



## MEMORANDUM

TO: Ocean Protection Council

FROM: Valerie Termini McCormick

DATE: May 12, 2011

RE: Executive Summary of California Sustainable Seafood Initiative (CSSI)

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Assembly Bill 1217 (Monning, 2009) directed the Ocean Protection Council (OPC) to develop and implement a voluntary sustainable seafood program for California commercial fisheries.

This summary outlines the draft protocol for a sustainable seafood certification of eligible California fisheries that was developed over the past year. The protocol describes how the OPC will consider funding fisheries seeking certification and how the fisheries will be certified. Further, the protocol is intended to be a living document and as such, it will be reviewed and updated as new information becomes available. This document is intended to serve as a summary to the more detailed staff report, which is also attached to the May 12 CSSI agenda item. At this meeting, staff seeks Council input on the draft protocol and how it might be improved.

### Issues:

Over the past several decades, unsustainable fishing methods and a lack of effective fisheries management has led to the depletion of many wild fish stocks throughout the world. Market-based approaches (such as “eco-labels”) that incentivize sustainable fishing practices have gained traction in the public sphere. Markets are beginning to demand sustainably caught seafood and customers will pay a premium price for seafood caught “sustainably”. Additionally, eco-labels provide an economic incentive to fish sustainably as many fisheries gain access to new markets as well as added value created by such eco-labeling programs.<sup>1</sup>

The statute (AB 1217) directs the OPC to: 1) develop a procedure to guide entities on how to be independently certified to internationally-accepted standards for sustainable seafood; 2) implement a marketing assistance program for such seafood in cooperation with the California Department of Food and Agriculture (CDFA); 3) develop a competitive grant and loan program (in years in which funds are appropriated by the Legislature) to help qualifying fisheries become certified as sustainable; and 4) design a label or labels that may be used exclusively to identify

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<sup>1</sup> Roeim C, *Thalassorama. Early Indications of market impacts from the Marine Stewardship Council's eco-labelling of seafood. Marine Resource Economics, 2003. Volume 18, pp. 95-104*

seafood caught sustainably in California. This memorandum pertains to the first aspect of the bill, developing the protocol.

The statute stipulates that the protocol is to be developed in a transparent process and adopted by the OPC in a public meeting. In addition, the OPC will need to identify in a public document that the standards developed meet or exceed the Guidelines for the Eco-labeling of Fish and Fishery Products from Marine Capture Fisheries promulgated by the Food and Agriculture Organization of the United Nations (FAO). To comply with these regulations and to ensure a transparent public process, the OPC appointed a 23-member public advisory board to assist with AB 1217 implementation in March 2010.

**Certification Process:**

A California fishery will be defined as fish landed in a California port by a California commercially licensed fisherman. Any fish landed outside California, will not be eligible for the California label.

The foundation of the California sustainable seafood program must be consistent with the UN FAO Guidelines for Eco-labeling Fisheries (Section 35617 of the Public Resources Code as directed by ANB 1217). Currently, the Marine Stewardship Council (MSC) certification program for sustainable seafood is the most consistent with these guidelines. Should another certification program become available that also meets the FAO Guidelines for Eco-labeling, OPC staff will explore it as another option to potentially use for certifying California fisheries. The Marine Stewardship Council (MSC) is a non-profit, non-governmental, international organization established in 1996 by a partnership between the World Wildlife Fund and Unilever Corporation as a way to reduce overfishing through market incentives.<sup>2</sup>

The MSC operates a certification and eco-label program based on a scientifically robust standard for assessing whether wild-capture fisheries are ecologically sustainable and well-managed. Fish products from fisheries that meet the MSC's standard are eligible to use the MSC's blue eco-label or otherwise make a claim that they are MSC-certified. The intent behind the certification and eco-label program to contribute to the health of the world's oceans by recognizing and rewarding sustainable fishing practices, influencing the choices people make when buying seafood.

In order to be eligible for and receive MSC certification, the fishery must meet or exceed the 3 core principles for sustainable fishing, these are based on the fisheries; 1) stock assessment and stock status, 2) ecosystem impacts, and 3) management system. Based on these standards, the MSC assessment process reviews 31 specific questions about the fishery's performance and management to determine a fishery's sustainability. These "performance indicators" (PIs) are grouped under each of the MSC's three main principles described above.

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<sup>2</sup> Roeim C, *Thalassorama. Early Indications of market impacts from the Marine Stewardship Council's eco-labelling of seafood. Marine Resource Economics, 2003. Volume 18, pp. 95-104*

### **California Criteria:**

In order to benefit from the advantages of the MSC and to address the criticism, staff recommends that in addition to meeting the above-mentioned MSC criteria, California fisheries will also be required to meet a higher standard with respect to two performance indicators: the stock status and the by-catch of ETP (endangered, threatened, and protected) species. California fisheries will have to obtain a score of at least 80 for these two performance indicators to receive the California sustainable seafood certification.

### **Independent Scientific Review**

Staff will work with the Ocean Science Trust (OST) to develop recommendations about the scientific peer review process for this program and for the most appropriate role for the Ocean Protection Council Science Advisory Team to engage in the certification process. For example, there may be opportunity for scientific peer review throughout various steps of the certification process. This second layer of review (including MSC's peer review) will add credibility, transparency, and independence.

### **Criteria for fisheries to begin MSC certification process through the OPC**

Prior to initiating the certification process, OPC staff will work with specific fisheries to evaluate whether they meet the following minimum criteria:

- Degree to which they can meet the standards promulgated by the MSC
- Support from the state or federal management agency, DFG and or the Pacific Fishery Management Council (PFMC)
- Fishery organizational structure: For example, a Community Fishing Association (CFA) or similar entity that can serve as a co-client with the OPC to the MSC
- Fish is landed in California and the Captain and fishermen hold a California commercial fishing permit
- Fishery is not listed on a federal or state endangered or threatened species list

### **Traceability and Chain of Custody**

The MSC's Chain of Custody standard for seafood traceability ensures that the MSC eco-label is only displayed on seafood from an MSC certified sustainable fishery. Each company in the supply chain must get a certificate from an independent, third-party certifier if the product will ultimately display the MSC eco-label.

The California label itself will include the MSC label as well as another logo to indicate it is from CA, and the name of the port where the seafood was landed. Additional information will be available on a website and accessible via a bar code on each California Sustainable Seafood Certified product or package.