-style-type: none"> • ISO/IEC Guide 59 <i>Code of good practice for standardization</i>. 1994. • WTO TBT, ANNEX 3 <i>Code of Good Practice for the Preparation, Adoption and Application of Standards</i>. • FAO. 1998. Report of the Technical Consultation on the Feasibility of Developing Non-Discriminatory Technical Guidelines for Eco-Labeling of Products from Marine Capture Fisheries, Rome, Italy, 21–23 October 1998. FAO Fisheries Report. No. 594. • ISEAL. P020 Guidance on ISEAL Code of Good Practice for Setting Social and Environmental Standards. Public Draft. July 2003. • ISEAL. Code of Good Practice for Voluntary Process and Production Method Standard-setting Procedures. Public Draft. 1 March 2003. • P005 ISEAL Code of Good Practice for Setting Social and Environmental Standards v5, April 2010. 		These normative documents are often updated. The most recent versions or their equivalent replacements, should they be superseded, are consulted and complied with.
Functions and organisational structure	<p>44. A standard setting organization or arrangement is assigned with the tasks of setting, reviewing, revising, assessing, verifying and approving standards. These tasks can be fulfilled through a specialized standard-setting body or through another suitable arrangement.</p> <p>45. Where there is no standard-setting body, the organizational structure of a standard-setting arrangement should include, <i>inter alia</i>, a technical committee of independent experts and a consultation forum whose mandates are established.</p>	<p>An ecolabel scheme must have a standard-setting body.</p> <p>Consultation on the standard is benchmarked through Guideline paragraphs 46 to 63.</p>	<p>A specialised standard-setting body or another suitable arrangement exists, with the role of establishing and managing the certification standard.</p> <p>A standard-setting arrangement includes a technical committee of independent experts and a consultation forum whose mandates are established.</p>

¹⁵ These normative documents are often updated; the most recent version should be consulted.

	Guidelines Paragraph	Assessing Conformance	
		Comments	Benchmark Indicator
	46. Transparency in the development of standards is necessary to guarantee and to ensure consistency with relevant international standards and to facilitate access, and participation of all interested parties, especially those of developing countries and countries in transition.		This Guideline Paragraph is met through conformance with paragraphs 47–53.
Requirements: Transparency	<p>47. Standard-setting organizations or arrangements should carry out their activities in a transparent fashion and following written rules of procedure. Procedural rules should contain a mechanism for the impartial resolution of any substantive or procedural disputes about the handling of standard-setting matters.</p> <p>48. A standard is under preparation (under review or under revision) from the moment a decision has been taken to develop, review or revise a standard until that standard has been adopted.</p> <p>49. Once a standard has been adopted, it should be promptly published and should be accessible on the Internet.</p>	<p>Guideline paragraphs 47 to 53 (Transparency in standard setting) are amalgamated into a series of composite benchmarks under the headings of:</p> <ul style="list-style-type: none"> • Rules of procedure for standard setting; • Standards under preparation; • Adopted standards; • Publication of ongoing; programme of work in standard setting; and • Translation. <p>Fishing communities should be included in the development of standards of sustainable capture fisheries, including enhanced fisheries.</p> <p>Standards under preparation (draft standards, standards under review, or standards under revision, from the moment when a decision has been taken to prepare such standards, until those standards have been adopted. (Paragraph 48)</p> <p>The basis for the review of the standard is addressed under Guidelines paragraphs 60–63.</p>	<p>Rules of procedures (ROPs) for standard-setting:</p> <p>Written rules of procedures (ROPs) for standard-setting to guide decision making are established, followed, made readily available and provided promptly on request to any interested parties. (Paragraphs 47, 52, 56)</p> <p>ROPs include an impartial dispute resolution mechanism to resolve substantive and procedural disputes. (47)</p> <p>Interested parties participate in the standard-setting tasks through an appropriate consultation forum or appropriate alternative mechanism. The standard setting procedure is based on balanced participation by independent technical experts and by representatives of interested parties in the standard development, revision and approval process. Development of standards of sustainable capture fisheries, including enhanced fisheries includes, as appropriate and wherever possible, representatives of fisheries management authorities, the fishing industry, fishworkers organizations, the scientific community, environmental interest groups, fish processors, traders and retailers and hatchery managers as well as consumer associations. (Paragraphs 54 and 55)</p> <p>Where more than one consultation forum is designated, coordination requirements applicable to them are determined. (Paragraph 55)</p>

	Guidelines Paragraph	Assessing Conformance	
		Comments	Benchmark Indicator
	<p>50. At least once every six months, the standard-setting organization or arrangement should publish a work programme containing:</p> <ul style="list-style-type: none"> – its name; – its address; – the list of standards currently under preparation; – the list of standards currently under reviewing or revision; – the list of standards which were adopted in the preceding period. <p>51. A notice of existence of the work programme should be published in a national or, as may be, regional or international publication of standardization activities and/or should be accessible on the Internet whenever possible.</p> <p>52. On the request of any interested party, the standardizing organization or arrangement should promptly provide, or arrange to provide a copy of its standard setting procedures, most recent work programme, draft standard or final standard.</p> <p>53. Translations into English, French or Spanish of standard setting procedures, most recent work programme, draft standards or final standards should be provided upon request, within the means of the standard-setting body or arrangement.</p>		<p>Publication of ongoing programme of work in standard setting and of standards under preparation</p> <p>A work programme for standard setting exists and notice of its existence is published in national, regional and international publications of standardization activities, as applicable, and on the internet. (Paragraph 51)</p> <p>The Work Programme itself is published at least every six months, including</p> <ul style="list-style-type: none"> – standard-setting organisation’s name and address – the list of standards currently under preparation; – the list of standards currently under reviewing or revision; – the list of standards which were adopted in the preceding period. (Paragraph 50) <p>The work programme and the standards under preparation are made available, on request, to any interested party by the standard-setting organisation. (Paragraph 52)</p> <p>Adopted standards</p> <p>Adopted standards are promptly published, made available on the internet, and on request, to any interested party by the standard-setting organisation. (Paragraphs 49 and 52)</p> <p>Translations</p> <p>All documents (ROPs, work programme, standards under preparation and final standards) are provided either in English, French or Spanish, within the means of the standard-setting body or arrangement, as requested by interested parties.</p>

	Guidelines Paragraph	Assessing Conformance	
		Comments	Benchmark Indicator
Requirements: Participation by interested parties	<p>54. Standard-setting arrangements or organizations should ensure balanced participation by independent technical experts and by representatives of interested parties in the standard development, revision and approval process. Development of standards of for sustainable inland capture fisheries, including enhanced fisheries should, wherever possible, include representatives of fisheries management authorities, the fishing industry, fishworkers organizations, fishing communities, the scientific community, environmental interest groups, fish processors, traders, and retailers and hatchery managers as well as consumer associations.</p> <p>55. Interested parties should be associated in the standard-setting tasks through an appropriate consultation forum or be made aware of an appropriate alternative mechanisms by which they can participate. Where more than one forum is designated, coordination requirements applicable to them should be determined.</p> <p>56. Standardizing arrangements or organizations should have written procedures to guide decision-making.</p>	See above under Rules of procedures (ROPs) for standard-setting.	

