

**CHAPTER 7: ADDITIONAL REQUIREMENTS FOR THE ASC PROGRAM**

**1. Applicability**

<b>Article 1: Applicability</b>	
1	The ASC Inspection regulation is applicable to all programs within the scope of ASC.
<b>Article 2: Scope</b>	
1	<p>The following documents that are applicable for certification programs, these are mentioned below:</p> <ul style="list-style-type: none"> <li>- ASC Certification and Accreditation Requirements</li> <li>- Aquaculture Stewardship Council ASC Tilapia Standard</li> <li>- Aquaculture Stewardship Council ASC Pangasius Standard</li> <li>- Aquaculture Stewardship Council ASC Bivalves Standard</li> <li>- Aquaculture Stewardship Council ASC Shrimp Standard</li> <li>- Aquaculture Stewardship Council ASC Salmon Standard</li> <li>- Aquaculture Stewardship Council ASC Abalone Standard</li> <li>- Aquaculture Stewardship Council ASC Freshwater Trout Standard</li> <li>- Aquaculture Stewardship Council ASC Cobia and Seriola Standard</li> <li>- Aquaculture Stewardship Council ASC Flatfish Standard</li> <li>- Aquaculture Stewardship Council ASC Seabass, Seabream, Meagre Standard</li> <li>- Aquaculture Stewardship Council ASC Tropical marine finfish Standard</li> </ul> <p>The current versions of these documents can be found on the ASC website; <a href="https://www.asc-aqua.org/what-we-do/our-standards/farm-standards/">https://www.asc-aqua.org/what-we-do/our-standards/farm-standards/</a></p>
2	<p>Single site: single aquaculture site, applicant is capable of signing a binding contract that is legally enforceable.</p> <p>Multi-site: applicant is a legal entity; all of the sites have a common management structure at a central office that has management responsibility over all sites and for which all ASC requirements are binding for each site, facility or operation; All of the operations are subject to the same standard; All sites in the unit of certification shall operate within the same jurisdiction or within neighboring jurisdictions that share the same relevant regulations.</p> <p>Group site: applicant is a legal entity; multiple members/sites; comply with ASC Requirements for the Certification of Producer Groups.</p>

**2. Definitions**

<b>Article 3: Definitions related to the standard.</b>	
ASC	Aquaculture Stewardship council
FORM 3	Public Disclosure Form, this template allow us to publish all the information relevant to the client.

**3. Procedure of Inspection**

<b>Article 4: Contracting</b>	
1	The applicant will coordinate the entire contracting part directly with Control Union Peru or local CU office on behalf of CUP.
<b>Article 5: Planning</b>	

1	The applicant and CUP will have to agree in the audit date in order that FORM 3 can be send to ASC. Form 3 must be send 30 workdays before the audit date. Any changes in the FORM 3 must be updated no less than 10 workdays before the audit date (initial). If the audit is cancelled by the client once the FORM 3 was sent to ASC a penalty fee could be charge.
2	The certificate holder must confirm to CUP about the weather conditions, they have to give the guarantee that the audit will be carry out without any problem. If the audit cannot full carry out due to weather conditions, additional audit days will be added.
3	CUP will send invitation to the stakeholders declared in the application form by the client also to any other stakeholder relevant that was not declared in the application form.  Client has to make on-site audit information publicly available (signs, letters etc.).
<b>Article 6: Inspection: Conditions for inspection</b>	
1	<b>Aquaculture Production Units:</b> the inspection must be carried out during the production and operational season. This period starts as soon as all the operations subject to inspection begin (sowing, harvesting, etc.) and ends with packing or placing in containers for the storage of certified products. Facilities need to be in full operation in order to be audited, this means that at least SOME cages or ponds must stocked and operating. Audits will not carry out if the production units are empty. For initial audit and during one surveillance audit, harvest activity has to be audited. If the harvest activity can not be verified additional audit day must be added, the audit is not finish until the harvest activity is audited.
2	All clients seeking certification shall have available records of performance data covering the periods of time specified in the standard(s) against which the audit(s) is to be conducted. Clients must do their own self assessments using the audit preparation checklist of the relevant standard and confirm through the application form that they have the minimum data requested. If this is confirmed and during the audits, CU realized that information is missing the audit can be stopped and audit will be considered as "failed audit".
3	Organizations seeking certification (farm/site applying for certification) shall have been in operation for no less than eighteen months (18) or one harvest cycle as defined in the standard(s), whichever is less. If not, the project is not eligible for ASC Certification.
4	For Salmon farms, Although the site visit should coincide with harvest period, it may be undertaken before end of harvest (at >75% peak biomass).
5	In case the farm is using prohibit antibiotics according to ASC, the farm is not eligible for ASC certification, unless the antibiotic treatment is applied to only a portion of the farm site, fish that did not receive treatment are still eligible for certification and an ASC-Chain of Custody certification will be required for the farm.
6	The audits will be carried out in two stages:  - Stage 1: Document review; documents will be request to the client in order to review the information prior to the onsite inspection. Client must provide this information once it is requested. - Stage 2: Onsite audit
7	Control Union is not able to do consultancy, this include that auditors are not able to give any advice during the audit process
<b>Article 7: Inspection: Samples</b>	
1	If the auditor has any suspicion that farmer is using antibiotics, samples will be taken and send to an accredited ISO/IEC17025 laboratory for the required scope. Audit process will be not finished until laboratory results are received.
2	Any evidence of antibiotics results or samples results related to any requirements of ASC Standards provided by ASI, ASC or MSC will be take into account to start an investigation.
<b>Article 8: Inspection: Classification of non-conformities (NC)</b>	
1	Non-conformities are classified as Major and Minor:  a. A major NC is a non-conformance with an ASC requirement that has one or more of the following characteristics:

