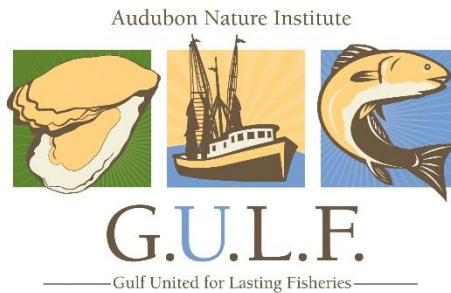


AUDUBON NATURE INSTITUTE
Gulf United for Lasting Fisheries
(G.U.L.F.) Standard



**For use by U.S. Gulf State fisheries for assessment
to a third-party certification scheme**

November 6th, 2014, Issue 1 v.5

**Based on the United Nations Food and Agriculture Organization's
Ecolabeling Guidelines of Fish and Fishery Products from Marine and
Inland Capture Fisheries and the 1995 UN FAO Code of Conduct for
Responsible Fisheries**

FOREWORD

The G.U.L.F. Standard is based on the substantive criteria contained within the Food and Agriculture Organization’s Guidelines for the Ecolabeling of Fish and Fishery Products from Marine and Inland Capture Fisheries (originally published in 2005; revised in 2009 and 2011) and the 1995 United Nations FAO Code of Conduct for Responsible Fisheries. A full description of the standard-setting arrangements, normative references and processes can be obtained from [Audubon Nature Institute](#) (hereafter Audubon), owners of the [Gulf United for Lasting Fisheries \(G.U.L.F.\)](#) Standard and Certification Scheme.

Audubon Nature Institute (Audubon)

Audubon Nature Institute’s Gulf United for Lasting Fisheries (G.U.L.F.) was founded in 2012 from the need for a home-grown champion who understands and can advocate on behalf of Gulf fisheries and industry. Our mission is to secure a vibrant future for Gulf of Mexico seafood through the use of science-based programs, education and outreach, to create a more stable and confident fishing industry.

For generations, our fisheries have prospered through judicious use, and the unique life cycle of our aquatic resources means that Gulf fisheries are very resilient. G.U.L.F. is dedicated to promoting and conserving the seafood resources in the Gulf of Mexico; we work to keep our industry relevant in the changing landscape of sustainability.

The purpose of the Audubon G.U.L.F. Certification Scheme is to provide U.S. Gulf State fisheries with a “Certification of Responsible Fisheries Management for Lasting Use” to an internationally recognized standard.

Certification to requirements under this scheme will demonstrate that fisheries are managed in accordance with internationally established practices provided by the UN FAO.

Introduction

The Audubon G.U.L.F. Certification Standard is a tool for use in the evaluation fisheries in the Gulf of Mexico to a scheme developed and owned by Audubon. The Standard has principally been formulated from existing publically available documents, developed by the United Nations Food and Agriculture Organization (FAO) and agreed upon by a Technical Advisory Committee of fishery experts and stakeholders in the U.S. Gulf of Mexico.

These main normative documents are:

- the 2005 FAO Guidelines for Ecolabeling of Fish and Fishery Products from Marine Capture Fisheries as updated in 2009 and 2011 (later updated for inland capture fisheries)
- the 1995 FAO Code of Conduct for Responsible Fisheries (CCRF) [as it's derived the Ecolabeling guidelines];
- FAO Fisheries Circular 917 (1996).

Collectively, these FAO documents provide the basis of the scope of fishery certification and the technical requirements that a fishery must be able to demonstrate to become certified. The FAO Committee on Fisheries (COFI) has provided a global, multi-stakeholder process for the documentation of the content of the FAO CCRF and later, the FAO Guidelines for the Ecolabeling of Fish and Fishery Products from Marine and Inland Capture Fisheries (hereafter the Ecolabeling Guidelines).

These documents have global significance in fisheries with respect to setting a standard for responsible fisheries management. The G.U.L.F. Standard used in this certification scheme represents a technical translation of these normative references to facilitate effective measurement of fisheries in the U.S. Gulf of Mexico.

The FAO Ecolabeling Guidelines (and the FAO CCRF, from which the guides were derived) consist of a series of statements of principles that need to be placed in an operational context in order to allow the measurement of fishery management performance within a practical context. As a way of rendering the articles and criteria of these documents within a regional context relevant to the U.S. Gulf of Mexico, a series of pilot feasibility trials were undertaken using an existing set of FAO-Based Conformance Criteria, already in use in U.S. Alaska fisheries. The outcome of this activity undertaken over a period of 18 months has informed the development of this Standard.

