

Haarlem, 12th of December 2019

Makoto Suzuki
Japan Fisheries Certification Support

Subject: Response to the Japan Fisheries Certification Support

Dear Makoto Suzuki,

Many thanks for taking the time to provide your comments on the GSSI Benchmark Report for the Marine Eco-Label Japan (MEL) Program.

GSSI is committed to a transparent benchmark process with opportunity for engagement and comments. Following the consultation, the comments received from Japanese Fisheries Certification Support and other stakeholders have been carefully reviewed by the Independent Experts, Benchmark Committee and the GSSI Board. Comprehensive responses to each of the comments are provided in this and other letters. After careful deliberations, the Benchmark Committee concluded the comments had been sufficiently addressed and recommends GSSI recognition of the MEL program.

In response to the comments referring to version 1.0 of the MEL Japan Fisheries Management Standard, GSSI explicitly points out that the GSSI benchmarking process and recognition only applies to version 2.0 of the MEL Japan Fisheries Management Standard (2018) and version 1.0 of the MEL Aquaculture Standard (2018). Furthermore, during the transition phase up until January 31 2021, MEL-Japan will be required to clearly differentiate between the different versions of its standard through the logo.

In response to comments concerning the present limited availability of evidence proving implementation of the MEL Japan Fisheries Management Standard v.2.0 (2018), the GSSI requirement of having at least 1 accredited certification in place before being able to achieve recognition is met.

That being said, GSSI requires a stringent monitoring of continued alignment. Under normal circumstances, the Monitoring of Continued Alignment (MOCA) review process is to take place after 1.5 years of recognition. However, in response to the comments received, the GSSI Steering Board has decided that for the case of MEL, this MOCA will be advanced to 1-year post recognition and will comprise of a public consultation to provide stakeholders the opportunity to comment on the new evidence of implementation provided and the continued alignment of the MEL scheme with the GSSI benchmark Tool.

GSSI's detailed responses to your comments by component number raised in relation to the GSSI Benchmark of MEL aquaculture standard are set out below.

The response to each of the comments is structured as follows:

1. Description of the component: Essential or Supplementary and the corresponded numeration
2. Text of the Component
3. Submitted Comment
4. Answer from GSSI
5. Conclusion [old part in black] [new part in blue]
6. References [old part in black] [new part in blue]

The answers to the comments and conclusions of the components make use of the GSSI benchmark language, including the following acronyms:

IE: Independent Expert
EC: Essential Component
SC: Supplementary Component
BC: Benchmark Committee
MOCA: Monitoring of Continued Alignment

■ Section A – Governance

ESSENTIAL COMPONENT A.2.04

The Scheme Owner or its delegated authority issues written and enforceable authorizations and/or licenses to use the scheme's mark/claim/logo only when the facility and/or product has been certified as being in conformity with the relevant standard.

■ Japan Fisheries Certification Support comment

MEL ver 1.0では、125魚種152系群が認証を受けている。しかし、資源状態が「高位」の魚種は全体の8%にすぎず、13%は「低位」、64%は「不明」である。また、認証された魚種の中には、環境省によって「準絶滅危惧種」として指定された魚種も含まれてる。さらに、これらの報告書は公開されていないため、どのような根拠で認証されたのか消費者およびステークホルダーは知ることができない。

現在のMELの規定では、MEL ver1.0で認証された魚種も、MEL ver2.0で認証された魚種も、同じラベルを使用することになっている。しかし、上述のように、資源状態が悪い魚種や不明の魚種がMEL ver 2.0で認証された魚種と同じエコラベルがつけられるということは、GSSIの規定に反しています。

MELは、MEL ver1.0で認証された魚種と、MEL ver 2.0で認証された魚種とを、別のマークで識別するようになるべきです。それなしに、GSSIは承認をだすべきではありません。

Under MEL ver 1.0 scheme, 125 species and 152 fish stock were certified, but stock status of 64 % of them are "unknown" and 13% are "low". Those includes 2 species designated as endangered. However, none of those assessment reports were published so consumers and stakeholders cannot know why those fisheries/fish species were certified.

Under the current MEL's rule, both fish species certified by MEL 1.0 and 2.0 can be sold with the same ecolabel. However, if those depleted fish and endangered fish are sold with the same ecolabel with those fish certified against MEL 2.0, this does not meet GSSI's requirement.

MEL should revise the logo usage rule so that those certified against MEL 2.0 and MEL 1.0 use different ecolabel. Otherwise, GSSI should not recognize MEL.

■ GSSI response

MEL-J is in alignment with Essential Component A.2.04. Based on the comment of Japan Fisheries Certification Support, additional information has been included in the final conclusion.

GSSI recognizes the concern raised by the commenter. Yet, MEL is in alignment with the component and has implemented functional differentiations to the logo mark of V1 and V2 of the program. The actions implemented are:

1. Entities certified under V1 are required to display "V1" below or to the right of the logo mark for the V1 of the Program.
2. Also, display "V2" in the logo mark for the V2 of the Program that is currently being benchmarked.
3. Add a clear explanation on the MEL Website about the V1 & V2 logo differentiation.
4. Ensure V1 of the MEL Program is not in use to certify new fisheries.

Additionally, the transition period from V1 to V2 of the program is very clear: By January 2021 all entities that would want to carry the MEL-Japan logo will have to be certified under Version 2 of the program (currently being benchmarked by GSSI).

Conclusion on GSSI Essential Component A.2.04

Conclusion: MEL is in alignment because in using the MEL logo, the users are required to have contract with the CB. RCB (FMS), RCB (AMS) and RCB (CoC) require the CB to conclude contract with the logo user to ensure that the user will follow the logo policy stipulated in R-LOGO. The Template for Contract on the Use of Logo is available as Appendix F in the RCB(CoC), Appendix E in the RCB (FMS) and RCB (AMS). Clause 2.1.2 of the R-LOGO defines the conditions for the logo use.

Review of signed CB Contract Template and Logo Application form includes clauses requiring certification and use limited to the scope of the certification.

As a result of MEL management review (with JFRCA included), MEL decided to improve the Logo management system, by revising of Logo Regulations which contains the Template of the Logo Contract, to be concluded between the certified entity and MEL Council.

IE reviewed the official notice of the change of Logo management system (revision of the Logo regulations, to conclude Logo use contract between entity and MEL).
internal document and 201907_ロゴ契約（東町漁協）

Actual example of Logo use contract between Azuma-cho Fisheries Cooperative Association and MEL Council

Additionally, V2 of the logo mark for fisheries, corresponding to the GSSI benchmarked standard is clearly differentiated from the V1 logo in final products available for consumers.

REFERENCES

1. R-LOGO, 2018, clause 2.1.2.
https://melj.jp/eng/wp-content/uploads/2019/04/Regulations_Logo.pdf
2. R-LOGO, 2019, Appendix 2
https://melj.jp/eng/wp-content/uploads/2019/09/Regulations_Logo.pdf
3. RCB(FMS) ver.2.1, 2019, Clause 5.3.4. , 5.16
https://melj.jp/eng/wp-content/uploads/2019/10/RCB_FMS_ver.2.1.pdf
4. RCB(AMS) ver.1.1, 2019, Clause 5.3.4. , 5.16
https://melj.jp/eng/wp-content/uploads/2019/10/RCB_AMS_ver.1.1.pdf
5. RCB (CoC)ver.2.1, 2019, Clause 5.3.8. , 5.16
https://melj.jp/eng/wp-content/uploads/2019/09/RCB_CoC_ver.2.1.pdf
6. Review contract Tomokomai Fisheries dated 5 Sept 2018 including Logo Mark Usage template completed and signed (Japanese translated)
7. Review audit checklist assessment report

■ Section B – Operational Management

ESSENTIAL COMPONENT B.2.09

The Scheme Owner requires that certification bodies have in place consistent procedures for stakeholders to provide input during the certification process.

■ Japan Fisheries Certification Support comment

MEL ver1.0では、50の認証が出されましたが、認証報告書や認証報告書の概要は一つも公開されていません。MEL ver 1.0では、125魚種、152系群の魚種が認証を取得しており、その64%は資源状態が不明、さらに環境省によって準絶滅危惧種とされた魚種も2つ含まれていました。しかし、ステークホルダーがコメントする期間が定められていなかったため、ステークホルダーには、それらの資源状態が悪い魚種や適切に管理されていない魚種に認証を与えられることを止めることができなかつたのです。これは、「マリン・エコラベル・ジャパン（MEL）は、将来の世代にわたって最適利用ができるよう資源と生態系の保全に積極的に取り組んでいる漁業や養殖業を認証し、MEL ロゴマークをつけて流通させるものです。」というMELの目的と照らし合わせて、非常に不適切です。

MEL ver2.0で審査を行う審査機関は、MEL v1.0で審査を行ってきた審査機関と同じ審査機関です。GSSI 承認を受けた後、今までと同じような不適切な審査を行う可能性が高く、現在のMELの規格には抜け穴がたくさんあります。その一つは、パブリックコメントを審査のはじめに行うということです。審査報告書が提出されても、それに対してコメントすることはできませんし、認証そのものに異議を申し立てることもできません。さらに、そのような不適切な審査・認証を行っても、一度GSSI承認を受けると、取り消されるという仕組みもないのです。これは、非常にリスクが高いと思います。

いままでに不適切な審査を行ってきたという審査機関の前例を考慮して、MELは、審査報告書や認証そのものにコメントしたり異議申し立てしたりするプロセスをもつべきです。それなしに、GSSIは承認を与えるべきではありません。

Although 50 fisheries were certified under the MEL ver. 1.0 scheme, no assessment report or summary of assessment report were published. Under MEL ver. 1.0 scheme, 125 species and 152 fish stock were certified, but stock status of 64 % of them are "unknown" and 13% are "low". Those includes 2 species designated as endangered species by Ministry of Environment. However, stakeholders could not stop those species to be certified because there was no period for public comment. This does not consistent to MEL's aim "MEL aims to promote the sustainable development of fishing industries and seafood culture. To select the MEL certified products with MEL logo marks helps you support the sustainable use of fishery resources and contribute to achieving SDGs."

The assessment body which will conduct assessment of MEL ver. 2.0 is the same organization which conducted assessment of MEL ver. 1.0. This means that the assessment body is likely to conduct rough assessment as before, and current MEL scheme has a lot of spaces to allow the assessment body to do so. Stakeholders cannot prevent to have unsustainable fisheries to be certified through the process because stakeholders are not allowed to comment or raise objection on the assessment report - they are only allowed to comment at the beginning of the assessment. Furthermore, if the assessment body conduct inadequate assessment, GSSI will not suspend or stop recognition because there is not such process. This cause very high risk on seafood sustainability in Japan.

MEL should have process for stakeholder comments on assessment reports. Without that, GSSI should not recognize MEL.

■ GSSI response

MEL-J is in alignment with Essential Component B.2.09. Based on the comment of Japan Fisheries Certification Support, additional information has been included in the final conclusion.

GSSI recognizes the concerns raised by the commenter, yet the scope of the GSSI assessment is MEL ver. 2.0. While concerns may be legitimate, the follow-up Monitoring of Continued Alignment (MOCA) will be reviewing the adherence to stakeholder comments and it is highly encouraged that the commenters ensure they submit comments and/or complaints to JFRCA and MEL if they feel the assessment process is weak or concerns about the sustainability of the stocks.

Conclusion on GSSI Essential Component B.2.09

Conclusion: MEL is in alignment because the RCB (FMS)/ RCB (AMS) requires that the CB at the time of receipt of audit application, make a public announcement and have a consistent system in place by which interested stakeholders can provide input.

JFRCA has in place consistent procedure publicly announces applications for certification with the opportunity for public input during the certification process. Review for sample of audit reports (#6,7,11,15) on JFRCA website with public announcements.

In the JFRCA Certification operation regulation, section 5.3.6, it is stipulated that 1) the acceptance of certification application shall be announced, 2) consistent system shall be in place for interested parties to provide input. And the stakeholder input is available by email. The method is assessed and approved in conformity by JAB.

REFERENCES

1. RCB (FMS) ver.2.1, 2019, Clause 5.3.5.
https://melj.jp/eng/wp-content/uploads/2019/10/RCB_FMS_ver.2.1.pdf
2. RCB (AMS), ver.1.1, 2019, Clause 5.3.5.
https://melj.jp/eng/wp-content/uploads/2019/10/RCB_AMS_ver.1.1.pdf
3. JFRCA website (Japanese Google translate). accessed 22 Oct 2018.
http://www.fish-jfrca.jp/04/progress_and_results.html#mel_capture_fisheries_ver2
4. Screen shot public consultation Application for Hokkaido Fisheries Cooperative Federation Aug 27, 2018
5. Screen shot public announcement (Japanese Google translate) accessed 14 May 2019
http://www.fish-jfrca.jp/04/progress_and_results.html - Chuo CoC (2018/3/20), Yumigahama AMS 2018/5/8, Chubu CoC 2018/8/10, Fukushima FMS 2018/12/24
6. 株式会社兵殖Hyoshoku Co., Ltd. (<http://hyoshoku.com/>)
7. 2019/2/1 certification application was accepted and disclosed on JFRCA website:
http://www.fish-jfrca.jp/04/shinsei/shinsei_hyoshoku.html
*in the announcement
3. 意見提出要領
上記申請に関連し、当協会が考慮すべきであるとする事項について、簡潔な文、又は箇条書きで、意見及び提供可能な場合にはその裏づけとなる具体的な事実をお知らせ下さい。
(意見送付先) mel-jfrca@mbr.sphere.ne.jp
3. Opinion submission guidelines
Related to the application above, on what you think JFRCA should consider, please provide opinions, with brief statement or list of opinions, and if available, specific facts supporting it.
(to submit) mel-jfrca@mbr.sphere.ne.jp
8. Aquaculture and CoC Certifications to Hyoshoku. Co. Ltd. effective on 2019/07/26 (JFRCA10A7500021), (JFRCA20C7500011)
http://www.fish-jfrca.jp/04/progress_and_results.html

ESSENTIAL COMPONENT B.2.13

For fisheries, the Scheme Owner requires certification bodies to make full audit reports available on request after certification has been granted, while excluding commercially sensitive information.

■ Japan Fisheries Certification Support comment

MEL ver1.0では、50の認証が出されましたが、認証報告書や認証報告書の概要は一つも公開されていません。MEL ver 1.0では、125魚種、152系群の魚種が認証を取得しており、その64%は資源状態が不明、さらに環境省によって準絶滅危惧種とされた魚種も2つ含まれていました。しかし、報告書が公開されていないので、消費者やステークホルダーには、なぜその漁業／魚種が認証されたのか、完全に不透明だったのです。これは、「マリン・エコラベル・ジャパン（MEL）は、将来の世代にわたって最適利用ができるよう資源と生態系の保全に積極的に取り組んでいる漁業や養殖業を認証し、MEL ロゴマークをつけて流通させるものです。」というMELの目的と照らし合わせて、非常に不適切です。

たしかに、MEL ver2.0では、「認証取得後に報告書を公開する」と書かれていますが、具体的な期日が書かれていないため、いつになったら公開されるか分かりません。実際、2019年3月に認証を取得した福島のサバ漁業は、4か月が経過した2019年7月28日の時点でまだ報告書は公開されており、審査機関に個別に請求してもまだ提供されません。

MEL ver1.0で不適切な審査を多数行ってきた審査機関と同じ審査機関が審査をするので、私たちは予防的になるべきです。そうしなければ、持続可能ではない魚が多数認証され、日本の水産物マーケットが混乱に陥るようになります。

認証取得と同時に、もしくは認証取得後1週間など、具体的な期日を設けることなしに、GSSI承認を出すべきではありません。

Although 50 fisheries were certified under the MEL ver. 1.0 scheme, no assessment report or summary of assessment report were published. Under MEL ver. 1.0 scheme, 125 species and 152 fish stock were certified, but stock status of 64 % of them are "unknown" and 13% are "low". Those includes 2 species designated as endangered species by Ministry of Environment. However, consumers and stakeholders cannot know why those fisheries and species are certified because the assessment report are not published. There is no transparency regarding certification. This does not consistent to MEL's aim "MEL aims to promote the sustainable development of fishing industries and seafood culture. To select the MEL certified products with MEL logo marks helps you support the sustainable use of fishery resources and contribute to achieving SDGs."

RCB_FMS states "5.9.1. The Certification Body shall disclose the status of certification and a summary of the audit report by electronic medium. The Certification Body shall, based upon an agreement with the applicant, disclose to the public the whole text of audit reports by electronic medium or at the request of a third party." However, specific timeline is not set for publication of report, it is possible that the assessment body does not disclose those reports for long period. Actually, Fukushima purse seine mackerel fishery was certified on March 25, 2019, the assessment report is not published for 4 months.

Because the assessment body conducted inadequate assessment against MEL ver. 1.0, GSSI should evaluate it for recognition with precaution. Otherwise, unsustainable seafood will be certified by MEL 2.0 and this will mislead seafood market and consumers.

MEL should set specific timeline on assessment report disclosure such as 1 week after certification or at the same time with certification. Without those timelines, GSSI should not recognize MEL.

■ GSSI response

MEL-J is in alignment with Essential Component B.2.13. Based on the comment of Japan Fisheries Certification Support, additional information has been included in the final conclusion.

The scope of the GSSI assessment is MEL Ver.2.0. While the concerns may be legitimate, follow-up MOCA will be reviewing the adherence to stakeholder comments and it is highly encouraged that the commenter ensure they submit comments and/or complaints to JFRCA and MEL if they feel the assessment process is weak or concerns about the sustainability of the stocks.

Regarding the delay in publication of the audit reports, JFRCA has measures to prevent recurrence and to make public reports part of the requirements for certification. Administrative procedure ensures that Certification shall not take effect until the report is ready to be made public.

The referenced JFRCA administrative is updated:

S-7 is 認証判定書 "decision making on Certification"

申請者が同意した公開用の報告書が用意され、認証発効時に公開できる。A report for publication that the applicant has agreed to is prepared and can be published when the certification comes into effect (google translate).

Conclusion on GSSI Essential Component B.2.13

Conclusion: MEL is in alignment because the RCB (FMS) clause 5.9.1. defines that "The Certification Body shall disclose the status of certification and a summary of the audit report by electronic medium. The Certification Body shall, based upon an agreement with the applicant, disclose to the public the whole text of audit reports by electronic medium or at the request of a third party."

Commercially sensitive matters are excluded as stated in the RCB(FMS) 5.3.3.

There is a listing of certified entities with links to all reports. In the case that reports have not been finalized in terms of removing commercially sensitive information with the certified entity, there is the possibility to request the report once it becomes available. Google translated "when you click the certification number, the examination report will be displayed. In the examination report, the information corresponding to the following cannot be disclosed and is blackened.

- Commercially sensitive contents (Requirements for certification body 5.3.3 (fishing, aquaculture), 5.3.5 (CoC))
- Information that can lead to pressure that impairs the fairness of certification activities (ISO / IEC17065 4.2.2). While some certification reports have not been released during confirmation of relevant information with certification holders, they will be released one by one as soon as the confirmation is obtained. For requests for unpublished reports, please contact the secretariat (mel-jfrca@mbr.sphere.ne.jp). As soon as ready, we will contact you."

JFRCA client contract template for all standards Article 2.2 Disclosure notes that upon acceptance, the client's application will be announced publicly and 2.3 upon certification - reports shall be made public without commercially sensitive information.

Regarding the delay in publication of the audit reports, JFRCA has measures to prevent recurrence and to make public reports part of the requirements for certification. Administrative procedure ensures that Certification shall not take effect until the report is ready to be made public.

updated JFRCA administrative procedure referenced

S-7 is 認証判定書 "decision making on Certification"

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and put in their procedure.

F-1 認証管理シート"certification management sheet"

the certification comes into effect when the assessment report is made public on the website.

REFERENCES

1. RCB (FMS) ver.2.1, 2019, Clause 5.9.1 and 5.3.3.
https://melj.jp/eng/wp-content/uploads/2019/10/RCB_FMS_ver.2.1.pdf
2. http://www.fish-jfrca.jp/04/progress_and_results.html accessed 19 June 2019

Office Visit:

3. Review template and actual signed contract with clients Information Disclosure clauses 2.1-2.3 (Japanese translated)

Internal JFRCA documents:

4. JFRCA_様式 F – 1 .Rev2 認証管理シート (改) .docx
5. JFRCA_様式 S – 7 .Rev1 認証判定決定書 (改) .docx

■ Section D – Fisheries

ESSENTIAL COMPONENT D.1.02

The standard requires that the fishery management organization or arrangement receives and responds to in a timely manner the best scientific evidence available regarding the status of the stock under consideration and the likelihood and magnitude of adverse impacts of the unit of certification on the stock under consideration and the ecosystem.

■ Japan Fisheries Certification Support comment

GSSIの結論は、MELの要求事項2.4①「「最良の科学的根拠」に基づいた対象資源の評価が実施されているか。また、その評

価結果に基づき、予防的措置や順応的管理が実施されているか。」に基づいています。北海道では、野生魚を保護すべきだという研究がありますが、それらの研究は漁業管理に反映されていません。しかし、審査機関はそうした事実を考慮せずにこの北海道のサケ漁業に認証を出しました。MELは、審査機関が正しく審査を行うためのメカニズムを持つべきですし、それなしにはGSSIは承認を出すべきではありません。

The conclusion is based on MEL' Requirement 2.4(a) "Whether an assessment is conducted with the best scientific evidence available. Further, whether an adaptive management with precautionary approach is implemented with regard to the result of the assessment." In Hokkaido, there are scientific researches which point out the importance of protecting wild salmon, these research are not reflected into fishery management. However, the assessment body did not mention about the fact and gave certification to the fishery. MEL should have mechanism to ensure the standard is assessed properly, and otherwise GSSI should not recognize MEL.

■ GSSI response

MEL-J is in alignment with Essential Component D.1.02. Based on the comment of Japan Fisheries Certification Support, additional information has been included in the final conclusion.

GSSI recognizes the concerns raised by the commenter, however it is not within the scope of the GSSI Benchmark process to re-evaluate the determinations of the CAB for individual assessments.

GSSI component D.1.02 and the MEL standard requirement both address the need for the use of the best available science in the management of fisheries, and of course in the assessment of the sustainability of any fishery. In the case of the assessment of the Hokkaido chum salmon set net fishery, that the GSSI benchmark evaluation of the MEL standard refers to, the issue raised by the commenter is whether the best available science has been used in the assessment of that fishery.

This determination is primarily the responsibility of the Conformity Assessment Body (CAB) that is conducting the assessment for MEL. The scheme owner itself, MEL, is responsible for ensuring the CABs are accredited and operate in accordance with ISO-17065 and the scheme owners' certification requirements. This has been verified through the alignment of MEL-J with the Essential Components in Section B of the GSSI Global Benchmark Tool.

