

To  
Melissa McFadden  
Food Certification International Ltd

## **CCB Comments on the Public Comment Draft Report on the Denmark Eastern Baltic Cod Stock provided by the Food Certification International Ltd for MSC Certification**

### ***Rationale***

So far, MSC is the only globally operating mechanism for certification of sustainable fisheries, and being that it is very important that MSC fisheries demand and help enforce effective fisheries control, implementation of ecosystem-based and multi-species management. In doing so MSC must also help eliminate wasteful fishing practices and the phasing out of discards. To reduce harmful impact on the marine environment CCB also finds it necessary to set clear target for gear selectivity and that undersized fish caught be part of the TAC allowed. Considering those prerequisites there is still scope for improvement of MSC Principles and Criteria.

### ***Certification Recommendations/Overall scores***

The certification body recommends that both trawl and longline fisheries have fishery performance exceeding the minimum limit of 80 points, thus obtaining a pass in overall scoring indicators. Set nets, on the other hand, fail to meet the criteria applied.

CCB can understand the failure of set nets to obtain a pass level score, but we still fail to see how a depleted stock can be subjected to fishing just because a management recovery plan is set in place. The timing of this measure should be to make sure that the stock first has attained the level of a sustainable number of fish, and only then should certification be granted. In the present case Spawning Stock Biomass has shown remarkable increase in recent years so this problem is not one of the major issues just now. But future Baltic Eastern cod fisheries practices must guarantee a sustained SSB at a high level.

MSC apparently lacks a clear target on gear selectivity. Gear selectivity and handling of discards are linked phenomena. There must be a certain level of undersized fish in the catch above which a fishery may not be certified.

Another problem is that of certification being linked to subsidies and hence biological, social and economic sustainability. MSC state that subsidies should not contribute to unsustainable fisheries.

#### ***Coalition Clean Baltic is a network of environmental NGOs sponsored by:***

- Ecohome • IPO Ecoproject Partnership • Danish Society for Nature Conservation • Estonian Green Movement • Finnish Association for Nature Conservation
- Finnish Society for Nature & Environment • Bund für Umwelt und Naturschutz Deutschland, BUND • Environmental Protection Club of Latvia, VAK
- Latvian Green Movement • Lithuanian Green Movement • Lithuanian Fund for Nature • Polish Ecological Club, PKE • Green Federation - GAJA, Szczecin, Poland
- Friends of the Baltic, St Petersburg, Russia • Ecodefense, Kaliningrad, Russia • Neva River Clearwater, St Petersburg, Russia • Green World, St Petersburg, Russia
- The Guide Environmental Group, Kaliningrad, Russia • Greens of Karelia, Petrozavodsk, Russia • Swedish Society for Nature Conservation
- WWF Sweden • The Western Center of the Ukrainian Branch of the World Laboratory

The table in chapter 8.1 Overall scores , give for “trawl” only scores for principle 2, but “longline” give scores for all principles 1,2 and 3. We are surprised that “trawl” has not received any scores for Principle 1 – Sustainability of exploited stocks and Principle 3 – Effective management systems. CCB accepts in principle the summaries of issues presented for the various fishing gears, but find suggested actions not comprehensive enough to fulfill objectives.

#### *Principle 1: Management of the stock*

In the draft report under chapter 7.2 Scoring, in table 7.1 , under Stock status/Harvest control rules – the component “Stock rebuilding” give the score “NA” , which we interpret as “not available”.

As we understand any evaluation/scoring for “Stock rebuilding” in this case, has not been made.

*Stock rebuilding*, as well as evaluation of age, length, weight and maturity composition are crucial elements to evaluate if a fish stock status is healthy. We have problems to accept any evaluation of a fishery, if the stock rebuilding is not evaluated properly.

Stock rebuilding is strongly related to the selectivity of the fishing gear applied. This is the reason why “*Selectivity of the fishing gear*” must be a criteria for classification of the sustainability of the Baltic cod fisheries.

#### Gear Selectivity and accepted levels of by-catch of cod juveniles

Different gear has very different levels of by-catch or a general level of catch of unwanted fish. The impact of by-catch of cod juveniles on the long-term development of the cod stock must be properly evaluated and taken into account.

By-catch of juvenile cod is a much larger problem for towed gear (various trawls, seines) and the problem increases with the amount of time a gear is in the water, amount of fish available and the size composition of targeted fish. Selectivity is heavily reduced in the best of gears if the trawl fills up quickly. The selectivity can changed dramatically with the time for each trawling haul. Such aspects must be controlled and be taken into account when eco-labelling the Baltic cod fisheries.

