Common Language Group - Final Report

To establish a forum (Common Language Group) for working with all stakeholders to reach agreement on issues which are contentious in the fishing and aquaculture sectors.

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In submitting this report, the researcher has agreed to FRDC publishing this material in its edited form.

Foreword

The Common Language Group (CLG) was originally created by the former Seafood Services Australia (SSA), supported by a grant by Fisheries Research & Development Corporation (FRDC) “to create and communicate a common understanding of the issues associated with the use of Australian aquatic ecosystems and resources”.

Due to significant reduction in funding, SSA ceased trading in 2012 and the FRDC assisted the SSA organisation in transitioning projects to other organisations to see them completed and available to industry. The Common Language Group project was one of these projects.

The agreed objectives of this project were met and exceeded in many areas due to the firm industry and individual commitment to the Common Language Group. The project was successful in gaining all seafood sectors to sit around a table to openly discuss and understand some key issues. Noting some sectors found it difficult to attend meetings for a number of reasons including resourcing. The Common Language Custodian Group during the course of this project succeeded in agreeing on the elements of sustainable seafood. This achievement should not be underestimated. The process is key to ensuring transparency and open communication is maintained across the Australian seafood industry to address key issues.

The FRDC aims to continue to deliver the Common Language Group project and will continue to evolve the process.

A special thanks to Meryl Williams, Chair, Jo-anne McCrea, WWF, Neil McSkimming, Coles and Patrick Hone, FRDC who were an integral part of the process. They provided detailed input in each part of the process. It has been a pleasure working with the FRDC team, the Common Language Custodian Group and being part of the overall process.

Michelle Christoe, Food Focus Australia

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Acknowledgments

The author wishes to acknowledge the contribution of funds by the Fisheries Research and Development Corporation (FRDC), a statutory authority of the Australian Government. The project would never have taken place without FRDC commitment to the process.

Food Focus Australia would also like to acknowledge the following organisations which contributed (financially and in kind) to the successful completion of this project:

World Wildlife Fund (WWF)

National Seafood Industry Alliance (NSIA)

RecFish Australia

National Aquaculture Council (NAC)

ABARES

Coles

Woolworths

Sydney Fish Market (SFM)

Australian Fisheries Management Forum (AFMA)

National Aquaculture Council (NAC)

De Costi Seafoods

Food and Grocery Council

Seafood Importers Association

Indigenous Reference Group

Choice

Cobalt Marine Resource Management

Shellack

Sharon Kimmins

A special thanks to the continuous contribution of eNGO groups (WWF, Greenpeace and AMCS) and Dr Meryl Williams, CLG Chair for her time and input to the process.

And all contributors to the Survey process, workgroups and attendees at the Common Language Group Open Forum.

Abbreviations

Please note that the above organisations will be referred to throughout this report by the above abbreviations.

Executive Summary

FRDC Director, Dr Patrick Hone, stated "We haven't communicated well in laymen's terms. All sectors of the community do not fully appreciate the science of the issues. The Australian seafood industry has to have a common language discussion."

What the report is about

Food Focus Australia, a food and business marketing consultancy facilitated the Common Language Group (CLG) from June 2012 to January 2015. The project was supported by a grant from the Fisheries Research & Development Corporation (FRDC) "to create and communicate a common understanding of the issues associated with the use of Australian aquatic ecosystems and resources". This report outlines the methodology and outcomes of the project during this time.

The work of the CLG has been overseen by a Custodian Group (APPENDIX 1. CLG Custodian Group Members, APPENDIX 2. Terms of Reference and APPENDIX 3. CLG Fact Sheet). The Group is inclusive of all interest groups, having representation from commercial fishing, recreational fishing, aquaculture, researchers, fisheries managers, retail, post-harvest, indigenous, eNGOs and consumers. Issues requiring a common understanding were identified and discussed by the Custodian Group (APPENDIX 4 CLG Custodian Group Minutes), with resulting issues papers being taken to an Open Forum (APPENDIX 5. Open Forum Minutes).

Background

The need for a Common Language Group is highlighted by the confusion that exists among industry stakeholders and in the public arena on a number of contentious issues faced by the Australian seafood industry (e.g. sustainability, responsible fishing, marine protected areas (MPA), fishing methods, indigenous cultural fishing etc). This confusion exists along the seafood industry supply chain (producers, wholesalers, retailers), among a range of stakeholder groups (non-government organisations (NGO), etc) including within the general public. This confusion is contributing to the negative perception of the Australian seafood industry

Aims

Key issues were identified by the Common Language Group at the beginning of the project. The priority issue discussed was the need for a common understanding on what constitutes 'sustainable seafood' (wild catch) in Australia.

Methodology

The role of Food Focus was to facilitate the process of the Common Language Group, working groups and face to face meetings and be the secretariat to all discussions.

Results

The key outcomes of the Common Language Group project were the:

- Establishing a Custodian Group and process by which key issues can be discussed
- Establishing www.commonlanguage.com.au
- Consensus across stakeholder groups on key issues such as the key elements of sustainable seafood (wildcatch)
- Development of two issues papers

- Completion of public survey and Open Forum

Implications for relevant stakeholders

The Common Language Group (CLG) aims to develop consensus positions on important issues affecting the seafood supply chain. Its role is to discuss key issues such as fishing methods, seafood traceability, responsible fishing, fisheries management, Fishery Stock Status Reports, Australian Standards such as FishNames, and takes the opportunity to share new ideas.

The aim of the CLG is to use factual information to reach a baseline understanding of the principles underpinning a responsible seafood supply chain. This helps to ensure all stakeholders have a broad knowledge of the issues. This will also aid in providing clear and concise information more broadly surrounding issues or areas of different opinion in the seafood supply chain, allowing for greater transparency and hopefully less confusion.

Next Steps

FRDC have taken on the secretariat at the end of the project and will continue the running of the Common Language Group project. Meryl Williams remains the Chair and the Custodian CLG Group members remain the same.

INTRODUCTION

Knowledge of Australian fisheries resources is becoming more accessible through a number of front end initiatives of FRDC, especially FishFiles and the Fisheries Status Reports - all based on fisheries research and development funded by FRDC, Commonwealth, State and University funds. However, there is still difficulty in extending easy to understand information to consumers, other than through nutritional information, recipes and the like. Yet to be addressed well is the difficult area of explaining the resource and other information in such a way as to provide easy-to-understand science-based facts to help consumers make wise sustainable seafood choices. Indeed, in Australia, different stakeholders hold different views on a number of fundamental issues faced by the Australian seafood industry (eg sustainability, responsible fishing, MPAs, fishing methods, fishery impacts, pollution etc). The differing views lead to confusion throughout the seafood industry supply chain (producers, wholesalers, retailers), among a range of stakeholder groups (NGOs, etc) including the general public. This is contributing significantly to the negative perception of the Australian seafood industry on a range of important issues (fish management, environment, etc).

A Common Language Group is a good solution to overcoming the confusion and some negative perceptions of Australian seafood and paving the way for a more common understanding.

The concept of the formation of a Common Language Group (CLG) was first presented and supported at an SSA Network meeting, Sydney, May 2011 at which Phil MacMullen of Seafish Industry Authority in the UK gave an overview of their project which has been running successfully for over twelve years. He said “the project has improved industry transparency and consumer confidence”.

Seafish Industry Authority in the United Kingdom (UK) refer www.Seafish.org, formed a successful Common Language Group initiative which has demonstrated that much confusion can be eliminated through the development and adoption of agreed positions on a range of topical issues affecting the industry and providing an appropriate forum and framework for all stakeholders to reach a consensus position. This position can then be developed into appropriate media (reports, press releases, guides, fact sheets etc) in an agreed Common Language for extending information on topical issues to stakeholders throughout the supply chain, including consumers and general public.

At the SSA Network meeting participants developed the concept further in collaboration with key industry leaders, environmental NGOs and other stakeholders. The meeting was attended by over 100 seafood industry leaders and stakeholders from throughout Australia who provided overwhelming support for the project. They discussed the need for clearer definitions and terminology, and increased community engagement on the topic of sustainability. Consensus was reached that there were confusing definitions and terminology relating to fishery management and sustainability. There are also many eco-labels for seafood around the world each with different criteria. The various terminology has become confusing and misleading to consumers.

SSA subsequently was successful in initiating a Common Language Group for the Australian seafood supply chain to develop a common understanding amongst a broad spectrum of stakeholders on a range of issues affecting the Australian fishing and aquaculture industries. SSA facilitated and managed the process and received overwhelming support by participants involved in the Custodian CLG and Working Group.

On commencement of the Common Language Group Project in 2012, SSA held a meeting with industry stakeholders and established a Custodian Common Language Group consisting of the investigators to represent key sectors:

NGOs
Commercial
Recreational

Aquaculture
Researchers
Retail
Post harvest
Fisheries managers
Extension
Independent retailers
Consumer group

Governance and Terms of Reference have been established (see www.commonlanguage.com.au) in consultation with the Custodian Common Language Group. With the demise of Seafood Services Australia (SSA), Food Focus Australia took up the Common Language Group project to ensure its continuance for the Australian seafood industry.

Many issues were highlighted for consideration by the Custodian CLG for discussions in the future, including; (1) Responsible Sourcing, (2) Towed Gears, (3) Illegal, Unreported and Unregulated Fishing, (4) Discards, (5) Responsible Fishing Scheme, (6) Marine Protected Areas and (7) The Elements of Sustainability - Aquaculture. The forum will enable a process whereby research can be viewed and contributed to before finalisation, with viewpoints from key industry areas.

Outputs from this process will assist end users in improving understanding and influencing community perceptions about the Australian fishing and aquaculture industry. This will further increase the community's capacity to make their desired decisions in relation to seafood products and hopefully result in improved and more secure resource access. The key performance indicator being the development of knowledge through a process to better inform community perceptions of the industry and thereby increasing their support for the industry and its products.

OBJECTIVES

The need for a Common Language Group is highlighted by the confusion and varied stand points that exists among industry stakeholders and the public arena on contentious issues faced by the Australian seafood industry (eg sustainability, responsible fishing, MPAs, fishing methods, etc). This confusion exists throughout the seafood industry supply chain (producers, wholesalers, retailers), among a range of stakeholder groups (NGOs, etc) including within the general public. This is contributing significantly to the negative perception of the Australian seafood industry on a range of important issues (fish management, environment, etc).

The purpose of the initiative is to develop a consensus on terminology for a range of important issues affecting the Australian fishing and aquaculture sectors; gaining greater clarity and transparency for all stakeholders. The project will make a significant contribution to improving the public perception and understanding of the Australian seafood industry by removing public confusion through the extension of agreed positions and information on a range of topical issues. These agreed positions will be developed through a consensus approach involving all key stakeholder groups through representation on the Common Language Group.

"The seafood industry is not necessarily where traditionally you find all sectors working closely together on a problem, however the Common Language Group will allow us to pioneer a collaborative, national approach to complex issues that affect the seafood supply chain, for the sake of sustainable sourcing and responsible practice" said Michelle Christoe, Food Focus.

The broad goals and objectives of the project were to:

1. Maintain the CLG Custodian Group and CLG forum and facilitate the resolution of issues that is contentious in the fishing and aquaculture sectors.

2. Attempt to find consensus or identify the areas for which agreement was not reached.

3. Publish and extend agreed CLG outputs including: agreed positions on contemporary issues sheets, fact sheets, website updates and other related publications and reports in a format suitable for stakeholders, consumers and media uptake.

Ongoing outputs from the Common Language Group were set to provide:

- Significantly improved public perception of the Australian seafood industry and reduced public conflict between key stakeholder groups on topical issues affecting the Australian seafood industry.
- Significantly improved framework for decision making by retailers and consumers - guides and fact sheets for responsible sourcing of seafood.
- An agreed framework and process for potentially disparate groups to achieving agreed positions on contentious issues through consensus.
- Improved resource security through a greater public understanding of the world class fisheries and aquaculture arrangements in place in Australia.
- The end users of the outcomes (including all key stakeholder groups and in particular those higher level bodies) and organisations a position to influence government policy development relevant to fishing and aquaculture resource access. This includes national and state industry bodies as well as environmental NGOs.

SUMMARY OF OUTPUTS AND ACHIEVEMENTS

A Custodian CLG for the Common Language Group Project (CLG) was formed by consensus to identify issues representing sectors such as Recreational, Aquaculture, Researchers, Retail, and Post harvest, Fisheries Managers and Extension and Consumers. Each of these sectors were agreed upon from an Open Forum industry meeting forming the first meeting in November 2012. Representatives for each of these sectors were invited to participate in the CLG Custodian Group. The CLG Custodian Group was fortunate to appoint Dr Meryl Williams, former Director General of the WorldFish Center, as the Chair of this Custodian Group. Through the Terms of Reference and Governance of the CLG Custodian Group, it was identified that issues would be forwarded to working groups to prepare draft position papers which would then be discussed in Open CLG meetings and then made publicly available. It was anticipated that Open CLG meetings were to be fairly informal, held in various locations around Australia and open to anyone that wished to attend. These meetings would be advertised on the common language website (www.commonlanguage.com.au) and communicated by emails to the subscriber database.

The CLG Custodian Group has met face-to-face on three occasions and held teleconferences on six occasions. It formed its first Working Group to develop *Issues Paper #1 "Defining Sustainable Australian Seafood – Wild Capture Fisheries"* (APPENDIX 5) which held twelve working group teleconferences before finalising the document for comment.

This Issues Paper was put out for public comment and has now been finalised. It was followed up with *"Sustainable Fishing – A Common Language for Sustainable Wild Catch Fisheries"* (APPENDIX 9) which has been discussed in an Open CLG Forum and is in final draft stages.

The Common Language Group, post 2014, will be facilitated internally by Fisheries Research Development Corporation and a handover has been completed. Food Focus Australia will remain as a contributor on the Common Language Group – Custodian Group as a representative for the extension of Australian seafood.

Method

In the UK, a successful Common Language Group (CLG) model has demonstrated that much of the confusion around issues of public perception with fishing and aquaculture can be eliminated through development and adoption of agreed positions, providing an appropriate forum and framework for all stakeholders to reach a consensus position - "an agreed common language". This position can then be developed into appropriate media (reports, guides, fact sheets, etc) for extending information on topical issues to stakeholders throughout the supply chain, including consumers and the general public.

Food Focus Australia has remained in contact with the UK Group, Seafish and has been an observer on many of their CLG teleconferences along with being copied into their minutes in order to gain a global viewpoint on key issues.

The basis of the method for the Australian CLG group is a replicate of the UK model. The Australian Seafood Industry Common Language Group (CLG) provides the forum and framework to:

1. Identify and prioritising current and emerging issues affecting the Australian seafood industry (fishing, aquaculture and through chain sectors).
2. Define and developing consensus positions and terminology on issues affecting the Australian seafood industry.
3. Hold issues based forums and workshops for the CLG to work with stakeholders to develop a common understanding and consensus on positions.
4. Develop appropriate media to extend the consensus positions on topical issues, including reports, guides and fact sheets.
5. Develop appropriate methodologies to monitor and report on the performance of the CLG in meeting the above objectives.

As with the UK model, the Common Language Group is comprised of key stakeholder groups from throughout the seafood supply chain and also includes interest groups external to the seafood supply chain. This includes: industry leaders in commercial fishing, aquaculture, wholesale, retail, food safety and health, environmental NGO's and related interest groups.

Food Focus Australia has coordinated and provided secretariat support for the Common Language Group as well as overseen the actioning of consensus outcomes from the Group through development of documentation, web support and extension activities. The group has an independent Chair, Meryl Williams.

The sectors and nominated representatives within the Custodian CLG during the course of this project have been:

eNGOs (MSC, WWF, AMCS) - Jo-anne McCrea, Fisheries Assessment & Projects Manager, WWF
Commercial National Seafood Industry Alliance (NSIA) - Grahame Turk, Chairman
Recreational RecFish Australia - Russell Conway, CEO
Aquaculture National Aquaculture Council (NAC) - Pheroze Jungalwalla, CEO
Researchers Fisheries Research and Development Corporation (FRDC) - Patrick Hone, Executive Director, Crispian Ashby and Joshua Fielding
Researchers Research Providers Network - Ilona Stobutzki, Assistant Secretary - Fisheries
Retail Coles - Neil McSkimmings, Food Policy Officer, Jackie Healing, Rob Cumine
Retail Woolworths - Jason McQuaid, Natalie Mathews, Seafood Managers
Post harvest Sydney Fish Market - Bryan Skepper and Sevaly Sven
Fisheries Managers Australian Fisheries Management Forum - Doug Ferrell
Extension SSA - Michelle Christoe – Food Focus Australia
Independent Retailers - De Costi - Anthony Mercer
Consumer Group Choice - Angela McDougall
Indigenous Fishing - Indigenous Reference Group - Chris Calogeras

Seafood Imports – Seafood Imports Association – Norm Grant

Technical working groups are formed to address specific issues. These groups can be made up of a subset of the CLG or can also use skills of people external to the CLG.

Related Projects and Research Capacity

It should be noted that FRDC funded several projects which were reviewed closely in relation to the CLG, as the CLG or the project could be impacted by outcomes of the CLG. The projects have included:

2010/061 Development of a national harvest strategy framework (PIRSA)
2013/023 Develop a draft Australian Standard for responsible fishing on vessels to improve public perception of the commercial fishing industry (Previously SSA - novated to Sevaly Sen)
2012/746 Seafood CRC : preliminary investigation of internationally recognised Responsible Fisheries Management Certification (SFM)
2013/024 Professionalising industry – NSW pilot (Oceanwatch)
2011/513 National Fishery Stock Status Reports (ABARES)
Review of the Commonwealth policy on fisheries bycatch (DAFF)
Fish Names Project (Previously SSA – novated to Alan Snow Consulting)

Results

Since inception of the Common Language Group, Food Focus Australia has facilitated process that has brought industry together to discuss key issues and gain a consensus of opinion across the key sectors for seafood in Australia to include:

eNGO's
Commercial
Recreational
Aquaculture
Researchers
Retail (Independent & Supermarkets)
Wholesale
Post Harvest
Fisheries Managers
Extension
Consumer Groups
Imports
Indigenous

This has enabled far reaching extension and developed papers across complex areas such as the elements of sustainability which had not been previously agreed across sector.

