**CAR AND RUoC PUBLIC CONSULTATION SUMMARY**

The revised CAR 2.3 and the new RUoC 1.0 went through public consultation in August – September 2020. For this it was prepared a spreadsheet with all the clauses in the documents differentiated by a color code pointing out which ones of the sections in the CAR and RUoC are new or modified from the previous version of the CAR 2.2. In this way stakeholder were able to make comments per clause.

In addition to the spreadsheet, ASC prepared a survey with questions of subjects that might be part of the revised CAR and RUoC.

The public consultation had the participation of CABs, producers, NGOs, auditors and others. Additionally, were conducted webinars for producers organized together with sustainability initiatives as Global Salmon Initiative (GSI), Sustainable Shrimp Partnership (SSP) and an open webinar for farmers in Vietnam.

The following is the participation by type of stakeholder.

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | CABs  ASI | Producers | Supply Chain | NGOs | Universities | Auditors | Others | Total |
| ASC CAR spreadsheet | 9 | 4 | 1 | 2 | - | - | 1 | 17 |
| ASC RUoC Spreadsheet | 9 | 4 | 1 | 3 | - | - | 1 | 18 |
| Survey | 5 | 5 | 3 | 3 | 1 | 2 | - | 19 |
| Webinars |  | GSI: 9  SSP: 11  VN: 4 |  |  |  |  |  | 24 |

The following is an extraction of the comments that triggered changes in the CAR clauses or considered valuable to be included in the guidance of these normative documents when they are final. Typos or wording clarification are not included in this summary.

**Normative references**

- ISO 9001 Auditing Practices Group Guidance on: REMOTE AUDITS do not cover the possibility of recording when signal for life streaming is not sufficient.

Clause 16.8 allows the use of photographs and videos which are verifiable to belong to the UoC. (e.g. geotagging)

**Requirements of accreditation**

- Confidentiality at ASI assessment reports publicly available.

- ISO 19011 as a normative document.

ASI maintains confidentiality agreements with each CAB and names of auditors shall not be in the public reports.

ASC decided to make ISO 19011 mandatory to standardize auditing practices that could be not followed if it is considered a recommendation.

**CAB personnel**

- The limitation to use lead auditors no more than 3 consecutive audits for the same UoC can cause confusion as there might be other audits during the year, as unannounced audits. Also is not clear if this requirement will limit the auditor only when is a lead auditor or in any role in the audit team.

- There are limitations to have sufficient lead auditors to rotate them to comply with this requirement.

In clause 7.1.4 is changed “ 3 consecutive audits” to “3 consecutive calendar years” and clause 7.1.4.1 will allow CABs to assess the risk of familiarity when there are no other auditors to change the lead auditor when reaches the 3 consecutive calendar year limiting auditing the same UoC. It is the CAB responsibility to implement measures to mitigate the conflict of interests risks when there is only one auditor available in the region.

**Information for applicants**

- Instead of WGS 84, is possible to use other ways as links in Google maps.

- Satellite images in kml or gpx format might not be available in other countries.

- Declaration of open cases related to legal violations shall be linked only to the applicant UoC

WGS 84 is the system that ASC database uses for locate farms in the ASC mapping tool, therefore application information shall be in that format. In relation to the formats, it is a preference as written in the clause, even a satellite image with the polygon handwritten will help the CAB to locate the farm. Satellite images are available even with basic smartphones. These examples will be added in the guidance documents.

The clause 4.1 h is clarified detailing that the legal violations are in connection with the applicant UoC.

**Application review (formerly Due Diligence)**

- To develop an assessment on the information submitted in the application form will require experience and if the applicant is rejected, the cost spent on this review won’t be charged to the client.

- Open cases of legal violation is a broad concept difficult to search.

The term due diligence is changed to application review as the first one is a more complex process. The application review is a mandatory step in ISO 17065 and CABs shall allocate time for it even if there is a possibility to reject the applicant. ASC requirements for this step include a quick evaluation of sitting situation of the farm to avoid failed audits if the farm is ineligible for the certification. ASC provides a practical tool that put several environmental siting tools in one place that reduce considerable the sitting evaluation.

In relation to legal violations, the scope is narrowed to successful prosecution or open cases related to fraudulent activities, child labor, human trafficking or forced labor. These situations usually appear making a basic media search in internet that also would not take much resources from the CAB.

**Unit of Certification**

- Processing, packing, storage activities shall be evaluated as part of the CoC.

- Intemediary sites and early stage of the production ccycle should be included.

The inclusion of these activities described in this section into the scope of certification is applicable when are conducted in the premises of the UoC. A separate CoC will be needed if one of the conditions in 6.2 is not fulfilled.

The inclusion of production stages before the grow out stage in under the review of Standards and Science department. It is necessary to understand if different indictors and metrics will be needed for these early stages.

**Contract**

- The right of ASC to perform visits to certificate holders including without notice visits might strain relation between the CAB and client and ASC personnel may not be qualified for these visits.

- The notification of disease outbreak should be only for OIE notifiable diseases.

- 15 days for notification of changes might be too short.

- Clarification on the scope of notification of legal compliance violations.

Any evidence collected from the visits conducted on certificate holders will be shared with the CAB or the Appointed accreditation body. The evidence shall be objective and clear to allow the CAB to take a decision on the evidence collected by ASC or the appointed accreditation body.

