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Committee on Health, Education, Labor and Pensions

Washington

DC 20510-6300

By Email

5 June 2026

Dear Mr. Cassidy and Mr. Tuberville,

I write in response to your letter dated 27 May 2026.

Aquaculture Stewardship Council (ASC) appreciates the Committee's interest in our work and welcomes the opportunity to explain how the ASC program operates and the safeguards in place to support the integrity, accountability, and transparency of ASC-certified and labeled products.

About Aquaculture Stewardship Council

ASC is an independent, non-profit farmed seafood certification and labeling program founded in 2010 by the World Wildlife Fund and the Dutch Sustainable Trade Initiative. The ASC's Mission is to transform seafood farming by addressing key environmental, social and animal welfare impacts through market-based incentives, rigorous standards and independent assurance. ASC-certified products are sold in markets worldwide, including by major U.S. retailers, and the ASC sustainability label provides companies and consumers with assurance that certified seafood has been produced in accordance with ASC requirements verified through independent third-party audits.

For clarity, ASC is not a membership organization. ASC operates as a certification and labeling program that develops standards for aquaculture and seafood supply chains and oversees their implementation through independent third-party assurance.

Participation in the ASC program is voluntary. Farms, feed mills, and supply chain companies may choose to seek certification against ASC requirements, but certification does not confer membership status or governance rights within ASC. Similarly, companies that source, sell, or promote ASC-certified products are program participants and certificate holders, where applicable, rather than members of the organization.

ASC standards and policies are developed through formal, multi-stakeholder processes that include input from producers, industry representatives, NGOs, academics, regulators, and other interested parties through public consultations and stakeholder engagement mechanisms. This approach ensures that standards development is informed by a broad range of perspectives and expertise rather than by any membership body or single interest.

Consumer trust, accountability, and transparency are central to the ASC program and underpin the credibility of the ASC label. ASC standards are designed to address key environmental and social impacts associated with aquaculture through measurable requirements that are verified through independent third-party audits. Independence is a foundational principle of the ASC program and is embedded throughout its governance, standards-setting, and assurance systems to prevent conflicts of interest and ensure impartiality.

Governance and Expertise

ASC is committed to transparency, independence, and stakeholder participation, incorporating diverse voices into our governance structure:

Board of Trustees: Comprises representatives from academia, NGOs, and the private and public sectors.

Technical Advisory Group (TAG): Provides technical expertise across diverse aquaculture systems. The TAG is further supported by Technical Working Groups (TWG) and Ad-hoc Advisory Groups (AAG) to guide specific technical developments and minimize industry impacts.

Funding Integrity: ASC is funded through annual fees collected from License Holders in commercial operations and royalties collected on the voluntary use of the ASC label on consumer-facing products. All revenue generated is reinvested directly into development of the standards, assurance, and program improvements. ASC also applies for grants on specific topics and projects.

Questions from the Committee

1. **How does the Aquaculture Stewardship Council (ASC) develop its ASC Farm Standard?**

ASC develops its standards through a structured, multi-stakeholder process governed by its Standard-Setting Procedure (v2.0 effective November 2021), which is aligned with the ISEAL Code of Good Practice for Setting Social and Environmental Standards and UN FAO Guidelines for Aquaculture Certification, a global framework designed to ensure credible, transparent, and sustainable aquaculture production. ASC's standards are also consistent with two other FAO policy instruments: Article 9 of The Code of Conduct for Responsible Fisheries; which focusses on Aquaculture and, the Guidelines for Sustainable Aquaculture.

The process begins with a needs assessment, drawing on stakeholder feedback, and internal Issue Log, variance requests from certified entities, monitoring and evaluation data, and ASC's strategic priorities. Standards are reviewed every three to five years to assess the necessity for revision, though urgent issues can trigger an earlier review. The ASC Board must formally approve any decision to develop or revise a standard before work begins.