	Guidelines Paragraph	Assessing Conformance	
		Comments	Benchmark Indicator
Requirements: Notification provisions	<p>57. Before adopting a standard, the standardizing organization or arrangement should allow a period of at least 60 days for the submission of comments on the draft standard by interested parties. No later than the start of the comment period, the standardizing organization or arrangement should publish a notice announcing the period for commenting in a national or, as may be, regional or international publication of standardization activities and/or on the Internet.</p> <p>58. The standardizing organization or arrangement should take into account, in further processing of the standard, the comments received during the period for commenting. The reply should include an explanation why a deviation from relevant national or international standards is necessary.</p>		<p>Comment period on draft standards</p> <p>A period of at least 60 days is allowed for the submission of comments on the draft standard by interested parties prior to its adoption. (Paragraph 57)</p> <p>No later than the start of the comment period, the standardizing organization or arrangement publishes a notice announcing the period for commenting in a national or, as may be, regional or international publication of standardization activities and/or on the Internet. (Paragraph 57)</p> <p>Comments received during the period for commenting are taken into account by the standardizing organization or arrangement, in further processing of the standard. There is specific evidence that this is the case. (Paragraph 58)</p> <p>An explanation regarding any deviation from relevant national or international standards is explained. (Paragraph 58)</p>
Requirements: Keeping of records	<p>59. Proper records of standards and development activity should be prepared and maintained. The standard setting organization or arrangement should identify a central focal point for standards-related enquiries and for submission of comments. Contact information for this focal point should be made easily available including on the Internet.</p>		<p>Proper records of standards and development activity are prepared and maintained. A central focal point for standards-related enquiries and for submission of comments is identified by the standard setting organization or arrangement. Contact information for this focal point is readily available including on the Internet. (Paragraph 59)</p>

	Guidelines Paragraph	Assessing Conformance	
		Comments	Benchmark Indicator
Requirements: Review and revision of standards and of standard setting procedures	<p>60. Standards should be reviewed at regular published intervals and, if appropriate, revised following such reviews. Certified fisheries should be given a period of at least three years to come into compliance with the revised standards.</p> <p>61. Proposals for revisions can be submitted by any interested party and should be considered by the standard-setting organization or arrangement through a consistent and transparent process.</p> <p>62. The procedural and methodological approach for setting standards should also be updated in the light of scientific and technical progress and of the experience gained in standard setting of sustainable fisheries.</p>	<p>Requirement for certified fisheries to have three years to come into compliance with the revised standards is addressed in Section on Maintenance of Certification (paragraphs 128–131).</p> <p>Procedures for review and revision of standards, including comment period are addressed under benchmarks for Guideline paragraphs 54–58.</p>	<p>The standard is and has been formally reviewed by the standard setting organization or arrangement at regular published intervals. Certified fisheries are given a period of at least three years to come into compliance with the revised standards.(Paragraph 60)</p> <p>The procedural and methodological approach for setting and revising standards has been updated in the light of scientific and technical progress and of the experience gained in standard setting of sustainable fisheries. (Paragraphs 62 and 63)</p> <p>The standard setting organization or arrangement makes provision for submission and consideration of proposals for revisions to the standard setting procedure by any interested party through a consistent and transparent process that is published in a national or, as may be, regional or international publication of standardization activities and/or on the Internet. (Paragraph 61)</p> <p>Proposals for revisions to the standard setting procedure submitted according to the established procedure are considered by the standard-setting organization. (Paragraph 61)</p>
Requirements: Validation of standards	<p>63. In developing and revising standards, an appropriate procedure should be put in place to validate the standard vis-à-vis the minimum requirements for sustainable marine inland capture fisheries, including enhanced fisheries, as laid out in these guidelines. Validation is also required to ensure that standards do not encompass criteria or requirements that are of no relevance for sustainable fisheries and could cause unnecessary unfair barriers of to trade or mislead the consumer.</p>	<p>Additional benchmark; language taken from Guidelines paragraph 62.</p>	<p>The standard setting organization or arrangement has established a procedure to validate the standard vis-à-vis the minimum requirements for sustainable marine inland capture fisheries, including enhanced fisheries, as laid out in these guidelines.</p> <p>The standard does not encompass criteria or requirements that are of no relevance for sustainable fisheries and could cause unnecessary unfair barriers of trade or mislead the consumer.</p>

Accreditation of independent certifying bodies

	Guidelines Paragraph	Assessing Conformance	
		Comments	Benchmark Indicator
Options for governance structures	39. The owner of an ecolabelling scheme should engage a separate independent specialist accreditation body to take on the task of accreditation of certification bodies on its behalf. The accreditation body could be private, public or an autonomous body governed by public service rules.	Independent accreditation body is a key part of conformance with the guidelines.	The ecolabelling scheme uses an independent accreditation body (AB) to carry out accreditation of certification bodies responsible for conducting conformity assessments with the standard and for chain of custody requirements. The AB meets the requirements specified in ISO Guide 61 ISO/IEC17011:2004 .
Purpose	64. Accreditation provides assurance that certification bodies responsible for conducting conformity assessments with sustainability standards and chain of custody requirements in fisheries are competent to carry out such tasks.	Not necessary as part of benchmarking.	N/A
Normative reference	65. ISO Guide 61. General Requirements for assessment and accreditation of certification/registration bodies. 1996. ISO/IEC 17011:2004. Conformity assessment. General requirements for accreditation bodies accrediting conformity assessment bodies.	Not applicable ISO Guide 61. <i>General Requirements for assessment and accreditation of certification/ registration bodies.</i> 1996 has been withdrawn and replaced by ISO/IEC 17011:2004. Conformity assessment. General requirements for accreditation bodies accrediting conformity assessment bodies.	ABs can objectively demonstrate conformity to the requirements set out in ISO/IEC Guide 17011, as appropriate.
Functions and organisational structure	66. Accreditation is carried out on the basis of a system that has its own rules and management, i.e. an accreditation system. The tasks of granting accreditation following successful assessment should be undertaken by competent accreditation bodies. In order to be recognized as competent and reliable in undertaking the assessment in a non-discriminatory, impartial and accurate manner, an accreditation body should fulfil, <i>inter alia</i> , the following requirements (set out below).		Accreditation is carried out on the basis of an accreditation system that has its own rules and management and meets the requirements in paragraphs 67 to 99.

