

MarinTrust's response to HRAS' "A review of the international fisheries and aquaculture certifications, standards and ratings ecosystem questionnaire 1.0"

6 July 2023

Background

MarinTrust is a voluntary third-party certification programme for marine ingredients (fish meal and fish oil) that champions best practices in fisheries and the production of marine ingredients by enabling producers to demonstrate that their marine ingredients are responsibly sourced and produced. The MarinTrust Programme includes a main factory standard, a Chain of Custody standard and an Improver Programme. MarinTrust is an ISEAL member and fully ISEAL Code Compliant.

MarinTrust is **NOT** a fisheries certification as the **Unit of Certification is the marine ingredient producing factory or plant**, not the fishery. However, as a **prerequisite** to provide assurance for the responsible sourcing of raw materials used for the production of marine ingredients, an assessment of the fishery from which raw material is being sourced must be completed. The assessment is done by a registered 3rd party Certification Body (CB) against criteria aligned with the FAO Code of Conduct for Responsible Fisheries. If the fishery assessment is passed, then the species are listed as "approved" on the MarinTrust website and can be included in a factory's certification scope.

Approximately 50% of all marine ingredients produced globally are MarinTrust certified, with **166 sites certified** to the main factory standard and 91 Chain of Custody Certified sites (June 2023 data).

[Version 2](#) of the main factory standard is currently in operation, launched in 2017, for the first time the standard included a section on Social Accountability (Section 5) and Community Engagement (Section 7). Since 2018 [Version 3 of the standard has been under development](#) to ensure the standard remains credible and relevant. Version 3 includes enhanced social criteria and impacts, with the standard extending its scope to include vessels' supplying whole fish to production facilities. With a 60-day [public consultation](#) (4 May – 3 July 2023) now complete, the projected launch is October 2023.

Before 2023, data was submitted through audit reports and not aggregated into a database. We are in the process of collating data into a new database that will better support the aggregation and analysis of audit data. This database will align with the implementation of Version 3 and allow MarinTrust more accurate and timely record-keeping and reporting as part of our [Monitoring, Evaluation and Learning system](#).

1. How many cases of reported child labour, forced or compulsory labour have been reported to your organisation under your certification since inception, how reported and by whom?

Whilst MarinTrust is the standard owner, factory (or facility) audits and fisheries assessments are undertaken by independent 3rd party Certification Bodies (CB) that have been [registered under the MarinTrust programme](#). It is the CB who takes all certification decisions, including issuing certificates to those that have passed the rigorous audit and suspending or withdrawing certificates. Cases of reported child labour, or any other non-conformances, may be discovered during an audit or will be reported directly to the CB as the responsible party.

To date, no reports via the CB, or directly, have been received regarding child labour or forced or compulsory labour, but systems are in place to deal with them if they are raised ([see Question 3](#)). Nonconformities (NCs) have been identified in audits of two facilities in 2022 for failure to pay employees at least the minimum wage, and audits of two facilities in 2021, and one in 2022 of failing to maintain records of employment contracts signed by both the employee and the employer. These became new requirements in Version 2 of the main factory standard from 2017. Applicants or certificate holders must demonstrate to the CB the corrective actions that have been done to close NCs within 21 working days (28 calendar days) of the audit, if an NC is not closed or corrective action is insufficient a certificate will not be issued, or the certificate will be suspended.

Version 3 of the standard will now build on these systems by adding a new layer of social accountability, further strengthening the requirements around worker welfare, rights, freedom of association, health and safety, and working conditions.

2. How many cases of human rights abuse have been reported to your organisation under your certification since inception, how reported and by whom?

Whilst MarinTrust is the standard owner, the factory audits, fisheries assessments and certification activities are undertaken by registered 3rd party Certification Bodies (CB). It is the CB who takes all certification decisions, including issuing certificates to those that have passed the rigorous audit and suspending or withdrawing certificates. Cases of human rights abuses, or any other non-conformances, may be discovered during an audit or will be reported directly to the CB as the responsible party. A formal complaints procedure to capture this ([see Question 3](#)).