Notwithstanding the aforementioned, GSSI has advised the scheme owner that the use of independent Peer Review of assessment reports would enhance stakeholder confidence in the certification process. Additionally, the GSSI Benchmark Committee review of the MEL Benchmark application recommended a MOCA at one year following the initial benchmark recognition, in lieu of the usual 1.5 year period. During this MOCA review the MEL scheme will be required to fully and transparently demonstrate continued implementation of all requirements and ensure a consistent application of its standards at fishery level through its audit reports.



Conclusion on GSSI Essential Component D.1.02

Conclusion: Marine Eco-Label Japan (MEL) is in alignment because requirement(s) in the Fisheries Management Standard (version 2.0) and indicator(s) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1) state as follows;

Requirement 2.4 in the Fisheries Management Standard (version 2.0)

Assessment of the current status and trends of the stock under consideration shall be conducted based on the data and information collected, and management decisions shall be made accordingly taking into account the assessment results. The methodology and results of the assessment shall be made publicly available in a timely manner.

Indicator(s) 2.4 (c) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1)

Whether the fishery management organization or arrangement receives and responds in a timely manner the best scientific evidence available related to the status of the stock under consideration and the likelihood and magnitude of adverse impacts of the unit of certification on the stock under consideration and the ecosystem, and the fishery management organization or arrangement convenes regularly, as needed, to manage the integrated process of information collection, stock assessment, planning, formulation of the management objectives and targets, establishing management measures and enforcement of fishery rules and regulations.

- Existence of a comprehensive fishery management organization or arrangement which receives and responds in a timely manner the best scientific evidence available
- Existence of a fishery management organization or arrangement which conducts comprehensive fishery management.

Additional information for the above requirement(s) and indicator(s) can be found in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1): Indicators 2.4 (c). p. 25-27.

Examples of the requirement(s) in use can be found in the Assessment Report Fisheries Management Standard (Salmon, Hokkaido): Summary Evidence and Evidence 2.4 (c). p. 61-62.

REFERENCES

1. Fisheries Management Standard (version 2.0), 2018: Requirement(s) 1.1.1, 1.1.2. p. 5.
<https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-StandardFMSver.2.0.pdf>
2. Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1), 2019: Indicator(s) 1.1.1 (a), 1.1.2 (a). p. 4-5.
<https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-Standard-Guidelines-for-Auditors-Indicators-of-Conformity-Version.-2.1.pdf>
3. Assessment Report Fisheries Management Standard (Salmon, Hokkaido), 2019: Summary Evidence and Evidence 1.1.1 (a). p. 8-13 and 1.1.2 (a). p. 14-15.
4. [First Annual Surveillance Report. Hokkaido Federation of Fisheries Cooperative Association Chum Salmon Set-net Fishery Certification No.: JFRCA 20F2200011 Date certified: February 28, 2019. Report prepared: August 2019. On site assessment July 21, 2019.](#)

ESSENTIAL COMPONENT D.1.03

The standard requires that in order for the fishery management organization or arrangement to receive and respond to in a timely manner the best scientific evidence available (D1.02) the fishery management or arrangement convenes regularly, as needed, to manage the integrated process of information collection, stock assessment, planning, formulation of the management objectives and targets, establishing management measures and enforcement of fishery rules and regulations.

■ Japan Fisheries Certification Support comment (same as under D.1.02)

GSSIの結論は、MELの要求事項2.4①「「最良の科学的根拠」に基づいた対象資源の評価が実施されているか。また、その評

価結果に基づき、予防的措置や順応的管理が実施されているか。」に基づいています。北海道では、野生魚を保護すべきだという研究がありますが、それらの研究は漁業管理に反映されていません。しかし、審査機関はそうした事実を考慮せずにこの北海道のサケ漁業に認証を出しました。MELは、審査機関が正しく審査を行うためのメカニズムを持つべきですし、それなしにはGSSIは承認を出すべきではありません。

The conclusion is based on MEL's requirement 2.4(a) "Whether an assessment is conducted with the best scientific evidence available. Further, whether an adaptive management with precautionary approach is implemented with regard to the result of the assessment." In Hokkaido, there are scientific researches which point out the importance of protecting wild salmon, these research are not reflected into fishery management. However, the assessment body did not mention about the fact and gave certification to the fishery. MEL should have mechanism to ensure the standard is assessed properly, and otherwise GSSI should not recognize MEL.

■ GSSI response

MEL-J is in alignment with Essential Component D.1.03. Based on the comment of Japan Fisheries Certification Support, additional information has been included in the final conclusion.

GSSI recognizes the concerns raised by the commenter, however it is not within the scope of the GSSI Benchmark process to re-evaluate the determinations of the CAB for individual assessments.

D.1.03 and the MEL standard requirement both address the need for the use of the best available science in the management of fisheries, and of course in the assessment of the sustainability of any fishery. In the case of the assessment of the Hokkaido chum salmon set net fishery, that the GSSI benchmark evaluation of the MEL standard refers to, the issue raised by the commenter is whether the best available science has been used in the assessment of that fishery.

This determination is primarily the responsibility of the Conformity Assessment Body (CAB) that is conducting the assessment for MEL. The scheme owner itself, MEL, is responsible for ensuring the CABs are accredited and operate in accordance with ISO-17065 and the scheme owners' certification requirements. This has been verified through the alignment of MEL-J with the Essential Components in Section B of the GSSI Global Benchmark Tool.

Notwithstanding the aforementioned, GSSI has advised the scheme owner that the use of independent Peer Review of assessment reports would enhance stakeholder confidence in the certification process. Additionally, the GSSI Benchmark Committee review of the MEL Benchmark application recommended a MOCA at one year following the initial benchmark recognition, in lieu of the usual 1.5 year period. During this MOCA the MEL scheme will be required to fully and transparently demonstrate continued implementation of all requirements and ensure a consistent application of its standards at fishery level through its audit reports.

Conclusion on GSSI Essential Component D.1.03

Conclusion: MEL Japan is in alignment because requirement(s) in the Fisheries Management Standard (version 2.0) and indicator(s) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1) state as follows;

Requirement 2.4 in the Fisheries Management Standard (version 2.0)

Assessment of the current status and trends of the stock under consideration shall be conducted based on the data and information collected, and management decisions shall be made accordingly taking into account the assessment results. The methodology and results of the assessment shall be made publicly available in a timely manner.

Indicator(s) 2.4 (c) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1)

Whether the fishery management organization or arrangement receives and responds in a timely manner the best scientific evidence available related to the status of the stock under consideration and the likelihood and magnitude of adverse impacts of the unit of certification on the stock under consideration and the ecosystem, and the fishery management organization or arrangement convenes regularly, as needed, to manage the integrated process of information collection, stock assessment, planning, formulation of the management objectives and targets, establishing management measures and enforcement of fishery rules and regulations.

- Existence of a comprehensive fishery management organization or arrangement which receives and responds in a timely manner the best scientific evidence available
- Existence of a fishery management organization or arrangement which conducts comprehensive fishery management.

Additional information for the above requirement(s) and indicator(s) can be found in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1): Indicators 2.4 (c). p. 25-27.

Examples of the requirement(s) in use can be found in the Assessment Report Fisheries Management Standard (Salmon, Hokkaido): Summary Evidence and Evidence 2.4 (c). p. 61-62.

REFERENCES

1. Fisheries Management Standard (version 2.0), 2018: Requirement(s) 2.4. p. 7.
<https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-StandardFMSver.2.0.pdf>
2. Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1), 2019: Indicator(s) 2.4 (c). p. 25-27.
<https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-Standard-Guidelines-for-Auditors-Indicators-of-Conformity-Version.-2.1.pdf>
3. Assessment Report Fisheries Management Standard (Salmon, Hokkaido), 2019: Summary Evidence and Evidence 2.4 (c). p. 61-62.
4. First Annual Surveillance Report. Hokkaido Federation of Fisheries Cooperative Association Chum Salmon Set-net Fishery Certification No.: JFRCA 20F2200011 Date certified: February 28, 2019. Report prepared: August 2019. On site assessment July 21, 2019.

ESSENTIAL COMPONENT D.1.04

Where the stock under consideration is a transboundary fish stock, straddling fish stock, highly migratory fish stock or high seas fish stock, the standard requires the existence of a bilateral, sub regional or regional fisheries organization or arrangement, as appropriate that is concerned with the management of the whole stock unit over its entire area of distribution.

■ Japan Fisheries Certification Support comment

GSSIは、福島巻き網さば漁業の認証報告書が公開され、東京湾巻き網漁業と大阪湾船曳網漁業の審査が完了するまで、MELに対して承認を出すべきではありません。

MEL生産段階認証規格Ver2.0の要求事項1.2.4は、漁業に対して共同の資源管理を求めています。太平洋のサバに関しては、資源は日本だけでなく、中国やロシアにも漁獲されています。NPFCという地域漁業管理機関がありますが、サバに対する共同の資源管理システムはまだ確立していません。したがって、福島のサバ漁業はこの要件を満たしていないと思われます。

審査機関は福島巻き網サバ漁業に認証を出しましたが、審査が正しく行われなかった可能性があります。B.2.09とB.2.13のセクションで書いたように、この審査機関はMEL ver1.0の審査において非常にゆるい審査を行っており、GSSIはそうしたことを踏まえて予防的な審査を行うべきです。GSSIはMELに承認を出す前に、審査機関が福島巻き網サバ漁業をどのように審査したかをチェックするべきです。

現在、東京湾巻き網漁業と大阪湾船曳網漁業が審査を受けていますが、どちらも共同管理があるようには思えません。しかしながら、MELがGSSIに承認されたあとで、審査機関が正しく審査するかどうかは保証されていません。あるスキームが不適切な運営をしてもGSSI承認が取り消されることはないことに注意してください。GSSIは予防的に、2つの漁業の審査が完了し、審査報告書がレビューされるまで、承認を出すべきではありません。

GSSI should not recognize MEL until the certification report of Fukushima purse seine mackerel fishery is published and assessments of Osaka bay boat seine fishery and Tokyo bay purse seine fishery are completed.

Requirement 1.2.4 in the MEL FMS ver. 2.0 requires a cooperative stock management system for fisheries. About Pacific mackerel, the fish stock is utilized not only by Japan, but also China and Russia. Although there is an RFMO named NPFC, this is a new organization and cooperative stock management system of mackerel is not established yet. So Fukushima purse seine mackerel fishery should not meet this criteria.

Seeing the assessment body has certified Fukushima purse seine fishery, it is possible that the assessment body did not assess in a right way. As noted in comments of B.2.09 and B.2.13, the assessment body conducted very rough assessment for MEL ver. 1.0, so GSSI should take it into account and should be precautional. GSSI should check how this requirement is assessed by the assessment body in the assessment of Fukushima purse seine fishery before recognize MEL.

Currently, Tokyo bay purse seine fishery and Osaka bay boat seine fishery are under assessment, but both fisheries seem not have cooperative management system. However it is not secured that the assessment body conduct right assessment after MEL is recognized by GSSI. Please note GSSI will not suspend a scheme even if the scheme is operated in inadequate way. So GSSI should be precautional and should not recognize MEL until the two assessments are completed and their assessment reports are reviewed.

■ GSSI response

MEL Japan is in alignment with Essential Component D.1.04. Based on the comment of Japan Fisheries Certification Support, no additional information has been included in the final conclusion.

D.1.04 and the MEL Requirement 1.2.4 both address cooperative fisheries management. The commenter refers to the Fukushima purse seine fishery, the Tokyo Bay purse seine fishery and the Osaka Bay boat seine fishery. These assessments of these fisheries were not part of the body of evidence during the benchmark process and have consequently not been reviewed. GSSI is therefore unable to comment on the MEL CAB evaluations of these fisheries.

GSSI recognizes the concerns of the commenter and has therefore indicated to the MEL scheme that a MOCA review will take place one year after the initial benchmarking determination, in lieu of the usual 1.5 year period. During this MOCA review the MEL scheme will be required to fully and transparently demonstrate continued

implementation of all requirements and ensure a consistent application of its standards at fishery level through its audit reports.

Conclusion on GSSI Essential Component D.1.04

Conclusion: MEL is in alignment because requirement(s) in the Fisheries Management Standard (version 2.0) and indicator(s) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1) state as follows;

Requirement 1.2.1 in the Fisheries Management Standard (version 2.0)

The unit of certification should be conducted in compliance with regulations and arrangements set by national and local governments following effective and suitable monitoring, surveillance, control and enforcement.

Indicator(s) 1.2.1 (a) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1)

Whether an effective fisheries management system, including monitoring, surveillance, control and enforcement, for the fishery of which the unite of certification is a part exists in accordance with relevant laws and regulations

- Existence of laws and regulations to effectively manage the fishery of which the unite of certification is a part
- Existence of the effective management system for the fishery of which the unite of certification is a part operates in accordance with relevant laws and regulations

Requirement 1.2.4 in the Fisheries Management Standard (version 2.0)

There shall be a cooperative stock management system (organization) in the regions where the stock under consideration is utilized or in more extensive areas. If the stock under consideration is managed at the international level, for instance in the case of transboundary fish stock, straddling fish stock, highly migratory fish stock or high seas fish stock, there shall be in compliance with stock management measures set by the competent management authorities.

Indicator(s) 1.2.4 (a) in Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1)

Whether, in case that the stock under consideration is managed at the international level, a cooperative international/regional/bilateral stock management system or organization exists, as appropriate, that is concerned with the management of the whole stock unit over its entire area of distribution in addition to national/local system or organization to manage the stock under consideration.

- Existence of a regional stock management system or organization
- Existence of an international stock management system or organization

Additional information for the above requirement(s) and indicator(s) can be found in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1):

Requirements 1.2.1 and 1.2.4; Indicators 1.2.1 (a). p. 8-9. and 1.2.4 (a). p. 13-14.

Examples of the requirement(s) in use can be found in the Assessment Report Fisheries Management Standard (Salmon, Hokkaido): Summary Evidence and Evidences 1.2.1 (a). p. 22 and 1.2.4 (a). p. 31.

REFERENCES

1. Fisheries Management Standard (version 2.0), 2018: Requirement(s) 1.2.1, 1.2.4. p. 6.
<https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-StandardFMSver.2.0.pdf>
2. Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1), 2019: Indicator(s) 1.2.1 (a). p. 8-9. and 1.2.4 (a). p13-14.
<https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-Standard-Guidelines-for-Auditors-Indicators-of-Conformity-Version.-2.1.pdf>
3. Assessment Report Fisheries Management Standard (Salmon, Hokkaido), 2019: Summary Evidence and Evidences 1.2.1 (a) p. 22 and 1.2.4 (a) p. 31.
4. [First Annual Surveillance Report. Hokkaido Federation of Fisheries Cooperative Association Chum Salmon Set-net Fishery Certification No.: JFRCA 20F2200011 Date certified: February 28, 2019. Report Prepared August 2019. On site assessment July 21, 2019.](#)

ESSENTIAL COMPONENT D.1.05

The standard requires the governance and fisheries management system under which the unit of certification is managed to be both participatory and transparent, to the extent permitted by national laws and regulations.

■ Japan Fisheries Certification Support comment

MELの要求事項には「1.2.3 審査対象となる漁業の管理に関する意思決定に、関係漁業者、研究者、行政、その他利害関係者が参画しており、その合意形成プロセスが透明性を有している。」という項目があります。北海道では、野生魚を保護すべきだという研究がありますが、それらの研究は漁業管理に反映されていません。しかし、審査機関はそうした事実を考慮せずにこの北海道のサケ漁業に認証を出しました。MELは、審査機関が正しく審査を行うためのメカニズムを持つべきですし、それなしにはGSSIは承認を出すべきではありません。

MEL scheme requires "1.2.3 Decision-making process for the management of for the fishery of which the unit of certification is a part shall be transparent and ensure the participation of stakeholders including relevant fishers, scientists, the government and other interested parties." In Hokkaido, some scientist pointed out the importance of protecting wild salmon, these research is not reflected into fishery management. However, the assessment body did not mention about the fact and gave certification to the fishery. MEL should have mechanism to ensure the standard is assessed properly, and otherwise GSSI should not recognize MEL.

■ GSSI response

MEL Japan is in alignment with Essential Component D.1.05. Based on the comment of Japan Fisheries Certification Support, no additional information has been included in the final conclusion.

The GSSI Independent Experts (IE) and the Benchmark Committee (BC) recognize the commenter's concern. GSSI component D.1.05 and the MEL standard requirement 1.2.3 both address the requirement of a transparent and inclusive decision-making process for the management of the fishery. More specifically, the decision-making process should ensure the participation of all relevant stakeholders including fishermen, scientists, governmental institutions and other involved parties. In the case of the assessment of the Hokkaido chum salmon set net fishery, that is referred to in the GSSI benchmark evaluation of the MEL standard, the issue raised by the commenter is whether the assessment process has been sufficiently transparent. This determination is primarily the responsibility of the Conformity Assessment Body (CAB) that is conducting the assessment for MEL. The scheme owner itself, MEL, is secondarily responsible. The assessment was conducted in accordance with ISO 17065 and ISO 19011. The CAB is the Japan Fisheries Resource Conservation Association (JFRCA), an independent certification body, and therefore meets the respective GSSI section A and B Essential Components. This report shows the results of the assessment based on the standards and requirements in the MEL Fisheries Management Standard and the indicators in the MEL Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity. Re-evaluating the determinations of the CAB scheme is not part of the scope of the GSSI Benchmark process.

Notwithstanding the aforementioned, GSSI recognizes the concerns of the commenter and has therefore proposed to the MEL scheme to use of independent Peer Review of assessment reports to enhance stakeholder confidence in the certification process. Additionally, the GSSI Benchmark Committee review of the MEL Benchmark application recommended a MOCA at one year following the initial benchmark recognition, in lieu of the usual 1.5 year period. During this MOCA the MEL scheme will be required to fully and transparently demonstrate continued implementation of all requirements and ensure a consistent application of its standards at fishery level through its audit reports.

Conclusion on GSSI Essential Component D.1.05

Conclusion: MEL Japan is in alignment because requirement(s) in the Fisheries Management Standard (version 2.0) and indicator(s) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1) state as follows;

Requirement 1.2.3 in the Fisheries Management Standard (version 2.0)
Decision-making process for the management of the unit of certification shall be transparent and ensuring participation of relevant stakeholders including related fishers, scientists and the government.

Indicator(s) 1.2.3 (a) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1)

Whether relevant fishers, researchers, administration officers and other relevant stakeholders are involved in the decision-making process in the fisheries management system under which the unit of certification is managed in order to be both participatory and transparent

- Existence of documents on the organization chart for the decision-making arrangement and participation list on the relevant stakeholders

Additional information for the above requirement(s) and indicator(s) can be found the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1): Requirements 1.2.3; Indicators 1.2.3 (a). p. 12.

Examples of the requirement(s) in use can be found in the Assessment Report Fisheries Management Standard (Salmon, Hokkaido): Summary Evidence and Evidence 1.2.4 (a). p. 13-14.

REFERENCES

1. Fisheries Management Standard (version 2.0), 2018: Requirement(s) 1.2.3. p. 6.
<https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-StandardFMSver.2.0.pdf>
2. Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1), 2019: Indicator(s) 1.2.3 (a). p. 12.
<https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-Standard-Guidelines-for-Auditors-Indicators-of-Conformity-Version.-2.1.pdf>
3. Assessment Report Fisheries Management Standard (Salmon, Hokkaido), 2019: Summary Evidence and Evidence 1.2.3 (a). p. 13-14.
4. [First Annual Surveillance Report. Hokkaido Federation of Fisheries Cooperative Association Chum Salmon Set-net Fishery Certification No.: JFRCA 20F2200011 Date certified: February 28, 2019. Report Prepared: August 2019. On site assessment July 21, 2019.](#)

ESSENTIAL COMPONENT D.1.06

The standard is applicable to governance and management systems for small scale and/or data limited fisheries, with due consideration to the availability of data and the fact that management systems can differ substantially for different types and scales of fisheries.

■ Japan Fisheries Certification Support comment

審査の手引きV2.1の2.5には「申請者が小規模で地域的な沿岸漁業であって、国及び都道府県の規制に加えて独自で自主的な規制を行っている管理組織においては、その自主規制によって漁獲量が大幅に回復しても、情報開示による利点が管理組織にはないため、研究者等によって公開されていることが多い。このような組織では、①適用されている管理基準の有効性、②-③独自の管理目標や管理指針の有効性、④CPUEの年変化等を用いた代替資源評価の有効性等を科学的に調査した報告書等で確認するほか、1.2.6にあるような予想外の不漁に対して操業を中止するような運営体制になっていることを示す運営規則あるいは水揚げ記録等によって確認する。」と書かれています。しかしながら、「小規模で地域的な沿岸漁業」が定義されていないため、中規模漁業や大規模漁業であっても、データ不足を理由に「小規模で地域的な漁業」として審査される可能性があります。MELは「小規模で地域的な漁業」を具体的に定義するべきであり、それなしには、GSSIはMELに承認をだすべきではありません。

'FMS Guidelines for Auditors' states "Furthermore, in a management body where the applicant runs small-scale regional coastal fishery and where restriction is imposed on a voluntary basis in addition to those on the national and prefectural basis, although the catch volume recovers considerably thanks to voluntary restrictions, such information is disclosed by researchers in many cases as there is little for the management body itself to enjoy any merit from information disclosure. In such a body, the matters such as the indicator of the Checklist (a) validity of applied reference point, the indicators (b) and (c) validity of its own management objectives and management guidelines, and the indicator (d) validity of substitute stock assessment by such means as annual fluctuation of CPUE are confirmed not only with the materials such as reports of scientific examination but also with operation rules describing a precautionary and adaptive operation system where the operation is suspended under such unexpected poor catch as shown in the item 1.2.6 or fish catch records and the like." However, because there is no clear definition of "small-scale regional coastal fishery", middle scale or large-scale fishery may be assessed as such fishery due to data deficiency. MEL should have clear definition "small-scale regional coastal fishery", and GSSI should not recognize MEL without it.

■ GSSI response

MEL Japan is in alignment with Essential Component D.1.06. Based on the comment of Japan Fisheries Certification Support, no additional information has been included in the final conclusion.

The concern raised by commenter questions the MEL guidelines with regard to a definition of a small-scale regional coastal fishery and data deficient fishery requirements. D.1.06 states that "The standard is applicable to governance and management systems for small scale and/or data limited fisheries, with due consideration to the availability of data and the fact that management systems can differ substantially for different types and scales of fisheries.". A data deficient fishery is not necessarily synonymous with being small-scale but may also be a middle or large-scale fishery. The issues for fisheries management might be similar however, and D.1.06 therefore does not require the fishery to be small-scale. Instead the component focusses on objective verification of the validity of knowledge on which the management of stocks is based.