The FAO Ecolabeling Guidelines provide direction to the evaluation of fisheries for certification purposes. The central scope of fishery certification is the Minimum Substantive Requirements set out in the FAO Ecolabeling Guidelines, which COFI produced in order to create consistency in the basis of certification. The Audubon G.U.L.F. Certification Scheme is consistent with these provisions and Guidelines and also the relevant FAO CCRF Articles to which the Ecolabeling Guidelines refer.

The definition of the Audubon G.U.L.F. Certification Scheme is traceable to the FAO's own definition of Responsible Fisheries Management as follows:

- The scope of certification principally relates to management provisions and performance for the long-term utilization of fishery stock resources and the wider conservation of the marine environment.

- The Audubon G.U.L.F. Certification Standard criteria are formed from a translation of the FAO's Minimum Substantive Criteria contained in the Ecolabeling Guidelines and are consistent with the related articles in the FAO CCRF.
- The document establishes auditable criteria for assessing the conformance of fisheries in the Gulf of Mexico to the Audubon G.U.L.F. Certification Scheme administered and managed by recognized and accredited certification bodies to the requirements of ISO Guide 65/ISO 17065.

The FAO CCRF and FAO Ecolabeling Guidelines make reference to several other international agreements and documents important to the development of responsible fishery practices. These are cited to confirm that the Audubon G.U.L.F. Certification Scheme is consistent with these agreements/regulation/guidelines:

- 1982 United Nations Convention on the Law of the Sea (UNCLOS) (referring to consistency of U.S. Gulf fisheries with the provisions of UNCLOS).
- Implementation of the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing.
- Technical Guidelines for Responsible Fisheries No. 9.
- EC Regulation 1005/2008 establishing a Community system to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated (IUU) Fishing.
- ISO 14024:1999 Environmental labels and declarations - Type 1 environmental labelling - Principles and Procedures.
- ISO/IEC Guide 59:1994 Code of Good Practice for Standardization,
- ISO/IEC 17065:2012 Conformity Assessment -- Requirements for certifying products, processes and services
- WTO Technical Barriers to Trade (TBT) Agreement Annex 3 Code of Good Practice for the Preparation, Adoption and Application of Standards, for the Technical Barriers to Trade (TBT) Second Triennial Review Annex 4, Principles for the Development of International Standards, Guides.

AUDUBON G.U.L.F. STANDARD DEFINITION OF RESPONSIBLE FISHERIES MANAGEMENT FOR LASTING USE

Responsible fisheries management shall ensure the effective management of fishery resources for long-term use and the conservation of living aquatic resources with respect to biodiversity and ecosystem maintenance.

The remit of the Audubon G.U.L.F. Certification Scheme:

Maintaining fishery resources for long-term use, including the use of enhancement practices, up to the point of landing, with the main objective being the biological sustainability of the “stock under consideration,” with consideration for conservation, biodiversity and ecosystem integrity, and due regard to social responsibility and the economic viability of the fishery.

Structure of the G.U.L.F. FAO-Based Conformance Criteria

The G.U.L.F. FAO-Based Conformance Criteria are divided into five sections.

- A. The Fisheries Management System**
- B. Data Collection, Stock Assessment and Scientific Advice**
- C. Management Objectives for the Stock**
- D. Precautionary Approach**
- E. Serious Impacts of the Fishery on the Ecosystem**

These sections are in turn divided into Fundamental Clauses; each Fundamental Clause is further sub-divided into specific assessment criteria. Fundamental clauses are presented below.

A. The Fisheries Management System

1. There shall be a structured fishery management system based upon and respecting international, national and local fishery laws, including the requirements of any regional fisheries management organizations that manage the fisheries on the “stock under consideration.”
2. State fishery management organizations shall implement monitoring and control systems (MCS) to allow for effective enforcement of management measures and their associated rules and regulations.

B. Data Collection, Stock Assessment and Scientific Advice

3. Adequate data and/or information are collected, maintained and assessed in accordance with applicable international standards and practices for evaluation of the current state and trends of the stocks in relation to the fishery.

C. Management Objectives for the Stock

4. The management system shall specify management objectives to achieve optimal utilization of the resource and ensure that the stock is not overfished and that overfishing is not occurring.
5. A suitable mechanism shall exist to allow the harvest rate to be increased or decreased in accordance with the objectives for achieving maximum sustainable yield or a suitable optimal yield, depending on the nature and state of the resource(s), and taking into consideration environmental, social and economic factors.

