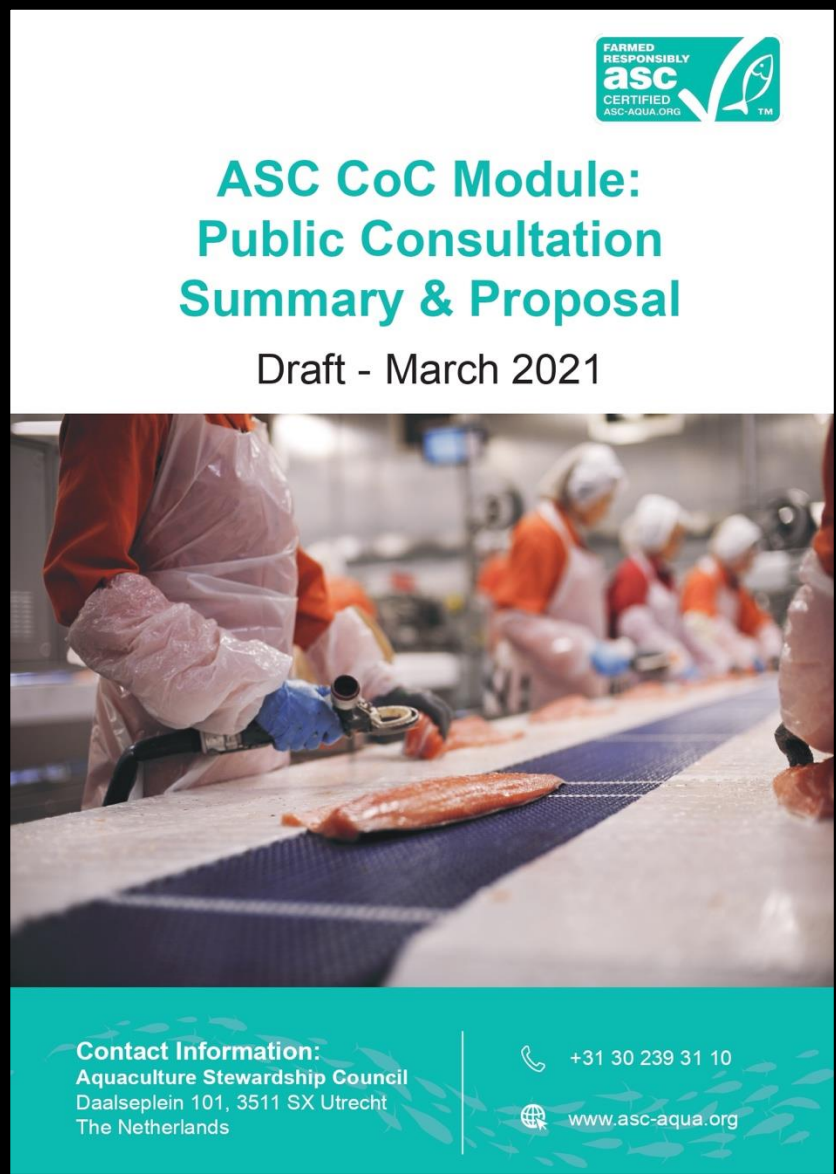


**ASC CoC Module:  
Public Consultation  
Summary & Proposal  
Frequently Asked Questions (FAQs)**

March 8 – May 7, 2021 Public Consultation



**FARMED RESPONSIBLY  
asc  
CERTIFIED  
ASC-AQUA.ORG**

**ASC CoC Module:  
Public Consultation  
Summary & Proposal**

Draft - March 2021

**Contact Information:**  
Aquaculture Stewardship Council  
Daalseplein 101, 3511 SX Utrecht  
The Netherlands

+31 30 239 31 10

[www.asc-aqua.org](http://www.asc-aqua.org)

## ASC Chain of Custody (CoC) Module– FAQs

### **1. Why is ASC introducing additional CoC Standard requirements?**

The additional requirements are part of a new suite of assurance activities and tools to address emergent issues such as seafood fraud, food safety and use of substances such as antibiotics. Additional requirements are also needed partly due to inherent differences in producing farmed vs wild seafood, such as human-managed inputs and controlled environments. The new requirements aim to reflect global best practice and incorporate innovation by providing for the use of technology such as digital traceability and product authentication techniques.

