

MSC Chain of Custody Standard: Consumer-Facing Organisation Version



Version 2.0, 28 March 2019

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The MSC prohibits any modification of part or all of the contents in any form.

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Responsibility for this Standard

The Marine Stewardship Council (MSC) is responsible for this Standard.

Readers should verify that they are using the latest copy of this and other related documents. Updated documents, together with a master list of all available MSC documents, can be found on the MSC website (msc.org).

Versions published

Version no.	Date of publication	Description of amendment
1.0	20 February 2015	First publication.
2.0	28 March 2019	New version incorporating Chain of Custody Program Review changes, approved by the Technical Advisory Board (meetings 25-29) and the Board of Trustees. Includes new requirements on labour practices (on-shore), clarification of eligibility criteria for the Chain of Custody Standard: Customer Facing Organisation Version, and other substantive and non-substantive changes.

About the Marine Stewardship Council

Vision

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

Mission

Our mission 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.

About this document

This document contains mandatory requirements for supply chain organisations seeking MSC Chain of Custody (CoC) certification. Non-mandatory guidance has been developed to help interpret and apply the requirements in this Standard.

General introduction

Chain of Custody certification

CoC certification provides credible assurance that products sold with the MSC ecolabel or trademarks originated from a certified fishery and can be traced throughout the supply chain to a certified source. Organisations certified against the CoC Standard are audited by a third-party accredited certification body, and are subject to periodic surveillance audits over the three-year period of a CoC certificate.

Use of the MSC Chain of Custody by other standard-setting organisations

The CoC Standard is made available for use by selected organisations that operate certification schemes. At the time this Standard was issued, the Aquaculture Stewardship Council (ASC) has elected to use the CoC Standard for all certified seafood products originating from ASC-certified farms. This allows supply chain organisations to handle both MSC certified and ASC certified seafood with a single CoC audit, although separate CoC certificates are issued, and each standard has distinct trademarks. If other certification schemes choose to also use the CoC Standard in the future, this information will be published on the MSC website.

Scope and options for Chain of Custody certification

Any organisation trading or handling products from a certified fishery or farm is eligible to have CoC certification. CoC certification is a requirement for each organisation in the supply chain taking legal ownership of certified products that wishes to make a claim on the certified source, up until the point where products are packed into consumer ready tamper proof packaging.

The MSC owns the MSC Chain of Custody Standard: Default Version and two variants: the MSC Chain of Custody Standard: Group Version and the MSC Chain of Custody Standard: Consumer-Facing Organisation Version. Further information on eligibility for each variant can be found in [Section 6.2](#) of the MSC Chain of Custody Certification Requirements and in the introduction to each document.

Scope of MSC Chain of Custody Standard: Default Version

This Standard is applicable to any organisation that has a single site (physical location) handling or trading certified products. The MSC Chain of Custody Standard: Default Version (CoC Default Standard) is also applicable for any organisation that has numerous sites handling certified products, but where each site is individually audited against the CoC Default Standard. In this case a single certificate will be issued, called a multi-site certificate. Examples of organisations that might be certified against the Default CoC Standard include a single site trading organisation, or a processor with several factory locations.

Some requirements of the CoC Default Standard, such as purchasing from certified suppliers, may not apply where the organisation is a farm or a fishery.

Scope of MSC Chain of Custody Standard: Group Version

The MSC Chain of Custody Standard: Group Version (CoC Group Standard) applies to any organisation handling certified products at many sites, where each site is not individually audited by the Conformity Assessment Body (CAB). This can be more efficient than multi-site certification for organisations with many sites, or groups of organisations that join together. The organisation designates a central office function that establishes internal controls and is responsible for ensuring

that every site complies with the CoC Group Standard. The CAB audits the central office and a sample of sites, rather than auditing every site. A single CoC code and certificate are shared across the group. Examples of organisations that might be certified against the CoC Group Standard include a large wholesaler with many warehouse locations, or a restaurant chain (having decided not to be certified against the CoC CFO Standard).

Some clauses of the CoC Group Standard, such as purchasing from certified suppliers, may not apply where the organisation is a farm or a fishery.

