

# MSC-ASC Joint Seaweed Standard Setting Procedure Version 1.0

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## Document history

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## **1. Introduction**

The Marine Stewardship Council (MSC) and the Aquaculture Stewardship Council (ASC) are independent not for profit organisations founded in 1996 by World Wildlife Fund (WWF) and Unilever and in 2010 by World Wildlife Fund (WWF) and the Dutch Sustainable Trade Initiative (IDH) respectively. They are both leaders in certification and labelling programs for responsibly produced seafood.

The MSC vision is of the world's oceans teeming with life, and seafood supplies safeguarded for this and future generations.

The mission of the MSC is to use our ecolabel and fishery certification program to contribute to the health of the world's oceans by recognising and rewarding sustainable fishing practices, influencing the choices people make when buying seafood, and working with our partners to transform the seafood market to a sustainable basis.

The vision of the ASC is a world where aquaculture plays a major role in supplying food and social benefits for mankind whilst minimising negative impacts on the environment.

The goal of the ASC is to transform aquaculture towards an environmentally and socially responsible food source. The ASC aims to achieve this by promoting standards for best environmental and social aquaculture performance and rewarding responsible farming practices through standard setting and certification.

All MSC and ASC standards have been developed following the ISEAL Code of Good Practice for Setting Social and Environmental Standards (Standard Setting Code) and FAO Guidelines.

MSC and ASC seek to jointly develop a Seaweed Standard for certifying sustainable seaweed operations. The two organisations have developed the standard setting procedure described in this document specifically to apply to their joint development of a Seaweed Standard.

The joint vision and mission of the ASC and MSC in developing this Seaweed Standard is to contribute to the health of the world's aquatic ecosystems by recognising, and rewarding through certification, environmentally sustainable and socially responsible seaweed harvesting and farming practices.

## **2. Purpose**

This procedure sets out steps for assuring quality and credibility of standard setting activities that are implemented by the MSC, ASC and their relevant governance bodies.

### 3. Scope

This procedure applies to the development of the Seaweed Standard and for the review and revision of this standard developed by the ASC and MSC together as independent standard setting organisations.

Requirements for implementation of the standard (i.e. for accreditation and certification) will be included in a separate document.

### 4. Referenced documents

- 4.1 [The Deed of the ASC Foundation](#)
- 4.2 [ISEAL Standard Setting Code Version 6.0](#)
- 4.3 [FAO Technical Guidelines on Aquaculture Certification \(2011\)](#)
- 4.4 FAO Guidelines for Ecolabelling of Fish and Fishery Products from Marine Capture Fisheries
- 4.5 ISO IEC Guide 2: 2004 Standardization and related activities — General vocabulary
- 4.6 [MSC-ASC Joint Seaweed Standard Complaints Procedure](#)
- 4.7 [ASC Supervisory Board Regulations](#)
- 4.8 [Terms of Reference and operating framework for Seaweed Standard Committee](#)
- 4.9 MSC Board of Trustees Articles of Association

### 5. Terms and definitions

For consistency and convenience, some of the terms in this procedure are adopted and/or adapted from the ISEAL Standard Setting Code Version 6.0 as well as the ISO/ IEC Guide 2:2004.

- 5.1. **Consensus:** General agreement characterized by the absence of sustained opposition to substantial issues by any important stakeholder group.

NOTE – Consensus should be the result of a process seeking to take into account the views of interested stakeholders, particularly those directly affected, and to reconcile any conflicting arguments. It need not imply unanimity (ISEAL Standard Setting Code Version 6.0).

- 5.2. **Consultation:** Process of seeking stakeholder input.
- 5.3. **Stakeholder:** Any person or group concerned with or directly affected by a standard.