MEL Indicator 2.5 (d) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1) states "Whether, in the case of small-scale and/or data limited fisheries, fisheries governance and management systems for those fisheries are prepared, with due consideration to the availability of data and the fact that management systems can differ substantially for different types and scales of fisheries. Existence of small-scale fisheries or data limited fisheries." MEL Indicator 2.5 (e) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1) states: "Whether, in the case of small-scale and/or data limited fisheries, the knowledge of traditional fisheries, fishers and fishery regions is objectively verified and applied into the fisheries management system". Existence of verification methods of the knowledge of traditional fisheries, fishers and fishery regions is objectively verified, regardless of the scale of the fishery. The IE therefore consider that the referenced MEL indicators adequately address the requirements of component D.1.06.

Conclusion on GSSI Essential Component D.1.06

Conclusion: MEL is in alignment because requirement(s) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1) state as follows;

Requirement 2.5 in the Fisheries Management Standard (version 2.0)

There shall be publicly-defined target and limit reference points, or proxies for the stock under consideration set on the basis of the best scientific evidence available, in order to maintain or recover the stock at levels consistent with achieving Maximum Sustainable Yields (MSY) or a suitable proxy.

Indicator(s) 2.5 (d) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1)

Whether, in the case of small-scale and/or data limited fisheries, fisheries governance and management systems for those fisheries are prepared, with due consideration to the availability of data and the fact that management systems can differ substantially for different types and scales of fisheries.

- Existence of small-scale fisheries or data limited fisheries

Indicator(s) 2.5 (e) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1)

Whether, in the case of small-scale and/or data limited fisheries, the knowledge of traditional fisheries, fishers and fishery regions is objectively verified and applied into the fisheries management system.

- Existence of verification methods of the knowledge of traditional fisheries, fishers and fishery regions is objectively

Additional information for the above requirement(s) and indicator(s) can be found in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1): Requirements 2.5; Indicators 2.5 (d) and (e). p. 28-31.

Examples of the requirement(s) in use can be found in the Assessment Report Fisheries Management Standard (Salmon, Hokkaido): Summary Evidence and Evidence 2.5 (d). p. 69 and 2.5 (e). p. 70.

REFERENCES

1. Fisheries Management Standard (version 2.0), 2018: Requirement(s) 2.5. p.7.
<https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-StandardFMSver.2.0.pdf>
2. Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1), 2019: Indicator(s) 2.5 (d), (e). p. 28-31.
<https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-Standard-Guidelines-for-Auditors-Indicators-of-Conformity-Version.-2.1.pdf>
3. Assessment Report Fisheries Management Standard (Salmon, Hokkaido), 2019: Summary Evidence and Evidence 2.5 (d). p. 69 and 2.5 (e). p. 70.
4. [First Annual Surveillance Report. Hokkaido Federation of Fisheries Cooperative Association Chum Salmon Set-net Fishery Certification No.: JFRCA 20F2200011 Date certified: February 28, 2019. Report Prepared August 2019. On site assessment July 21, 2019.](#)

ESSENTIAL COMPONENT D.1.08

The standard requires that the fishery of which the Unit of Certification is a part is managed under an effective legal framework at the local, national or regional (international) level as appropriate.

■ Japan Fisheries Certification Support comment

Conclusionに書かれているのは「参加」についてなので、この項で求められている「法令順守」とは直接関係ありません。

"Conclusion" of this section refers to requirement 1.2.3, transparency and participation in decision making, but this is not relevant to D.1.08, compliance of the fishery.

■ GSSI response

MEL Japan is in alignment with Essential Component D.1.08. Based on the comment of Japan Fisheries Certification Support, the conclusion is amended.

The commenter is correct in stating that the conclusion by the IE was incorrect due to a transcription error. The IE conclusion and the cited references have been revised and now reflect the original text that was approved by the IE in the benchmark review.

Conclusion on GSSI Essential Component D.1.08

Conclusion: MEL is in alignment because requirement(s) in the Fisheries Management Standard (version 2.0) and indicator(s) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1) state as follows;

Requirement 1.2.1 in the Fisheries Management Standard (version 2.0)

The unit of certification should be conducted in compliance with regulations and arrangements set by national and local governments following effective and suitable monitoring, surveillance, control and enforcement.

Indicator(s) 1.2.1 (b) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1)

Whether measures on the penalties against the laws and regulation including the fishery management measures exist and the penalties are appropriately executed to the violation against the laws and regulation including the fishery management measures.

- Existence of the record of appropriate execution of the penalties to the violation

Requirement 1.2.4 in the Fisheries Management Standard (version 2.0)

There shall be a cooperative stock management system (organization) in the regions where the stock under consideration is utilized or in more extensive areas. If the stock under consideration is managed at the international level, for instance in the case of transboundary fish stock, straddling fish stock, highly migratory fish stock or high seas fish stock, there shall be in compliance with stock management measures set by the competent management authorities.

Indicator(s) 1.2.4 (b) in Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1)

Whether, in case that the stock under consideration is managed at the international level, the fishery of which the unit of certification is a part is in compliance with stock management measures in accordance with national/local laws and regulations, which are also consistent with relevant regional/international laws and regulations.

- Existence of management measures for the fishery including the penalties against the measures and a report on execution of the penalties as applicable.

Additional information for the above requirement(s) and indicator(s) can be found in Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1): Requirements 1.2.1 and 1.2.4; Indicators 1.2.1 (b) p. 8-9. and 1.2.4 (b). p. 13-14.

Examples of the requirement(s) in use can be found in the Assessment Report Fisheries Management Standard (Salmon, Hokkaido): Summary Evidence and Evidences 1.2.1 (b). p. 23-24. and 1.2.4 (b). p. 31-34.

REFERENCES

1. Fisheries Management Standard (version 2.0), 2018: Requirement(s) 1.2.1, 1.2.4
<https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-StandardFMSver.2.0.pdf>
2. Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1), 2019: Indicator(s) 1.2.1 (b). p. 8-9. and 1.2.4 (b). p. 13-14.
<https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-Standard-Guidelines-for-Auditors-Indicators-of-Conformity-Version.-2.1.pdf>
3. Assessment Report Fisheries Management Standard (Salmon, Hokkaido): Summary Evidence and Evidences 1.2.1 (b) p. 23-24. and 1.2.4 (b). p. 31-34.

4. First Annual Surveillance Report. Hokkaido Federation of Fisheries Cooperative Association Chum Salmon Set-net Fishery Certification No.: JFRCA 20F2200011 Date certified: February 28, 2019. Report Prepared: August 2019. On site assessment July 21, 2019.

ESSENTIAL COMPONENT D.1.10

The standard requires that the Unit of Certification operates in compliance with the requirements of local, national and international law and regulations.

■ Japan Fisheries Certification Support comment

【審査単位の法令順守】

「1.1.1 国の法令に基づき、審査対象となる漁業を営むために必要な漁業免許、許可などを管理当局（国または都道府県）から受けているなど、適法に漁業がおこなわれている。」が根拠になっているが、許可がある＝適法というわけではないので、これは不十分です。

The conclusion is based on the requirement 1.1.1 "The unit of certification shall be operated legally in accordance with national legislation, such as acquiring fishery license and permission necessary for operating the fisheries from the competent authority (i.e. national or prefectural governments)." However, generally speaking, illegal fishing may occur even if the fishery holds license. Thus, existence of requirement 1.1.1 is not sufficient to meet D.1.10

■ GSSI response

MEL-J is in alignment with Essential Component D.1.10. Based on the comment of Japan Fisheries Certification Support, no additional information has been included in the final conclusion

The commenter raises that "generally speaking, illegal fishing may occur even if the fishery holds license". While this could be correct, the function of the MEL scheme CAB during the assessment and annual audits is to determine whether illegal fishing is widespread and poses a significant compliance issue in the fishery. D.1.10 addresses the overall compliance with laws and regulations and thereto states that the standard must require that the Unit of Certification operates in compliance with local, national and international law and regulations. As described in the conclusion for component D.1.10. MEL Requirement 1.1.1 in the Fisheries Management Standard (version 2.0) states that the unit of certification shall be operated legally in accordance with national legislation, such as requiring fishery license and permission necessary for operating the fisheries from the competent authority (i.e. national or prefectural governments).

Additionally, Indicator(s) 1.1.1 (a) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1) states that whether the unit of certification is operated legally in accordance with followings.

- Existence of license/permission necessary for operating the fishery by the unit of certification issued by the competent authority such as the relevant national/local government.
- Existence of documents which verifies the legality of the fishery by the unit of certification in case that the unit of certification is not required for the license nor permission.

Finally, Requirement 1.1.1 in the Fisheries Management Standard (version 2.0) states that there shall be a cooperative stock management system (organization) in the regions where the stock under consideration is utilized or in more extensive areas. If the stock under consideration is managed at the international level, for instance in the case of transboundary fish stock, straddling fish stock, highly migratory fish stock or high seas fish stock, there shall be in compliance with stock management measures set by the competent management authorities; and Indicator(s) 1.2.4 (b) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1)

Whether, in case that the stock under consideration is managed at the international level, the fishery of which the unit of certification is a part is in compliance with stock management measures in accordance with national/local laws and regulations, which are also consistent with relevant regional/international laws and regulations.

- Existence of management measures for the fishery including the penalties against the measures and a report on execution of the penalties as applicable.

While GSSI recognizes the concern raised by the commenter, taking the aforementioned into account, the MEL standard is found to adequately respond to D.1.10. The raised concern is properly addressed by the scheme's CAB in an assessment or audit. Furthermore, the commenter will have the opportunity to comment

on this issue during public comment period associated with those assessments and audits. GSSI will review the MEL process of responding to public comments in the one year MOCA review following benchmark recognition.

Conclusion on GSSI Essential Component D.1.10

Conclusion: MEL is in alignment because requirement(s) in the Fisheries Management Standard (version 2.0) and indicator(s) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1) state as follows;

Requirement 1.1.1 in the Fisheries Management Standard (version 2.0)

The unit of certification shall be operated legally in accordance with national legislation, such as acquiring fishery license and permission necessary for operating the fisheries from the competent authority (i.e. national or prefectural governments).

Indicator(s) 1.1.1 (a) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1)

Whether the unit of certification is operated legally in accordance with followings.

- Existence of license/permission necessary for operating the fishery by the unit of certification issued by the competent authority such as the relevant national/local government.
- Existence of documents which verifies the legality of the fishery by the unit of certification in case that the unit of certification is not required for the license nor permission.

Requirement 1.1.1 in the Fisheries Management Standard (version 2.0)

There shall be a cooperative stock management system (organization) in the regions where the stock under consideration is utilized or in more extensive areas. If the stock under consideration is managed at the international level, for instance in the case of transboundary fish stock, straddling fish stock, highly migratory fish stock or high seas fish stock, there shall be in compliance with stock management measures set by the competent management authorities.

Indicator(s) 1.2.4 (b) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1)

Whether, in case that the stock under consideration is managed at the international level, the fishery of which the unit of certification is a part is in compliance with stock management measures in accordance with national/local laws and regulations, which are also consistent with relevant regional/international laws and regulations.

- Existence of management measures for the fishery including the penalties against the measures and a report on execution of the penalties as applicable.

Additional information for the above requirement(s) and indicator(s) can be found in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1): Requirements 1.1.1 and 1.2.4; Indicators 1.1.1 (a) p. 4. and 1.2.4 (b). p. 13-14.

Examples of the requirement(s) in use can be found in the Assessment Report Fisheries Management Standard (Salmon, Hokkaido): Summary Evidence and Evidences 1.1.1 (a). p. 8-13 and 1.2.4 (b). p. 32-34.

REFERENCES

1. Fisheries Management Standard (version 2.0), 2018: Requirement(s) 1.1.1. p.5 and 1.2.4. p.6. <https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-StandardFMSver.2.0.pdf>
2. Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1), 2019: Indicator(s) 1.1.1 (a) p. 4 and 1.2.4 (b). p. 13-14. <https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-Standard-Guidelines-for-Auditors-Indicators-of-Conformity-Version.-2.1.pdf>
3. Assessment Report Fisheries Management Standard (Salmon, Hokkaido), 2019: Summary Evidence and Evidences 1.1.1 (a). p. 8-13 and 1.2.4 (b). p. 32-34.
4. [First Annual Surveillance Report. Hokkaido Federation of Fisheries Cooperative Association Chum Salmon Set-net Fishery Certification No.: JFRCA 20F2200011 Date certified: February 28, 2019. Report Prepared August 2019. On site assessment July 21, 2019.](#)

ESSENTIAL COMPONENT D.2.01

The standard requires the existence of management objectives that are applicable to the unit of certification and the stock under consideration and seek outcomes consistent with the long term sustainable use of the fisheries resources under management.

■ Japan Fisheries Certification Support comment

【管理目標】

GSSIの結論は、MELの要求事項「2.5 最大持続生産量（MSY）または適切な代替基準を実現できる水準に対象資源を維持、

回復させることを目的として、公的機関によって設定された維持すべき水準（目標管理基準）や下回ってはならない水準（限界管理基準）、あるいは科学的根拠に基づき代替水準が設定されている。」を根拠にしています。たしかに、新しい漁業法で目標管理基準や限界管理基準の設定が定められましたが、現在はまだ導入されてはいません。福島巻き網サバ漁業が対象としているマサバ太平洋系群にもまだ導入されていません。したがって、福島巻き網マサバ漁業においてこの項目がどのように審査されたかチェックする必要がありますが、審査報告書は認証から4か月経過した現在もまだ公開されていません。GSSIは福島サバ漁業の認証報告書が公開され内容をチェックするまでMELに承認を出すべきではありません。

The conclusion is based on MEL's requirement "Requirement: 2.5

There shall be publicly-defined target and limit reference points, or proxies for the stock under consideration set on the basis of the best scientific evidence available, in order to maintain or recover the stock at levels consistent with achieving Maximum Sustainable Yields (MSY) or a suitable proxy." Target Reference Point and Limit Reference Point are determined to be introduced under the new Fisheries Law, they are not implemented yet. Chub mackerel Pacific stock, which Fukushima purse seine mackerel fishery is targeting, also does not have such reference points. Thus, it is necessary to check how the fishery is assessed, but its certification report is not published after 4 months since certification in March 2019. GSSI should not recognize MEL until the certification report of Fukushima purse seine mackerel fishery is published and reviewed.

■ GSSI response

MEL-J is in alignment with Essential Component D.2.01. Based on the comment of Japan Fisheries Certification Support, no additional information has been included in the final conclusion

GSSI recognizes the concern raised by the commenter through the comment addressing the chub mackerel Pacific stock, a target of the Fukushima purse seine mackerel fishery, which is found to not have target or limit reference points. However, GSSI cannot respond to the concerns regarding the use of reference points as the Fukushima purse seine mackerel fishery was not considered within the scope of this GSSI benchmark review.

Regarding the delay in publication of the audit reports, JFRCA (CAB), has measures to prevent recurrence and to make public reports part of the requirements for certification. Administrative procedure ensures that certification shall not take effect until the report is ready to be made public.

Updated JFRCA administrative procedure referenced:

S-7 is 認証判定書“decision making on Certification” □申請者が同意した公開用の報告書が用意され、認証発効時に公開でき: a report for publication that the applicant has agreed to is prepared and can be published when the certification comes into effect and put in their procedure.

F-1 認証管理シート “certification management sheet”: the certification comes into effect when the assessment report is made public on the website.

As the GSSI benchmark tool does require transparency in a timely manner, which includes making audit reports publicly available, this point will be verified as part of the MOCA one year after the benchmark recognition.

Conclusion on GSSI Essential Component D.2.01

Conclusion: MEL is in alignment because requirement(s) in the Fisheries Management Standard (version 2.0) and indicator(s) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1) state as follows;

Requirement 2.5 in the Fisheries Management Standard (version 2.0)

There shall be publicly defined target and limit reference points, or proxies for the stock under consideration set on the basis of the best scientific evidence available, in order to maintain or recover the stock at levels consistent with achieving Maximum Sustainable Yields (MSY) or a suitable proxy.

Indicator(s) 2.5 (b) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1)

Whether the management objectives and management measures to achieve the management objectives exist based on the Best Scientific Evidence Available and consistent with the long-term sustainable use of the fisheries resources under management and management measures to achieve the management objectives exist.

- Existence of management objectives (including those equivalent thereto)
- Existence of management measures (including those equivalent thereto)

Additional information for the above requirement(s) and indicator(s) can be found in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1): Requirements 2.5; Indicators 2.5 (b). p. 28-31.

Examples of the requirement(s) in use can be found in the Assessment Report Fisheries Management Standard (Salmon, Hokkaido): Summary Evidence and Evidences 2.5 (b). p. 67.

REFERENCES

1. [Assessment Report Fisheries Management Standard \(Salmon, Hokkaido\): Summary Evidence and Evidences 1.2.1 \(b\) p. 23-24. and 1.2.4 \(b\). p. 31-34.](#)
2. [First Annual Surveillance Report. Hokkaido Federation of Fisheries Cooperative Association Chum Salmon Set-net Fishery Certification No.: JFRCA 20F2200011 Date certified: February 28, 2019. Report Prepared: August 2019. On site assessment July 21, 2019.](#)

ESSENTIAL COMPONENT D.2.02

The standard requires that management objectives take into account the best scientific evidence available.

■ Japan Fisheries Certification Support comment

【最善の科学的証拠】

GSSIの結論は、MELの要求事項2.4①「「最良の科学的根拠」に基づいた対象資源の評価が実施されているか。また、その評

価結果に基づき、予防的措置や順応的管理が実施されているか。」に基づいています。北海道では、野生魚を保護すべきだという研究がありますが、それらの研究は漁業管理に反映されていません。しかし、審査機関はそうした事実を考慮せずにこの北海道のサケ漁業に認証を出しました。MELは、審査機関が正しく審査を行うためのメカニズムを持つべきですし、それなしにはGSSIは承認を出すべきではありません。

The conclusion is based on MEL's requirement 2.4(a) "Whether an assessment is conducted with the best scientific evidence available. Further, whether an adaptive management with precautionary approach is implemented with regard to the result of the assessment." In Hokkaido, there are scientific researches which point out the importance of protecting wild salmon, these research are not reflected into fishery management. However, the assessment body did not mention about the fact and gave certification to the fishery. MEL should have mechanism to ensure the standard is assessed properly, and otherwise GSSI should not recognize MEL.

■ GSSI response

MEL-J is in alignment with Essential Component D.2.02. Based on the comment of Japan Fisheries Certification Support, no additional information has been included in the final conclusion.

The comment addresses the use of the best available science in the assessment of the Hokkaido chum salmon set net fishery by the lead assessor working for MEL's CAB. This determination is primarily the responsibility of the Conformity Assessment Body (CAB) that is conducting the assessment for MEL. The scheme owner itself, MEL, is secondarily responsible. The assessment was conducted in accordance with ISO 17065 and ISO 19011 by the CAB, an independent certification body, and therefore meets GSSI section A and B process requirements. The assessment report describes the results of the assessment based on the standards and requirements in the MEL Fisheries Management Standard and the indicators in the MEL Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity. Re-evaluating the determinations of a scheme CAB is not part of the scope of the GSSI Benchmark process.

That said, GSSI recognizes the concerns of the commenter and has therefore proposed to the MEL scheme to use of independent Peer Review of assessment reports to enhance stakeholder confidence in the certification process. Additionally, GSSI has indicated to the MEL scheme that a MOCA review will take place one year after the initial final benchmarking determination, in lieu of the usual 1.5-year period. During this MOCA review the MEL scheme will be required to fully and transparently demonstrate continued implementation of all requirements and ensure a consistent application of its standards at fishery level through its audit reports.

Conclusion on GSSI Essential Component D.2.02

Conclusion: MEL is in alignment because requirement(s) in the Fisheries Management Standard (version 2.0) and indicator(s) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1) state as follows;

Requirement 2.4 in the Fisheries Management Standard (version 2.0)

Assessment of the current status and trends of the stock under consideration shall be conducted based on the data and information collected, and management decisions shall be made accordingly taking into account the assessment results. The methodology and results of the assessment shall be made publicly available in a timely manner.

Indicator(s) 2.4 (b) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1)

Whether the assessment is reflected in decision-making process to formulate a stock management guideline and a stock management plan.

- Existence of a report or minutes showing the reflection

Requirement 2.5 in the Fisheries Management Standard (version 2.0)

There shall be publicly-defined target and limit reference points, or proxies for the stock under consideration set on the basis of the best scientific evidence available, in order to maintain or recover the stock at levels consistent with achieving Maximum Sustainable Yields (MSY) or a suitable proxy.

Indicator(s) 2.5 (b) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1)

Whether the management objectives and management measures to achieve the management objectives exist based on the Best Scientific Evidence Available and consistent with the long term sustainable use of the fisheries resources under management and management measures to achieve the management objectives exist.

- Existence of management objectives (including those equivalent thereto)
- Existence of management measures (including those equivalent thereto)

Additional information for the above requirement(s) and indicator(s) can be found in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1): Requirements 2.4 and 2.5; Indicators 2.4 (b). p. 25-27. and 2.5 (b). p. 28-31.

Examples of the requirement(s) in use can be found in the Assessment Report Fisheries Management Standard (Salmon, Hokkaido): Summary Evidence and Evidences 2.4 (b). p. 59-60. and 2.5 (b). p. 67.

REFERENCES

1. Fisheries Management Standard (version 2.0), 2018: Requirement(s) 2.4. p. 7.
<https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-StandardFMSver.2.0.pdf>

2. Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1), 2019: Indicator(s) 2.4 (b). p.25-27 and 2.5 (b). p.28-31.
<https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-Standard-Guidelines-for-Auditors-Indicators-of-Conformity-Version.-2.1.pdf>
3. Assessment Report Fisheries Management Standard (Salmon, Hokkaido), 2019: Summary Evidence and Evidences 2.4 (b). p. 59-60. and 2.5 (b). p. 67.
4. First Annual Surveillance Report. Hokkaido Federation of Fisheries Cooperative Association Chum Salmon Set-net Fishery Certification No.: JFRCA 20F2200011 Date certified: February 28, 2019. Report Prepared: August 2019. On site assessment July 21, 2019.

ESSENTIAL COMPONENT D.2.03

The standard requires that the management objectives clearly define target and limit reference points, or proxies for the stock under consideration on the basis of the best scientific evidence available and in accordance with the Precautionary Approach. Target reference points must be consistent with achieving Maximum Sustainable Yield, MSY (or a suitable proxy) on average and limit reference points (or proxies) must be consistent with avoiding recruitment overfishing or other impacts that are likely to be irreversible or very slowly reversible.