Once approved by the Board, the ASC Secretariat drafts Terms of Reference (TOR) that define the scope, objectives, stakeholder groups, timelines, and governance structures for that standard-setting process. The TOR is reviewed by the Technical Advisory Group (TAG) and published for a 30-day open public consultation before the drafting work begins.

Technical Working Groups (TWGs) are then formed to develop draft standard content with membership balanced across key interest groups, including producers, environmental organizations, social stakeholders, and industry. The ASC Secretariat coordinates this work.

Every new standard or substantive revision requires a minimum of two rounds of public consultation. The first draft is published for a 60-day public comment period open to all stakeholders globally. All comments received are compiled, analyzed, and published alongside ASC's written responses. A second round of consultation follows, also a minimum of 60 days unless specific conditions allow a shortened period. If significant unresolved issues remain after two rounds, additional consultation is required.

Following public consultation, the TAG reviews the final draft and recommends it to the Board of Trustees for approval. The Board makes the final decision. Once approved, the standard is published on the ASC website along with all consultation records, stakeholder comments, and decision documentation, which are retained publicly for five years.

The ASC Farm Standard is the result of a multi-year standards development process designed to build on the strengths of ASC's existing species standards while creating a more consistent and impact-focused certification program for global aquaculture. Development of the standard involved extensive stakeholder engagement over more than five years, including multiple public consultations, expert input, workshops, interviews, auditability assessments and opportunities for written feedback. In total, ASC received more than 1,100 consultation responses from producers, NGOs, retailers, scientists, auditors and other stakeholders, ensuring that a wide range of perspectives informed the final requirements. The resulting standard is structured around four core areas: legal compliance and effective management, environmental stewardship, human rights, and animal health and welfare.

The ASC Farm Standard was launched in 2025 and represents the next evolution of ASC farm certification. It replaces the existing species-specific standards with a single global framework that harmonizes requirements across species while maintaining a focus on the most significant environmental and social impacts of aquaculture. To support implementation, ASC has introduced a two-year transition period during which both the Farm Standard and the existing species standards remain available. The species standards will remain operational until April 30, 2027, after which all farm audits will be

conducted against the ASC Farm Standard. This phased approach allows producers time to adapt their management systems while benefiting from training, guidance and other transitional support provided by ASC.

2. **How does the ASC collaborate with its members when developing its ASC Farm Standard?**

The ASC standard-setting process is built around structured stakeholder engagement at every stage, with any party affected by or interested in aquaculture certification.

Before drafting begins, ASC publishes its Terms of Reference for public comment, directly notifying organizations that have developed similar international standards, stakeholders engaged in previous standard-setting processes, and certified entities to which the standard applies. Participation goals are set for each key stakeholder group and monitored throughout the process.

Technical Working Groups, which do the substantive drafting work, are required to have membership balanced across key interest groups. This includes producers, civil society, environmental organizations and social stakeholders. Interested parties can apply to participate directly.

During public consultation rounds, participation is open to all stakeholders globally. The ASC actively works to remove barriers to engagement, including translating consultation materials and running local workshops and webinars where relevant. All comments received are published on the ASC website along with written responses explaining how each issue was or was not incorporated, and why.

Certified entities and accreditation bodies receive direct notification when a new or revised standard is released. ASC also accepts ongoing feedback between standard revision cycles through its public Issue Log process, and stakeholders can submit complaints about either the content or process of standard-setting at any time.

3. **Since 2021, how many safety complaints has the ASC received from regulators including the U.S. Food and Drug Administration? How were those complaints addressed?**

ASC has not received any safety complaints from regulators at the U.S. FDA.

It is important to note that ASC is an environmental and social aquaculture certification program and is not a food safety or product quality certification program. However, the ASC certification program includes requirements related to traceability, supply chain integrity, and the management of food safety risks through applicable legal compliance and third-party assurance systems. ASC certification does not replace nor claim to represent food safety certification or regulatory oversight conducted by competent authorities.