D. Precautionary Approach

6. The precautionary approach shall be implemented for the conservation of the “stock under consideration” and for avoiding long term, irreversible or slowly reversible effects on the aquatic environment.

E. Serious Impacts of the Fishery on the Ecosystem

7. Adverse impacts of the fishery on the ecosystem shall be appropriately assessed and effectively addressed. Assessment shall be based on best available science, local knowledge where it can be objectively verified, and using a risk based management approach for determining most probable adverse impacts.
8. Where fisheries enhancement is utilized, assessment and monitoring shall consider natural reproductive components of the stock under consideration and ecosystem impacts.

AUDUBON G.U.L.F. STANDARD

A. The Fisheries Management System

A1. There shall be a structured and legally mandated fishery management system based upon and respecting international, national and local fishery laws, including the requirements of any regional fisheries management organizations that manage the fisheries on the 'stock under consideration'

(FAO CCRF (1995) 7.1, 7.3, 7.6, 7.7, 8.4, 12; FAO Eco (2009) 28, 29)

1.1 The fishery management system shall have a legal basis defining the powers of the authorities and laws that identify by objectives or otherwise allow for responsible (or sustainable) fisheries management as defined by this Standard.

(FAO CCRF (1995) 7.1.1, 7.7.1; FAO Eco (2009) 28, 29.5)

1.2 The fishery management system shall have an identified framework or documented procedure, publically accessible (to national and international government agencies, fisheries participants, and other stakeholders) that allows to create, amend and abolish laws, regulations and other legal instruments or measures that are used to implement and improve upon responsible fisheries management for the applicant fishery.

(FAO CCRF (1995) 7.1.1, 7.1.2, 7.1.6)

1.3 Procedures and mechanisms shall be established both within the management system to avoid conflict and through an appropriate external judiciary appointed at the State level to settle conflicts, which arise both within the fisheries sector and with other coastal users.

(FAO CCRF (1995) 7.6.5, 10.1.4, 10.1.5)

1.4 Institutions that make up the management system shall consult with regional fisheries management organizations, government and non-government agencies, and international fishery organizations, where applicable and appropriate, to ensure responsible management and sustainable fisheries for shared, straddling, high seas or highly migratory stocks.

(FAO CCRF (1995) 7.1.3, 7.1.4, 7.1.5, 7.3.2)

1.5 The management system; its institutional arrangements and their legal basis; regulations and other instruments; management measures and outputs; shall be subject to periodic review through identifiable review procedures and mechanisms.

(FAO CCRF (1995) 7.6.8)

1.6 The review process shall be clearly linked to improvement of the management system under clause 1.2 for the applicant fishery; use the best available scientific advice and/or objectively verified information from recognized institutions and other sources, including fisheries and external bodies.

(FAO CCRF (1995) 7.4.1, 7.6.8; FAO Eco (2009) 29.2)

- 1.7 The management system shall forbid, prohibit or otherwise outlaw the use of destructive fishing practices including; dynamiting, poisoning and other comparable destructive fishing practices.
(FAO CCRF (1995) 8.4.2)
- 1.8 The management system shall be resourced through structured, identifiable and consistent means.
(FAO CCRF (1995) 7.7.4)
- 1.9 The management system shall identify and document research priorities for the fishery and stock under consideration and allocate resources to execute these.
(FAO CCRF (1995) 7.4.2, 12.1, 12.2, 12.3; FAO Eco (2009) 29.1)
- 1.10 Gulf-wide and international research relevant to the species and research priorities shall be promoted including, fostering relationships and information exchange with external scientific bodies and other national and international fishery organizations.
(FAO CCRF (1995) 7.3.4, 7.4.6, 12.16, 12.17)
- 1.11 The economic conditions under which fisheries operate shall be monitored with the objective of realizing economic potential and their long term sustainable use.
(FAO CCRF (1995) 7.4.2, 7.4.5, 7.6.3, 12.9; FAO Eco (2009) 29.2b)
- 1.12 Fishing capacity shall be managed such that it does not undermine the effective management of the fishery and conservation objectives for the stock.
(FAO CCRF (1995) 6.3, 7.1.8, 7.2.2a, 7.6.3)
- A2. Gulf States fishery management organizations shall implement monitoring and control systems (MCS) to allow for effective enforcement of management measures and their associated rules and regulations.**
(FAO CCRF (1995) 6.1, 6.10, 7.1, 7.7, 8.1, 8.2; FAO Eco (2009) 29.5)
- 2.1. Effective mechanisms shall be established for fisheries monitoring, surveillance, control and enforcement measures including, where appropriate, observer programs, inspection schemes and vessel monitoring systems, to ensure compliance with the conservation and management measures for the fishery in question.
(FAO CCRF (1995) 6.10, 7.1.7, 7.7.3, 8.2.7; FAO Eco (2009) 29.5)
- 2.2 Non-compliance with conservation and management measures will result in sanctions, including but not limited to removal of authorization to fish and/or to serve as masters or officers of a fishing vessel. Sanctions shall be enforceable through local, state and national law, applicable in respect of violations and illegal activities shall be adequate in severity to be effective in securing compliance and discouraging violations wherever they occur.
(FAO CCRF (1995) 7.7.2, 8.1.9, 8.2.7)
- 2.3 U.S. Gulf States shall enhance through education and training programs the education and skills of fishers and, where appropriate, their professional qualifications. Such programs shall take into account agreed international standards and guidelines.
(FAO CCRF (1995) 6.1.6, 8.1.7, 8.1.10)

