

CALIFORNIA VOLUNTARY SUSTAINABLE SEAFOOD PROGRAM PROTOCOL DECEMBER 2011

Proposed Changes in response to December 2012 petition against the protocol

I. California Program - Protocol

Summary:

The California voluntary sustainable seafood program protocol consists of meeting the following standards:

1. The Marine Stewardship Council (MSC) fishery certification program for sustainable seafood.
2. A higher-than-MSC standard with respect to two performance indicators: 1) stock status and 2) by-catch of ETP (endangered, threatened, and protected) species. California-certified fisheries will have to obtain a score of at least 80% (as opposed to 60%) for these two performance indicators.
3. Additional independent scientific review.
4. Additional traceability components.

In addition, although not specifically called for in AB 1217, staff will work with partner agencies to ensure that the best information available on marine fisheries toxicity is made accessible to the public because toxicity is an important part of consumer choice (see the “California Program: Toxicity” section below).

OPC staff developed this protocol in consultation with members of a California Sustainable Seafood Initiative (CSSI) public advisory panel.¹ Panel members gave generously of their time to review existing sustainable seafood protocols and reports, give advice about how guidelines should be tailored for California fisheries, and identify critical issues and provide feedback on developing California’s program. Though this protocol reflects input from the advisory panel while still meeting the requirements of the legislative mandate, OPC staff acknowledges that a number of panel members would have preferred not using MSC as the foundation for certification under California’s program.

MSC Program

The 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.² The MSC works with experts to develop standards

¹ At its March 3, 2010 meeting, the OPC approved the appointment of a public advisory panel to assist with implementing the tasks under AB 1217. The panel included representatives from fishery management agencies, non-governmental organizations, the commercial fishing industry, fish processors, fish retailers, restaurateurs, fishing port officials, and the scientific community. The panel was tasked to bring vision, strategic thinking, and pragmatic knowledge to the sustainable seafood program protocol development process.

² 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.

(“Principles and Criteria”) for sustainable fishing and to develop seafood traceability programs to ensure MCS-certified fish are in fact caught from and can be traced back to the certified sustainable fishery. The MSC has developed a logo that informs consumers that they are supporting fisheries that meet their criteria for sustainable seafood.

MSC Program: Principles, Criteria, and Attributes: MSC certification is based on three principles, presented below, which are represented through 31 performance indicators. See Figure 1, “MSC Assessment Tree” (below), and Exhibit 2, Attachment 1, “MSC Principles and Criteria for Sustainable Fishing,” for more detail.

Principle 1: Stock Assessment and Stock Status: A fishery must be conducted in a manner that does not lead to overfishing or depletion of the exploited populations and, for those populations that are depleted, the fishery must be conducted in a manner that demonstrably leads to their recovery. The intent of this principle is to ensure that a fishery’s productive capacities are maintained at high levels and not sacrificed in favor of short-term interests. Thus, exploited populations would be maintained at high levels of abundance designed to retain their productivity, provide margins of safety for error and uncertainty, and restore and retain their capacities for yields over the long term.

Principle 2: Ecosystem Impacts: Fishing operations should allow for the maintenance of the structure, productivity, function, and diversity of the ecosystem, including habitat and associated dependent and ecologically-related species on which the fishery depends. The intent of this principle is to encourage the management of fisheries from an ecosystem perspective under a system designed to assess and restrain the impacts of the fishery on the ecosystem.

Principle 3: Fishery Management System: The fishery is subject to an effective management system that respects local, national, and international laws and standards and incorporates institutional and operational frameworks that require use of the resource to be responsible and sustainable. The intent of this principle is to ensure that there is an institutional and operational framework for implementing Principles 1 and 2, appropriate to the size and scale of the fishery.

In September 2006, the MSC program achieved full consistency with the “Guidelines for the Eco-labeling of Fish and Fishery Products from Marine Capture Fisheries,” an internationally-agreed upon set of principles for a credible fishery certification and eco-labeling scheme. Key points of these guidelines are that eco-labeling programs have:

- Objective, third-party fishery assessment using scientific evidence;
- Transparent processes with built-in stakeholder consultation and objection procedures;
- Standards based on three factors: Sustainability of target species, ecosystems, and management practices.