	Guidelines Paragraph	Assessing Conformance	
		Comments	Benchmark Indicator
Requirements: Non-discrimination	<p>67. Access to the services of the accreditation body should be open to all certification entities irrespective of their country of residence. Access should not be conditional upon the size of the applicant body or membership in any association or group, nor should accreditation be conditional upon the number of certification bodies already accredited.</p> <p>68. Full recognition should be given to the special circumstances and requirements of certification bodies in developing countries and countries in transition including financial and technical assistance, technology transfer, and training and scientific cooperation.</p>	<p>Full recognition should be given to the special circumstances and requirements of certification bodies in developing countries and countries in transition including financial and technical assistance, technology transfer, and training and scientific cooperation.</p>	<p>Accreditation services are available to potential certifying bodies (CBs) irrespective of their country of residence, size and of the existing number of already accredited bodies.</p>
Requirements: Independence, impartiality and transparency	<p>69. The accreditation body should be independent and impartial. In order to be impartial and independent, the accreditation body should:</p> <ul style="list-style-type: none"> – be transparent about its organizational structure and the financial and other kinds of support it receives from public or private entities. – be independent from vested interests, together with its senior executive and staff. – be free from any commercial, financial and other pressures which might influence the results of the accreditation process. – ensure that decision on accreditation is taken by a person(s) who has (ve) not participated in the assessment. – not delegate authority for granting, maintaining, extending, reducing, suspending or withdrawing accreditation to an outside person or body. 	<p>Benchmark taken from World Wide Fund for Nature (WWF) benchmarking (together with second half of paragraph 66). Seems to be a practical way of specifying 'impartial, independent, free from pressures which might influence the results of the accreditation process'.</p>	<p>The AB is:</p> <ul style="list-style-type: none"> – transparent about its organizational structure and the financial and other kinds of support it receives from public or private entities; – independent from vested interests, together with its senior executive and staff; – free from any commercial, financial and other pressures which might influence the results of the accreditation process. <p>Accreditation decisions are carried out by a person(s) who has(ve) not participated in the accreditation assessment.</p> <p>The AB does not subcontract or delegate authority for granting, maintaining, extending, reducing, suspending or withdrawing accreditation to an outside person or body.</p>

	Guidelines Paragraph	Assessing Conformance	
		Comments	Benchmark Indicator
Requirements: Human and financial resources	<p>70. The accreditation body should have adequate financial resources and stability for the operation of an accreditation system and should maintain appropriate arrangements to cover liabilities arising from its operations and/or activities.</p> <p>71. The accreditation body should employ a sufficient number of personnel having the necessary education, training, technical knowledge and experience for performing accreditation functions in fisheries.</p> <p>72. Information on the relevant qualifications, training and experience of each member of the personnel involved in the accreditation process should be maintained by the accreditation body. Records of training and experience should be kept up to date.</p> <p>73. When an accreditation body decides to subcontract work related to accreditation to an external body or person, the requirements for such an external body should be no less than for the accreditation body itself. A properly documented contractual or equivalent agreement covering the arrangements including confidentiality and conflict of interests, should be drawn up.</p>		<p>The AB has adequate financial resources and stability for the operation of an accreditation system and maintains appropriate arrangements to cover liabilities arising from its operations and/or activities.</p> <p>The AB has adequate indemnity insurance to cover the professional liabilities that could arise from its operations and/or activities. The AB has up-to-date records of relevant qualifications, training and experience of personnel involved in accreditation.</p> <p>Records show that the AB employs sufficient staff to perform accreditation functions who have adequate education, training, technical knowledge and experience for performing its accreditation functions in fisheries.</p> <p>When accreditation work is subcontracted by the AB to an external body or person, a contractual or equivalent legally binding agreement between the AB and the contractor requires that the accreditation standards and procedures are equivalent to those of the AB itself.</p>

	Guidelines Paragraph	Assessing Conformance	
		Comments	Benchmark Indicator
Requirements: Accountability and reporting .	<p>74. The accreditation body should be a legal entity and should have clear and effective procedures for handling applications for accreditation procedures. In particular, the accreditation body should maintain and provide to the applicants and accredited entities:</p> <ul style="list-style-type: none"> – a detailed description of the assessment and accreditation procedure; – the documents containing the requirements for accreditation; – the documents describing the rights and duties of accredited bodies. <p>75. A properly documented contractual or equivalent agreement describing the responsibilities of each party should be drafted.</p> <p>76. The accreditation body should have:</p> <ul style="list-style-type: none"> – defined objectives and commitment to quality; – procedures and instructions for quality documented in a quality manual; – an established effective and appropriate system for quality. <p>77. The accreditation body should conduct periodic internal audits covering all procedures in a planned and systematic manner to verify that the accreditation system is implemented and effective.</p> <p>78. The accreditation body may receive external audits on relevant aspects. The results of the audit should be accessible by the public.</p> <p>79. Qualified personnel, attached to the accreditation body’s team, should be nominated by the accreditation body to conduct the assessment against all applicable accreditation requirements.</p>	<p>Existence of written accreditation procedures covered in paragraph 66.</p>	<p>The AB is a legally-established entity.</p> <p>The AB has clear and effective documented procedures which are available to applicants and accredited entities on request, covering at least the following:</p> <ul style="list-style-type: none"> – assessment and accreditation procedures; – requirements for accreditation; – rights and duties of accredited bodies. <p>Contracts or equivalent arrangements are established between the AB and ecolabel scheme and between the AB and prospective CBs describing the responsibilities of all parties with respect to the accreditation process.</p> <p>The AB has:</p> <ul style="list-style-type: none"> – defined objectives and a commitment to quality; – procedures and instructions for quality documented in a quality manual; – an established effective and appropriate system for quality. <p>The AB conducts planned and systematic periodic internal audits covering all procedures to verify that the accreditation system is implemented and effective.</p> <p>The results of any external audits conducted on the AB are available for public scrutiny.</p> <p>The accreditation assessment is carried out by appropriately qualified personnel.</p>