B. Data Collection, Stock Assessment and Scientific Advice

B3. Adequate data and/or information are collected, maintained and assessed in accordance with applicable international standards and practices for evaluation of the current state and trends of the stocks.

(FAO CCRF (1995) 6.4, 7.3, 7.4, 8.4, 12; FAO Eco (2009) 29, 31)

3.1 Data shall be collected from both fishery dependent and independent sources, as relevant, in a routine and consistent manner to allow for scientifically robust assessment of:

- i. The state of the stock relative to the management-elected reference points or suitable substitutes or other performance indicators (refer to B1).
- ii. The performance of the fishery with respect to the utilization of the resource.
- iii. The impact of the fishery on ecosystem and other identified impacts.
- iv. The performance of management measures, harvest controls and associated rules that support the strategy and the defined objectives of the fishery.

(FAO CCRF (1995) 7.4.2, 7.4.4, 7.4.5, 7.4.6, 8.4.3, 12.4, 12.5; FAO Eco (2009) 29.1, 29.3, 31.1)

3.2 Data review and analysis shall consider all fishery removals of the target stock(s) including retained catch and discards in target and non-target fisheries.

(FAO CCRF (1995) 7.3.1; FAO Eco (2009) 29.2b)

3.3 Data review and analysis shall consider catches and discards of other commercial and non-commercial species associated with fishing activity to the extent that impacts on these species can be understood.

(FAO CCRF (1995) 6.2, 7.5.2; FAO Eco (2009) 29.3, 31.1)

3.4 Data shall be collected and research advanced to improve the understanding of the biology, life-cycle and reproductive cycle of the stock under consideration, its geographic range, its habitat and role in the ecosystem to improve management of the fishery.

(FAO CCRF (1995) 7.3.1, 12.4, 12.5; FAO Eco (2009) 31.2, 31.3)

3.5 Data can include relevant traditional, fisher or community knowledge, provided their validity can be objectively verified.

(FAO CCRF (1995) 6.4, 12.12; FAO Eco (2009) 29.1, 29.3, 31)

3.6 Where appropriate, scientific observer schemes and surveys or alternative objective methods shall be used to both generate data and verify understanding.

(FAO CCRF (1995) 7.7.3, 8.4.3)

3.7 The nominated scientific institutions shall use scientific data and provide the best stock assessment information and related advice for the objectives of fisheries management including:

- i. Management targets consistent with achieving maximum sustainable yield (MSY) (or a suitable proxy) on average, or a lesser fishing mortality if that is optimal in the circumstances of the fishery (e.g. multispecies fisheries) or to avoid severe adverse impacts on dependent predators, taking into consideration relevant economic, social, or ecological factors.
- ii. The application of specific limits or directions in key performance indicators, consistent with avoiding recruitment overfishing or other impacts that are likely to be irreversible or very slowly reversible, and specification of the actions to be taken if the limits are approached or the desired directions are not achieved.
- iii. Accordingly: the “stock under consideration” shall not be overfished if it is above the associated limit reference point (or its proxy).
- iv. If fishing mortality (or its proxy) is above the associated limit reference point, actions shall be taken to decrease the fishing mortality (or its proxy) below that limit reference point.
- v. In the event that evidence shows that biomass falling well below target levels, management measures shall allow for restoration within reasonable time frames of the stocks to such levels.
- vi. The structure and composition of the “stock under consideration,” which contribute to its resilience shall be taken into account.