Scope of MSC Chain of Custody Standard: Consumer-Facing Organisation Version

The MSC Chain of Custody Standard: Consumer-Facing Organisation Version (CoC CFO Standard) applies to any organisation that serves or sells seafood to the final consumer and meets other specific eligibility criteria. Consumer-facing organisations (CFOs) such as retail or foodservice can be single sites or have numerous locations, and a single CoC code is issued for all sites under the organisation's management system that handle or trade certified products. Similar to the CoC Group Standard, the CAB audits a sample of the total number of sites in the certificate. Examples of CFOs include restaurants, restaurant chains, fishmongers, retailers with fish counters, and caterers.

Eligibility for CoC Standard: Consumer-Facing Organisation (CFO) Version

Organisations are eligible to be certified against the CoC CFO Standard only if all the following applicable criteria are met:

- a. The organisation sells and/or serves certified seafood exclusively or primarily to final consumers.
- b. Any sites that carry out processing or repacking of certified seafood do so exclusively on behalf of the organisation.
- c. If the organisation uses contract processors or repackers, these organisations have their own CoC certification.
- d. If the organisation has more than a single site handling certified seafood:
 - i. All sites are under the control of a common management system that determines the parameters for seafood supply, traceability infrastructure, and staff operation procedures, and is maintained by the organisation's designated central office.
 - ii. The central office has an ownership or franchise relationship with each site, or a temporary right to manage all sites and staff where certified seafood is handled to ensure conformity with the CoC CFO Standard.
 - iii. The central office has oversight of purchases conducted at site level, with controls to ensure that all sites can only order certified seafood from certified suppliers.

Note: Some organisations may be eligible to use any one of the Default, Group and/or CFO Versions of the CoC Standard. Organisations are advised to check their eligibility against all CoC certification options (i.e. Default, Group, CFO) available in [Section 6.2](#) of the CoC Certification Requirements before discussing the best option with their CAB.

Effective date

The effective date for version 2.0 of the CoC CFO Standard is 28 September 2019. All audits against the CoC CFO Standard that start on or after this date shall use this version.

Review date

The MSC welcomes comments on this Standard. Comments will be considered as part of the next review process. Reviews will take place at least every five years. Please submit comments to standards@msc.org.

More information about the MSC policy development process and the MSC Standard Setting Procedure can be found on the MSC website (msc.org).

Normative documents

The documents listed below contain provisions that, through reference in this text, become part of this Standard. For documents listed, the latest published edition of the document applies.

The documents are:

- a. MSC Chain of Custody Certification Requirements.
- b. MSC-MSCI Vocabulary.
- c. MSC Third-Party Labour Audit Requirements.
- d. CoC Certificate Holder Statement of Understanding of Labour Requirements.
- e. MSC ecolabel user guide.

Terms and definitions

Concepts, terms and phrases are defined in the [MSC-MSCI Vocabulary](#).

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Chain of Custody Standard: Consumer-Facing Organisation (CFO) Version

Principle 1 Certified products are purchased from certified suppliers

- 1.1 The organisation shall have a process in place to ensure that all certified products are purchased from certified suppliers, fisheries, or farms.

Guidance 1.1

“Certified products” refer to any seafood that originates from certified fisheries or farms and is identified as certified.

This excludes seafood products in “consumer ready tamper proof” packaging (i.e. sealed and labelled products that will be sold to final consumers in the same form, such as individual cans of tuna). For a full definition of consumer ready tamper proof, refer to [Section 6.1](#) of the CoC Certification Requirements (CoCCR).

For the purposes of CoC, a “supplier” is an entity that is named on the sales documentation that demonstrates transfer of legal ownership from seller to buyer and relates to certified product. In most cases, this proof of purchase will be an invoice, but could also be demonstrated through a contract or deed.