	<ul style="list-style-type: none"> <li>- The absence or total breakdown of a system that is likely to result in a failure to achieve the objective of the relevant ASC Criteria or another applicable certification requirement</li> <li>- Would result in the probable shipment of product that does not conform to ASC requirements</li> <li>- Is likely to result in a failure of the system or materially reduce the ability of the client to assure the integrity of the certified product</li> <li>- Is shown to continue over a long period of time</li> <li>- Is repeated</li> <li>- Is systematic or is the result of the absence or a total breakdown of a system</li> <li>- Affects a wide area and/or causes significant damage</li> <li>- Is not corrected or adequately responded to by the client once identified</li> <li>- Where two (2) or more minor non-conformities may together meet any of the above criteria</li> </ul> <p>b. A minor NC is a non-conformance with an ASC requirement that does not jeopardise the integrity of the certified product. This includes one or more of the following characteristics:</p> <ul style="list-style-type: none"> <li>- Where failure to comply with a requirement which is not likely to result in the breakdown of a system to meet an ASC requirement</li> <li>- Where the failure is a single observed lapse or isolated incident</li> <li>- Where there is no systemic failure to conform to ASC requirements</li> <li>- Where the impacts are limited in their temporal and spatial scale</li> <li>- Where there is minimal risk of the shipment of a product that does not conform to ASC requirements</li> <li>- Where the failure does not meet the definition of a Major Non-conformity</li> <li>- Where the failure will not produce a non-conforming product</li> </ul> <p>In case of any non-conformity (NC) a follow-up is necessary. It is the client's responsibility to take the appropriate corrective actions. When there is a pending NC, the positive certification decision cannot be made and the certificate cannot be issued.</p> <p>For the presentation of evidences, the client must present the following information for each NC detected within 3 months: cause, correction and corrective action/preventive action; where these are defined as:</p> <ul style="list-style-type: none"> <li>- Cause: identification of the reason (s) by which the NC was presented, for the identification of the cause there are various tools such as a "storm of ideas".</li> <li>- Correction: it is the action (s) taken to eliminate the NC.</li> <li>- Corrective action: action (s) taken to eliminate the cause of a detected NC</li> </ul> <p>The re-evaluation of the NC can be done through an additional inspection or through administrative review if applicable (evaluation of documents, photos, etc.)</p> <p>During the suspension, the product concerned cannot be sold as a ASC certified product. In case the certification is withdrawn, the project will need to be re-inspected. All aspects need to be evaluated during a new on-site inspection.</p>
--	--

