

### Interpretation Question 007: Use of ASC/MSC logos in under assessment farms

**What actions should the CAB undertake in cases where applicants are using the ASC/MSC logos prior to being certified. Clauses in the CAR are unclear about this.**

Clause requires 7.1.2 The CAB shall send the following to applicants in a language appropriate to the applicant:

- a. A copy of the CAB's standard audit and certification contract, and
- b. Information about the use of the MSC/ASC label/s, including:
  - i. The website where the rules for the MSC/ASC label/s may be found, and
  - ii. An explanation that a MSC/ASC label licence agreement will be required with the MSC and/or ASC prior to the use of the label/s.

#### **Response:**

The intent of the ASC and MSC is that applicants **shall not use the ASC/MSC logos until the operation is certified** and that CABs verify if an applicant has used the trademarks without a licence prior to being certified. If the applicant has used the trademarks without a licence agreement the CAB shall raise a non-conformity and instruct the applicant to immediately cease use of the trademarks.

These requirements should have been explicit in the requirements as they are in [Section 4.9 Control of certified trademarks and CAB logo claims in the MSC General Certification Requirements v2.4.1](#). When the standard was released, it was acknowledged that additional guidance and interpretations may be needed during implementation if some requirements were not clear. In future versions of the requirements Section 7.1 and clause 7.1.2 will be revised to clarify the use of trademarks by applicants and incorporate the omitted requirement of Section 4.9 of the MSC [General Certification Requirements v2.4.1](#).

As the intent of the requirements is that applicants shall not use the ASC/MSC logos; and recognizing that the current requirements are not clear, the following interpretation has been issued.

Until the CAR is revised the CAB should raise non-conformities against clause 7.1.2, noting the addition highlighted below:

7.1.2 The CAB shall send the following to applicants in a language appropriate to the applicant:

- a. A copy of the CAB's standard audit and certification contract, and
- b. Information about the use of the MSC/ASC label/s, including:
  - i. The website where the rules for the MSC/ASC label/s may be found, and
  - ii. An explanation that a MSC/ASC label licence agreement will be required with the

**If the applicant has used the trademarks without a licence agreement or sold products as certified prior to being certified, the CAB shall raise a non-conformity, and instruct the applicant to immediately cease use of the trademarks and selling products as certified.**