

CHAPTER 7

ASC

CERTIFICATION GENERAL RULES

CONTROL UNION SERVICES S.A.C.



1. INTRODUCTION

The ASC Certification Rules contain regulations on the assessment and certification activities of Control Union Services (hereinafter "CUS").

This document refers to the rights and obligations of the client, as well as those of CU, which is complementary to the General Certification Rules P12.CONTR. A02 Chapter 1 that applies to any program certified by CUS.

This document is available on the website: peru.controlunion.com.

2. APPLICABILITY

This document is additional to the general program manual instructions and describes how to handle the process of evaluation of inspection results and certification for the Aquaculture Stewardship Council, ASC program. Certification guarantees that facts collected by the inspector are evaluated in a uniform, objective and standardized way by the Certifier.

3. DEFINITIONS

- ASC: Aquaculture Stewardship council
- FORM 3: Public Disclosure Form, this template allow us to publish all the information relevant to the client, the audit dates and audit team.

4. SCOPE

The following documents that are applicable for certification programs, these are mentioned below:

- ASC Certification and Accreditation Requirements
- Aquaculture Stewardship Council ASC Tilapia Standard
- Aquaculture Stewardship Council ASC Pangasius Standard
- Aquaculture Stewardship Council ASC Bivalves Standard
- Aquaculture Stewardship Council ASC Shrimp Standard
- Aquaculture Stewardship Council ASC Salmon Standard
- Aquaculture Stewardship Council ASC Abalone Standard
- Aquaculture Stewardship Council ASC Freshwater Trout Standard
- Aquaculture Stewardship Council ASC Cobia and Seriola Standard
- Aquaculture Stewardship Council ASC Flatfish Standard
- Aquaculture Stewardship Council ASC Seabass, Seabream, Meagre Standard
- Aquaculture Stewardship Council ASC Tropical marine finfish Standard
- Aquaculture Stewardship Council ASC Pike Perch
- Aquaculture Stewardship Council ASC Feed Mills Standard

The current versions of these documents can be found on the ASC website; <https://asc-aqua.org/producers/asc-standards>

5. CERTIFICATION OPTIONS

Single site: The UoC consists of one site which has clearly defined boundaries as described in the associated legal licenses and permits and may include multiple pens, cages, ponds, tanks, raceway systems or beds. The site is either owned or contracted by the Client. The Client is capable of signing a binding contract that is legally enforceable. The Client is the owner of the certified product at all production stages or has a contract farming agreement with the owner of aquaculture species during production at the site. In cases where the product is produced by a contract farmer, ownership of the product shall be transferred to the Client before the product can be sold as ASC certified. The Client is the only entity authorised to sell ASC certified products.

Multi-site: The UoC consists of more than one site, each of which has clearly defined boundaries as described in the associated legal licenses and permits and may include multiple pens, cages, ponds, tanks, raceway systems or beds. The Client has an identified central function in charge of assuring the compliance against the ASC requirements of all sites within the UoC, sites and are either owned or contracted by the Client. The Client is the owner of the certified product at all production stages or has a contract farming agreement with the owner of the aquaculture species during production at the site. In cases where the product is produced by a contract farmer, ownership of the product shall be transferred to the Client before the product can be sold as ASC certified. The Client is the only entity authorised to sell ASC certified products from all sites. All sites in the UoC shall operate within the same jurisdiction or within neighbouring jurisdictions that share relevant common regulations.

There are two types of Multisites:

Multi-site Option 1, without IMS (Internal Management System): All sites under the UoC shall be audited against the relevant ASC Farm Standards during all routine CAB audits (Initial, re-certification and surveillance). The UoCs Internal Management System (IMS) shall also receive CAB routine audits against the applicable requirements in Annex E of this document and the ASC RUoC.

Multi-site Option 2, with IMS (Internal Management System): During all routine CAB audits (Initial, re-certification and surveillance) the CAB shall select a sample of sites for audit according to the requirements in Annex E of this document and the ASC RUoC. The UoCs Internal Management System (IMS) shall also receive CAB routine audits against the applicable requirements in Annex E of this document and the ASC RUoC.

Group site: The UoC consists of more than one site, each of which has clearly defined boundaries as described in the associated legal licenses and permits and may include multiple pens, cages, ponds, tanks, raceway systems or beds. All sites in the UoC shall operate within the same jurisdiction or within neighbouring jurisdictions that share relevant common regulations. The Client, in this case the Group Management Body (GMB), is in charge of assuring the compliance against the ASC requirements of all sites within the UoC. The client, in this case the Group Management Body (GMB), representing all Group Members is capable of signing a binding contract farming agreement that is legally enforceable with the Group Members. The GMB shall be a legal entity or a statutory body within a larger legal entity, or another form of legally recognised (registered with a government office) organization. The Client is the only entity authorised to sell ASC certified products. If the owner of the site sells product directly to another third party, the product cannot be sold as ASC certified.

6. CONTRACTING

The applicant will coordinate the entire contracting part directly with Control Union Services or local CU office on behalf of CUS.

7. PLANNING

The applicant and CUS will have to agree in the audit date in order that FORM 3 can be send to ASC. Form 3 must be send 42 days before the audit date. Any changes in the FORM 3 must be updated no less than 15 days 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.

The certificate holder must confirm to CUS 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.

CUS 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.).

8. INSPECTION

The applicant and CUS will have to agree in the audit date in order that FORM 3 can be send to ASC. Form 3 must be send 42 days before the audit date. Any changes in the FORM 3 must be updated no less than 15 days 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.

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Client has to make on-site audit information publicly available (signs, letters etc.).

9. CONDITIONS FOR INSPECTION

Aquaculture Production Units: 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.