The organisation’s process will need to include verifying that the party which they take legal ownership of the product from has the relevant valid certification. If buying direct from another supplier, this will be a valid CoC certificate. If buying direct from a fishery or a farm, the process needs to include:

- Verifying that the fishery or farm has a valid fishery or farm certificate.
- Checking the fishery assessment or farm audit report and, if the report specifies that the fishery or farm is required to have CoC certification, verifying that the fishery or farm also has a valid CoC certificate.

Where the consumer-facing organisation has multiple sites, controls to ensure that sites only purchase certified products from certified suppliers may include approved buying lists, controlled purchasing lists, or enterprise resource planning (ERP) systems that block non-certified suppliers. This does not imply that every certified purchase must be made by the central office.

The certified status of MSC supply chain companies and fisheries can be verified on the MSC website (msc.org), and ASC supply chain companies and farms on the ASC website (asc-aqua.org). These websites are more accurate than relying on paper certificates, which may be cancelled, suspended or withdrawn before expiring.

- 1.2 Organisations handling physical products shall have a process in place to confirm the certified status of products upon receipt.

Guidance 1.2

Documentation received with certified products needs to clearly identify the product as certified. This could include delivery notes, invoices, bills of lading, or electronic information from the supplier. This identification is to help ensure that if a supplier replaces certified seafood with non-certified seafood (e.g. if stock runs out), this will be detected by the receiving company.

If a supplier uses an internal system (such as barcodes or product codes) to uniquely identify certified products on documents, the receiving company needs to understand the supplier’s description in order to confirm the product is certified.

If associated records do not clearly identify products as certified, it is not sufficient to rely only on physical product labelling (e.g. the MSC or ASC label or CoC code on a box) to confirm the certified status.

If receiving products directly from a certified farm, the process may include testing the products for antibiotics or banned substances which cannot be applied to products at the farm if they are to be sold as certified, based on the requirements of the farm standard.

- 1.3 Organisations with certified products in stock at the time of the initial certification audit shall be able to demonstrate that these products were purchased from a certified supplier, fishery or farm, and comply with all relevant sections of this Standard before they can be sold as certified.

Guidance 1.3

Certified product in inventory at the time of initial certification will need to be traceable back to a certified supplier, fishery, or farm as per Principle 4. The organisation will also need to demonstrate that any certified product in inventory is identifiable and segregated as per Principles 2 and 3.

Principle 2 Certified products are identifiable

- 2.1 Certified products shall be identified as certified at all stages of purchasing, receiving, storing, processing, packing, labelling, selling and delivering, except for sales invoices to final consumers.

Guidance 2.1

It is recommended that certified products are identifiable as certified on the physical product as well as on the accompanying traceability records. This can be done by placing a sign or label on the package, container, or pallet.

Organisations can use a variety of methods to identify certified products, including acronyms (e.g. “MSC” or “ASC”), the CoC code, or another internal system of identification.

Where it is impossible or impractical to label physical products (e.g. fish in a defrosting tank) the organisation will need to demonstrate how the product can be linked with associated traceability or inventory records that specify the certified status.

Sales invoices to the final consumer include receipts at restaurants, fishmongers or retail fish counters. These do not need to include identification of certified items, although the certified items will still need to be identified at point of serving (e.g. on the menu or fish counter).

- 2.2 The organisation shall operate a system that ensures packaging, labels, menus, and other materials identifying products as certified can only be used for certified products.

- 2.2.1 Certified products shall not be mislabelled by species.

Guidance 2.2.1

Scientific or common names may be used. The use of species names which are not aligned with the relevant legislation in the country or countries in which the product is traded is considered mislabelling.

- 2.2.2 Certified products shall not be mislabelled by catch area or origin, where this is identified.

Guidance 2.2.2

It is not required to specify catch area or origin on product labels, but where this information is specified, this clause applies. Catch area and origin identification which is not aligned to the relevant legislation in the country or countries in which the product is traded is considered mislabelling.

- 2.3 The organisation shall only promote products as certified or use the MSC or ASC label or other trademarks if it has been granted approval to do so under the terms of the licence agreement (ecolabel@msc.org).