Although ASC is not a food safety certification program, ASC actively monitors publicly available regulatory alerts and other credible reports relating to ASC-certified entities and supply chains and may initiate further review or investigation where appropriate.

4. **Does the ASC have an internal process to review member practices in safe and responsible fishing practices?**

To clarify, the ASC program covers seafood farming, not fishing.

How ASC Certification Works

ASC sets the certification standards, but does not certify farms, feed mills, or supply chain entities itself. Instead, the evaluation process relies on independent, third-party certifiers (known as Conformity Assessment Bodies, or CABs). These CABs must be accredited to conduct this work, meaning that internal processes are verified by an independent body.

To conduct the actual audits on-site, accredited CABs hire qualified and competent auditors. Auditors review data, inspect the facilities, and interview workers and local communities.

A farm is automatically ineligible for certification if it has a recent history of fraud, child or forced labor, environmental violations, or has sold non-certified products as ASC-certified.

Who Checks the Auditors?

To make sure the entire program is followed properly and standards are maintained, an independent Integrity Services Provider checks the performance of the CABs themselves through assessments and witness audits. If a CAB or its qualified auditors fail to meet these performance levels, they can be suspended or have their accreditation completely revoked.

These integrity and accreditation services are currently provided by Assurance Services International (ASI). You will find all accredited CABs and the ASI findings of their performance on the ASI website.

How audits are conducted

Achieving and maintaining certification

Farms operate on a three-year certification cycle, starting with an initial audit followed by two annual surveillance audits to ensure ongoing compliance. Farms must continue meeting the requirements of the ASC Standard through this structured cycle, which also includes unannounced and peak season audits, investigations and suspensions if issues are found. This continuous oversight is part of ASC Program Assurance, assuring the integrity of ASC-certified and ASC-labeled seafood.

A minimum of 10% of farm audits are conducted on an unannounced basis. Sites selected for unannounced audits are identified through a risk-based approach that considers factors such as compliance history, stakeholder concerns, and other indicators of potential risk. Together, these mechanisms help ensure that non-compliance is identified, addressed, and, where necessary, results in suspension or withdrawal from the ASC certification program.

If an auditor finds that a farm is falling short of specific requirements, these issues (known as non-conformities) are graded into different levels of severity. This structure is designed to actively drive continuous improvement:

- **Critical non-conformities.** For critical violations, such as the detection of banned antibiotics or immediate risks to worker safety, certification is instantly suspended. The farm cannot progress until the root cause is identified and completely resolved. If a critical non-conformity is not lifted in the prescribed timelines, then the certificate is withdrawn.
- **Major and minor Non-conformities.** For less severe issues, farms are not immediately disqualified. Instead, they are given a strict window to conduct a thorough root-cause analysis and implement an approved corrective action plan. However, if the non-conformities are not closed in the required timelines, sanctions are escalated to suspension of the certificate and if the suspension is not lifted, the certificate is withdrawn.

Commitment to Transparency

Transparency is a foundational principle of the ASC program and is embedded throughout its standards, assurance, and governance systems. ASC believes that certification programs are strongest when stakeholders can independently review certification decisions, audit findings, and program performance. All documents related to farm and feed mill audit process including the full audit reports are publicly available through ASC's website.

All upcoming farm audits are publicly announced at least 42 days in advance (with the exception of unannounced audits). This creates a public comment period during which stakeholders, including local communities, NGOs, regulators, employees, buyers and other interested parties, may submit information directly to the independent audit team. This feedback is managed independently by the auditors and forms part of the evidence considered during the assessment process.