The CLG process and Food Focus Australia have completed the following activities:

- Developed industry communications via content for FRDC Website (also under www.commonlanguage.com.au), industry communications in emails and FISH magazine.
- Developed the Terms of Reference for the Custodian Common Language Group.
- Food Focus Australia facilitated four face to face meetings and six teleconferences of the Common Language Group. Minutes were recorded and circulated, also made available via the FRDC Website and Common Language Group website.
- Twelve working group teleconferences to develop Issues Paper #1.
- Through an open survey process, incorporated feedback from the Common Language Group and industry to finalise the Issues Paper #1: Elements of Australian Sustainable Seafood – Wildcatch.
- A press release was developed to accompany the dispatch of the Issues Paper to inform and guide the public comment progress. The Issues Paper and Questions were made available online via FRDC website and Survey Monkey in December 2013. Content was written for the communication of the CLG Call for Comment in October 2013 on Issues Paper #1. The FRDC Final Report newsletter was sent to 4783 unique valid email addresses Friday, 20 December 2013. The FRDC News email re "Common Language Group Call For Comment" was sent to 4883 unique email addresses on Tuesday, January 28, 2014. The Food Focus email was sent to 5,100 unique email addresses on February 18, 2014. Due to the timing of the FRDC newsletter being pre-Xmas, it was decided jointly with FRDC to forward an additional email release in January 2014 and extend the deadline for responses to March 2014 to encourage greater public comment.
- A summary document of survey results for Issues Paper #1 was written and finalised.
- A draft technical document was made available for feedback and provided to CLG members before being presented in an Open Forum, held in Sydney in November 2014 for comment.

- The CLG Custodian Group reviewed and provided feedback on the Stock Status Reports and was briefed on Fish Names and Standards Development.
- The CLG was requested by the Committee Secretary for the Senate Standing Committees on Rural and Regional Affairs and Transport to feed into an enquiry in regards to "The current requirements for labelling of seafood and seafood products". A formal submission was prepared by Food Focus Australia on behalf of the CLG Custodian Group.
- An Open Forum was facilitated with FRDC to discuss the issues papers.

FRDC's investment over the duration of this project coupled with significant and growing support (investment) by seafood sectors and businesses throughout the Australian seafood value chain has been instrumental in Food Focus Australia delivering the above key outcomes and achievements over the duration of this project.

Conclusion

Through the facilitation of the Common Language Group Project there was broad consensus amongst the Custodian Common Language Group and industry stakeholders that sustainable fisheries are those with an acceptable level of impact on five key ecological components. These five components are also reflected in Australian and international fisheries management regulation and policy. They are:

1. Target and retained species of commercial value
2. Bycatch species (discarded because they are not permitted to be kept, or are of no value)
3. Threatened, endangered or protected species
4. Habitats important to marine/aquatic productivity and ecosystem function
5. Ecosystems impacted by fishing operations, including food-webs.

The successful process and outputs of Issues Paper #1 Defining Sustainable Australian Seafood – Wild Capture Fisheries and the agreement of the five components listed above provide an example of the importance and success of the CLG process. This was the first time that all parties were in agreeance to what was the acceptable level of impact on five key econological components of sustainable seafood. Sustainable fisheries is a key topic of consumers, industry and regulators alike

Implications

To get to a point of agreement across industry sectors on the elements of sustainability in Australian wildcatch across the industry is an example of how the Common Language Group process can work. When the definitions are agreed for consumers in the second paper that underpin sustainability, they can then be clearly communicated to Australian consumers. Management, industry, media and consumers can then be talking the same language around the sustainability of Australian seafood. In talking the same language, transparency and understanding increases and issues decrease.

Recommendations

FRDC have taken the Common Language Group process on to develop it further and provide continuance to the process. This is an opportunity to integrate the process further with other projects, table issues for feedback to the group and extend the outputs to the wider community.

Further development

The Common Language Group's objectives are to create a common understanding and agreement on issues. It does not solve the issues nor does it create legislation. In relation to sustainability, it cannot define what is acceptable as there are too many viewpoints, however it can define and obtain consensus on the elements that make up a sustainable environment.

Extension and Adoption

During the project, an Open Forum was advertised to the industry and across sectors to communicate, table and discuss the elements of sustainability and the Issues Papers. The Common Language Group process was transparent, with Issues Papers and Minutes being made available online on www.commonlanguage.com.au . A survey was put out to industry (APPENDIX 6) to obtain feedback into the Issues Papers before taking it out to an Open Forum.

Press releases and articles updated industry further on the Common Language Group activities (APPENDIX 10).

Project materials developed

Project materials developed were:

1. Issues Paper #1 Defining Sustainable Australian Seafood – Wild Capture Fisheries (APPENDIX 5)
2. Submissions Summary (APPENDIX 7)
3. Sustainable Fishing – A Common Language for Sustainable Australian Wild Catch Fisheries (APPENDIX 9)

Appendices

APPENDIX 1: CLG Custodian Group Members

NGOs	NGOs (MSC, WWF, AMCS)	Jo-anne McCrea, WWF
Commercial	National Seafood Industry Alliance (NSIA)	Graham Turk, SFM
Recreational	RecFish Australia	Russell Conway
Aquaculture	National Aquaculture Council (NAC)	Pheroze Jungalwalla
Researchers	Fisheries Research and Development Corporation (FRDC)	Patrick Hone
Researchers	Research Providers Network	Ilona Stobutzki
Retail	Coles	Rob Cumine
Retail	Woolworths	Natalie Mathews
Post harvest	Sydney Fish Market	Bryan Skepper Sevaly Sven
Fisheries managers	Australian Fisheries Management Forum	Doug Ferrell
Extension	Food Focus Australia	Michelle Christoe
Independent retailers	De Costi	Anthony Mercer
Consumer group	Choice	Angela McDougal
Imports	Seafood Importers Association	Norm Grant
Indigenous Fishing	Indigenous Reference Group	Chris Calogeras

APPENDIX 2: CLG Terms of Reference

Common Language Group (CLG)

Terms of Reference (December 2013)

Vision: To create and communicate a common understanding of the issues associated with the use of Australian aquatic eco systems and resources.

CONTENTS

Introduction

The Common Language Group brings disparate stakeholders with competing objectives together to develop agreed language and positions on key issues. Outputs from this process will assist end users in improving understanding and influence relating to community perceptions about the Australian fishing and aquaculture industry. This will further increase the community's capacity to accept and incorporate higher levels of fishing and aquaculture activity through improved and more secure resource access. The key performance indicator being the development of knowledge through a process to better inform community perceptions of the industry and thereby increasing their support for the industry and its products.

The need for a Common Language Group is highlighted by the confusion that exists among industry stakeholders and the public arena on a number of contentious issues faced by the Australian seafood industry (eg sustainability, responsible fishing, MPAs, fishing methods, etc). This confusion exists throughout the seafood industry supply chain (producers, wholesalers, retailers), among a range of stakeholder groups (NGOs, etc) as well as within the general public. This is contributing significantly to the negative perception of the Australian seafood industry on a range of important issues (fish management, environment, etc).

The successful UK Common Language Group model has demonstrated that much of this confusion can be eliminated through development and adoption of agreed positions on a range of contentious issues affecting the industry and providing an appropriate forum and framework for all stakeholders to reach a consensus position on these issues - "an agreed common language". This position can then be developed into appropriate media (reports, guides, fact sheets, etc) for extending information on topical issues to stakeholders throughout the supply chain, including consumers and the general public.

Common Language Group Goals

1. To establish a small custodian group / steering committee to identify issues that needs a common understanding.

2. To form other issue working groups to prepare draft issues papers on specific issues.

3. Conduct a process to increase and improve common understanding.

4. To communicate to stakeholders (including web based communications to allow feedback on draft issues papers).

Common Language Group Common Principles

The value of this group is in initiating and facilitating discussion between parties sharing a common interest in sustainable fishing, aquaculture and a healthy aquatic environment.

Common Language Group Key Stakeholders

Participants at Common Language Group meetings should be representative of all relevant interests across the Australian seafood supply chain including:

- NGOs
- Commercial
- Recreational
- Aquaculture

- Indigenous
- Researchers
- Retailers
- Post harvest
- Chefs
- Fisheries managers
- Commonwealth Environment Dept
- Governments
- Consumers
- Media
- Importers
- Extension

Common Language Custodian Group

This group would identify issues. Issues can then be forwarded to working groups to prepare draft position papers which would then be discussed in open CLG meetings and also via web based process and then be publicly available (unless there is a very good reason not to make papers public).

Function is purely custodial role to identify issues to be tackled, setting process and forming working groups on specific issues.

Below are the agreed Custodian Group / Steering Committee with target organisation in brackets:

NGOs (will nominate a representative)
Commercial (NSIA)
Recreational (Rec Fish Aust)
Aquaculture (NAC)
Researchers (FRDC and Research Providers Network)
Retail (Coles and Woolworths)
Post harvest (SFM)
Fisheries managers (AFMF)
Extension (FoodFocus)

Common Language Group Meetings

Common Language Group meetings and/or teleconferences are a core component of the strategy.

Common Language Group meetings and/or teleconferences are held at least two times per year, are free of charge and open to all Common Language Group stakeholders. However, participants are responsible for the cost of attending meetings.

Food Focus Australia provides the Common Language Chair, Common Language secretariat, and organises the meetings/teleconferences and minutes.

The scope of discussions should include:

- assessing, managing and minimising fishing's environmental impacts;
- mis/information on stock status - the need for a resource base that could provide fish buyers with the means to undertake risk analysis of supply chain options;
- the need for clear information on sourcing responsibly, both domestically and internationally;
- the credibility of information, both from the scientific community and elsewhere.

The target audience for agreements or advice from this group should include fish buyers, retailers and consumers.

The group should preferably seek information from the whole supply chain.

Meetings could be themed on particular species in order to focus the group's attention.

All information produced by the group should be placed in the public domain.

Food Focus Australia will maintain a Common Language Group web page, and make all meeting minutes available.

The group should decide whether it is appropriate for groups to be formed that address specific issues such as discards, bycatch and aquaculture. The activities of these groups should be reported back to the Common Language Group.

Common Language Strategy for Outputs

1. Agreed positions achieved through consensus on a range of topical issues affecting the seafood industry supply chain including in the areas of: fisheries and aquaculture terminology; effectiveness of fishery management arrangements; environmental performance; status of fishery stocks; health benefits of seafood, etc.

2. Development of media materials for extension and adoption of the agreed positions developed above including: reports, guides and fact sheets. This includes retailer and consumer guides on responsible sourcing of seafood and species specific fact sheets covering stock status, management performance, environmental performance, etc.

3. The extension of these materials will be targeted at all stakeholders and public interest groups - industry supply chain, government agencies, environmental NGOs, retailers and consumers.

4. Establishment of a web portal on the FRDC website to provide ease of public access to media materials developed through the Common Language Group.

5. Pro-active extension of materials and agreed positions adopted through the Common Language Group including through public interest television and radio segments.

Secretariat

Food Focus Australia provides secretariat support to the Common Language Group.

Enquires and further information

Food Focus Australia:

michellec@foodfocus.com.au www.frdc.gov.au Ph: 0413 200 404

APPENDIX 3. CLG Fact Sheet

Common Language Group
… so far

The concept of the formation of a Common Language Group (CLG) was first supported at an SSA Network meeting last year at which Phil MacMullen of Seafish in the UK gave an overview of their project which has been running successfully for over twelve years. He said "the project has improved industry transparency and consumer confidence". SSA subsequently was successful in gaining FRDC funding to initiate a two year project to develop a common understanding amongst a broad spectrum of stakeholders on a range of issues affecting the Australian fishing and aquaculture industries. SSA is facilitating and managing the process.

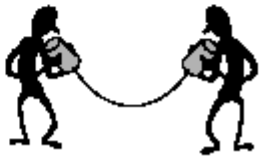
An interim meeting of these stakeholders was conducted in November 2012 to scope the initiative and agree a process to move forward. A Common Language (CL) Custodian Group was formed at that meeting to identify issues to be tackled, agree the process and form working groups on specific issues. The outputs of the Custodian Group and its working groups would be discussed and determined in open CLG forums and via web based processes.

The CLG has been fortunate to appoint Dr Meryl Williams, former Director General of the WorldFish Center, as the Chair of this Custodian Group.

The CL Custodian Group has since met by teleconference on two occasions and has formed its first Working Group to develop an Issues Paper on the meaning of "sustainable seafood".

It is expected that this Issues Paper will be distributed widely in May and be discussed at the first face to face CLG Forum to be held on 29 May 2013 in Canberra.

Keep up to date with all CLG developments on the website at www.commonlanguage.com.au .



April 2013

APPENDIX 4: CLG Custodian Group Minutes

CLG Custodian Group Minutes – 12 November 2012

Common Language – The Way Forward

Round Table Interim Forum

9am – 1pm, 12 November 2012

Sydney Fish Market, Meeting Room, Pyrmont Bridge Road, Pyrmont

Present:

Keith Sainsbury	Chair
Patrick Caleo	Marine Stewardship Council
Russell Conway	Recfish Australia
David Ellis	Australian Southern Bluefin Tuna Industry Ass
Martin Exel	Commonwealth Fisheries Association
Doug Ferrell	Australian Fisheries Management Forum and NSW DPI
Allan Hansard	Australian Recreational Fishing Foundation
Michael Harte	WWF
Pheroze Jungalwalla	National Aquaculture Council
Tooni Mahto	Australian Marine Conservation Society
Bryan Skepper	Sydney Fish Market
Ilona Stobutzki	Australian Bureau of Agricultural and Resource Economics and Sciences
John Susman	Fisheads
Grahame Turk	National Seafood Industry Association
Patrick Hone	Fisheries Research and Development Corporation
Peter Horvat	Fisheries Research and Development Corporation
Michelle Christoe	Seafood Services Australia
Sharon Kimmins	Seafood Services Australia

Apologies:

Geoff Gorrie	Seafood Services Australia
Glenn Sant	Traffic Oceania
Trixi Madon	Commonwealth Fisheries Association
Norm Grant	Seafood Importers Association of Australasia
Crispian Ashby	Fisheries Research and Development Corporation

1. WELCOME

The Chair welcomed all to the meeting. He emphasised that the Common Language Group (CLG) is being formed to clarify understanding and definitions and would be inclusive of all interests. It is hoped the CLG would become an authoritative source of information.

All participants introduced themselves to the Round Table Forum.

The genesis for this Forum was in an SSA Network meeting held in May last year featuring Phil McMullen of Seafish UK as a guest speaker. Industry supported the concept of a CLG and requested SSA to seek funding to facilitate this process.

2. SCOPE OF THE COMMON LANGAUGE PROJECT

The meeting discussed Item 1 Agenda Paper: Scope of the Common Language Project.

The meeting viewed an SSA presentation on the scope of the CLG Project. SSA gained FRDC funding for the 2 year project and is facilitating the process. This meeting is seeking ideas on how to operate the group and who would be involved going forward.

A CLG was formed in 1990 by Seafish in the UK. The industry was under a lot of pressure at the time about what is an acceptable impact in relation seafood sustainability. It was noted that the UK CLG funding is £68,000 a year and the majority of work is undertaken voluntarily and relies on people being passionate on issues. The UK Group is still operating successfully.

General discussion took place:

- It was noted that all sectors need clear definitions and messages – discards, fishing methods, scoring systems etc.
- Desire to create a hierarchal structure to disseminate information down the chain, possibly comprising of representatives of commercial, recreational and aquaculture sectors broadly.
- CLG must be as open as possible with broad promotion to allow anyone interested able to attend meetings. FRDC had been inundated by people wanting to attend this meeting.

- SSA will distribute a copy of the UK presentation to the SSA Network in May 2011 to allow participants to compare visions.

- The CLG is mainly about creating a forum with opportunity for discussion to achieve understanding on specific issues.

See SSA presentation attached.

Resolution:
Forum discussed the potential scope of the Common Language Project.

3. IDEAL PROCESS FOR COMMON LANGAUGE GROUP FORUM

The meeting discussed Item 2 Agenda Paper: Agree on the ideal process.

A briefing on the draft CLG visions, goals and terms of reference was provided and feedback sought.

The meeting discussed the draft Terms of Reference in detail with the following agreed changes:

Agreed revised Vision:

Vision – to create and communicate a common understanding of the issues associated with the use of Australian aquatic ecosystems and resources.

Agreed revised CLG Goals:

To establish a small custodian group / steering committee to identify issues that needs a common understanding.

To form other issue working groups to prepare draft issues papers on specific issues.

Conduct a process to increase and improve common understanding.

To communicate to stakeholders (including web based communications to allow feedback on draft issues papers).

Agreed revised CLG Common Principles:

The value of this group is in initiating and facilitating discussion between parties sharing a common interest in sustainable fishing, aquaculture and a healthy aquatic environment.

Agreed revised CLG Key Stakeholders:
NGOs
Commercial
Recreational
Aquaculture

Indigenous
Researchers
Retailers
Post harvest
Chefs
Fisheries managers
Commonwealth Environment Dept
Governments
Consumers
Media
Importers
Extension

It was noted that the Forum is open to anyone who has an interest in products or resources of the aquatic resource. Important that people stay engaged.

Agreed Custodian Group / Steering Committee:

This group would identify issues. Issues can then be forwarded to working groups to prepare draft position papers which would then be discussed in open CLG meetings and also via web based process and then be publicly available (unless there is a very good reason not to make papers public).

Function is purely custodial role to identify issues to be tackled, setting process and forming working groups on specific issues.

Below are the agreed Custodian Group / Steering Committee with target organisation in brackets:

NGOs (will nominate a representative)
Commercial (NSIA)
Recreational (Rec Fish Aust)
Aquaculture (NAC)
Researchers (FRDC and Research Providers Network)
Retail (Coles and Woolworths)
Post harvest (SFM)
Fisheries managers (AFMF)
Extension (SSA).

CLG Meetings:

Custodian Group / Steering Committee to be formed and meet shortly to identify 3 issues. The CLG should meet a few times over the next couple of months via teleconference / Skype. It was also suggested that perhaps the UK group be invited to participate in one of these meetings via Skype to learn from what they have done.

