

Draft FAO Technical Guidelines for Aquaculture Certification

New Zealand Comments¹

General

1. The Guidelines are a good step towards robust and internationally consistent certification schemes for aquaculture. However the draft Guidelines need considerable work. New Zealand supports the convening of a Technical Consultation by the FAO as a next step in the process.
2. There is a need for coherence and transparency between the Guidelines for Aquaculture Certification and the Guidelines for Marine Capture Fisheries. There is no coherence with the FAO's Guidelines for Eco-labelling of Marine Capture Fisheries – even in the Institutional and Procedural Requirements that ought to have been the easiest to achieve. The guideline for wild capture fisheries is limited in scope to their biological sustainability and the capacity of their management systems to assure on-going biological sustainability. It also addresses issues of impact of capture fisheries on associated and dependent species, habitat and the ecosystem at a generalised and relatively high level. The wild capture guideline does not address the operations of fisheries as businesses – except to the extent that businesses demonstrate that they can safeguard chains custody between catch and final point of sale to assure that the product sold has originated from the eco-labelled fishery.

Scope

3. The Aquaculture Certification draft proposes units of certification down the level of the individual farming (business) operation. This is appropriate to aquaculture and should be supported. The Scope statement suggests four areas for certification – animal health and welfare, food safety and quality, environmental integrity and social responsibility. It then proposes that certification schemes could address any one or a combination of the four areas. This is potentially problematic in the market place. Implicitly a certification scheme could assert that it was compliant with the FAO Guideline but only address one area of scope but leave the impression that it was comparable with certification that addressed a wider set of scoping areas. Thus not only is there no obvious coherence with the wild capture guideline, there is opportunity for aquaculture certification schemes to assert a relationship to the FAO guideline and yet be widely differing in the scope of their certifications.
4. The focus of the Guidelines should be the actual outcome of sustainability. This is an environmental measure in common between aquaculture and wild capture fishing. Undoubtedly aquaculture is a much more human based activity than wild capture fishing as it provides for human intervention at all stages of the lifecycle of organisms. It is appropriate that the Guideline should address wider issues than simply biological sustainability. However it is important that a guideline owned by the FAO is limited to issues within the FAO has competence in. The guideline strays beyond the FAO mandate in some areas e.g. labour standards.

¹ Received on the 12th February 2010

5. If the wild fishing and aquaculture guidelines do diverge in scope etc, FAO could consider developing a statement for informative use in the marketplace clearly stating the reasons it chose the differences in the guidelines relating to aquaculture and fishing. This would essentially serve as a Technical Guidance explanatory document to sit over top of both sets of guidelines. This would potentially help with the inland fisheries guidelines as well to explain how they fit in at the relatively unclear line between fishing and aquaculture. However, this option would not be ideal nor as efficient as making the aquaculture and wild capture guidelines more compatible.

Principles

6. Given that the Guideline envisages certification schemes that are not necessarily comprehensive in all the areas of scope proposed – but rather enables certifications to address only one aspect of scope – such as food safety – it is unreasonable to require in 18(d) that entities *must* facilitate mutual recognition. Harmonisation may be a laudable objective, but it is quite likely that there will be normative differences between certification schemes that will make mutual recognition and harmonisation impossible to achieve. Especially in the private sector, provided that a standard is transparent as to its performance requirements, there should be no obligation on it to have to harmonise with or mutually recognise a standard with lesser performance criteria. There is no equivalent imperative in the wild capture guideline.
7. Concerns regarding the resource poor/small-scale operators – although we acknowledge the importance of including this group, in effect the Guidelines are suggesting subsidising small-scale operators by giving them “special ... financial considerations” (Para 18 k). Does this mean they would be charged less than larger operators to become certified? Does not seem fair but this may be the intent. Perhaps a retailer buying off a smaller producer could address this at the purchase point, rather than through the certification costs?

Minimum Substantive Criteria

8. There is a tendency for the criteria to be prescriptive rather than outcome focussed. They must address a wide range of aquaculture systems, whereas there is a bias in the criteria towards closed systems – either pond or net based – and scope for more extensive systems or open ocean based systems may find it difficult to comply.
9. Specifically on the criteria for environmental integrity, there is no requirement for systems that rely on feeding using marine resources obtained from wild sources to have any regard to the biological sustainability of those operations. Also, if seed or broodstock is taken from the wild for use in aquaculture, this should only be done in a way that does not jeopardise the health of the wild population or the environment (this is alluded to in paragraph 55). It appears that significant opportunities to join up the wild capture and aquaculture guidelines have been missed. Nor is the threat for aquaculture to impact on native stocks/genomes addressed in any normative fashion (56 to 59). Highlighting GMOs in 59 misses the potential impacts on wild biodiversity that could also arise from conventional selective breeding and translocation.
10. Encouraging improvement (paragraph 44 etc) – NZ supports encouraging improvement of aquaculture practices. However, we acknowledge that a line must be drawn at both extents of performance - once performance is highly sustainable there is less (if any) need for increments of improvement in order to be certified. And, at the other end of the spectrum where performance is very poor, a firm should not be certified even if there is a strong commitment to improvement in the future.

Institutional and Procedural Requirements

11. This section should not differ so much from the wild capture guideline. There is a need for editorial work to ensure that the aquaculture document is coherent with the earlier adopted wild capture document. The wild capture guideline should provide the template and any differences should be attributable to explicit differences that are intrinsic to aquaculture as a practice or to the differences in scope that are inherent between the systems.
12. How would national industry standards fit with the Guidelines? Industry or national government bodies may wish to develop standards for aquaculture and then only consider certifying those who have contributed the costs of developing the standard, rather than to any party who may be interested. Are the Guidelines suggesting the certification should be available to anyone once a standard is developed?
13. It is important to enable standard setting bodies also to be owners of logos and logo licensing arrangements. The draft only appears to envisage accrediting or certification bodies owning logos. It is far more likely that it will be the standard owner that owns the logo or brand.
14. Suggest clarification regarding the accreditation body – could it be an existing standards body already set up to provide certification services across various industries, or are the Guidelines suggesting a new body should be set up particularly for the purpose of aquaculture certification?
15. Dispute resolution should not be confined solely to a committee based approach. There are other ways to resolve disputes – mediation, arbitration, judicial – that should be allowed for.