ASC publishes farm and feed mill audit reports, identified non-conformities, corrective action requirements and certification decisions on its website. This includes cases where certification is denied, suspended, withdrawn, cancelled, expired, or otherwise not granted. Certification status is publicly searchable, allowing stakeholders to review the compliance history of certified entities over time. In addition to public disclosure, sanctioned certificate holders are required to inform affected supply chain partners of changes to their certification status, enabling businesses throughout the supply chain to take appropriate action where certification status changes may affect sourcing or labeling claims. In practice,

where significant issues arise, ASC also proactively communicates with relevant supply chain partners and certificate holders to help ensure they are aware of the issue and can take any necessary action.

Transparency extends beyond certified entities. ASC also publishes standards consultation documents, stakeholder comments and responses, and information relating to complaints and appeals processes. In addition, independent oversight of certification bodies is provided through accreditation and integrity assessments, the results of which are publicly available. Together, these mechanisms enable external scrutiny of both certified operations and the assurance system itself, reinforcing confidence in the integrity of the ASC program.

ASC also maintains publicly available complaints and appeals procedures that allow stakeholders to raise concerns regarding certified entities, certificate holders, auditors, certification bodies, accreditation decisions, or ASC itself. Complaints may be submitted by any interested party and are reviewed through established processes designed to ensure concerns are assessed independently, transparently, and in accordance with ASC requirements. This mechanism provides an additional layer of oversight beyond scheduled audits and enables stakeholders to bring potential issues to the attention of ASC and its assurance partners.

How is ASC-Certified Seafood Controlled in the Supply Chain?

Seafood from ASC-certified farms must be kept separate from non-certified seafood throughout its processing and transport process. This prevents the mixing of certified and non-certified goods.

Certification starts at the farms. Once ASC-certified seafood leaves a certified farm, each subsequent company in the supply chain that owns ASC-certified products must hold a valid ASC Chain of Custody (CoC) certification. CoC certification means being able to trace a product every step of the way, from farms to the final consumer package or menu, to make sure it actually comes from certified sources and has not been mixed with non-certified products.

ASC uses the Marine Stewardship Council's (MSC) CoC Standard, plus the additional ASC CoC Module, to verify the origin of seafood sold as ASC certified. ASC certified supply chains are covered by the ASC Assurance Net, which includes layers of independent verification (as described above) in addition to risk-targeted tools to actively test, trace, map, and monitor standards and processes.

ASC is investing directly in the integrity of supply chains through TraceASC, a digital traceability system currently in active pilot. TraceASC captures key data elements (KDEs) at every stage of the seafood supply chain, including farm origin, species details, feed ingredient certification, and logistics data. This creates a digital record of an ASC-certified seafood product's journey from farm to retailer or restaurant.

Although ASC is not a food safety certification program, ASC-certified shrimp farms are subject to strict requirements governing the use of veterinary treatments, including antibiotics. In addition to traceability and environmental requirements, ASC certification

includes farm-level requirements related to veterinary medicine use and verification through independent third-party audits.

The ASC Shrimp Standard prohibits the use of any antibiotics for production of ASC-certified shrimp. The ASC Shrimp Standard also prohibits use of antibiotics categorized as critically important by the World Health Organization for any shrimp produced on an ASC-certified farm, regardless of whether it is sold as certified. Farms must maintain detailed treatment records, and auditors review documentation and supporting evidence as part of the certification process. ASC-certified shrimp farms are also required to demonstrate compliance with applicable maximum residue limits and legal requirements. The detection of prohibited substances is considered a critical issue under ASC requirements and may result in certification being denied, suspended, or withdrawn.

Verification of requirements about the use of antibiotics is embedded in the ASC assurance program. Product testing may occur at farms or within the supply chain, and may be conducted by certification bodies, the Integrity Service Provider, or ASC itself. ASC conducts proactive risk-based antimicrobial testing as well as testing related to investigations. These requirements and processes provide an additional layer of oversight and assurance regarding production practices and help support transparency throughout the aquaculture supply chain. They are also designed to promote responsible antibiotic stewardship and support efforts to mitigate the development of antimicrobial resistance. These controls are particularly relevant for shrimp production, where concerns regarding antibiotic use and residue management have been a longstanding focus of regulators, buyers, and consumers.