Resolution:
SSA Executive Officer to provide a proposed broad action timeline for the duration of the project (2 years) including Custodian Group / Steering Committee meetings,

establishment of working groups to prepare draft position papers and schedule open CLG meeting.

General discussion ensued:

- Retail is desperately in need of a pitch on 'sustainability' at the grass roots.
- Chair noted the need to get common language message out to our own sectors.
- Should Custodian Group be identifying priority issues and mechanism to form subgroups to develop position papers for wider comment? It was suggested to use the standards model.
- This committee process should be similar to the Fish Names Committee as it has run successfully for some years.
- Aquaculture dialogue is setting a series of standards for responsible aquaculture under ASC and in association with WWF/MSC. The process takes 5 years and was very inclusive of industry and NGOs.

Resolution:
Forum agreed the above amendments to the Common Language Group Terms of Reference be effected (as identified under italic headings) and a further draft will be distributed for comment.

4. STOCK STATUS REPORT

The meeting noted Item 3 Agenda Paper: Stock Status Report

Assistant Secretary, Fisheries and Quantitative Sciences of ABARES provided a presentation of the Stock Status Report which should be released in early December.

She advised that the Report will be launched at SFM on 4 December. Hard and PDF copies will be available in January. A debrief/review of the report will be held in March/April 2013. Key points:

- First national assessments of fish stocks undertaken in Australia, Initiated by FRDC and ABARES and endorsed by Australian Fisheries Management Forum.
- Based on consistent national reporting framework – i.e. standardised terminology and reference points. Focus on individual biological stocks where possible.
- The reports provide a simple overview of the status of stocks for each of the 49 species/species complexes included and stocks chosen as they contribute most to the value of Australian fisheries.
- Snapshot of results:
  - 98 Sustainably Fished
  - 8 Transitional (recovering)
  - 8 Transitional (depleting)

- 2 Overfished
- 39 Undefined

The meeting discussed the contents of the presentation:

- In response to advice of the proposed development of an app on the Report, caution was called for as it could be perceived as a consumer app for purchasing seafood – look like a consumer guide.

- Concern was expressed at use of term “sustainably fished” in relation to stock assessment alone. It was suggested a better term would be “healthy stocks”. Further recommended moving ‘Undefined’ to above ‘Overfished’ column in the National Classification Framework table.

- NGOs in general think the Report is great but use of the term ‘sustainably fished’ will set the debate back a decade and possibly overshadow the benefit of the report. They noted that the public is getting more engaged on what sustainability means and this will set that back and cause confusion.

- Caution was called for on ‘big splash’ promotion and especially not before Christmas in light of 39 fisheries being declared ‘undefined’. Perhaps just report back to AFMF.

- The use of the traffic light system was questioned? The meeting was advised that the advisory group selected this system as a management response. Several management jurisdictions had traffic light systems in their reporting regime before ‘sustainability guides’.

- Problems are explained where they have been identified for ‘undefined’ categories.

The meeting was thanked for its feedback.

Resolution:
Forum noted the briefing on the Stock Status Report.

5. DATE FOR NEXT MEETING

Resolution:

SSA Executive Officer will provide a proposed broad action timeline for the duration of the project (2 years) including Custodian Group / Steering Committee meetings, establishment of working groups to prepare draft position papers and schedule open CLG meeting.

The meeting closed at 12.45pm.

CLG Custodian Group Minutes – 17 December 2012

Common Language Group
Custodian Group Teleconference

11am EDST, 17 December 2012

Final Notes

Present:

Geoff Gorrie	Temporary Chair
Jo-Anne McCrea	WWF (NGOs)
Grahame Turk	National Seafood Industry Alliance (NSIA)
Pheroze Jungalwalla	National Aquaculture Council (NAC)
Patrick Hone	Fisheries Research and Development Corporation (FRDC)
Neil McSkimming	Coles
Jackie Healing	Coles
Bryan McDonald	Australian Fisheries Managers Forum (AFMF)
Michelle Christoe	Seafood Services Australia (SSA)
Sharon Kimmins	SSA Minute Secretary

Apologies:

Russell Conway	Recfish
Jason McQuaid	Woolworths
Bryan Skepper	Sydney Fish Market (SFM)
Ilona Stobutzki	Research Providers Network
Keith Sainsbury	

6. WELCOME

Geoff Gorrie, Interim Chair welcomed all to the meeting. Geoff explained that he would Chair this meeting in place of Keith Sainsbury who was unavailable for today's teleconference.

7. DRAFT NOTES OF PREVIOUS MEETING

Concern was expressed that Draft Notes were not distributed with tracked changes and that attributes were recorded against participants. It was also requested that all recipients of email messages be displayed (not blind copied) to facilitate open and transparent communications.

IT WAS AGREED
Draft Notes be revised not assigning attributes to participants and principally detailing summary of discussion and decisions.
Revised Draft Notes be re-distributed to participants for comment.
Future CLG email messages display all recipients.

8. TERMS OF REFERENCE

The meeting went over the revised Terms of Reference (TORs) which incorporated comments contained in the Draft Notes previously distributed.

It was also suggested that a thorough proof read be undertaken to remove typos and errors, eg bi-catch etc. It was noted that TORs can be modified as the process progresses.

IT WAS AGREED
TORs be amended at Page 5 – remove 'as well as new bodies' and also a thorough proof read be undertaken and further version distributed for comment.

9. CLG CUSTODIAN GROUP MEMBERSHIP

It was proposed that it was desirable to include independent fish retailers, eg George Costi and consumer group representation, eg Choice. It was believed that these inclusions would increase the credibility of the Custodian Group.

IT WAS AGREED
SSA will identify a nominee for independent retailers and independent consumer group and issue invitation.

10. NOMINATION OF ISSUES FOR CLG DISCUSSION

The group considered a number of issues to be initially addressed by CLG.

The meeting noted that at the Interim CLG the comment had been made that 'retailers desperately need a pitch on sustainability for grass roots'. Also, there was media coverage questioning the use of terms such as sustainable fish labels being used by supermarkets.

It was also noted that during the Stock Status Report presentation at the Interim CLG the term 'sustainably fished' was questioned.

It was proposed that the first issue to be considered would be the definition of the term 'sustainability', incorporating 'biodiversity' 'acceptable impact' and 'regional differences'. Development of a Common Language is a prerequisite to the eventual development of any relevant standards, which could be facilitated by SSA, an accredited Standard Development Organisation.

Other points of discussion:

- SSA develops a list of terms for consideration by the CLG Custodian Group (examples exist in FAO Guidelines.
- It is desirable that common language be internationally acceptable and work across all species and categories.
- Need to be mindful of who we are forming these definitions for – internal, Australian industry and consumers, etc.
- Other future potential issues are 'recreational fishing' – data collections etc; 'bycatch and byproduct' – review of Commonwealth harvest and bycatch policies might be used to reflect and roll out best practice; 'eco system based fisheries management' – definition in terms of tangible management.
- 'Sustainable or eco labels' should be separate issues.
- Other potential issues: 'fish names' – confusion and lack of adoption in retail. Need consistency in naming and needs to be linked to Standard.
- The WWF explanation of standards development could be a reference document and will be forwarded to SSA.

IT WAS AGREED
The first issue to be considered would be definition of 'sustainability' incorporating terms such as 'biodiversity' 'acceptable impact' and 'regional differences'.
SSA will develop a list of terms on which we are trying to get some commonality and distribute for comment.

11. CLG CUSTODIAN GROUP CHAIR

It was agreed that the Custodian Group should have an independent Chair, not associated with any of the participants. SSA will call for nominations from the Custodian Group, determine willingness of nominees to act as Chair and distribute brief CVs for consideration.

Some suggestions are:

- Merrell Williams, ex head of Fish Centre, now retired back in Australia;
- Ian Poiner, AIMS

IT WAS AGREED
SSA will seek nominations for position of independent CLG Custodian Group Chair from Custodian Group members.
SSA will then ascertain willingness of nominees to be nominated as Chair and distribute short CV for Custodian Group determination.

The Chair closed the meeting at 11.10am.

CLG Custodian Group Minutes – March 2013

Common Language Group
Custodian Group Teleconference 2

10am-11.30am EDST, 11 March 2013

Notes

1. OPEN

CLG Custodian Group members:
Dr Meryl Williams, Chair
Jo-anne McCrea, WWF
Grahame Turk, NSIA
Russell Conway, RecFish Australia (from 10.40am)
Pheroze Jungalwalla, NAC
Patrick Hone, FRDC
Sivali Sven, SFM
Doug Ferrell, AFMF
Michelle Christoe, SSA
Anthony Mercer, De Costi
Angela McDougall, Choice

Others:
Geoff Gorrie, SSA
Sharon Kimmins, SSA

APOLOGIES:

Neil McSkimmings, Coles
Ilona Stobutzki, Researchers
Jason McQuaid, Woolworths

Dr Meryl Williams, CLG Custodian Group Chair opened the meeting at 9.03am and welcomed participants.

The meeting adopted the Agenda with no amendments.

The Chair advised that she and SSA Executive Officer suggested some procedural issues dealt with out-of-session however had little feedback.

2. DRAFT NOTES OF PREVIOUS MEETING

Resolution
CLG Custodian Group endorsed notes of Meeting 1 of 17 December 2012 as a true and accurate record. *UNANIMOUS*

3. TERMS OF REFERENCE

The meeting noted that the Terms of Reference should be fluid and revisited from time to time, especially in reference to membership.

It was also noted that SSA's role is to facilitate the common language process and it would be preferable if greater ownership was taken by stakeholders in the development of issues papers.

The meeting discussed the possibility of narrowing the existing very broad vision (aquatic eco systems and resources) to specify 'seafood and fishing' to read 'To create and communicate a common understanding of the fisheries and aquaculture issues associated with the use of Australian aquatic eco systems and resources'. It was generally agreed that the Custodian CLG Group tasks are made more specific to fisheries and aquaculture through the way issues about fisheries and aquaculture are prioritised in the main body of the ToR.

It was thought by some that the existing Vision is good and would allow this group to take leadership, noting that some issues concerning the use of aquatic eco-systems and resources by fisheries and aquaculture overlap with the uses by other sectors.

Resolution
CLG Custodian Group noted the Terms of Reference (Jan 2013).
CLG Custodian Group to discuss the issue of broad scope of Vision at next face-to-face meeting.

4. CLG CUSTODIAN GROUP MEMBERSHIP

Mr Anthony Mercer of De Costi has accepted the position to represent Independent Retailers and Angela McDougall, Choice Food Policy Advisor has accepted the position to represent Consumer Groups.

Noting the discussion in the previous agenda item, the CLG Custodian Group may broaden its future membership, especially in view of the issues it addresses,
Resolution
CLG Custodian Group welcome Anthony Mercer of De Costi and Angela McDougall, Choice Food Policy Adviser and note the updated Membership List.

5. ISSUES FOR CLG DISCUSSION

SSA had put together a document in the format of a Standard bringing together key terms, 'Sustainable Fisheries Management Common Language Standard' and a Draft Australian Guide to Sustainability which was made available before the meeting for discussion.

The meeting discussed the attachments and made the following comments:

- At this stage of agreeing the priority issues and terms, Attachment 4a (Guide to Sustainability) is premature as a guide but it is a good start on an overview document to be developed further when the issues are agreed.
- Australian Fisheries Day on 15 March 2013 will bring about a lot of argument about the application of the word 'sustainable,' e.g., "sustainably fished', sustainable stocks'. This is an area of uncertainty for industry and consumers.
- Emphasised the need to develop a detailed definition at the Australian level given the multiplicity of management arrangements and certification and labelling schemes which are in use which has resulted in a plethora of terms.
- There is quite a bit of debate in the scientific world about definitions of stock status when the stocks may cross fisheries jurisdictions.
- Useful at early stage to examine higher level definitions of 'sustainability' – what do scientists, conservation groups, supermarkets and consumer groups currently use.

- Debate about what is defined as 'responsible' versus 'sustainable', and the fact that the lines between them were now blurred. Depending on the extent of issues the CLG will address, will almost certainly need to get into the 'responsible' sphere as well (e.g., for social, economic and welfare elements).
- Discussion took place on how this group will work. It was noted that the UK equivalent group forms smaller working groups to work on issues and come back to broader group. The Group requested more information on the UK group workings. The meeting noted that Phil MacMullen of UK Common Language Group will attend the first open meeting of the Common Language Group.
- It was pointed out that some industry groups have to react to different definitions/approaches to sustainability depending on who they are dealing with (different companies, government, scientists). Having an Australian definition of 'sustainability' is a key to moving forward and would remove murkiness in the public view. Industry needs a term that the public can understand – what is sustainable seafood?
- It would be helpful if all Custodian Group members identified what they think are the elements of 'sustainability' – bullet form and brief and in simple terms. Focusing on terminology and practical details, not just the high level definition.
- Regarding defining the issues and elements of interest, the Executive Officer tabled an email from Coles representative about what their customers expect from this process:
    - Sustainability principles - ecosystems, enforcement, compliance
    - Social accountability – foreign vessels, fisher's conditions.
    - Welfare of fish
    - Alignment with international approaches and standards

    This email will be circulated to all participants.
- It was acknowledged that some members may seek broader input from their stakeholders to identify requested elements.
- It was noted that the UK group achieved connection with the public and consumer.
- FRDC will distribute an update to CLG Custodian Group members on FRDC funded projects which relate to responsible fishing and would be interested in this project. A meeting of FRDC funded organisation will be held on 28 March to define what each project is undertaking.
- Concern was expressed at the very high industry expectation of what the CLG project can deliver. It is important to develop some form of communiqué (for distribution through CG stakeholders) to outline what the group is doing and when.

Resolution

CLG Custodian Group agreed:

(i) SSA Executive Officer to request UK group provide advice on their processes and a sample of their Guide to Sustainability; and distribute UK information to all Custodian Group participants;

(ii) SSA Executive Officer distribute Coles email to all participants;

(iii) All CLG Custodian Group members requested to respond to an email to be distributed by SSA Executive Officer requesting high level elements of "sustainable seafood" by COB, 15 March 2013.

(iv) A Custodian Group Issues Paper Working Group be formed comprising of Patrick Hone, Jo-Anne McCrea, Ilona Stobutzki and Caleb Gardner to assist SSA Executive Officer and Chair to refine list based on input to be considered by CLG Custodian Group prior to public distribution.

(v) *FRDC to distribute an update to Custodian Group members on FRDC funded projects which relate to responsible fishing.*

(vi) *SSA Executive Officer to prepare a draft one page summary of the CLG Custodian Group outcomes to date to be distributed through CLG Custodian Group stakeholders.*

6. TIMELINE

CLG Interim Group requested SSA Executive Officer to provide a proposed broad action timeline for the duration of the project (2 years) including Custodian Group meetings, establishment of working groups to prepare draft position papers and schedule open CLG meeting.

The meeting discussed the content of the timeline and noted that it would be updated continually.

SSA Executive Officer will use Doodle facility to determine dates for a Custodian Group teleconference and full CLG face to face meeting.

Resolution
CLG Custodian Group agreed that SSA Executive Officer investigate a suitable date for a further CLG Custodian Group teleconference around middle of April and an open CLG to be held in late May.

7. CLOSE OF MEETING

The meeting closed at 11:30am EDST.

CLG Custodian Group Minutes – April 2014

Common Language Group
Custodian Group Meeting

10.00am EST, 2 April 2014
WWF Boardroom, Ultimo, Sydney

Minutes

1. ATTENDANCE:

Present:

Dr Meryl Williams, Independent Chair
Jo-anne McCrea, WWF
Malcolm Poule, RecFish Australia
Dr Patrick Hone, FRDC
Josh Fielding, FRDC
Neil McSkimmings, Coles
Sevaly Sven, SFM (proxy for Bryan Skepper)
Doug Ferrell, AFMF (proxy for Ian Curnow)
Anthony Mercer, De Costi
Michelle Christoe, Project Manager
Sharon Kimmins, Minute Secretary

Apologies:

Norm Grant, SIAA
Pheroze Jungalwalla, NAC
Grahame Turk, NSIA (retired)
Angela McDougal, Choice
Russell Conway, RecFish Australia
Naomi Mathews, Woolworths
Ilona Stobutzki, Research Providers Network

2. OPEN

Dr Meryl Williams, CLG Custodian Group Chair opened the meeting at 9.37am and welcomed participants to the WWF Boardroom.

The meeting accepted the Agenda with no amendments.

As some participants were delayed by travel arrangements, it was decided the Custodian Group would initially undertake a tour of the new WWF offices.

3. CUSTODIAN GROUP MEMBERSHIP

The CLG Custodian Group Membership was discussed and the recommendations to approve the draft Custodian Group Membership register to include Imports and Indigenous Groups.

FRDC will be meeting with NSIA and will request a new nomination to the Custodian Group.

The Group discussed the non attendance or participation by Choice who have advised they have limited resources. It was agreed that it was vital to retain Choice and try to encourage more participation and input. Choice is interested in the CLG process and is kept aware of issues.

Resolutions:

(i) Retain Choice membership and encourage Choice allocation of more resources for participation / input to Custodian Group. Also request Angela McDougall of Choice to nominate another representative to provide input, e.g. academic or other person to assist.

(ii) Formally appoint Seafood Importers Association of Australasia representative Norm Grant to the Custodian Group.

(iii) FRDC will liaise with Indigenous Groups to determine an Indigenous Group representative on the Custodian Group.

Gordon Neil, Assistant Secretary, Fisheries, Department of Agriculture was invited to this meeting but was unable to attend. He expressed interest in the initiative and hoped to participate himself in future meetings. This future participation could be important, for example, in the quest to gain agreement on definition of bycatch across jurisdictions.

1. DRAFT NOTES OF PREVIOUS MEETING

Resolution:

CLG Custodian Group confirmed Notes of Meeting 3 of 16 April 2013 as a true and accurate record.

The Chair provided an update on activities since this last meeting:

1. Consultant Mary Lack was enlisted to refine the draft Issues Paper which went through several rounds of consultation by Custodian Group and Working Group.
2. Teleconferences were held with Custodian Group and Working Group during this period.
3. The survey was distributed in December, together with Issues Paper #1. The survey process is not yet complete with several submissions from major stakeholders still expected.
4. In the meantime, SSA, as project manager, closed its doors last year.
5. Ongoing project activities passed on to FRDC.
6. Common Language project contracted by FRDC to Michelle Christoe of Food Focus.
7. Phase II funding proposal has been submitted to FRDC to continue this work.