To date, no reports via the CB, or directly, have been received regarding human rights abuses, but systems are in place to deal with them if they are raised ([see Question 3](#)). Nonconformities (NCs) were identified in two audits in 2021 around the failure of two facilities to provide documentation demonstrating a clearly identified, named employee representative, which became a new requirement in Version 2 of the main factory standard from 2017. Version 3 will now build on these systems by adding a new layer of social accountability, further strengthening the requirements around worker welfare, rights, freedom of association, health and safety, and working conditions.

3. What is the structure, methodology and oversight mechanism(s) for your organisation's internal investigation, findings and remediation processes involving reported cases for i) human rights abuses, ii) labour rights abuses and specifically, iii) child labour or iv) forced or compulsory labour abuses?

The MarinTrust Programme has been structured to the required level of consistency, assurance and credibility with the support of a Quality Management System (QMS), a set of coordinated activities to direct and control our process. The QMS outlines how MarinTrust documents its processes, responsibilities and procedures with the aim of ensuring that applicants to the MarinTrust programme are certified in a consistent and timely manner. The QMS also ensures MarinTrust maintains alignment with ISO/IEC standards and to all ISEAL codes.

Certification Body procedures for the MarinTrust programme involve conducting factory and chain of custody audits. These audits are carried out by registered CBs following established guidelines for efficiency, consistency, and reporting, the CBs are overseen by independent Accreditation Bodies. The audit process includes identifying and addressing non-conformities, categorised as minor nonconformity, major nonconformity, or critical nonconformity. Critical nonconformities lead to immediate suspension.

Applicants or certificate holders have 21 working days (28 calendar days) to address any minor or major nonconformities raised during an audit. Failure to implement corrective actions within the specified timeframe results in certificate withdrawal by the CB. If a suspended certificate holder fails to respond and successfully complete an acceptable Programme of Corrective Action within the given time, the CB will withdraw the certificate.

It is the CB, not MarinTrust, who takes all certification decisions, including issuing, suspending and withdrawing certificates. This includes immediate withdrawal, without a suspension period, in cases where evidence may comprise of, but may not be limited to, any of the following:

- Evidence of critical nonconformities.
- Failure to pay the appropriate fees required of the MarinTrust Programme.

Certificates may be suspended, pending further investigation, in cases where evidence may comprise of, but may not be limited to, any of the following:

- Persistent failure to meet the requirements of the MarinTrust Certification Programme as noted during audit visits and agreed by the certification committee, or delegate/responsible person.
- A Breach of Legislation,
- Substantiated complaints regarding the supply of inferior products supplied under the Logo of Conformity for the MarinTrust Certification Programme.

In addition to audit activities and nonconformities, the CBs manage any complaints received about an applicant or certificate holder. All Certification Bodies (CBs) are required to be compliant with ISO 17065 and to maintain a complaints and appeals process, as set out in [ISO 17065](#).

CB procedures for conducting and certifying applicants for the MarinTrust programme include the following key relevant procedures (all publicly available on the MarinTrust [website](#)):

- [Procedure for registered Certification Bodies conducting audits against the MarinTrust Programme \(A4 -V3.0\)](#) Effective from November 2022, which outlines the procedure for registered Certification Bodies (CB) to implement for carrying out audits to ensure efficiency, consistency, and reporting, of the planning, conducting, and reporting of all audits. Including the recording and closure of non-conformities.
- [Procedures for issuing and withdrawal of certificates to the MarinTrust certification programme \(A5 - V2.0\)](#) Effective from November 2022, which defines the procedure by which certificates of conformity are issued or withdrawn by registered Certification Bodies (CB) against the MarinTrust Certification Programme
- [Appeals and complaints procedure for the MarinTrust Programme \(A6 - V2.0\)](#) Effective from May 2021, which highlights the requirement that all Certification Bodies (CBs) are required to be compliant with ISO 17065 and to maintain a complaints and appeals process, as set out in ISO 17065.

4. How many entities have you suspended for i) human rights abuses, ii) labour rights abuses and specifically, iii) child labour or iv) forced or compulsory labour abuses since inception?

- 4.1 What are the details of the suspension, for how long was the suspension upheld, were the perpetrators identified and are these details publicly available?
- 4.2 Please confirm public access and links.

Whilst MarinTrust is the standard owner, factory audits and fisheries assessments are undertaken by a registered 3rd party Certification Body (CB). It is the CB who takes all certification decisions, including issuing certificates to those that have passed the rigorous audit and is also responsible for the suspension and withdrawal of certificates.

