

MSC Chain of Custody Standard: Default Version



Version 5.0, 28 March 2019

Copyright notice

The Marine Stewardship Council “MSC Chain of Custody Standard: Default Version” and its content are copyright of “Marine Stewardship Council” - © “Marine Stewardship Council” 2019. All rights reserved.

The official language of this Standard is English. The definitive version is maintained on the MSC website (msc.org). Any discrepancy between copies, versions or translations shall be resolved by reference to the definitive English version.

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

Marine Stewardship Council
Marine House
1 Snow Hill
London EC1A 2DH
United Kingdom

Phone: + 44 (0) 20 7246 8900

Fax: + 44 (0) 20 7246 8901

Email: standards@msc.org

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	August 2000	First publication.
2.0	August 2005	Major review of requirements.
2.1	1 May 2010	Change to file name, insertion of copyright and document management information.
3.0	15 August 2011	Major review of requirements.
4.0	20 February 2015	Major review of CoC Standard; requirements updated and guidance introduced. Annex BD from the MSC Certification Requirements Version 1.4 incorporated into the Standard. New version issued as Default CoC Standard, and two other variants released (Group CoC Standard v1.0 and CFO CoC Standard v1.0)
5.0	28 March 2019	Major review of CoC Default Standard. Inclusion of new requirements on labour practices (on-shore), and other 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 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: Default Version

Any organisation may be certified against the CoC Default Standard. It is particularly suitable for:

- A single-site operation that only handles or trades certified products at one physical location, or
- A multi-site operation that handles or trades certified product in more than one physical location.

Note: Some organisations will be eligible to use the Default, Group and/or CFO version 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 5.0 of the CoC Default Standard is 28 September 2019. All audits against the CoC Default 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.

- 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](#).

Table of Contents

MSC Chain of Custody Standard: Default Version	9
Principle 1 Certified products are purchased from certified suppliers	9
Principle 2 Certified products are identifiable	10
Principle 3 Certified products are segregated	11
Principle 4 Certified products are traceable and volumes are recorded	12
Principle 5 The organisation's management system addresses the requirements of this Standard	14
5.1 Management and training	14
5.2 Reporting changes	15
5.3 Subcontractors, transport and contract processing	16
5.4 Non-conforming product	17
5.5 Requests for traceability and supply chain assurance	17
5.6 Specific requirements for under-assessment product	18
5.7 Specific requirements on forced and child labour	19

MSC Chain of Custody Standard: Default 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 MSC Chain of Custody Certification Requirements (CoCCR).

For the purposes of Chain of Custody (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 products are not purchased (e.g. for fisheries or farms that harvest directly) this clause will not apply.

The certified status of MSC supply chain organisations and fisheries can be verified on the MSC website (msc.org), and ASC supply chain organisations 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 organisation.

If a supplier uses an internal system (such as barcodes or product codes) to uniquely identify certified products on documents, the receiving organisation 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 If products are sold as certified, they shall be identifiable as certified on the line item of the related invoice, unless all products on the invoice are certified, except for sales invoices to final consumers.

Guidance 2.2

Identifying certified products on the line item of the invoice can be done in a variety of ways; for example, using the acronyms “MSC” or “ASC” in the product description, using the CoC code, or using a unique product code that corresponds to a certified product and has been communicated to customers.

If all items on an invoice are certified, it is acceptable to only have certified identification (e.g. the CoC code) at the top of the invoice. This requirement aims to help make it clear to a buyer and to the Conformity Assessment Body (CAB) which products on an invoice were sold as certified. The acronyms “ASC” or “MSC” can be used for traceability and identification purposes without requiring a licence agreement (see 2.4).

- 2.3 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.

- 2.3.1 Certified products shall not be mislabelled by species.

Guidance 2.3.1

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.

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

Guidance 2.3.2

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.

- 2.4 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 2.4

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 licensing 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

can 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 scheme, 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, etc.).

- 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:
- a. Any product or batch sold as certified to be traced back from the sales invoice or point of serving to a certified supplier.

Guidance 4.1.a

Organisations at the end of the supply chain, such as restaurants and fishmongers, are only expected to trace back from the point of serving or sale. Historic traceability of servings or sales to final consumers are therefore not required, but all other traceability steps (e.g. receipts and deliveries to consumer serving sites and handling at non-consumer serving sites) still require historic records as per 5.1.3.