### **2. What is the timeline for the ASC CoC Module development and release?**

The proposal is open for public consultation from 8 March to 7 May 2021. Requirements will be revised and improved as appropriate based on feedback from consultation. The revised requirements will be submitted to the ASC Technical Advisory Group for approval in early 2022. Pending approval and any further revisions required, the ASC CoC Module final version will be released in approximately the 1<sup>st</sup> quarter of 2022. The effective date will be six to twelve months after release (subject to feedback received) to allow adequate time for certificate holders, certification bodies and other stakeholders to prepare for implementation

### **3. Which CoC documents are affected by the proposed requirements?**

Changes are proposed to the three versions of the CoC Standard (Default, Group and Consumer Facing Organisation), CoC Certification Requirements, General Certification Requirements and Vocabulary. Changes will also need to be reflected in relevant sections of the audit checklist.

### **4. How did the ASC identify the areas where additional requirements are proposed?**

The requirements were developed through an iterative process that started in 2019. A desired

list of issues to be addressed was collated, followed by a series of internal ASC discussions and iterations of proposed draft clauses. The issues focused on challenges highlighted by ASC partners, certificate holders, stakeholders' previous inputs and ASC's own experience. Some issues raised included the need to:

- add more “teeth” to the programme to allow stronger response when problems arise,
- manage cases when antibiotics are detected in ASC shrimp (though cases are becoming less frequent),
- mitigate risk of seafood fraud and mislabelling,
- respond when organisations or products are not legally compliant or are not in conformance with ASC requirements,
- increase checks of physical products, and
- identify new ways to provide assurance.

## **5. What are the implications of the ASC CoC Module?**

ASC CoC holders will need to comply with the new requirements detailed in the proposal in addition to the existing MSC CoC requirements. CABs will need to audit the new requirements in addition to the MSC requirements at CoC audits. Integrity of ASC certified products will be improved as a result, providing more value and a higher level of assurance to programme participants and customers who rely on the ASC logo.

## **6. Does the ASC CoC Module apply to all types of CoC certificates, including Group and CFO?**

Yes, the CoC Module will apply to all types of CoC certificates. However, certain clauses will only apply to specific activities (e.g. GFSI for processors and packers) or to companies that buy directly from farms.

## **7. Which companies will need to get GFSI-recognised scheme certification in order to maintain CoC certification?**

This requirement would apply to CoC certificate holders with at least one of the following

activities in scope: processing, contract processing, packing or repacking. These activities are defined in the current CoC Certification Requirements v3.1, Table 4. Activity scope definitions. Only sites that perform the specified activities would need to be covered by GFSI-recognised certification.

### **8. If my company does not have GFSI-recognised certification, would other food safety certifications be recognised, e.g. ISO 22000?**

In the current proposal, only schemes recognised by GFSI on the [GFSI website](#) are accepted. If you have ISO 22000, the most similar GFSI-recognised scheme would be FSSC 22000, which is based on ISO 22000 and includes many of the same elements. ASC certified products would also need to be compliant with applicable food safety laws and regulations.

### **9. Why did ASC select GFSI-recognised schemes only?**

The Consumer Goods Forum (CGF) Global Food Safety Initiative (GFSI) was created in 2000 to help build consumer trust in the safety of the food they buy. Food safety schemes recognised by GFSI have been successfully assessed against one of the world's most widely-accepted benchmarks for food safety programmes. Recognition by GFSI ensures high quality and consistency in the content and application of each recognised standard. GFSI is open to any schemes that wish to enter the benchmarking process.

### **10. If we are a trader, but use a contract processor, would GFSI-recognised scheme certification be required for the contract processor rather than us as the trading company?**

Yes.

**11. Has it been considered to allow a joint audit process for CoC and GFSI-recognised schemes to optimise the certification process?**

ASC recognises and supports efficiencies gained by joint audits. There is nothing to prevent joint audits currently. ASC is also exploring the possibility to develop joint audit checklists to facilitate combining audits.

**12. What happens if my GFSI-recognised scheme certificate lapses or becomes invalid?**

This would cause the ASC CoC certificate to be suspended until the GFSI-recognised scheme certificate becomes valid again. If you also handle MSC product, only the ASC scope will be removed, and the MSC CoC certificate will remain valid.

**13. Does the proposal for ASC to define ineligibility criteria affect the third-party independent nature of the ASC programme?**

Ineligibility criteria would be defined transparently and applied consistently, to ensure that all certificate holders (or applicants) are affected equally and openly. The criteria are expected to be used in rare cases of fraud, illegal activities, or serious reoccurring non-conformance. In such cases, it is important to ensure that companies that do not operate responsibly are not associated with the ASC programme.

