

## **Fishery accreditation in Australia**

### Introduction

Ecolabelling, through fishery accreditation, can be a valuable and powerful means of increasing consumer confidence and growing market share for sustainably produced seafood products. 'Green Consumerism' represents the fastest growing sector of the food industry with green products usually selling at premium prices as a reflection of their environmental preferability over similar but less environmentally friendly products.

An additional benefit of ecolabelling is to use this consumer awareness to increase the market share of accredited seafood products and thus indirectly enhance protection and sustainability of our marine resources. With trade in seafood products at an all-time high and concern over the status of wild marine stocks growing, ecolabelling offers a way to promote responsible fish trade – crucial for many developing countries – while preserving natural resources for future generations.

As we all know, there are many third-party accreditation tools available in Australia and around the world, with ecolabelling options present for industries such as timber, agricultural products, fisheries, mining and tourism. These programs typically establish environmental performance standards, as well as standards for socially and economically responsible production.

An accreditation scheme for Australian fisheries presents opportunities to enhance the ecological sustainability of our marine

resources through educating consumers and enabling them to make wise choices about their seafood purchasing. The key in developing such a system is ensuring that it is robust and reliable, recognised and accepted in the market, transparent, independent, accountable, and has standards based on good science.

Today I will discuss the origins of ecolabelling; some of the key products covered by ecolabels; the various fishery accreditation schemes available; the Australian Government's fishery assessment process under the EPBC Act, I will also give a view on the possible future of fishery ecolabelling in Australia.

### Fisheries

Many of the world's fisheries are overexploited and have significant adverse impacts on nontarget species and ecosystem processes and habitats. Ecolabelling of seafood products has the potential to exert influence on the fishing industry to bring about changes in fishing practices.

Australia's fisheries are widely regarded as being amongst the best managed in the world and for this reason, product from our fisheries is desirable in the export market. So why then are we so interested in ecolabelling our seafood? It may help to look at where the idea of ecolabelling seafood all began.

### History of fishery ecolabelling – where it came from

Ecolabelling in the food industry in general, and in the fisheries sector in particular, began in the United States in 1972 with the

*Marine Mammal Protection Act.* While this Act was largely focussed around saving whales and baby harp seals, it also mandated that the National Marine Fisheries Service reduce the incidental killing of dolphins associated with commercial tuna fishing to “insignificant levels approaching zero”.

Prior to the introduction of this Act, millions of dolphins had been killed in the Eastern Tropical Pacific as a result of the practice of “setting on dolphins”. This practice was based on the knowledge that large yellowfin tuna associated with dolphins as a protective measure against shark attacks. It involved using a lookout to spot a pod of dolphins, rounding up the pod and then using purse-seine nets to capture the tuna associated with the pod. The problem was that, dolphins would not jump the net and as a result were caught in the nets and drowned.

The Act led to the rollout of a number of regulations to minimise impacts on dolphin populations, including the mandatory use of onboard observers. Amendments to the *Marine Mammal Protection Act* in the 1980s required foreign fleets to adopt US dolphin protection measures and this eventually led to the elimination of sale of Eastern Tropical Pacific tuna in the US. This move was assisted by a consumer boycott of “dolphin death tuna” organised by environmentalists. In response to this boycott, the Big Three US tuna processors announced in 1990 that they would only buy “dolphin friendly” tuna, meaning tuna that is not caught by setting on dolphins. This can be seen as one of the first seafood ecolabels. However, it is important to note that the “dolphin-friendly” label is not supported by any international governance or

independent review, therefore, anyone who wants to use the “dolphin-friendly” label can. .

The forestry industry is one which has been the subject of a number of certification initiatives and it is instructive to examine the experience in that sector.

### Forestry ecolabels

In the early 1990s a number of forest product merchants, consumers and environmental and human-rights organisations identified the need for an honest and credible system for identifying well-managed forests as sources for supplying forest products.

As a result of concerns raised about the sustainability of forest practices in a number of locations around the globe, forest certification was launched as a market-based tool that could provide a stringent and wide-ranging set of forest sustainability requirements that could be applied to demonstrate both the legality and sustainability of forest products.

Since the early 1990s, there have been a number of international schemes developed. Currently, the Programme for the Endorsement of Forest Certification (PEFC) schemes is the largest collective of forest certification schemes with over 204 million hectares of forest certified globally. This is followed by the Forest Stewardship Council (FSC) with just over 90 million hectares of certified forest.

These certified schemes have been designed to audit and verify sustainable forest practices and encourage consumers to support such practices by buying forest products labelled as sustainably and legally sourced.

As a result of the competing forestry accreditation schemes available to producers, ecolabeling in forestry is perhaps the most advanced and dynamic case of nonstate competition for rulemaking authority on a global level.

While globally, the adoption of ecolabeling, for forest products has been variable, within Australia the demand is increasing. This has recently been demonstrated with a large supermarket chain withdrawing from sale incorrectly labelled products.

So now lets explore the range of fishery accreditation schemes.