	Guidelines Paragraph	Assessing Conformance	
		Comments	Benchmark Indicator
	<p>80. Personnel nominated for the assessments should provide the accreditation body with a report of its findings as to the conformity of the body assessed to all of the accreditation requirements. The report should provide sufficiently comprehensive information such as:</p> <ul style="list-style-type: none"> – the qualification, experience and authority of the staff encountered; – the adequacy of the internal organization and procedures adopted by the certification body to give confidence in its services; – the actions taken to correct identified nonconformities including, where applicable, those identified at previous assessments. <p>81. The accreditation body should have policy and procedures for retaining records of what happened during the assessment visit for a period consistent with its contractual, legal or other obligations. The records should demonstrate that the accreditation procedures have been effectively fulfilled, particularly with respect to application forms, assessment reports and other documents relating to granting, maintaining, extending, reducing, suspending or withdrawing accreditation. The records should be identified, managed and disposed of in such a way as to ensure the integrity of the process and confidentiality of the information.</p>		<p>The accreditation procedure specifies that reports on the accreditation of certification bodies must be provided to the AB by the appropriately qualified personnel carrying out the assessments.</p> <p>Reports on the accreditation of CBs detail, <i>inter alia</i>, the qualifications, experience and authority of the staff encountered, the adequacy of the internal organization and procedures of the prospective CB, actions taken to correct identified nonconformities (including those identified at previous assessments where applicable).</p> <p>The AB has a written policy and procedures regarding retaining and managing records relating to the accreditation process, that enable it to demonstrate the accreditation procedure has been fulfilled, and handling of records ensures the confidentiality of the information. (see also paragraph 87-88 re. confidentiality)</p>
Requirements: Resolution of complaints concerning accreditation of certifying bodies	82. The accreditation body should have a written policy and procedures for dealing with any complaints in relation to any aspect of the accreditation or de-accreditation of certifying bodies.	See also paragraph 147 relating to complaints regarding certifications	<p>The AB has a written complaints policy and procedure for handling complaints relating to accreditation or de-accreditation of CBs. This policy and procedure are publicly available.</p> <p>The AB keeps a record of all complaints, remedial actions relative to accreditation and assesses the effectiveness of remedial actions.</p>

Guidelines Paragraph	Assessing Conformance	
	Comments	Benchmark Indicator
<p>83. These procedures should include establishment, on an ad hoc basis as appropriate, of an independent and impartial committee to respond to a complaint. If possible, the committee should attempt to resolve any complaints through discussion or conciliation. If this is not possible, the committee should provide a written ruling to the accreditation body, which should transmit it to the other party or parties involved.</p> <p>84. The accreditation body should:</p> <ol style="list-style-type: none"> a. keep a record of all complaints, and remedial actions relative to accreditation; b. take appropriate corrective and preventive action; c. assess the effectiveness of remedial actions; d. safeguard confidentiality of information obtained during the investigation and resolution of complaints. <p>85. Information on procedures for handling complaints concerning accreditation should be made publicly available.</p> <p>86. The above does not exclude recourse to other forms of legal and administrative processes as provided for in national legislation or international law.</p>	<p>See also paragraph 87 regarding confidentiality.</p> <p>Covered under paragraph 82.</p> <p>Covered under paragraph 83/84.</p>	<p>An independent and impartial committee is established by the AB to respond to a complaint. If discussion and/or conciliation fail, the committee provides a written ruling to the accreditation body, which transmits it to the other party or parties involved.</p> <p>The AB takes appropriate corrective and preventive action following the determination of the committee but this does not exclude recourse to other forms of legal and administrative processes as provided for in national legislation or international law.</p> <p>The AB safeguards the confidentiality of information obtained during the investigation and resolution of complaints.</p>

	Guidelines Paragraph	Assessing Conformance	
		Comments	Benchmark Indicator
Requirements: Confidentiality	<p>87. The accreditation body should have adequate arrangements, consistent with applicable laws, to safeguard confidentiality of the information obtained in the course of its accreditation activities at all levels of its organization, including committees and external bodies acting on its behalf.</p> <p>88. Where the law requires information to be disclosed to a third party, the body should be informed of the information provided, as permitted by the law. Otherwise information about an applicant certification body should not be disclosed to a third party without a written consent of the body.</p>	Combined with paragraph 87.	The AB has adequate policies and procedures that are effectively implemented to safeguard confidentiality of information, including in relation to committees and external bodies acting on its behalf. Information about an applicant CB is not disclosed to a third party unless required by law, in which case written consent must be obtained from the applicant CB. (Paragraphs 87 and 88)
Requirements: Maintenance and extension of accreditation	<p>89. The accreditation body should have arrangements to ensure that an accredited certification body informs it without delay of changes in any aspects of its status or operation.</p> <p>90. The accreditation body should have procedures to conduct reassessments in the event of changes significantly affecting the capabilities, or scope of accredited activities of the accredited body or the conformance with any other relevant criteria of competence specified by the accreditation body.</p> <p>91. Accreditation should be re-assessed at sufficiently close intervals to verify that the accredited certification body continues to comply with the accreditation requirements. The periodicity for carrying out reassessments should not exceed five years.</p>		<p>The accreditation procedure and arrangements with CBs include the requirement that CBs inform the AB without delay of changes in any aspect of its status or operation, and in the event of this, a reassessment must be carried out. (Paragraphs 89 and 90)</p> <p>The accreditation procedure specifies that re-accreditation must be carried out at a maximum of five-year intervals. (Paragraph 91)</p> <p>The accreditation procedure specifies the conditions under which accreditation may be suspended or withdrawn, partially or in total, for all or part of the scope of accreditation. (Paragraph 92)</p>

	Guidelines Paragraph	Assessing Conformance	
		Comments	Benchmark Indicator
Suspension and withdrawal of accreditation	92. The accreditation body should specify the conditions under which accreditation may be suspended or withdrawn, partially or in total, for all or part of the scope of accreditation.		
Change in the accreditation requirements	<p>93. The accreditation body should give due notice of any changes it intends to make in its requirements for accreditation.</p> <p>94. It should take account of views expressed by interested parties before deciding on the precise form and effective date of the changes.</p> <p>95. Following a decision on, and publication of, the changed requirements, it should verify that each accredited body carries out any necessary adjustments to its procedures within such time as, in the opinion of the accreditation body, is reasonable.</p> <p>96. Special considerations should be given to accredited bodies in developing countries and countries in transition.</p>		<p>The policies and procedures of the AB require the AB to give due notice of any changes it intends to make in its accreditation requirements and due notice has been given. (Paragraph 93)</p> <p>The AB has a formal procedure to take due account of the views expressed by interested parties when changing its accreditation requirements. (Paragraph 94)</p> <p>Subsequent to any changes in the accreditation requirements, CBs are given a specified time period with which to conform to the changes, and the AB verifies the adjustments have been implemented. The time period for conformance should be considered separately for CBs in developing countries. (Paragraphs 95 and 96)</p>
Proprietor or licensee of an accreditation symbol or a logo	<p>97. The accreditation body which is proprietor or licensee of a symbol or logo, intended for use under its accreditation programme, should have documented procedures describing its use.</p> <p>98. The accreditation body should not allow use of its Accreditation mark or logo in any way which implies that the accreditation body itself approved a product, service or system certified by a certification body.</p>	Compare with paragraph 141.	<p>Where an AB has a symbol or logo relating to its accreditation of CBs, the AB has a written procedure regarding its use. (Paragraph 97)</p> <p>The AB's accreditation mark or logo is clearly separate and distinct from and cannot be confused with the symbol or logo of the ecolabelling scheme. (Paragraph 98)</p>

