

MARINE STEWARDSHIP COUNCIL - TECHNICAL ADVISORY BOARD

TAB DIRECTIVE SERIES

TAB Directive Number	Title	Date of Issue
TAB D-020 v1.1	Implications for Clients of Certification Bodies which Apply For but do not Achieve MSC Accreditation.	1 May 2010
Decision Date: 10 June 2008 Effective Date: 21 July 2008		

Documents Supplemented or Modified by this Directive

MSC Scheme Document	Status Change
TAB Directive 020 v1	Superseded

Background

Certification bodies (CBs) applying for MSC accreditation are required to demonstrate their competence by carrying out a full evaluation of a client under the observation of the MSC's accreditation body. This test evaluation takes place before the CB can be accredited, and so the CB cannot issue an MSC certificate until and unless the accreditation process is subsequently completed.

The applicant CB may, for whatever reasons, fail to achieve MSC accreditation. Its 'test client' may also decide at some point that it needs to achieve MSC certification more quickly than an applicant CB can guarantee. General provisions relating to the transfer of a client from one MSC accredited CB to another are described in Directive D012. This Directive aims to provide additional guidance for the transfer of a client from a non MSC accredited CB to an MSC accredited CB.

Intent

The intent of this Directive is to help a client transfer from an applicant CB to a new, MSC accredited CB, as fairly as possible.

Definitions

Accreditation	Third-party attestation related to a conformity assessment body conveying formal demonstration of its competence to carry out specific conformity assessment tasks (ISO/IEC 17011:2004 (E)).
MSC accreditation	Accreditation by MSC's accreditation body to allow CBs to issue certificates of conformity with MSC requirements.
Applicant CB	The certification body (CB) applying for MSC accreditation, and to which the client is currently contracted.
Certificate holder	An entity which holds a certificate of conformity with MSC standards issued by an MSC accredited certification body.
Client	Certification applicant or certificate holder.
Succeeding CB	The certification body (CB) to which the client wishes to move.

Directive

1 General provisions

- 1.1 In order to supply and/or make claims about MSC certified fish a client must be in possession of a current, valid certificate issued by an MSC accredited CB.
- 1.2 CBs may not issue certificates until they have successfully completed the requirements of their applicant phase and have become fully accredited as stated by the MSC accreditation body.

2 Obligations on the client

3

- 3.1 A client which wishes to transfer its contract from an applicant CB to a new, MSC accredited CB shall inform MSC in writing of this intent at the earliest opportunity, shall provide MSC with the name of the intended succeeding CB, and shall authorise MSC and the MSC accreditation body in writing to make any reports, records or other information that MSC or the MSC accreditation body considers are relevant to the client's compliance with the requirements for MSC certification¹ available to the succeeding CB.
- 3.2 The client shall authorise and instruct its current (applicant) CB in writing to provide the succeeding CB with all reports, records or other information², that the current CB considers are relevant to the client's compliance with the requirements for MSC certification³.

4 Obligations on the applicant certification body

- 3.1 Following the client's authorisation, the applicant CB shall disclose, in a timely manner, any and all information to the succeeding CB that it holds that has, or may have a bearing on the client's compliance with the requirements for MSC certification⁴.

5 Obligations on the succeeding certification body

- 5.1 On accepting an application from a client that was in the process of certification with an applicant CB, the succeeding CB shall review the reasons for transfer and shall conduct, at a minimum, a desk-based pre-transfer review to confirm that the client's activities fall within the scope of the succeeding CB's accreditation; and that consideration is given to any assessment reports (including any pre-conditions arising from them identified by the applicant CB) and any other relevant documentation; complaints received and action taken.
- 5.2 The succeeding CB shall take account of the information that has been provided by the client based on work carried out by the applicant CB and shall propose an assessment process that it considers would provide the same level of assurance in relation to conformity with MSC requirements as it would require from a new client that had not taken part in a test evaluation with an applicant CB. Depending on the extent and quality of the available information, and the stage in the assessment process, the succeeding CB may propose to:
 - 5.2.1 Treat the applicant as a new client, and conduct a full assessment in accordance with the relevant certification methodology; OR
 - 5.2.2 Conduct an on-site assessment concentrating on identified problem areas; OR
 - 5.2.3 Decline the evaluation contract.

¹ Confidentiality of 3rd parties shall be considered.

² The objective is to ensure that information that would support or might preclude certification is not withheld from the succeeding certification body.

³ Confidentiality of 3rd parties may need to be considered.

⁴ The applicant certification body may make a reasonable charge to recover the costs of transferring the information.

- 5.3 After discussion with the client, the succeeding CB shall submit its proposal to MSC and MSC's accreditation body for review and comment.
- 5.4 Any departure from the full assessment process must be approved by MSC and the MSC accreditation body, before the assessment is initiated.
 - 5.4.1 Thereafter, all the normal requirements of certification and accreditation shall apply.

END