■ Japan Fisheries Certification Support comment

【管理基準点】

GSSIの結論は、MELの要求事項「2.5 最大持続生産量（MSY）または適切な代替基準を実現できる水準に対象資源を維持、回復させることを目的として、公的機関によって設定された維持すべき水準（目標管理基準）や下回ってはならない水準（限界管理基準）、あるいは科学的根拠に基づき代替水準が設定されている。」を根拠にしています。

たしかに、新しい漁業法で目標管理基準や限界管理基準の設定が定められましたが、現在はまだ導入されてはいません。福島巻き網サバ漁業が対象としているマサバ太平洋系群にもまだ導入されていません。したがって、福島巻き網マサバ漁業においてこの項目がどのように審査されたかチェックする必要がありますが、審査報告書は認証から4か月経過した現在もまだ公開されていません。GSSIは福島サバ漁業の認証報告書が公開され内容をチェックするまでMELに承認を出すべきではありません。

現在、東京湾巻き網漁業と大阪湾船曳網漁業が審査を行っています。これらの漁業についても、管理基準点の存在は知られていません。これらの漁業がどのように審査されるか、チェックを行うべきです。

とくに、MEL要求事項は、小規模沿岸漁業に対しては特別な扱いをしています。東京湾巻き網漁業も大阪湾船曳網漁業もどちらも県知事許可漁業であり、小規模沿岸漁業というにはふさわしくありませんが、MELには小規模沿岸漁業の明確な定義がないので、中規模・大規模漁業であっても小規模沿岸漁業と位置付けられ、明確な管理基準点がなくとも審査で通してしまう可能性があります。このようなリスクがあるため、GSSIは、これらの漁業の審査報告書をレビューするまでMELに承認をだすべきではありません。

The conclusion is based on MEL's requirement "Requirement: 2.5.

There shall be publicly-defined target and limit reference points, or proxies for the stock under consideration set on the basis of the best scientific evidence available, in order to maintain or recover the stock at levels consistent with achieving Maximum Sustainable Yields (MSY) or a suitable proxy."

Target Reference Point and Limit Reference Point are determined to introduced under the new Fisheries Law, they are not implemented yet. Chub mackerel Pacific stock, which Fukushima purse seine mackerel fishery is targeting, also does not have such reference points. Thus, it is necessary to check how the fishery is assessed,

but its certification report is not published after 4 months since certification in March 2019. GSSI should not recognize MEL until the certification report of Fukushima purse seine mackerel fishery is published and reviewed.

Currently, Tokyo Bay purse seine fishery and Osaka Bay boat seine fishery are under assessment, but reference points for those fisheries are not known as well. GSSI should not recognize MEL until assessment reports for those fisheries are published and reviewed.

Especially, MEL requirements has special care about "small-scale regional coastal fishery". Both Tokyo Bay purse seine fishery and Osaka Bay boat seine fishery are prefecture-licensed fisheries, and it is not adequate to categorize them as "small-scale regional coastal fishery". However, MEL does not set clear definition of small-scale regional coastal fishery, it is risk that the assessment body deals those fisheries as small-scale regional coastal fisheries. To avoid those risks, GSSI should not recognize MEL until the assessment reports of those fisheries are published and reviewed.

■ **GSSI response**

MEL-J is in alignment with Essential Component D.2.03. Based on the comment of Japan Fisheries Certification Support, no additional information has been included in the final conclusion

The comment at hand indicates a lack of reference points for chub mackerel Pacific stock, which the Fukushima purse seine mackerel fishery targets. The GSSI benchmark review did not consider the Fukushima purse seine mackerel fishery, so the IE is currently unable to respond to comments about that recent MEL assessment. D.2.03 states that the standard must require that the management objectives clearly define target and limit reference points, or proxies for the stock under consideration on the basis of the best scientific evidence available and in accordance with the Precautionary Approach. The issue of the use of reference points or proxies in the Fukushima purse seine fishery will be considered in the MOCA.

Conclusion on GSSI Essential Component D.2.03

Conclusion: MEL is in alignment because requirement(s) in the Fisheries Management Standard (version 2.0) and indicator(s) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1) state as follows;

Requirement 2.5 in the Fisheries Management Standard (version 2.0)

There shall be publicly-defined target and limit reference points, or proxies for the stock under consideration set on the basis of the best scientific evidence available, in order to maintain or recover the stock at levels consistent with achieving Maximum Sustainable Yields (MSY) or a suitable proxy.

Indicator(s) 2.5 (a) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1)

Whether stock under consideration and "limit reference point" or a suitable proxy are defined with precautionary approach and based on the best scientific evidence available in the management objectives. In addition, whether the "target reference point" is set to achieve the MSY or a suitable proxy in average and the "limit reference point" is defined to avoid recruitment overfishing and irreversible or very slowly reversible influence.

- Existence of the appropriate definitions of stock under consideration and "limit reference point", "target reference point" or those substitute proxies under the management objectives

Additional information for the above requirement(s) and indicator(s) can be found in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1): Requirements 2.5; Indicators 2.5 (a). p. 28-31.

Examples of the requirement(s) in use can be found in the Assessment Report Fisheries Management Standard (Salmon, Hokkaido): Summary Evidence and Evidences 2.5 (a). p. 64-66.

REFERENCES

1. Fisheries Management Standard (version 2.0), 2018: Requirement(s) 3.1.2. p. 8. and 3.2.3. p. 9. <https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-StandardFMSver.2.0.pdf>
2. Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1), 2019: Indicator(s) 3.1.2 (a) (1). p. 41-44. and 3.2.3 (c) (1). P. 53-56.

<https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-Standard-Guidelines-for-Auditors-Indicators-of-Conformity-Version.-2.1.pdf>

3. Assessment Report Fisheries Management Standard (Salmon, Hokkaido), 2019: Summary Evidence and Evidence 3.1.2 (a). p. 82-83. and 3.2.3 (c). p. 104-105.
4. [First Annual Surveillance Report. Hokkaido Federation of Fisheries Cooperative Association Chum Salmon Set-net Fishery Certification No.: JFRCA 20F2200011 Date certified: February 28, 2019. Report Prepared: August 2019. On site assessment July 21, 2019.](#)

ESSENTIAL COMPONENT D.2.05

The standard requires, in the case of enhanced fisheries, the existence of management objectives consistent with avoiding significant negative impacts of enhancement activities on the natural reproductive stock component of the stock under consideration and any other wild stocks from which the organisms for stocking are being removed.

■ Japan Fisheries Certification Support comment

【非対象種】

MELの要求事項「3.1.1① (i) 審査対象となる漁業による、非対象種の混獲（投棄を含む）に起因する、当該非対象種の過剰漁獲やその他の回復不可能な影響（あるいは回復がほとんど見込まれない影響）に関する情報と評価。」および「3.1.2① (i) 審査対象となる漁業による、非対象種の混獲（投棄を含む）に起因する、当該非対象種の過剰漁獲やその他の回復不可能な影響（あるいは回復がほとんど見込まれない影響）を回避するための管理目標とアウトカム（成果）指標。」は、GSSIの要求事項D.2.5、D.3.6、D.4.3、D.5.6、D.6.5をコピーして再編集したものにすぎません。したがって、実際の審査の中でこれらの要求事項がどのように審査されたかを吟味することが重要です。

2019年3月に認証を取得した福島の巻き網サバ漁業は、資源状態が悪いカタクチイワシの混獲が懸念されています。これは、国立研究開発法人水産研究・教育機構が出したSH"U"Nの報告書でも指摘されています。

https://sh-u-n.fra.go.jp/search/report/マサバ太平洋評価結果_v102_20170925.pdf

しかしながら、この漁業の報告書は認証から4か月が経過した現在もまだ公開されておらず、カタクチイワシの混獲がどのように審査されたのか明らかではありません。

GSSIは、福島の巻き網サバ漁業の報告書が提出され、混獲がどのように審査されたかをチェックするまで、MELに承認を出すべきではありません。

MEL Requirements 3.1.1(a)(1) "Assessment of the extent to which non-target catches and discards by the unit of certification of stocks other than the stock under consideration threaten those non-target stocks with recruitment overfishing or other impacts that are likely to be irreversible or very slowly reversible with appropriate related data/information." and 3.1.2(a)(1) "Management objectives that seek to ensure that non-target catches and discards by the unit of certification of stocks other than the stock under consideration does not threaten those non-target stocks with recruitment overfishing or other impacts that are likely to be irreversible or very slowly reversible and outcome indicators consistent with achieving the management objectives" are just copy of GSSI's requirements D.2.5, D.3.6, D.4.3, D.5.6 and D.6.5. Thus, it is critical to review how the assessment body assesses fisheries against those requirements.

Bycatch of anchovy by purse seine fisheries including Fukushima purse seine mackerel fishery which was certified in March 2019. National Fisheries Research Agency also pointed out the concern in the report of SH"U"N project [https://sh-u-n.fra.go.jp/search/report/マサバ太平洋評価結果_v102_20170925.pdf].

However, the assessment report of Fukushima purse seine mackerel fishery is not published yet so that it is not clear how the fishery was assessed against those requirements.

GSSI should not recognize MEL until the assessment report of Fukushima purse seine mackerel fishery is published and reviewed.

■ GSSI response

MEL-J is in alignment with Essential Component D.2.05. Based on the comment of Japan Fisheries Certification Support, no additional information has been included in the final conclusion

As the comment questions multiple points these are addressed separately.

First, GSSI recognizes and agrees that some portion of the MEL standard and the indicators are taken directly from the GSSI benchmark tool. This is not considered to be a problem. GSSI agrees that the implementation of the standard and the indicators by MEL's CAB in the assessment process are most important.

Second, the commenter refers to the Fukushima purse seine mackerel fishery assessment. This report was not part of the body of evidence and this assessment report was therefore not considered. The IE cannot address the commenter's concern at this time. Where there are concerns about the technical aspects of audits, stakeholders can use the appeals and complaints procedures of the CB to challenge any conclusions that are made in the reports. The scope of the GSSI process does not cover the assessment of the individual conclusion of specific certifications

The Japan Fisheries Resource Conservation Association, the CAB, has measures to prevent recurrence of delays in publication and wishes to make public reports part of the requirements for certification. Administrative procedure ensures that certification shall not take effect until the report is ready to be made public.

Updated JFRCA administrative procedure referenced:

S-7 is 認証判定書 “decision making on Certification” 申請者が同意した公開用の報告書が用意され、認証発効時に公開できる: a report for publication that the applicant has agreed to is prepared and can be published when the certification comes into effect and put in their procedure.

F-1 認証管理シート “certification management sheet”: the certification comes into effect when the assessment report is made public on the website.

As the GSSI benchmark tool does require transparency in a timely manner, which includes making audit reports publicly available, this point will be verified as part of the MOCA one year after the benchmark recognition.

Conclusion on GSSI Essential Component D.2.05

Conclusion: MEL is in alignment because requirement(s) in the Fisheries Management Standard (version 2.0) and indicator(s) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1) state as follows;

Requirement 3.1.2 in the Fisheries Management Standard (version 2.0)

The unit of certification shall be operated in ways to minimize adverse impacts on non-target stocks and ecosystem, taking into account the assessment results of above 3.1.1(a) (1) - (5).

Indicator(s) 3.1.2 (a) (1) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1)

(a) Whether the unit of certification operates the fishery with consideration to avoid, minimize or mitigate the adverse impacts on non-target stocks, endangered species and ecosystem with following management objectives and outcome indicators (including those equivalent thereto), taking into account the assessment results of 3.1.1.

(1) Management objectives that seek to ensure that non-target catches and discards by the unit of certification of stocks other than the stock under consideration does not threaten those non-target stocks with recruitment overfishing or other impacts that are likely to be irreversible or very slowly reversible and outcome indicators consistent with achieving the management objectives.

- Existence of management objectives and outcome indicators above including those equivalent thereto (information/data on non-target species, ecosystem)

Standard 3.2 particularly requires the consideration of ecosystem in the associated fish farming and resource enhancement.

Requirement 3.2.3 in the Fisheries Management Standard (version 2.0)

(In case of the associated fish farming and resource enhancement,) There shall be continuous monitoring of the state of the stock under consideration and its habitat, and measures shall be implemented in order to avoid significant adverse impacts of enhancement activities on the natural reproductive stock components of the stock under consideration and ecosystem.

Indicator(s) 3.2.3 (c) (1) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1)

(c) Whether following management objectives, management measures and outcome indicators (including those equivalent thereto) exist to avoid severe adverse impacts of release of artificial seedling on the natural reproduction of the stock under consideration and on the ecosystem:
(1) Management objectives that seek to ensure that non-target catches and discards by associated culture and enhancement activity do not threaten those non-target stocks with recruitment overfishing or other impacts that are likely to be irreversible or very slowly reversible and management measures designed to achieve the management objectives.

▪ Existence of management objectives, management measures and outcome indicators (including those equivalent thereto) referred in (1) – (3) above

Additional information for the above requirement(s) and indicator(s) can be found in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1): Requirements 3.1.2 and 3.2.3; Indicators 3.1.2 (a) (1) p. 41-44. and 3.2.3 (c) (1). P. 53-56.

Examples of the requirement(s) in use can be found in the Assessment Report Fisheries Management Standard (Salmon, Hokkaido): Summary Evidence and Evidence 3.1.2 (a). p. 82-83. and 3.2.3 (c). p. 104-105.

REFERENCES

1. Fisheries Management Standard (version 2.0), 2018: Requirement(s) 3.1.2. p. 8. and 3.2.3. p. 9. <https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-StandardFMSver.2.0.pdf>
2. Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1), 2019: Indicator(s) 3.1.2 (a) (1). p. 41-44. and 3.2.3 (c) (1). P. 53-56. <https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-Standard-Guidelines-for-Auditors-Indicators-of-Conformity-Version.-2.1.pdf>
3. Assessment Report Fisheries Management Standard (Salmon, Hokkaido), 2019: Summary Evidence and Evidence 3.1.2 (a). p. 82-83. and 3.2.3 (c). p. 104-105.
4. [First Annual Surveillance Report. Hokkaido Federation of Fisheries Cooperative Association Chum Salmon Set-net Fishery Certification No.: JFRCA 20F2200011 Date certified: February 28, 2019. Report Prepared: August 2019. On site assessment July 21, 2019.](#)

ESSENTIAL COMPONENT D.2.06

The standard requires the existence of management objectives that seek to ensure that endangered species are protected from adverse impacts resulting from interactions with the unit of certification and any associated culture or enhancement activity, including recruitment overfishing or other impacts that are likely to be irreversible or very slowly reversible.

■ Japan Fisheries Certification Support comment

【希少種】

FAOの責任ある漁業のための行動規範においては、「水圏の生息域と生態系の生物多様性が保全され、希少種が保護される」ような管理方策が必要だと書かれています。MELの要求事項では「希少種の過剰漁獲」を回避と書かれています。希少種は本来保護されるべきで、多少なりとも混獲されるべきではないことを鑑みると、この要求事項は十分とは言えません。現に、審査機関である水産資源保護協会は、かつて、MEL ver1.0の審査において、環境省によって準絶滅危惧種と指定された魚種に対して認証を出した経緯があり、MELの規格が、国際社会が求める希少種保護につながらない可能性が高いです。

MELは希少種を確実に保護できるように、規格を改めるべきであり、それなしにGSSIはMELに承認を出すべきではありません。

FAO Code of Conducts for Responsible Fisheries states that a fishery should have measures so that "biodiversity of aquatic habitats and ecosystems is conserved and endangered species are protected". Although MEL's requirement states 3.1.2(a)(2) "Management objectives that seek to ensure that endangered species are protected from adverse impacts resulting from interactions with the unit of certification, including recruitment

overfishing or other impacts that are likely to be irreversible or very slowly reversible and outcome indicators consistent with the achieving management objectives.", any catch of endangered species should be avoided and the term "overfishing" is insufficient to protect endangered species. The assessment body, JFSCA, have certified two endangered species against MEL 1.0 in the past, it is likely that MEL scheme does not work to protect endangered species.

MEL should revise the requirements to strengthen protection of endangered species, and, otherwise, GSSI should not recognize MEL.

■ **GSSI response**

MEL Japan is in alignment with Essential Component D.2.06. Based on the comment of Japan Fisheries Certification Support, no additional information has been included in the final conclusion

As the comment questions multiple points these are addressed separately.

First, it should be noted that D.2.06 addresses the requirement for the existence of management objectives that seek to ensure that endangered species are protected from adverse impacts resulting from interactions with the unit of certification and any associated culture or enhancement activity, including recruitment overfishing or other impacts that are likely to be irreversible or very slowly reversible. The MEL standard Requirements 3.1.2 and 3.2.3 with their associated indicators were determined to be in alignment with this GSSI requirement.

Second, the commenter notes that MEL Ver.1.0 has certified fisheries that take or interact with endangered species. The Benchmarking Process of GSSI concerns Ver.2.0 of the program and does not consider or recognize MEL Ver.1.0. Since GSSI has not reviewed the MEL Ver.1.0 standard nor the fisheries certified under that standard, GSSI cannot respond to this comment.

Third, commenter states that MEL should revise its requirements to strengthen protection of endangered species. In response the IE notes that the MEL standard Ver.2.0 has been evaluated and is considered to already see to this in a manner that the standard is in alignment with the GSSI benchmark tool

Conclusion on GSSI Essential Component D.2.06

Conclusion: MEL is in alignment because requirement(s) in the Fisheries Management Standard (version 2.0) and indicator(s) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1) state as follows;

Requirement 3.1.2 in the Fisheries Management Standard (version 2.0)

The unit of certification shall be operated in ways to minimize adverse impacts on non-target stocks and ecosystem, taking into account the assessment results of above 3.1.1(a) (1) - (5).

Indicator(s) 3.1.2 (a) (2) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1)

(a) Whether the unit of certification operates the fishery with consideration to avoid, minimize or mitigate the adverse impacts on non-target stocks, endangered species and ecosystem with following management objectives and outcome indicators (including those equivalent thereto), taking into account the assessment results of 3.1.1.

(2) Management objectives that seek to ensure that endangered species are protected from adverse impacts resulting from interactions with the unit of certification, including recruitment overfishing or other impacts that are likely to be irreversible or very slowly reversible and outcome indicators consistent with the achieving management objectives.

- Existence of management objectives and outcome indicators above including those equivalent thereto (information/data on non-target species, ecosystem)

Standard 3.2 particularly requires the consideration of ecosystem in the associated fish farming and resource enhancement.

Requirement 3.2.3 in the Fisheries Management Standard (version 2.0)

(In case of the associated fish farming and resource enhancement,) There shall be continuous monitoring of the state of the stock under consideration and its habitat, and measures shall be implemented in order to avoid significant adverse impacts of enhancement activities on the natural reproductive stock components of the stock under consideration and ecosystem.

Indicator(s) 3.2.3 (c) (2) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of

Conformity – (version 2.1)

(c) Whether following management objectives, management measures and outcome indicators (including those equivalent thereto) exist to avoid severe adverse impacts of release of artificial seedling on the natural reproduction of the stock under consideration and on the ecosystem:

(2) Management objectives that seek to ensure that endangered species are protected from adverse impacts resulting from interactions with associated culture or enhancement activity, including recruitment overfishing or other impacts that are likely to be irreversible or very slowly reversible, outcome indicators consistent with achieving the management objectives and management measures, as necessary, designed to achieve the management objectives.

• Existence of management objectives, management measures and outcome indicators (including those equivalent thereto) referred in (1) – (3) above

Additional information for the above requirement(s) and indicator(s) can be found in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1): Requirements 3.1.2 and 3.2.3; Indicators 3.1.2 (a) (2). P. 41-44. and 3.2.3 (c) (2). P. 53-56.

Examples of the requirement(s) in use can be found in the Assessment Report Fisheries Management Standard (Salmon, Hokkaido): Summary Evidence and Evidence 3.1.2 (a). p. 82-83. and 3.2.3 (c). p. 104-105.

REFERENCES

1. Fisheries Management Standard (version 2.0), 2018: Requirement(s) 3.1.2. p. 8. and 3.2.3. p. 9. <https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-StandardFMSver.2.0.pdf>
2. Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1), 2019: Indicator(s) 3.1.2 (a) (2) p. 41-44. and 3.2.3 (c) (2). P 53-56. <https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-Standard-Guidelines-for-Auditors-Indicators-of-Conformity-Version.-2.1.pdf>
3. Assessment Report Fisheries Management Standard (Salmon, Hokkaido), 2019: Summary Evidence and Evidence 3.1.2 (a). p. 82-83. and 3.2.3 (c). p. 104-105.
4. [First Annual Surveillance Report. Hokkaido Federation of Fisheries Cooperative Association Chum Salmon Set-net Fishery Certification No.: JFRCA 20F2200011 Date certified: February 28, 2019. Report Prepared: August 2019. On site assessment July 21, 2019.](#)

ESSENTIAL COMPONENT D.3.02

The standard requires that management measures implemented through the management system to achieve the management objectives are based on the best scientific evidence available.

■ Japan Fisheries Certification Support comment

【管理手法は最良の科学に基づいているか】

GSSIの結論は、MELの要求事項2.5②「② 長期的かつ持続的な資源の利用に向けた「管理目標」及びその達成に向けた「管理措置」が、最良の科学的根拠に基づいて設定されているか。」に基づいています。北海道では、野生魚を保護すべきだという研究がありますが、それらの研究は漁業管理に反映されていません。しかし、審査機関はそうした事実を考慮せずにこの北海道のサケ漁業に認証を出しました。MELは、審査機関が正しく審査を行うためのメカニズムを持つべきですし、それなしにはGSSIは承認を出すべきではありません。

The conclusion is based on MEL's requirement 2.5(b) "(b) Whether the management objectives and management measures to achieve the management objectives exist based on the Best Scientific Evidence Available and consistent with the long term sustainable use of the fisheries resources under management and management measures to achieve the management objectives exist." In Hokkaido, there are scientific researches which point out the importance of protecting wild salmon, these research are not reflected into fishery management. However, the assessment body did not mention about the fact and gave certification to the fishery. MEL should have mechanism to ensure the standard is assessed properly, and otherwise GSSI should not recognize MEL.

■ GSSI response

MEL-J is in alignment with Essential Component D.3.02. Based on the comment of Japan Fisheries Certification Support, no additional information has been included in the final conclusion.

With regard to this comment, GSSI would like to refer to a previous response which touches upon the same topic, namely, the use of best available science. D.3.02 and MEL Requirement 2.5 both address the need for the use of the best available science in the management of fisheries, and in the assessment of the sustainability of any fishery. In the case of the assessment of the Hokkaido chum salmon set net fishery, that the GSSI benchmark evaluation of the MEL standard refers to, the issue raised by the commenter is whether the best available science has been used in the assessment of that fishery.