In addition, the MSC program is the only existing seafood certification program that is also consistent with “The Code of Conduct for Responsible Fishing (UN FAO),”³ “The Code of

³ Note that the FAO “Code of Conduct for Responsible Fishing” only provides guidelines, not an established standard with a methodology and certification program requirements.

Good Practice for Setting Social and Environmental Standards” (ISEAL), and the “World Trade Organization Technical Barriers to Trade Agreement.”⁴

The MSC program contains the following attributes:

- Includes third-party verification, and is set up such that the development of a standard is completely independent from the assessment of the fishery against that standard.
- Uses a completely open and transparent process.
- Maintains and regularly improves certification status and performance indicators.
- Has been established for over a decade and has been noted in several scientific studies as the most credible, robust assessment of sustainability- and well-managed fisheries.
- Helps avoid consumer confusion, and is likely to have the greatest impact on improving fishery and marine ecosystem health.

MSC Program: Scoring Process: In order to be eligible for and receive MSC certification, a fishery must meet or exceed minimum standards set by the MSC concerning the three program principles: 1) stock assessment and stock status, 2) ecosystem impacts, and 3) fishery management system.

Scoring takes into account the three program principles and 31 performance indicators (see Figure 1, below). The highest mark available is 100%; a score of 80% is the level of acceptable performance for an indicator, and a score of 60% is the minimal threshold allowable in an MSC evaluation. In order to be certified, a fishery must have an aggregate score of 80% or more for each of the three program principles and a score of 60% or more for each and every performance indicator.

If a fishery receives a score for any performance indicator of at least 60% but less than 80%, the certifier will set one or more conditions for continuing certification and specify desired outcomes or targets. In the absence of exceptional circumstances, the condition(s) shall improve performance of the fishery to at least the 80% level within a period set by the certifier (but not longer than the term of the certification). The certifier’s role is to offer guidance and make clear to the fishery the required outcome rather than prescribe actions that should be taken; it is the fishery’s responsibility to determine how to achieve the desired outcomes.⁵

If a fishery receives a score for any performance indicator of less than 60%, there is a major deficiency in the fishery that needs corrective action.

MSC Program: Chain of Custody: MSC certification addresses the movement of fish through the supply chain, from catch to retail sale. After a certain point in time (e.g., the first point of landing (usual) or first point of sale), the process is covered by a Chain of Custody certificate. The MSC program’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 (See Exhibit 2, Attachment 2, “MSC Chain of Custody Standard,” for more detail). 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.

