

Chain of Custody and use of the MSC logo

Chain of Custody Certification

What is Chain of Custody Certification?

In the Marine Stewardship Council (MSC) Certification Programme a fishery is assessed against the MSC Standard (the MSC Principles and Criteria for Sustainable Fishing). Use of the MSC Logo on fishery products is only permitted where there has been independent verification that the product originated from an MSC certified fishery. A Chain of Custody Certificate provides this verification.

Who should seek Chain of Custody Certification?

Anyone wanting to apply the MSC logo to a fish product must first obtain a Chain of Custody Certificate. This is sought by a retailer, processor or restaurant. Chain of Custody Certification is not required where the MSC logo will not be applied to a product and where no MSC claim is made about the product. In a certified fishery with different supply chains, companies may choose to have only some supply chains certified. Products with a certified supply chain will be eligible to carry the MSC logo; products with a non-certified supply chain will not be eligible to carry the logo.

Who certifies the Supply Chain?

Only an MSC-accredited certifier – either the certifier that certifies the fishery or another MSC-accredited certifier can undertake MSC Chain of Custody Certification. The list of accredited certifiers is on the MSC website (www.msc.org). Any certification organisation may apply for accreditation by the MSC if it meets specific requirements. The requirements are set out in the MSC's Accreditation Manual (also available on the MSC website).

Where does Chain of Custody Certification take place?

A certifier must consider all parts of the supply chain (from fishing vessel to end consumer) when assessing the supply chain against the MSC Chain of Custody Standard (also available on the MSC's website). Often the supply chain will involve a number of different companies. It is up to the certifier to determine which parts of the supply chain they need to visit and which can be assessed through a review of documentation. The certifier will pay particular attention to any steps in the supply chain where products from an MSC-certified fishery could be mixed with products from non-certified fisheries.

What does Chain of Custody Certification involve?

A company wanting to apply the MSC logo to a seafood product(s), contracts an MSC-accredited certifier to assess the supply chain(s) for that product(s). The certifier will request documentation relating to that supply chain and will usually visit one or more points in the supply chain to verify the product to which the logo will be applied originated from an MSC-certified fishery.

In most circumstances, verification of a supply chain is straightforward since companies already operate product identification and tracking systems for other

purposes such as ISO9000 Certification for HACCP. If the certifier verifies that the product identification and segregation systems are adequate to ensure that products from certified fisheries are not mixed with products from uncertified fisheries, the company will receive a Chain of Custody Certificate.

Do I need a Chain of Custody Certificate if I already operate a documentation system?

If a company already operates in compliance with the HACCP, FDA or USDC documentation programme, it may be easier for the company to demonstrate to the certifier that it meets the MSC Chain of Custody Standard. However, compliance with other programmes does not replace the requirement for MSC Chain of Custody Certification.

Must all points of sale be separately certified?

In the case of a multiple branch or multi-divisional retailer, a Chain of Custody Certificate may be sought by the retailer's head office or divisional office. The Chain of Custody Certificate would require the retailer to add MSC Chain of Custody verification to its internal audit programme covering individual retail outlets.

How long does a Chain of Custody Certification last?

The certification lasts for 3 years with an annual review by the certifier. The certifier may also undertake a random audit at any time between annual reviews to ensure the supply chain is operating in an appropriate manner.

How much does Chain of Custody Certification cost?

The costs of Chain of Custody Certification are agreed between the certifier and the client and will depend on the size and complexity of the supply chain. For instance, if the fish product remains mostly unchanged throughout the supply chain and there are few processing sites and few stages in the supply chain, certification is likely to be straightforward. However if the product form changes a number of times and many sites are involved, the process will be more complicated.

The certifier will provide a specific quote prior to undertaking the work. There will also be a cost associated with the certifier's annual review and renewal of the Chain of Custody Certificate.

Does the Chain of Custody Certificate entitle the company to use the MSC Logo?

No. Once a company has received a Chain of Custody Certificate, it must enter into a license agreement before it is permitted to use the MSC logo.

Use of the MSC Logo

Why is it necessary to have a licence?

As with any trademark, careful control of the MSC logo is important to maintain its value to legitimate users. This control is exercised through a license agreement between the company wanting to use the logo and the trading arm of the MSC – Marine Stewardship Council International (MSCI) – which licenses the use of the MSC logo. The License specifies the product(s) on which the Logo may be used. It also requires that logo use is consistent with the requirements set out in the document, ‘*Using the MSC Logo: Regulations and Guidelines for Application*’. These regulations require that proposed uses of the logo must be submitted to MSCI for written approval. MSCI will not approve use of the logo on certified products where other labelling on the product may cause confusion about the identity of the fishery from which the product originated.

What does it cost to use the MSC logo?

The cost of on-product use of the MSC logo is based on the value of the product at the first point of sale after application of the logo and is payable by the company responsible for applying the logo to the product. A minimum royalty of US\$1,000 is payable annually by the licensee to MSCI. A royalty rate of 0.1% is also payable annually for sales of MSC-labelled product which exceed US\$1,000,000.

Does every product require a separate licence agreement?

The licence agreement covering the on-product use of the MSC logo covers a specific certified species and all products of that species, each of which must be covered by a Chain of Custody Certificate. Where the same Chain of Custody Certificate covers a number of products from one species, those products may be covered by one license agreement.

What about off-product use of the MSC logo?

The MSC logo may be used off-product e.g. company letterhead and general promotional material. Where this occurs, Chain of Custody Certification is not required. Off-product use must also be authorised by a license agreement. The cost of off-product use of the logo which is commercial in nature (where an organisation wishes to promote their association with the MSC) is limited to a simple annual administrative fee – currently US\$100. Where a company already has a license for on-product use of the logo, there will be no additional cost for commercial off-product use of the logo. All other off-product use of the logo is free of charge.

Where a restaurant, retailer or direct order sales company wishes to make a general claim to the effect that, for instance, “we support the Marine Stewardship Council Fishery Certification Program” then Chain of Custody Certification is not required. Instead, each restaurant or retailer is required to enter into an off-product license agreement with MSCI. However, if, for example, a restaurant proposes to identify specific fish products on its menu as being from MSC-certified fisheries, a Chain of Custody Certificate would be required.