This determination is primarily the responsibility of the Conformity Assessment Body (CAB) that is conducting the assessment for MEL. The scheme owner itself, MEL, is responsible for ensuring the CABs are accredited and operate in accordance with ISO-17065 and the scheme owners' certification requirements. This has been verified through the alignment of MEL-J with the Essential Components in Section B of the GSSI Global Benchmark Tool. This report shows the results of assessment based on the standards and requirements in the MEL Fisheries Management Standard and the indicators in the MEL Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity. It is not part of the scope of the GSSI benchmark process to re-evaluate the determinations of a scheme CAB.

Notwithstanding the aforementioned, GSSI has advised the scheme owner that the use of independent Peer Review of assessment reports would enhance stakeholder confidence in the certification process. Additionally, the GSSI Benchmark Committee review of the MEL Benchmark application recommended a MOCA at one year following the initial benchmark recognition, in lieu of the usual 1.5 year period. During this MOCA review the MEL scheme will be required to fully and transparently demonstrate continued implementation of all requirements and ensure a consistent application of its standards at fishery level through its audit reports.

Conclusion on GSSI Essential Component D.3.02

MEL is in alignment because requirement(s) in the Fisheries Management Standard (version 2.0) and indicator(s) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1) state as follows;

Requirement 2.5 in the Fisheries Management Standard (version 2.0)

There shall be publicly-defined target and limit reference points, or proxies for the stock under consideration set on the basis of the best scientific evidence available, in order to maintain or recover the stock at levels consistent with achieving Maximum Sustainable Yields (MSY) or a suitable proxy.

Indicator(s) 2.5 (b) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1)

(b) Whether the management objectives and management measures to achieve the management objectives exist based on the Best Scientific Evidence Available and consistent with the long term sustainable use of the fisheries resources under management and management measures to achieve the management objectives exist.

- Existence of management objectives (including those equivalent thereto)
- Existence of management measures (including those equivalent thereto)

Additional information for the above requirement(s) and indicator(s) can be found in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1): Requirements 2.5; Indicators 2.5 (b). p. 28-31.

Examples of the requirement(s) in use can be found in the Assessment Report Fisheries Management Standard (Salmon, Hokkaido): Summary Evidence and Evidence 2.5 (b). p. 67.

REFERENCES

1. Fisheries Management Standard (version 2.0), 2018: Requirement(s) 2.5. p. 7.
<https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-StandardFMSver.2.0.pdf>
2. Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1), 2019: Indicator(s) 2.5 (b). p 28-31.
<https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-Standard-Guidelines-for-Auditors-Indicators-of-Conformity-Version.-2.1.pdf>
3. Assessment Report Fisheries Management Standard (Salmon, Hokkaido), 2019: Summary Evidence and Evidence 2.5 (b). p. 67.

4. First Annual Surveillance Report. Hokkaido Federation of Fisheries Cooperative Association Chum Salmon Set-net Fishery Certification No.: JFRCA 20F2200011 Date certified: February 28, 2019. Report Prepared: August 2019. On site assessment July 21, 2019.

ESSENTIAL COMPONENT D.3.03

The standard requires that management measures for the stock under consideration consider the impacts on the stock under consideration of all fisheries utilizing that stock under consideration over its entire area of distribution.

■ Japan Fisheries Certification Support comment

GSSIの結論は、MELの要求事項「2.3 資源評価にあたっては、対象資源の分布範囲における、審査対象となる漁業以外によ

る漁獲の影響、及び資源の回復力についても考慮されている。」に基づいている。しかしながら、審査報告書が限られているため、実際にどのように審査されているのかを評価することができない。とくに、福島巻き網さば漁業が漁獲対象としているマサバ太平洋系群は、日本以外にも中国やロシアによっても漁獲されているが、それらの国の漁獲の影響は資源評価において十分に考慮されているとは言えない。しかしながら、福島の巻き網さば漁業の認証報告書は認証から4か月たった今でも公開されておらず、検証ができない。

GSSIは、福島の巻き網さば漁業の報告書が公開され、内容を検証されるまで、MELに承認を出すべきではありません。

The conclusion of GSSI is based on MEL's requirement "2.3 The assessment of the current status and trends of the stock under consideration shall take into account the total fishing mortality caused by other fisheries utilizing the stock under consideration within the distribution area of the stock under consideration, as well as resilience of the stock." However, because of limitation of assessments, we can't evaluate if fisheries are assessed properly against this requirement. Especially, chub mackerel Pacific stock, which Fukushima purse seine mackerel fishery is targeting, is caught not only by Japan but also China and Russia, but the impact of those countries is not evaluated sufficiently. However, the certification report of Fukushima purse seine mackerel fishery is not published yet after 4 months since they got Acertified, and we can't know how the requirement is assessed.

Thus, GSSI should not recognize MEL until the assessment report of Fukushima purse seine mackerel fishery is released and reviewed.

■ GSSI response

MEL-J is in alignment with Essential Component D.3.03. Based on the comment of Japan Fisheries Certification Support, no additional information has been included in the final conclusion.

As the comment questions multiple points these are addressed separately.

First, the commenter addresses the Fukushima purse seine mackerel fishery assessment. As noted previously this assessment was not considered as part of this assessment, so the IE cannot comment on the commenter's concern for the lack of consideration of total fishing mortality. . During this MOCA review the MEL scheme will be required to fully and transparently demonstrate continued implementation of all requirements and ensure a consistent application of its standards at fishery level through its audit reports.

Regarding the delay in publication of the audit reports, JFRCA, the Certification Body, has measures to prevent recurrence and to make public reports part of the requirements for certification. Administrative procedure ensures that Certification shall not take effect until the report is ready to be made public.

Updated JFRCA administrative procedure referenced:

S-7 is 認証判定書 “decision making on Certification” 申請者が同意した公開用の報告書が用意され、認証発効時に公開できる: a report for publication that the applicant has agreed to is prepared and can be published when the certification comes into effect and put in their procedure.

F-1 認証管理シート “certification management sheet”: the certification comes into effect when the assessment report is made public on the website.

As the GSSI benchmark tool does require transparency in a timely manner, which includes making audit reports publicly available, this point will be verified as part of the MOCA one year after the benchmark recognition.

Conclusion on GSSI Essential Component D.3.03

Conclusion: MEL is in alignment because requirement(s) in the Fisheries Management Standard (version 2.0) and indicator(s) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1) state as follows;

Requirement 2.3 in the Fisheries Management Standard (version 2.0)

The assessment of the current status and trends of the stock under consideration shall take into account the total fishing mortality caused by other fisheries utilizing the stock under consideration within the distribution area of the stock under consideration, as well as resilience of the stock.

Indicator(s) 2.3 (b) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1)

(b) Whether management measures for the stock under consideration consider the impacts on the stock under consideration of all the fisheries utilizing that stock under consideration over its entire area of distribution.

- Consideration of the impacts on the stock under consideration of all the fisheries utilizing that stock under consideration over its entire area of distribution

Additional information for the above requirement(s) and indicator(s) can be found in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1): Requirements 2.3; Indicators 2.3 (b). p. 23-24.

Examples of the requirement(s) in use can be found in the Assessment Report Fisheries Management Standard (Salmon, Hokkaido): Summary Evidence and Evidence 2.3 (b). p. 54.

REFERENCES

1. Fisheries Management Standard (version 2.0), 2018: Requirement(s) 2.3. p.7.
<https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-StandardFMSver.2.0.pdf>
2. Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1), 2019: Indicator(s) 2.3 (b). p 23-24.
<https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-Standard-Guidelines-for-Auditors-Indicators-of-Conformity-Version.-2.1.pdf>
<https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-Standard-Guidelines-for-Auditors-Indicators-of-Conformity-Version.-2.1.pdf>
3. Assessment Report Fisheries Management Standard (Salmon, Hokkaido), 2019: Summary Evidence and Evidence 2.3 (b). p. 54.
4. [First Annual Surveillance Report. Hokkaido Federation of Fisheries Cooperative Association Chum Salmon Set-net Fishery Certification No.: JFRCA 20F2200011 Date certified: February 28, 2019. Report Prepared: August 2019. On site assessment July 21, 2019.](#)

ESSENTIAL COMPONENT D.3.04

The standard requires that management measures specify the actions to be taken in the event that the status of the stock under consideration drops below levels consistent with achieving management objectives that allow for the restoration of the stock to such levels within a reasonable time frame. This requirement also pertains to species introductions or translocations that have occurred historically, and which have become established as part of the natural ecosystem.

■ Japan Fisheries Certification Support comment

GSSIの結論は、MELの要求事項「2.7 対象資源に対して過剰な漁獲は行われておらず、資源回復措置を講じる必要のある基準を下回る場合には、加入乱獲を避けるため適時必要な措置が講じられている。」および「2.7③ 対象資源が、合理的な時間枠のなかで、その資源回復が見込まれる管理目標の水準を下回った場合に発動される管理措置が準備されているか。」を根拠にしています。たしかに、新しい漁業法で漁獲制御ルールの設定が定められましたが、現在はまだ導入されてはいません。福島巻き網サバ漁業が対象としているマサバ太平洋系群にもまだ導入されていません。したがって、福島巻き網マサバ漁業においてこの項目がどのように審査されたかチェックする必要がありますが、審査報告書は認証から4か月経過した現在もまだ公開されていません。GSSIは福島サバ漁業の認証報告書が公開され内容をチェックするまでMELに承認を出すべきではありません。

The conclusion is based on MEL's requirements "2.7 The stock under consideration is not overfished. In the event that the status of the stock drops below levels at which remedial actions should be undertaken, necessary measures shall be implemented in a timely manner in order to avoid recruitment overfishing" and "2.7(c) Whether management measures specify the actions to be taken in the event that the status of the stock under consideration drops below levels consistent with achieving management objectives that allow for the restoration of the stock to such levels within a reasonable time frame". Although Harvest Control Rules are determined to be introduced under the new Fisheries Law, they are not implemented yet. Chub mackerel Pacific stock, which Fukushima purse seine mackerel fishery is targeting, also does not have such reference points. Thus, it is necessary to check how the fishery is assessed, but its certification report is not published after 4 months since certification in March 2019. GSSI should not recognize MEL until the certification report of Fukushima purse seine mackerel fishery is published and reviewed.

■ GSSI response

MEL-J is in alignment with Essential Component D.3.04. Based on the comment of Japan Fisheries Certification Support, additional information has been included in the final conclusion.

The raised concerns address the Fukushima purse seine mackerel fishery assessment. As noted previously this assessment was not considered as part of this benchmark review of the MEL standard. The IE can therefore not comment on the assessment or certification of this fishery at this time. Where there are concerns about the technical aspects of audits, stakeholders can use the appeals and complaints procedures of the CB to challenge any conclusions that are made in the reports. The scope of the GSSI process does not cover the assessment of the individual conclusion of specific certifications

Conclusion on GSSI Essential Component D.3.04

Conclusion: MEL is in alignment because requirement(s) in the Fisheries Management Standard (version 2.0) and indicator(s) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1) state as follows;

Requirement 2.5 in the Fisheries Management Standard (version 2.0)

There shall be publicly defined target and limit reference points, or proxies for the stock under consideration set on the basis of the best scientific evidence available, in order to maintain or recover the stock at levels consistent with achieving Maximum Sustainable Yields (MSY) or a suitable proxy.

Indicator(s) 2.5 (a) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1)

Whether stock under consideration and “limit reference point” or a suitable proxy are defined with precautionary approach and based on the best scientific evidence available in the management objectives. In addition, whether the “target reference point” is set to achieve the MSY or a suitable proxy in average and the “limit reference point” is defined to avoid recruitment overfishing and irreversible or very slowly reversible influence. Existence of the appropriate definitions of stock under consideration and limit reference target reference point or those substitute proxies under the management objectives

Requirement 2.7 in the Fisheries Management Standard (version 2.0)

The stock under consideration is not overfished. In the event that the status of the stock drops below levels at which remedial actions should be undertaken, necessary measures shall be implemented in a timely manner in order to avoid recruitment overfishing.

Indicator(s) 2.7 (c) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1)

(c) Whether management measures specify the actions to be taken in the event that the status of the stock under consideration drops below levels consistent with achieving management objectives that allow for the restoration of the stock to such levels within a reasonable time frame. This consideration is required to pertain to species introductions or translocations that have occurred historically, and which have become established as part of the natural ecosystem.

- Preparation of management measures specify the actions to be taken in the event that the status of the stock under consideration drops below levels consistent with achieving management objectives (including those equivalent thereto).

Additional information for the above requirement(s) and indicator(s) can be found in the Guidelines for Auditors of the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1): [Requirements 2.5](#); [Indicators 2.5 \(a\)](#). p. 28, Requirements 2.7; Indicators 2.7 (c). p. 34-36.

Examples of the requirement(s) in use can be found in the Assessment Report Fisheries Management Standard (Salmon, Hokkaido): Summary Evidence and Evidence 2.7 (c). p. 75.

REFERENCES

1. Fisheries Management Standard (version 2.0), 2018: Requirement(s) 2.7. p. 8.
<https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-StandardFMSver.2.0.pdf>
2. Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1), 2019: Indicator(s) 2.7 (c). p. 34-36.
<https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-Standard-Guidelines-for-Auditors-Indicators-of-Conformity-Version.-2.1.pdf>
3. Assessment Report Fisheries Management Standard (Salmon, Hokkaido), 2019: Summary Evidence and Evidence 2.7 (c). p. 75.
4. [First Annual Surveillance Report. Hokkaido Federation of Fisheries Cooperative Association Chum Salmon Set-net Fishery Certification No.: JFRCA 20F2200011 Date certified: February 28, 2019. Report Prepared: August 2019. On site assessment July 21, 2019.](#)

The standard requires that management measures are designed to achieve management objectives (see D.2.07) seeking to ensure that non-target catches and discards by the unit of certification of stocks other than the stocks under consideration and any associated culture and enhancement activity do not threaten those non-target stocks with recruitment overfishing or other impacts that are likely to be irreversible or very slowly reversible.

■ Japan Fisheries Certification Support comment

MELの要求事項「3.1.1① (i) 審査対象となる漁業による、非対象種の混獲（投棄を含む）に起因する、当該非対象種の過剰漁獲やその他の回復不可能な影響（あるいは回復がほとんど見込まれない影響）に関する情報と評価。」および「3.1.2① (i) 審査対象となる漁業による、非対象種の混獲（投棄を含む）に起因する、当該非対象種の過剰漁獲やその他の回復不可能な影響（あるいは回復がほとんど見込まれない影響）を回避するための管理目標とアウトカム（成果）指標。」は、GSSIの要求事項D.2.5、D.3.6、D.4.3、D.5.6、D.6.5をコピーして再編集したものにすぎません。したがって、実際の審査の中でこれらの要求事項がどのように審査されたかを吟味することが重要です。

2019年3月に認証を取得した福島の巻き網サバ漁業は、資源状態が悪いカタクチイワシの混獲が懸念されています。これは、国立研究開発法人水産研究・教育機構が出したSH"U"Nの報告書でも指摘されています。

https://sh-u-n.fra.go.jp/search/report/マサバ太平洋評価結果_v102_20170925.pdf

しかしながら、この漁業の報告書は認証から4か月が経過した現在もまだ公開されておらず、カタクチイワシの混獲がどのように審査されたのか明らかではありません。

GSSIは、福島の巻き網サバ漁業の報告書が提出され、混獲がどのように審査されたかをチェックするまで、MELに承認を出すべきではありません。

MEL's requirements 3.1.1(a)(1) "Assessment of the extent to which non-target catches and discards by the unit of certification of stocks other than the stock under consideration threaten those non-target stocks with recruitment overfishing or other impacts that are likely to be irreversible or very slowly reversible with appropriate related data/information." and 3.1.2(a)(1) "Management objectives that seek to ensure that non-target catches and discards by the unit of certification of stocks other than the stock under consideration does not threaten those non-target stocks with recruitment overfishing or other impacts that are likely to be irreversible or very slowly reversible and outcome indicators consistent with achieving the management objectives" are just copy of GSSI's requirements D.2.5, D.3.6, D.4.3, D.5.6 and D.6.5. Thus, it is critical to review how the assessment body assesses fisheries against those requirements.

Bycatch of anchovy by purse seine fisheries including Fukushima purse seine mackerel fishery which was certified in March 2019. National Fisheries Research Agency also pointed out the concern in the report of SH"U"N project [https://sh-u-n.fra.go.jp/search/report/マサバ太平洋評価結果_v102_20170925.pdf].

However, the assessment report of Fukushima purse seine mackerel fishery is not published yet so that it is not clear how the fishery was assessed against those requirements.

GSSI should not recognize MEL until the assessment report of Fukushima purse seine mackerel fishery is published and reviewed.

■ GSSI response

MEL-J is in alignment with Essential Component D.3.06. Based on the comment of Japan Fisheries Certification Support, no additional information has been included in the final conclusion.

As the comment addresses multiple points these are responded separately.

First, the commenter expresses concern MEL Requirements 3.1.1(a)(1) and 3.1.2(a)(1) are direct copies of GSSI ECs D.2.5, D.3.6, D.4.3, D.5.6 and D.6.5. This is not a concern for GSSI, as the use of GSSI benchmark language ensures alignment with the intent of the benchmark tool.

Second, the commenter notes that "it is critical to review how the assessment body assesses fisheries against those requirements". GSSI agrees that it is important that it review the implementation to the MEL requirements and does so during the benchmark assessment. Furthermore, it will do so during the MOCA review, scheduled to take place one year after GSSI benchmark recognition.

Finally, the commenter notes that the Fukushima purse seine mackerel fishery assessment report (certified March 2019), is not publicly available as yet, and he cannot check how the bycatch of anchovy in purse seine fisheries including Fukushima purse seine mackerel fishery has been addressed. The IE cannot consider the technical merits of his comment as the Fukushima purse seine fishery assessment report was not included in this benchmark assessment. The CAB (JFRCA) has measures to prevent recurrence of delay in publication of audit

report and to make public reports part of the requirements for certification. Administrative procedure ensures that Certification shall not take effect until the report is ready to be made public.

Updated JFRCA administrative procedure referenced:

S-7 is 認証判定書 “decision making on Certification” 申請者が同意した公開用の報告書が用意され、認証発効時に公開できる: a report for publication that the applicant has agreed to is prepared and can be published when the certification comes into effect and put in their procedure.

F-1 認証管理シート “certification management sheet”: the certification comes into effect when the assessment report is made public on the website

As the GSSI benchmark tool requires transparency in a timely manner, which includes making audit reports publicly available, this point will be verified as part of the MOCA one year after the benchmark recognition.

Conclusion on GSSI Essential Component D.3.06

Conclusion: MEL is in alignment because requirement(s) in the Fisheries Management Standard (version 2.0) and indicator(s) in the Guidelines for Auditors of the Fisheries Management Standard state as follows;

Requirement 3.1.2 in the Fisheries Management Standard (version 2.0)

The unit of certification shall be operated in ways to minimize adverse impacts on non-target stocks and ecosystem, taking into account the assessment results of above 3.1.1(a) (1) - (5).

Indicator(s) 3.1.2 (a) (1) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1)

(a) Whether the unit of certification operates the fishery with consideration to avoid, minimize or mitigate the adverse impacts on non-target stocks, endangered species and ecosystem with following management objectives and outcome indicators (including those equivalent thereto), taking into account the assessment results of 3.1.1.

(1) Management objectives that seek to ensure that non-target catches and discards by the unit of certification of stocks other than the stock under consideration does not threaten those non-target stocks with recruitment overfishing or other impacts that are likely to be irreversible or very slowly reversible and outcome indicators consistent with achieving the management objectives.

- Existence of management objectives and outcome indicators above including those equivalent thereto (information/data on non-target species, ecosystem)

Indicator(s) 3.1.2 (b) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1)

Whether management measures designed to achieve the management objectives referred in 3.1.2 (a) (1) – (5) and management measures that minimize unwanted catch and discards, where appropriate, and reduce post-released mortality where incidental catch is unavoidable exist.

- Existence of appropriate management measures above.

Standard 3.2 particularly requires the consideration of ecosystem in the associated fish farming and resource enhancement.

Requirement 3.2.3 in the Fisheries Management Standard (version 2.0)

(In case of the associated fish farming and resource enhancement,) There shall be continuous monitoring of the state of the stock under consideration and its habitat, and measures shall be implemented in order to avoid significant adverse impacts of enhancement activities on the natural reproductive stock components of the stock under consideration and ecosystem.

Indicator(s) 3.2.3 (c) (1) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1)

(c) Whether following management objectives, management measures and outcome indicators (including those equivalent thereto) exist to avoid severe adverse impacts of release of artificial seedling on the natural reproduction of the stock under consideration and on the ecosystem:

(1) Management objectives that seek to ensure that non-target catches and discards by associated culture and enhancement activity do not threaten those non-target stocks with recruitment overfishing or other impacts that are likely to be irreversible or very slowly reversible and management measures designed to achieve the management objectives.

- Existence of management objectives, management measures and outcome indicators (including

those equivalent thereto) referred in (1) – (3) above

Additional information for the above requirement(s) and indicator(s) can be found in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1): Requirements 3.1.2, 3.2.3; Indicators 3.1.2 (a) (1). p. 41-44. and (b), 3.2.3 (c) (1). P. 53-56.

Examples of the requirement(s) in use can be found in the Assessment Report Fisheries Management Standard (Salmon, Hokkaido): Summary Evidence and Evidence 3.1.2 (a). p. 82-83, 3.1.2 (b). p. 84 and 3.2.3 (c). p. 104-105.

REFERENCES

1. Fisheries Management Standard (version 2.0), 2018: Requirement(s) 3.1.2. p. 8. and 3.2.3. p. 9. <https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-StandardFMSver.2.0.pdf>
2. Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1), 2019: Indicator(s) 3.1.2 (a) (1) and (b). p. 41-44 and 3.2.3 (c) (1). p. 53-56. <https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-Standard-Guidelines-for-Auditors-Indicators-of-Conformity-Version.-2.1.pdf>
3. Assessment Report Fisheries Management Standard (Salmon, Hokkaido), 2019: Summary Evidence and Evidence 3.1.2 (a). p. 82-83, 3.1.2 (b). p. 84. and 3.2.3 (c). p. 104-105.
4. [First Annual Surveillance Report. Hokkaido Federation of Fisheries Cooperative Association Chum Salmon Set-net Fishery Certification No.: JFRCA 20F2200011 Date certified: February 28, 2019. Report Prepared: August 2019. On site assessment July 21, 2019.](#)

ESSENTIAL COMPONENT D.3.08

The standard requires the existence of management measures, as necessary, designed to achieve the management objectives (D.2.08) that seek to ensure that endangered species are protected from adverse impacts resulting from interactions with the unit of certification and any associated culture or enhancement activity, including recruitment overfishing or other impacts that are likely to be irreversible or very slowly reversible.