The requirement of notify disease outbreaks to the CAB is modified to only OIE notifiable diseases and the notification of legal violations is clarified to those violations related to the compliance of the ASC standard. Finally, 15 days of notification is maintained as it is a prudential time to avoid integrity risks to the ASC products.

**Audit timing**

- Allow initial audits for new sites when they have completed 12 months of operation and for sites that already had a production cycle audit can be performed when the site reach 75% peak biomass.

- Evaluation of harvest activities and transportation will add more time to the audit and cost.

The requirement for audit timing remains the same. The clause 8.2 establish and audit timing and not a certification decision timing, the CAB shall collect the information required by the ASC standards including closed cycle information to take a certification decision.

The evaluation of transport activities and subcontractors for traceability are already an element in the current CAR under the section of traceability, therefore should not be additional costs for this evaluation.

**Sampling and testing**

- Personnel conducting the sampling activity shall be trained to maintain the integrity of the samples and is not the field of work of an auditor.

- The requirements do not mention the right of the CAB to refuse the sampling request with grounded justification as an example health and safety during chemical manipulation.

- Clarification needed on which entity covers the testing costs in different request scenarios.

- More details are needed in terms of the materials to keep the sample and the substances to test.

ASC is developing a protocol for sampling and testing and looking for credited labs that can provide the service worldwide. Achieving this the samples will be collected by competent and trained staff with the supervision of the auditor. The auditor will decide from which ponds or batches the samples will be taken. The protocol will describe the packing materials and substances to test. The service provider will bring the packing materials for the samples.

It is clarified in clauses 15.1.1 and 15.1.2 that the cost of testing will be covered by ASC if the sample confirms the farm compliance in case that the sample is requested by ASC. In case that the CAB decide to take the sample, the cost will be charged to the client

**Remote auditing**

- Workers interviews should be allowed in certain conditions.

- Remote audits should be allowed at Multisites without IMS.

Workers interviews are now allowed in clause 16.3 but under certain conditions. Also is included the possibility to conduct fully remote audits on Multisite UoCs but only if they are option 1 or without IMS.

**Critical Non-conformities**

- Closure of critical non-conformities in 1 month is not possible.

- A critical non-conformity should trigger the certificate withdrawal

Clause 18.6.2 changes the deadline from 1 month to 3 months.

With the suspension the integrity of ASC product is kept because with the critical NC the farm is suspended so the effect is that the farm is not able to sell ASC products until the critical NC is closed otherwise the certificate will be withdrawn.

**Traceability**

- The evaluation of this requirements will add more time and cost to audits.

- The number of production cycles to report in the confidential annex could be from 3 to 5 for short cycle species representing a time-consuming task.

- Sponsored producers may not know if their products will be processed or not as ASC products in order to report the ASC and not ASC sales.

The traceability evaluation was always a requirement in the ASC CAR, however, the information recorded in the traceability section of the audit reports is usually generic and not provide information about the evidence evaluated to determine that the traceability systems are sufficient to maintain the integrity of ASC products. The intent to breakdown the traceability requirements in more detailed and prescriptive clauses is to make the evaluation of traceability systems consistent despite the species and regions.

We recognize that the recording of sales information in the audit report is a new requirement, but the Requirements for Units of Certification ask the producers to prepare these reports in clause 15.3 so the auditors will only transfer that information to the audit report.

In relation to the awareness of producers if they products are processed or not as ASC, clause 15.2 j requires to farms to identify the certified or not certified status of the products upon dispatch or sales, in cases where there is a product order from processors to the farm this will be clearly identified in the documentation in order to generate the yearly report of ASC and non-ASC sales.

**Audit reports and reviews**

* The requirement that the technical review of report shall be conducted by qualified lead auditors put pressure to the availability of competent auditors for audits and a different one for reviews.

We understand that the process to qualify an ASC auditor takes time and training to gain experience and to require that technical reviewers to be also ASC auditors will demand efforts from CABs to train additional staff in some cases. Therefore, we decided to allow other auditing and technical reviewing experience in other aquaculture schemes to fulfill technical reviewer qualification.

**Certification decisions**

* Conduct a full re-audit if a certification decision is not taken in 6 months after the audit should consider the circumstances as delays on decisions of a VR by ASC.

ASC has released the new VR procedure which have stricter timeliens for ASC to take a decision on a VR and the procedure only allows to submit VRs in less than 15 working days from the audit, therefore, the VRs will be processed earlier if is related to the certification decision.

**Surveillance**

* The evaluation of indicators which are not critical only once during the certification cycle will give room for non-compliances that might appear only at recertification and as consequence the commercialization of non-compliant product as ASC certified.

Being the metric indicators the ones that might change in every audit and determine the compliance of ASC production batches, clause 24.2.1 makes mandatory the evaluation of metrical indicators in every audit.

**Unannounced audits**

* It is not clear the intent to have a mandatory minimum of unannounced audits. The requirement of 10% of the clients audited without announcement will bring tension between the CABs and clients and these additional audits will make higher the certification cost.

The intent of unannounced audits is to deter certificate holders to perform practices not aligned with the ASC standards. To maintain the cost of certification the CAB may plan unannounced audits as surveillance audits