CAR-Related Variance Request (VR) Procedure

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This document will be publicly available on the ASC website.

Document history

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The Aquaculture Stewardship Council (ASC) is the owner of this document.

For comments or questions regarding the content of this document, please contact ASC Programme Assurance Team via VR@asc-aqua.org
1. Introduction

The Aquaculture Stewardship Council (ASC) is an independent, not-for-profit organisation established in 2010 to set and operate global standards for responsible aquaculture. Certified farmed products are promoted to consumers through the use of its logo.

The aquaculture industry is growing strongly and is already supplying more than half of all seafood consumed worldwide. This growing demand increases the environmental and social footprint associated with the industry. The ASC certification and labelling programme incentivise improved farming practices by promoting the benefits of responsibly farmed seafood and encourages an industry towards environmental sustainability and social responsibility. ASC works globally with aquaculture producers, seafood processors, retail and foodservice companies, scientists, conservation groups and the public to promote the best environmental and social choice in farmed seafood.

All ASC’s standards have been developed following the International Social and Environmental Accreditation and Labelling Alliance (ISEAL) Code of Good Practice for Setting Social and Environmental Standards and the United Nations Food and Agriculture Organization (FAO) Technical Guidelines on Aquaculture Certification.

ASC Vision and Mission

The vision of ASC is a world where aquaculture plays a major role in supplying food and social benefits for mankind whilst minimising negative impacts on the environment.

The mission of the ASC is to transform aquaculture towards environmental sustainability and social responsibility using efficient market mechanisms that create value across the chain.

CAR-Related Variance Request (VR) Process

The ASC Standards reflect best practices within the aquaculture sector. Conformity Assessment Bodies (CAB) will encounter real-life situations that differ, for a multitude of reasons, from the Certification and Accreditation Requirements (CAR). For these reasons, an adaptation of the CAR to the local context is required, whilst adhering to the original intent of the requirements. Adapting a global standard to local context, as a concept, is allowed under the ISEAL Codes of Good Practice.

ASC requires these requested adaptations to be: 1) reviewed by ASC, 2) made public via the ASC website. Through these two requirements, the Scheme Owner remains the decision-making body to CAR adaptations and the outcomes are publicly available to ensure consistency and transparency of the system.

2. Scope and Purpose of this Document

This procedure sets out the steps to be conducted for the submission and processing of a CAR-related Variance Request (VR). The procedure is to ensure that all CAR-related VRs are processed in a consistent manner and that the outcome(s) are clear and repeatable by all users.
3. Referenced Documents

3.1. ASC Standards and Policies:
   a) ASC Standards
   b) ASC Certification and Accreditation Requirements (CAR)

3.2. External Guidelines:
   a) ISEAL Standard-Setting Code of Good Practice
   b) ISEAL Assurance Code of Good Practice
   c) FAO Technical Guidelines on Aquaculture Certification

4. Terms and Definitions

4.1. Terms and definitions are in the Appendix section.

5. Roles and Responsibilities

5.1. VR applicant - Conformity Assessment Body (CAB) responsible for submitting a VR using the ASC Variance Request and Interpretation Platform and for following the process described in the current Procedure.

5.2. CAR VR Committee - responsible for making the decision to approve, or not approve a VR. The VR Committee consists of the Head of Programme Assurance, the Head of Certification Assurance Team and the Programme Assurance Coordinator.

5.3. Aquaculture Stewardship Council (ASC) - responsible to follow the process described in this procedure and maintain it up-to-date.
6. Variance Request (VR) Process

6.1. Variance Request - Formulation Requirements

6.1.1. The CAB shall check in the ASC Variance Request and Interpretation Platform whether a similar VR has already been processed. If the CAB encounters a similar circumstance for which an earlier VR has been approved, and if the VR applicability allows doing so, then the CAB can refer to the earlier VR in the audit report and needs to justify its decision as to why the circumstances are similar, as outlined by the VR applicability in the referenced VR.

6.1.1.1. The CAB decision to reference an earlier VR in the audit report will be assessed by ASC during the ASC Audit Report Quality Assessment Process.

6.1.2. A Variance Request:

6.1.2.1. Shall include all needed supporting evidence, including reference(s) to publicly accessible information.

   a) All submitted evidence will be made public together with the VR.

6.1.2.2. Shall be written in clear and concise English.

   a) If supporting evidence is not in English, a summary of each piece of evidence shall be included in English within the submission.

6.1.2.3. Shall cover only one (1) Indicator/clause in the CAR.

6.1.2.4. Shall not request ASC to decide compliance of a Unit of Certification (UoC) nor request approval of a corrective action to close a non-conformity raised by a CAB.
6.2. Variance Request - Submission

6.2.1. A VR shall only be submitted to ASC via the ASC Variance Request and Interpretation Platform.

6.2.2. Once ASC has received the submission via the platform, ASC will:

6.2.2.1. Assign a number to the VR.

6.2.2.2. Send confirmation of receipt to the VR applicant within five (5) days.

6.3. Variance Request - Administrative Review

6.3.1. Within five (5) days upon receipt of the submission, ASC will conduct an Administrative Review of the VR prior to the Technical Review (6.4).

6.3.2. The Administrative Review will evaluate the compliance of a VR submission with the requirements outlined in 6.1.2.

6.3.2.1. If a VR submission fails to comply with the requirements outlined in 6.1.2, ASC will notify the VR applicant of the reasons for the failure.

6.3.2.2. The CAB may decide to submit an updated version of the VR, addressing the failures detected in the administrative review.