■ Japan Fisheries Certification Support comment

FAOの責任ある漁業のための行動規範においては、「水圏の生息域と生態系の生物多様性が保全され、希少種が保護される」ような管理方策が必要だと書かれています。MELの要求事項では「希少種の過剰漁獲」を回避と書かれています。希少種は本来保護されるべきで、多少なりとも混獲されるべきではないことを鑑みると、この要求事項は十分ではないと言えます。現に、審査機関である水産資源保護協会は、かつて、MEL ver1.0の審査において、環境省によって準絶滅危惧種と指定された魚種に対して認証を出した経緯があり、MELの規格が、国際社会が求める希少種保護につながらない可能性が高いです。

MELは希少種を確実に保護できるように、規格を改めるべきであり、それなしにGSSIはMELに承認を出すべきではありません。

FAO Code of Conducts for Responsible Fisheries states that a fishery should have measures so that "biodiversity of aquatic habitats and ecosystems is conserved and endangered species are protected". Although MEL's requirement states 3.1.2(a)(2) "Management objectives that seek to ensure that endangered species are protected from adverse impacts resulting from interactions with the unit of certification, including recruitment overfishing or other impacts that are likely to be irreversible or very slowly reversible and outcome indicators consistent with the achieving management objectives.", any catch of endangered species should be avoided, and the term "overfishing" is insufficient to protect endangered species. The assessment body, JFSCA, have certified two endangered species against MEL 1.0 in the past, it is likely that MEL scheme does not work to protect endangered species.

MEL should revise the requirements to strengthen protection of endangered species, and, otherwise, GSSI should not recognize MEL.

■ GSSI response

MEL-J is in alignment with Essential Component D.3.08. Based on the comment of Japan Fisheries Certification Support, no additional information has been included in the final conclusion

As the comment addresses multiple points these are responded separately.

Firstly, the commenter compares the MEL standard to FAO Code of Conduct with regard to protection of endangered species. This benchmark evaluation of the MEL Ver.2.0 standard only compares the MEL standard and the guidelines against the GSSI benchmark tool. The GSSI IE does not consider the FAO Code of Conduct, although this was used to develop the GSSI benchmark tool.

Secondly, the commenter states that in the past the MEL Ver.1.0 standard did not work to protect endangered species. This GSSI benchmark evaluation did not consider the MEL Ver.1.0 standard, so the IE cannot respond to this comment.

Finally, the commenter states that MEL should revise the its requirements to strengthen protection of endangered species. In response the IE notes that the MEL standard Ver.2.0 has been evaluated and is considered to be in alignment with the GSSI Essential Components regarding the protection of endangered species.

Conclusion on GSSI Essential Component D.3.08

Conclusion: MEL is in alignment because requirement(s) in the Fisheries Management Standard (version 2.0) and indicator(s) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1) state as follows;

Requirement 3.1.2 in the Fisheries Management Standard (version 2.0)

The unit of certification shall be operated in ways to minimize adverse impacts on non-target stocks and ecosystem, taking into account the assessment results of above 3.1.1(a) (1) - (5).

Indicator(s) 3.1.2 (a) (2) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1)

(a) Whether the unit of certification operates the fishery with consideration to avoid, minimize or mitigate the adverse impacts on non-target stocks, endangered species and ecosystem with following management objectives and outcome indicators (including those equivalent thereto), taking into account the assessment results of 3.1.1.

(2) Management objectives that seek to ensure that endangered species are protected from adverse impacts resulting from interactions with the unit of certification, including recruitment overfishing or other impacts that are likely to be irreversible or very slowly reversible and outcome indicators consistent with the achieving management objectives.

- Existence of management objectives and outcome indicators above including those equivalent thereto (information/data on non-target species, ecosystem)

Indicator(s) 3.1.2 (b) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1)

Whether management measures designed to achieve the management objectives referred in 3.1.2 (a) (1) – (5) and management measures that minimize unwanted catch and discards, where appropriate, and reduce post-released mortality where incidental catch is unavoidable exist.

- Existence of appropriate management measures above.

Standard 3.2 particularly requires the consideration of ecosystem in the associated fish farming and resource enhancement.

Requirement 3.2.3 in the Fisheries Management Standard (version 2.0)

(In case of the associated fish farming and resource enhancement,) There shall be continuous monitoring of the state of the stock under consideration and its habitat, and measures shall be implemented in order to avoid significant adverse impacts of enhancement activities on the natural reproductive stock components of the stock under consideration and ecosystem.

Indicator(s) 3.2.3 (c) (2) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1)

(c) Whether following management objectives, management measures and outcome indicators (including those equivalent thereto) exist to avoid severe adverse impacts of release of artificial seedling on the natural reproduction of the stock under consideration and on the ecosystem:

(2) Management objectives that seek to ensure that endangered species are protected from adverse impacts resulting from interactions with associated culture or enhancement activity, including recruitment overfishing or other impacts that are likely to be irreversible or very slowly reversible,

outcome indicators consistent with achieving the management objectives and management measures, as necessary, designed to achieve the management objectives.

- Existence of management objectives, management measures and outcome indicators (including those equivalent thereto) referred in (1) – (3) above

Additional information for the above requirement(s) and indicator(s) can be found in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1):

Requirements 3.1.2, 3.2.3; Indicators 3.1.2 (a) (2). p. 41-44. and (b), 3.2.3 (c) (2). p. 53-56.

Examples of the requirement(s) in use can be found in the Assessment Report Fisheries Management Standard (Salmon, Hokkaido): Summary Evidence and Evidence 3.1.2 (a). p. 82-83. and 3.2.3 (c). p. 104-105.

REFERENCES

1. Fisheries Management Standard (version 2.0), 2018: Requirement(s) 3.1.2. p 8. and 3.2.3. p. 9. <https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-StandardFMSver.2.0.pdf>
2. Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1), 2019: Indicator(s) 3.1.2 (a) (2). p. 41-44. and (b), 3.2.3 (c) (2). p. 53-56. <https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-Standard-Guidelines-for-Auditors-Indicators-of-Conformity-Version.-2.1.pdf>
3. Assessment Report Fisheries Management Standard (Salmon, Hokkaido), 2019: Summary Evidence and Evidence 3.1.2 (a). p. 82-82. and 3.2.3 (c). p. 104-105.
4. [First Annual Surveillance Report. Hokkaido Federation of Fisheries Cooperative Association Chum Salmon Set-net Fishery Certification No.: JFRCA 20F2200011 Date certified: February 28, 2019. Report Prepared: August 2019. On site assessment July 21, 2019.](#)

ESSENTIAL COMPONENT D.3.12

The standard requires that the precautionary approach is applied widely through the management system to the conservation, management and exploitation of living aquatic resources in order to protect them and preserve the aquatic environment.

▪ Japan Fisheries Certification Support comment

Conclusionのところ、3.1.2など非対象種についての説明が書かれているが、予防的アプローチとは直接関係がない。

Conclusion of GSSI is based on MEL's requirement 3.1.2, non-target species, but D.3.12 is about precautionary approach, so the requirement 3.1.2 is not directly relevant.

▪ GSSI response

MEL-J is in alignment with Essential Component D.3.12. Based on the comment of Japan Fisheries Certification Support, the final conclusion has been revised.

The comment correctly points out that the conclusion does not address the requirements of D.3.12. There was a transcription error in the editing of the MEL application benchmark tool spreadsheet for the public consultation phase. More specifically, the conclusion was taken from another EC conclusion. This has been corrected, and the conclusion now reflects the text of D.3.12 EC. The supporting documents were correctly referenced.

Conclusion on GSSI Essential Component D.3.12

Conclusion: MEL is in alignment because requirement(s) in the Fisheries Management Standard (version 2.0) and indicator(s) in the Guidelines for Auditors of the Fisheries Management Standard state as follows;

Requirement 1.2.6 in the Fisheries Management Standard (version 2.0)

Taking due account of various uncertainty inherent in fisheries stocks, ecosystem and stock management, precautional fisheries management is undertaken. There shall be a mechanism to

change and improve management measures in an adaptive manner depending on the status of the stock under consideration and of the ecosystem.

Indicator(s) 1.2.6 (a) in the Guidelines for Auditors of the Fisheries Management Standard
(a) Whether a mechanism exists in order to change and improve management measures in an adaptive manner to unexpected changes of the situation on the stock under consideration and relative matters due to environmental changes, etc.

- Existence of the mechanism of precautionary measures and adaptive management

Additional information for the above requirement(s) and indicator(s) can be found in the Guidelines for Auditors of the Fisheries Management Standard: Requirements 1.2.6; Indicators 1.2.6 (a).
Examples of the requirement(s) in use can be found in the Assessment Report Fisheries Management Standard (Salmon, Hokkaido): Comments from Auditor and Evidences 1.2.6

Requirement 3.1.2 in the Fisheries Management Standard (version 2.0)

The unit of certification shall be operated in ways to minimize adverse impacts on non-target stocks and ecosystem, taking into account the assessment results of above 3.1.1(a) (1) - (5).

Indicator(s) 3.1.2 (a) (4) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1)

(a) Whether the unit of certification operates the fishery with consideration to avoid, minimize or mitigate the adverse impacts on non-target stocks, endangered species and ecosystem with following management objectives and outcome indicators (including those equivalent thereto), taking into account the assessment results of 3.1.1.

(4) Management objectives that seek to avoid severe adverse impacts on dependent predators resulting from fishing on a stock under consideration that is a key prey species and outcome indicators consistent with achieving the management objectives.

- Existence of management objectives and outcome indicators above including those equivalent thereto (information/data on non-target species, ecosystem)

Indicator(s) 3.1.2 (b) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1)

Whether management measures designed to achieve the management objectives referred in 3.1.2 (a) (1) – (5) and management measures that minimize unwanted catch and discards, where appropriate, and reduce post-released mortality where incidental catch is unavoidable exist.

- Existence of appropriate management measures above.

Additional information for the above requirement(s) and indicator(s) can be found in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1): Requirements 3.1.2; Indicators 3.1.2 (a) (4) and (b). p. 41-44.

Examples of the requirement(s) in use can be found in the Assessment Report Fisheries Management Standard (Salmon, Hokkaido): Summary Evidence and Evidence 3.1.2 (a). p. 82-83 and 3.1.2 (b). p. 84.

REFERENCES

1. Fisheries Management Standard (version 2.0), 2018: Requirement(s) 1.2.6. p. 6-7.
<https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-StandardFMSver.2.0.pdf>
2. Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1), 2019: Indicator(s) 1.2.6 (a). p. 16.
<https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-Standard-Guidelines-for-Auditors-Indicators-of-Conformity-Version.-2.1.pdf>
3. Assessment Report Fisheries Management Standard (Salmon, Hokkaido), 2019: Summary Evidence and Evidence 1.2.6 (a). p. 37-38.
4. First Annual Surveillance Report. Hokkaido Federation of Fisheries Cooperative Association Chum Salmon Set-net Fishery Certification No.: JFRCA 20F2200011 Date certified: February 28, 2019. Report Prepared: August 2019. On site assessment July 21, 2019.

ESSENTIAL COMPONENT D.4.03

The standard requires the collection and maintenance of adequate, reliable and current data and/or other information on non-target catches and discards in the unit of certification.

■ Japan Fisheries Certification Support comment

MELの要求事項「3.1.1① (i) 審査対象となる漁業による、非対象種の混獲（投棄を含む）に起因する、当該非対象種の過剰漁獲やその他の回復不可能な影響（あるいは回復がほとんど見込まれない影響）に関する情報と評価。」および「3.1.2① (i) 審査対象となる漁業による、非対象種の混獲（投棄を含む）に起因する、当該非対象種の過剰漁獲やその他の回復不可能な影響（あるいは回復がほとんど見込まれない影響）を回避するための管理目標とアウトカム（成果）指標。」は、GSSIの要求事項D.2.5、D.3.6、D.4.3、D.5.6、D.6.5をコピーして再編集したものにすぎません。したがって、実際の審査の中でこれらの要求事項がどのように審査されたかを吟味することが重要です。

2019年3月に認証を取得した福島の巻き網サバ漁業は、資源状態が悪いカタクチイワシの混獲が懸念されています。これは、国立研究開発法人水産研究・教育機構が出したSH"U"Nの報告書でも指摘されています。

https://sh-u-n.fra.go.jp/search/report/マサバ太平洋評価結果_v102_20170925.pdf

しかしながら、この漁業の報告書は認証から4か月が経過した現在もまだ公開されておらず、カタクチイワシの混獲がどのように審査されたのか明らかではありません。

GSSIは、福島の巻き網サバ漁業の報告書が提出され、混獲がどのように審査されたかをチェックするまで、MELに承認を出すべきではありません。

MEL's requirements 3.1.1(a)(1) "Assessment of the extent to which non-target catches and discards by the unit of certification of stocks other than the stock under consideration threaten those non-target stocks with recruitment overfishing or other impacts that are likely to be irreversible or very slowly reversible with appropriate related data/information." and 3.1.2(a)(1) "Management objectives that seek to ensure that non-target catches and discards by the unit of certification of stocks other than the stock under consideration does not threaten those non-target stocks with recruitment overfishing or other impacts that are likely to be irreversible or very slowly reversible and outcome indicators consistent with achieving the management objectives" are just copy of GSSI's requirements D.2.5, D.3.6, D.4.3, D.5.6 and D.6.5. Thus, it is critical to review how the assessment body assesses fisheries against those requirements.

Bycatch of anchovy by purse seine fisheries including Fukushima purse seine mackerel fishery which was certified in March 2019. National Fisheries Research Agency also pointed out the concern in the report of SH"U"N project.

https://sh-u-n.fra.go.jp/search/report/マサバ太平洋評価結果_v102_20170925.pdf

However, the assessment report of Fukushima purse seine mackerel fishery is not published yet so that it is not clear how the fishery was assessed against those requirements.

GSSI should not recognize MEL until the assessment report of Fukushima purse seine mackerel fishery is published and reviewed.

■ GSSI response

MEL-J is in alignment with Essential Component D.4.03. Based on the comment of Japan Fisheries Certification Support, no additional information has been included in the final conclusion.

As the comment addresses multiple points these are responded separately.

First, the commenter expresses concern MEL Requirements 3.1.1(a)(1) and 3.1.2(a)(1) are direct copies of GSSI ECs D.2.5, D.3.6, D.4.3, D.5.6 and D.6.5. This is not a concern for GSSI, as the use of GSSI benchmark language ensures alignment with the intent of the benchmark tool.

Second, the commenter notes that "it is critical to review how the assessment body assesses fisheries against those requirements". GSSI agrees that it is important that it reviews the implementation of the MEL requirements, and does so in this Benchmark Review and will continue to do so during the MOCA review scheduled to take place one year after GSSI benchmark recognition.

Finally, the commenter notes that the Fukushima purse seine mackerel fishery assessment report (certified in March 2019) is not publicly available yet and he cannot check on how the bycatch of anchovy in purse seine fisheries including Fukushima purse seine mackerel fishery has been addressed. The IE cannot consider the technical merits of his comment as the Fukushima purse seine fishery assessment report was not included in this benchmark assessment. However, GSSI will consider the assessment of this fishery during the MOCA review that will be scheduled one year following GSSI benchmark recognition.

Regarding the delay in publication of the audit reports, JFRCA (CAB) has measures to prevent recurrence and to make public reports part of the requirements for certification. Administrative procedure ensures that Certification shall not take effect until the report is ready to be made public.

Updated JFRCA administrative procedure referenced:

S-7 is 認証判定書 “decision making on Certification” 申請者が同意した公開用の報告書が用意され、認証発効時に公開できる。A report for publication that the applicant has agreed to is prepared and can be published when the certification comes into effect and put in their procedure.

F-1 認証管理シート “certification management sheet”. The certification comes into effect when the assessment report is made public on the website.

Conclusion on GSSI Essential Component D.4.03

Conclusion: MEL is in alignment because requirement(s) in the Fisheries Management Standard (version 2.0) and indicator(s) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1) state as follows;

Requirement 3.1.1 in the Fisheries Management Standard (version 2.0)

Data and/or other information based on the best scientific evidence available covering the following factors shall be collected and maintained in order to assess the impacts of the unit of certification on non-target stocks and ecosystem:

- (1) Catches and discard of non-target stocks
- (2) Impacts of the unit of certification on endangered species, and efforts to conserve and protect those species as well as to avoid by-catch of those species
- (3) Information on the essential habitat for stock under consideration (e.g. spawning and nursery sites)
- (4) Impacts of fishing gear used by the unit of certification on ecosystem (including the seabed)
- (5) Prey-predator relationship of the stock under consideration in the food-web
- (6) Balance of whole ecosystem (i.e. whether there is any severe disturbance by the unit of certification on ecosystem)

Indicator(s) 3.1.1 (a) (1) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1)

(a) Whether adequate, reliable and current data and/or other information of followings exist:

(1) Assessment of the extent to which non-target catches and discards by the unit of certification of stocks other than the stock under consideration threaten those non-target stocks with recruitment overfishing or other impacts that are likely to be irreversible or very slowly reversible with appropriate related data/information.

- Existence of collected and maintained information referred in (1) – (5) above.

Additional information for the above requirement(s) and indicator(s) can be found in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1): Requirements 3.1.1; Indicators 3.1.1 (a) (1). p. 37-40.

Examples of the requirement(s) in use can be found in the Assessment Report Fisheries Management Standard (Salmon, Hokkaido): Summary Evidence and Evidence 3.1.1 (a). p. 76-81.

REFERENCES

1. Fisheries Management Standard (version 2.0), 2018: Requirement(s) 3.1.1. p. 8.
<https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-StandardFMSver.2.0.pdf>
2. Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1), 2019: Indicator(s) 3.1.1 (a) (1). p. 37-40.
<https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-Standard-Guidelines-for-Auditors-Indicators-of-Conformity-Version.-2.1.pdf>
3. Assessment Report Fisheries Management Standard (Salmon, Hokkaido), 2019: Summary Evidence and Evidence 3.1.1 (a). p. 76-81.
4. [First Annual Surveillance Report. Hokkaido Federation of Fisheries Cooperative Association Chum Salmon Set-net Fishery Certification No.: JFRCA 20F2200011 Date certified: February 28, 2019. Report Prepared: August 2019. On site assessment July 21, 2019.](#)

ESSENTIAL COMPONENT D.4.04

The standard requires the collection and maintenance of adequate, reliable and current data and/or other information about the effects of the unit of certification, including any associated enhancement activities, on endangered species in accordance with applicable international standards and practices.

■ Japan Fisheries Certification Support comment

FAOの責任ある漁業のための行動規範においては、「水圏の生息域と生態系の生物多様性が保全され、希少種が保護される」ような管理方策が必要だと書かれています。MELの要求事項では「希少種の過剰漁獲」を回避と書かれています。希少種は本来保護されるべきで、多少なりとも混獲されるべきではないことを鑑みると、この要求事項は十分とは言えません。現に、審査機関である水産資源保護協会は、かつて、MEL ver1.0の審査において、環境省によって準絶滅危惧種と指定された魚種に対して認証を出した経緯があり、MELの規格が、国際社会が求める希少種保護につながらない可能性が高いです。

MELは希少種を確実に保護できるように、規格を改めるべきであり、それなしにGSSIはMELに承認を出すべきではありません。

FAO Code of Conduct for Responsible Fisheries states that a fishery should have measures so that "biodiversity of aquatic habitats and ecosystems is conserved and endangered species are protected". Although MEL's requirement states 3.1.2(a)(2) "Management objectives that seek to ensure that endangered species are protected from adverse impacts resulting from interactions with the unit of certification, including recruitment overfishing or other impacts that are likely to be irreversible or very slowly reversible and outcome indicators consistent with the achieving management objectives.", any catch of endangered species should be avoided and the term "overfishing" is insufficient to protect endangered species. The assessment body, JFSCA, have certified two endangered species against MEL 1.0 in the past, it is likely that MEL scheme does not work to protect endangered species.

MEL should revise the requirements to strengthen protection of endangered species, and, otherwise, GSSI should not recognize MEL.

■ GSSI response

MEL Japan is in alignment with Essential Component D.4.04. Based on the comment of Japan Fisheries Certification Support, no additional information has been included in the final conclusion.

As the comment addresses multiple points these are responded separately.

First, the commenter compares the MEL standard to FAO Code of Conduct with regard to protection of endangered species. This benchmark evaluation of the MEL Ver.2.0 standard only compares the MEL standard and guidelines to the GSSI Benchmark Tool. While the FAO Code of Conduct has been used to develop the GSSI Benchmark Tool, the IE does not directly compare the standard to the FAO Code of Conduct.

Second, the commenter states that in the past the MEL Ver.1.0 standard did not work to protect endangered species. This GSSI benchmark evaluation did not consider the MEL Ver.1.0 standard, so the IE cannot respond to this comment.

Third, commenter states that MEL should revise its requirements to strengthen protection of endangered species. In response the IE notes that the MEL standard Ver.2.0 has been evaluated and is considered to already see to this in a manner that the standard is in alignment with the GSSI benchmark tool.

Conclusion on GSSI Essential Component D.4.04

Conclusion: MEL is in alignment because requirement(s) in the Fisheries Management Standard (version 2.0) and indicator(s) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1) state as follows;

Requirement 3.1.1 in the Fisheries Management Standard (version 2.0)
Data and/or other information based on the best scientific evidence available covering the following factors shall be collected and maintained in order to assess the impacts of the unit of certification on non-target stocks and ecosystem:

- (1) Catches and discard of non-target stocks
- (2) Impacts of the unit of certification on endangered species, and efforts to conserve and protect those species as well as to avoid by-catch of those species
- (3) Information on the essential habitat for stock under consideration (e.g. spawning and nursery sites)
- (4) Impacts of fishing gear used by the unit of certification on ecosystem (including the seabed)
- (5) Prey-predator relationship of the stock under consideration in the food-web
- (6) Balance of whole ecosystem (i.e. whether there is any severe disturbance by the unit of certification on ecosystem)

Indicator(s) 3.1.1 (a) (2) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1)

- (a) Whether adequate, reliable and current data and/or other information of followings exist:
- (2) Assessment of the impacts of the unit of certification on endangered species with appropriate related data/information collected in accordance with applicable international standards and practices.
 - Existence of collected and maintained information referred in (1) – (5) above.

Standard 3.2 particularly requires the consideration of ecosystem in the associated fish farming and resource enhancement.

Requirement 3.2.3 in the Fisheries Management Standard (version 2.0)

(In case of the associated fish farming and resource enhancement,) There shall be continuous monitoring of the state of the stock under consideration and its habitat, and measures shall be implemented in order to avoid significant adverse impacts of enhancement activities on the natural reproductive stock components of the stock under consideration and ecosystem.