- 5.4. **Standard:** Document that provides, for common and repeated use, rules, guidelines or characteristics for products or related processes and production methods, with which compliance is mandatory once an entity decides to be certified against it (adapted from ISEAL Standard Setting Code Version 6.0).
- 5.5. **Standard setting process:** A general term for activities that include standard development, standard review and standard revision.
- 5.6. **Standard development:** Activity of creating a new standard.
- 5.7. **Standard review:** Activity of checking a standard and analysing related comments and feedback received over time to determine its continued effectiveness and whether it is to be reaffirmed, revised or withdrawn (adaptation of ISO Guide 2:2004, 9.4).
- 5.8. **Standard revision:** Introduction of all necessary changes to the substance and presentation of a standard, which will result in a new version of the standard (adaptation of ISO Guide 2:2004, 9.7).
- 5.9. **Terms of Reference (TOR):** Document specifying terms and conditions for operations of an organ within the ASC or MSC, or for a project (i.e. new standard creation or review and revision of an existing standard).
- 5.10. **Theory of change:** The causal pathways of change that the MSC and ASC define and undertake to accomplish their missions and visions over time.

## 6. Governance structure and responsibility

- 6.1. **The MSC Board of Trustees (BOT)** is the ultimate decision-making body of the MSC. It takes the decision to develop a new standard or to revise a current one. The BOT also approves the final version of any standards newly developed or revised, based on recommendations of the Seaweed Standard Committee (SSC).
- 6.2. **The ASC Supervisory Board (SB)** is the ultimate decision-making body of the ASC. It takes the decision to develop a new standard or to revise a current one. The SB also approves the final version of any standards newly developed or revised, based on recommendations of the SSC.
- 6.3. **The Seaweed Standard Committee (SSC)** is created with powers of decision making within the process, granted by the ASC and MSC Boards, to manage all aspects of the standard setting process of the Seaweed Standard with the exception of the final formal approval of the Seaweed Standard, which resides with the MSC and ASC Boards. The SSC is comprised of members of the MSC and ASC Boards, and their technical advisory bodies. There are four additional non-voting stakeholder members. The SSC may seek non-voting observers to advise them, drawn from industry, science and eNGOs, and the respective ASC/MSC stakeholder governance bodies.
- 6.4. **Technical Working Groups (TWGs)** are formed as deemed necessary by the SSC. They will provide the process with inputs on technical issues of the standard.
- 6.5. **The MSC Secretariat** leads the coordination and facilitation of the process working with the **ASC Secretariat**. Content is developed jointly with the ASC Secretariat. For each standard setting and revision process, a staff member is appointed to be the Coordinator and the central contact person.

## 7. ASC and MSC guiding principles for standard setting

The ASC and MSC use their standards to achieve their missions and visions. Therefore, it is important that both the process of standard setting and the standard themselves observe widely recognised credibility principles.

- 7.1 **Improvement** – The standard is reviewed, and if necessary revised, every five years, at a minimum. This allows the MSC and ASC to incorporate learning from stakeholders' feedback and from the Monitoring & Evaluation (M&E) program. Performance levels will be adjusted over time to reflect new science and improved management practices.
- 7.2 **Relevance** – Seaweeds play a key role in the aquatic ecosystem. With global seaweed production increasing along with demand for certification of the seaweed industry, the ASC and MSC recognise the importance of having a standard that rewards those producing seaweed sustainably, minimising effects on aquatic ecosystems as well as providing a benchmark for improvement. The standard will be updated where there is improved scientific understanding, with widespread scientific support, to demonstrate that a change in the performance requirement is necessary to achieve the intentions of our Principles and Indicators, and there is improved fishery and farm management best practice, with growing support in industry management and policy circles, that is accepted as being required and appropriate to achieve the relevant FAO Codes of Conduct, and by implication our Principles and Indicators. The standard should be objectively verifiable. The standard's requirements are formulated in a way that facilitates consistent interpretation and verification.
- 7.3 **Rigour** – The standard is based on performance outcomes from implementing operations that represent the sector's best practices across different regions. *Principles*: High-level goals that once achieved would contribute to achieving the defined outcome; *Performance Indicators*: Issues against which performance can be measured to in a specific area; *Scoring Guideposts*: Specific performance levels to be reached which will determine if the desired impact will be achieved.
- 7.4 **Engagement** – Multiple stakeholder groups are proactively engaged throughout the standard setting process, from the initial feedback through the decision-making stages. Final decisions are taken by the MSC BOT and ASC SB, which includes a variety of stakeholder interest groups.
- 7.5 **Transparency** – All information of the standard setting process except confidential minutes of the SSC and other internal meetings is made publicly available on the ASC and MSC websites. The information is kept up-to-date, including the TOR, synopsis and all public comments, draft version(s) of the standard, and the final (valid) version of the standard.
- 7.6 **Accessibility** – The standard's requirements are not overly burdensome. The standard does not create obstacles to trade or exclude small-scale operations from market access. The standard and guidance documents are translated into different languages as deemed necessary.

