

National Marine Fisheries Service
Terms of Reference: NMFS –MAFAC Working Group on Seafood Certification

Purpose: The workgroup is being formed to support the May 2012 MAFAC action agreed to by the Commerce Subcommittee to flesh out a framework for a NOAA certification mark/or other acknowledgment for use on or with all domestic fishery products (commercially wild harvested or aquaculture produced).

Summary of Objectives:

- Identify a US seafood certification framework including program costs, and options and a recommendation for how to pay for it (e.g., fee for service? Government funded?)
- Identify certification criteria/standards
- Develop an agenda action for the October 2012 MAFAC meeting.

Approach and Function: MAFAC most recently discussed seafood certification issues at its May 2012 meeting, noting the number and wide variety of certification programs; the disparity in criteria used; the confusion multiple certifications can cause for customers; and the limitations of current certification programs (some are limited to wild harvest or only certain farmed species; are not available to all producers; and costs can be prohibitive for small-scale fishermen or farming operations).

In the past, MAFAC has requested NMFS to establish a federal certification mark (see July 2008 MAFAC meeting reference below). NMFS identified several legal/policy and financial impediments to implementing such a recommendation.¹ In lieu of a mark, NMFS has adopted a policy of endorsing fisheries as compliant with the MSA 10 national standards for fishery conservation and management.

MAFAC decided in May to flesh out a framework for a NOAA certification mark/or other acknowledgment that certifies sustainability and origin for use on or with domestic fishery products whether commercially wild harvested or produced through sustainable aquaculture meeting U.S. national standards and regulations. NMFS Policy staff will assist the Subcommittee and work with the Subcommittee Chair to provide background materials for discussion. The agency will identify additional NMFS staff to engage on the topic beyond the Policy Office and form a joint work group. The resulting outcome

¹ For example, any label program would require funds for designing, implementing and managing the program that are not currently available. Chief among these costs are those associated with maintaining the integrity of the “brand” by policing and enforcement of only legitimate use the label, presumably through a traceability program. There are several issues associated with leakage of uncertified product into the system and fraudulent use of a label. Second, while NMFS has adopted through policy the MSA National Standards as the criteria for a sustainable fishery managed under the MSA, state and internationally managed fisheries, and all aquaculture products are not covered by these criteria. Third, NMFS has agreed via a policy endorsement to the FAO approach/standards for third-party certification measures, rather than second party (government rating of the industry) standards.

would have NOAA promote and communicate its effort to the public and industry through FishWatch or other suitable communication tools.

Scope of Team: The Commerce Subcommittee chair will identify the final list of MAFAC members interested in serving on the workgroup. The agency will appoint members from: the offices of Sustainable Fisheries, Seafood Inspection, International Fisheries, Aquaculture, Communications; senior advisors to the Assistant Administrator; and others as necessary.

Organization and Reporting: The Commerce Subcommittee chair will lead the workgroup and will be supported by Policy Office staff. The recommendations will be reported back through the full MAFAC Committee to the NMFS Assistant Administrator and NOAA Deputy Secretary.

Funding: The majority of work will be conducted by email and teleconference. Travel, if necessary, of NMFS members will be borne by the individual's office; MAFAC member travel will be covered by the Office of Policy. No other funding is required.

Duration: The work group will be established for 6 months from the approval date of this Terms of Reference, with an option for another 6 months based on mutual consent of the MAFAC Chair, Commerce Subcommittee chair and the NMFS Assistant Administrator.

References:

May 2012 MAFAC Annotated Agenda

http://www.nmfs.noaa.gov/ocs/mafac/meetings/2012_05/docs/mafac_annotated_agenda_seafood_certification_v3.pdf

July 2008 MAFAC Annotated Agenda

http://www.nmfs.noaa.gov/ocs/mafac/meetings/2008_07/docs/MAFAC_Ecolabeling_Agenda_v2.doc

NOAA Policy Directive 30-122

<https://reefshark.nmfs.noaa.gov/f/pds/publicsite/series.cfm?ID=30>

Draft Revised Policy from 2008

http://www.nmfs.noaa.gov/ocs/mafac/meetings/2012_05/docs/30_122_revision_11_10_markup.pdf

FAO Guidelines for the Ecolabelling of Fish and Fishery Products from Marine Capture Fisheries Revision 1

<http://www.fao.org/docrep/012/i1119t/i1119t00.htm>

FAO Technical Paper 422 Product certification and ecolabelling for fisheries sustainability

<http://www.fao.org/docrep/005/y2789e/y2789e00.htm>

USDA Country of Origin Labeling

<http://www.ams.usda.gov/AMSV1.0/cool>