Indicator(s) 3.2.3 (b) (2) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1)

(b) Whether following information about the impacts of release of artificial seedling on other species and the ecosystem exists:

(2) Assessment of the impacts of associated culture and enhancement activities on endangered species with appropriate related data/information collected in accordance with applicable international standards and practices.

- Existence of information about the distributional area of seedling and growth after the seedling is released, including information to confirm that the natural reproductive stock component of enhanced stocks is not substantially displaced by stocked components.
- Existence of information about impacts on other species and the ecosystem referred in (1) - (4) above.

Additional information for the above requirement(s) and indicator(s) can be found in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1):

Requirements 3.1.1, 3.2.3; Indicators 3.1.1 (a) (2). p. 37-40 and 3.2.3 (b) (2). p. 53-55.

Examples of the requirement(s) in use can be found in the Assessment Report Fisheries Management Standard (Salmon, Hokkaido): Summary Evidence and Evidence 3.1.1 (a). p. 76-81. and 3.2.3 (b). p. 102-103.

REFERENCES

1. Fisheries Management Standard (version 2.0), 2018: Requirement(s) 3.1.1. p 8. and 3.2.3. p. 9. <https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-StandardFMSver.2.0.pdf>
2. Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1), 2019: Indicator(s) 3.1.1 (a) (2). p. 37-40 and 3.2.3 (b) (2). p. 53-55. <https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-Standard-Guidelines-for-Auditors-Indicators-of-Conformity-Version.-2.1.pdf>
3. Assessment Report Fisheries Management Standard (Salmon, Hokkaido), 2019: Summary Evidence and Evidence 3.1.1 (a) .p 76-81. and 3.2.3 (b). p. 102-103.
4. [First Annual Surveillance Report. Hokkaido Federation of Fisheries Cooperative Association Chum Salmon Set-net Fishery Certification No.: JFRCA 20F2200011 Date certified: February 28, 2019. Report Prepared: August 2019. On site assessment July 21, 2019.](#)

ESSENTIAL COMPONENT D.5.02

The standard requires that the assessment of the current status and trends of the stock under consideration considers total fishing mortality on that stock from all sources including discards, unobserved mortality, incidental mortality, unreported catches and catches in all fisheries over its entire area of distribution.

■ Japan Fisheries Certification Support comment

GSSIの結論は、MELの要求事項「2.3 資源評価にあたっては、対象資源の分布範囲における、審査対象となる漁業以外によ

る漁獲の影響、及び資源の回復力についても考慮されている。」に基づいている。しかしながら、審査報告書が限られているため、実際にどのように審査されているのかを評価することができない。とくに、福島巻き網さば漁業が漁獲対象としているマサバ太平洋系群は、日本以外にも中国やロシアによっても漁獲されているが、それらの国の漁獲の影響は資源評価において十分に考慮されているとは言えない。しかしながら、福島巻き網さば漁業の認証報告書は認証から4か月たった今でも公開されておらず、検証ができない。

GSSIは、福島の巻き網さば漁業の報告書が公開され、内容を検証されるまで、MELに承認を出すべきではありません。

The conclusion of GSSI is based on MEL's requirement "2.3 The assessment of the current status and trends of the stock under consideration shall take into account the total fishing mortality caused by other fisheries utilizing the stock under consideration within the distribution area of the stock under consideration, as well as resilience of the stock." However, because of limitation of assessments, we can't evaluate if fisheries are assessed properly against this requirement. Especially, chub mackerel Pacific stock, which Fukushima purse seine mackerel fishery is targeting, is caught not only by Japan but also China and Russia, but the impact of those countries is not evaluated sufficiently. However, the certification report of Fukushima purse seine mackerel fishery is not published yet after 4 months since they got certified, and we can't know how the requirement is assessed.

Thus, GSSI should not recognize MEL until the assessment report of Fukushima purse seine mackerel fishery is released and reviewed.

■ GSSI response

MEL-J is in alignment with Essential Component D.4.06. Based on the comment of Japan Fisheries Certification Support, no additional information has been included in the final conclusion.

As the comment addresses multiple points these are responded separately.

With respect to D.5.02 and MEL Requirement 2.3, the IE solely considered the Hokkaido chum salmon set net fishery assessment report, as it was the evidence that was submitted by MEL in their Benchmark application. At the time of initial application GSSI only requires that the applicant scheme submit evidence on implementation form a single assessment report. The IE considered that Hokkaido salmon report to be sufficient evidence for the in-alignment conclusion for D.5.02. However, GSSI recognized the limitations of the assessment report submitted, and has included the recommendation that the MEL scheme undergo a MOCA review at the one year mark after GSSI recognition. During this MOCA review the MEL scheme will be required to fully and transparently demonstrate continued implementation of all requirements and ensure a consistent application of its standards at fishery level through its audit reports.

Part of the comment referred to the assessment report for the Fukushima purse seine mackerel fishery and concerned both the lack of a proper consideration of the chub mackerel Pacific stock and the fact that the report is not yet publicly available four month after the announcement of certification. With respect to the proper consideration of the transboundary nature of the target stock, the IE cannot comment because this that report was not part of the MEL benchmark application.

The Japan Fisheries Resource Conservation Association (CAB), has measures to prevent recurrence of delays in publication and wishes to make public reports part of the requirements for certification. Administrative procedure ensures that certification shall not take effect until the report is ready to be made public.

Updated JFRCA administrative procedure referenced:

S-7 is 認証判定書 "decision making on Certification"

□申請者が同意した公開用の報告書が用意され、認証発効時に公開できる。A report for publication that the applicant has agreed to is prepared and can be published when the certification comes into effect. (google translate)

and put in their procedure.

F-1 認証管理シート “certification management sheet”

the certification comes into effect when the assessment report is made public on the website.

As the GSSI Benchmark Tool does require transparency in a timely manner, which includes making audit reports publicly available, this point will be verified as part of the MOCA one year after the benchmark recognition.

Conclusion on GSSI Essential Component D.5.02

Conclusion: MEL is in alignment because requirement(s) in the Fisheries Management Standard (version 2.0) and indicator(s) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1) state as follows;

Requirement 2.3 in the Fisheries Management Standard (version 2.0)

The assessment of the current status and trends of the stock under consideration shall take into account the total fishing mortality caused by other fisheries utilizing the stock under consideration within the distribution area of the stock under consideration, as well as resilience of the stock.

Indicator(s) 2.3 (a) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1)

(a) Whether the assessment of the stock under consideration considers trend and status on catch by fishery of which the unit of certification is a part and others and this assessment considers total fishing mortality on that stock from all sources such as discards, incidental mortality and catches in all fisheries over its entire area of distribution.

- Data on the trend and status by fishery of which the unit of certification is a part
- Data on the trend and status by other fisheries

Additional information for the above requirement(s) and indicator(s) can be found in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1): Requirements 2.3; Indicators 2.3 (a). p. 23-24.

Examples of the requirement(s) in use can be found in the Assessment Report Fisheries Management Standard (Salmon, Hokkaido): Summary Evidence and Evidence 2.3 (a). p. 53.

REFERENCES

1. Fisheries Management Standard (version 2.0), 2018: Requirement(s) 2.3. p. 7.
<https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-StandardFMSver.2.0.pdf>
2. Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1), 2019: Indicator(s) 2.3 (a). p. 23-24.
<https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-Standard-Guidelines-for-Auditors-Indicators-of-Conformity-Version.-2.1.pdf>
3. Assessment Report Fisheries Management Standard (Salmon, Hokkaido), 2019: Summary Evidence and Evidence 2.3 (a). p. 53.
4. [First Annual Surveillance Report. Hokkaido Federation of Fisheries Cooperative Association Chum Salmon Set-net Fishery Certification No.: JFRCA 20F2200011 Date certified: February 28, 2019. Report Prepared: August 2019. On site assessment July 21, 2019.](#)

ESSENTIAL COMPONENT D.5.06

The standard requires an assessment of the extent to which non-target catches and discards by the unit of certification of stocks other than the stock under consideration and any associated culture and enhancement activities threaten those non-target stocks with recruitment overfishing or other impacts that are likely to be irreversible or very slowly reversible.

■ Japan Fisheries Certification Support comment

MELの要求事項「3.1.1① (i) 審査対象となる漁業による、非対象種の混獲（投棄を含む）に起因する、当該非対象種の過剰漁獲やその他の回復不可能な影響（あるいは回復がほとんど見込まれない影響）に関する情報と評価。」および「3.1.2① (i) 審査対象となる漁業による、非対象種の混獲（投棄を含む）に起因する、当該非対象種の過剰漁獲やその他の回復不可能な影響（あるいは回復がほとんど見込まれない影響）を回避するための管

理目標とアウトカム（成果）指標。」は、GSSIの要求事項D.2.5、D.3.6、D.4.3、D.5.6、D.6.5をコピーして再編集したものにすぎません。したがって、実際の審査の中でこれらの要求事項がどのように審査されたかを吟味することが重要です。

2019年3月に認証を取得した福島の巻き網サバ漁業は、資源状態が悪いカタクチイワシの混獲が懸念されています。これは、国立研究開発法人水産研究・教育機構が出したSH"U"Nの報告書でも指摘されています。

https://sh-u-n.fra.go.jp/search/report/マサバ太平洋評価結果_v102_20170925.pdf

しかしながら、この漁業の報告書は認証から4か月が経過した現在もまだ公開されておらず、カタクチイワシの混獲がどのように審査されたのか明らかではありません。

GSSIは、福島の巻き網サバ漁業の報告書が提出され、混獲がどのように審査されたかをチェックするまで、MELに承認を出すべきではありません。

MEL's requirements 3.1.1(a)(1) "Assessment of the extent to which non-target catches and discards by the unit of certification of stocks other than the stock under consideration threaten those non-target stocks with recruitment overfishing or other impacts that are likely to be irreversible or very slowly reversible with appropriate related data/information." and 3.1.2(a)(1) "Management objectives that seek to ensure that non-target catches and discards by the unit of certification of stocks other than the stock under consideration does not threaten those non-target stocks with recruitment overfishing or other impacts that are likely to be irreversible or very slowly reversible and outcome indicators consistent with achieving the management objectives" are just copy of GSSI's requirements D.2.5, D.3.6, D.4.3, D.5.6 and D.6.5. Thus, it is critical to review how the assessment body assesses fisheries against those requirements.

Bycatch of anchovy by purse seine fisheries including Fukushima purse seine mackerel fishery which was certified in March 2019. National Fisheries Research Agency also pointed out the concern in the report of SH"U"N project. https://sh-u-n.fra.go.jp/search/report/マサバ太平洋評価結果_v102_20170925.pdf

However, the assessment report of Fukushima purse seine mackerel fishery is not published yet so that it is not clear how the fishery was assessed against those requirements.

GSSI should not recognize MEL until the assessment report of Fukushima purse seine mackerel fishery is published and reviewed.

■ GSSI response

MEL-J is in alignment with Essential Component D.5.06. Based on the comment of Japan Fisheries Certification Support, no additional information has been included in the final conclusion

As the comment addresses multiple points these are responded separately. The following concerns have been discussed in previous responses.

First, the commenter expresses concern MEL Requirements 3.1.1(a)(1) and 3.1.2(a)(1) are direct copies of GSSI ECs D.2.5, D.3.6, D.4.3, D.5.6 and D.6.5. This is not a concern for GSSI, as the use of GSSI benchmark language ensures alignment with the intent of the benchmark tool.

Second, the commenter notes that "it is critical to review how the assessment body assesses fisheries against those requirements". GSSI agrees that it is important that it review the implementation to the MEL requirements, and does so in this benchmark assessment and continue to do so during the MOCA review scheduled to take place one year after GSSI benchmark recognition.

Finally, the commenter notes that the Fukushima purse seine mackerel fishery assessment report (certified in March 2019) is not publicly available yet and he cannot check on how the bycatch of anchovy in purse seine fisheries including Fukushima purse seine mackerel fishery has been addressed. The IE cannot consider the technical merits of his comment as the Fukushima purse seine fishery assessment report was not included in this benchmark assessment. However, GSSI will consider the assessment of this fishery during the MOCA review that will be scheduled one year following GSSI benchmark recognition.

Regarding the delay in publication of the audit reports, JFRCA, the certification body, has measures to prevent recurrence and to make public reports part of the requirements for certification. Administrative procedure ensures that Certification shall not take effect until the report is ready to be made public.

Updated JFRCA administrative procedure referenced:

S-7 is 認証判定書 “decision making on Certification” 申請者が同意した公開用の報告書が用意され、認証発効時に公開できる。A report for publication that the applicant has agreed to is prepared and can be published when the certification comes into effect and put in their procedure.

F-1 認証管理シート “certification management sheet”. The certification comes into effect when the assessment report is made public on the website.

As the GSSI benchmark tool does require transparency in a timely manner, which includes making audit reports publicly available, this point will be verified as part of the MOCA one year after the benchmark recognition.

Conclusion on GSSI Essential Component D.5.06

Conclusion: MEL is in alignment because requirement(s) in the Fisheries Management Standard (version 2.0) and indicator(s) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1) state as follows;

Requirement 3.1.1 in the Fisheries Management Standard (version 2.0)

Data and/or other information based on the best scientific evidence available covering the following factors shall be collected and maintained in order to assess the impacts of the unit of certification on non-target stocks and ecosystem:

- (1) Catches and discard of non-target stocks
- (2) Impacts of the unit of certification on endangered species, and efforts to conserve and protect those species as well as to avoid by-catch of those species
- (3) Information on the essential habitat for stock under consideration (e.g. spawning and nursery sites)
- (4) Impacts of fishing gear used by the unit of certification on ecosystem (including the seabed)
- (5) Prey-predator relationship of the stock under consideration in the food-web
- (6) Balance of whole ecosystem (i.e. whether there is any severe disturbance by the unit of certification on ecosystem)

Indicator(s) 3.1.1 (a) (1) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1)

(a) Whether adequate, reliable and current data and/or other information of followings exist:

(1) Assessment of the extent to which non-target catches and discards by the unit of certification of stocks other than the stock under consideration threaten those non-target stocks with recruitment overfishing or other impacts that are likely to be irreversible or very slowly reversible with appropriate related data/information.

- Existence of collected and maintained information referred in (1) – (5) above.

Standard 3.2 particularly requires the consideration of ecosystem in the associated fish farming and resource enhancement.

Requirement 3.2.3 in the Fisheries Management Standard (version 2.0)

(In case of the associated fish farming and resource enhancement,) There shall be continuous monitoring of the state of the stock under consideration and its habitat, and measures shall be implemented in order to avoid significant adverse impacts of enhancement activities on the natural reproductive stock components of the stock under consideration and ecosystem.

Indicator(s) 3.2.3 (b) (1) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1)

(b) Whether following information about the impacts of release of artificial seedling on other species and the ecosystem exists:

(1) Assessment of the extent to which non-target catches and discards by associated culture and enhancement activities threaten those non-target stocks with recruitment overfishing or other impacts that are likely to be irreversible or very slowly reversible.

- Existence of information about impacts on other species and the ecosystem referred in (1) - (4) above.
- Existence of information about the distributional area of seedling and growth after the seedling is released, including information to confirm that the natural reproductive stock component of enhanced stocks is not substantially displaced by stocked components.

Additional information for the above requirement(s) and indicator(s) can be found in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1):

Requirements 3.1.1 and 3.2.3; Indicators 3.1.1 (a) (1). p. 37-40. and 3.2.3 (b) (1). p. 53-56.

Examples of the requirement(s) in use can be found in the Assessment Report Fisheries Management

Standard (Salmon, Hokkaido): Summary Evidence and Evidence 3.1.1 (a). p. 76-81. and 3.2.3 (b). p. 102-103.

REFERENCES

1. Fisheries Management Standard (version 2.0), 2018: Requirement(s) 3.1.1. p. 8 and 3.2.3. p. 9. <https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-StandardFMSver.2.0.pdf>
2. Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1), 2019: Indicator(s) 3.1.1 (a) (1). p. 37-40 and 3.2.3 (b) (1) p. 53-56. <https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-Standard-Guidelines-for-Auditors-Indicators-of-Conformity-Version.-2.1.pdf>
3. Assessment Report Fisheries Management Standard (Salmon, Hokkaido), 2019: Summary Evidence and Evidence 3.1.1 (a). p. 76-81 and 3.2.3 (b). p. 102-103.
4. [First Annual Surveillance Report. Hokkaido Federation of Fisheries Cooperative Association Chum Salmon Set-net Fishery Certification No.: JFRCA 20F2200011 Date certified: February 28, 2019. Report Prepared: August 2019. On site assessment July 21, 2019.](#)

ESSENTIAL COMPONENT D.5.10

The standard requires an assessment of the impacts of the unit of certification, including any associated enhancement activities where applicable, on endangered species.

■ Japan Fisheries Certification Support comment (same as under D.4.04)

FAOの責任ある漁業のための行動規範においては、「水圏の生息域と生態系の生物多様性が保全され、希少種が保護される」ような管理方策が必要だと書かれています。MELの要求事項では「希少種の過剰漁獲」を回避と書かれています。希少種は本来保護されるべきで、多少なりとも混獲されるべきではないことを鑑みると、この要求事項は十分ではないと言えます。現に、審査機関である水産資源保護協会は、かつて、MEL ver1.0の審査において、環境省によって準絶滅危惧種と指定された魚種に対して認証を出した経緯があり、MELの規格が、国際社会が求める希少種保護につながらない可能性が高いです。

MELは希少種を確実に保護できるように、規格を改めるべきであり、それなしにGSSIはMELに承認を出すべきではありません。

FAO Code of Conduct for Responsible Fisheries states that a fishery should have measures so that "biodiversity of aquatic habitats and ecosystems is conserved and endangered species are protected". Although MEL's requirement states 3.1.2(a)(2) "Management objectives that seek to ensure that endangered species are protected from adverse impacts resulting from interactions with the unit of certification, including recruitment overfishing or other impacts that are likely to be irreversible or very slowly reversible and outcome indicators consistent with the achieving management objectives.", any catch of endangered species should be avoided and the term "overfishing" is insufficient to protect endangered species. The assessment body, JFSCA, have certified two endangered species against MEL 1.0 in the past, it is likely that MEL scheme does not work to protect endangered species.

MEL should revise the requirements to strengthen protection of endangered species, and, otherwise, GSSI should not recognize MEL.

■ GSSI response

MEL-J is in alignment with Essential Component D.5.10. Based on the comment of Japan Fisheries Certification Support, no additional information has been included in the final conclusion.

As the comment addresses multiple points these are responded separately. The following concerns are repetition EC D.4.04 and thus have been discussed in previous responses.

First, the commenter compares the MEL standard to FAO Code of Conduct with regard to protection of endangered species. This benchmark evaluation of the MEL Ver.2.0 standard only compares the MEL standard and guidelines to the GSSI Benchmark Tool. While the FAO Code of Conduct has been used to develop the GSSI Benchmark Tool, the IE does not directly compare the standard to the FAO Code of Conduct.

Second, the commenter states that in the past the MEL Ver.1.0 standard did not work to protect endangered species. This GSSI benchmark evaluation did not consider the MEL Ver.1.0 standard, so the IE cannot respond to this comment.

Third, commenter states that MEL should revise its requirements to strengthen protection of endangered species. In response the IE notes that the MEL standard Ver.2.0 has been evaluated and is considered to already see to this in a manner that the standard is in alignment with the GSSI benchmark tool.

Conclusion on GSSI Essential Component D.5.10

Conclusion: is in alignment because requirement(s) in the Fisheries Management Standard (version 2.0) and indicator(s) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1) state as follows;

Requirement 3.1.1 in the Fisheries Management Standard (version 2.0)

Data and/or other information based on the best scientific evidence available covering the following factors shall be collected and maintained in order to assess the impacts of the unit of certification on non-target stocks and ecosystem:

- (1) Catches and discard of non-target stocks
- (2) Impacts of the unit of certification on endangered species, and efforts to conserve and protect those species as well as to avoid by-catch of those species
- (3) Information on the essential habitat for stock under consideration (e.g. spawning and nursery sites)
- (4) Impacts of fishing gear used by the unit of certification on ecosystem (including the seabed)
- (5) Prey-predator relationship of the stock under consideration in the food-web
- (6) Balance of whole ecosystem (i.e. whether there is any severe disturbance by the unit of certification on ecosystem)

Indicator(s) 3.1.1 (a) (2) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1)

- (a) Whether adequate, reliable and current data and/or other information of followings exist:
- (2) Assessment of the impacts of the unit of certification on endangered species with appropriate related data/information collected in accordance with applicable international standards and practices.
 - Existence of collected and maintained information referred in (1) – (5) above.

Standard 3.2 particularly requires the consideration of ecosystem in the associated fish farming and resource enhancement.

Requirement 3.2.3 in the Fisheries Management Standard (version 2.0)

(In case of the associated fish farming and resource enhancement,) There shall be continuous monitoring of the state of the stock under consideration and its habitat, and measures shall be implemented in order to avoid significant adverse impacts of enhancement activities on the natural reproductive stock components of the stock under consideration and ecosystem.

Indicator(s) 3.2.3 (b) (2) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1)

- (b) Whether following information about the impacts of release of artificial seedling on other species and the ecosystem exists:
 - (2) Assessment of the impacts of associated culture and enhancement activities on endangered species with appropriate related data/information collected in accordance with applicable international standards and practices.
 - Existence of information about the distributional area of seedling and growth after the seedling is released, including information to confirm that the natural reproductive stock component of enhanced stocks is not substantially displaced by stocked components.
 - Existence of information about impacts on other species and the ecosystem referred in (1) - (4) above.

Additional information for the above requirement(s) and indicator(s) can be found in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1): Requirements 3.1.1, 3.2.3; Indicators 3.1.1 (a) (2). p. 37-40. and 3.2.3 (b) (2). p. 53-56.

Examples of the requirement(s) in use can be found in the Assessment Report Fisheries Management Standard (Salmon, Hokkaido): Summary Evidence and Evidence 3.1.1 (a). p. 76-81. and 3.2.3 (b). p. 102-103.

REFERENCES

1. Fisheries Management Standard (version 2.0), 2018: Requirement(s) 3.1.1. p. 8 and 3.2.3. p. 9. <https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-StandardFMSver.2.0.pdf>
2. Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1), 2019: Indicator(s) 3.1.1 (a) (2). p. 37-40 and 3.2.3 (b) (2). p. 53-56. <https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-Standard-Guidelines-for-Auditors-Indicators-of-Conformity-Version.-2.1.pdf>
3. Assessment Report Fisheries Management Standard (Salmon, Hokkaido): Summary Evidence and Evidence 3.1.1 (a). p. 76-81 and 3.2.3 (b). p. 102-103.
4. [First Annual Surveillance Report. Hokkaido Federation of Fisheries Cooperative Association Chum Salmon Set-net Fishery Certification No.: JFRCA 20F2200011 Date certified: February 28, 2019. Report Prepared: August 2019. On site assessment July 21, 2019.](#)

ESSENTIAL COMPONENT D.6.01

The standard requires that the stock under consideration is not overfished.