## 8. Standard setting process

### 8.1 Assess needs for new standard or review/revision of existing one

**Input:**

- Existing standard;
- Issue Log (on existing/non-existing standard);
- Monitoring and Evaluation data on existing standard performance

**Output:** Identified and justified needs for new standard or for early or regular review/revision of existing one.

**Coordinated by:** MSC Secretariat

- 8.1.1 The standard is reviewed for continued relevance and effectiveness in meeting their stated objectives at least every five years.
- 8.1.2 Any interested stakeholder is encouraged to share their feedback, concerns and proposals to develop new standard or review/revise an existing one. Feedback or proposals can be sent to the MSC at any time at: [seaweedstandard@msc.org](mailto:seaweedstandard@msc.org).
- 8.1.3 MSC staff members, who receive feedback and proposals from the ASC or from stakeholders via email, phone, or face-to-face meeting, will log them centrally in the Seaweed Issue Log.
- 8.1.4 At least once a year, the SSC reviews the Seaweed Issue Log to identify needs for standard development or early review/revision. Critical issues may be dealt with at any point in time in between the Seaweed Issue Log review intervals.
- 8.1.5 The identified needs must be justifiable in terms of the standard's objectives, free-of-redundancy and where reasonable must facilitate increased alignment with other standard schemes.
- 8.1.6 All substantive changes to the content of a standard will require the full standard development process described in this Section 8 with the exception of consultation where the standard is being revised. Only one round of public consultation is required where no unresolved issues persist and where feedback from the first round was sufficient.
- 8.1.7 Non-substantive changes (correcting typographical errors, changing structure and formatting) can be implemented by the Secretariat.
- 8.1.8 Early review may be justified based on:
  - a. New scientific development and its adoption as best practice by industry;
  - b. Information relevant to the standard but not previously considered;
  - c. Changes to the operational practices in the sector relevant to the standard;
  - d. Change in legislation where the producers are based;
  - e. Significant change in the supply chain.
- 8.1.9 In all cases, the need for a new standard, early or regular review or revision, the Secretariat prepares an elaborated proposal (with justification) for the SSC who submit their recommendation to the BOT and SB for consideration and decision.

### 8.2 Consider the proposal

**Input:** Proposal including justification for early review/revision or new standard

**Output:**

- Decision on a new standard to be developed or regular/early review of existing standard
- Creation of the TWGs

**Decided by:** BOT and SB

- 8.2.1 The BOT and SB may consult with the SSC to solicit their views on the proposal.
- 8.2.2 The decision is communicated to the SSC and the ASC and MSC. After the approval the standard setting process will start as soon as reasonably possible.
- 8.2.3 If the BOT or SB does not approve the proposal, it must communicate its decision with explanation in writing to the SSC and the MSC and ASC.
- 8.2.4 The SSC will advise on the need for Technical Working Groups (TWGs) to be established.
- 8.2.5 The TWGs are formed by the MSC Secretariat.