(FAO CCRF (1995) 12.13; FAO Eco (2009) 29.2b, 30)

3.8 In the absence of specific information on the “stock under consideration,” generic evidence based on similar stocks can be used for fisheries with low risk. However, the greater the risk the more specific evidence is necessary to ascertain the sustainability of intensive fisheries.

(FAO CCRF (1995) 7.5.2; FAO Eco (2009) 30.4)

3.9 The assessment shall include an appraisal of the stock status and harvest rate relative to target and limit reference points, substitutes or proxies that can demonstrably act in a similar way.

(FAO Eco (2009) 29.2)

C. Management Objectives for the Stock

C4. The management system shall specify management objectives to achieve optimal utilization of the resource and ensure that the stock is not overfished and that overfishing is not occurring.

(FAO CCRF (1995) 6, 7.2, 7.3; FAO Eco (2009) 28, 29)

4.1 For the stock under consideration, documented management approaches and objectives shall be available, with the intent that management will be successful at delivering objectives for the long-term conservation of the stock.

(FAO CCRF (1995) 7.2.1, 7.3.3; FAO Eco (2009) 28.1)

4.2 In the event of overfishing, there shall be objectives for the management system to reduce fishing mortality to levels that have been identified as appropriate for high productivity and long term conservation.

(FAO CCRF (1995) 7.5.3; FAO Eco (2009) 29.2b, 30.2)

4.3 In the event that evidence shows biomass falling to levels where recruitment is impaired, there shall be objectives for the management system to allow for restoration of the stocks within reasonable timeframes to levels that allow for high productivity.

(FAO Eco (2009) 29.2b)

4.4 Short term considerations shall not compromise the long-term management objectives, for conservation and sustainable use of the fisheries resources.

(FAO CCRF (1995) 7.1.1; FAO Eco (2009) 29.4)

4.5 Accordingly, for the stock under consideration, there shall be defined objectives or goals for the fishery and its long-term sustainable use. Stock management objectives may vary and include additional economic and social aspects but must include the following:

- i. Maintenance of the stock at or above the levels necessary to ensure their continued biological productivity and;
- ii. Minimize the negative impacts of fishing on the physical environment and on non-target species (bycatch) and associated dependent species.

(FAO CCRF (1995) 7.1.1, 7.2.1, 7.2.2, 7.3.3; FAO Eco (2009) 28.2, 29.2b)

4.6 The determination of suitable conservation and management measures shall take account of:

- i. Total fishing mortality from all sources, including discards, unobserved mortality, incidental mortality, unreported catches and catches in other fisheries (when assessing the state of the stock under consideration).
- ii. The size and health (structure and resilience to fishing pressure) of the stock under consideration.
- iii. Relevant environmental, biological, technological, economic, cultural, social, and commercial aspects.

(FAO CCRF (1995) 6.3, 6.4, 7.1.1, 7.3.1, 7.6.7; FAO Eco (2009) 29.2b)

- 4.7 Management measures shall generally be consistent with achieving Maximum Sustainable Yield (MSY) (or a suitable proxy) on average, or a yield based on a lesser fishing mortality if that is optimal in the circumstances of the fishery.

This should take account of (where relevant to the fishery):

- i. The avoidance of serious impacts on dependent prey or predator species, or other ecosystem related impacts.
- ii. Consideration of the fishing mortality exerted on the stock from other fisheries either within or outside of the jurisdiction of the management system (e.g. shared, straddling, highly migratory or high seas stocks).
- iii. Insufficient data and greater uncertainty of the state of the stock under consideration such that a higher level of precaution is required when defining harvest rates.
- iv. Varying exploitation rates exerted upon genetically or geographically diverse sub-populations of the same stock.

(FAO CCRF (1995) 7.2.1, 7.2.2, 7.6.9; FAO Eco (2009) 29.2b)

- C5. A suitable mechanism shall exist to allow the harvest to be increased or decreased in accordance with the objectives for achieving maximum sustainable yield (or a suitable proxy) or optimal yield, depending on the nature and state of the resource (s) and taking into consideration environmental, social and economic factors.**

(FAO CCRF (1995) 7.5, 7.6)

- 5.1 The mechanism for controlling harvest shall be identifiable, formally established and implemented in accordance with the best available scientific information.

