



# ASC CoC MODULE

## Public Consultation Feedback Summary & Revisions Report

### Summary

The ASC CoC Module proposes new requirements for CoC certificate holders and certification bodies to improve supply chain integrity of ASC certified products. [ASC released the new requirements for public consultation from 8 March to 7 May 2021](#). The consultation period was promoted through ASC's website, social media channels, emails and webinars. An online survey was developed to collect feedback. The primary aim of the consultation was to seek feedback on the impact, value and logistics of implementation of the proposed new requirements. The consultation also provided transparency on the development of ASC assurance approaches as part of best practices standards development.

### Feedback received

Over 100 responses were received from various stakeholders including supply chain companies (45%), farmers (7%), certification bodies and auditors (33%), government (4%) and NGOs (7%) and other stakeholders (19%), from various regions covering the EU, Americas and Asia. Feedback was received primarily through the online survey (94 total respondents, some incomplete), detailed emails (approximately 20), two public Q&A sessions ([FAQs subsequently updated](#)), one CAB-focused consultation workshop and numerous exchanges between companies and ASC market development and programme assurance team staff. Approximately 50% of submitters to the online survey did not give permission for their responses to be made public. ASC provided this option to respondents in this development project to ensure open participation. ASC has summarised the feedback to ensure it is clear to stakeholders how the responses link to final recommendations and decisions. Full responses where permission to publish was given are detailed in Annex 1.

### ASC feedback evaluation process

All comments received were appreciated and have been evaluated with due consideration. Proposals are being revised and improved as appropriate, as elaborated per topic in Table 1 (pg. 3). ASC's general approach is to consider feedback both individually and collectively. The aim is to minimise impacts of the Module where possible based on the overall balance of feedback, and to encourage relevant advances in audit and seafood assurance technology, resulting in efficiencies where possible. To achieve this, the most important requirements to improve assurance were prioritised, while lower priority requirements or those where impacts were determined to be unwarranted were de-prioritised. Several requirements were identified where provision of additional support to clarify ASC's intent and guidance for consistent implementation is needed. Where appropriate this will be included in the revised scheme document and implementation materials. Where high priority clauses may have high impacts on certificate holders (CHs) or Conformity Assessment Bodies (CABs), or both, ASC aims to mitigate impacts as much as possible while maintaining effectiveness and intent.



Most high impact clauses are in the process of being modified to reflect feedback, add guidance, reduce impacts and streamline clauses. A few requirements will likely be postponed for MSC CoC policy review or future ASC review.

### Key themes

The primary topics of interest and concern highlighted across the consultation feedback were:

- GFSI-recognised scheme certification
- Fraud Vulnerability Assessment and Intervention Plan
- Reporting data to ASC (introduction of submission of Key Data Elements)
- Frequency and company selection for unannounced audits
- Certificate holder responsibility for product compliance and conformance
- Auditability and
- Perception of divergence from MSC and related potential impacts.

These topics, proposed revisions and clarifications are addressed in Table 1 below.

### Next steps

The proposed revisions will be tested with a selection of certificate holders and certification bodies through pilot audits in approximately October 2021. The proposed requirements will be further refined based on feedback from the pilots. The updated requirements, reflecting input from consultation and pilots, will be submitted to the ASC Technical Advisory Group for approval by early 2022. Pending approval and any further revisions required, the ASC CoC Module final version is aimed to be released by the end of the first quarter of 2022. The effective date will be twelve months after release to allow adequate time for certificate holders, certification bodies and other stakeholders to prepare for implementation. Further updates on the development process can be found on the ASC website [here](#).

**Table 1. Consultation feedback topics and ASC proposed revisions in response**

Note on shading (number of topics): Green – no change proposed (3); amber – modifications proposed (11); red – removed (3)

