



Naturland Standards for Sustainable Capture Fishery

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Preface

Preface

“Sustainability”, in the sense of these standards, is a holistic concept, including the ecological, the social, and the economical dimension.

Sustainability in the ecological sense means that the fishery is performed in such a way that integrity of the ecosystem is maintained long-term, concerning both the stocks of the economically relevant species as well as the other components of the ecosystem. A further aspect is to ensure that fish remains an particularly healthy, high-grade source of nourishment, one which we cannot allow to deteriorate as a result of environmental pollution or questionable processing methods.

Sustainability in fishery in the social sense means that those employed in this industry meet with fair working conditions, and that the living conditions of other members of the same community are not adversely affected.

Sustainability in fishery in the economic sense means that the marketing of fish encourages stable business relationships distinguished by the mutual sense of responsibility of all the members of the value chain towards each other.

Part A. General regulations

I. Contracts and certification procedure

1. Prerequisites for granting a producer contract

Prior to the conclusion of a producer contract, the association must be given the opportunity to acquire sufficient information on the external and internal conditions of the operation.

The producer is obliged to provide any information necessary to assess the conversion conditions. This includes particularly the kind of management that has been practised to date, the economic situation of the project and the prevailing environmental conditions (marine reserves, potential sources of pollution). If possible causes of contamination with dubious or harmful substances are detected, analyses have to be carried out prior to the conclusion of a producer contract. These analyses may show that a producer contract is only possible under specific conditions or not at all.

All the areas where the producer operates, including production facilities and warehouses, are to be included in the description of the enterprise.

2. Producer contract

On signing the producer contract, the producer commits himself to adhering to Naturland standards and to extending the conversion to all areas of the enterprise that are managed or dealt with under his responsibility (conversion of the total project).

The principle of the manager's unit is to be applied, i. e. one and the same manager may not manage a conventional and a sustainable operation at the same time¹.

The conclusion of a producer contract is possible at any time of year.

The conclusion of a producer contract does not entitle the producer to the use of the association's logo. A separate license contract has to be concluded for this.

3. Standards

These standards are obligatory for all producers that have concluded a producer contract with Naturland e. V. (registered association). If single regulations or parts of these standards should not be applicable in certain geographic areas, the Naturland standards committee has to draft an amendment or addition to the standards which has to be passed by the assembly of delegates. Every member is entitled to submit amendment proposals to the standards committee, provided that further Naturland members (minimum of ten) support this proposal. Amendment proposals will be legally evaluated by the standards committee and submitted to a competent group of professionals for their comments.

Naturland's certification committee is entitled to allow a producer contractor to diverge from Naturland's standards in specific points, where the exception is justified, and for a limited period of time, provided that the general management according to Naturland's standards is not adversely affected.

Only the latest version of the standards as passed by the standards committee is valid. Naturland will inform the contractual producers of any changes.

If the standards are changed, a deadline can be set for the implementation of these changes.

Violations of the standards will be prosecuted according to the sanction catalogue (producer contract Appendix IV).

The validity of overriding national legislation and ordinances shall, however, remain unaffected by these standards. The certification of processing units is subject to Naturland's standards for the processing of organic aquacultural produce (ref. www.naturland.de).

¹ manager's unit: composed of manager and operational unit. The manager is the natural person or legal entity running an operation independently and responsibly (project manager). The operating unit is a clearly defined management sphere on which distinctly separate records are kept for inspection and documentation.

4. Conversion

During conversion, the manager introduces management practises in accordance with the principles of sustainable fishery throughout the entire operation.

The conversion of the entire enterprise must occur under economically acceptable basic conditions. It can therefore take place gradually to cover ever greater sections of the area and operation managed in accordance with the standards. Where conversion is carried out gradually, it is imperative for the areas under various stages of conversion to be clearly and explicitly delineated. Simultaneous production of products belonging to different stages of certification that cannot be clearly differentiated is not permissible.

Switching between sustainable and conventional management is prohibited.

A consultant recognised by Naturland e.V. assists in the conversion; the conversion concept is to be worked out with him.

It is possible to commence conversion at any time of the year.

5. Changes in the operating system

If new areas or products are introduced into a recognised operation, then the new areas or products are subject to the regular recognition procedure as per these standards. Care must be taken that the different stages of recognition are clearly and unmistakably differentiated or separated.