⁴ <http://www.msc.org/about-us/credibility/how-we-meet-best-practice>

⁵ Get Certified! Fisheries, © Marine Stewardship Council, 2009

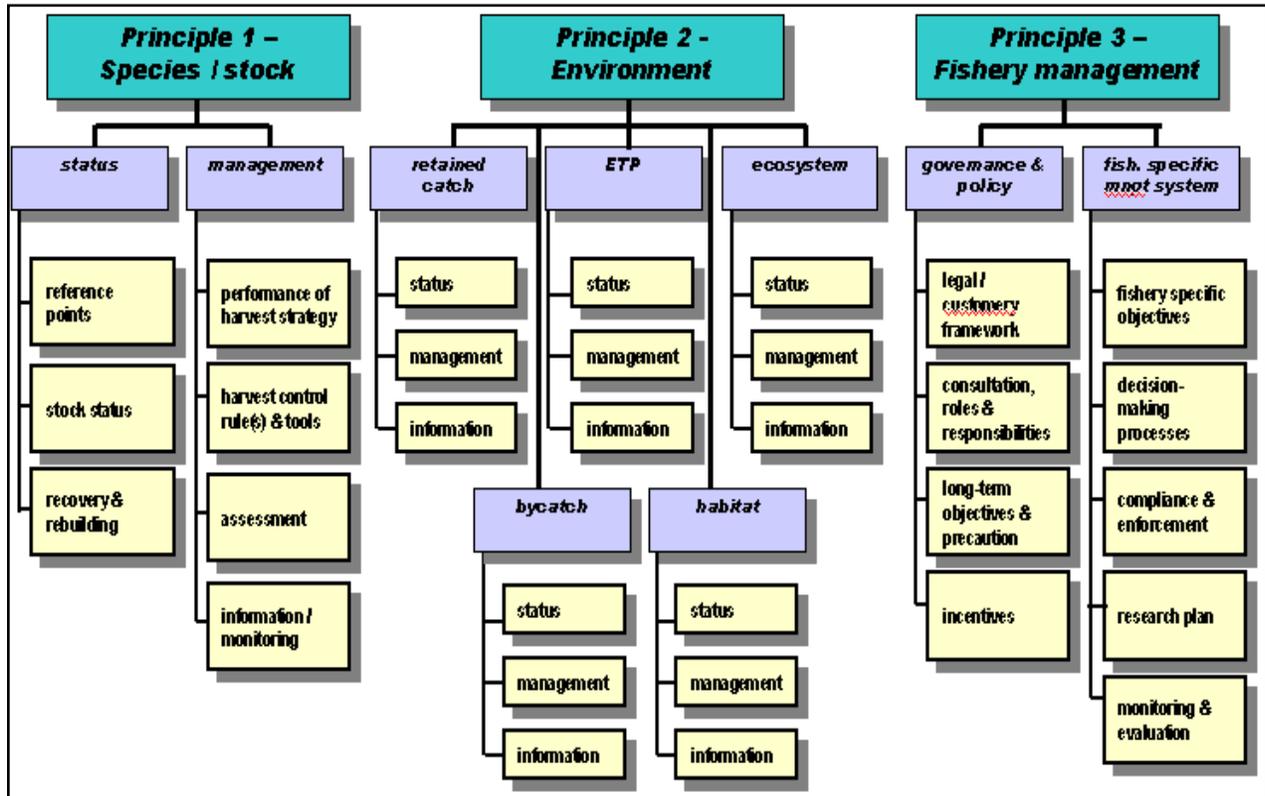
To get “chain of custody” certification, businesses must be audited to show they have effective storage and record-keeping systems that prove that only seafood from a certified fishery carries the MSC eco-label. For example, companies have to show that they keep certified fish separate from non-certified fish, and that they can trace every delivery of certified fish to a “chain of custody”-certified supplier. Every business with a valid “chain of custody” certificate is given a unique code which must be displayed on certified seafood products to show buyers and consumers that they are buying from an approved supplier.

MSC Program: Ecolabel: The MSC eco-label is a registered trademark owned by the MSC and an organization must have an eco-label license to use it. Use of the eco-label is not mandatory. If an entity chooses to use the eco-label, it may need to pay annual fees or royalties (a one-time payment during any single supply chain) based on the following three categories of use:⁶

- *Consumer-facing:* Examples include retail and independent brand MSC-labeled seafood products, menus in food service outlets and “direct to consumer” websites;
- *Non-consumer-facing:* Examples include bulk packaging for certified seafood, food service caterer price lists and websites; and
- *Non-commercial:* Examples include use of the eco-label by media, charitable and educational organizations, fishery marketing and representative bodies, accredited certifiers and authors of books.

⁶ <http://www.msc.org/documents/logo-use>

Figure 1: MSC Assessment Tree⁷



California Program

California Program: Higher Threshold for Two Performance Indicators: As recommended by many members of the public advisory panel convened by the OPC to help develop California’s program, fisheries seeking certification under California’s protocol would have to meet all the standards and thresholds of the MSC program, plus achieve higher scores (80% instead of 60%) on the following two performance indicators: Stock status and by-catch of ETP [endangered, threatened, or protected] species.

The “stock status” performance indicator falls under MSC Program Principle 1, “Stock Assessment and Stock Status,” and indicates that the stock is at a level which maintains high productivity and has a low probability of recruitment overfishing. A score of 100% indicates “a high degree of certainty” that over recent years the stock is above the point where recruitment would be impaired, has been fluctuating around its target reference point, or has been above its target reference point. A score of 80% indicates it is “highly likely” that the stock meets this indicator, and a score of 60% indicates that it is just “likely.” The California protocol requires a score of at least 80%.

⁷ From: Dapling et al. *‘Navigating the Future’*. Developing Sustainable Inshore Fisheries. The UK Inshore Fisheries Sustainability Project Summary Report. Sussex Sea Fisheries Committee, Shoreham-by-Sea. Sussex.