(FAO CCRF (1995) 7.6.1, 7.6.2, 7.6.3)

- 5.2 Measures, harvest control mechanisms and associated actions shall be designed for when overfished conditions are approached.

(FAO CCRF (1995) 7.5.3; FAO Eco (2009) 30)

- 5.3 These (5.2) shall be sufficiently formalized so that management can effectively respond to situations of impaired recruitment, overfishing or increasing risk of exceeding these or other negative outcomes.

(FAO CCRF (1995) 7.5.3; FAO Eco (2009) 30)

D. Precautionary Approach

D6. The precautionary approach shall be implemented for the conservation of the “stock under consideration” and for avoiding long term, irreversible or slowly reversible effects on the aquatic environment.

(FAO CCRF (1995) 7.5; FAO Eco 2009 29.6, 30.4, 31.4, 32)

6.1 Where there is greater uncertainty about the state of the stock under consideration, including new or exploratory stock, management shall demonstrate more precautionary approaches to managing the resource appropriate to the available data; including a more conservative fishing mortality.

(FAO CCRF (1995) 7.5.1, 7.5.2; FAO Eco (2009) 30.4, 31.4)

6.2 Uncertainty shall be taken into account through suitable statistical analysis and/or other objective risk based methods.

(FAO Eco (2009) 29.6)

6.3 Where substitutes or proxies are implemented, they shall be verifiable through objective methods (e.g. supported by expert knowledge and consensus).

(FAO CCRF (1995) 6.4, 7.1.1, 12.3)

6.4 Where proxies and substitutes are chosen they shall be actively implemented within the provisions and management measures and monitored for their effectiveness and reviewed regularly.

(FAO CCRF (1995) 6.4, 7.1.1, 12.3)

6.5 The absence of adequate scientific information shall not be used to postpone or fail to take conservation and management actions for the stock under consideration and the environment where there is objective evidence of impaired stock recruitment ability and/or long term ecosystem impacts.

(FAO CCRF (1995) 7.5.1; FAO Eco (2009) 29.6)

E. Serious Impacts of the Fishery on the Ecosystem

- E7. Adverse impacts of the fishery on the ecosystem shall be appropriately assessed and effectively addressed. Assessment shall be based on best available science, local knowledge where it can be objectively verified and using a suitable risk based management approach appropriate to the data available for determining most probable adverse impacts and taking into account the relevant environmental, economic, technological, social, and cultural aspects.**
(FAO CCRF (1995) 6, 7.2, 7.6, 8.4, 8.5, 12; FAO Eco (2009) 31)
- 7.1 The most probable adverse impacts of the fishery on the ecosystem shall be considered, taking into account available scientific information, traditional, fisher and community knowledge provided its validity can be objectively verified.
(FAO CCRF (1995) 6.2, 6.4, 7.2.2(d), 7.2.3; FAO Eco (2009) 31)
- 7.2 In the absence of specific information on the ecosystem impacts of fishing, generic evidence based on similar fishery situations can be used for fisheries with low risk of severe adverse impact using a suitable risk management approach.
(FAO CCRF (1995) 7.5.2; FAO Eco (2009) 31.4)
- 7.3 Where risk is considered greater, more specific evidence of the impacts of the fishery on the ecosystem and its components is required.
(FAO CCRF (1995) 7.5.1, 7.5.2; FAO Eco (2009) 31.4)
- 7.4 With regard to non-target catches; including discards of fish stocks other than the 'stock(s) under consideration:
- i. Non target stocks shall be monitored sufficiently enough to determine the impact exerted by the fishery.
 - ii. The fishery under consideration shall not threaten these non-target stocks with recruitment overfishing or other impacts that are likely to be irreversible or very slowly reversible and if such impacts arise, effective remedial action shall be taken.
 - iii. The monitoring procedures and activities shall be robust enough to allow for objective and scientific verification of the risks and outcomes.
(FAO CCRF (1995) 6.2, 8.5.1, 12.4, 12.10; FAO Eco (2009) 31.1)
- 7.5 With regard to the habitat interaction of the fishery either through direct contact or other indirect effects:
- i. Habitats that are vulnerable to damage by the fishing gear(s) under consideration shall be monitored sufficiently enough to determine the risk that the fishery exerts upon their long term viability.
 - ii. Impacts on habitats vulnerable to damage by the fishing gear or are protected by legislation must be avoided or minimized through mitigation measures.
 - iii. The monitoring procedures and activities shall be robust enough to allow for objective and scientific verification of the risks and outcomes; and in assessing

fishery impacts, the full spatial range of the relevant habitat shall be considered, not just the part of the spatial range that is potentially affected by fishing.