ASC actively monitors publicly available regulatory data, including FDA import alerts, as well as other credible reports relating to ASC-certified entities and supply chains. When potential concerns are identified, ASC may initiate further review or investigation as appropriate. This includes the Cesium-137 contamination alerts issued by FDA between August and October 2025 regarding imported frozen shrimp from an Indonesian processor. **No ASC-labeled products were implicated in that investigation.** The ASC Supply Chain Assurance team continues to closely monitor updates from the U.S. FDA and other relevant authorities.

a. **What enforcement tools does the ASC have if a member is found to be in violation of its ASC Farm Standard?**

Farms, feed mills, and supply chain companies participate in the ASC program as certificate holders and are required to comply with applicable ASC Standards and certification requirements. The ASC requirements are enforced through legally binding agreements between each certificate holder and the independent Conformity Assessment Bodies (CABs). These agreements have specific clauses and commitments to follow the ASC requirements and procedures in ASC normative documents.

As described above, audits and certification decisions are carried out by independent accredited CABs, not by ASC itself. CABs are responsible for conducting audits, identifying non-conformities, determining whether corrective actions have been satisfactorily completed, and making decisions regarding the granting, suspension, or withdrawal of certificates. ASC establishes the standards and certification requirements, while independent CABs implement them through the audit and certification process.

Transparency is a core feature of the ASC assurance system. Audit reports, including identified non-conformities, certification decisions, suspensions, withdrawals, and other certification status information, are publicly available through the ASC website. This allows stakeholders, buyers, civil society organizations, regulators and other interested parties to review certification outcomes and monitor compliance over time.

Where a certified entity is found to be in violation of ASC requirements, CABs have a range of enforcement mechanisms available under the ASC Certification and Accreditation Requirements (CAR). Non-conformities identified during audits, investigations, unannounced audits, or through stakeholder complaints must be addressed within prescribed timeframes. Depending on the severity of the issue, this may result in corrective actions, major or critical non-conformities, suspension of certification, or withdrawal of certification.

If a certificate is suspended, products from the affected site may no longer be sold as ASC-certified or labeled while the suspension remains in place. If serious breaches are identified, if corrective actions are not completed within required timelines, or in cases involving issues such as fraud, forged records, child or forced labor, certification may be withdrawn. In certain circumstances, the entity may also be prohibited from reapplying for certification for a defined period.

b. **Since 2021, how many enforcement actions have been taken by the ASC?**

ASC does not maintain a single consolidated metric for "enforcement actions" because compliance and certification decisions are made by independent accredited Conformity Assessment Bodies (CABs) and may result in a range of outcomes, including minor, major, and critical non-conformities, certificate suspensions, and certificate withdrawals.

In addition to actions arising through the audit process, ASC conducts integrity investigations when ASC or its assurance partners receive credible information suggesting potential fraud, misrepresentation, serious misconduct, or other issues that could undermine the integrity of the ASC certification program.

Since 2021, the following actions have been recorded for ASC-certified farm operations:

- 143 certificate suspensions
- 79 certificate withdrawals
- 237 integrity investigations

ASC's assurance system is designed to promote continuous improvement. Where non-conformities are identified, certificate holders are required to implement corrective actions within specified timeframes and are subject to ongoing monitoring. Where issues are not adequately addressed, enforcement measures are escalated and may result in suspension or withdrawal of certification. These figures demonstrate that the ASC assurance system includes meaningful oversight and enforcement mechanisms, implemented through independent CABs, accreditation oversight, and ASC integrity processes. Information on certification status, including suspensions and withdrawals, is publicly available through the ASC website.

c. **If a member is found to be in violation of its ASC Farm Standard, does the ASC report those violations to regulators?**

ASC does not routinely report ASC Standard non-conformities to regulators. Where non-conformance with ASC requirements is identified, the primary mechanism for addressing such issues is through the ASC assurance system, including corrective actions, non-conformities, suspension, or withdrawal of certification, as determined by the independent accredited Conformity Assessment Body (CAB). All farm and feed mill non-conformity information is publicly available.