All other organisations are expected to trace back from the sales invoice.

- b. Any products identified as certified upon receipt to be traced forward from point of purchase to point of sale or serving.

Guidance 4.1.b

4.1.b does not apply if an organisation receives certified material from a supplier but never identifies this as a certified product upon receipt (e.g. if a supplier ships an MSC certified product but the customer did not order it as certified).

Any product identified as certified item receipt needs to be traceable through to final sale or serving, even if it is not eventually sold as certified.

Organisations at the end of the supply chain, such as restaurants and fishmongers, are only expected to trace forward from purchase to point of serving to the final consumer. Historic traceability of servings or sales to final consumer are therefore not required, but all other traceability steps (e.g. receipts and deliveries to consumer serving sites and handling at non-consumer serving sites) still require historic records as per 5.1.3.

All other organisations are expected to trace forward from purchase to sale.

- 4.2 Traceability records shall be able to link certified product at every stage between purchase and sale, including receipt, processing, transport, packing, storage, dispatch and/or serving.
- 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 maintain records that allow volume calculation of certified product.

Guidance 4.4

4.4 applies to any product identified as certified or eligible to be sold with the certified trademarks. If seafood is purchased as certified but then converted to a non-certified status (and will never be sold as certified), then records would only need to show the volumes of product that were converted to a non-certified status. Further volume records (e.g. for subsequent processing of non-certified items) do not need to be maintained.

All records should be maintained for 3 years as per 5.1.3.

- 4.4.1 Sites selling to or serving to final consumers shall maintain all records of volumes purchased and received.

Guidance 4.4.1

Records of volumes of products sold or served to final consumers do not need to be recorded.

Products sold or served to final consumers need to be traceable at the time of serving (see 4.1.a and 4.1.b).

- 4.5 If processing or repacking occurs, records shall allow conversion rates for certified outputs from certified inputs over any given batch or time period to be calculated.
 - 4.5.1 Conversion rates for processing of certified products shall be justifiable and accurate.

Guidance 4.5.1

The intent of this clause is to prevent cases where conversion rates are extremely high or low and could indicate potential for substitution of certified and non-certified product. Normal fluctuations in conversion rates due to product quality, seasonality, processing efficiency, etc. are expected.

To verify cases where conversion rates are potentially allowing room for mislabelled product, the CAB may check records against product specifications, similar products being processed, or the organisation's historical processing records.

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

Guidance 4.6

The requirements for changes to scope, which cover new species, activities, or products certified against other recognised certification schemes that share the CoC Standard are given in 5.2.1.c, 5.2.2.a, and 5.2.2.b.

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

5.1 Management and training

- 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 ensure that responsible personnel are trained and competent in order to ensure conformity with this Standard.

Guidance 5.1.2

“Responsible personnel” refers to individuals within an organisation who are responsible for making decisions or carrying out procedures related to this Standard.

Most organisations will need to conduct some type of training to ensure that employees understand CoC requirements and follow internal procedures to keep certified products segregated, identifiable, and traceable. However, for organisations with simple processes, it may be adequate to provide an employee handbook, instructions, and/or posters in food preparation areas.

- 5.1.3 The organisation shall maintain records that demonstrate conformity with this Standard for a minimum of 3 years, or for the full duration of the certified products' shelf life if longer than 3 years.

Guidance 5.1.3

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

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

- 5.1.4 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 5.1.4

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 contact person changes, the CAB needs to be notified as per 5.2.1.

5.2 Reporting changes

5.2.1 The organisation shall inform their CAB in writing or by email within 10 days 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.

Guidance 5.2.1

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.

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

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.

5.2.2 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 product that is not already included in the scope of certification.

Guidance 5.2.2.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 5.2.2.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 5.2.2.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 5.3, but the CAB can be notified at the next audit (no prior approval is needed).

- d. 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 5.2.2.d

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

- e. Adding or changing a site address or company name.