	Guidelines Paragraph	Assessing Conformance	
		Comments	Benchmark Indicator
	99. The accreditation body should take suitable action to deal with incorrect references to the accreditation system or misleading use of accreditation logos found in advertisements, catalogues, etc.		Incorrect references to the accreditation system or misleading use of symbols and logos found in advertisements, catalogues, etc. are rectified in a timely manner by the accreditation body.

Certification of a fishery and the product chain of custody

	Guidelines Paragraph	Assessing Conformance	
		Comments	Benchmark Indicator
Purpose	100. Certification ... is a necessary condition for the ecolabelling scheme to attain its objectives.	N/A	N/A
Scope	<p>101. There are two types of certification, certification of the fishery itself and certification of the chain of custody between the time the fish is harvested and the time the fish or fishery product is sold to the final consumer. Separate certificates may be issued for the fishery and for the chain of custody.</p> <p>102. Two types of assessments are required for certification:</p> <ul style="list-style-type: none"> a) conformity assessment of whether a fishery conforms with the standard and related certification criteria; b) chain of custody assessment of whether adequate measures are in place to identify fish from a certified fishery at subsequent stages of fish processing, distribution and marketing. <p>103. Fish and fishery products that are labelled to indicate to the consumer their origin from a sustainable fishery require both types of assessments and certificates.</p>	To ensure fish from a certified fishery is correctly identified as such, and fish from non-certified fisheries are not labelled as originating from a certified fishery.	<p>A current conformity certification exists for all fisheries from which products carrying the ecolabel are sourced.</p> <p>A current chain of custody certification, involving all stages of fish processing, distribution and marketing, exists for all products carrying the ecolabel.</p>
Normative references	<p>104. ISO Guide 62, General Requirements for bodies operating assessment and certification/registration of quality systems. 1996. ISO/IEC 17021:2006 Conformity assessment Requirements for bodies providing audit and certification of management systems</p> <p>105. ISO/IEC Guide 65, General requirements for bodies operating product certification systems. 1996. ISO/IEC CD 17065 Conformity assessment – Requirements for certification bodies certifying products, processes and services.</p> <p>106. WTO. Agreement on Technical Barriers to Trade, Article 5.</p>	<p>For compliance with WTO, see Benchmarks for Guideline paragraph 2.1</p> <p>ISO/IEC CD 17065 Conformity assessment – Requirements for certification bodies certifying products, processes and services is scheduled to replace ISO 65.</p>	These normative documents or their equivalent replacements, if updated, are complied with.

	Guidelines Paragraph	Assessing Conformance	
		Comments	Benchmark Indicator
Functions and structure	107. The tasks of carrying out conformity and chain of custody assessments should be undertaken by recognized and accredited certification bodies. In order to be recognized as competent and reliable in undertaking the assessments in a non-discriminatory, impartial and accurate manner, a certification body has to fulfil, <i>inter alia</i> , the following requirements (set out below).	Minimum Substantive Requirements assessment by independent accredited CBs COC assessment by independent accredited CBs.	Assessments against the certification standard and chain of custody standard are carried out by independent accredited certification bodies (CBs), with no legal or financial connection to the owner of the ecolabelling scheme.
Requirements: Independence and impartiality	<p>108. The certification body should be legally and financially independent from the owner of the ecolabelling scheme.</p> <p>109. The certification body and its assessment and certifying staff, whether directly employed by the certification body or sub-contracted by it, should have no commercial, financial or any other interest in the fishery or chain of custody to be assessed other than for its certification services.</p> <p>110. The certification body should ensure that different personnel conduct the certification decision and the certification assessments.</p> <p>111. The certifying body should not delegate authority for granting, maintaining, extending, reducing, suspending or withdrawing certification to an outside person or body.</p>	Paragraph 108 covered in paragraph 107.	<p>CBs and their staff have verified through signature of a legal declaration that they have no commercial, financial or any other interest in the fishery or chain of custody to be assessed.(Paragraph 109)</p> <p>CBs have suitably qualified individuals to undertake certification decisions based on the results of the certification assessment who are different from the individuals undertaking the assessments. (Paragraph 110)</p> <p>The CB does not delegate authority for granting, maintaining, extending, reducing, suspending or withdrawing certification to an outside person or body. (Paragraph 111)</p>

	Guidelines Paragraph	Assessing Conformance	
		Comments	Benchmark Indicator
Requirements: Non-discrimination	112. Access to the services of the certification body should be open to all types of fisheries whether managed by a regional, governmental, parastatal or non-governmental fisheries management organizations or arrangement. Access to certification should not be conditional upon the size or scale of the fishery nor should certification be conditional upon the number of fisheries already certified.		<p>All types of fishery may apply for certification from a certification body, regardless of their scale, size, or management arrangements. (Paragraph 112)</p> <p>There is no upper limit to the number of fisheries that can be certified. (Paragraph 112)</p>
Requirements: Human and financial resources	<p>113. The certification body should have adequate financial resources and stability for the operation of a certification system and should maintain appropriate arrangements to cover liabilities arising from its operations and/or activities.</p> <p>114. The certification body should employ a sufficient number of personnel having the necessary education, training, technical knowledge and experience for performing conformity and/or chain of custody assessments in fisheries.</p> <p>115. Information on the relevant qualifications, training and experience of each member of the personnel involved in the certification process should be maintained by the certification body. Records of training and experience should be kept up to date.</p> <p>116. When a certification body decides to sub-contract work related to certification to an external body or person, the requirements for such an external body should be no less than for the certification body itself. A properly documented contractual or equivalent agreement covering the arrangements including confidentiality and conflict of interests, should be drawn up.</p>		<p>The CB has adequate financial resources and stability for the operation of a certification system and maintains appropriate arrangements to cover liabilities arising from its operations and/or activities. (Paragraph 113)</p> <p>The CB has adequate indemnity insurance to cover the professional liabilities that could arise from its operations and/or activities. (Paragraph 113)</p> <p>CBs have up-to-date records of relevant qualifications, training and experience of personnel involved in certification. (Paragraph 115)</p> <p>Records show that the CB employs sufficient staff to perform certification functions who have adequate education, training, technical knowledge and experience for performing its certification functions in fisheries. (Paragraph 114)</p> <p>When certification work is subcontracted by the CB to an external body or person, a contractual or equivalent legally binding agreement between the CB and the contractor requires that the certification standards and procedures are equivalent to those of the CB itself, including, but not limited to confidentiality and conflict of interests. (Paragraph 116)</p>