**14. Will the proposed requirements have an impact on my MSC CoC certificate?**

No, the ASC CoC Module requirements are only applicable to ASC CoC certificates. If a certificate is suspended due to an ASC CoC Module requirement, the MSC CoC certificate is not affected

## 15. How does the new proposed clause below differ from clause 3.1 and the associated guidance in the existing CoC Standard v5.0?

Existing CoC Standard v.5.0:

3.1 There shall be no substitution of certified products with non-certified products.

### Guidance 3.1

This includes products sold as certified that are not eligible to be sold as certified by the farm, based on the requirements of the farm standard. These are non-certified even if from a certified farm.

ASC proposed changes:

***“[Add new proposed clause:] The organisation shall implement an effective system to ensure product conformance with specifications in the relevant ASC standard(s) at all times while the products are under its ownership.*”**

***[Add new proposed guidance to above clause:] For example, this could include product testing, quality checks of incoming and outgoing product and/ or during handling and processing, risk assessment, due diligence etc. “Specifications” refers to product-specific requirements in applicable ASC farm standards. For example, this could include presence and/or level of antibiotics.”***

Products sold as ASC certified are expected to be compliant with the ASC farm standard for the relevant species. This is currently indicated by Guidance 3.1. The new proposed clause elevates this from guidance to make it an explicit requirement. CoC certificate holders are responsible for ensuring product compliance, though the way they achieve this is flexible provided the system is effective. This is consistent with the overall approach of the CoC standard to have “effective systems in place” that are suitable to the certified organisation. Auditors are not expected to audit aspects of the relevant farm standard at CoC audits. However, this clause is available to be used for non-conformities if it is needed.

## 16. Will there be a transition period for companies who are currently ASC CoC certified to be able to meet the new requirements?

Yes, there will be a six to twelve month period after release of the ASC CoC Module before the new requirements become effective and mandatory, giving companies a period of time to

be able to comply. The amount of transition time provided will be determined following input from this public consultation, based on the indicated degree of impacts.

## **17. Why is ASC adding these requirements, but MSC is not?**

MSC recognises ASC's need to respond to aquaculture's shifting market requirements. MSC is supportive and directly collaborating with ASC on the ASC CoC Module on policy development. A number of ASC proposed requirements have also been identified as topics for future policy consideration including for wild caught and aquaculture supply chains. However, the changes from the MSC CoC programme review concluded in 2019 are still being implemented by global businesses and monitored by the MSC. Many of the ASC proposals are specific to aquaculture, and align with the direction of the ASC Aligned Farm Standard in development, and do not immediately reflect needs of the wild capture sector. Internal research is underway, but MSC is not currently planning active policy development or changes in the wider CoC programme. The ASC CoC Module proposals will apply to ASC CoC certificate holders only, and their adoption will be evaluated as part of the next CoC Standard Review proposed for 2022. MSC will liaise with ASC to understand the impact on supply chain and logo integrity, and will consider this during the next CoC Standard revision.

## **18. What is MSC doing about the additional ASC requirements relating to fraud, food safety, and electronic traceability?**

MSC has identified fraud mitigation, food safety and electronic traceability as some of the key areas for research and policy consideration. MSC is exploring alternative mechanisms outside of the Standard and Certification Requirements, for example through assurance mechanisms to ensure the MSC programme and logo integrity is maintained without adding to CHs and CABs audit burden. However, these new research areas are following a longer timeframe and are not yet ready for public feedback in 2021.

## **19. How is ASC ensuring the consultation process is transparent and open to all?**

ASC is seeking feedback from a wide audience including existing and potential ASC CoC

certificate holders (including those who also handle MSC products), certification bodies, ASC programme stakeholders and subject matter experts. Input is sought on the impact, value and logistics of implementation of the proposed new requirements. Consultation methods include seeking comments on the ASC website, supported by an [online survey](#). Existing communication mechanisms are also used to raise awareness of the proposal, e.g. regular calls, newsletters, and ASC marketing team engagements with stakeholders. This supplemental targeted messaging has been developed to support consultation. Targeted workshops will also be held with CABs and/or ASC partners to ensure representative feedback is obtained. All comments are appreciated and will be given due consideration.

### **Additional FAQs from public Q&As sessions held 14th April 2021:**

#### **20. What are the audit expectations in relation to the proposed Fraud Vulnerability Assessment?**

The relevant clause provides the following guidance:

*Auditors are expected to confirm the fraud vulnerability assessment has been fully completed, is up to date and that results are consistent with their knowledge of the organisation from the audit process and from basic internet research to gather relevant information, such as regarding company structure and policies, key individuals, media articles, criminal offences and court cases (ongoing or concluded). Information may be gathered or requested in advance of the audit. Evidence of the auditor's findings and conclusions are to be provided in the audit report. Auditors can refer to [GFSI guidance on auditing FVA and intervention plans here](#).*

The auditor should confirm the assessment covers all relevant activities, sites and species. Further guidance may be developed following consideration of public consultation feedback.