6.3.2.3. If the CAB opts to resubmit an updated version of a VR, ASC will conclude the Administrative Review within five (5) days of receipt of the updated VR.

6.3.2.4. If the updated version of a VR still does not comply with 6.1.2, the CAB may decide to again submit an updated version of the VR, and the process outlined in 6.3.2 will be repeated.

6.3.3. After conclusion of a successful Administrative Review ASC, within three (3) days, will:

a) Publish the VR on the ASC Variance Request and Interpretation Platform.

b) Send confirmation of publication to the VR applicant.
c) Begin the Technical Review of the VR as per 6.4.

6.3.4 If the CAB decides not to re-submit or update the VR, this shall be communicated to the ASC. This is applicable at any stage in the VR process, if the CAB decides not to proceed with the VR, this shall be communicated to the ASC. In these cases, the VR will be closed as not applicable.

6.4. Variance Request - Technical Review

6.4.1. The Technical Review of the VR will be conducted within five (5) days after publication of the VR on the Variance Request and interpretation platform.

6.4.1.1. If additional information is needed to assess the VR, ASC will request the needed information during the Technical Review. In this case, the timeline outlined in 6.4.1 is repeated from the date of reception of the additional information.

6.5. Variance Request – Presentation to VR-Committee

6.5.1. The Technical Review will formulate a VR Recommendation which shall include:

a) A clear statement recommending the VR to be APPROVED, NOT APPROVED or NOT APPLICABLE.

b) The rationale of how the VR is able to meet, or not, the intent of the requirement in the CAR, for which the VR is sought.

c) The VR applicability, including the scope and any conditions that are to be adhered to in case the Recommendation is “to approve” the VR.
6.6. **Variance Request – Decision**

6.6.1. Within five (5) days of receipt of the VR Recommendation, the VR Committee will:

6.6.1.1. Confirm or revise the Recommendation to approve or not approve the VR.

   a) In case the VR Committee requests additional information, ASC will proceed as per 6.4.1.1.

6.7. **Variance Request - Decision Publication**

6.7.1. Within three (3) days following receipt of a final VR decision ASC will publish the VR decision on the ASC Variance Request and Interpretation Platform. The publication shall include:

   a) The decision on whether the VR is ‘approved’, ‘not approved’ or ‘not applicable’.
   b) The rationale behind the decision.
   c) The VR applicability (in case the VR is approved).
   d) Categorise the VR as “Closed” on the ASC Variance Request and Interpretation Platform.

6.7.2. ASC will also send a confirmation of the VR decision to the VR applicant, within the three (3) days indicated in 6.7.1.

7. **ASC CAR Review**

7.1. Variance Requests (VRs) will be included as an input to the ASC CAR Review process.
8. Appendixes

8.1. Definitions

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<tr>
<th>Term</th>
<th>Definition</th>
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<tr>
<td>ASC Audit Report Quality Assessment Process.</td>
<td>A review conducted by ASC focusing on the Audit Report’s completeness and the presence of sufficient evidence to justify both non-conformances and compliances.</td>
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<td>ASC Variance Request and Interpretation Platform</td>
<td>Publicly available website portal for the submission of Variance Requests and interpretations to the ASC. ASC’s responses are also provided on this portal.</td>
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<tr>
<td>Days</td>
<td>Refers to working days applicable to the country of the ASC Head Office (The Netherlands).</td>
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<td>Shall</td>
<td>Denotes a requirement.</td>
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<td>Technical Review</td>
<td>The Technical Review is carried out by the ASC Programme Assurance Team and consists of an analytical assessment of the issue presented by a VR, including the supporting evidence, breaking it down into its components, and evaluating how each of them, when put together, are able to meet, or not, the intent of the requirement in the CAR for which the VR is sought.</td>
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<td>Variance Request (VR)</td>
<td>Request to adapt an ASC CAR requirement to a unique local circumstance which the ASC CAR was not able to, for whatever reason, foresee during the development of the CAR, whilst continuing to adhere to the original intent as set out by the requirements in the CAR.</td>
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<td>VR Applicability</td>
<td>The scope of an approved VR and any conditions that are to be adhered to. The scope can include but is not limited to: farm(s), regions(s), audit(s), certification cycle(s), period(s) of time, etc. The conditions can include the allowance to re-use, or not, a VR by a CAB that encounters a similar circumstance for which an earlier VR has been approved.</td>
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<td>VR Decision</td>
<td>Decision for closing a VR. A decision can be: approved, not approved or not applicable (i.e. no compliance with timelines, n/a, non-English, outdated request etc.).</td>
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<td>VR Committee</td>
<td>Committee responsible for approving or not approving a VR.</td>
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9. CAR VR process flow chart (including timelines)

• VR submission
  - Confirmation of receipt sent within 5 days
  - Within 5 days upon receipt submission ASC will conduct Administrative review
    - After successful Administrative Review ASC will, within 3 days, publish VR, send publication confirmation to CAB

  - Technical Review of the VR will be conducted within 5 days after publication of the VR or after receiving additional information: VR recommendation formulated

• Within 5 days of receipt of the VR recommendation, the VR committee will confirm or revise the recommendation or ask for additional information.

• Within 3 days following receipt of a final VR decision ASC will publish the VR decision and send confirmation to the VR applicant.

Total: 26 days
Days = working days

If at any stage in the CAR VR process the CAB decides not to proceed with the VR, please follow 6.3.4 in the CAR VR procedure.