The “by-catch of ETP” performance indicator falls under MSC Program Principle 2, “Ecosystem Impacts,” and indicates that the fishery meets national and international requirements for protection of ETP species, that the fishery does not pose a risk of serious or irreversible harm to ETP species, and does not hinder recovery of ETP species. A score of 100% indicates “a high degree of certainty” that the effects of the fishery are within limits of national and international requirements for protection of ETP species, and a “high degree of confidence” that there are no significant detrimental effects (direct and indirect) of the fishery on ETP species. A score of 80% indicates the effects of the fishery are known and are “highly likely” to be within the specified limits, and that direct effects are “highly unlikely” and indirect effects are “thought to be unlikely” to create unacceptable impacts to ETP species. A score of 60% indicates that known effects of the fishery are “likely” to be within the specified limits, and known direct effects are “unlikely” to create unacceptable impacts to ETP species. The California protocol requires a score of at least 80%.

California Program: Additional Independent Scientific Review: The OPC Science Advisory Team will be engaged in the certification process through early consultation in reviewing minimum eligibility criteria, and review of the MSC-required pre-assessments and full assessments. These reviews will be sought in consultation with the OPC Science Advisor. The reviews will be conducted in addition to MSC’s peer review, thus bringing additional credibility, transparency, and independence to California’s certification process. The team may also be engaged to help prioritize fisheries for certification assistance.

California Program: Additional Traceability Components: Verifying the seafood industry supply chain is a critically important component to any “eco-label” program. In order for California to have a robust and transparent seafood certification program, being able to trace the fish back to the fishery is paramount. The commercial fish distribution chain is complex and poorly understood by most Americans. Fish being sold in the United States is often caught, trans-shipped at sea, landed in a port, sent to another country for processing, reloaded on a cargo ship, and sent to another country for post-processing before finally arriving at a local distributor to sell to a local market.⁸ Such complexity has created a situation where it is difficult to know whether fish being sold as “sustainable” is in fact derived from a sustainably-managed stock. Thoughtful design and management of traceability and a fish tracking system are not only important for a robust certification system, but also to bolster consumer confidence and knowledge in addition to maintaining standards.

California fisheries that are certified as sustainable will comply with the MSC “chain of custody” standards for traceability.⁹ The California program will also include an innovative and additional traceability component that will distinguish California fisheries from other MSC certified fisheries on the basis of increased tracking and data transparency from ship to plate. It is envisioned that one of the mechanisms for tracking traceability will be a unique barcode on each certified California fishery package. This barcode can be either scanned by a smart-phone or linked to a website that will reveal a host of details, such as the name of the vessel or

⁸ Hepp, Jill. “Understanding the role of fisheries traceability and the connection to certification in light of recent IUU policy developments.” Paper presented at the annual meeting of the International Marine Conservation Congress, George Madison University, Fairfax, Virginia, May 2009.

⁹ [MSC Chain of Custody Standards](#). Date of issue: 1 May 2010

fisherman who caught the fish, what type of gear was used to catch the fish, the port it was landed in, scientific name of the fish, and other unique information about the fishery. The OPC will also make available information to be displayed at retail seafood counters or other appropriate venues to help inform consumers about the sustainable seafood product.

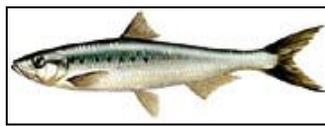
California Program: Eco-Label/Logo: The California label may include the MSC label, an indicator that the product is from California, and additional traceability information such as the name of the port where the seafood was landed. Staff anticipates that information will be available on a website and accessible via a bar code on each California Sustainable Seafood Program-Certified product or package. OPC staff will consider requiring fees and royalties, similar to the MSC program described above. Revenue generated from the program may be used to continue assistance with certifications. Staff will bring any proposal for use of revenue generated from the program back to the OPC for concurrence.

The graphic below provides an example of the type of information that may be shown on the California label. The graphic is not intended to represent the actual label or logo; elements may be used as a starting point to develop the logo, the design of which will be selected by the Council Secretary with input from the advisory panel.

California Sustainable Seafood

CALIFORNIA Sardines – (*Sardinops caerulea*)

PORT: Morro Bay
Fisherman: Bruce Steele



The intent is that consumers can use a smart phone to click on barcode to retrieve traceability aspects, or later visit the website and enter the barcode there for more information.