2. INTRODUCTION AND WELCOME TO WWF

Natalie Roberts, WWF Operations Manager gave a tour of the new WWF office. WWF has entered into a green lease for 10 years which requires agreement on green issues with the landlord. 80% of furniture is recycled and a large reduction in power usage has been achieved. The space is very impressive and has created a buzz on the Sydney landscape.

3. UPDATE ON ISSUES PAPER #1

Michelle Christoe provided an update on the current status of the Issues Paper and advised more submissions are expected from environmental NGOs, Coles, Woolworths, industry representative bodies and recreational fishers.

Michelle Christoe gave an overview of the survey results and noted that a 12 per cent response rate had been received from total downloads.

Lengthy discussion took place on the draft Issues Paper #1 and survey with the following comments:

- "Discards" need to be included in the description of bycatch.
- Survey responses came from a good cross section of stakeholder types - environment, harvesters, fishers, tourism, management, indigenous and iconic class. Respondents were very engaged and expressed their views strongly.
- Q. 1: definition of "sustainable seafood" needs further work. Suggested version considered too technical and circular. Some alternatives were suggested by respondents.
- Can expect stakeholder views on some topics to become more informed/stronger due to media attention, e.g., on Q2 (labelling) a three part SBS show will be airing later this year on seafood labelling.
- Q3 Overfished stock definition needs to be simplified as current definition is too technical for consumers. AFMA have not agreed with this definition. It was suggested could just stop definition at first full stop with removal of 'explicit reference'.
- Q4 Very strong 'No' response to any circumstance to allow overfishing.
- Q5 Trawling identified as number 1 fishing method for monitoring of impact on sustainability.
- Q6 Universal outrage about what has happened to inshore habitats. Need to include freshwater?
- Q 7 Big issue is sewerage and everyone is responsible but doesn't hit home – more solid sewerage going in to water than fish that are being taken out.
- Q 8 Points (ii) and (iii) need attention to reduce confusion.
- Q 9 Respondents may have been confused with this question and took a stock emphasis.
- Q 10 Complex question - fishery dependent. Bycatch - byproduct is used and discard is not. Asia has no bycatch – all catch is used. Acceptable impact is not deliverable.
- Q 11 Risk based approach generally accepted but not universal.
- Q 12 TEPS are normally part of bycatch fishery regulations.
- Q 13 FRDC / govt agencies identified as major source of seafood information. FRDC are undertaking a survey on where people can get their seafood information.
- Q 14 No good reliable source of information identified. Big opportunity for seafood industry to better inform public. Once the topic is introduced, consumers are keen and interested to have the information. Customers do not really respond to 'sustainable' seafood, but do respond to fresh and price. If consumers knew there was something bad with product, then they will react. 3 out of 4 customers expect retailers are doing something. NOAA's Fish Watch in USA is a way Australia could go. Gulf States have developed Finfo. Science in any guide needs to be independent – should be a source of information, not a communication tool. Noted that recent discussion has addressed possibility of NOAA developing a seafood label, which is unlikely to be the direction Australia will go.
- Q 15 Overwhelmingly yes to ability to inform consumers about 'sustainability'. WWF advised that in most forums 'sustainable' has now changed to 'responsible'. Better question – does it influence their buying behaviour? Sustainable is not a value public understand. Responsible is understood.
- Q 16 Noted this question was confusing.

- The presentation of a summary of the survey results given at the meeting was presented as a summary for internal Custodian Group viewing only – and must not for be distributed further.
- Generally agreed that Custodian Group was primarily to propose common language, not marketing.

Suggested Next Steps:

After discussion, the following next were agreed:

- Issues Paper #1 will not be revised but rather the next products of the CLG Custodian Group would derive from this paper and from the survey responses and the submissions in response to the paper and the questionnaire.
- Our eventual products will aim for two types of consistent explanations, targeted to different audiences – consumer appropriate words; other more technical explanations on the elements of seafood sustainability. Explanations should also acknowledge that, for some seafood sustainability terms, complete consensus is not possible because different people/stakeholders hold different values, e.g., on the mortality of TEPS in fishing gear.
- The next two products of the CLG Custodian Group are:
  - A summary of responses (survey results and submission analysis), to be posted on the FRDC website. A consultant will be commissioned to undertake this summary to the satisfaction of the CLG Custodian Group by early June. Care should be taken in the summary not to treat the numbers of responses as statistical points, but to look more closely at who (which type of stakeholder) said what. The formal submissions should go public, with author's permissions.
- A "Common Language on Australian Sustainable Wild Capture Fisheries" document should then be developed. This should include material relevant to marine, estuarine, freshwater, commercial, indigenous and recreational capture fisheries. This document would be based on defined terms, arising from Issues Paper # 1, the survey responses and submissions, and be built on base definition materials from the glossary of the Australian stock status report, the FAO fisheries glossary, material from Seafish UK, and similar sources. A consultant should be contracted to develop the draft for CLG Custodian Group consideration.
- When the draft of the "Common Language on Australian Sustainable Wild Capture Fisheries" is available, an Open Forum should be held for consultation.
- The Custodian Group should report its work through the FRDC magazine.
- Other language issues such as fresh V frozen, shark finning, aquaculture etc, may be looked at after this first Common Language document is completed.
- The proposal to develop a Sustainability Guide for consumers under a working group was deemed outside the CLG scope.
- The meeting agreed the Group could use the Standards process but not name the document a 'Standard'.

Resolution:

Summarize responses to the survey and the submissions and make the material publicly available, through contracting a consultant and clearing summary through Custodian Group.

Develop a draft common language on Australian sustainable wild capture fisheries:

(i) documents to contain consistent descriptions, one form of which is based on technical language which is more rigorous and in depth, and the second version of which is focussed on using consumer facing words;

(ii) drawing background from Issues Paper #1, survey results, submissions (to be cleared to go public) FAO and Seafish Industry UK, FRDC Fishery Stock Status Report, state / commonwealth fisheries glossaries;

(iii) analyse all documents and identify a workable selection of definitions, e.g. overfishing, bycatch etc, looking at where we have common language terms with substantial agreement and differing views (sourcing where information has come from);

(iv) FRDC to contract a consultant egg Mary Lack who has background on this project or other available person, to develop initial draft;

(v) May need to contract two people - one to do technical paper and another to go through the work to get a consumer context (copy writer);

(vi) Final Draft document cleared through the Custodian Group to be reviewed by open forum/s in early stages of consultation and conduct a survey/submission process.

Michelle Christoe to prepare a briefing paper for recruitment of initial technical consultant for approval of Custodian Group.

4. OPEN FORUM

The meeting discussed the proposal to conduct a CLG Open Forum on 6 June in Adelaide. It was agreed that the draft common language on Australian sustainable wild capture fisheries document must be completed before an Open Forum can be scheduled.

An Open Forum would allow people to participate and raise issues. The Forum could advise people about the CLG process, update on key issues, issues paper, fish names process, international aspects (e.g., Keith Sainsbury) and facilitate discussion of issues being raised. We need to get away from issues that have nothing to do with language issues. Perhaps need a facilitator to keep on track and encourage audience participation. It was suggested a Forum run no longer than 4 hours.

5. STOCK STATUS UPDATE

Dr Patrick Hone presented an update on the Stock Status Report. This report will be distributed with Notes.

The next 2014 Stock Status Report is due to be released in December with minimal changes and review of 59 species. The Report will be available on FRDC website. A shark team is also running a totally separate shark report card on approx 140 species.

Also FRDC distributed the FRDC Report “Benchmarking Australia’s national fisheries status reporting system” by Steven J Kennelly, IC Independent Consulting. Australia has fallen behind in reporting and most other countries moved to broader reporting on other aspects of fishing. FRDC are now building a library process to place all reports on line.

9. FISH NAMES AND STANDARDS DEVELOPMENT

Michelle Christoe provided an update on Fish Names and the Standards Development process. Due to time constraints, the PowerPoint presentation was not shown at the meeting but will accompany these Notes.

10. ISSUES FOR CLG DISCUSSION

These issues were discussed in detail at Item 6. above.

11. CLOSE OF MEETING

The Chair expressed appreciation to Michelle Christoe for coordinating the Custodian Group meeting and liaising with members unable to attend. Appreciation was also extended to all Custodian Group members who travelled to attend today.

A teleconference will be called as required.

Chair expressed appreciation to Jo-anne McCrea and WWF for their hospitality and tour of their innovative green office.

The Chair closed the meeting at 1.35pm EST

CLG Custodian Group Minutes – October 2014

Common Language Group
Custodian Group Meeting

10.00am EDST, 14 October 2014
Teleconference

Minutes

1. **ATTENDANCE:**

Present:

Dr Meryl Williams, Independent Chair
Jo-anne McCrea, WWF (until 11.00am)
Dr Patrick Hone, FRDC
Josh Fielding, FRDC
Pheroze Jungalwalla, NAC
Bryan Skepper, SFM (until 11.00am)
Sevaly Sven, SFM (proxy for Bryan Skepper)
Doug Ferrell, AFMF (proxy for Ian Curnow)
Russell Conway, RecFish Australia
Chris Calogeras, Indigenous Reference Group
Michelle Christoe, Project Manager
Sharon Kimmins, Minute Secretary

Apologies:

Norm Grant, SIAA
Angela McDougal, Choice
Ilona Stobutzki, Research Providers Network
Anthony Mercer, De Costi
Rob Cumin, Coles
Natalie Mathews, Woolworths – late apology by text

2. **OPEN**

Dr Meryl Williams, CLG Custodian Group Chair opened the meeting at 10.04am and welcomed participants. The meeting will concentrate on the re-drafted definitions document.

The Chair welcomed Chris Calogeras as the new Indigenous Reference Group representative. She also noted that Neil McSkimmings has left Coles and Rob Cumine (new Coles representative) is an apology for this meeting but has written to the CLG about their commitment to participate in the process.

The meeting noted the updated Custodian Group Membership list.

3. **DRAFT NOTES TO PREVIOUS MEETING**

The notes of CLG Meeting 4 of 2 April 2014 were presented for discussion and adoption.

Recommendation
CLG Custodian Group confirmed the Notes of Meeting 4 of 2 April 2014 as a true and accurate record

UNANIMOUS

4. UPDATE ON ISSUES PAPER #1

The Chair provided an overview of the process to date:

- Issues Paper distributed in December 2013 and allowed extended period for comment;
- Comments reviewed at April 2014 meeting and now a formal compilation of survey responses and submissions is at Attachment 4: Summary of CLG Survey and Responses
- Technical Definitions for Sustainable Seafood Draft 2 paper (Attachment 3) developed with general agreement on five elements of sustainable seafood: 1) target and by-product species, 2) bycatch species, 3) threatened, endangered and protected species, 4) aquatic habitat, and 5) aquatic ecosystems.

The development of the technical and summary paper was awarded to Andy Bosworth. CLG Chair, Meryl Williams and Food Focus held numerous meetings and teleconferences with the consultant on the document, and then redrafted it to create Draft 1. Draft 1 was circulated amongst the CLG for comment. This document has been completely rewritten by the Chair and Food Focus based largely on the feedback from eNGOs (in particular, WWF) which focused on the need to turn Draft 1 into a definitions document. Draft 2 is the result.

Chair called for comments on Technical Definitions for Sustainable Seafood Draft 2 document:

- This paper is a significant move forwards. Suggestions for Diagram on Page 2 – should resemble a flow with petals with protected species and bycatch species circles grouped together and overlapping, same treatment for eco systems and habitats. Further suggested that all petals should overlap.

- In Overview before stating elements, need a broad explanation about scope of document (sustainable seafood from wild capture fisheries, ecological aspects of sustainability, but acknowledging the importance of people as part of the system and ecosystem, main focus on fish for the consumer, hence commercial fishing but relevance of all harvesting on resources, habitat, ecosystem), the hierarchy of definitions (overarching, 5 elements, supporting definitions for each of the 5 elements).

- The overview should also go from the broadest definitions of sustainability, starting with the Bruntland Commission 1987 report and the earlier Australian Ecologically Sustainable Development (ESD) definition.

- The document develops definitions and is not a standard.

- Challenge in use of qualitative terms in definitions, eg acceptable / unacceptable, negligible, and quantitative terms, e.g., in references points.

- Need consistency in terms – diagram labelled 'ecologically sustainable fisheries' whereas Page 1 seeks agreed positions on "sustainable seafood'. "Sustainable seafood" is the term on which to standardise.

- By necessity this is a fairly technical document and need to bear in mind how to convert it to a paper for public consumption further down the line. Need agreement on technical paper, then have it re-worked for public consumption.

- Heading toward a definition for 'sustainable seafood'. Incorporation of the 5 elements becomes quite a long definition. At some stage needs to pull all 5 elements into phraseology and not lose any element.

- The issue of how to include recreational 'catch and release' was raised. Catch and release is a component of a sustainable fishery in two elements: for target species, issue of undersized, and release of species per se; for bycatch: release of non-target species.

- Need to include concept of TAC (commercial, recreational and indigenous harvests0.

- After much discussion, it was agreed to include all harvest types to make stock sustainable for all sectors - commercial, recreation and indigenous - under concept of TAC. We are concentrating on commercial catch but don't want public to think commercial harvest is considered in isolation.

- WWF will seek a collaborative response from all eNGOs.

- The hierarchy approach is good – eventually would envisage a high level, plain language definition (2 page A4 sheet) and then drill down for more detail (other documents). Would be readily adapted to a webpage format with drill down.

- Discussion took place on the inclusion of the impact on people of fishing. It was noted that the scope was the ecological component of seafood. It was agreed to include a statement acknowledging the importance of the human element of sustainability, both in the overall scope and with respect to the ecosystem – people are part of the ecosystem. Maybe in Overview include a statement that there are other important components other than ecological, eg social, economic to all sectors but this document does not deal with these elements.

- Caveats are critical – ie one around habitats and marine parks – would be useful to get industry to acknowledge that this is a component of management, eg in offsets,

preservation of critical habitat. It was noted that the recreational sector do not support marine parks unless well-managed recreational fishing is permitted.

- AFMF will be asked to provide advice on how to seek feedback from Fisheries Managers and scientists. Perhaps request AFMF Chair to support that Stock Status scientist group review technical section. Need to focus people on different sections.

- Prepare some instructions for reviewing by different stakeholder groups, especially for commercial fishing industry, researchers, fisheries managers etc, to ensure we get them engaged.

- More important for CG to draw up a list of key agencies to consider the draft. Seek feedback from reference groups but anyone is welcome to provide feedback.

- It was thought the bigger challenge would be to get the feedback from consumers. Supermarkets and Choice may have some ideas on best way to achieve that.

- To promote consumer understanding, need to include an explanation of the relationship between these definitions and the work of eNGOs with respect to seafood assessments – MSC, WWF, AMCS etc - in terms of criteria and process. Ultimate outcome to aim for would be that eNGOs all agree on these definitions and create a situation of certainty and common understanding. Over time, aim is to get all groups to agree some terms and work together – find commonalities. This process could be a reference point to bring these currently separate, though not always divergent, views together. We need to recognize, however, that a single definition and set of criteria for every person at every place is not possible.

- Chair suggested viewing the UK Seafish documents which decomposes the equations and allows consumers to pick options, based on their own criteria and location.

Resolution

Custodian Group provided feedback on the Draft 2 'Technical Definitions for Sustainable Seafood' document and made the following recommendations for change to include:

- *a refined version of scope – seafood 'ecological sustainability'*
- *recognition of human dimension;*
- *revised diagram*
- *describe the hierarchy of definitions – overarching elements and definitions below*
- *retain the caveat critical for definitions*
- *update the overall definition of 'sustainable development' and maintain consistency*
- *into the target area, the issue of catch and release activities of rec fishers under definition of TAC*
- *recognition of harvest methods of all sectors*
- *recognition of human dimension – this paper does not delve into this but make a statement of importance*

Next Steps:

Require feedback on 'Technical Definitions for Sustainable Seafood Draft 2 paper within 2 weeks, by COB Friday, 24 October.

Open Forum to be scheduled for 19 November 2014 in Sydney with a Custodian Group meeting following. These meetings are scheduled to align with the OceanWatch World Seafood Day to be held on 20 November in Sydney. (Necessary to hold in November or next possible time would be February 2015.)

It is recognised that it may be difficult to get feedback from all groups over the next 2 weeks. The next draft would basically incorporate recommendations from today's meeting and any feedback received.

Michelle Christoe is going through a process of handing over facilitation of the project to Josh Fielding of FRDC as this stage of the project had come to an end. Michelle will handle feedback from the document until the Forum.

Doug Ferrell advised that he will be on leave until 20 November but would try to get an AFMA proxy for the coming months.

FRDC will seek comments from CG on how to improve input. We need more participation from wild capture fisheries industry sector. Directors of Fisheries are not seeing this process as important and FRDC will investigate how to improve the process. Scientific community also needs to be encouraged to participate. It was noted that in recent commonwealth enquiries, CLG has been referred to as a useful tool.

FRDC will send a note to CG stakeholders about the CG transition, explain how communication will change and seek a confirmation from different members that they wish to be engaged and involved. Seek advice on where they wish to continue to support or how do they want to communicate. Once that correspondence has been sent, Pheroze Jungalwalla will encourage NSIA to appoint a representative to the CG.

Michelle Christoe thanked the Chair for all her effort and input to documents – a lot of the Chair's own time was put in. The Chair also expressed appreciation to Michelle for all her efforts in developing the CLG and managing the CG processes with very active communication. Michelle will attend the Forum and say farewell to CLG members. She will still be involved in finalising the technical paper and assisting with the Forum.