#### **21. What are the audit expectations in relation to the proposed requirements for legal compliance and conformance with ASC standards and requirements?**

These are intended to be 'passive' clauses, which means the auditor is not expected to actively verify them at every audit. Instead, these clauses are available in case the auditor becomes aware of a non-conformity. A related clause proposes that organisations must implement an



effective procedure to inform their CAB of any non-compliance or non-conformance with any relevant applicable laws, regulations, ASC standards and/ or requirements within two days.

**22. Will ASC CoC certification still be able to be obtained through a scope extension to MSC?**

Yes, a scope extension to cover ASC CoC may still be obtained according to the current process under the CoC Certification Requirements v3.1 clause 11.2.5. This requires the CAB to review available information and decide if on-site audit is needed. It is expected such scope extensions could often be achieved remotely, subject to the CAB's decision.

**23. What is the reason for the proposed requirement to enter audit dates in advance in the ASC database?**

This is intended to allow ASC or its designated agents the opportunity to plan additional assurance activities, such as observing the audit or collection of samples.

**24. Why doesn't the proposal include requirements for workers' rights or other social and labour requirements in the supply chain?**

ASC intends to apply the Social Audit Methodology previously [consulted on in 2019](#) to ASC certified supply chains. This work will progress through the ASC governance process separately to the ASC CoC Module and will be made public later in 2021.

**25. Has ASC considered the impact of the proposed GFSI-recognised scheme certification requirement on small businesses?**

Yes. Impact assessment including audit report reviews, surveys and interviews have been conducted which indicate that the majority of CoC certificate holders already have a GFSI-recognised scheme certification. This requirement is proposed to only apply to sites that perform higher risk activities, i.e. processing and packing, to reduce impacts. ASC seeks feedback on specific impacts on smaller businesses and will consider other options for these

companies if appropriate in order to ensure the program remains accessible to all types of companies.

## **26. Why does ASC propose collection of non-certified seafood samples?**

Collection of non-certified seafood is for the purposes of product authentication testing or verification of conformity and/ or compliance. It also supports the development and use of new tools which can be used to verify origin.

## **27. Would records related to non-certified seafood be required to be submitted to ASC within five days?**

The time limit has not been specified yet, but five days would be consistent with the existing clause 5.5.1.1 in the Default CoC Standard v5.0 for records of certified products. Requests for non-certified seafood records would be primarily used in specific cases of concern or if needed during an investigation.

## **28. Does the ASC CoC Module affect how CABs enter MSC and ASC CoC data into the database?**

No. There is no change proposed to how CoC data is uploaded or entered as a result of this proposal.

## **29. Does the new module mean MSC and ASC CoC is separate?**

ASC and MSC will still use a shared CoC system as per the current arrangement. The ASC CoC Module will apply only to ASC CoC certificate holders and CABs, and will be applied in addition to existing MSC/ ASC CoC requirements. It does not operate as a separate or independent module, and it does not supersede the current CoC scheme document versions that apply to MSC CoC.

### **30. Will the ASC CoC Module be audited in the same checklist as MSC CoC?**

Yes, the proposal is for the CoC audit checklist to remain one joint checklist for ASC and MSC.

### **31. If a company meets ASC's ineligibility criteria, why are they unable to be certified for 24 months instead of a shorter period?**

A period of 24 months is consistent with the existing clause 6.2.8(a) in the CoC Certification Requirements v3.1 which makes companies ineligible for certification for two years following a certificate withdrawal. ASC considers this provides sufficient time to realistically address the root cause of the relevant issue. It also acts as a deterrent to encourage companies to avoid meeting the ineligibility criteria.

### **32. If a CoC certificate is suspended as a result of suspension or termination of the Logo Licence Agreement, when can the CoC certificate be reinstated?**

Decisions on CoC certificates are made by the CAB. However, it is possible the CoC certificate could be reinstated once the LLA is reinstated or re-issued.

### **33. What is the scope of the ineligibility criteria?**

For proposed criteria such as history of repeated or systematic non-conformities, this would relate to the 'Scope of the CoC Standard', per the proposed definition. For other proposed criteria such as fraudulent or illegal activities, using forged documents or if the organisation is deemed to create a reputational risk, this could relate to seafood fraud or broader topics and would allow ASC to disassociate from such companies.

**End** - Page left intentionally blank