#### Fishery accreditation schemes

Establishing fair and viable eco labels is a challenge. Who sets the standards? Can food producers be sure they are balanced and grounded in good science? Are the benchmarks within the reach of poor producers in the developing world? How can consumers know a label can really be trusted?

These are all questions that must be addressed if a fishery accreditation scheme is to succeed. In response to a proliferation of eco labels on various products which have little credibility, confused consumers, caused unfair competition in the market place, and did not promote sustainable practice; in March 2005,

the FAO Committee of Fisheries adopted a set of voluntary guidelines for fish and fishery products eco-labeling, including principles that should govern eco-labeling schemes, minimum certification requirements and fishery assessment criteria.

Since the dolphin friendly tuna label came into existence, a raft of fishery accreditation schemes have been created to take advantage of consumer interest in “green” product and the protection this can provide to marine resources.

- MSC Accreditation

Modelled on the Forest Stewardship Council, the Marine Stewardship Council (MSC) was set up in 1996 by the World-Wide Fund for Nature and the Unilever food conglomerate as a market-based labelling scheme for fisheries. Although several single-claims schemes such as “dolphin-safe” tuna already existed for seafood labelling, MSC was the first global multicriteria certification and labelling scheme for fisheries.

The MSC has developed an environmental standard for sustainable and well-managed fisheries. It uses a product label to reward environmentally responsible fishery management and practices. Consumers, concerned about overfishing and its environmental and social consequences are able to choose seafood products, which have been independently assessed against the MSC Standard and labelled to prove it. MSC uses their ecolabel to reward environmentally responsible fishing management practices that meet a set of Principles and Criteria.

The certification is limited to wild-capture fisheries and is a voluntary process available to fisheries world-wide. The first fishery in the world to be accredited under this MSC scheme was the Western Australian Rock Lobster Fishery. Another Australian fishery that has received MSC accreditation is the Australian Antarctic Mackerel Icefish Fishery component of the Australian Government managed Heard Island and MacDonal Islands Fishery.

Unlike the Forest Stewardship Council, MSC states that its role is to complement international regulations, not replace or supplant them. Its principles and criteria are based on the 1995 Code of Conduct for Responsible Fisheries adopted by the United Nations Food and Agriculture Organisation (FAO).

- “Clean Green” Scheme

The Clean Green Program is an integrated Management System incorporating "pot to plate" environmental, workplace safety, food safety, quality and animal welfare standards for the Australian Southern Rock Lobster Industry. The Clean Green Program itself is a 3-4 day training course including practical demonstrations and classroom learning. It includes first aid training, a 2 hour Recognition of Prior Learning process and 1.25 days training on-boat to meet the standards.

The program allows the Australian Southern Rock Lobster Industry to demonstrate that the industry is organised and mature enough to manage its interests through an independently audited,

standards based program. Fundamental to the success of the Clean Green product certification program is the third party auditing of environmental, food & quality, safety and work place standards. These elements of the program were trialled in 2004 with just three fishers and three processors. Following an audit by an independent body these standards were then finalised and approved.

Since its 2004 launch in South Australia, the Clean Green Program has been embraced by other industry groups, receiving positive feedback from the Tasmanian and Victorian fishing industries and their associations, now boasting 24 and 14 certified fishers respectively, making the program truly national. The Clean Green program is strongly supported by industry, which has certainly contributed to its success, and is also supported by the Australian Government.

The southern rock lobster industry has just received over \$349 000 in Australian Government funding toward the Clean Green Program.

#### Australia's Sustainable Seafood Guide

Another guide for consumers who want to make an informed choice when buying seafood, is the Australian Marine Conservation Society's "Australia's Sustainable Seafood Guide - a guide to choosing your seafood wisely". The guide rates the various fish species as either - "say no", "think twice" or "a better choice". The Marine Conservation Society states that they developed the guide in response to growing public concern for our

marine environment, and helps consumers make a responsible seafood choice.

### Limitations of fishery accreditation schemes

So why aren't there more fisheries being accredited through ecolabel processes?

There are a number of limitations and concerns with ecolabelling programs including: potential use as barriers to trade; the price of certification and ongoing costs involved with ecolabels may be prohibitive; mislabelling and misrepresentation of products; consumer confusion over so many labelling schemes; as well as regional environmental differences – the concerns of one country might not be the same as another.

Historically, the price of fishery ecolabelling scheme accreditation can be prohibitive, and therefore not worth pursuing, particularly where there is no guaranteed financial benefit to participating industry members. Even if consumers demand an ecolabeled product, a sustainable supply chain cannot be established unless definite benefits are present for producers. A successful ecolabelling scheme depends on some portion of the premium price flowing to producers.

Ecolabels rely on consumers caring enough to pay more. In the case of the dolphin-safe tuna, fishing practices changed almost overnight in response to public outrage of the reported high bycatch of dolphins. The public appeal of dolphins may have played an important role in the success of the scheme. However,

there often seems to be lack of consumer concern for marine fishes and sustainable fisheries.