**Article 9: Reporting**

1	<p>For initial audits; Within thirty (30) workdays of the completing of the audit CUP shall submit a draft report in English and the national or most common language spoken in the area where the operation is located. This report has to include an action plan to close the non -conformities detected during the audit. Client must provide the action plans no more than 1 month; Action plan must be approved within the 30 workdays, if the certificate holders do not provide the action plans on time, the report will be sent by email to ASC without action plans. Certifiers will notify by email to the certificate holders that the report was sent to ASC without action plans and in order that ASC publish their draft report, they MUST need to send the action plans asap. Certificate holders will be responsible that certification process will be temporarily stopped.</p> <p>If action plans are provided out of time, once the certificate holder provide the action plans, the auditors and certifiers must approve them and send the draft report again to ASC which must include action plans approved. CUP will be not responsible that certificate process will be delay.</p> <p>In cases where Biodiversity Environmental Impact Assessment (BEIA) or Participatory Social Impact Assessment (PSIA) is available, it shall be provided by the client. IF these documents are not in English, then a synopsis in English shall be send within 30 workdays of the audit date. Files must to be attached to the draft report. ASC will not accept a draft report without this documents.</p> <p>For surveillance audits: Within ninety (90) workdays of the completing of the audit the CAB shall submit a final report in English and the national or most common language spoken in the area where the operation is located.</p>
---	---

	All NCs must be closed. Client must provide the evidence during 3 months. If an extension of time is needed it will be formal request to CUP. Justification for extension must be approved by CUP.
2	Within five (5) workdays the ASC should post the draft report to the ASC website.
3	CUP shall allow stakeholders and interested parties to comment on the report for fifteen (15) workdays.
4	The client must submit all requested information about spatial data/GIS within thirty (30) working days after the audit to <a href="mailto:data@asc-aqua.org">data@asc-aqua.org</a> following the "ASC Guidelines to spatial data collection". All spatial data should be in the possession of ASC before the publication of the draft report.
<b>Article 9: Certification</b>	
1	The certification decision shall be made within a period no longer than 20 workdays from the date of the public comment period finish. In case of any delay the reasons will be explained in the report.
2	Within five (5) workdays the ASC should post the final report to the ASC website.
3	Any change in the scope of the certificate, certificate holder must notify it to CUP for proper evaluation as this is detail in the offer letter. If there is not notification on time, CUP has the right to decide to not make any change in the scope after an additional onsite audit take place.
4	The result of the certification decision will be either: <ul style="list-style-type: none"> <li>- Applicant meets the Standards; CUP will grant the certificate. Certificates cannot be issued with open VR.</li> <li>- Applicant fails to meet the Standards; CUP will deny the certificate</li> </ul>
5	CUP may suspend or withdraw a certificate for a contractual or administrative reason. <p>If the certificate holder doesn't submit evidence that settle effectively a non-conformity until the timeframes determined by the certifier, the certificate will be suspended and a final timeframe will be given by the certifier to the certificate holder, if this new timeframe is not complied and the nonconformity remains outstanding the certificate will be withdrawn.</p> <p>During suspension; the certificate holder must provide a corrective action plan for addressing the causes of suspension, which must be acceptable to CUP, within 30 days from the suspension date, this time can be extended if necessary.</p> <p>The corrective action plan shall include a binding timeframe. If CUP accepts the corrective action plan within 30 days, action plan will need to be implemented. In the case that an acceptable corrective action plan was not submitted within 30 days, CUP will withdraw the certificate. If the verification of the effectiveness of the corrective actions to address the reason for suspension in the required timeframe cannot be concluded, CUP will withdraw the certificate.</p> <p>CUP can also withdrawal the certificate as result of noncompliance with certification requirements. Suspension should always precede withdrawal of a certificate. If the certificate holder has had their certificate suspended under the same reason for a second time within the period of validity of the certificate, Certifier shall: <ul style="list-style-type: none"> <li>- Immediately withdraw the certificate</li> </ul> </p>
6	If a certificate is suspended or withdrawn or cancelled, the certificate holder has to: <ul style="list-style-type: none"> <li>- Not to sell any product harvested from the date of suspension or withdrawal or cancelled as ASC certified or with the ASC logo</li> <li>- To advise existing or potential customers in writing of the suspension/withdrawal/ cancellation within four (4) calendar days of the suspension or withdrawal or cancellation date.</li> </ul>

#### 4. Logo

<b>Article 9: Use of logo</b>	
1	The logo is property of ASC, its authorization and the rules of use are controlled through an agreement between ASC and the certified applicant. Refer to <a href="mailto:ecolabel@msc.org">ecolabel@msc.org</a> .