Topic	Consultation Feedback	Proposed revision(s)	Clarification(s)
<b>Major items</b>			
GFSI pre-requisite  Inform CAB within 2 days if GFSI becomes invalid	Majority either have GFSI or could get it <6months, and consider the requirements apply to appropriate activities.  Concerns about reduced accessibility and exclusion of small companies. 30% of respondents who do not already have GFSI state it would be difficult to get.  Why GFSI only and not wider acceptance, e.g. particularly ISO22000, also government-based and regional schemes.	<ul style="list-style-type: none"> <li>• ASC priority to include, keep as a pre-requisite.</li> <li>• Broaden acceptable food safety schemes to include ISO22000.</li> <li>• Provide an exemption for small businesses:               <ul style="list-style-type: none"> <li>- E.g. organisations with less than EUR 1 million average turnover/ less than XX volume traded <i>or</i> less than 100 seafood-related staff are exempt (<i>final thresholds to be confirmed</i>).</li> </ul> </li> </ul>	Applies only to sites where processing and packing occurs.  ASC intends to maintain this requirement as a way to incorporate food safety for CoC by recognising existing schemes, rather than create a new set of duplicative requirements.
CAB to refuse certification of organisations that meet ineligibility criteria	Vague, would be applied inconsistently, subjective, unclear on details.	Ineligibility criteria to be defined more clearly to reduce subjectivity and clarify expectations on implementation.  Streamline/ reduce total number of clauses by introducing only the Certification Requirement (CR) for CABs (mirror clause in CoC Standard not necessary for implementation).	Action required is for CABs to check the list of ineligibility criteria defined by ASC and refuse certification if any of the criteria are applicable.
Submission of data to ASC (Key	Need clarification on what data is included, how it is submitted and who has access to it.	ASC provides <a href="#">specific data elements and format to be collected on the ASC website</a> .	Non-certified data collection would not be collected on a regular basis. It would be

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Data Elements)	Concern over requests for non-certified data infringing inappropriately into confidential company data not relevant to ASC.	<p>Consider publishing further instructions, webinar, summary etc on KDE.</p> <p>Consider clarifying estimates of when it would be phased in or become mandatory.</p>	requested only as needed to verify ASC conformance e.g. investigations.
Fraud vulnerability assessment and intervention plan	<p>More guidance needed on what is expected from companies and how CABs must audit.</p> <p>Concern about resources to support this, especially for small businesses.</p> <p>Extra audit time.</p>	<p>ASC aims to provide more guidance and reference to a wider range of existing resources, especially for small businesses or those in developing countries if possible.</p> <p>Develop ASC internal knowledge on this area, seek expert support, consider small technical working group to develop informed guidance.</p>	Important to keep this requirement to help more actively address potential fraud. ASC acknowledges there could be a medium to high impact on some companies, while others already have this in place.
<p>Organisation and certified products are legally compliant and in conformance with ASC Standards and requirements</p> <p>Inform CAB within 2 days of non-compliance or non-conformance</p>	<p>Concerns that both companies and CABs cannot be expected to know all relevant requirements in order to deliver and verify this.</p> <p>Companies do not want to be responsible for physical product testing to ensure conformity. ASC standards and system should ensure conformance already.</p> <p>Concerns about auditability.</p>	<p>Due to collective feedback, existing requirements and limitations/challenges of implementation, considering removing the third part of this requirement (system to ensure product conformance).</p> <p>Clarify expectations regarding auditing of this requirement.</p> <p>Consider drawing awareness to aspects that can limit product eligibility to be sold as certified. Strengthen this as part of new proposed requirement to check certification coverage at first step in supply chain where risk is highest.</p> <p>ASC to consider providing an annual list of requirements that can affect product</p>	<p>Proposal is to be treated as a 'passive' clause, meaning it:</p> <ul style="list-style-type: none"> <li>• is not necessary to verify compliance/ conformance as a regular part of each audit</li> <li>• if a CH or CAB becomes aware of an issue, a NC is given against this clause</li> <li>• No active change for audit</li> </ul> <p>Physical testing is not required. It was given as an example in guidance.</p>