(FAO CCRF (1995) 6.8, 7.2.2(d), 7.6.10, 8.4.7, 12.5; FAO Eco (2009) 31.3)

7.6 With regard to species that have been recognized as endangered, threatened or protected:

- i. Consistent with A1, Gulf State management systems shall give formal recognition of populations of species identified as endangered, threatened and/or protected (ETP) in the geographic location of the fishery by international, national or state authorities within the context of the likely risk posed by the fishery under consideration.
- ii. The fishery management system shall act to avoid impact on the populations of ETP species such that it does not undermine the ability for those ETP populations to recover.
- iii. Monitoring procedures and activities shall be implemented to determine both the current status of the impact on ETP's caused by the fishery and to monitor the effectiveness of avoidance and mitigation measures that are implemented to minimize further impact on the mortality of those populations of ETP species.
- iv. Monitoring procedures and activities shall be robust enough to allow for objective and scientific verification of the risks and outcomes.

(FAO CCRF (1995) 7.2.2(d), 7.6.9; FAO Eco (2009) 31.1)

7.7 With regard to the role of the stock under consideration in the food-web and other ecosystem interactions:

- i. The role of the "stock under consideration" in the food web shall be considered, and if it is a key prey species in the ecosystem, management measures shall be in place to avoid severe adverse impacts on dependent predators.
- ii. In consideration of Section B clauses, evaluation of the most probable environmental factors that influence the abundance of the stocks under consideration must be included in the overall evaluation of stock status and determination of exploitation rates.

(FAO CCRF (1995) 6.2, 6.4, 7.2.2(d), 7.2.3; FAO Eco (2009) 31)

7.8 Where Gulf States undertake habitat enhancement opportunities through the use of artificially introduced structures, procedures shall be developed, appropriate for the control on the geographic location and navigation safety, material selection and compliance with international conventions.

(FAO CCRF (1995) 8.11)

7.9 In so far as introduction of artificial structures promotes fisheries enhancement, the management system must consider the environmental consequences such as habitat modification and serious or irreversible harm to the natural ecosystem's structure and function.

(FAO CCRF (1995) 8.11.1)

E8. Where fisheries enhancement is utilized, assessment and monitoring shall consider natural reproductive components of the stock under consideration and ecosystem impacts.

(FAO CCRF (1995) 9.1. 9.3)

8.1 Stock introductions and transfers of juveniles from enhancement activities shall be from species that are native to the fishery's geographic area. Furthermore, the natural reproductive components of the stock under consideration shall be maintained.

(FAO CCRF (1995) 9.3.1, 9.3.4)

8.2 As appropriate, the most probable adverse impacts, from enhancement activities, such as disease transfer, genetic diversity of local populations and effects on other ecosystem components in the receiving waters shall be considered.

(FAO CCRF (1995) 9.1.2, 9.1.5, 9.3.5)

References:

1. FAO. Code of Conduct for Responsible Fisheries Rome, FAO. 1995. ISBN 92-5-103834-1
2. FAO. Guidelines for the Ecolabeling of Fish and Fishery Products from Marine Capture Fisheries. Rome/Roma, FAO. 2005 (original release 2005, and Revisions 2009).
3. FAO. Guidelines for the Ecolabeling of Fish and Fishery Products from Inland Capture Fisheries. Rome/Roma, FAO. 2011.
4. FAO. Caddy, J.F. A checklist for fisheries resource management issues seen from the perspective of the FAO Code of Conduct for Responsible Fisheries. *FAO Fisheries Circular*. No. 917. Rome, FAO. 1996. 22p.
5. Wildlife and Fisheries Title 56 of the Louisiana Revised Statutes (As amended through 2010 Regular Session).