### **8.3 Develop/update Terms of References (TOR)**

**Input:** Decision of the BOT and SB

**Output:** TOR is endorsed by the SSC and made publicly available on the website.

**Coordinated by:** MSC Secretariat

- 8.3.1 For the revision of an existing standard the current TOR (where applicable) shall be updated.
- 8.3.2 The TOR includes, but is not limited to the following:
  - a. Proposed scope of the standard (e.g. species and catch methods) and intended geographic application;
  - b. Justification of the need for the standard or the review of it (as already written in the proposal submitted to the SB in the above step 8.1);
  - c. Sustainability issues that the standard seeks to address and the linkage between this and the MSC and ASC theories of change;
  - d. Assessment of possible unintended consequences from implementing the standard, factors that could have a negative effect on the ASC and MSC's ability to make the change, and possible measures to address those factors and consequences;
  - e. Key stakeholder groups, their interest/concerns/expertise in the area of focus of the standard, their geographic locations; strategies to communicate with and engage them in the process, especially the most affected stakeholder groups;
  - f. Where possible, participation goals (i.e. targets and success criteria) of each key stakeholder group are set and monitored over the process;
  - g. Major steps/milestones (including 1 – 2 rounds of 30 – 60 day public consultation as well as related decision-making) in the process, timelines and where stakeholders contribution and participation are solicited;
  - h. Organisational structure for the process (i.e. SSC) with clear decision-making authority and responsibility, recruitment requirements and process for members of those bodies;
  - i. Decision making procedures;
  - j. Procedural complaint mechanism (on the standard setting process of the standard in question);
  - k. Date of official publication of the TOR on the website.

- 8.3.3 Once prepared by the Secretariat, the TOR will be submitted to the SSC for their endorsement before being announced (e.g. press release) and published on the website.
- 8.3.4 The TOR may be translated into relevant languages to encourage participation and contribution from the most affected stakeholder groups.
- 8.3.5 Within two calendar weeks following the TOR publication, stakeholders can submit comments on them. At the end of this period, within two calendar weeks the Coordinator will prepare a summary of comments and share with the SSC. If needed, the TOR will be adjusted and updated on the website indicating the changes (e.g. Document history table). Acknowledgement and notification will be sent to those who have commented on the TOR.
- 8.3.6 The TOR will be reviewed every six months as a minimum and updated, as needed, to reflect the progress as the standard setting process advances.

#### 8.4 Prepare preliminary draft of the standard/revision

**Input:**

- Endorsed TOR
- Established organisational structure for the standard setting process

**Output:** First draft of the new/revised standard

**Drafted by:** TWGs

- 8.4.1 The primary responsibility to draft the (revised) standard lies with the TWGs. The Secretariat provides support as required, especially in terms of consistency in language used, structure, formatting, etc.
- 8.4.2 The standard has the following structure and shall include as the minimum:
- a. Purpose and scope, including geographic scope;
  - b. For each explicitly defined sustainability issue/outcome that the standard intends to address (reflecting the outcomes described in the MSC and ASC Theories of Change), there are:
    - i. *Principles*: High-level goals that once achieved would contribute to achieving the defined outcome.
    - ii. *Performance Indicators*: Issues against which performance can be measured in a specific area.
    - iii. *Scoring Guideposts*: Specific performance levels to be reached that will determine if the desired impact will be achieved.
  - c. Other information on the first pages, including:
    - i. The date that the standard will come into effect and the transition period in case of revision;
    - ii. The planned date (year) of the next review;
    - iii. The standard's official language(s) and the specification that, in case of inconsistency, English version will prevail;
    - iv. Statement encouraging feedback and comments on the standard content by stakeholders;

- v. Mechanism to handle comments and feedback (e.g. contact point, how comments and feedback are handled);
  - vi. The formal status of a document including its stage of development (draft, final, etc.), its version number, who approved it, and the date it was approved;
  - vii. Contact details where stakeholders can submit comments on the standard.
- 8.4.3 Where possible, the standard should be science-based, performance-based and metric-based.
- 8.4.4 At the same time, the standard should also respect and take into account traditional knowledge, validity of which is objectively verifiable.
- 8.4.5 The standard must meet or exceed existing regulatory requirements and clearly refer to relevant applicable legislation.
- 8.4.6 All original intellectual sources of content must be cited or attributed in the respective sections of the standard.
- 8.4.7 No particular technology or patented item is favoured.
- 8.4.8 Language use in the standard must be clear to avoid misinterpretation.
- 8.4.9 Sufficient guidance (either as part of the standard or in a separate document) must be provided to support consistent interpretation.
- 8.4.10 The SSC signs off the first draft of the standard before it is put up for public consultation.