The status of all certificate holders, including those that have been withdrawn or suspended, are publicly available on the MarinTrust website: [Suspension and Withdrawal of certification or acceptance status.](#)

The specific reasons for suspensions and withdrawals are not shown and may relate to a number of non-conformities throughout the standard, and/or a breach in legalisation, and/or substantive complaints. Note, some withdrawals can be voluntary on the part of the certificate holder.

Currently, there are 2 suspended Chain of Custody certificate holders (effective 5 May 2023), with investigations by the CB ongoing, and one withdrawal of a Chain of Custody certificate (27 August 2021). There are no suspended or withdrawn certificate holders for the main factory standard at present.

Suspended and Withdrawn MarinTrust certificates/ IP accepted sites

Below is a summary of all MarinTrust Standard and Chain of Custody certificates, and IP accepted sites which are currently suspended or have been withdrawn.

Suspended Certificates and IP acceptance status

The following certificates and IP accepted sites have been suspended pending further investigation. Any product produced **during the suspension period** is not MarinTrust certified or IP compliant in the case of accepted sites.

MarinTrust Standard

No certificates have been suspended for the last 6 months.

MarinTrust Chain of Custody Standard

Name of facility	Suspension date	Date of reinstatement
Camar Trade SAC	05/05/2023	N/A
Doil International SAC	05/05/2023	N/A

IP Accepted Sites

No IP accepted sites have been suspended for the last 6 months.

Figure 1. Screenshot of MarinTrust website listing suspended or withdrawn certificates.

5. How many suspended entities have been re-certified, under what circumstances were they allowed to reapply and on what basis were they re-assessed for certification?

Under the MarinTrust Programme, a certificate is suspended is when a registered Certification Body (CB) temporarily makes a certificate holder’s certification invalid pending further investigation. Depending on the results of the investigation, the suspended certificate can be reinstated (do not need to reapply to the Programme) or fully withdrawn.

The term ‘withdrawal’ is used when a registered CB fully revokes a certificate holder’s certification. Withdrawn certificates cannot be reinstated and certificate holder is required to reapply to the Programme if they wish to gain certification. When they reapply to the Programme, the application is considered as a new applicant.

The timeframe allowed for withdrawn certificate holders to reapply to the Programme depends on the reason for the withdrawal.

In the event of critical nonconformity, the CB shall not grant certification to the applicant. Any future applications to the Programme by the applicant must include documented evidence of the policies and/or systems put in place to ensure the critical nonconformity does not re-occur.

A period of no less than 6 months shall pass before an applicant can reapply for certification to the Standard, to ensure that the systems that are preventive of the critical nonconformity re-occurring have been fully embedded into the applicant’s quality management systems and culture.

According to our 2022/2023 data, no withdrawn certificate holder(s) have been re-certified by a registered Certification Body.

The procedures for CBs managing certificate status are outlined in the [Procedures for issuing and withdrawal of certificates to the MarinTrust certification programme \(A5 - V2.0\)](#) document.

6. How many entities have you banned for i) human rights abuses, ii) labour rights abuses and specifically, iii) child labour or iv) forced or compulsory labour abuses since inception?

6.1 What were the details of the ban, were the perpetrators identified and are these details publicly available?

6.2 Please confirm public access and links.

MarinTrust does not ban entities. Factory audits, fisheries assessments and certification activities are undertaken by a registered 3rd party Certification Body (CB). The CB issues certificates to those that have passed the rigorous audit and is also responsible for the suspension and/or withdrawal of certificates. This includes immediate withdrawal, without a suspension period, in cases where evidence may comprise of, but may not be limited to, any of the following:

- Evidence of a critical nonconformity.
- Failure to pay the appropriate fees required of the MarinTrust Programme.

Certificates may be suspended, pending further investigation, in cases where evidence may comprise of, but may not be limited to, any of the following:

- Persistent failure to meet the requirements of the MarinTrust Programme as noted during audit visits and agreed by the certification committee, or delegate/responsible person.
- A Breach of legislation,
- Substantiated complaints regarding the supply of inferior products supplied under the Logo of Conformity for the MarinTrust Programme.

The status of all certificate holders, including those that have been withdrawn or suspended, are publicly available on the MarinTrust website: [Suspension and Withdrawal of certification or acceptance status.](#)