Another limitation of fishery ecolabelling schemes is compliance and monitoring of accredited fisheries. Credibility of any ecolabelling scheme rests on its adherence to the agreed standards. However, monitoring and management of sustainable practices in marine systems is logistically much more complex than, for example, forestry regimes. This is a real challenge for marine ecolabelling initiatives, but forms the basis of some of the criteria set as standards by the MSC.

#### Role of Government in facilitating fishery accreditation/ecolabelling

So is there a role for governments in facilitating accreditation?

#### Government sponsored ecolabels

The first government sponsored ecolabelling scheme was the Blue Angel, introduced in 1977. This is a German certification program for products and services that have environmentally friendly aspects. The Canadian Environmental Choice program was launched in 1998, followed in quick succession by the Nordic Swan in 1989 and the European Flower in 1992. While some of the early labelling schemes were quite successful in terms of the number of labelled products and services, most notably the Nordic Swan, the German Blue Angel and the European Flower; several suffered from low uptake by producers and retailers and some have been abandoned.

### Use of EPBC Act fishery assessments as accreditation tool

Over the years, fishery managers and industry representatives have expressed an interest in using the EPBC Act fishery assessment as an ecolabelling marketing tool. However, the EPBC assessment as it currently exists, is in itself insufficient to support an ecolabel.

The EPBC Act requires that all Commonwealth managed and state export fisheries undergo an assessment to determine whether they are being managed in an ecologically sustainable way and encourage continuous improvement in sustainable fisheries management. The assessments are conducted against the *Guidelines for the Ecologically Sustainable Management of Fisheries* (the Guidelines), which are designed to ensure a strategic and transparent evaluation of the ecological sustainability of fisheries' management arrangements.

The DEW fisheries assessment process is essentially a desktop analysis, conducted independently from the fishery management agency, although based to a large extent on information provided by the responsible agency. The assessment considers the entire fishery, including target, by-product, bycatch (including protected species) and broader ecosystem impacts.

These assessments are usually conducted every three years for fisheries determined as Wildlife Trade Operations (however, range from one to three years depending on the sustainability issues of the fishery) and five years for those declared as exempt. A successful assessment allows export of product derived from the

particular fishery for this period in compliance with the export controls of the EPBC Act.

As part of the assessments, any sustainability issues identified for a particular species or assemblage is discussed and recommendations are made, or conditions are imposed on the management agency, to be addressed within given timeframes. These recommendations and conditions are generally outcome based, providing the opportunity for the management authority to consider a variety of management options.

There is often confusion over the intent of the EPBC fishery assessments and the question of aligning the EPBC Act assessment process with existing fishery accreditation schemes is often raised. It is important to note that EPBC Act fishery assessments would only be a component of any fishery ecolabel scheme.

It is important to emphasise that an EPBC Act fishery assessment does not in itself confirm or establish the ecological sustainability of the fishery or any particular species taken in the fishery. Rather, it assesses the capacity of the management arrangements to ensure ecological sustainability. It should also be noted that the EPBC Act fishery assessments are compulsory for all Commonwealth and state export fisheries.

The International Organisation for Standardisation (ISO) has released a series of standards on environmental claims to ensure that ecolabelling schemes are credible, through appropriate product categories, environmental criteria, transparency and

participation in the development and independence of the ecolabelling body. Any ecolabelling scheme would need to meet these requirements.

To be effective, certification of the chain of custody of accredited products is essential and would need to be verified by an independent third party. Another critical issue for any ecolabel is market acceptance – will seafood buyers accept the ecolabel as equivalent to, for example, the MSC standard. Without market acceptance, the ecolabel will be worthless to the industry.

Another issue that needs to be clarified, is the role of the ecolabel and the role of legislation. Essentially, an ecolabel is a marketing tool, not a means of environmental management.

In terms of dolphin friendly tuna, the creation of the MMPA caused some conflict between the responsible government agency and environmentalists. The Department considered that the intent of the Act was to manage dolphin populations based on “optimal sustainable populations” while environmentalists argued that the intent was to eliminate dolphin deaths.

A similar situation could arise in relation to EPBC requirements to avoid interactions with protected species. Ecolabels require benchmarks, which may mean specifying acceptable mortality rates, which would be contrary to the EPBC Act. The possibility of this type of situation would require careful handling and very clear communication.

## Conclusion

Today's consumers are better educated and care not only about the attributes of the final product itself, but also about the production process and the associated impact on the environment.

From a policy perspective, the ecolabel aims to educate consumers about the sustainability of the product, so as to influence or change purchasing behaviour and ultimately reduce negative environmental impacts. From an industry perspective, companies are drawn to having their environmentally sustainable production distinguished with an ecolabel, with the expectations of gaining a greater market share and higher profits.

There are several accreditation tools available for fisheries in Australia, including MSC and the "Clean Green" program. Despite the presence of ecolabels for fisheries, industry uptake of these initiatives is often very modest - which might be attributed to the high cost often involved in ecolabelling.

The EPBC Act fishery assessment process in itself insufficient to support an ecolabel. There is potential for the EPBC Act fisheries assessment process to be a component of a fishery ecolabel. However, any proponent of such an ecolabel would need to determine the chain of custody requirements, ensure verification by an independent third party and gain market acceptance.