■ Japan Fisheries Certification Support comment

GSSIの要求事項は、資源量がBlimを下回っていないかどうかを問うています。一方、MELの要求事項は、2.7②「審査対象資源が、過剰な漁獲の状態になっていないか。」であり、資源量 (B)なのか漁獲圧 (F)なのかがあいまいです。MELは規格を明確にするべきでしょう。

GSSI's requirement is whether the fish stock is above Blim, so this is clearly about Biomass. However, MEL's requirement, especially in Japanese, is not clear if this is about Biomass (B) or fishing mortality (F). MEL should use clear language on this requirement.

■ GSSI response

MEL-J is in alignment with Essential Component D.6.01. Based on the comment of Japan Fisheries Certification Support, no additional information has been included in the final conclusion.

The comment states that "GSSI's requirement is whether the fish stock is above Blim, so this is clearly about Biomass. However, MEL's requirement, especially in Japanese, is not clear if this is about Biomass (B) or fishing mortality (F). MEL should use clear language on this requirement." D.6.01 states that the standard must require that the stock under consideration is not overfished, and the GSSI guidance states that overfished refers to falling below Blim. This follows the generally accepted definition of "overfished", as contrasted to the generally accepted definition of "overfishing" referring the fishing mortality exceeding some pre-determined level, such as FMSY. MEL requirement 2.7 in the Fisheries Management Standard (version 2.0) states the stock under consideration cannot be overfished. In the event that the status of the stock drops below levels at which remedial actions should be undertaken, necessary measures shall be implemented in a timely manner in order to avoid recruitment overfishing. The MEL requirement (in the English language version) explicitly addresses the need to avoid the "overfished" condition, a standard that meets that of D.6.01. The MEL reference to avoid "recruitment overfishing" is interpreted as a possible action to be taken as the stock approaches or is determined to be in the overfished condition, that is to reduce the fishing mortality rate, so as to allow for stock recovery.

Conclusion on GSSI Essential Component D.6.01

Conclusion: MEL is in alignment because requirement(s) in the Fisheries Management Standard (version 2.0) and indicator(s) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1) state as follows;

Requirement 2.7 in the Fisheries Management Standard (version 2.0)

The stock under consideration is not overfished. In the event that the status of the stock drops below levels at which remedial actions should be undertaken, necessary measures shall be implemented in a timely manner in order to avoid recruitment overfishing.

Indicator(s) 2.7 (b) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1)

(b) Whether the stock under consideration is not overfished.

- Status of the stock under consideration

Additional information for the above requirement(s) and indicator(s) can be found in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1): Requirements 2.7; Indicators 2.7 (b). p. 34-36.

Examples of the requirement(s) in use can be found in the Assessment Report Fisheries Management Standard (Salmon, Hokkaido): Summary Evidence and Evidence 2.7 (b). p. 73-74.

REFERENCES

1. Fisheries Management Standard (version 2.0), 2018: Requirement(s) 2.7. p. 8.
<https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-StandardFMSver.2.0.pdf>
2. Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1), 2019: Indicator(s) 2.7 (b). p. 34-36.
<https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-Standard-Guidelines-for-Auditors-Indicators-of-Conformity-Version.-2.1.pdf>
3. Assessment Report Fisheries Management Standard (Salmon, Hokkaido), 2019: Summary Evidence and Evidence 2.7 (b). p. 73-74.
4. [First Annual Surveillance Report. Hokkaido Federation of Fisheries Cooperative Association Chum Salmon Set-net Fishery Certification No.: JFRCA 20F2200011 Date certified: February 28, 2019. Report Prepared: August 2019. On site assessment July 21, 2019.](#)

ESSENTIAL COMPONENT D.6.02

The standard requires the existence of outcome indicator(s) consistent with achieving management objectives for the stock under consideration (D.2.01, D.2.03, D.2.04).

■ Japan Fisheries Certification Support comment

GSSIの結論は、MELの要求事項「2.5 最大持続生産量（MSY）または適切な代替基準を実現できる水準に対象資源を維持、

回復させることを目的として、公的機関によって設定された維持すべき水準（目標管理基準）や下回ってはならない水準（限界管理基準）、あるいは科学的根拠に基づき代替水準が設定されている。」を根拠にしています。たしかに、新しい漁業法で目標管理基準や限界管理基準の設定が定められましたが、現在はまだ導入されてはいません。福島巻き網サバ漁業が対象としているマサバ太平洋系群にもまだ導入されていません。したがって、福島巻き網マサバ漁業においてこの項目がどのように審査されたかチェックする必要がありますが、審査報告書は認証から4か月経過した現在もまだ公開されていません。GSSIは福島サバ漁業の認証報告書が公開され内容をチェックするまでMELに承認を出すべきではありません。

The conclusion is based on MEL's requirement "Requirement: 2.5 There shall be publicly-defined target and limit reference points, or proxies for the stock under consideration set on the basis of the best scientific evidence available, in order to maintain or recover the stock at levels consistent with achieving Maximum Sustainable Yields (MSY) or a suitable proxy." Target Reference Point and Limit Reference Point are determined to introduced under the new Fisheries Law, they are not implemented yet. Chub mackerel Pacific stock, which Fukushima purse seine mackerel fishery is targeting, also does not have such reference points. Thus, it is necessary to check how the fishery is assessed, but its certification report is not published after 4 months since certification in March 2019. GSSI should not recognize MEL until the certification report of Fukushima purse seine mackerel fishery is published and reviewed.

■ GSSI response

MEL-J is in alignment with Essential Component D.6.02. Based on the comment of Japan Fisheries Certification Support, no additional information has been included in the final conclusion.

The comment addresses the application of MEL requirement 2.5 requiring reference points in the Fukushima purse seine mackerel fishery. As noted by the IE in response to previous questions about this MEL fishery assessment report, this report was not part of the MEL benchmark application, as it was not available at the time of submission of the MEL benchmark application. This report will however be considered at the MOCA review which the BC has recommended to take place one year after GSSI recognition. During this MOCA review the MEL scheme will be required to fully and transparently demonstrate continued implementation of all requirements and ensure a consistent application of its standards at fishery level through its audit reports.

Conclusion on GSSI Essential Component D.6.02

Conclusion: MEL is in alignment because requirement(s) in the Fisheries Management Standard (version 2.0) and indicator(s) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1) state as follows;

Requirement 2.5 in the Fisheries Management Standard (version 2.0)

There shall be publicly-defined target and limit reference points, or proxies for the stock under consideration set on the basis of the best scientific evidence available, in order to maintain or recover the stock at levels consistent with achieving Maximum Sustainable Yields (MSY) or a suitable proxy.

Indicator(s) 2.5 (c) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1)

(c) Whether outcome indicators exist to achieve management objectives of the stock under consideration concerning "limit reference point," "target reference point" or those substitute proxies for the sustainable fisheries.

- Existence of outcome indicators (including those equivalent thereto)

Additional information for the above requirement(s) and indicator(s) can be found in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1): Requirements 2.5; Indicators 2.5 (c). p. 28-31.

Examples of the requirement(s) in use can be found in the Assessment Report Fisheries Management Standard (Salmon, Hokkaido): Summary Evidence and Evidence 2.5 (c). p. 68.

REFERENCES

1. Fisheries Management Standard (version 2.0), 2018: Requirement(s) 2.5. p. 7-8.
<https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-StandardFMSver.2.0.pdf>
2. Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1), 2019: Indicator(s) 2.5 (c). p. 28-31.
<https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-Standard-Guidelines-for-Auditors-Indicators-of-Conformity-Version.-2.1.pdf>
3. Assessment Report Fisheries Management Standard (Salmon, Hokkaido): Summary Evidence and Evidence 2.5 (c). p. 68.
4. First Annual Surveillance Report. Hokkaido Federation of Fisheries Cooperative Association Chum Salmon Set-net Fishery Certification No.: JFRCA 20F2200011 Date certified: February 28, 2019. Report Prepared: August 2019. On site assessment July 21, 2019.

ESSENTIAL COMPONENT D.6.05

The standard requires the existence of outcome indicator(s) consistent with achieving management objectives for non-target stocks (D.2.05).

■ Japan Fisheries Certification Support comment

MELの要求事項「3.1.1① (i) 審査対象となる漁業による、非対象種の混獲（投棄を含む）に起因する、当該非対象種の過剰漁獲やその他の回復不可能な影響（あるいは回復がほとんど見込まれない影響）に関する情報と評価。」および「3.1.2① (i) 審査対象となる漁業による、非対象種の混獲（投棄を含む）に起因する、当該非対象種の過剰漁獲やその他の回復不可能な影響（あるいは回復がほとんど見込まれない影響）を回避するための管理目標とアウトカム（成果）指標。」は、GSSIの要求事項D.2.5、D.3.6、D.4.3、D.5.6、D.6.5をコピーして再編集したものにすぎません。したがって、実際の審査の中でこれらの要求事項がどのように審査されたかを吟味することが重要です。

2019年3月に認証を取得した福島の巻き網サバ漁業は、資源状態が悪いカタクチイワシの混獲が懸念されています。これは、国立研究開発法人水産研究・教育機構が出したSH"U"Nの報告書でも指摘されています。

https://sh-u-n.fra.go.jp/search/report/マサバ太平洋評価結果_v102_20170925.pdf

しかしながら、この漁業の報告書は認証から4か月が経過した現在もまだ公開されておらず、カタクチイワシの混獲がどのように審査されたのか明らかではありません。

GSSIは、福島の巻き網サバ漁業の報告書が提出され、混獲がどのように審査されたかをチェックするまで、MELに承認を出すべきではありません。

MEL's requirements 3.1.1(a)(1) "Assessment of the extent to which non-target catches and discards by the unit of certification of stocks other than the stock under consideration threaten those non-target stocks with recruitment overfishing or other impacts that are likely to be irreversible or very slowly reversible with appropriate related data/information." and 3.1.2(a)(1) "Management objectives that seek to ensure that non-target catches and discards by the unit of certification of stocks other than the stock under consideration does not threaten those nontarget stocks with recruitment overfishing or other impacts that are likely to be irreversible or very slowly reversible and outcome indicators consistent with achieving the management objectives" are just copy of GSSI's requirements D.2.5, D.3.6, D.4.3, D.5.6 and D.6.5. Thus, it is critical to review how the assessment body assesses fisheries against those requirements.

Bycatch of anchovy by purse seine fisheries including Fukushima purse seine mackerel fishery which was certified in March 2019. National Fisheries Research Agency also pointed out the concern in the report of SH"U"N project [https://sh-u-n.fra.go.jp/search/report/マサバ太平洋評価結果_v102_20170925.pdf].

However, the assessment report of Fukushima purse seine mackerel fishery is not published yet so that it is not clear how the fishery was assessed against those requirements.

GSSI should not recognize MEL until the assessment report of Fukushima purse seine mackerel fishery is published and reviewed.

■ GSSI response

MEL Japan is in alignment with Essential Component D.6.05. Based on the comment of Japan Fisheries Certification Support, no additional information has been included in the final conclusion.

As the comment addresses multiple points, these are responded separately.

Firstly, the commenter expresses concern that MEL Requirements 3.1.1(a)(1) and 3.1.2(a)(1) are direct copies of ECs D.2.5, D.3.6, D.4.3, D.5.6 and D.6.5 of GSSI's Benchmark Tool. This is not a concern for GSSI, as the use of GSSI benchmark language ensures alignment with the intent of the Benchmark Tool.

Secondly, the commenter notes that "it is critical to review how the assessment body assesses fisheries against those requirements". GSSI agrees that it is important to review the implementation to the MEL requirements and will do so during this benchmark assessment and will continue to do so during the MOCA review (scheduled one year after GSSI benchmark recognition).

Finally, concern has been expressed that the Fukushima purse seine mackerel fishery assessment report (certified March 2019), is not publicly available as yet, and can therefore not be used to assess how the bycatch of anchovy in purse seine fisheries (including the Fukushima purse seine mackerel fishery) has been addressed. The IE cannot consider the technical merits of this comment as the Fukushima purse seine fishery assessment report was not included in this benchmark assessment. However, GSSI will consider review the assessment of this fishery in the MOCA that will be scheduled for one year following GSSI benchmark recognition. During this MOCA review the MEL scheme will be required to fully and transparently demonstrate continued implementation

of all requirements and ensure a consistent application of its standards at fishery level through its audit reports.

Regarding the delay in publication of the audit reports, JFRCA (CAB), has measures to prevent recurrence and to make public reports part of the requirements for certification. Administrative procedure ensures that certification shall not take effect until the report is ready to be made public.

Updated JFRCA administrative procedure referenced:

S-7 is 認証判定書 “decision making on Certification”

□申請者が同意した公開用の報告書が用意され、認証発効時に公開できる。A report for publication that the applicant has agreed to is prepared and can be published when the certification comes into effect and put in their procedure.

F-1 認証管理シート “certification management sheet”. The certification comes into effect when the assessment report is made public on the website.

As the GSSI benchmark tool does require transparency in a timely manner, which includes making audit reports publicly available, this point will be verified as part of the MOCA one year after the benchmark recognition.

Conclusion on GSSI Essential Component D.6.05

Conclusion: MEL is in alignment because requirement(s) in the Fisheries Management Standard (version 2.0) and indicator(s) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1) state as follows;

Requirement 3.1.2 in the Fisheries Management Standard (version 2.0)

The unit of certification shall be operated in ways to minimize adverse impacts on non-target stocks and ecosystem, taking into account the assessment results of above 3.1.1(a) (1) - (5).

Indicator(s) 3.1.2 (a) (1) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1)

(a) Whether the unit of certification operates the fishery with consideration to avoid, minimize or mitigate the adverse impacts on non-target stocks, endangered species and ecosystem with following management objectives and outcome indicators (including those equivalent thereto), taking into account the assessment results of 3.1.1.

(1) Management objectives that seek to ensure that non-target catches and discards by the unit of certification of stocks other than the stock under consideration does not threaten those non-target stocks with recruitment overfishing or other impacts that are likely to be irreversible or very slowly reversible and outcome indicators consistent with achieving the management objectives.

▪ Existence of management objectives and outcome indicators above including those equivalent thereto (information/data on non-target species, ecosystem)

Additional information for the above requirement(s) and indicator(s) can be found in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1):

Requirements 3.1.2; Indicators 3.1.2 (a) (1). p. 41-44.

Examples of the requirement(s) in use can be found in the Assessment Report Fisheries Management Standard (Salmon, Hokkaido): Summary Evidence and Evidence 3.1.2 (a). p. 82-83.

REFERENCES

1. Fisheries Management Standard (version 2.0), 2018: Requirement(s) 3.1.2. p. 8.
<https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-StandardFMSver.2.0.pdf>
2. Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1), 2019: Indicator(s) 3.1.2 (a) (1). p. 41-44.
<https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-Standard-Guidelines-for-Auditors-Indicators-of-Conformity-Version.-2.1.pdf>
3. Assessment Report Fisheries Management Standard (Salmon, Hokkaido), 2019: Summary Evidence and Evidence 3.1.2 (a). p. 82-83.
4. [First Annual Surveillance Report. Hokkaido Federation of Fisheries Cooperative Association Chum Salmon Set-net Fishery Certification No.: JFRCA 20F2200011 Date certified: February 28, 2019. Report prepared: August 2019. On site assessment July 21, 2019.](#)

ESSENTIAL COMPONENT D.6.06

The standard requires the existence of outcome indicator(s) consistent with achieving management objectives (D.2.08) that seek to ensure that Endangered species are protected from adverse impacts resulting from interactions with the unit of certification and any associated culture or enhancement activity, including recruitment overfishing or other impacts that are likely to be irreversible or very slowly reversible.

■ Japan Fisheries Certification Support comment

FAOの責任ある漁業のための行動規範においては、「水圏の生息域と生態系の生物多様性が保全され、希少種が保護される」ような管理方策が必要だと書かれています。MELの要求事項では「希少種の過剰漁獲」を回避と書かれています。希少種は本来保護されるべきで、多少なりとも混獲されるべきではないことを鑑みると、この要求事項は十分ではないと言えます。現に、審査機関である水産資源保護協会は、かつて、MEL ver1.0の審査において、環境省によって準絶滅危惧種と指定された魚種に対して認証を出した経緯があり、MELの規格が、国際社会が求める希少種保護につながらない可能性が高いです。

MELは希少種を確実に保護できるように、規格を改めるべきであり、それなしにGSSIはMELに承認を出すべきではありません。

FAO Code of Conduct for Responsible Fisheries states that a fishery should have measures so that "biodiversity of aquatic habitats and ecosystems is conserved and endangered species are protected". Although MEL's Requirement states 3.1.2(a)(2) "Management objectives that seek to ensure that endangered species are protected from adverse impacts resulting from interactions with the unit of certification, including recruitment overfishing or other impacts that are likely to be irreversible or very slowly reversible and outcome indicators consistent with the achieving management objectives.", any catch of endangered species should be avoided and the term "overfishing" is insufficient to protect endangered species. The assessment body, JFSCA, have certified two endangered species against MEL 1.0 in the past, it is likely that MEL scheme does not work to protect endangered species.

MEL should revise the requirements to strengthen protection of endangered species, and, otherwise, GSSI should not recognize MEL.

■ GSSI response

MEL Japan is in alignment with Essential Component D.6.06. Based on the comment of Japan Fisheries Certification Support, no additional information has been included in the final conclusion.

As the comment addresses multiple points these are addressed separately. The following concerns are repetitions expressed for previous EC D.4.04, and D.5.10.

Firstly, the commenter directly compares the MEL standard to FAO Code of Conduct with regard to protection of endangered species. The benchmark evaluation of the MEL Ver.2.0 standard only compares the MEL standard and the guidelines against the GSSI benchmark tool. The IE does not directly consider the FAO Code of Conduct, although this was used to develop the GSSI benchmark tool.

Secondly, the commenter states that in the past the MEL Ver. 1.0 standard did not work to protect endangered species. This GSSI benchmark evaluation did not consider the MEL Ver.1.0 standard, solely the MEL Ver.2.0 standard, so the IE cannot respond to this comment.

Finally, commenter states that MEL should revise its requirements to strengthen protection of endangered species. In response the IE notes that the MEL standard Ver.2.0 has been evaluated and is considered to already see to this in a manner that the standard is in alignment with the GSSI benchmark tool.

Conclusion on GSSI Essential Component D.6.06

Conclusion: MEL is in alignment because requirement(s) in the Fisheries Management Standard (version 2.0) and indicator(s) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1) state as follows;

Requirement 3.1.2 in the Fisheries Management Standard (version 2.0)

The unit of certification shall be operated in ways to minimize adverse impacts on non-target stocks and ecosystem, taking into account the assessment results of above 3.1.1(a) (1) - (5).

Indicator(s) 3.1.2 (a) (2) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1)

(a) Whether the unit of certification operates the fishery with consideration to avoid, minimize or mitigate the adverse impacts on non-target stocks, endangered species and ecosystem with following management objectives and outcome indicators (including those equivalent thereto), taking into account the assessment results of 3.1.1.

(2) Management objectives that seek to ensure that endangered species are protected from adverse impacts resulting from interactions with the unit of certification, including recruitment overfishing or other impacts that are likely to be irreversible or very slowly reversible and outcome indicators consistent with the achieving management objectives.

- Existence of management objectives and outcome indicators above including those equivalent thereto (information/data on non-target species, ecosystem)

Standard 3.2 particularly requires the consideration of ecosystem in the associated fish farming and resource enhancement.

Requirement 3.2.3 in the Fisheries Management Standard (version 2.0)

(In case of the associated fish farming and resource enhancement,) There shall be continuous monitoring of the state of the stock under consideration and its habitat, and measures shall be implemented in order to avoid significant adverse impacts of enhancement activities on the natural reproductive stock components of the stock under consideration and ecosystem.

Indicator(s) 3.2.3 (c) (2) in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1)

(c) Whether following management objectives, management measures and outcome indicators (including those equivalent thereto) exist to avoid severe adverse impacts of release of artificial seedling on the natural reproduction of the stock under consideration and on the ecosystem:

(2) Management objectives that seek to ensure that endangered species are protected from adverse impacts resulting from interactions with associated culture or enhancement activity, including recruitment overfishing or other impacts that are likely to be irreversible or very slowly reversible, outcome indicators consistent with achieving the management objectives and management measures, as necessary, designed to achieve the management objectives.

- Existence of management objectives, management measures and outcome indicators (including those equivalent thereto) referred in (1) – (3) above

Additional information for the above requirement(s) and indicator(s) can be found in the Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1): Requirements 3.1.2 and 3.2.3; Indicators 3.1.2 (a) (2). p. 41-44 and 3.2.3 (c) (2). p. 53-56.

Examples of the requirement(s) in use can be found in the Assessment Report Fisheries Management Standard (Salmon, Hokkaido): Summary Evidence and Evidence 3.1.2 (a). p. 82-83. and 3.2.3 (c). p. 104-105.

REFERENCES

1. Fisheries Management Standard (version 2.0), 2018: Requirement(s) 3.1.2. p. 8. and 3.2.3. p. 9. <https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-StandardFMSver.2.0.pdf>
2. Fisheries Management Standard: Guidelines for Auditors – Indicators of Conformity – (version 2.1), 2019: Indicator(s) 3.1.2 (a) (2) p. 41-44. and 3.2.3 (c) (2). p. 53-56. <https://melj.jp/eng/wp-content/uploads/2019/04/Fisheries-Management-Standard-Guidelines-for-Auditors-Indicators-of-Conformity-Version.-2.1.pdf>
3. Assessment Report Fisheries Management Standard (Salmon, Hokkaido), 2019: Summary Evidence and Evidence 3.1.2 (a). p. 82-83. and 3.2.3 (c). p. 104-105
4. [First Annual Surveillance Report. Hokkaido Federation of Fisheries Cooperative Association Chum Salmon Set-net Fishery Certification No.: JFRCA 20F2200011 Date certified: February 28, 2019. Report Prepared: August 2019. On site assessment July 21, 2019.](#)

Many thanks again for participating in the Public Consultation and we do hope that the above responses have been helpful. We look forward to a continued collaboration and dialogue going forward.

Kindest regards,

A handwritten signature in black ink, appearing to read 'Wisse', with a stylized, cursive script.

Herman Wisse
GSSI Managing Director