Guidance 2.3

Use of the acronyms (e.g. “MSC” or “ASC”) or the full name of the standard owner (e.g. “Marine Stewardship Council” or “Aquaculture Stewardship Council”) on products or traceability records in a purely business-to-business nature to identify products is permitted without a licence agreement.

Any other use of the MSC or ASC label or other trademarks requires a licence agreement from MSC, the MSC’s licencing function for MSC and ASC products.

During an audit, the organisation may be asked to show evidence of trademark approval emails received from MSC.

Principle 3 Certified products are segregated

- 3.1 There shall be no substitution of certified products with non-certified products.

Guidance 3.1

This includes products sold as certified that are not eligible to be sold as certified by the farm, based on the requirements of the farm standard. These are non-certified even if from a certified farm.

Annual volume reconciliations of certified purchases (or production) and sales could be used to support verification that substitution has not occurred.

- 3.2 Certified and non-certified products shall not be mixed if the organisation wishes to make a claim about these certified products, except:
- 3.2.1 If non-certified seafood is used as an ingredient in certified products, the organisation shall follow the non-MSC/ASC certified seafood ingredients rules.

Guidance 3.2.1

The non-MSC/ASC certified seafood ingredients rules can be found in the [MSC ecolabel user guide](#) or the [ASC logo user guide](#) respectively. These documents can be found on the MSC website (msc.org) or the ASC website (asc-aqua.org). The rules define where non-certified seafood may be used as an ingredient in certified products and the specific restrictions that apply. The ability to use non-certified seafood and apply these rules is only relevant for licenced MSC and/or ASC labelled products.

- 3.3 Products certified against different recognised certification schemes that share the CoC Standard shall not be mixed if the organisation wishes to sell the product as certified, unless:

Guidance 3.3

This applies to any other standard, such as the Aquaculture Stewardship Council (ASC), that uses the CoC Standard for supply chain traceability.

- a. The organisation has specific permission from MSC, or

Guidance 3.3.a

MSC may approve a product with ingredients certified to different schemes (e.g. MSC and ASC) that may then be co-labelled (e.g. include the MSC and ASC label on pack) and have the different ingredients identified to the scheme they are certified to (e.g. MSC salmon, ASC shrimp).

- b. The same product is certified against multiple recognised certification schemes that share the CoC Standard.

Guidance 3.3.b

This refers to products which are certified to more than 1 scheme at their origin (e.g. a fishery or farm with MSC and ASC certification).

Principle 4 Certified products are traceable, and volumes are recorded

- 4.1 The organisation shall have a traceability system that allows product sold as certified to be traced back from the point of serving or sale to a certified supplier.
- 4.1.1 The traceability system for an organisation with multiple sites handling certified seafood shall allow:
- Any product sold as certified at a “consumer-facing site” to be traced from the sales invoice or point of serving back to certified deliveries.
 - Any product handled as certified at an “operations site” to be traced from the point of dispatch back to a certified supplier.
 - All transfer of certified product between sites to be traced at every stage.

Guidance 4.1

A “consumer-facing site” is a discrete physical location (such as a restaurant location, fish counter, or catering site) that prepares, cooks, sells, or serves certified seafood directly to final consumers.

An “operations site” is any site that stores, processes, or packs certified product for distribution onto other consumer-facing sites. While an operations site may sell or serve some of their products to the final consumer, they do not do so exclusively.

A CoC CFO certificate holder may have operations and consumer-facing sites included in their certification. In some cases, a site can be considered both a consumer-facing and operations site (e.g. a supermarket with a small warehouse for storing frozen goods). Fish counters packing product for pre-packed retail sale, or a restaurant filleting a fish for sale as sashimi or sushi, will be considered as consumer-facing sites.

The consumer-facing site needs to be able to demonstrate that products labelled as certified on the menu or fish counter can be linked back to a certified input (deliveries or supplier) at the time of serving. This could be an invoice or delivery note from certified deliveries, or it could be an internal delivery note or transfer sheet demonstrating that certified product was received from an internal operations site managed by the organisation’s designated central office.

During an audit at a consumer-facing site, the auditor will usually check traceability for any products currently served or labelled as certified. If no certified products are being sold or served at the time of the audit, the auditor may instead trace a certified product from storage back to a certified delivery.