Naturland has to be notified of any changes which could have a detrimental effect on the products, especially of any sources of possible contamination.

6. Documentation and inspection

The currently valid details (i. e. catch statistics, the results of analyses) shall be reported to Naturland. Regarding product flow (e. g. sales), likewise, records shall be kept in accordance with Naturland's standards. Previously announced (at least once a year) and unannounced visits and inspections by personnel authorised by Naturland shall monitor adherence to the standards. They shall be provided with unrestricted access and scrutinising opportunities into all the relevant areas of the operation. Upon request, all the documents relating to the managing of the operation shall be made available and questions answered.

All stages of the value chain have to be recorded when the operation is inspected, although, in the case of fishing co-operatives, for example, individual areas can be organised in the form of an Internal Control System (ICS). Where third parties operate on behalf of the producer (e.g. treatment, storage, processing, transport), the processor must take steps (such as the conclusion of a sub-contracting agreement) to ensure that the standards are applied and that adherence to them can be monitored by Naturland.

Moreover, the project and Naturland together determine the following conditions which have to be complied with:

- a list of the contaminants and noxious substances (from both anthropogenic and natural sources) that are relevant to the region and the type of production
- the frequency of and processes used in the analysis of these pollutants (with reference to the water, sediment, feed and products)
- alert values of max. 50% of the critical German legal level², at which Naturland must be notified
- threshold values leading to the exclusion of the product from marketing. (as a rule, the German legal critical values²)

7. Certification

A prerequisite of certification by Naturland is the conclusion of a producer contract. It should be ensured that all those immediately involved in the fishery project are included either directly or indirectly (via sub-contracting agreements).

The Naturland certification committee confirms that the producer is adhering to the standards with the annual certification letter. If the producer violates current standards, the penalties listed in the catalogue of sanctions, which is part of the producer contract, can be imposed.

² If corresponding critical values are not available, reference should be made to those of WHO or other professional bodies.

It is standard practice for complaints in connection with matters within Naturland's sphere of responsibility to be addressed to Naturland's head offices in Gräfelfing, Germany.

8. Recognition

The recognition of the enterprise documents the successful conclusion of the conversion period and will be granted by Naturland's certification committee.

9. Labelling and marketing

The products must be so labelled as to enable the trader legally responsible for the product to be identified.

The provisions of regulations (EC) No 834/2007 and No 889/2008, as far as they apply to the EU Community logo and the declaration of origin (place where the aquaculture products were produced) are to be observed.

The use of the Naturland logo is governed by a licence agreement to be concluded with Naturland's licensing company, Naturland Zeichen GmbH.

The consumer must be able to identify products from sustainable fishery as separate from those of organic agriculture and organic aquaculture.

To this end, the words "product of sustainable fishery" must appear on the label, on the list of ingredients or in the informative text (on the product itself and not just in the accompanying brochure) identifying the source as fishery (as distinct from organic aquaculture). In this case only the logo granted for use by Naturland Zeichen GmbH and authorised by Naturland, namely the "Wildfisch" logo, may be used.

If a compound product contains less than 25% from sustainable fishery or if this ingredient is not the most important constituent or be included in the name of a product, then the requirement to show fishery as a source may be ignored.

II. General (management) regulations resp. other predominant provisions

1. Storage

Storage under special conditions (controlled atmosphere, temperature control, humidity regulation and drying of the stored goods) is permitted. The application of chemical storage-protection agents is prohibited. Only storage measures that exclude the contamination of the products with harmful substances are permitted. This also applies to the materials and detergents used (ref. the regulations of Part C. General Processing Standards III 7., where they apply to pest control). Radioactive irradiation are prohibited.

If there are products of different certification statuses in the operation, they have to be stored clearly and separately. Substances which are prohibited by these standards and contravene the conversion status in question may no longer be stored in the operation (ref. also Part C. General Processing Standards III 5. Storage, Bottling, Bagging and Transport).

2. The sale of purchased merchandise

The sale of purchased products for direct marketing, e.g. on market stalls, is possible. Regional products should be preferred wherever possible. Separate bookkeeping for all the purchased merchandise has to be done. The labelling of the products must be unequivocal with respect to their origin and method of production. The operation's own products and purchased products have to be declared separately.

Conventional merchandise may only be sold if there is proof that equivalent organic or sustainably produced products are not available. These products have to be clearly labelled as "conventionally produced".

It is not permissible to offer one and the same product from organic or sustainable and conventional production or fishery at the same time.

3. Purchase of means of production and equipment

Special attention has to be paid to the ecological impact of production means and equipment. Preference is to be given to substances on a natural basis (e.g. oils, fats). Auxiliary materials of rainforest timber are prohibited. Care should be taken to save energy.

4. Exchange of machinery and equipment between different operating systems (certified sustainable/ conventional)

The exchange of machinery and equipment (e. g. in machinery co-operations) between certified sustainable fisheries and conventional operations is possible. Machines and equipment that are also utilised by conventional fisheries must be cleaned thoroughly in the case of contamination with substances that do not comply with Naturland's standards before being used on a Naturland operation.

5. Materials in use

All products used and which come into contact with the product (e. g. containers, protective sheeting) have to be cleared with Naturland.

The aspects of environmental compatibility, conservation of energy and the avoidance of waste are to be accorded due consideration.

6. Non-employment of GMO and GMO derivatives

Genetically modified organisms (GMO) and their derivatives are incompatible with production according to Naturland's standards. All products must be made without the employment of genetically modified organisms (GMO) and/or GMO derivatives. A "GMO derivative" is any material which is produced from or by GMOs but does not contain GMOs. "Employment of GMO and GMO derivatives" means their employment as foodstuffs, food ingredients (including additives and flavourings), processing aids (including extraction solvents), fodder, compound fodder, feed materials, feed additives, processing aids for fodder, certain products used in animal nutrition, pesticides, fertilisers, soil improvement agents, seeds, vegetative reproduction materials and animals. The non-use of GMOs and/or GMO derivatives applies directly to the whole enterprise.

The unintentional contamination of sustainable fishery produce by genetically engineered organisms may also have an influence on the certification status.

Any statements on genetic engineering which are made in connection with the standards (e. g. on the packaging) are limited to the phrase "No GMOs used".

7. Quality assurance

Production in terms of these standards should guarantee produce of high sensory quality and safety in regard to health. To avoid contamination with prohibited substances or means which might impair their quality, appropriate measures shall be taken. In particular, the fishing operation must show from its procedures that possible environmental pollutants are closely monitored by suitable analytical methods and that prompt and comprehensive measures are taken in cases where limits are exceeded.

Where reasonable suspicion exists that the product quality is substantially impaired, Naturland should be informed. Naturland may require an analysis to be undertaken to detect the level of contamination and contamination sources and give instructions on further steps to be taken. Appropriate action has to be taken on complaints related to the compliance with Naturland certification requirements that are directed to the operation by third parties. Records shall be kept of the complaint and corrective action taken.

The fishery project must manage its operations processes in such a way as to guarantee an uninterrupted cold chain between catch and sale.

III. Social responsibility

The holistic claim of Naturland standards also includes the social treatment of the people who work and live on the fishery projects.

1. Human rights

The basic rights of the people living and working on Naturland operations are respected. They must comply at the minimum with the local legal requirements, respectively the human rights listed in the UN Conventions, the International Labour Organisation Conventions and Recommendations (ILO)³, and the UN conventions on children's rights⁴, should these be more comprehensive.

A product created under conditions violating basic human rights or under gross violation of social justice can not be traded as a product certified by Naturland.

2. Forced labour

The operations commit themselves to rejecting forced labour and any type of involuntary work. The operation shall not retain any part of the workers' salaries, benefits, property, or documents in order to force workers to remain on the fishery project.

3. Freedom of association, access to trade unions

All workers have a right to freedom of association and collective bargaining, and are at liberty to exercise this right.

No one shall be discriminated against because of his or her membership in a trade union.

4. Equal treatment and opportunities

No discrimination on the basis of race, creed, sex, political opinion or membership shall be tolerated. All workers, irrespective of their sex, skin colour or religion receive the same pay and have the same opportunities for work of the same nature and same degree of responsibility.

5. Child labour

No children may be employed on fishery projects. Children may work in the businesses of their own families or a neighbouring business provided that:

- the work is not hazardous and endangers neither the health nor the safety of the children
- the work jeopardises neither the educational nor the moral, social or physical development of the children
- the children are supervised by adults while working or have been given permission by a parent or legal guardian

6. Health and safety

All workers, employees and their families shall have access to drinking water, food, accommodation and basic medical care.

The employer is responsible for safety and health at the workplace. If necessary, this implies instructing workers about safety at work. Operations with more than 10 workers have to draw up a policy on safety at work.

3 <http://www.ilo.org/ilolex/english/convdisp1.htm>

4 <http://www.unhchr.ch/html/menu3/b/k2crc.htm>

7. Employment conditions

Workers, for the purpose of these standards, are, besides the permanent workers, also seasonal workers and sub-contracted workers.

All operations with at least 10 workers commit themselves to meeting the following requirements⁵.

7.1. Contracts

All workers receive a written contract of employment describing the basic conditions of employment.⁶ Working conditions and contracts have to be documented by the employer to be verified at any time. The employment contract shall at least define the following: job description, scope and limits of the job, and type as well as amount of remuneration.

The employment conditions of all workers have at least to comply with the respective higher of the requirements of national regulations and ILO standards.

7.2. Equal treatment

The different kinds of employment shall in no case result in the unequal treatment of any workers: all workers are considered to enjoy the same rights and working conditions including social benefits and other privileges for work of the same nature and same degree of responsibility (see III.4).

7.3. Wages

Workers shall be paid at least the official national minimum wage or the relevant industry standard when employed in processing operations. Workers shall be paid in cash, or in any other manner of their choice.

7.4. Payment in kind

If they so choose, workers may receive part of their wage in kind for services such as housing, food or others offered by the operation. The value attributed to such deductions shall be fair and reasonable. Compulsive deductions from the minimum wage for such services are not permitted.

7.5. Working hours

To permit flexibility and overtime in the peak season, an annual limit of working hours or a mutual agreement on overtime requirements in the peak period (for a maximum of 6 weeks) is necessary. Such an agreement has to be in line with current national labour legislation and ILO Convention C184.

7.6. Social benefits

The employer ensures basic coverage for maternity, sickness and retirement. Operations with more than 10 workers need to make a policy on wages and social security available to all workers.

7.7. Further education

The operation offer its employees the possibility of further education and professional training.

⁵ Operations with fewer than 10 workers are exempt from the guidelines under point III.7. However those operations are subject to the requirements as from point III. 1. to III. 6.

Naturland may determine that in any one country the legal control of employment conditions and the opportunities for further education offered publicly suffices to ensure compliance with these standards.

⁶ Legally binding contracts (in this particular case not necessarily in writing) are required even for workers not registered. Furthermore they have to be informed of their rights.

Part B. Regulations for Sustainable Capture Fishery

The Naturland certification of products from sustainable capture fishery covers unprocessed products from both freshwater and marine fisheries, namely species of finfish, invertebrates, and plant.

The produce originates from fishery projects, the formal and operational structures of which may take any of several forms, such as one-man businesses, fishing co-operatives, or fishermen bound contractually to a processing company.

1. Project-specific management conditions and certification procedure

1.1 Besides the general regulations for sustainable fishery listed in Part B, project-specific management conditions are imposed on each fishery project. Taken together with the regulations under B 2–3, these special conditions constitute a catalogue of measures to be adopted in the management plan and quality assurance system of the project.

The conditions are the result of an expert survey of each fishery project to be performed. Naturland decides whether to accept the list of experts proposed either by the fishery project or a third party and can, where justified, reject the list or ask for changes to be made.

The experts on the list should cover the following fields:

- scientific institutions which deal with the respective type of fishery (primarily for current information on the status of the stock and on the aquatic ecosystem)
- fishing authorities (legal requirements, national and international development aims)
- NGOs (social and ecological aspects)
- organisations from the fishing and/or processing industries (technical, social and economic aspects).

1.2 To ensure that the regulations compiled in the project-specific management conditions are kept up to date, each expert survey is performed every two years at the minimum.

In principle, the fishery project bears responsibility for the expert survey being performed according to schedule. This also holds true for the case that the project has to supply the experts with pertinent data for them to be able to assess the situation of a fishery.

The project-specific management conditions for each individual fishery project must be passed by Naturland's certification committee.

1.3 Naturland publishes the section of the inspection report which is relevant to the public on its home page, so as to reach as wide an audience as possible from whom to learn of any possible objections to the certification of the enterprise in question, to acquire additional information and to hear different points of view. This section of the inspection report is published at least four weeks before the meeting of the committee at which the certification of the enterprise is to be decided. The enterprise is given an opportunity to reply to the objections raised.

2. Ecology

2.1 The project performs its fishing activities in such a way that integrity of the ecosystem is maintained long-term, concerning both the stocks of the economically relevant species as well as the other components of the ecosystem.

2.2 Subject of the evaluation is the geographical catchment area of the respective fishery project or the project's share in the total exploitation of a certain species.

2.3 In the case of species which only occur temporarily in the catchment area of the project, or which do not spend their whole life cycle there, an evaluation is made of whether the management form of the project were compatible with maintaining the total stock volume if this management form were adopted by all the enterprises involved in fishing this species in this way (exemplary character).

2.4 Even if the fishery project is proven to be managed in an exemplary sustainable manner, Naturland reserves the right not to certify the project, or to defer certification, if the total stock of a species should be critically jeopardised by other factors.

2.5 If no exclusively used geographic area can be attributed to the project (e.g. in deep-sea fishery), the evaluation is made based not only on the fishing practices of the project but also on the total situation of the stocks in question.

2.6 Practices which are generally deemed as detrimental or critical from an ecological point of view are prohibited. These include the following regulations in addition to the project-specific management conditions defined:

- catching marine mammals and ocean turtles
- catching sharks for their fins (“finning“)
- the use of poisons and explosives in fishing
- damage to coral reefs (including cold-water corals)
- beam trawl fishing as well as demersal trawling on highly structured sea beds
- demersal trawling without suitable escape hatches to keep bycatches to a minimum.

2.7 The project-specific management conditions govern the following in particular:

- minimum size and maximum quantities
- equipment and techniques employed
- close seasons and sanctuaries
- avoidance or minimisation of bycatches
- other measures which help to protect the aquatic ecosystem and/or individual species (e.g. protection of breeding colonies)
- protocols for monitoring of relevant pollutants, determination of specific alert/reporting values and threshold values.

3. Social and economic aspects

3.1 Naturland’s standards governing social responsibility apply (ref. A.III. of these standards).

3.2 In addition, allowances have to be made for the situation of many fishermen in the developing countries. Fishery projects (resp. the processors or exporters of the fishery produce) bears responsibility not only for the fishermen to meet with fair working conditions (ref. A. III), but also for adequate living conditions out of working hours. Depending on socio-economic circumstances, those responsible must introduce the requisite measures in a suitable manner. These include especially:

- adequate board and lodging
- access to banking and insurance services
- health care
- schooling for the children
- transport possibilities

This is especially applicable if the fishermen and –women are not capable of fulfilling these basic needs from the sale of their products. This is the case, for example, when there is a glut or where seasonal yields fluctuate dramatically, and in cases of over-dependence on fishing as the sole source of income.

3.3 The project-specific management conditions govern, in particular:

- special social aspects, particularly in relation to the situation in developing countries
- measures designed to avoid conflicts with other users of the resources

4. Legal framework and management

4.1 Fishing is performed in compliance with national and international law. The fishery project has to be able to produce the corresponding documents and proof in full and freshly updated.

4.2 The fishery project (or the processor or exporter of the fishing produce) is responsible for its staff and workers being familiar with the contents of these standards. Appropriate training sessions and material have to be provided to guarantee that the catalogue of measures is complied with.

4.3 The management of the fishery project must be able to prove that the requirements laid down in the standards and the project-specific management conditions are implemented systematically, effectively and promptly at every level. This proof includes:

- consistent records and analysis of the catch data
- feedback between the current catch data and the fishing practice in place
- knowledge of current national and international regulations and fulfilment of the duties arising therefrom
- establishment of mechanisms guaranteeing regular communication between the project and the fishermen with regard to social matters
- existence of and compliance with a development plan (e.g. for deficient issues)

4.4 The project-specific management conditions govern in particular:

- obligatory documentation requirements and internal control system.