- Promotion of California Coastal Communities
 - List the port of origin
 - Landed in California/California permit holder
 - Links to a community fishing organization (CFA)
- Fishing technique used/gear type
 - Hook and line, traps, selective trawl, etc
 - Area where fish was caught
- Who caught the fish
 - Name the captain, and/or fisherman /vessel
 - Link to Community Fishing Association website
 - Link to fishery website
- Date caught
- Species Information

- Scientific name/more specific information about the fish caught
For example: California Chinook Salmon – *Oncorhynchus tshawytscha*
- Food Safety Information
 - OPC staff will work with staff from the Office of Environmental Health Hazard Assessment, the Department of Public Health, the Department of Fish and Game, the State Water Resources Control Board and others to provide information that informs the public about seafood toxicity issues
- Links to social media and websites
 - Link to a Facebook page where the consumer can become a “fan” of CA fish
 - Links to research on fisheries issues
 - Link to state and federal fishery regulations

California Program: Marketing Assistance

As specified in AB 1217, the California program will assist certified fisheries in marketing their products. OPC staff will develop the marketing assistance program for California-certified fisheries in consultation with the California Department of Food and Agriculture. This protocol will be updated to provide details about this program once it is developed.

California Program: Toxicity: According to the Institute of Medicine of the National Academies, fish and shellfish are low in saturated fat, contain omega-3 fatty acids, and are an important part of a healthy diet that can contribute to heart health and proper growth and development in children. However, there are a number of contaminants that may be associated with seafood, including chemicals, metals, and potentially harmful microbes.¹⁰ Acute toxicity could result from consuming shellfish or finfish that have ingested naturally-occurring marine toxins (produced by phytoplankton) such as paralytic shellfish poisoning (PSP) toxins and domoic acid.¹¹ Although they result in immediate and severe consequences (such as vomiting, diarrhea, numbness, dizziness, paralysis, coma, or even death), cases of acute toxicity from ingesting seafood are relatively rare.¹² Cumulative toxicity could result from ingesting contaminants such as mercury over time, which can bioaccumulate and eventually lead to adverse health effects. This type of toxicity can be avoided through development and application of guidelines (e.g., the EPA and FDA determine threshold amounts tailored to the various sectors of the human population) and warning labels.¹³ It is worth noting that the vast majority of illness from ingesting seafood results from improper handling of food which allows harmful bacteria to grow.¹⁴

Currently, there is no consistent statewide monitoring system in place to test for most of the

¹⁰ <http://www.iom.edu/Reports/2006/Seafood-Choices-Balancing-Benefits-and-Risks.aspx>

¹¹ <http://www.who.edu/filesserver.do?id=47319&pt=10&p=18553>

¹² For example, see the following article containing statistics for cases in Alaska: Dr. Brad Gessner, “Epidemiology of Paralytic Shellfish Poisoning Outbreaks in Alaska,” Section of Epidemiology, Alaska Department of Health and Social Services (<http://seagrant.uaf.edu/features/PSP/PSP.pdf>).

¹³ See the following examples: (1) <http://www.fda.gov/Food/FoodSafety/Product-SpecificInformation/Seafood/FoodbornePathogensContaminants/Methylmercury/ucm115662.htm>. (2) <http://www.epa.gov/mercury/advisories.htm>.

¹⁴ <http://foodsafety.gov/poisoning/causes/index.html>.

toxins that could cause a health concern to humans. Although not specifically called for in AB 1217, staff will work with the state and federal agencies that have the regulatory authority for and knowledge of addressing toxicity issues to ensure that the best information available on marine fisheries toxicity is made accessible to the public because toxicity is an important part of consumer choice. Specifically, OPC staff will work with staff from the Office of Environmental Health Hazard and Assessment (OEHHA), which already provides fish consumption advice for many water bodies in California (<http://www.oehha.ca.gov/fish.html>), the Department of Public Health (DPH), the Department of Fish and Game (DFG), the State Water Resources Control Board (SWRCB) and others to provide information that informs the public about seafood toxicity issues (e.g., through scanning a barcode on the California eco-label, which would provide links to additional detailed information on toxins using the best available information).