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<p>System to ensure product conformance at all times</p>		<p>eligibility (in addition to gaps in certification), such as, but not limited to:</p> <ul style="list-style-type: none"> <li>• Shrimp Standard clause 5.3.1 on antibiotics</li> <li>• Salmon <a href="#">VR0088</a> &amp; <a href="#">VR0141</a> on maximum sea lice limits</li> <li>• Critical NCs</li> <li>• Product from sites suspended from Group and Multi-site certificates</li> <li>• Group &amp; MS products not sold through the certificate holder</li> <li>• LLA applicable</li> </ul>	<p>Non-conforming products must be reported, per existing CoC Standard section 5.4. If such product is identified, reported and the non-conforming product procedure is followed, the certificate holder is not suspended (GCR clause 7.4.13.2). Incidents will be investigated by the CAB/ASC.</p>
<p>Unannounced audits on 10% of ASC CoC clients each year. CAB to do product sampling at unannounced audits</p> <p>Clients selected for unannounced audits on risk basis provided by ASC</p>	<p>Not supported by most.</p> <p>CABs question if unannounced audits achieve intent. Problematic if sites can't be accessed or if appropriate staff not available. CABs can't recover costs if audit is unable to go ahead.</p> <p>Challenging to have different % for ASC vs MSC (MSC-only certificates may never receive unannounced audits as a result).</p> <p>Procedure for sample collection, handling and costs not provided.</p>	<p>Due to challenges in different implementation for ASC vs MSC and debate on effectiveness of unannounced audits, keep at current MSC 1% for now to maintain alignment and prevent unintended consequences on MSC-only certificate holders. Urge MSC to consider increasing % in next CoC policy review.</p> <p>However, in addition to the current 1%, ASC CoC CHs will be subject to unannounced audits <b>if</b> they are determined to be higher risk according to ASC assessment based on criteria and weightings supported in consultation. CABs may also be able to select clients for unannounced audits based on their own determination.</p>	<p>ASC is developing a risk calculator for unannounced audit selection, steered by weighted criteria. The calculator will be available at the time of implementation to identify high risk ASC CoC certificate holders for unannounced audits.</p>

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	Suggestion offered: Conduct one unannounced audit per CH in each certificate period (also done in IFS).	For sampling at unannounced audits, worded added “...if determined necessary by the CAB or ASC.”  Consider adding guidance on sample collection, handling and costs (see below).	
Collection of certified and non-certified samples for verification of conformity and compliance	Some resistance from companies regarding collection of non-certified samples.  Lack of clarity for CABs on responsibilities for sampling activities and guidance for implementation.	Access to non-certified samples would be on as-needed basis only, and not as part of regular/frequent collection.  Consider adding guidance on sample collection, handling and costs.  Proposed approach to costs (consistent with ASC Certification and Accreditation Requirements v2.3): <ul style="list-style-type: none"> <li>- Samples for testing may be required by ASC. If result shows conformance, cost is charged to ASC.</li> <li>- CABs may also decide to collect samples for testing, in which case cost is charged to client.</li> </ul>	Non-certified samples would be collected only as needed for: <ul style="list-style-type: none"> <li>- investigations</li> <li>- for ASC development and testing of the use of new product authentication tools</li> </ul>
CH to declare court cases and serious allegations  CAB to investigate and take action	Could be a lot of work for CABs when cases arise. To what extent must CABs investigate?  Need to clarify what is considered a ‘serious allegation.’	ASC to consider providing further guidance on expected extent of CAB investigation and define what is considered a ‘serious allegation.’	CABs are expected to verify conformance with the CoC Standard.

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<p>First buyers to check no gap in CoC from farm to first buyer. If certified CoC is broken products cannot be sold as certified.</p> <p>Also applies to new suppliers</p>	<p>Generally acceptable.</p> <p>Some risk to buyers later in the chain if product is affected by a gap earlier in the chain.</p>	<p>Strengthen this requirement to reduce risk of non-conforming products entering later steps in the chain and provide guidance to support. E.g. first buyers to also check eligibility of product, based on annual ASC guidance of what to check (see above, e.g. antibiotics in shrimp, suspended sites from MS &amp; Group, critical NCs etc).</p> <p>Build on examples e.g. <a href="#">PAT-Statement-for-website-Sourcing-from-valid-certified-suppliers.pdf (asc-aqua.org)</a> and <a href="#">Sourcing-ASC-product-Commercial-team-version.pdf (asc-aqua.org)</a></p>	<p>Strengthening integrity at first step in the chain addresses point of highest risk.</p> <p>Helps support desire for product conformance without an explicit requirement for a process in place as proposed initially.</p>
<p>Action to be taken if CAB becomes aware of non-conformity or non-compliance at any time in certificate cycle</p>	<p>What if NC has been resolved, would CAB be expected to raise NC due to “shall” wording?</p>	<p>No revision proposed. NCs should be handled as per existing requirements (e.g. CoC CR 3.v1 section 9.2).</p>	<p>Similar clause is already in CoC CR v3.1 (11.3.9), including “shall” wording. The proposed change makes it more comprehensive in application.</p>
<p>Must hold records for converted products for investigations</p>	<p>No major feedback</p>	<p>No revision proposed</p>	<p>Already included in CoC Standard as guidance.</p>
<p>First audit against the CoC Module can be</p>	<p>Unclear how this would be implemented and at what timing</p>	<p>Removed, as it is not necessary to add this guidance. Implementation timing/ options can be clarified once effective date is identified.</p>	<p>New requirements may either be implemented per 11.2.5(e) as a scope extension, or at</p>