5.3 Subcontractors, transport and contract processing

- 5.3.1 The organisation shall be able to demonstrate that all subcontractors handling certified products comply with the relevant requirements of this Standard.
- 5.3.2 The organisation shall maintain an up-to-date record of the names and addresses of all subcontractors handling certified products, excluding transport organisations.
- 5.3.3 The organisation shall inform any non-certified contract processors that they will be required to have an on-site audit by the CAB to verify compliance with relevant sections of this Standard prior to use of the contract processor, and at least once per year afterwards.
- 5.3.4 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 5.3.4

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 also needs to be able to grant the CAB physical access to the 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.

- 5.3.5 The organisation shall have a signed agreement with all subcontractors that transform, process, or repack certified products, that covers the following:
 - a. The subcontractor has systems in place to ensure traceability, segregation, and identification of certified products at every stage of handling.
 - b. The subcontractor will allow MSC or its designated agents, and the CAB, to have access to the premises and to any records related to certified products upon request.

Guidance 5.3.5

Signed agreements are needed for any contract processor or repacker, even if these subcontractors have their own CoC certification.

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

- 5.3.6 The organisation shall not knowingly ship or receive product transported on, or received from, vessels listed on Regional Fisheries Management Organisations (RFMO) blacklists.

Guidance 5.3.6

This requirement is to help ensure that any certified organisation using subcontracted transport, or receiving certified seafood directly, does not use vessels that have been engaged in illegal, unreported, or unregulated (IUU) fishing activity. The RFMOs maintain up-to-date lists of IUU vessels on their websites. Several consolidated lists exist, for example, iuu-vessels.org/iuu.

- 5.3.7 Organisations that use contract processors or perform contract processing of certified products shall maintain records of all contract-processed certified products, including:

- a. Volumes and product details received.
 - b. Volumes and product details dispatched.
 - c. Dates of dispatch and receipt.
- 5.3.8 Certified contract processors shall record the name and CoC code for all certificate holders for whom contract processing of certified products has been provided since the previous audit.

5.4 Non-conforming product

Guidance 5.4

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 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.

- 5.4.1 The organisation shall have a process for managing non-conforming product 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 the product to ensure it is not sold as certified.

Guidance 5.4.1.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.

- e. If non-conforming product has already been sold or shipped as certified, notify all affected customers (excluding final consumers), within 4 days of detecting the issue.
 - i. This notification shall include the circumstances of the non-conforming product and all details of the affected products or batch(es).
 - ii. Records of notifications as per 5.4.1.e.i shall be maintained.

5.5 Requests for traceability and supply chain assurance

Guidance 5.5

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

5.5.1 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.

5.5.1.1 Documents shall be provided within 5 days of the request being made.

Guidance 5.5.1.1

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

If a time 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.

5.5.2 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.

5.5.3 Where a product authentication test identifies the product as potentially non-conforming as per 5.4.1, the organisation shall:

- a. Investigate the potential source of the issue.
- b. Present the CAB with findings from the test and, where non-conformities are found, a corrective action plan to address the non-conformities.
- c. Cooperate with further sampling and investigation.

Guidance 5.5.3

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.

5.6 Specific requirements for under-assessment product

Guidance 5.6

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

5.6.1 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 5.6.1.b

Only fisheries, farms, or named members of the client group are eligible for taking ownership of under-assessment product, or for 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 5.6.1 can use subcontracted storage facilities to handle under-assessment product, as long as the fishery, farm, or client group member retains ownership until the fishery or farm is certified.

- 5.6.2 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 5.6.2.c

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

5.7 Specific requirements on forced and child labour

- 5.7.1 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 5.7.2.
- 5.7.2 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 that complies with the MSC Third-Party Labour Audit Requirements.
- 5.7.2.1 The on-site labour audit is not required to be completed by the first audit against the CoC Default Standard v5.0.
 - 5.7.2.2 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.
- 5.7.3 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 5.7.2

The intent of 5.7.2.1 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).

- 5.7.4 Organisations are exempt from 5.7.1-3 if they are Lower Risk for forced and child labour violations according to the Country Labour Risk Scoring Tool.

Guidance 5.7.4

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

- 5.7.5 If the organisation is an at-sea operation (e.g. a processing vessel), it shall comply with the MSC Fisheries Certification Process [7.4.4.2-4](#) (Submission of forced and child labour policies statement) instead of 5.7.1-3.

End of document