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".

Organizations seeking certification (farm/site applying for certification) shall have been in operation for no less than six months (6) or one harvest cycle as defined in the standard(s) or before the site has completed an initial harvest cycle, providing that data, as required by the relevant farm standard indicators, will be available for CAB review within the prescribed certification decision timelines. If not, the project is not eligible for ASC Certification.

For Salmon farms, Although the site visit should coincide with harvest period, it may be undertaken before end of harvest (at >75% peak biomass).

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 they notified CU in the fourteen days of the occurrence.

The audits will be carried out in two stages:

- Stage 1: Desk 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 and complete the Annex G.
- Stage 2: Onsite audit.

Control Union is not able to do consultancy, this include that auditors are not able to give any advice during the audit process

10. INSPECTION: SAMPLES

If the auditor has any suspicion that farmer is using antibiotics, samples will be taken and sent to an accredited ISO/IEC17025 laboratory approved for ASC. Audit process will not be finished until laboratory results are received. In case of confirmation of use of Critically Important Antibiotics (CIA), a critical NC will be raised according to CAR 2.3.1.

Subsequent audits for the CH will include sampling and test for CIA as regular audit procedure for at least 3 consecutive years as the CH will be classified as HIGH RISK.

Any evidence of antibiotics results or samples results related to any requirements of ASC Standards provided by ASI, ASC or MSC will be taken into account to start an investigation.

11. INSPECTION: CLASSIFICATION OF NON-CONFORMITIES (NC)

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:
 - 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.
 - Would result in the probable shipment of product that does not conform to ASC requirements
 - 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
 - Is shown to continue over a long period of time
 - Is repeated
 - Is systematic or is the result of the absence or a total breakdown of a system
 - Affects a wide area and/or causes significant damage
 - Is not corrected or adequately responded to by the client once identified
 - Where two (2) or more minor non-conformities may together meet any of the above criteria.
- 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:
 - Where failure to comply with a requirement which is not likely to result in the breakdown of a system to meet an ASC requirement.
 - Where the failure is a single observed lapse or isolated incident
 - Where there is no systemic failure to conform to ASC requirements
 - Where the impacts are limited in their temporal and spatial scale
 - Where there is minimal risk of the shipment of a product that does not conform to ASC requirements
 - Where the failure does not meet the definition of a Major Non-conformity
 - Where the failure will not produce a non-conforming product.
- c. A critical NC is a non-conformance with an ASC requirement that has one of the following characteristics:
 - Employees' lives are evidently at risk.
 - A banned substance or veterinary medicine not allowed to be used by the applicable ASC standard was detected in samples taken by the ASC, ASC designated agent, ASC appointed accreditation body or the CAB.
 - Sales of non-ASC products as ASC certified.

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.

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:

- 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".
- Correction: it is the action (s) taken to eliminate the NC.
- Corrective action: action (s) taken to eliminate the cause of a detected NC

CU shall require that critical non-conformities raised at initial audits shall be satisfactorily addressed by the Client:

- Prior to certification being granted

- Within three (3) months of the Detection Date or a full re-audit shall be required.

In the case of a critical non-conformity raised during the period of validity of a certificate:

- Auditors shall inform the CAB's certification decision making entity about the detection of a critical non-conformity within 24 hours of detection
- The CAB shall suspend the certificate within 24 hours of the critical non-conformity being verified by the CABs decision making entity
- The Certificate Holder shall close the critical non-conformity within a maximum of three (3) months from the Detection Date
- The CAB shall withdraw the certificate if the critical non-conformity is not closed within the three (3) months period:
 - o An extension of fourteen (14) days may be granted to close out the critical non-conformity in exceptional cases.
 - o Extension of time and justification to close critical non-conformities shall be documented in the audit report.

The re-evaluation of the NC can be done through an additional inspection or through administrative review if applicable (evaluation of documents, photos, etc.)

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.

12. REPORTING

For initial audits; Within thirty 42 days of the completing of the audit CU 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 28 days; if the certificate holders do not provide the action plans on time, the report will be sent by email to ASC without action plans.

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 42 days of the audit date. Files must to be attached to the draft report. ASC will not accept a draft report without these documents.

For surveillance audits: Within ninety 98 days 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.

All NCs must be closed. Client must provide the evidence for 3 months. If an extension of time is needed it will be formal request to CU. Justification for extension must be approved by CU.

13. CERTIFICATION

The certification decision shall be made within a period no longer than 28 days from the date of the public comment period finish. In case of any delay the reasons will be explained in the report.

Within five 7 days the ASC should post the final report to the ASC website.

Any change in the scope of the certificate, certificate holder must notify it to CU within 14 days of the occurrence for proper evaluation as this is detail in the offer letter. If there is not notification on time, CU has the right to decide to not make any change in the scope after an additional onsite audit take place.

The result of the certification decision will be either:

- Applicant meets the Standards; CUS will grant the certificate. Certificates cannot be issued with open VR.
- Applicant fails to meet the Standards; CUS will deny the certificate.

CUS may suspend or withdraw a certificate for a contractual or administrative reason.

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.

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. The corrective action plan shall include a binding timeframe. If CUS 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, CUS 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, CUS will withdraw the certificate.

CUS 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:

- Immediately withdraw the certificate

If a certificate is suspended or withdrawn or cancelled, the certificate holder has to:

- Not to sell any product harvested from the date of suspension or withdrawal or cancelled as ASC certified or with the ASC logo
- 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.

14. USE OF LOGO

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 ecolabel@msc.org.

15. CONTROL DE CAMBIOS

Versión y fecha	Descripción
Versión 1.0; 09/08/2023	First versión with new SGC.