Resolution

Custodian Group agreed that:

i) *feedback on 'Technical Definitions for Sustainable Seafood' Draft 2 paper to be received by COB Friday, 24 October 2014.*

ii) *Refined 'Technical Definitions for Sustainable Seafood' Draft 3 will be distributed for public consultation.*

iii) *CLG Open Forum, followed by CG meeting, scheduled for 19 November in Sydney, to align with OceanWatch World Fisheries Day on 20 November in Sydney.*

iv) *CG to develop a list of key groups to reference review.*

v) *CG to determine better way to gain consumer feedback (Choice and supermarkets may be able to guide)*

5. SEAFISH RISK ASSESSMENT FOR SOURCING SEAFOOD TOOL

Seafish has launched a new Risk Assessment for Sourcing Seafood tool which has criteria of: Location, Stock Status, Stock Management, Bycatch and Habitat.

See http://www.seafish.org/rass/ and attachment.

Recommendation
CLG Custodian Group noted the content of the new Seafish Risk Assessment for Sourcing Seafood tool.

6. MSC UDPATED STANDARD

MSC has updated its standard with a Summary of Changes to Fisheries Certification Requirements (as at 1 October 2014) at http://www.slideshare.net/MSCecolabel/msc-fisheries-certification-requirements-v20-summary-of-changes?utm_source=Standards+policy+updates&utm_campaign=3f9e34b574-FCR_v2&utm_medium=email&utm_term=0_0f9f16b693-3f9e34b574-188203941

Recommendation
CLG Custodian Group noted the MSC changes to Fisheries Certification Requirements.

7. CLOSE OF MEETING

The Chair closed the meeting at 11.23am.

Common Language Group
Custodian Group Meeting

21 November 2014

Doltone House, Jones Bay Wharf, Sydney

DRAFT Minutes

ATTENDANCE:
Present:

Dr Meryl Williams, Independent Chair
Cameron Dickson, WWF
Dr Patrick Hone, FRDC
Josh Fielding, FRDC
Sevaly Sen, SFM (proxy for Bryan Skepper)
Doug Ferrell, AFMF
Russell Conway, RecFish Australia
Chris Calogeras, Indigenous Reference Group
Michelle Christoe, Food Focus & Project Manager
Ilona Stobutzki, Research Providers Network
Olivia Tyler, Woolworths

Observers/presenters:
Matt Flood, ABARES
Peter Horvat, FRDC
Tooni Mahto, AMCS
Senator Richard Colbeck
Stuart Curran, DA

Apologies:
Norm Grant, SIAA
CHOICE
Anthony Mercer, De Costi

Rob Cumin, Coles

1. OPEN & UPDATE

Dr Meryl Williams, CLG Custodian Group Chair opened the meeting and welcomed participants. The meeting would discuss the outcomes of the morning's open forum, comments on the current consultation on the definition document, as well as the next steps for the document and the CLG.

The meeting noted that, again there had been difficulty in getting NSIA attendance at this CLG meeting. There is an NSIA AGM next week in Canberra and the FRDC will be talking to them about their membership and attendance.

The meeting also noted there was still difficulty in getting CHOICE to attend meetings although they have indicated they still want to be included. There should be some consideration of others that might be able to provide input from the consumer stakeholder groups. At this point Patrick Hone suggested that the CLG need not be a closed group as this would defeat its purpose and intent, but that it should be considered as more of an open forum. However, within this there should be careful consideration that there aren't multiple representatives from the same/similar stakeholder groups i.e. the environmental non-government organisation's have worked well in bringing a single point of view to meetings, if multiple groups attended it could be difficult to get consensus views.

2. DRAFT NOTES TO PREVIOUS MEETING

The notes of CLG teleconference held on 14 October 2014 were accepted with no changes.

Recommendation
CLG Custodian Group confirmed the Notes of Meeting 4 of 2 April 2014 as a true and accurate record *UNANIMOUS*

3. DISCUSSION OF THE OPEN FORUM HELD ON THE MORNING OF 21 NOVEMBER

The open forum held in the morning was well attended by a range of stakeholders. Again unfortunately the commercial fishing industry was not represented. It was good to have some scientists in the room that provided some very good feedback.

It was agreed that there was not a need to go over the feedback in detail but rather to decide on a process to incorporate it into the document. What was pleasing was that none of the feedback queried the framework that had been used or suggested that it was incorrect. There was also feedback that suggested that the technical definitions were valuable to the document and the process. An area that does need to be re-worked in the document is that around the bycatch/byproduct/TEP and the ecosystems/habitat sections where there appears to be some overlap between the pairs of elements. Some of this is inevitable as the two pairs of elements are closely interrelated, but greater clarity is needed to explain the key concepts and their relationships.

It was decided that the best way to incorporate feedback both from the forum and comments currently being received was to form a sub-group to deal with this, comprising of;

- Ilona Stobutzki, ABARES on behalf of the RPN;
- Jo-anne McCrea for the NGOs;
- Chris Calogeras for IRG;
- Leyland Campbell for Recfish;

- Josh Fielding for FRDC;
- Johnathon Davey for NSIA; and
- Sevaly Sen, SFM

Once this group has incorporated changes, then Olivia Tyler, on behalf of the retailers, will check the clarity from a consumer viewpoint, before finalisation by the CLG.

Other changes that the group discussed were to include some information on the importance of science in the approach and document. There will also need to be some checking of international work in this area to ensure that we are being consistent with Australia's international obligations and commitments.

The next steps in the process will contain several steps; the technical definitions should become part of some sort of national glossary; and the common language definitions will be used to produce a range of extension materials depending on the audience. The intent of the definitions and language must first be resolved before considering how to market the product.

Recommendation
Timeline
Before Christmas: FRDC and Food Focus to supply comments from the open forum together with the comments received in the open comment period to the sub-group for consideration.
Mid-Late January: a teleconference will be organised by the FRDC to discuss incorporating feedback into the document.
Mid-Late February: re-draft of the document completed (including circulation to custodian group) and then sent to the consumer group.
March: consumer group reviewed

The best way for the CLG to consult more broadly still needs some further refinement. It was noted that the group did not feel there was a need to hold another open forum on this topic. There is also seems to be some broad confusion around what the benefits of the CLG are and what exactly is to be achieved. These should become clearer when formal CLG products begin to appear.

4. DISCUSSION ON FEEDBACK RECEIVED TO DATE ON THE DOCUMENT

This item was to discuss how comments may be addressed and incorporated into the document, which was largely dealt with in the above agenda item.

The group did note the positive results in relation to the number of emails which were sent outlining the comment period on the document (5,900) and the open rate of the email in the early stages after it was sent (30% in the first two days).

5. DISCUSSION ON THE NEXT STEPS FOR THE DOCUMENT AND PROCESS

The group noted the need to now think about what sorts of extension material will be most effective in getting the CLG information on fishery sustainability to the end-users/audience. Some categories that the CLG should be targeting

- Consumers/retailers – potentially some form of style guide for use of terms
- Fisheries Managers

- Schools (PIEF)
- Oceanwatch
- Zoo's and aquaria
- Commercial fishers
- Seafood training groups
- Media (including looking at using a recreational media identity)

Consideration of the audience should lead to the most appropriate method of communication. We must be careful to include in communication the intention of the common language and that it is not a regulation nor is it a standard.

6. TOPICS FOR FUTURE CLG DISCUSSION PAPERS

The Chair and Patrick Hone gave an overview of some topics that are either contentious at the moment or that have been considered in similar common language forums in other countries. The group agreed that the next topic must be; inclusive, topical, progressive and potentially has other technical inputs that could feed into the process. Topics of least interest to the CLG would be those of little policy relevance, and not containing issues of "language" or use of particular words. Some ideas on possible topics were;

- Labelling (what, where, how);
- The other components of sustainability – social and economic;
- Animal welfare (especially pain);
- Language around fresh/frozen product, and "local" product;
- Fishing methods, especially trawling – probably not quite the time for this;
- Language around legislation, standards and guidelines, codes of practice, harvest strategy – seafood vs non-seafood areas of action, and noting that language and definitions exist but are often difficult to locate;
- Recreational and Indigenous fishing;
- Marine protected areas.

It was discussed that it could be advantageous for the CLG to think a bit differently about how they tackle subjects in the future and perhaps look at doing a number of smaller tasks to allow for better momentum and inclusiveness. The choice of a single topic can alienate a sector who may then lose interest in the process, e.g., aquaculture.

Recommendation
Review the criteria used in other similar processes to the CLG such as the UK to assess what criteria they use for deciding on topics, and what type of topics.
Conduct a background paper on how we could look at language issues within social and economic components of sustainability – with input from Sevaly Sen and the FRDC Social Sciences coordination program.

7. PRESENTATION SUMMARISING THE KEY RESULTS OF THE STATUS OF KEY AUSTRALIAN FISH STOCKS REPORT

Peter Horvat gave a presentation on the *Status of Key Australian Fish Stocks* report. The group noted that as was done last time a standard presentation has been developed along with an

extensive briefing and talking points.

There are 19 more stocks included in this version. There has been some difficulty in assessing changes since the last document as the definition of stocks has changed for some species. The group noted that this will evolve continuously with every new assessment.

Within the presentation members picked up that the use of the term sustainable must be used carefully, given the work that the CLG has been conducting. While the Key Australian Fish Stocks report defines what it calls sustainable this is where there should be consistency with the use of language. The CLG draft covers more elements than are currently directly assessed by the Fish Stocks reports.

Recommendation
To review the draft CLG document in line with the latest Status of Key Australian Fish Stocks Report to ensure consistency.

8. SUPPORT FOR THE PROCESS OF THE CLG AND FUTURE MEMBERSHIP

(Please refer to Agenda Item 1 above.)

9. OTHER BUSINESS

Patrick Hone updated the group on a number of things that are currently going on around the FRDC that are relevant to the CLG:-

The study on the performance and use of Australian fisheries which was done in 2009/10 is now being re-done. Currently it appears that we are running at about 6 out of 10 but the report is just being finalised. It will be important for the FRDC in reviewing the document to ensure that the language is consistent.

It is likely that a presentation of this work will be done at a future CLG meeting. There is also an important point that within the gap analysis of this report there may be some potential future topics for the CLG.

Currently the FRDC along with a number of other agencies is involved in the development of a National Marine Science Plan. The goal of this process is to develop the first national marine science plan for Australia. Overall the plan is more about the interpretation of biophysical data. For fishing and aquaculture it will largely relate to the interpretation of this data for tools and policy.

Of note is the recently released draft of the Coorong fishery management plan. This document uses good language and is well written

Recommendation
Forward through the link to the Coorong fishery management plan to the CLG.

The Chair closed the meeting at 15:30.

Next meeting to be scheduled in March 2015. Date to be agreed.

Action	Item No	By who	Status
Meeting 2 April 2014			
Custodian Group Membership	**3.**		
Retain Choice membership and encourage Choice allocation of more resources for participation / input to Custodian Group. Also request Angela McDougall of Choice to nominate another representative to provide input, e.g. academic or other person to assist		**FF**	**Incomplete.** **Angela McDougall has left Choice, a replacement has been nominated in Katinka Daly. Discussion at the meeting on 21 November 2014 suggested there is a need to try and find other consumer representatives.**
FRDC will be meeting with NSIA and will request a new nomination		**FRDC**	**Incomplete** **FRDC met with NSIA at their AGM in November 2014 and discussed this issue with them but a resolution has not been found yet.**
Meeting 14 October 2014			
UPDATE ON ISSUES PAPER #1	**4**		
Custodian Group provided feedback on the Draft 2 'Technical Definitions for Sustainable Seafood' document and made the following recommendations for change to include: • **a refined version of scope – seafood 'ecological sustainability'** • **recognition of human dimension;** • **revised diagram** • **describe the hierarchy of definitions – overarching elements and definitions below** • **retain the caveat critical for definitions** • **update the overall definition of 'sustainable development' and maintain consistency**		**FF and FRDC**	**Complete** **Josh and Michelle worked on the document immediately after the teleconference which followed with input from the Chair and Patrick Hone.**

Action	Item No	By who	Status
• into the target area, the issue of catch and release activities of rec fishers under definition of TAC • recognition of harvest methods of all sectors • recognition of human dimension – this paper does not delve into this but make a statement of importance			
Feedback on 'Technical Definitions for Sustainable Seafood' Draft 2 paper to be received by COB Friday, 24 October 2014.			Complete
Refined 'Technical Definitions for Sustainable Seafood' Draft 3 will be distributed for public consultation.			Complete As discussed at meeting on 21 November 2014.
CLG Open Forum, followed by CG meeting, scheduled for 19 November in Sydney, to align with OceanWatch World Fisheries Day on 20 November in Sydney.			Complete Was held on 21 November.
CG to develop a list of key groups to reference review.			Incomplete
CG to determine better way to gain consumer feedback (Choice and supermarkets may be able to guide)			Incomplete Was discussed at meeting 21 November 2014 but no resolution.
Meeting 21 November 2014			
DISCUSSION OF THE OPEN FORUM HELD ON THE MORNING OF 21 NOVEMBER	3		
Before Christmas: FRDC to supply comments from the open forum together with the raw comments received in the open comment period to the sub-group for consideration. Mid-Late January: a teleconference will be organised by the FRDC to discuss incorporating feedback		FRDC and subgroup	In progress

Action	Item No	By who	Status
into the document. **Mid-February: re-draft of the document completed and then sent to the consumer group.** **March: consumer group reviewed**			
TOPICS FOR FUTURE CLG DISCUSSION PAPERS	**6**		
Review the criteria used in other similar processes to the CLG such as the UK to assess what criteria they use for deciding on topics, and what type of topics.			
Conduct a background paper on how we could look at language issues within social and economic components of sustainability – with input from Sevaly Sen and the FRDC Social Sciences coordination program.			
PRESENTATION SUMMARISING THE KEY RESULTS OF THE STATUS OF KEY AUSTRALIAN FISH STOCKS REPORT	**7**		
To review the draft CLG document in line with the latest Status of Key Australian Fish Stocks Report to ensure consistency.			
OTHER BUSINESS	**9**		
Forward through the link to the Coorong fishery management plan to the CLG.			

APPENDIX 5: Issues Paper #1 Defining Sustainable Australian Seafood – Wild Capture Fisheries

DEFINING SUSTAINABLE AUSTRALIAN SEAFOOD

WILD-CAPTURE FISHERIES

COMMON LANGUAGE GROUP ISSUES PAPER 1

This is the first Issues Paper in which The Common Language Group explores issues facing the Australian seafood industry. It presents a science-based discussion of the biological and environmental elements of 'sustainable seafood' and raises issues to be considered to develop a consensus – a common language. The Issues Paper highlights what determines whether seafood is sustainable or not and the points where views differ. To promote feedback, the Issues Paper is accompanied by a short survey consisting of structured questions and the opportunity for open comments.

Contents

1. BACKGROUND

The Common Language Group (CLG) was created by the former Seafood Services Australia (SSA), supported by a grant by Fisheries Research & Development Corporation (FRDC) "to create and communicate a common understanding of the issues associated with the use of Australian aquatic ecosystems and resources".

The need for a Common Language Group is highlighted by the confusion that exists among industry stakeholders and in the public arena on a number of contentious issues faced by the Australian seafood industry (e.g. sustainability, responsible fishing, marine protected areas (MPA), fishing methods, indigenous cultural fishing etc). This confusion exists along the seafood industry supply chain (producers, wholesalers, retailers), among a range of stakeholder groups (non-government organisations (NGO), etc) as well as within the general public. This confusion is contributing to the negative perception of the Australian seafood industry[1].

The work of the CLG is overseen by a Custodian Group. The Group is inclusive of the following interest groups, having representation from commercial fishing, recreational fishing, aquaculture, researchers, fisheries managers, retail, post-harvest, ENGOs and consumers. Indigenous representation will be sought. Issues requiring a common understanding will be identified by the Custodian Group. These will be explored in Issues Papers developed by working groups and discussed in Open CLG meetings held in various locations around Australia[i]. Anyone is welcome to attend and participate in the Open Meetings which will be advertised widely[2]. The Issues Paper and subsequent discussions will then be used to develop a Guide to promote a common understanding on each issue.

The Custodian Group has identified that establishing a common understanding on what constitutes 'sustainable seafood' is a priority. This document, Issues Paper No. 1, initiates a dialogue about sustainable seafood aimed at illuminating the meaning of the term. The Paper examines the range and scope of the elements that contribute to sustainable seafood, and the current interpretation of the term across the interest groups as the basis for discussion at an Open CLG meeting.

The Custodian Group provides its time in-kind to industry to address issues, with project funding provided by Fisheries Research & Development Corporation to facilitate the process.

1.1 Scope of the Issues Paper

The scope of the CLG includes both wild fisheries and aquaculture. However, the elements of sustainability of seafood derived from wild-capture fisheries and aquaculture differ significantly. This Issues Paper focuses on the sustainability of wild-caught seafood - principally commercial seafood that is purchased and consumed; however, it also introduces some points of discussion that will be common to both wild-caught and aquaculture seafood. The Paper only touches lightly on matters of relevance to predominantly recreational fisheries.

Seafood consumed in Australia can be produced locally or imported from other countries. Some seafood products can be made from a mix of Australian and imported seafood. This Issues Paper focuses on sustainable seafood from Australian fisheries. In the future, the discussion and considerations here will be relevant to considerations of the sustainability of imported seafood.

The Custodian Group acknowledges sustainability has social and economic aspects as well as ecological. The analysis in this Issues Paper is confined mainly to the ecological components since, to date, these factors have been most commonly addressed as determinants of the sustainability status of seafood and thus a common understanding of these elements is the priority. In this Issues Paper, among the environmental and biological components, we focus mainly on fisheries related factors such as catch levels and fishing methods, and only a little on non-fisheries factors such as pollution, habitat alteration and destruction and climate change, which could be the topic of a subsequent

[1] Sparks, M. (2011). Community Perceptions of the Sustainability of the Fishing industry in Australia. FRDC, Canberra.
[2] See www.commonlanguage.com.au

Issues Paper. We acknowledge also, that modern assessments of environmental and biological sustainability are built on recent baselines and not on historical practices and fishing areas i.e. the baselines used are frequently those at the start of collection of commercial fisheries data.

2. SUSTAINABLE FISH AND FISHING IN AUSTRALIA CAN HAVE DIFFERENT MEANINGS

Definitions of sustainability range from narrow and precise interpretations to broader, less specific definitions[3]. Government definitions of the terms 'sustainable development', 'sustainable fishing' and 'sustainable use' are helpful in considering the meaning of 'sustainable seafood' (see Box 1 for the FAO terms developed for and subsequent to the 1992 United Nations Conference on Environment and Development - Agenda 21). Other institutions in society may not require formal definitions so can be flexible on how they interpret sustainability and more open to meet and address their member's interests and corporate mission statements.