If certified products are moved between or within sites, the traceability system needs to ensure products are fully traceable at every step back to purchase. This includes, for example, shipment from a distribution centre (operations site) to a restaurant (consumer-facing site), or handling within a processing site (operations site).

4.2 The organisation shall maintain records that allow volume calculation of certified product.

Guidance 4.2

Volumes of certified product handled are to be maintained at all stages except for sale or serving. Volumes of certified product sold or served do not need to be recorded. However, if the organisation has a system to carry out an input/output reconciliation (comparing total volumes of certified fish received and sold or served), this lowers the risk score and can affect the required auditing activities.

4.2.1 If certified and non-certified products of the same (or similar) species are handled at the same time, the organisation shall maintain records of non-certified seafood purchases or deliveries for these similar species.

Guidance 4.2.1

4.2.1 is intended to help the CAB confirm that only certified products are identified or labelled as certified. Sale or serving records for non-certified seafood will not be required. Similar species refers to seafood products that are made from closely related species (e.g. cod and haddock), or that are otherwise similar in visual or physical appearance (e.g. whitefish fillets).

4.3 Records of certified products shall be accurate, complete, and unaltered.

4.3.1 Where records are changed, these changes shall be clearly documented including the date and name or initials of the person making the changes.

Guidance 4.3.1

Where information or records provided by the organisation during audits or other requests is not consistent with information provided at a different point in time, the CAB may issue non-conformities. If records are altered by the organisation to reflect necessary adjustments (such as returned orders), these changes should be clearly recorded.

4.4 The organisation shall only sell as certified the products covered by its scope of certification.

Guidance 4.4

The requirements for changes to scope, which cover new species, activities, or product certified against other recognised certification schemes that share the CoC Standard, are given in 5.3.1.c, 5.3.2.a, and 5.3.2.b.

Principle 5 The organisation's management system addresses the requirements of this Standard

5.1 Management and site control

5.1.1 The organisation shall operate a management system that is effective in addressing all requirements in this Standard.

Guidance 5.1.1

The management system includes the systems, policies and procedures used to ensure that the organisation complies with this Standard. The extent of documentation required for the management system may vary, depending on the size of the organisation, the type of activities, the complexity of processes, and the competency of personnel.

For very small or straightforward operations, no written documentation may be needed as long as the responsible staff understand and can implement procedures related to this Standard.

- 5.1.2 The organisation shall appoint an individual (“CoC contact person”) who will be responsible for all contact with the CAB and for responding to any requests for documentation or information related to conformity with this Standard.

Guidance 5.1.2

The CoC contact person is responsible for communicating with the CAB and ensuring that the organisation responds to any requests for information or documentation. If the CoC contact person changes, the CAB needs to be notified as per 5.3.1.

- 5.1.3 The organisation shall maintain records that demonstrate conformity with this Standard for a minimum of 18 months.

Guidance 5.1.3

Records that demonstrate conformity with this Standard typically include purchase records of certified products, internal traceability records, internal staff procedures, and documentation of training completed. These records may be in hard copy or digital format.

During an audit, the CAB may check historic traceability records for any period over the previous 18 months to verify conformity with this requirement.

Records of sales and/or servings to the final consumer do not need to be maintained.

- 5.1.4 If the organisation has multiple sites handling certified seafood, the organisation shall designate a central office that is responsible for overseeing and maintaining a common management system to ensure conformity across all sites.

Guidance 5.1.4

A “common management system” refers to a shared operational infrastructure set by the central office and enforced upon all sites included in the certificate. The system enables central office control and visibility of site-level operations regarding seafood purchase and supply (see Guidance 1.1 on purchasing control), seafood labelling, traceability procedures, and staff.

The CAB will evaluate that all sites are working to the same centrally determined protocols and procedures that ensure product integrity.