	Guidelines Paragraph	Assessing Conformance	
		Comments	Benchmark Indicator
Requirements: Accountability and reporting	<p>117. The certification body should be a legal entity and have clear and effective procedures for handling applications for certification of the fishery and/or the chain of custody. In particular, the certification body should maintain and provide to the applicants and certified entities:</p> <ul style="list-style-type: none"> – a detailed description of the assessment and certification procedure; – the documents containing the requirements for certification; – the documents describing the rights and duties of certified entities. 	<p>This could be assessed in individual CBs, or check whether the accreditation requirements specify this is needed? Verify through accreditation requirements. Other evidence could investigate individual CB procedures.</p>	<p>Certification bodies are legal entities.</p>
	<p>118. A properly documented contractual or equivalent agreement describing the rights and duties of each party should be drafted between the certification body and its clients.</p>		<p>CBs have clear and effective procedures for handling applications for certification against the standard and chain of custody, which are available to applicants and certified entities on request, covering at least the following:</p> <ul style="list-style-type: none"> – description of the assessment and certification procedure; – requirements for certification; – rights and duties of certified entities. (Paragraph 117)
	<p>119. The certification body should have:</p> <ul style="list-style-type: none"> – defined objectives and commitment to quality; – policies and procedures for quality documented in a quality manual; – an established effective, appropriate system for quality. 		<p>Contracts or equivalent arrangements are established between the CBs and their clients for certification. (Paragraph 118)</p>
	<p>120. The certification body should conduct periodic internal audits covering all procedures in a planned and systematic manner to verify that the certification system is implemented and effective.</p>		<p>The CBs can demonstrate:</p> <ul style="list-style-type: none"> – defined objectives and a commitment to quality; – procedures and instructions for quality documented in a quality manual; – an established effective and appropriate system for quality. (Paragraph 119)
	<p>121. The certification body may receive external audits on relevant aspects. The results of the audits should be accessible by the public.</p>		<p>CBs can demonstrate through documented evidence that they conduct periodic internal audits covering all procedures to verify that the certification system is implemented and effective. (Paragraph 120)</p>
		<p>Need to be more clear about what “external audits” means. If it is audits carried out by the AB then this is fine. If it is something more, such as financial audits then this may be beyond “relevant aspects”.</p>	<p>The results of external audits on relevant aspects of CBs carried out by a ABs or others are made publically available. (Paragraph 121)</p>

	Guidelines Paragraph	Assessing Conformance	
		Comments	Benchmark Indicator
	<p>122. The certification body should have a policy and procedures for retaining records for a period consistent with its contractual, legal or other obligations. The records should demonstrate that the certification procedures have been effectively fulfilled, particularly with respect to application forms, assessment reports and other documents relating to granting, maintaining, extending, reducing, suspending or withdrawing certification. The records should be identified, managed and disposed of in such a way as to ensure the integrity of the process and confidentiality of the information.</p> <p>123. The certification body should ensure that, in the event of changes, all affected parties are notified.</p> <p>124. The certification body should make appropriate documents available on request.</p>	<p>Confidentiality of information is addressed in paragraphs 126 and 127.</p> <p>Request by whom? Not sufficiently clear for a benchmark</p>	<p>The CB has a written policy and procedures regarding retaining and managing records relating to the certification process, that enable it to demonstrate the certification procedure has been fulfilled, and handling of records ensures the confidentiality of the information. (See paragraph 126 and 127); (paragraph 122)</p> <p>The CB informs all affected parties of any changes that impair its capacity to undertake certifications. (Paragraph 123)</p> <p>The CB makes documents available on request, subject to confidentiality restrictions. (See paragraphs 126 and 127).</p>
Requirements: Certification fees	<p>125. The certification body should maintain a written fee structure for applicants and certified fisheries which should be available on request. In establishing the fee structure and in determining the specific fee of a certification assessment, the certification body should take into account, <i>inter alia</i>, the requirements for accurate and truthful assessments, the scale, size and complexity of the fishery or chain of custody, the requirement of non-discrimination of any client, and the special circumstances and requirements of developing countries and countries in transition.</p>		<p>CBs maintain a written fee structure that is available on request by applicants and certified fisheries.</p> <p>Fees are adequate to support accurate and truthful assessments commensurate with the scale, size and complexity of the fishery or chain of custody.</p> <p>The fee structure is non-discriminatory and takes into account the special circumstances and requirements of developing countries and countries in transition.</p>
Requirements: Confidentiality	<p>126. The certification body should have adequate arrangements, consistent with applicable laws, to safeguard confidentiality of the information obtained in the course of its certification at all levels of its organization.</p>		<p>The CBs have adequate policies and procedures that are effectively implemented to safeguard confidentiality of information obtained in the course of certifications; information about a particular product or fishery is disclosed to a third party only with a written consent of the client.</p>

	Guidelines Paragraph	Assessing Conformance	
		Comments	Benchmark Indicator
	127. Where the law requires information to be disclosed to a third party, the client should be informed of the information provided, as permitted by the law. Otherwise information about a particular product or fishery should not be disclosed to a third party without a written consent of the client.		If disclosure of information about a particular product or fishery is required by law, the client is informed of the information disclosed.
Requirements: Maintenance of certification	<p>128. The certification body should carry out periodic surveillance and monitoring at sufficiently close intervals to verify that certified fisheries and/or certified chains of custody continue to comply with the certification requirements.</p> <p>129. The certification body should require the client to notify it promptly of any intended changes to the management of the fishery, or the chain of custody, or other changes which may affect conformity.</p> <p>130. The certificate body should have procedures to conduct reassessments in the event of changes significantly affecting the status and management of the certified fishery, or the chain of custody, or if analysis of a complaint or any other information indicates that the certified fishery and/or the chain of custody no longer comply with the required standard and/or related requirements of the certification body.</p>	<p>Reassessment: see also paragraphs 130 and 131.</p> <p>With paragraphs 128 and 131.</p>	<p>Maintenance and renewal of certification</p> <p>Periodic surveillance and monitoring is carried out by the CB ensuring that that certified fisheries and/or certified chains of custody continue to comply with the certification requirements. (Paragraph 128)</p> <p>New and renewed certificates are valid for no more than five years in the case of a fishery and three years in the case of the chain of custody. (Paragraph 131)</p> <p>Re-certification requires a full reassessment, taking into account changes that have been made in the conduct of the fishery or in the management practices, and on any new conditions that changes in standards might require. (Paragraph 131)</p> <p>The certification procedure or related documentation specifies that the client must notify the CB promptly of any intended changes to the management of the fishery, or the chain of custody, or other changes which may affect conformity with the certification requirements. (Paragraph 129)</p> <p>When a fishery that is currently certified is targeting a stock under consideration that becomes overfished, the scheme requires an expedited review of that aspect of the certification by the Certifying Body to determine whether the certificate should be suspended until such time as the stock under consideration is no longer considered to be overfished, according to the best scientific evidence available. (30.a) In the event of changes significantly affecting the status or management of a certified fishery or chain of custody (including information from a substantiated complaint or other source), a reassessment is carried out. (Paragraph 130)</p>