In the context of Australian fisheries management, the goal of ecologically sustainable development (ESD), sustainable development or sustainable management of fisheries is defined in a range of legislation and policies (see Annex 1). The principles of ESD are defined in the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and Commonwealth, South Australian, Queensland and NSW fisheries legislation.

Box 1 FAO definitions[4]

- Sustainable Development:
  - Management and conservation of the natural resource base and the orientation of technological and institutional change in such a manner as to ensure the attainment of continued satisfaction of human needs for present and future generations. Such sustainable development conserves (land) water, plants and (animal) genetic resources, is environmentally non-degrading, technologically appropriate, economically viable and socially acceptable.
  - Development that meets the needs of the present generation without compromising the ability of future generations to meet their own needs.
- Sustainable fishing:
  - Fishing activities that do not cause or lead to undesirable changes in the biological and economic productivity, biological diversity, or ecosystem structure and functioning from one human generation to the next.
  - Fishing is sustainable when it can be conducted over the long term at an acceptable level of biological and economic productivity without leading to ecological changes that foreclose options for future generations.
- Sustainable use:
  - The use of components of biological diversity in a way and at a rate that does not lead to the long-term decline of biological diversity, thereby maintaining its potential to meet the needs and aspirations of present and future generations.

Implicit in these definitions are the concepts of 'acceptable impact' and 'biological diversity'. The FAO defines these terms as follows:

- Acceptable impact:

[3] Dixon, J.A. and Fallon, L.A. (1989). The concept of sustainability: Origins, extensions and usefulness for policy. *Society and Natural Resources: An international Journal*. Vol. 2(1).

[4] Available at: http://www.fao.org/fi/glossary/default.asp

- In general, a negative, or potentially negative, alteration of the exploited natural system, resulting from human activities (e.g. fisheries and other impacting industries). Formally, an impact, the level and nature of which, on the basis of the available knowledge, is officially considered as representing a low enough risk to the resource, system productivity, biodiversity or society to be tolerated. The acceptability is kept under review, and the decision can be revoked on the basis of new knowledge.

- Biological diversity:

- The variability among living organisms from all sources, including terrestrial, marine and other aquatic ecosystems, and the ecological complexes of which they are part; This includes diversity within species and between species and diversity of ecosystems

- Diversity indices are measures of richness (the number of species in a system); and to some extent, evenness (variances of species' local abundance). These indices are therefore indifferent to species substitutions which may, however, reflect ecosystem stresses (such as those due to high fishing intensity).

- Overfished

- A stock is considered “overfished” when exploited beyond an explicit limit beyond which its abundance is considered "too low" to ensure safe reproduction. In many fisheries the term is used when biomass has been estimated

  to be below a limit biological reference point that is used as the signpost defining an "overfished condition". This sign post is often taken as being FMSY but the usage of the term may not always be consistent.

- Overfishing

A generic term used to refer to the state of a stock subject to a level of fishing effort or fishing mortality such that a reduction of effort would, in the medium term, lead to an increase in the total catch. Often referred to as overexploitation and equated to biological overfishing, it results from a combination of growth overfishing and recruitment overfishing and occurs often together with ecosystem overfishing and economic overfishing.

Stakeholders other than governments have different definitions of seafood sustainability and management, according to their own missions, priorities and campaigns or promotions. Here are four definitions which show the variance of definitions:

"Fisheries are ecologically sustainable when stocks of both target and non-target species are not overfished ... and when the health, natural balance and productivity of marine ecosystems, populations of threatened, endangered or protected species and marine habitats are maintained. A truly sustainable fishery meets the long-term needs of fishermen, consumers and the environment together." - Tooni Mahto, Australian Marine Conservation Society.

"Seafood sustainability is not just about saving dolphins - as important as that is. It's also about commercial, cultural and ethical sustainability." - John Susman, Fisheads.

"It's the use of best-practice science and management to deliver reliable fisheries production forever." - Dave Carter, Austral Fisheries.[5]

[5] ‘Feel-Good Fish’, The Australia, 4 December 2012

"**A large part of customary fishing** includes management; i.e. 'iconic' species (a form of protection), 'sacred sites' (restricted or closed access) and respecting other's sea country estates, hunting/fishing for species mostly in abundance." – Robert Carne, Indigenous Reference Group.

3. DEFINING AND ASSESSING SUSTAINABLE SEAFOOD IN AUSTRALIA

Australia has the world's third largest fishing zone, extending up to 200 nautical miles out to sea. Despite this size, Australian waters tend not to be as productive as those in many regions, and Australia ranks only 52nd in the world in terms of volume of fish landed. Although the overall amount of fish caught may be relatively low, Australia's fisheries production focuses on high value and export species such as lobsters, prawn, tuna, salmon and abalone. Australia's commercial fishing and aquaculture industry is worth over $2 billion annually and employs around 11 600 people (7,300 directly and 4,300 indirectly) (ABARES 2011). The challenge is to promote a profitable and competitive fishing industry while ensuring the sustainability of Australia's marine ecosystem.

Increasingly, government legislation and policy, seafood markets and others interested in ensuring the long-term health of aquatic resources, are demanding that seafood is from sustainable sources. The interest groups and drivers for sustainable seafood are described in Figure 1.

A diagram of market drivers and governance that influence sustainable seafood in Australia

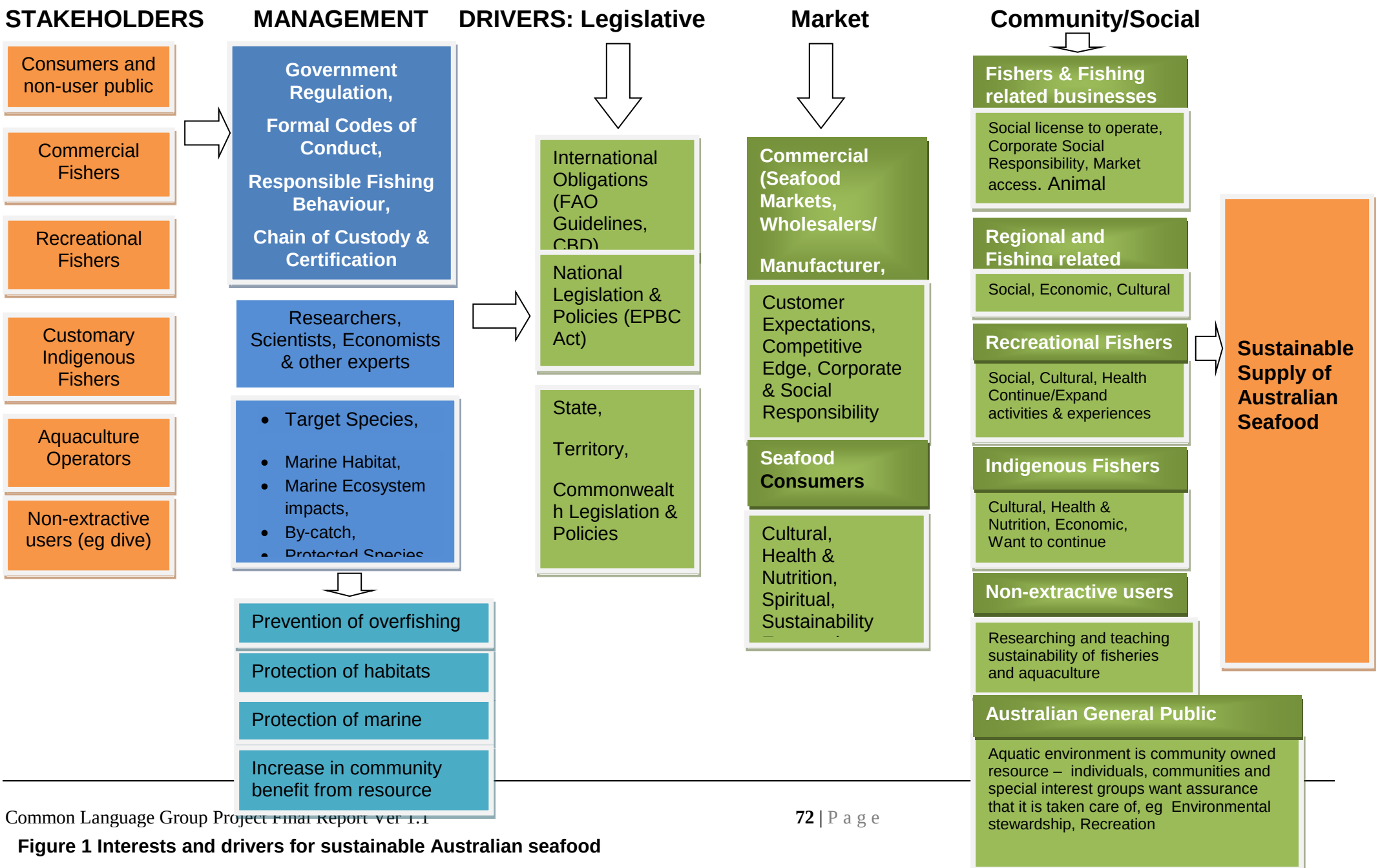


Figure 1 Interests and drivers for sustainable Australian seafood

There are numerous key players with a direct or indirect interest in sustainable seafood. The different various groups include:

- Government regulators on behalf of the community
- Commercial fishers
- Recreational fishers
- Customary Indigenous fishers
- Aquaculture operators
- Seafood suppliers, agents, brands, wholesalers/manufacturers and retailers
- Seafood consumers
- ENGOs
- the general public, including other users of the Australian aquatic environment

These interest groups use the term 'sustainable' in relation to fisheries or seafood but in different ways. This may contribute to confusion and friction. Each of the groups identified above has an interest in ecologically sustainable management of wild-catch fisheries resources and the environment in which they occur. The nature of that interest includes one or more of the following:

- for the long-term benefit to the community arising from maintenance of marine resources and the environment;
- for the long term maintenance of marine resources and the environment regardless of a perceived benefit to human communities;
- for sustenance, social, cultural and spiritual needs of indigenous Australians;
- as a source of economic return from harvest and sale of seafood;
- as a source of recreational enjoyment; and/or
- as a source of food by purchase or catch.

The nature and weighting given to these interests varies across the groups, and the concept of sustainability is evolving. Further, within the interest groups, the understanding of sustainability can differ, e.g. different environmental NGOs (ENGO), market segments and management agencies may have their own specific interpretations of sustainability in legislation, policy and practice. Interpretations vary in the scope of and elements included in the concept of sustainability.

Many consumers do not understand the differences in how different groups define sustainability. In order for consumers to make an informed choice on sustainable seafood, they need to know:

- Which fish is this?
- Where did it come from?
- How much is caught and how is it caught?
- How is the fishery managed and assessed?
- Who is saying/endorsing that the fish is sustainable and on what basis?

4. WHICH FISH IS THIS?

To know whether seafood is sustainable, consumers need the product to be correctly labelled, starting with an accurate name and place of origin, supported by supply chains that allow the product to be traced back to its origin.

4.1 Accurate Fish Names

Accurate labelling starts with the correct name of the fish. Scientists have developed a rigorous form for naming types of fish, based on unique names for each species. In society, including in the marketplace, fish species are given common names which vary from place to place and with their use. Common names are important and functional but they can lead to confusion, for example, many fish are sold and eaten under the common name “cod” and “flake”. To overcome the uncertainty of common names, ensure effective traceability and food safety management, Australia has prepared a list of over 4,000 Australian species names (common and scientific) that have been standardised under the Australian Fish Names Standard AS SSA 5300 (www.fishnames.com.au). The standard sets out one name for each species to be used nationally and across all stages of the supply chain, whether it is caught locally or imported. FSANZ regulates the Australian Fish Names Standard, although Fish Names is not legislated under the Food Standards Code.

5. WHERE IS IT CAUGHT?

Putting an accurate name on seafood is only one aspect of tracing whether the seafood is sustainable because different stocks of fish of the same species are harvested and managed differently. Many fish species occur widely in nature, within Australian waters and in the waters of many other countries. For example barramundi (*Lates calcarifer*) occurs wild and is cultured in Australia and widely throughout tropical waters of Asia and the western Pacific In the case of some species, especially the highly migratory species, the species may consist of only a single population throughout its whole range, such as the southern bluefin tuna. For other more localized species, each bay may have a separate stock that is self-sustaining. Particularly for the more localized species, a critical element of knowing about sustainability is to know where it is caught and what conditions apply there.

Most Australian consumers perceive they always buy Australian seafood or choose local most of the time. This, however, is inconsistent with the amount of imported seafood consumed (over 70% of our seafood is imported). The overwhelming perception of seafood consumers in Australia, whether they are locals or tourists alike, is that the seafood they purchase (if not labelled otherwise) is a local product. The very characteristics of seafood and the historical consumption of “locally” caught seafood have led directly to this public perception. To partly help overcome this problem, Australia legally requires retailers to label seafood products with their country of origin.

Also, the seafood industry has worked with restaurants to try and encourage where possible those using Australian product to inform the consumer they are using local product but this often fails where the consumer assumes their seafood to be local.

Recent research within Australia has shown that consumer preference for Australian Seafood is very strong. The Seafood Cooperative Research Centre (Seafood CRC) recently undertook a study of Australian Seafood Consumer Research. The study confirmed that consumers would like to purchase Australian seafood and value Australian seafood highly.

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6. HOW MUCH IS CAUGHT AND HOW IS IT CAUGHT?

Scientists consider that a stock of fish that is harvested will be sustainable if enough fish are left after fishing to enable sufficient reproduction and growth to replace those taken, and if the supporting marine ecosystem is maintained in a healthy state to support the stock with food, nursery and living space. In basic terms, this means that sustainability will depend on the catch taken relative to a sustainable level of catch, and the impact of fishing and other factors on the habitats of the fishes. As mentioned from the outset, the present Issues Paper will focus mainly on the fisheries-related factors. Fishing has a dual impact on fish stocks and their sustainability: it removes fish from the stock and, depending on the method, may affect the stocks of other species, the habitat of the fish and the marine ecosystem more generally.

6.1 Impacts on the Sustainability of Target and Retained Species

Commercial fishers target specific, commercially valuable species and also retain for sale other species of value taken incidentally. These targeted and other retained fish ultimately reach the market place as 'seafood', although some may be sold for other uses such as bait or feed for aquaculture.

Management of the stocks of these target and retained species is central to concept of sustainable seafood. However, views on the nature and characteristics of management of fisheries that are required to deliver a sustainable stock vary. Contention typically centres on issues such as:

- The acceptable level of impact
    - Whether the management measures are consistent with sustainability e.g. whether stocks are managed to maximum sustainable yield (MSY), to a more precautionary fraction of MSY or to maximum economic yield (MEY)
    - The nature of the harvest strategy employed (see box)[6] including the appropriateness of the management measures and the use of and settings used for limit and target reference points
    - The application of the precautionary approach (see Annex 1) and how the availability of data is reflected in approaches to risk-based decision making
    - The impacts on species also harvested by other fishing sectors e.g. recreational fishers
- The level of confidence required in management
    - The basis upon which stock status is determined (for example, the level of reliance on fishery dependent data)
    - The assessment of total catch (and hence fishing mortality used in the assessments) from all sources (all fishing sectors and jurisdictions)
    - The nature, level and reliability of data collection and research
    - The nature and extent of compliance and enforcement

At the Commonwealth level a formal harvest strategy policy was developed in 2007[1] and is currently under review. While similar policies have not been formally adopted in other jurisdictions, harvest strategies or elements of them, are applied for many large fisheries and in a number of smaller ones across Australia. A national harvest strategy framework is under development.

The use of target and limit reference points in Australia is increasing. A target reference point is set to define the state of a fishery and/or a resource which is considered desirable. Management action, should aim to bring to and maintain the fishery at this level. A limit reference point indicates the limit beyond which the state of a fishery and/or a resource is unacceptable (e.g. the Commonwealth has defined this as where the risk of recruitment failure has increased). Management aims to ensure that

[6] Food and Agriculture Organization of the United Nations (FAO-UN). © 2011-2013. EAF planning and implementation tools. Harvest Strategies and Control Rules. EAF Tool fact sheets. **Text by EAF Toolbox**

the limit point is not reached. If it is reached, fishing should be severely curtailed or stopped[7].

While many groups agree on the high level principle of a harvest strategy, differences arise on the types and level of target and limit reference points. For example, the Commonwealth Harvest Strategy Policy defines the target reference point based on Biomass Maximum Economic Yield (BMEY), while some groups argue for the lower and less precautionary setting of Biological Maximum Sustainable Yield (BMSY). There is also difference of opinion regarding the appropriate level of probability that the reference and limit reference points are reached.

On the contentious issues of how reference points are used to guide difficult management decisions, interest groups' views vary, and are influenced by competing factors. Fishers, for example, may be keen to satisfy market demand for demonstrably sustainable seafood, otherwise markets and returns may be lost. However, they may then need to contend with the trade-offs of higher management costs to achieve sustainability. Similarly, managers have obligations to simultaneously ensure sustainable fisheries, to maximise economic returns, to ensure cost-effective management and to deliver social objectives. Management also needs to respond to external factors e.g. environmental variability.

6.2 Impacts on the Sustainability of Marine Habitats

The physical habitat, particularly benthic habitat and water quality are critical to the sustainability of all forms of marine life. Changes to those habitats result in changes in fish communities and species abundance. The most common impact of fishing on marine habitats occurs when fishing gear changes the nature of the sea floor. Other human impacts, in addition to fishing, also have major impacts on the marine habitat and affect fishing. An example of human impacts other than fishing is the outflow of freshwater from the Murray-Darling basin, which is taken into account as a reference point in assessing the status of the fisheries of the South Australian Lakes and Coorong fishery.[8]

With respect to fishing impacts, the nature of the fishing gear and of the benthic habitat will determine the extent of the fisheries impact and the risk it poses. Environmental risk assessments (ERA), described below with respect to their use for bycatch risk assessment, are now increasingly used to assess the risks of habitat impacts.