OPC staff will also use the best information available to date to consider toxicity when initially evaluating eligibility for certification under California's program. Generally, fisheries will be eligible for certification under California's program if there are no known reasons to expect significant and unavoidable toxicity issues (e.g., the fishery represents species that are low on the food chain and do not present bioaccumulation concerns, or potential toxicity can be decreased to levels that are insignificant via adherence to consumption guidelines). Staff will refer to federal or state standards when and where they are available, and will consult with experts from or directed by the OPC's Science Advisory Team. If a program that tests marine fish is eventually developed, results from that program will be factored in once the program is developed and can provide adequate data, but implementation of AB 1217 will not be put on hold until such results are available.

California Program: Eligibility and Limitations

Eligibility for certification under California's program extends to 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. This eligibility criterion considers the benefit to California's shoreside communities as well as its fishermen.

Per Public Resources Code Section 35617(c), seafood produced through aquaculture or fish farming will not be eligible for certification under the California protocol until nationally- or internationally-accepted sustainability standards have been developed and implemented.

California Program: Updates

Over the course of the advisory panel meetings and protocol development, it became clear that a constraining factor was AB 1217's requirement that the California's protocol conform to specific principles and meet or exceed the *Guidelines for the Ecolabeling of Fish and Fishery Products from Marine Capture Fisheries*.¹⁵ Although OPC staff determined that it was not cost- or time-effective to delay implementation of AB 1217 while creating a non-MS-C-based protocol that met these requirements, the OPC does recognize that there are advisory panel members and others willing to work with OPC staff to develop a non-MS-C-based protocol, incorporating input already provided by the panel as a starting point. The OPC therefore explicitly acknowledges that this protocol may be updated to include parallel paths to obtaining certification if and when alternatives that meet the requirements of AB 1217 are developed.

¹⁵ Promulgated by the Food and Agriculture Organization of the United Nations (FAO).

This protocol may be revised periodically to add alternative paths to certification under California's program, and to make adjustments as needed to ensure the protocol is working effectively (OPC staff will periodically evaluate California's program once enough participants and information exist to conduct an evaluation).

~~The MSC program requires that a fishery become re-certified every five years. In addition, this protocol may be revised periodically.~~

California Program: OPC's Role:

Public Resources Code Section 35617 states that the OPC shall develop and implement a voluntary sustainable seafood program for California. In addition to a California protocol, the program is to consist of a competitive grant and loan program in years when funds are available to assist qualified California fisheries in obtaining the California voluntary sustainable seafood program certification (e.g., assistance with pre-assessments, initial certification, and/or re-certification) and in marketing their products. In providing funds, the OPC may serve as a co-client with a fishery in seeking a pre-assessment or full assessment under the program. As such, the OPC would have a voice in selecting the certifier and in the development and implementation of the assessment.

In addition, OPC staff anticipates leading design of a traceability program and label or labels that may be used exclusively to identify seafood certified under the California protocol, and developing the marketing assistance program for California-certified fisheries in consultation with the California Department of Food and Agriculture. OPC staff may also assist with facilitating independent scientific review as part of the certification process.

The OPC will vote to authorize funding for grant and loan programs, to concur with grant and loan awards, to become a co-client, and to certify or recertify any particular fishery. All authorizations and actions will be made in a public meeting (which will be properly noticed and will provide opportunity for public comment on the fishery).

II. California Program - Process For Certification

Step 1: Evaluation to meet a minimum criteria

Potential OPC Role: Staff assistance and/or funds toward completing the evaluation

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

- Support from the state or federal management agency: California Department of Fish and Game (CDFG) and/or the Pacific Fishery Management Council (PFMC);
- Existence of a feasible 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 fishermen hold California commercial fishing permits
- Fishery is not listed on a federal- or state-endangered or threatened species list.

- There are no known reasons to expect significant and unavoidable toxicity issues (e.g., the fishery represents species that are low on the food chain and do not present bioaccumulation concerns, or potential toxicity can be decreased to levels that are insignificant via adherence to consumption guidelines).

If a fishery meets all of these minimum criteria, it can move on to Step 2, “Become Certified under the California Program.”

Step 2: Become Certified under the California Program (which incorporates the MSC Program)

Certification to the MSC environmental standard is a multi-step process that is carried out by an independent organization known as a certifier (also called a third party certification body). Certifiers must be accredited by Accreditation Services International, and are appointed by the fishery. Once appointed, the assessment process can proceed as follows.¹⁶

Step 2.1: Pre-Assessment

Potential OPC Role: Action at an OPC meeting to authorize funds for grants or loans; action at an OPC meeting to concur with grant or loan award selection, and possibly serve as a fishery co-client. (Note: Although pre-assessment reports are generally kept confidential when fisheries are undergoing the MSC certification process, they may be subject to public disclosure if publicly-funded).