- 5.1.4.1 The central office shall:
- a. Have procedures in place to ensure that all sites handling certified seafood meet the requirements of this Standard.
 - b. Have a system in place to ensure that all sites can only order and sell/serve certified seafood from certified suppliers, covered by its scope of certification.
 - c. Maintain an accurate list of all sites, which includes the address and contact details for each site, and distinguishes between consumer-facing and operations sites.
 - d. Provide a current and complete site list within 5 days of receiving a written request from the MSC or the CAB.

Guidance 5.1.4.1.d

As per the [MSC-MSCI Vocabulary](#), “day” is defined as “calendar day” in this Standard unless otherwise stated.

- e. Have a process to ensure that any sites that are cancelled, suspended, or withdrawn from the certificate cannot continue to use the MSC or ASC label or other trademarks.

Guidance 5.1.4.1.e

This is intended to help ensure that sites cannot continue to use the MSC or ASC label or other trademarks on non-certified product when, for example, a restaurant stops receiving MSC or ASC certified seafood or a site is no longer selling or serving certified seafood.

Where in contract catering an organisation loses a site, the organisation needs to ensure relevant MSC/ASC materials are removed before another catering company takes over the site.

5.2 Training

- 5.2.1 The organisation shall ensure that responsible personnel are competent to ensure conformity with this Standard.

Guidance 5.2.1

“Responsible personnel” refers to individuals within an organisation who are responsible for making decisions or carrying out procedures related to this Standard. This might include staff working in the purchasing department, doing goods-in checks, and any individuals needing to identify, label, or select certified products.

Regular training is very important to ensure that personnel follow internal procedures to ensure conformity with this Standard. Training on CFO requirements can be incorporated into existing training programs where practical. A generic set of CFO training material can also be requested by contacting the MSC. The CAB will interview staff during audits to assess their level of competency and knowledge of this Standard.

- 5.2.2 The organisation shall provide training to responsible personnel:
 - a. Before the initial certification audit.
 - b. As part of induction to new personnel.
 - c. At least annually after certification.

Guidance 5.2.2

After certification, training may need to be carried out more often than once a year to maintain competency (e.g. if staff turnover is very high). If the organisation is certified but there is a delay of several months before the MSC or ASC label will be used, it is recommended that additional training is provided to staff just before use of the MSC or ASC label on menus or product.

- 5.2.3 The organisation shall maintain records demonstrating that training has been carried out as per 5.2.2.

5.3 Reporting changes

- 5.3.1 The organisation shall inform their CAB in writing or by email within 10 days of any of the following changes:
 - a. New CoC contact person within the organisation.
 - b. Certified products received from a new certified supplier, fishery, or farm.

- c. New certified species received.
- d. For an organisation with multiple sites, an increase in total number of sites by more than or equal to 25% since the previous audit.

Guidance 5.3.1

Notification by email or writing needs to be sent to the CAB within 10 days of receiving a new certified species or within 10 days of receiving the first delivery of certified products from a new certified supplier, fishery, or farm.

The calculation of the percentage of total site increase should include both operations and consumer-facing sites (see Guidance 4.1 on their distinction). Where an organisation has 100 sites currently, they would not need to contact the CAB if they add a total of 24 sites or fewer between audits. If 25 sites or more are added since the previous audit, the CAB needs to be notified in writing within 10 days and the CAB may decide to carry out additional audit activities.

It is not required to notify the CAB in the case that the source fishery that the organisation's supplier (or their supplier) receives the product from changes.

- 5.3.2 The organisation shall receive written approval from their CAB before making any of the following changes:
- a. Undertaking a new activity with respect to certified products, that is not already included in the scope of certification.

Guidance 5.3.2.a

New activities include, for example, trading, distribution, secondary processing, and storage. A full list of activities can be found in [Table 4](#) of the CoCCR.

- b. Extending the scope of CoC to sell or handle products certified against different recognised certification schemes that share the CoC Standard.

Guidance 5.3.2.b

For example, if the current CoC certificate covers only MSC certified products, the organisation would need to receive approval from the CAB before selling ASC certified products as certified.

- c. Using a new subcontractor that does contract processing or repacking of certified products.