ASC is a voluntary certification and labeling program, not a regulatory authority. ASC certification requires farms to demonstrate compliance with applicable legal requirements, including maintaining required permits, licenses, and authorizations. Independent accredited CABs verify the existence of this documentation and assess compliance with ASC requirements as part of the certification process. However, ASC and its auditors do not replace the role of government authorities, which remain responsible for regulatory oversight and enforcement of the law.

Where audit findings identify a failure to meet ASC requirements relating to legal compliance, the issue must be addressed through the ASC assurance process and any resulting non-conformities must be closed within the applicable timelines and requirements. Neither ASC nor the CAB routinely reports such findings to regulators.

How ASC Manages Social Responsibility

Social responsibility is a core component of the ASC program and is embedded throughout ASC standards, assurance systems and improvement activities across all regions where ASC-certified operations are located. In addition to setting and verifying requirements on issues such as child labor, forced labor, employee health and safety, freedom of association, non-discrimination, grievance mechanisms, and community engagement, ASC works globally with producers, supply chain partners, civil society organizations and other stakeholders to strengthen due diligence, share best practices, build capacity, and support continuous improvement on labor and human rights performance across aquaculture supply chains.

The letter from the Committee refers to human rights issues in the farmed shrimp industry in India, which were highlighted in the *Hidden Harvest* report by Corporate Accountability Lab in 2024.

Social responsibility is central to the ASC mission. Following these serious human rights allegations in India's shrimp industry, ASC immediately initiated an investigation with independent oversight body Assurance Services International (ASI).

Two rounds of unannounced assessments were conducted at selected facilities, in line with MSC General Certification Requirements, to evaluate compliance with the ASC Chain of Custody (CoC) Module ineligibility criteria. Findings resulted in certificate holders being required to implement corrective actions with some certificate holders being subject to suspension until the appropriate corrective actions were implemented. ASC is maintaining close oversight through regular process updates with certificate holders. Along with the ASC Executive Team, I have also engaged extensively with both the affected companies and a broader group of Indian partners. This has fostered a constructive dialogue, with a shared objective of working collaboratively to improve working conditions across the sector.

Conclusion

ASC appreciates the Committee's interest in understanding the role that third-party certification programs play within global seafood supply chains and the broader efforts to strengthen transparency, accountability, and oversight across aquaculture production and seafood sourcing.

As outlined in this response, ASC is an environmental and social aquaculture certification and labeling program that operates through rigorous standards, independent third-party audits, accreditation oversight, public transparency, traceability requirements, and continuous improvement mechanisms. While ASC is not a food safety certification scheme or regulatory authority, the program includes requirements related to legal compliance, supply chain integrity, antibiotic stewardship, social responsibility, and independent assurance that provide measurable oversight of certified operations and transparency throughout the seafood supply chain.

ASC takes concerns relating to imported seafood seriously and actively monitors regulatory alerts and other credible reports relating to ASC-certified entities and supply chains. As noted in this response, no ASC-labeled shrimp products were implicated in the FDA's 2025 Cesium-137 contamination alerts relating to imported shrimp. While food safety oversight remains the responsibility of regulators and food safety certification systems, ASC requirements for traceability, supply chain integrity, veterinary medicine controls, transparency, and independent assurance provide additional safeguards and accountability mechanisms throughout the supply chain.

We hope this response has addressed the Committee's questions and provided a clear overview of ASC's standards, governance, and assurance systems. We appreciate the

opportunity to engage on these important topics and remain available to provide any additional information or clarification that may assist the Committee in its work.

Yours sincerely

Chris Ninnes, CEO