Differing views as to whether the impacts on habits are sustainable centre on issues such as:

- whether some gear types are consistent with sustainable impacts on benthic habitats under any circumstances;
- the level of information and monitoring required to provide confidence that the impact is minimalised;
- whether sufficient information is available for assessing habitat impacts;
- the type of habitat and its resilience to disturbance including that caused by fishing.

6.3 Impacts on Sustainability of Bycatch Species

Much of the fishing industry targets specific species for capture. The incidental capture of non-target marine mammals during fishing is known as bycatch. Commonly, bycatch comprises species that are caught incidentally, that may be discarded at sea or that become hooked or trapped when attracted to bait or target catch, or are simply unable to avoid capture or entanglement by the fishing gear but not landed. Catch can be discarded because it:

- has no commercial value
- is outside management limits on size or sex for target species

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Team. [online]. Rome. Updated 29 November 2011. [Cited 29 April 2013]. http://www.fao.org/fishery/eaf-net/eaftool/eaf_tool_49/en

[7] See FAO http://www.fao.org/fi/glossary/

- is of lower value or lesser quality than catch taken subsequently (i.e. the catch is high graded)
- is excess to quota held or other catch limits imposed
- cannot be retained because it is a protected or a 'no-take' species

Bycatch species that are landed may be either dead or alive when discarded. Bycatch species also includes those species that is not landed but otherwise interacts with gear and which may or may not die or be significantly impacted by the interaction. The extent of mortality to bycatch species is often either underestimated or unknown due to a lack of knowledge of post release/interaction survivorship. The 1999 National Policy on Fisheries Bycatch[9] provides the overarching guidance on management of bycatch in Australia. The Commonwealth Policy on Fisheries Bycatch, which was developed in 2000 in response to the National Policy[10], is now under review. Each jurisdiction has different approaches and policies in relation to bycatch. No common standard on sustainability exists, however, for acceptable impacts on bycatch. The level of information collected on the nature and impact of bycatch, the factors concerning acceptable impacts vary. Differing views as to whether the impacts on bycatch are sustainable can involve issues such as:

- The acceptable level of impact
    - the ways in which risks to bycatch species should be assessed, especially given a dearth of data on the species and bycatch levels;
    - whether discards of target species and other normally retained species is a sustainability issue;
    - the relative weighting of management and available management resources to retained and bycatch species;
    - whether wastage of fish (through return of dead fish to the sea) is a sustainability issue;
    - whether some gear types are consistent with sustainability of bycatch species under any circumstances.

- The level of confidence required in management
    - the nature, level and reliability of data collection and research;
    - the effectiveness and monitoring of bycatch mitigation devices;
    - the costs of bycatch management and who should bear those costs.

To prioritise bycatch species for management and further research, ecological risk assessment (ERA) approaches are being used increasingly. ERA approaches are needed to handle the large number of bycatch species and the limited data available. A risk assessment approach enables management and research to focus on species at most risk from the fisheries activities. Given the traditional focus of management on target species, and to a lesser extent other retained species, the use of ERA has been a major step forward in the assessment of the impact of fishing on bycatch species, including protected species. Two main ERA methods are in use in Australia: the Ecological Risk Assessment for the Effects of Fishing[11]; and the National ESD Reporting Framework for Australian Fisheries[12] .

While risk-based approaches to bycatch management are generally supported, debate remains as to

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[8] Ferguson, G. 2012. The South Australian Lakes and Coorong Fishery. Fishery Stock Status Report for PIRSA Fisheries and Aquaculture. South Australian Research and Development Institute (Aquatic Sciences). Adelaide, SARDI, Publication No. F2009/00669-3. SARDI Research Report Series No. 598. 17 pp.

[9] Ministerial Council on Forestry, Fisheries and Aquaculture (1999). National Policy on Fisheries Bycatch. DAFF, 1999

[10] Commonwealth of Australia (2000) Commonwealth Policy on Fisheries Bycatch. DAFF, Canberra.

[11] A.J. Hobday, A.D.M. Smith, I.C. Stobutzki, C. Bulman, R. Daley, J.M. Dambacher, R.A. Deng, J. Dowdney, M. Fuller, D. Furlani, S.P. Griffiths, D. Johnson, R. Kenyon, I.A. Knuckey, S.D. Lin, R. Pitcher, K.J. Sainsbury, M. Sporcic, T. Smith, C. Turnbull, T.I. Walker, S.E. Wayte, H. Webb, A. Williams, B.S. Wise, S. Zhou (2011). Ecological risk assessment for the effects of fishing. *Fisheries Research* 108 (2011) 372–384.

[12] Fletcher, W.J., Chesson, J., Fisher M., Sainsbury, K.J., Hundloe, T., Smith, A.D.M. and B. Whitworth (2002) *National ESD Reporting Framework for Australian Fisheries: The 'How To' Guide for Wild Capture Fisheries*. FRDC Project 2000/145, Canberra, Australia

whether they provide sufficient confidence to underpin sustainable management. Differences centre upon issues including:

- the level of rigor required to support formal risk assessment approaches; and
- whether a risk-based approach is consistent with sustainability in all circumstances.

6.4 Impacts on Sustainability of Threatened, Endangered and Protected Species

Threatened, endangered or protected species (TEPS) are a special category of bycatch. Such species are listed under international, national and/or State/Northern Territory legislation. Protected species include all species of seabirds, reptiles, turtles, marine mammals and a range of other species of fish. Because of their protected status in legislation and special value to people, the management objectives for these species are different to those for general bycatch species. For example, for species managed under the EPBC Act, fisheries are required to demonstrate that they are taking all reasonable steps to avoid the capture and/or mortality of these species. The National Policy on Fisheries Bycatch also applies to TEPS.

Differing views as to whether the impacts on protected species incurred in catching seafood are sustainable centre on issues such as:

- The acceptable level of impact
  - whether the management goal for TEPS should be zero interactions or whether it is appropriate to define acceptable impacts for protected species
- The level of confidence required in management
  - nature, level and reliability of the data on TEPS interactions
  - The effectiveness and monitoring of mitigation measures
  - the costs of minimising impacts on protected species and who should bear those costs
  - whether some gear types are consistent with acceptable impacts on protected species under any circumstances

These views are influenced by the reasons why different groups see the need for protection of these species. For example, the status of some TEPS clearly requires that their populations need rebuilding and the 'protected'' status facilitates this. In addition, some TEPS are regarded by some interest groups as having an intrinsic, iconic value and these groups may see this as justification for protection. The relevant management objectives and sustainability settings differ according to which of these categories the species in question belongs.

6.5 Impacts on Sustainability of Marine Ecosystems

Sustainability with respect to the marine ecosystem essentially relates to the impacts of fishing on trophic structure and function, biological community composition and biodiversity. This impact goes beyond the fish habitat changes referred to above. As above, the reference here is to fishing impacts and not to those of other human activities and natural factors, including climate and climate change.

ERAs have generally not been sufficiently well developed to provide meaningful assessments of fishery impacts on marine ecosystems. However ecosystem modelling is providing insights into the structure and relationships of ecosystems in which many fisheries operate and provides a basis for examination of the potential nature of the impacts of fishing.

Differing views as to whether the impacts on ecosystems are sustainable centre on issues such as:

- whether the level of information and monitoring on ecosystem impacts is sufficient to underpin a claim of sustainability;
- how much and what type of information is required;
- the extent to which management is geared towards responding to such information;
- the extent to which cumulative impacts of fishing should be taken into account in determining

the sustainability of fishing on marine ecosystems;
- other impacts on the ecosystem apart from fishing;
- whether there is an acceptable proportion of the total area of a sensitive habitat that may be impacted and to what extent.

7. HOW ARE THE FISHERIES ASSESSED AND MANAGED?

7.1 Assessments of Fisheries

A range of government, private sector and non-profit institutions and mechanisms are currently used to assess and report on the sustainability of Australian fisheries[13] (see Table 1). There is considerable overlap among these assessments, nevertheless, taken together they provide information about the status of Australian fisheries and ecosystems and the sustainability of the seafood derived from them. These mechanisms include:

- First party assessments including for example, internal assessment by government agencies of their own fisheries;
- Second party assessments, for example, external assessments by other government agencies and research bodies such as universities;
- external assessment by third party certification bodies which are undertaken by independent auditors against independent and transparent standards. Some of these certification processes have a consumer facing element through the use of ecolabels (e.g. MSC; Earth Island Institute), while some are not (eg. Global Gap and other business-to-business advice); and
- external assessments presented as guides to sustainable seafood.

These assessments rely heavily on information from the same sources. Most assessments rely primarily on data collected by, and research undertaken on behalf of, the fisheries management agencies in each jurisdiction. It is criteria upon which the assessments are made and the level of information required to support those criteria, as well as the acceptable benchmarks, that differ across the assessments. As a result, the acceptance of these assessment processes as an indicator of sustainability differs across interest groups. The relative level of independence in terms of sustainability differs across interest groups. The relative level of independence in terms of both the ownership of the criteria and the application of that criteria to a particular seafood product, also differ.

We recognise these mechanisms are devoid of indigenous driven assessments of the impact of non-indigenous fisheries on cultural fishing. Apart from National Research Institute Fisheries Science (NRIFS 2002), there is little information/data available on indigenous cultural fishing[14]).

[13] A “fishery” is defined as the collective of taking fish and it includes the people involved, species or type of fish, area of water or seabed, method of fishing, class of boats and purpose of the activities, e.g., the Northern Prawn Fishery.

[14] S. Schnierer. 2011. Aboriginal fisheries in New South Wales: determining catch, cultural significance of species and traditional fishing knowledge needs. FRDC.

Table 1: Examples of the range and scope of sustainability assessments in Australian fisheries

Assessment	Application	Key sustainability elements addressed
COMMONWEALTH OR NATIONAL ASSESSMENTS		
Commonwealth Fisheries Status Reports	An annual assessment of all Commonwealth-managed fisheries	Stock status Environmental status
Status of key Australian fish stocks reports 2012	49 species (or species complexes) that contribute around 70% of annual catch and 80% of annual value of Australian wild-caught capture fisheries.	Stock status. Intended to evolve to include broader elements of ESD in the longer term
EPBC Act fisheries assessments (SEWPaC)	All Commonwealth fisheries All State-managed fisheries with an export component	Stock status (target and byproduct) Bycatch Protected species Ecosystem
STATE GOVERNMENT ASSESSMENTS		
South Australian Fisheries Resources: Stock Status and Trends (2006)	South Australian fish stocks	Stock status Bycatch Environmental issues 8.
Status Reports of the Fisheries and Aquatic resources of Western Australia (2011/12)	Fisheries and aquatic resources across six bio-regions in Western Australia	Stock status Bycatch Protected species interactions Ecosystem effects
Status of Fisheries Resources in NSW 2008/09	Marine and Estuarine fish populations harvested by commercial and recreational fishers in NSW	Stock status
Fisheries Queensland annual fishery updates (2011)	Each Queensland commercial fishery	Stock assessment Bycatch Interactions with protected species Ecosystem impacts
Fishery Status Reports 2011, Northern Territory	Northern Territory commercial fisheries	Stock assessment Bycatch Threatened species interactions Ecosystem impacts
OTHER ASSESSMENTS		
Marine Stewardship Council	17 Commonwealth Fisheries pre-assessed Four Commonwealth fisheries MSC certified Three State-managed fisheries MSC certified All Western Australian fisheries to seek assessment Aldi, Coles and Woolworth's supermarkets endorse MSC certified seafood in their statements on sustainable seafood	Target species and other Retained species Bycatch Protected species Habitats Ecosystem
Ecological Sustainability Evaluation of Seafood (WWF)	Seafood products sold through Coles Supermarkets	Stock status (target and byproduct) Bycatch Protected species Ecosystem
Sustainable Seafood Assessment Program (ACF) - **wild-catch seafood products** - **Farmed seafood products**	Has assessed 16 seafood (wild-caught and farmed) products (two in Western Australia), two in South Australia, 11 in Victoria and 1 in NSW)	Target and byproduct species Bycatch Habitats Ecosystems
Sustainable Fisheries Partnerships	Scientific assessment of the relative sustainability of seafood products sold by Woolworths supermarkets Evaluation of Aldi's seafood range	Target species and other retained species Bycatch Protected species Habitats
Australian Sustainable Seafood Guide (AMCS)	An assessment of over 100 Australian, imported and canned seafood species	Not clearly specified
Goodfishbadfish	Assessed species (groups) of wild-caught and farmed seafood	Stock status

The key biological and environmental elements of sustainability commonly considered in these assessments are:

1. stock status of target and other retained species
2. impacts on bycatch species
3. impacts on protected species
4. impacts on marine habitats
5. impacts on marine ecosystems

While the status of stocks of target species is central to whether seafood is sustainable or not, the "sustainability" of that seafood also relies on the nature and extent of impacts on by catch species, protected species, marine habitats and marine ecosystems, that arise from its harvest. This is reflected in the ecosystem approach to fisheries which has been adopted internationally (see box). However biological and environmental 'sustainability' refers to more than the status of each of these elements at any point in time. It is also the quality of the 'management' of each element, through regulatory, co-management and voluntary initiatives (e.g. codes of practice etc.), which will determine whether they remain sustainable.

Ecosystem Approach to Fisheries

For many years fisheries management focused on management of target species. However, internationally and nationally there has been increasing recognition of the need to manage the broader impacts of fishing for these species. The FAO Code of Conduct for Responsible Fisheries released in 1995 and subsequently developed further through several instruments and technical papers, provided impetus for a wider ecosystem approach to fisheries management, including the human dimension (social, economic, etc). In Australia, as in many other parts of the world, management of other retained species and bycatch, including protected species, protection of marine habitats and maintenance of marine ecosystems are now regarded as an integral component of fisheries management. In Australia as in most countries, elaboration of the human dimension of the ecosystem approach lags behind the elaboration of biological and environmental dimensions.

For each of the five key elements, sustainability is pursued by a range of management practices, and with varying degrees of rigor. Views on what constitutes sustainability start to diverge over the detail of the management approaches and the settings applied to these elements. The potential for divergence on these issues is discussed below.

8. STAKEHOLDER INTERESTS IN SUSTAINABLE SEAFOOD

The purpose of developing this Issues Paper is to address how to clarify sustainable seafood for the consumer. However, we recognize that the consumers' interests are often not represented in a defined way and that other stakeholder groups have stronger voices representing collective views that may or may not also aid the consumer.

In this section the nature and basis of those interests is examined and, where possible, some insights into how each group defines "sustainability' are provided. As noted above, within these stakeholder groups the expectations or definitions around sustainability may vary.

8.1 Government Regulators

In general terms the States/NT are responsible for management of fisheries from the coast to a distance of 3 nm. They are also responsible for recreational fishing and aquaculture that occurs in State/NT waters. The Commonwealth is responsible for management of fisheries from 3 nm to the edge of the 200 nm Australian Fishing Zone and for the fishing activities of Australian vessels on the high seas. It is common for fisheries to operate across the State and Commonwealth boundaries at 3 nm and in most cases this has been resolved through offshore constitutional settlements (OCS) with authority for management of the fishery shifted to one of the jurisdictions. As a result, Australian seafood is managed under a range of different fisheries legislation, policies and approaches.

In each jurisdiction there is specific legislation providing the basis for fisheries management. The provisions of this legislation typically relate to objectives, development of management plans, licensing and compliance and enforcement. Implementation of the legislation is guided by a range of policies and

programmes. In addition, various elements of environment legislation in each jurisdiction may apply to fisheries. These include, for example, provision for environmental assessment of fisheries and broader marine management issues including the development of marine protected areas.

For the most part, the legislation in place across the Commonwealth (both fisheries and EPBC Act) and the States/NT clearly applies to management of retained species, bycatch, protected species, habitats and ecosystems. The fisheries legislation confirms that across the regulatory framework for Australian seafood there is a common responsibility to ensure that fisheries are managed sustainably and, by implication, that the products from these fishers are 'sustainable seafood'. Nevertheless, there remain differences in the articulation and interpretation of this responsibility. In addition, the legislation includes a range of objectives in addition to sustainability and the relative weighting given to the full range of objectives, including sustainability, may vary across jurisdictions.

National instruments and approaches guide, to varying degrees, fisheries management in the Commonwealth and the States/NT. These include:

- The Intergovernmental Agreement on the Environment and the National Strategy for Ecologically Sustainable Development;
- The National Policy on Fisheries By catch;
- The National ESD Reporting Framework for Australian Fisheries;
- The Australian Fisheries Management Forum (AFMF) which consists of the heads of all of Australia's fisheries agencies and promotes collaboration and consultation across jurisdictions to achieve more uniformity in approaches to fisheries management nationally;
- Fishery assessment provisions (Part 10, Part 13 and Part 13A) of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) which apply, variously, to all Commonwealth and most State/Northern Territory fisheries;
- Various national plans of action (e.g. plans relating to conservation and management of sharks, illegal, unreported and unregulated fishing), indigenous cultural fishing, threat abatement plan (e.g. seabirds) and various recovery plans for threatened species.

These national policies and approaches reflect both Australia's implementation of its obligations under and commitment to a range of international instruments and its own national objectives. Internationally, these include obligations as a signatory to the *United Nations Convention on the Law of the Sea* (UNCLOS), the *United Nations Fish Stocks Agreement*, the *Convention on Biological Diversity* and the *Convention on Migratory Species*. In addition, as a member of the FAO, Australia has implemented measures consistent with guidance provided by the FAO's Code of Conduct for Responsible Fisheries[15] and associated International Plans of Action.

The Commonwealth and the States/Northern Territory each apply a range of separate policies and approaches to support pursuit of sustainable fisheries and other fisheries management objectives. It is outside the scope of this paper to examine each of those. However, it is generally accepted that over the last decade there has been a significant shift in the management of Australian fisheries towards more prescriptive harvest-strategy-based approaches, and the adoption of broader, ecosystem approaches to fisheries management including the conduct of ERAs.

8.2 Commercial fishers

The commercial fishing industry in Australian is comprised of a broad group of operators that includes: owner-operated vessels; family owned fishing businesses; vertically integrated fishing, processing and marketing operations; and multi-national corporations. These operations may be involved in one or more Australian fisheries and/or in overseas fisheries. The commercial fishing industry includes owners, skippers, crew and other members of broader fishing businesses.