	Guidelines Paragraph	Assessing Conformance	
		Comments	Benchmark Indicator
	131. The period of validity of a certificate should not exceed five years in the case of a fishery and three years in the case of the chain of custody. The assessment required for re-certification should give particular attention to changes that have been made in the conduct of the fishery or in the management practices, and on any new conditions that changes in standards might require.	See paragraphs 128 and 130.	
Requirements: Renewal of certification	132. On the basis of prior regular monitoring and auditing exercises and a full reassessment, the validity of certification can be renewed up to the time limits of five years in the case of a fishery and three years in the case of the chain of custody.	Combined with paragraph 128.	
Requirements: Suspension and withdrawal of certification	133. The certification body should specify the conditions under which certification may be suspended or withdrawn, partially or in total, for all or part of the scope of certification. 134. The certification body should require that a certified fishery and/or chain of custody upon suspension or withdrawal of its certification (however determined), discontinues use of all advertising matter that contains any reference thereto and returns any certification documents as required by the certification body. The certification body should also be responsible for informing the public about the withdrawal or suspension after the appeals process is exhausted.		A certification may be suspended or withdrawn, partially or in total, for all or part of the certification according to the CB's written policy. (Paragraph 133) Upon suspension or withdrawal of a certification (however determined), the CB requires the former certificate holder to discontinue use of all advertising matter that contains any reference to the certification and return any certification documents as required. (Paragraph 134) CB informs the public about the withdrawal or suspension after the appeals process is exhausted, including posting on the Internet. (Paragraph 134)
Requirements: Maintaining the chain of custody	135. Chain of custody procedures are implemented at the key points of transfer. At each point of transfer, which may vary according to the type of fish or fishery product traded, all certified fish or fishery products must be identified and/or segregated from non-certified fish or fishery products. 136. The certification body should ensure that a recipient of certified fish or fishery products should maintain pertinent chain of custody records, including all records relating to shipment, receipt and invoicing.	A separate assessment of the control systems at each point of transfer in the chain of custody will be required to assure segregation. This will require a contract for chain of custody certification between the entity receiving the fish and an accredited CB.	At each key point of transfer in the chain of custody all certified fish or fishery products are identified and/or segregated from non-certified fish or fishery products. (Paragraph 135) The CB ensures that each recipient of certified fish or fishery products maintains pertinent chain of custody records, including all records relating to shipment, receipt and invoicing. (Paragraph 136)

Guidelines Paragraph	Assessing Conformance	
	Comments	Benchmark Indicator
<p>137. The certification body should have documented procedures defining auditing methods and periodicity of audits. The periodicity of audits should depend on:</p> <ul style="list-style-type: none"> – the technical processes undertaken at the point of transfer; – such risk factors as the value and volume of the certified output. <p>138. Any breach or apparent breach of the chain of custody identified during an inspection/audit should be explicitly recorded in the inspection/audit report together with:</p> <ul style="list-style-type: none"> – an explanation of the factors that allowed the breach to occur; – an explanation of the corrective actions taken or required to ensure that a similar breach does not re-occur. <p>139. All inspection/audit records should be incorporated into a written inspection/audit report that is available to pertinent parties and filed at the certification body office.</p> <p>140. The inspection/audit report should contain as a minimum:</p> <ul style="list-style-type: none"> – the date of the inspection/audit; – the name(s) of the person(s) responsible for the report; – the names and addresses of the sites inspected/audited; – the scope of the inspection/audit; – comments on the conformity of the client with the chain of custody requirements. 		<p>The CB maintains documented procedures for auditing methods and periodicity of audits. (Paragraph 137)</p> <p>Audit periodicity depends on risk factors and the technical processes undertaken at the point of transfer. (Paragraph 137)</p> <p>A written report is prepared following an inspection/audit, recording inspection/audit records including</p> <ul style="list-style-type: none"> – the date of the inspection/audit; – the name(s) of the person(s) responsible for the report; – the names and addresses of the sites inspected/audited; – the scope of the inspection/audit; – comments on the conformity of the client with the chain of custody requirements. (Paragraph 140) <p>The written inspection/audit report records any breach or apparent breach of the chain of custody identified, including</p> <ul style="list-style-type: none"> – an explanation of the factors that allowed the breach to occur; – an explanation of the corrective actions taken or required to ensure that a similar breach does not re-occur. (Paragraph 138) <p>The written inspection/audit report is available to pertinent parties and filed at the CB office. (Paragraph 139)</p>

	Guidelines Paragraph	Assessing Conformance	
		Comments	Benchmark Indicator
Requirements: Use and control of a certification claim, symbol or a logo	<p>141. The certification body, accreditation body or owner of the ecolabelling scheme should have documented procedures describing the requirements, restrictions or limitations on the use of symbols or logos indicating that a fish or fishery product comes from a sustainable fishery. In particular, the ecolabelling scheme is required to ensure that symbols or logos should not relate to claims that are of no relevance for sustainable fisheries and could cause barriers of trade or mislead the consumer.</p> <p>142. The certification body, accreditation body or owner of the ecolabelling scheme should not issue any license to affix its mark/claim/logo or issue any certificate for any fishery or fishery product unless it is assured that the product bearing it is in fact produced from certified sources.</p> <p>143. The certification body, accreditation body or owner of the ecolabelling scheme is responsible for ensuring that no fraudulent or misleading use is made with the use and display of its certification mark and logos.</p> <p>144. If the certification body, accreditation body or owner of the ecolabelling scheme confers the right to use a symbol or logo to indicate certification, the fishery and any fish or fishery product from such fishery may use the specified symbol or logo only as authorized in writing by it.</p> <p>145. The certification body, accreditation body or owner of the ecolabelling scheme should take suitable action to deal with incorrect references to the certification system or misleading use of symbols and logos found in advertisements, catalogues, etc.</p>	Compare with paragraph 97.	<p>The scheme owner has a written procedure regarding the use of the symbol or logo. (Paragraph 141)</p> <p>Symbols or logos do not relate to claims that are of no relevance for sustainable fisheries and could cause barriers of trade or mislead the consumer. (Paragraph 141)</p> <p>The scheme owner and/or CB, as appropriate, issue written authorizations and/or licences to affix the scheme's mark/claim/logo only when the fishery and chain of custody have been certified as being in conformity with the scheme. (Paragraphs 142 and 144)</p> <p>The CB, AB or owner of the ecolabelling scheme has mechanisms in place to ensure that no fraudulent or misleading use is made with the use and display of its certification mark and logos. (Paragraph 143)</p> <p>The CB, AB or owner of the ecolabelling scheme takes suitable action to deal with incorrect references to the certification system or misleading use of symbols and logos found in advertisements, catalogues, etc. (Paragraph 145)</p>