*ICES, has in 2008, calculated that the trawl catch of undersized cod (< 38cm) is between 1,7% - 7,5 % in Baltic sub area 25-28 on average. The Baltic TAC 2010 is 64 500 ton. Considering that at least 60% of cod is caught by trawls in the Baltic, and same levels for juvenils by-catch as in 2008, this means that between 657 ton and 2902 ton of undersized small cod that is caught/discarded in 2010. In individual numbers that means, based on a reasonable average weight of cod under 38 cm at 0,5 kg, that between 1 315 000 – 5 804 000 million undersized fish are caught legally in 2010.*

MSC principle 3 , Operational criteria no 12 says “Fishing operation shall make use of gear and practices designed to avoid the capture of non-target species and *non-target size, age ...*”  
MSC should introduce requirement for selectivity of fishing gear in Baltic Eastern cod fisheries.

\*Selectivity for fishing gear for Baltic Eastern cod fisheries shall be < 2 % . Which means that less than 2 % of the catch can be undersized cod (minimum landing size is 38 cm). Fishing gear that cannot reach this limit value can consequently not be labelled.

A requirement for monitoring and control of the selectivity must also be developed:

\*All landings of Baltic Eastern cod shall be sorted and reported in two groups, above and under the minimum landing size (38 cm) and selectivity shall be calculated.

CCB also stresses the need for reference to ICES Recommendations throughout this draft and also that the precautionary approach be considered when harvesting. The substantial underreporting of catches as stated by ICES is an important issue which may lead to increased discarding of juvenile fish.

### *Principle 2: Ecosystem Impact*

CCB again stresses the many different stressors that affect the Baltic ecosystem, like toxic pollutants and eutrophication. High by-catches of birds, seals and harbor porpoise are the most important impacts caused by set nets, and which subsequently lead to their failure to meet certification criteria. A more detailed study/monitoring of by-catch in set nets may show areas in the Baltic Sea where cod set nets can be accepted.

CCB suggests that certified fisheries have closures (time and area) when the incidence of by-catches is high and that such limitations also be linked with development of more selective gear.

### *Principle 3: Management of fisheries*

MSC principle 3, management system criteria no 6 says “The management system shall provide economic and social incentives that contribute to sustainable fishing and shall not operate with subsidies that contribute to unsustainable fishing”.

MSC says that subsidies shall not contribute to unsustainable fishing. Baltic cod fisheries, including Danish Baltic cod fisheries, have a set of various EC/state subsidies for fishermen and fishing companies. Many subsidies in place are indirect, hidden or at least hard to clear out in an easy way. Examples on direct subsidies are e.g. pricing subsidies considered i.e. guarantee prices on certain products; unemployment insurances (e.g. payment to fishermen under stormy weather conditions). A more indirect subsidy is fuel subsidies for fishing vessels. Fuel subsidies can hardly be seen as supporting sustainable fishing practices.

It is important that MSC follows its own principles for eco-labelling of fisheries. State subsidies for fisheries would exclude fisheries from MSC-labelling according to MSC guidelines and principles.

MSC should introduce the following requirement for Baltic Eastern cod fisheries that operate with subsidies that contribute to unsustainable fishing :

\*Danish fishermen and/or fishing companies that receive EC or/and state subsidies giving them the opportunity for fisheries on Baltic Eastern cod stock cannot be labelled by MSC.

Principle 3, criteria 10 e, says “establishing no-take zones where appropriate”.

MSC must guarantee that cod fisheries candidates for certification fulfil international rules for areas with seasonal closings for cod fisheries in the Baltic Sea.

Also on fisheries management issues CCB urges the MSC to consult with ICES reporting on “misreporting and IUU cod landings”. ICES deem that official figures given are far below actual levels and that better data collection be called for. Here the BSRAC and the newly established Baltfish body should be consulted. Creating MPAs and eradicating discards would be important measures to improve management, as would such measures at a general level within the new CFP.

All in all, in CCBs opinion there is still much scope for improvement of this draft, to reach a labelling worth a true Environmental certification.

*Summary*

The following requirements for certification of Baltic Eastern cod fisheries shall be introduced, if CCB shall support the MSC-labelling of the Baltic Eastern cod stock:

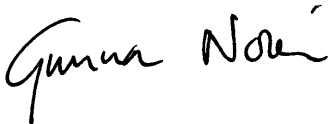
\*Selectivity for fishing gear for Baltic Eastern cod fisheries shall be  $< 2\%$  . Which means that less than 2 % of the catch can be undersized cod (minimum landing size is 38 cm). Fishing gear that cannot reach this limit value can consequently not be labelled.

\*All landings of Baltic Eastern cod shall be sorted and reported in two groups, above and under the minimum landing size (38 cm) and selectivity shall be calculated.

\*Danish fishermen and/or fishing companies that receive EC or/and state subsidies giving them the opportunity for fisheries on Baltic Eastern cod stock can not be labelled by MSC.

Uppsala 12 January 2011

Regards,

A handwritten signature in black ink, reading "Gunnar Norén". The signature is written in a cursive style with a distinct flourish at the end of the name.

Gunnar Norén  
Executive Secretary  
Coalition Clean Baltic (CCB)