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treated as a scope extension			<p>the first audit after the effective date.</p> <p>Effective dates and implementation timing to be confirmed by ASC upon release.</p>
CAB to issue NC and notify ASC in 5 days if LLA requirements not met	ASC should likewise notify the relevant CAB when an LLA is suspended or terminated.	<p>No change to wording proposed.</p> <p>ASC intends to notify the relevant CAB when an LLA is suspended or terminated. This also supports CoC Module proposed GCR clause 7.4.9(j) requiring the CAB to suspend CoC in such case.</p>	The proposed clause would be applicable “ <i>If the CAB becomes aware that requirements of the LLA are not met...</i> ”.
Contract changes to reflect various new requirements	‘ <i>CAB to refuse certification of companies that meet ASC ineligibility criteria</i> ’ may not be necessary in contract.	Proposed contract amendments are being reviewed. Any unnecessary or duplicative items will be removed.	Requirements will be streamlined as much as possible while maintaining intent.
New suspension clauses, various	<p>CoC suspension should not result from LLA suspension.</p> <p>Suspension for reputation reasons is subjective.</p>	<p>High ASC priority to keep suspension clauses.</p> <p>Modify clause regarding suspension for reputation reasons to reduce subjectivity.</p>	<p>These are key proposed additions to implement better assurance.</p> <p>If CoC and/or LLA is suspended, it is for a reason, and it is possible to be reinstated.</p>
CABs shall enter audit dates in database 30 days in advance, or	<p>Overall not supported.</p> <p>Creates additional administration for CABs for unclear benefits. Challenging for CABs as audits are not</p>	Due to impacts and lower priority, remove clause. CABs may be asked for audit dates as needed, instead.	



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within 2 days of audit confirmation	<p>always planned far in advance and dates are subject to change.</p> <p>CABs prefer to be asked for audit dates as needed</p>		
Rotation of auditors every 3 years	<p>Challenging for CABs to implement since it is not in sync with MSC requirements for 6-year rotation.</p> <p>May be more difficult in remote regions or regions with low number of clients/auditors.</p> <p>Some agreement it is appropriate to reduce this to a shorter rotation period.</p>	<p>Acknowledge challenges of implementing different requirements for ASC and MSC CHs. Lower priority relative to other clauses.</p> <p>Postpone until MSC CoC review. MSC has suggested consideration of related change.</p> <p>Encourage MSC to revise to a shorter auditor rotation period than the existing 6 years.</p>	



## **Annex 1. Full responses to public consultation where permission to publish was given**



## **Annex 2. Additional responses to public consultation, outside survey (e.g. via email, workshops, calls)**

### **Supply chain companies**

andBLUE, Japan  
AIPCE-CEP EU Fish Processors and Traders Association  
Anders Hviid Jensen, Nordic Seafood  
Bundesverband der Deutschen Fischindustrie und des Fischgrosshandels e. V., DE Fish Association  
Duracert, The Netherlands  
Dutch Visfederatie  
ESCAL, France  
Florian Schalke, ZOETIS Germany  
Mark Nijhof, Heiploeg Parlevliet en van der Plas, The Netherlands  
Maruha Nichiro, Japan  
METRO Cash & Carry  
Ms Chi Mai, LP Foods, Vietnam  
Vietnam Association of Seafood Exporters and Producers  
Wataru Koketsu, AMITA

### **CABs**

Kine Mari Karlsen, Bureau Veritas  
Megan Konstantinidou, Bureau Veritas  
Xavière Lagadec, Bureau Veritas  
Cristian Vargas, Control Union  
Midori Kawazo, Control Union  
Thomas Bourner, Control Union  
Yongho Eddy Cho, Control Union  
Charlotte Middleton, Lloyd's Register  
Eilidh Milligan, Lloyd's Register  
Paul MacIntyre, Lloyd's Register  
Sally Moore, Lloyd's Register  
Torill Strand, KIWA



Lisbeth Licht, Intertek  
Jennie Harrington, MRAG Americas  
Jason Swecker, SCS Global Services  
Volker Ingwersen, Tuev Nord

**Other**

Anne Nistad, Assurance Services International  
Boris Sulzberger, Assurance Services International  
Phil Crocombe, Assurance Services International  
Shen Yan Liow, Marine Stewardship Council  
Sue Lockhart, Marine Stewardship Council