## 8.5 Organise first round of public consultation

**Input:** First draft (revised) standard

**Output:** Received comments from interested stakeholders

**Coordinated by:** Secretariat

- 8.5.1 Once the SSC signs off the first draft, the Secretariat will announce (through press release, website, via ISEAL) the public consultation period of at least 60 days, including methods for stakeholders to submit their comments and feedback (e.g. online, email, face-to-face, virtual/ physical workshop,
- 8.5.2 In case of workshops and webinars the date, time, duration, target groups and language must be clearly specified and communicated.
- 8.5.3 The draft standard or revised elements of existing standard shall be appropriately tested for feasibility, applicability and auditability prior to recommendation to the BOT and SB by the SSC.
- 8.5.4 Plans for testing shall be approved by the SSC before being conducted.
- 8.5.5 The main objectives of field-testing, if conducted, must be:
  - a. Reaching out to the most affected stakeholder groups for their participation in standard setting;

- b. Validating if the presumed outcomes of the standard can be achieved;
- c. Testing standard's feasibility, practicability and auditability.

8.5.6 Depending on the proposed geographic application of the standard, the draft standard may be translated into respective language(s) to enable wider participation of the most affected stakeholder groups.

## **8.6 Prepare and publish synopsis of comments received**

**Input:** Received comments and feedback from stakeholders

**Output:**

- Original comments, summary and how the comments were taken into consideration made publicly available
- Second draft standard

**Implemented by:**

- MSC Secretariat

- 8.6.1 After the first round of public consultation period is closed, the MSC Secretariat will compile all received comments, organise them into themes and share with the respective TWGs.
- 8.6.2 The TWGs will objectively analyse the comments and prepare responses, including how comments are addressed with justification for those issues raised that will not result in modifications to the draft standard.
- 8.6.3 The Secretariat will collect responses from the TWGs and prepare a written synopsis, which will be made public on the website. Stakeholders that submitted comments will receive notification of the public synopsis or report of public consultation.
- 8.6.4 The original comments will also be published together with the synopsis. The Secretariat will arrange them into themes and may aggregate responses to stakeholder group but will not attribute them to individuals or organisations.
- 8.6.5 At the same time, the TWGs continue working on the second draft taking into account comments received and the synopsis.

## **8.7 Decide on second public consultation for standard revisions**

**Input:**

- Synopsis
- Second draft standard

**Output:** Decision to have a regular (60-day) second consultation or a shortened one (e.g. 30-day) or none for standard revisions

**Decided by:** SSC

- 8.7.1 For standard revisions the second public consultation may be skipped or shortened where there are not substantive, unresolved issues after the initial consultation round and where

participation goals were achieved.

- 8.7.2 The SSC shall decide on the need for a second round of consultation in the case of any standard revisions.

## **8.8 Organise second round of public consultation**

### **Input:**

- Second draft
- Decision on the second round

**Output:** Received comments from interested stakeholders

**Coordinated by:** MSC Secretariat

- 8.8.1 The second public consultation round is then announced and implemented as per the above step 8.6.
- 8.8.2 If the consultation period is shortened the TOR for the standard setting process is updated accordingly.

## **8.9 Prepare and publish the second synopsis**

**Input:** Received comments and feedback from the second round

### **Output:**

- Original comments, summary and how the comments were taken into consideration made publicly available
- Final draft for submission to the SSC

### **Implemented by:**

- MSC Secretariat

- 8.9.1 Prepare and publish synopsis of comments received, similar to the above step 8.7.
- 8.9.2 The final draft together with proposed implementation timeframes (in case of revision) and any proposal for local/regional interpretation and translation plans are submitted to the SSC for endorsement.
- 8.9.3 The Secretariat makes sure that the final draft is completed in terms of content, presentation as well as other details as mentioned in the above step 8.5.
- 8.9.4 With regard to the need for local/regional interpretation consideration should be given to:
- a. Fundamental climatic, geographic or technological factors;
  - b. Local economic conditions;
  - c. (Stricter) regulatory conditions;

d. Cultural factors.