Guidance 5.3.2.c

If the organisation wishes to add a new storage or transport subcontractor, this will need to be updated on the record of subcontractors as per 5.4, but the CAB can be notified at the next audit (no prior approval is needed).

- d. Adding any new operations sites that are involved in processing or repacking of certified products only.
- e. Adding any new site that operates in a new country.

Guidance 5.3.2.d-e

The CAB may decide to conduct additional audit activities prior to giving approval for the new sites to be eligible.

- f. Handling under-assessment fish, if the organisation is part of the client group of a fishery being assessed or the same legal owner as a farm being audited.

Guidance 5.3.2.f

The client group includes fishing operators within a Unit of Certification or other entities that the fishery client identifies as being covered by and/or able to access the certificate.

5.4 Subcontractors, transport and contract processing

- 5.4.1 The organisation shall be able to demonstrate that all subcontractors handling certified products comply with the relevant requirements of this Standard.
- 5.4.2 The organisation shall maintain an up-to-date record of the names and addresses of all subcontractors handling certified products, excluding transport organisations.
- 5.4.3 The organisation shall only use subcontractors that process or repack certified products if the subcontractor has a valid CoC certificate.
- 5.4.4 If subcontractors are used, the organisation shall have the ability to request certified product records from the subcontractor and to allow the CAB access to certified products at any point in time.

Guidance 5.4.4

A signed agreement is not needed for storage or transport subcontractors, provided the organisation has the ability to request records to demonstrate conformity (e.g. receipt and dispatch records) from the subcontracted storage or transport facility.

The organisation needs to also be able to grant the CAB access to the physical certified product at any point in time, even if it is currently being held in off-site third-party storage. If access to the storage site is restricted for any reason, the certified product may need to be taken off-site to be inspected by the CAB if there are product integrity concerns.

5.5 Non-conforming product

Guidance 5.5

Non-conforming product relates to any product that is identified as certified or labelled with MSC and/or ASC trademarks, but cannot be proven to come from a certified source.

It can also include products from a certified farm that are not eligible to be sold as certified by the farm based on the requirements of the farm standard (e.g. apply antibiotics at the farm to a product intended for sale as certified). Non-conforming product could be discovered internally by staff, by the supplier, or in some cases could be detected based on information received from the CAB, the MSC, the ASC or other parties.

Non-conforming product could be discovered internally by staff or the supplier, or in some cases could be detected based on information received from the CAB, the MSC, the ASC, or other parties.

Where a certified product is ordered but the supplier delivers non-certified product, and this is discovered on receipt and the product is returned, the non-conforming process does not apply.

- 5.5.1 The organisation shall have a process for managing non-conforming product across all sites that includes the following requirements:
 - a. Immediately cease to sell any non-conforming product as certified, until the certified status has been verified in writing by the CAB.
 - b. Notify the CAB within 2 days of detecting the non-conforming product and provide the CAB with all necessary information to verify the origin of the non-conforming product.
 - c. Identify the reason the product is non-conforming and implement measures to prevent re-occurrence where necessary.

- d. For any non-conforming product that cannot be verified as coming from a certified source, re-label or repack this product to ensure it is not sold as certified.

Guidance 5.5.1.d

If the product cannot be verified as coming from a certified fishery or certified farm, it cannot be sold as certified or with MSC and/or ASC trademarks.

5.6 Requests for traceability and supply chain assurance

Guidance 5.6

Designated agents may include representatives from other scheme owners such as ASC or from the MSC's accreditation body.

- 5.6.1 The organisation shall cooperate with all requests from the MSC or its designated agents, or the CAB, for traceability documents or sales and purchase records of certified products.
 - 5.6.1.1 Documents shall be provided within 5 days of the request being made.

Guidance 5.6.1.1

Financial details may be removed but records need to be otherwise unaltered. Records are to be submitted in English if so requested by the MSC.

If an extension is required, a request can be made in writing to the MSC or its designated agents, and if it is not approved, the original 5-day deadline must be met. If data is not submitted to the MSC or its designated agents within specified timeframes, the MSC or its designated agents may request that action be taken by the CAB, including issuing of non-conformities.

