

Annotated Agenda
MAFAC Meeting – May 9 – May 10, 2013
Washington, DC

1. Title of Discussion: Seafood Certification

2. Presenters: **Kerry Coughlin**, Regional Director - Americas, Marine Stewardship Council
Molly Metcalf, North American Business Development Manager for Global Aquaculture Alliance
Thor Lassen, President, Ocean Trust
Laurel Bryant, Chief of External Affairs, NOAA Fisheries

3. Objective/Purpose [Informational & Action]:

- Present an in-depth panel discussion on seafood certification and what, if any, role may be appropriate for the Federal government to play in this arena.
- Deliberation by the Certification Working Group on next steps and timeline

4. Background/Synopsis:

MAFAC has visited the topic of seafood certification at several previous meetings (see: October 2012, [May 2012](#), [November 2008](#)). Seafood certification is a highly complex issue of importance to a wide range of stakeholders within NOAA's purview. In the last several years, the number of sustainable seafood certifications (and guides) to assist consumers and buyers with their "sustainable seafood" choices has increased, as have the number and frequency of questions about NOAA's role. The purpose of the discussion panel is to assist the Committee and a joint MAFAC-NOAA Fisheries working group (see: [Terms of Reference](#)) on its deliberations about the potential creation of a NOAA certification mark or other acknowledgement that certifies sustainability and origin for use on or with domestic wild caught or aquaculture fishery products.

The Working Group has been gathering information to inform their future advice to NOAA on a recommended federal role in seafood certification. One of the Working Group's objectives is to collect information from stakeholders who are directly involved in the purchasing of seafood for restaurants, supermarkets and other retail, food service and institutions to get their views on certification and the preferred role of the federal government. To this end, in March 2013 MAFAC members Keith Rizzardi and Bob Rheault met with 11 small groups of industry representatives in a series of informational and exploratory conversations at the Boston Seafood Show. Outreach to gather additional input from buyers of domestic seafood is in progress.

Background on NOAA Fisheries Policy

In 2005, NOAA Fisheries developed a policy ([30-122](#)) to clarify its role and responsibility to private sector certification of sustainable harvest practices for specific U.S. seafood products or fisheries. It is NOAA Fisheries policy to neither endorse nor participate directly or indirectly in the private sector certification of fisheries. Rather, as a nation, the Magnuson Stevens Act provides the framework to achieve sustainable fisheries by meeting its ten National Standards. In 2008, the policy was proposed to be [revised](#) to allow the agency, at its discretion, to issue a declarative public statement on whether a particular fishery was "sustainably managed" in response to an agency request based on the National Standards premise in the original 2005 policy. This approach was proposed and supported by MAFAC in lieu of pursuing a federal label or mark to be displayed on final sale products. The proposed revision was not enacted because, while there would be ample evidence to support the conclusion that a fishery met the ten National Standards, there was no legal basis in the Magnuson

Act for equating this to a definition of “sustainably managed” and therefore the proposed revision did not proceed.

Although this policy has not been modified, stakeholders continue to put pressure on NOAA to clarify its role in sustainable seafood certifications. Perspectives span widely, ranging from a desire for the Federal government to remain uninvolved to requests for NOAA to regulate the use of “sustainability” in the same or similar way the U.S. Department of Agriculture enforces the term “organic.” Regardless of what direction NOAA takes – whether it stays its course or seeks the legislative authority to regulate the term – its action(s) will have implications for stakeholders.

5. Options listed from 1 to n:

N/A

6. Preferred Recommendation (Include action/product/decision needed; responsible/accountable party; date/timeline/schedule for action):

Record of Decision:

Decision, Next Step(s) and/or Action:

Assigned to:

Due Date: