



FORM 1 – REQUEST FOR INTERPRETATION OR VARIANCE

This form is for the submission of requests by CABs to the ASC to request interpretations of the ASC normative requirements and/or requests for variance from specific normative requirements.

I CAB Request

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| 1.1 NAME OF CAB | 1.2 DATE OF SUBMISSION | 1.3 CAB CONTACT PERSON | 1.4 EMAIL ADDRESS OF CAB CONTACT PERSON | | | |
| CONTROL UNION PERU, CUP | 19-03-2013 | Le Tran Truong Thuy Efrain Calderon | lethuy@controlunion.com ecalderon@controlunion.com | | | |
| 1.5 ASC DOCUMENT REFERENCE | | | | | | |
| ASC Farm Certification and Accreditation Requirement_version 1.0 Consideration for products harvested on and from the date of ASC audit | | | | | | |
| 1.6 BACKGROUND (PROVIDE FULL EXPLANATION OF THE ISSUE) | | | | | | |
| HUNG VUONG Corporation's pangasius farm – CON BAN Island was audited from 26-27/12/2012 by CONTROL UNION VIETNAM. This was the initial audit under CUP accreditation. The date of announcement was on 08/11/2012. The result of the audit was six minor non-conformities. The company sent to CONTROL UNION the action plan how to close these NCs which don't represent a risk for the ASC products integrity or complete absence of systems to guarantee ASC standards compliance. The detail of NCs are as following: | | | | | | |
| No. of NC | Criteria | Level | Description of non-conformity: | Action plan to dealt with | Status | The potential risk |
| 1 | 2.4.1 | Minor | The farm could not provide the statement from the reputable independent institution indicating the water allocation limits for the farm. | They have discussed to co-operate with an University to establish the water allocation limit analysis for the farm. The co-operation will be carried out in March. | Open | No |
| 2 | 4.6.1 | Minor | On-site observation, found that the bunds in the direction of northern-east, covering the pond 1 to 8 are eroded by the river tide. The farm strengthens a part of bund by wooden pillars, but there is still remaining part which has not been repaired yet | The farm has already established the project and they will widen and strengthen the bund as the project. | Open | Could cause the erosion of pond |
| 3 | 7.4.1 | Minor | It was found that the path from the boat to the farm gate is somewhat not safety | The farm established the project of re-constructing the bund and after that they will repair the path way | Open | May affect to the worker safety |



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| 4 | 7.10.1 | Minor | Interview a worker and found that he did not receive his labor contract. It did not meet article 28-Viet Nam Labor law | The farm will print out the labor contract and give to their workers | Open | No |
| 5 | 7.11.5 | Minor | No commitment of safety from construction Company -the subcontractor for construction | The farm will request their subcontractor to issue a commitment of safety. | Open | No |
| 6 | 7.14.1 | Minor | No evidence of receiving copies of the conflict resolution policy from local community found | They will print the conflict solution policy and send to each household in the local community. | Open | No |

1.7 RECOMMENDED ACTION/DECISION

Considering the level of compliance of HUNG VUONG Corporation in its certification unit: CON BAN Farm, CUP request to ASC the approval for HUNG VUONG Corporation to commercialize as certified those products harvested on and from the audit date of December 27th 2012 once an ASC certificate is issued.

II ASC Determination

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| 2.1 STATUS | 2.2 DATE OF THE ASC DETERMINATION |
| X Closed | 18-04-2013 |
| 2.3 ASC DETERMINATION ON VARIANCE REQUEST | |
| The ASC approves this request for the following farm, owned by Hung Vuong: Con Ban Farm (single site). | |
| 2.4 ASC INTERPRETATION | |
| Fish as harvested from 27 December 2013 onwards is eligible as ASC certified product and can be claimed as such, provided the traceability was safeguarded by valid Chain of Custody certification by companies which sourced these products and all relevant logo licensing requirements were correctly met. | |