- 5.6.2 The organisation shall allow the MSC, its designated agents, or the CAB to collect samples of certified products from their site for the purposes of DNA and/or other product authentication or conformity testing.
- 5.6.3 Where a product authentication test identifies the product as potentially non-conforming as per 5.5.1, the organisation shall:
 - a. Investigate the potential source of the issue.
 - b. Present the CAB with findings from this investigation and, where non-conformities are found, a corrective action plan to address these non-conformities.
 - c. Cooperate with further sampling and investigation.

Guidance 5.6.3

Product authentication may be used to identify species, catch areas, or farm region of origin. Product authentication tests may also be used to determine if the product contains antibiotics or banned substances which cannot be applied to products at the farm if it is to be sold as certified, based on the requirements of the farm standard.

5.7 Specific requirements for under-assessment product

Guidance 5.7

This section only relates to fisheries, farms, or named members of a fishery/farm client group. Under-assessment product refers to fish or fish product harvested during the assessment process, but before the fishery or farm is certified. Under-assessment product may only be harvested after the specified eligibility date, which can be found on the MSC or ASC website (see ASC latest farm audit report).

- 5.7.1 Organisations shall only be eligible to purchase under-assessment product if they are:
- a. A fishery or farm undergoing assessment, or
 - b. A named member of the client group for a fishery, or the same legal entity as the farm undergoing assessment.

Guidance 5.7.1.b

Only fisheries, farms, or named members of the client group are eligible for taking ownership of under-assessment product, or selling under-assessment product between members. No other CoC certified organisations further down the supply chain are eligible to buy under-assessment product.

Organisations which are eligible to purchase under-assessment product as per 5.7.1 can use subcontracted storage facilities to handle under-assessment product, as long as the fishery, farm or client group member retains ownership until such time as the fishery or farm is certified.

- 5.7.2 Organisations handling under-assessment product shall comply with the following requirements:
- a. All under-assessment products shall be clearly identified and segregated from certified and non-certified products.
 - b. The organisation shall maintain full traceability records for all under-assessment product, demonstrating traceability back to the Unit of Certification and including the date of harvest.
 - c. Under-assessment product shall not be sold as certified or labelled with the MSC or ASC label or other trademarks until the fishery or farm is certified.

Guidance 5.7.2.c

When the fishery or farm is officially certified, the Public Certification Report will be posted online on the MSC or ASC website.

5.8 Specific requirements on forced and child labour

- 5.8.1 The organisation shall sign the CoC Certificate Holder Statement of Understanding of Labour Requirements stating that it agrees to complete a labour audit as per 5.8.2.
- 5.8.2 The organisation shall provide evidence that the relevant sites or subcontractors have completed an on-site labour audit with a recognised third-party labour program and that complies with the MSC Third-Party Labour Audit Requirements.
- 5.8.2.1 The on-site labour audit is not required to be completed by the first audit against the CoC CFO Standard v2.0.
- 5.8.2.2 Recognised third-party labour programs are:
- a. amfori Business Social Compliance Initiative.
 - b. SEDEX Members' Ethical Trade Audit.
 - c. Social Accountability International's SA8000.
 - d. Consumer Goods Forum's Sustainable Supply Chain Initiative (SSCI) recognised social standard.
- 5.8.3 The organisation shall inform the CAB within 2 days if the organisation or any of its sites or subcontractors fails to comply with the MSC Third-Party Labour Audit Requirements.

Guidance 5.8.1

The intent of 5.8.2.1 is to allow a grace period of approximately 1 year to complete the labour audit. This exemption is to be applied once only.

The [CoC Certificate Holder Statement of Understanding of Labour Requirements](#) and the [MSC Third-Party Labour Audit Requirements](#) are available on the MSC website (msc.org).

5.8.4 Organisations are exempt from 5.8.1-3 if they are Lower Risk for forced and child labour violations as per the Country Labour Risk Scoring Tool.

Guidance 5.8.4

The Country Labour Risk Scoring Tool is [Table 5](#) and [Table 6](#) in the CoCCR.

End of document