The fishery will undergo a pre-assessment in which third-party certifiers evaluate at a provisional level a fishery’s performance against the MSC fisheries standards and the more stringent California standard set for the performance indicators of “stock status” and “by-catch of ETP species.” The pre-assessment identifies potential issues in a fishery’s performance, and enables potential fishery clients to prepare accordingly for a full assessment. The resulting report prepared by the certifier indicates whether the fishery is ready for full assessment, could be made ready, or requires significant reforms. At a minimum, the report will provide the following information: A preliminary assessment of the extent to which the fishery meets the MSC standard, an evaluation of the fishery’s state of preparedness for full assessment, a review of the availability of required fishery data and information, identification of stakeholder interests that should be considered in a full assessment, a determination of the scope of the full assessment, a description of the unit of certification, and a description of potential obstacles or problems that may present a barrier to certification. The pre-assessment process will include additional review coordinated by the OPC Science Advisor, and engagement of the OPC Science Advisory Team, where appropriate.

¹⁶ See the MSC website (<http://www.msc.org/>) for more detailed information on their certification process, particularly their guidance brochure entitled *Get Certified! Fisheries: A practical guide to the Marine Stewardship Council’s fishery certification process.*

Step 2.2: Full Assessment

Potential OPC Role: Action at an OPC meeting to authorize funds for grants or loans; action at an OPC meeting to concur with grant or loan award selection, and possibly serve as a fishery co-client.

The fishery will undergo a full assessment, which is the detailed, public, rigorous process that a third-party certifier will follow to determine whether the fishery meets the MSC standards and the more stringent California standard set for the performance indicators of “stock status” and “by-catch of ETP species”. The process starts when the fishery client (the OPC and a fishery may serve as co-clients) signs a contract with the certifier and the certifier notifies the MSC that the fishery is entering full assessment. The full assessment process will include additional review coordinated by the OPC Science Advisor, and engagement of the OPC Science Advisory Team, where appropriate. Steps through the full certification process are as follows.

- Preparation: The MSC recommends a fishery prepare for full assessment by communicating with colleagues, agencies and buyers; applying for grants; appointing a project manager or steering group; and making contact with stakeholders to encourage participation in the assessment process.
- Full assessment: This is a seven-step process to determine whether the fishery meets the MSC standard. The process is led by the appointed certifier and its expert assessment team. It involves consulting with stakeholders, reviewing performance indicators, scoring the fishery, identifying ways that the fishery can strengthen its performance (if needed), peer review, and making a final determination about whether the fishery meets the MSC standard. Step seven consists of the certifier issuing a public certification report and receipt of the MSC certificate. This is an intensive process that calls for a high level of information to be provided by the fishery and others.
- Post-Assessment: The fishery must arrange for an annual audit of the fishery over the five-year period of fishery certification.

Step 2.3: OPC Concurrence

Potential OPC Role: Action at an OPC meeting to concur with a fishery’s certification under the California program.

The fishery’s certification under the California program will come before the Council at one of its regularly-scheduled meetings for concurrence. The item will be properly noticed consistent with OPC meeting protocol, and time for public comment will be provided at the meeting.

Step 3: Traceability

Potential OPC Role: Development of a traceability program and California eco-label; authorization of funds to administer the program.

The fishery must participate in the traceability program developed by OPC staff (e.g., work within specified program requirements for providing port, landing, and other data). This protocol will be updated to include more specific information about participation once the

traceability program and eco-label are developed.

Step 4: Marketing (Optional for Fisheries)

Potential OPC Role: Development of a marketing assistance program in consultation with the California Department of Food and Agriculture; authorization of funds to administer the program.

The California-certified fishery may choose to apply for assistance in marketing its products. This protocol will be updated to provide details about this marketing assistance program once it is developed.

Step 5: Recertification

Potential OPC Role: Action at an OPC meeting to authorize funds for grants or loans; action at an OPC meeting to concur with grant or loan award selection, and possibly serve as a fishery co-client.

A recertification assessment typically begins about four years after the fishery's certification. The recertification assessment process follows the same steps as the fishery's original assessment process.