	Guidelines Paragraph	Assessing Conformance	
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	<p>146. All certificates issued should include:</p> <ul style="list-style-type: none"> – the name and address of the accreditation body or owner of the ecolabelling scheme; – the name and address of the certification body; – the name and address of the certification holder; – the effective date of issue of the certificate; – the substance of the certificate; – the term for which the certification is valid; – signature of the issuing officer. 		<p>Certificates for use of the scheme’s mark/claim/logo include:</p> <ul style="list-style-type: none"> – the name and address of the AB or scheme owner; – the name and address of the certification body; – the name and address of the certification holder; – the effective date of issue of the certificate; – the substance of the certificate; – the term for which the certification is valid; – signature of the issuing officer. (Paragraph 146)
Resolution of complaints and appeals	<p>147. The accreditation body or owner of the ecolabelling scheme should have a written policy and procedures, applicable to accredited certification bodies, for dealing with any complaints and appeals from involved parties in relation to any aspect of certification or de-certification. Such procedures should be timely, clearly define the scope and nature of appeals that will be considered and should be open only to parties involved in, or consulted, during the assessment. Costs of appeals should be borne by the appellant.</p> <p>148. These procedures should include an independent and impartial committee to respond to any complaint. If possible, the committee should attempt to resolve any complaint through discussion or conciliation. If this is not possible, the committee should provide a written finding to the certification body, accreditation body or owner of the ecolabelling scheme as appropriate, which should transmit the finding to the party or parties involved.</p>	See also paragraph 82 relating to accreditation procedure.	<p>The ecolabel scheme owner or AB has a written policy and procedure applicable to accredited certification bodies for dealing with complaints and appeals related to certification or de-certification from parties involved in, or consulted, during the assessment. This policy and procedure are publicly available. (Paragraphs 147 and 151)</p> <p>The complaints procedure is timely and clearly defines the scope and nature of appeals that will be considered. (Paragraph 147)</p> <p>Costs of appeals are borne by the appellant. (Paragraph 147)</p> <p>An independent and impartial committee is established by the scheme owner or the AB to respond to any complaint. If discussion and/or conciliation fail, the committee provides a written finding to the CB, AB or scheme owner which transmits it to the other party or parties involved. (Paragraphs 148 and 149)</p> <p>The CB, AB or scheme owner, as appropriate, takes appropriate corrective and preventive action following the determination of the committee but this does not exclude recourse to other forms of legal and administrative processes as provided for in national legislation or international law. (Paragraph 149)</p>

	Guidelines Paragraph	Assessing Conformance	
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	149. The above does not exclude recourse to other forms of legal and administrative processes as provided for in national legislation or international law.		<p>The CB, AB or promoter/owner of the ecolabelling scheme (as appropriate) keeps a record of all complaints, remedial actions relative to certification and assesses the effectiveness of remedial actions. (Paragraph 150)</p> <p>The CB, AB or promoter/owner of the ecolabelling scheme (as appropriate) safeguards the confidentiality of information obtained during the investigation and resolution of complaints. (Paragraph 150)</p>
Keeping of records on complaints and appeals concerning certification	<p>150. The certification body, accreditation body or promoter/owner of the ecolabelling scheme should:</p> <ul style="list-style-type: none"> – keep a record of all complaints and appeals, and remedial actions related to certification; – take appropriate corrective and preventive action; – assess the effectiveness of remedial actions; – safeguard confidentiality of information obtained during the investigation and resolution of complaints and appeals concerning certification. <p>151. Information on procedures for handling of complaints and appeals concerning certification should be made publicly available.</p>	Covered by indicators for paragraphs 147–149.	

This is the Report of the Expert Consultation to Develop an FAO Evaluation Framework to Assess the Conformity of Public and Private Ecolabelling Schemes with the FAO Guidelines for the Ecolabelling of Fish and Fishery Products from Marine Capture Fisheries. The Expert Consultation was held in Rome, Italy, on 24–26 November 2010. The FAO Guidelines for the Ecolabelling of Fish and Fishery Products from Marine Capture Fisheries, originally adopted by the FAO Committee on Fisheries (COFI) in 2005, were adopted in revised form by the Twenty-eighth Session of COFI in 2009.

Expert Consultations held in 2006 and 2008 were followed by a third Expert Consultation convened in May 2010 to complete the draft Guidelines for the ecolabelling of fish and fishery products from inland capture fisheries for consideration by COFI in January–February 2011.

Discussions in both COFI and the Sub-Committee on Fish Trade of the Committee on Fisheries (COFI:FT), relating to checking claims of compliance of ecolabelling schemes with the FAO Guidelines on ecolabelling of fish and fishery products, led the Twenty-eighth Session of COFI to request the Secretariat to present a proposal to address this issue to COFI:FT. The Secretariat prepared and presented a document outlining various options for assessing the conformity of ecolabelling schemes with the FAO Guidelines to the Twelfth Session of COFI:FT. The Twelfth Session of COFI:FT agreed that, as a first step, the FAO Secretariat should convene an Expert Consultation to develop an FAO evaluation framework to assess the conformity of public and private ecolabelling schemes with the FAO Guidelines for the ecolabelling of fish and fishery products from marine capture fisheries. The Expert Consultation was convened in response to this decision. COFI:FT also noted that it would be beneficial to develop a similar evaluation framework to assess the conformity of ecolabelling schemes with the FAO Guidelines for the ecolabelling of fish and fishery products from inland fisheries after their adoption. Moreover, as these draft Guidelines follow very closely the marine Guidelines, the Expert Consultation also developed additional indicators relating specifically to the inland fisheries Guidelines.