Appendix 1

Background to the development of the FAO Code of Conduct for Responsible Fisheries (CCRF)

The International Conference on Responsible Fishing, held in 1992 in Cancún (Mexico) requested the Food and Agriculture Organization of the United Nations (FAO) to prepare an international Code of Conduct which would lead to responsible, sustained fisheries worldwide. The outcome of this Conference, particularly the Declaration of Cancún, was an important contribution to the 1992 United Nations Conference on Environment and Development (UNCED), in particular its Agenda 21. Subsequently, the United Nations Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks was convened, to which FAO provided important technical back-up. In November 1993, the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas was adopted at the Twenty-seventh Session of the FAO Conference. Noting these and other important developments in world fisheries, the FAO Governing Bodies recommended the formulation of a global Code of Conduct for Responsible Fisheries which would be consistent with these instruments and, in a non-mandatory manner, establish principles and standards applicable to conservation, management and development of all fisheries.

The Code, which was unanimously adopted on 31 October 1995 by the FAO Conference, provides a necessary framework for national and international efforts to ensure sustainable exploitation of aquatic living resources in harmony with the environment. The FAO CCRF is voluntary. However, certain parts of it are based on relevant rules of international law, including those reflected in the United Nations Convention on the Law of the Sea of 10 December 1982. The FAO CCRF is global in scope, and is directed toward members and non-members of FAO, fishing entities, sub regional, regional and global organizations, whether governmental or non-governmental, and all persons concerned with the conservation of fishery resources and management and development of fisheries, such as fishers, those engaged in processing and marketing of fish and fishery products and other users of the aquatic environment in relation to fisheries. The FAO CCRF provides principles and standards applicable to the conservation, management and development of all fisheries. It also covers the capture, processing and trade of fish and fishery products, fishing operations, aquaculture, fisheries research and the integration of fisheries into coastal area management. Finally, the reference to U.S. Gulf States includes the European Community in matters within its competence, and the term “fisheries” applies equally to capture fisheries and aquaculture.

Background to the FAO Ecolabeling Guidelines for Fish and Fishery Products from Marine Capture Fisheries

In October 1998, FAO convened a Technical Consultation on the Feasibility of Developing Non-discriminatory Technical Guidelines for Ecolabeling of Products from Marine Capture Fisheries. This consultation identified a number of principles to be observed by Ecolabeling schemes:

- be consistent with the FAO Code of Conduct for Responsible Fisheries;
- be voluntary and market-driven;

- be transparent;
- be non-discriminatory, by not creating obstacles to trade and allowing for fair competition;
- establish clear accountability for the promoters of schemes and for the certifying bodies, in conformity with international standards;
- include a reliable auditing and verification process;
- recognize the sovereign rights of U.S. Gulf States and comply with all relevant laws and regulations;
- ensure equivalence of standards among countries;
- be based on the best scientific evidence;
- be practical, viable and verifiable;
- ensure that labels communicate truthful information and provide for clarity.

The guidelines draw upon various sources including relevant guides of the International Organization for Standardization (ISO), the WTO Agreement on Technical Barriers to Trade (TBT), in particular, Annex 3 Code of Good Practice for the Preparation, Adoption and Application of Standards, and the work of the International Social and Environmental Accreditation and Labelling (ISEAL) Alliance.

At the recommendation of the Sub-Committee FAO organized a Technical Consultation in October 2004 to finalize the draft guidelines for their consideration by the 26th Session of COFI in March 2005. The COFI Sub-Committee noted the benefits to fisheries managers, producers, consumers and other stakeholders of internationally agreed and widely accepted and applied guidelines that ensure the credibility and trustworthiness of voluntary ecolabeling schemes for fish and fishery products.

The FAO Guidelines for the Ecolabeling of Fish and Fishery Products from Marine Capture Fisheries, as updated in revision 1 of 2009, are applicable to ecolabeling schemes that are designed to certify and promote labels for products from well-managed marine capture fisheries and focus on issues related to the sustainable use of fisheries resources. This in turn was updated in the 2011 revision to expand the previous guidelines by including enhanced fishery specific minimum substantive criteria and adopted at the 29th session of the Committee on Fisheries (COFI), Rome 31 Jan-4th Feb 2011.

The Ecolabeling Guidelines sets forth the minimum substantive requirements and criteria for assessing whether a fishery can be certified and an ecolabel awarded to a fishery. Ecolabeling schemes may apply additional or more stringent requirements and criteria related to sustainable use of the resources. The requirements and criteria presented in Ecolabeling Guidelines are to be based on and interpreted in accordance with the current suite of agreed international instruments addressing fisheries, in particular the 1982 UN Convention on the Law of the Sea, the 1995 UN Fish Stocks Agreement and the 1995 Code of Conduct for Responsible Fisheries, as well as related documentation including the 2001 Reykjavik Declaration on Responsible Fisheries in the Marine Ecosystem.