- 8.9.5 In case it is decided to have local/regional interpretation, procedures must be developed to give guidance for the interpretation work (i.e. how to take into account the local conditions while remaining consistent with the standard across the regions, what and how stakeholder groups should participate in standard interpretation).
- 8.9.6 When proposing the effective date of a new standard, the time needed for setting up the implementation scheme (e.g. audit manual, training, etc.) shall be taken into account to have a realistic timeframe.
- 8.9.7 For a revision of the standard, the length of the transition period should take into account international norms for transition, the requirements for preparation and training, and the practicality for the certified entities to adopt the revisions.
- 8.9.8 For new standard development, an additional public consultation round may be carried out if:
- a. Substantive unresolved issues persist even after the second round, or
  - b. Insufficient feedback is received, especially from the most affected stakeholder groups.
- 8.9.9 The SSC shall formally decide whether to accept the final draft of the standard for recommendation to the BOT and SB or whether an additional round of public consultation is needed.

## 8.10 Approve the final draft

### Input:

- Final draft and recommendation to the ASC and MSC Boards by the SSC
- Additional advice from stakeholders (if views differing from the SSC)

**Output:** The final draft is approved to become a standard

**Approved by:** SB and BOT

- 8.10.1 The SSC shall formally recommend the new or revised standard to the SB and BOT. Consensus among voting members is required.
- 8.10.2 A copy of the formal recommendation shall be sent to relevant governance stakeholder bodies, who may advise the BOT and the SB appropriately.
- 8.10.3 Formal adoption of a new or revised standard shall rest with the BOT and SB following recommendation from the SSC.
- 8.10.4 Once approved, the (revised) standard is promptly made available on the MSC/ASC website.
- 8.10.5 An announcement including a summary of the discussions that resulted in the endorsement of the new or revised standard, is released to inform stakeholders of the new or revised standard and its implementation timeframe.

## **9. Records**

- 9.1 For each standard setting process the following records will be retained:
- a. The TOR for the process;
  - b. The TOR for process bodies (SSC);
  - c. Synopsis or synopses and original comments from consultations and how these were taken into account;
  - d. Stakeholder participation monitoring;
  - e. The draft and final standard;
  - f. Decision and justification for either shortening or skipping the second round of public consultation or conducting additional consultations;
  - g. Announcements (including any press releases) for launching the process, each consultation round as well as the final standard;
  - h. Decisions on the content of the standard as well as a summary of deliberations in arriving at the decision.
- 9.2 For transparency purposes, all the records are available on the ASC/MSC website for a minimum of three years after the standard has come into effect. However, they will be maintained at the Secretariat until after the next revision of the standard, as a minimum.
- 9.3 Once those records have been taken down from the website, within the following three years any interested stakeholders can contact the Secretariat to request a copy of them.

## **10. Maintenance**

- 10.1 This Standard Setting Procedure is open for public comments. Interested stakeholders are invited to send their comments to [seaweedstandard@msc.org](mailto:seaweedstandard@msc.org).
- 10.2 Comments received, together with feedback and advice from each process will be taken into account when reviewing and revising the procedure.
- 10.3 Those stakeholders who have sent comments about the procedure will be notified when their feedback is taken into account.
- 10.4 The procedure is subject to review and revision where necessary at least every five years. Decision for earlier review and revision of this procedure will be announced and justified on the MSC/ASC website.

## 11. Complaint mechanisms

- 11.1 There are two types of complaints in the context of standard setting; i) standard content; and ii) standard setting process related.
- 11.2 Content related complaints are considered as comments or feedback on the standard and are taken into consideration when the standard is reviewed and revised as described in step 8.1 above.
- 11.3 Process related complaints regarding how the standard is developed or reviewed/revised are handled according to the [MSC-ASC Joint Seaweed Complaints Procedure](#) which is available on the MSC/ASC website.

## 12. Contact information

### Science and Standards Department

Marine Stewardship Council (MSC)

Marine House,

1 Snow Hill,

London,

EC1A 2DH, UK

Email: [seaweedstandard@msc.org](mailto:seaweedstandard@msc.org)

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