The commercial fishing industry operates within the regulatory framework outlined above. However,

[15] FAO (1995). *Code of Conduct for Responsible Fisheries*. FAO, Rome.

commercial fishers are increasingly engaged in the development and implementation of policies and practices designed to pursue the sustainability elements of fisheries and environment legislation. This engagement takes many forms but includes:

- participation in management committees and stock assessment exercises;
- development of settings for harvest strategies;
- development of policies and strategies for stock rebuilding, bycatch management and species-specific measure to address interactions with protected species;
- participation in the development and trial of bycatch mitigation devices;
- provision of funding for research; and
- participation in data collection and fishing surveys.

Further, some sectors of the commercial fishing industry have been proactive in seeking to improve the level of public confidence in the sustainability of their products by developing codes of practice to promote the adoption of best practice approaches to issues such as bycatch management and responsible fishing, and seeking assessment against third party, independent certification schemes that assess the sustainability of fisheries.

The commercial fishing industry is also establishing a draft Australian Standard for Responsible Fishing on Vessels as a vehicle to demonstrate to consumers and the community that they employ responsible fishing practices. This work is by overseen by FRDC, the national industry service provider and standards developer, with the support of FRDC funding. It is expected that this initiative will have broad application but may be of particular value to smaller scale fisheries for which the costs of certification are prohibitive.

Other initiatives involving industry include the development, through FRDC, of a naming standard for fish sold in Australia. Fish sold to consumers (e.g., retail sales and restaurants) must be identified by their standard fish name and fish sold other than directly to consumers (e.g., wholesale, export, import) must be identified by their standard fish name or scientific names[16]. The development of a fish name standard supports public and consumer confidence, effective fisheries monitoring and management and effective traceability

The National Seafood Industry Alliance Inc. (NSIA) brings together the Commonwealth, National State and Territory peak industry bodies in the Commercial Wild-catch Fishing & Aquaculture industries to provide national representation to the federal government. Sustainability and resource access is identified as one the NSIA's four priority areas, however no interpretation of sustainability is provided.

To a large extent the regulatory environment in which commercial fishers operate dictates their interpretation of sustainability. However, it is increasingly clear that fishers themselves are taking a broader ecosystem approach to management of the resources they rely on. While it is likely that there remain differences in the understanding, articulation and practice of sustainable fishing across all commercial fishers in Australia, the increasing willingness of industry to subject themselves to external assessment of their sustainability provides hope that there can be an increasing alignment between commercial fishers, government, third party certifiers and consumers as to what constitutes sustainability.

The range of certification and eco-labelling schemes in existence (for example Friend of the Sea, Global Trust's FAO-based Responsible Fisheries Management (RFM) Certification Program, the Marine Stewardship Council, the Global Aquaculture Alliance and the Aquaculture Stewardship Council) can add to, rather than reduce, consumer confusion about seafood sustainability.

[16] See www.fishnames.com.au

8.3 Recreational Fishers

Fishing is one of the most popular recreational and sporting activities in Australia. However, recreational fishing also needs to be managed because it impacts on fish stocks and can harm habitat. Recfish Australia was formed in 1983 to represent the long term interests of recreational and sport fishing at a national level. Recognition of the need for more sustainable fishing practices and an agreed, voluntary national standard for recreational fishing led to the development in 1996 of a National Code of Practice for Recreational and Sport Fishing. The Code provides an indication of how Recfish Australia promotes sustainable fishing practices by the recreational fishing community. It identifies four main areas of fishing responsibility:

- Treating fish humanely
- Looking after our fisheries
- Protecting the environment
- Respecting the rights of others

A Standard for National Environmental Assessment of Tournament Fishing was released by Recfish Australia in 2009.

Recreational fishers' interest in sustainable seafood derives in large part from their concern that especially commercial fishing may compromise their ongoing enjoyment from the resource.

8.4 Customary Indigenous Fishers

Fishing by Aboriginal and Torres Strait Islander people covers the full spectrum of fishing practices: customary, recreational and commercial. This section focuses on their customary fishing practices. The National Native Title Tribunal has established that Customary fishing is 'fishing in accordance with relevant indigenous laws and customs for the purpose of satisfying personal, domestic or non-commercial communal needs'. The fishing principles to guide Indigenous Involvement of Marine Management also recognise indigenous contemporary commercial practices and aspirations.

Aboriginal and Torres Strait Islander people have developed a close, interdependent relationship with the land, water and living resources of Australia through customary fishing practices over tens of thousands of years. That relationship includes indigenous rights, management practices and responsibilities of particular indigenous groups to particular areas of land, water and resources.

The Australian Government endorsed principles on indigenous fishing that will encourage the protection of traditional fishing practices while supporting greater involvement of indigenous communities in marine management. The scope for indigenous commercial participation includes new and established sectors of the fishing industry, including aquaculture as well as the charter industry and other emerging opportunities in fisheries related tourism and recreation.

Indigenous fishers have an interest in ensuring the sustainability of seafood since this will contribute to the long-term maintenance of the aquatic resources and ecosystems they rely on for cultural purposes and customary fishing.

8.5 Seafood Marketers

Seafood markets include:

- commercial fishers, as individuals or as corporate entities;
- wholesalers/manufacturers and retailers, including fishing cooperatives;
- importers and exporters;
- restaurateurs.

Increasingly, these sectors of the seafood market chain are, either proactively or in response to consumer demand, requiring evidence that their seafood is sourced from sustainable fisheries. Supply chain sustainable seafood sourcing policies are well-developed in the Northern Hemisphere with retailers such as Marks and Spencer, Loblaws and Safeway all committed to sourcing and supply

of responsibly sourced seafood. Recently, the United Kingdom-based group, the Sustainable Seafood Coalition, a partnership of seafood retailers and seafood businesses working to ensure that all fish and seafood sold in the UK is from sustainable sources, has released a draft Code of Conduct on Environmental Labelling and Self-Declared Environmental Claims of Fish and Seafood[17]. This Code provides minimum criteria for self-declared environmental claims of wild-caught fish and aquaculture products.

In Australia, some seafood marketers are demonstrating their desire to prove the sustainability of their seafood products through their adoption of various sustainability assessment techniques, including those provided by the Sustainable Fisheries Partnership[18] and WWF's Ecological Sustainability Evaluation of Seafood[19]. Coles[20], Woolworths[21] and Aldi[22] supermarket chains have each committed to supplying sustainable and responsibly sourced seafood and these types of products are already available for sale in their stores.

In addition to the assessment methods outlined in Table 1, work is underway, through a pilot study being conducted by the Sydney Fish Market, supported by FRDC and Seafood CRC funding, to research an independently audited, strong and unifying Responsible Fisheries Management (RFM) Certification Program for Australian wild-harvest seafood through a trial of the Global Trust FAO-based RFM Performance Criteria as a basis for assessing the performance of Australian fisheries management processes. The output could ultimately form the basis for a draft Australian Standard for Responsible Fisheries Management providing a benchmark for industry along with other standards such as the MSC Standard or WWF's Ecological Sustainability Evaluation of Seafood. .

Confidence in the sale of sustainable seafood also requires evidence that the product is unequivocally sourced from a sustainable fishery. As a result, some market sectors also demand evidence that the fish they sell can be traced back to the sustainable source fishery.

Traceability is the ability to trace from where a fish is caught throughout the full production, distribution and marketing chain down to the retail level. Seafood Chain of Custody systems and certification are available from a number of fishery certification/eco-labelling bodies. Chain of custody usually requires that producers are able to track the 'chain of custody' of their products in order to ensure that the products derived from the certified fishery are in fact the species names and are those that are labelled or certified as such.

8.6 Seafood Consumers

Australian consumers purchasing decisions can influence the long-term availability of local seafood and also contribute to the maintenance of community-owned marine ecosystems. The majority of consumers value sustainability and they report a willingness to pay more for sustainable seafood, even though only about 5% actually do[23].

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[17] See http://sustainableseafoodcoalition.org/labelling-code/#

[18] See http://www.sustainablefish.org/fishsource

[19] See http://awsassets.wwf.org.au/downloads/mc077_wwf_australia_ecological_sustainability_evaluation_of_seafood_eses_18apr12_1.pdf

[20] See http://helping-australia-grow.coles.com.au/EthicalSourcing/SustainableSeafood.aspx and http://www.coles.com.au/portals/0/content/images/About-Coles/Sustainability/Seafood%20Sustainability/WWFColesseafoodcharter.pdf

[21] See http://woolworths.com.au/wps/wcm/connect/Website/Woolworths/About+Us/Our+Planet/Sustainable+Seafood/

[22] See http://aldi.com.au/au/html/company/sustainable_seafood.htm

[23] Community perceptions of the sustainability of the fishing industry in Australia – FRDC (2011)

There are a number of possible explanations for this:

- information is lacking to help an informed choice;
- available information is conflicting or confusing;
- the consumer does not trust the information available;
- the consumer does not believe that seafood is sustainable;
- sustainable seafood is more expensive than competing products and/or
- the consumer may simply expect that the seafood they purchase should be caught or farmed sustainably and therefore are not expecting to pay a premium.

A large number of consumer guides[24] provide an indication of the sustainability, or relative sustainability, of seafood products. In addition, numerous certification and eco-labelling systems have been developed, many with on-pack eco-labels promoting sustainability credentials for both aquaculture and wild caught seafood products. These include the Aquaculture Stewardship Council, Friend of the Sea, Global Gap, Global Trust and the Marine Stewardship Council. The diversity of eco-labels and guides may confuse consumers, who are not generally in a position to question or compare the veracity, rigor or independence of these assessments.

8.7 ENGOs

Advocacy and environmental non-profit groups play a role in representing the expectations of segments of the community for sustainable fisheries management. In addition to their other public campaigns, some ENGOs have initiated a range of market-based programs aimed at driving sustainable practices in the seafood industry. These include market transformation initiatives, corporate seafood partnerships, fisheries improvement projects and aquaculture Improvement projects.

ENGOs have also been active in:

- the development of sustainability assessment methods for Australian seafood;
- the development of consumer guides on the relative sustainability of seafood products;
- supported indigenous rights
- seeking protection for marine species, habitats and ecosystems under the provisions of environmental legislation; and
- participating in the development of government policies to underpin sustainable fisheries.

ENGOs are united in a common objective of healthy oceans and marine ecosystems and, at a high level; most groups are consistent in the promotion of an ecosystem based fisheries management approach. However, ENGOs differ in their geographical focus, core area of focus, approach and fundamental values. As such, differences in position on matters of fisheries and marine resource management arise. ENGOs do not advocate a single standard that needs to be met to classify a seafood product as sustainable or responsibly fished.

8.8 General Public

Aquatic resources and the marine ecosystems in which they occur are important natural systems, vital for the health of the Australian environment, but for century's humans have also reaped large rewards from these environments. Fisheries industries provide a significant source of nutrition, particularly protein. They create significant economic benefits through the generation of income, jobs and supporting related industries. Individuals in the community therefore have an interest in maintaining the long-term functioning and productivity of these ecosystems, whether or not they consume seafood.

[24] See for example; http://www.sustainableseafood.org.au/Sustainable-Seafood-Guide-Australia.asp?active_page_id=695, http://www.goodfishproject.com.au/wp-content/uploads/2013/02/GFP-Seafood-Guide-Print_FINAL.pdf, http://goodfishbadfish.com.au/

Fishing is only one of a number of users of the marine environment. Other users include, for example, commercial shipping, customary indigenous, recreational activities, tourism and other extractive industries such as gas exploration, oil and mining. These industries have the potential to have major, even in some cases catastrophic, impacts on the marine environment including all aspects of sustainability considered in this paper. Non-fishing uses of aquatic resources can therefore affect the sustainability of Australian seafood.

9. DISCUSSION

To initiate broader discussion at the CLG open forum, this paper introduces the range of interest groups and their views around sustainable seafood. It outlines five key elements of biological and environmental sustainability. Each of these elements is complex and broad in its own right and, to add to that complexity, the priority given to each of these elements differs across, and sometime within, the interest groups. Inevitably this leads to differences among the views on what sustainable seafood means.

The most definitive statements of what constitute sustainable seafood from wild-catch fisheries are contained in or inferred from government legislation/policy around target species and from the various sustainability assessment approaches in use. These clearly identify that the elements of sustainability that need to be considered relate to the management of retained species, bycatch, protected species, habitats and ecosystems.

Common ground on the elements that should be taken into account and their relative importance when referring to sustainable seafood is possible. However, the scope and nature of the management measures required to achieve sustainability contribute to diverging views as to what can be identified as sustainable Australian seafood.

As a starting point of discussion, the Issues paper has proposed that the issues underpinning a common understanding of sustainable seafood will need to resolve:

- whether there is an acceptable level of impact on the sustainability of any or all of the five elements
- whether it is possible to arrive at a common, generic basis for determining an acceptable level of impact on those elements
- how to reach agreement on what constitutes an acceptable impact

Whether a common understanding on sustainable seafood can be arrived at across the interest groups may depend on the level at which this understanding is sought. At a detailed level, a common understanding could require reaching agreement on the issues relating to each element of sustainability for a particular fishery or seafood product.

An alternative option is to seek a common understanding based on existing sustainability assessment tools. Many of the interest groups are already using or supporting one or more of these tools to inform their assessment of whether seafood is sustainable. Many of these assessments rely on the same core set of data. This in itself suggests a basis for development of a common understanding of "sustainable seafood". Consideration of the extent of use and acceptance, by the interest groups, of some of the standards in these assessment processes and the extent to which they meet international benchmarks and obligations such as those agreed through the FAO processes[25], may provide a basis for elaborating a common understanding of sustainability. This could lead to:

- endorsement of some standards as being consistent with the CLG's common understanding of sustainability; and/or

[25] For example, a recent benchmarking study of the EPBC Act assessment process against the requirement of the FAO Code of Conduct for Responsible fisheries and the FAO Eco-labelling Guidelines for Fish and Fishery Products from Marine Capture Fisheries found that, in relation to biological and ecological aspects of sustainability the EPBC Act assessment met and exceeded in some areas the FAO requirements.

- the CLG could draw on the common elements of those standards to inform its articulation of sustainable seafood.

10. HOW TO MAKE A SUBMISSION

10.1. Submissions may be lodged via email to michellec@foodfocus.com. or in hard copy form to:

Common Language Group Issues Paper
Food Focus Australia
PO Box 1092
New Farm QLD 4005

10.2. Submissions close on 30 December 2013.

10.3. Submissions will be treated as public documents and published on the www.commonlanguage.com.au website except where individual authors specify that their submissions are to be treated as confidential.
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Annex 1 Definitions of ESD in Policy and Legislation

National Strategy on ESD: using, conserving and enhancing the community's resources so that ecological processes, on which life depends, are maintained, and the total quality of life, now and in the future, can be increased to ensure effective mechanisms are put in place to represent ATSI land, heritage, economic and cultural development concerns in resource allocation processes.

Commonwealth EPBC Act and Fisheries Management Act 1991: Principles of ESD

(a) decision-making processes should effectively integrate both long-term and short-term economic, environmental, social and equity considerations;

(b) if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation;

(c) the principle of inter-generational equity—that the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations;

(d) the conservation of biological diversity and ecological integrity should be a fundamental consideration in decision-making;

(e) improved valuation, pricing and incentive mechanisms should be promoted.

South Australian *Fisheries Management Act 2007*: *Principles consistent with ESD*

(a) proper conservation and management measures are to be implemented to protect the aquatic resources of the State from over-exploitation and ensure that those resources are not endangered;

(b) access to the aquatic resources of the State is to be allocated between users of the resources in a manner that achieves optimum utilisation and equitable distribution of those resources to the benefit of the community;

(c) aquatic habitats are to be protected and conserved, and aquatic ecosystems and genetic diversity are to be maintained and enhanced;

(d) recreational fishing and commercial fishing activities are to be fostered for the benefit of the whole community;

(e) the participation of users of the aquatic resources of the State, and of the community more generally, in the management of fisheries is to be encouraged

NSW *Fisheries Management Act 1994*[26]: Ecologically sustainable development can be achieved through the implementation of the following principles and programs

(a) the precautionary principle—namely, that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. In the application of the precautionary principle, public and private decisions should be guided by:

a. careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment, and

b. an assessment of the risk-weighted consequences of various options,

(b) inter-generational equity—namely, that the present generation should ensure that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of

[26] Amended 2010 to recognise Aboriginal cultural fishing.

future generations,

(c) conservation of biological diversity and ecological integrity— namely, that conservation of biological diversity and ecological integrity should be a fundamental consideration,

(d) improved valuation, pricing and incentive mechanisms— namely, that environmental factors should be included in the valuation of assets and services, such as:

a. polluter pays—that is, those who generate pollution and waste should bear the cost of containment, avoidance or abatement,

b. the users of goods and services should pay prices based on the full life cycle of costs of providing goods and services, including the use of natural resources and assets and the ultimate disposal of any waste,

c. environmental goals, having been established, should be pursued in the most cost effective way, by establishing incentive structures, including market mechanisms, that enable those best placed to maximise benefits or minimise costs to develop their own solutions and responses to environmental problems

Queensland *Fisheries Act 1994*

Ecologically sustainable development means using, conserving and enhancing the community's fisheries resources and fish habitats so that—

(a) the ecological processes on which life depends are maintained; and
(b) the total quality of life, both now and in the future, can be improved.

Principles of ecologically sustainable development means the following principles—

(a) enhancing individual and community wellbeing through economic development that safeguards the wellbeing of future generations;
(b) providing fairness within and between generations;
(c) protecting biological diversity, ecological processes and life-support systems;
(d) in making decisions, effectively integrating fairness and short and long-term economic, environmental and social considerations;
(e) considering the global dimension of environmental impacts of actions and policies;
(f) considering the need to maintain and enhance competition, in an environmentally sound way;
(g) considering the need to develop a strong, growing and diversified economy that can enhance the capacity for environmental protection;
(h) that decisions and actions should provide for broad community involvement on issues affecting them;
(i) the precautionary principle.

APPENDIX 6: 'Defining Australian Sustainable Seafood – Wild Capture Fisheries' CLG Survey Questions for Consideration

Call for Comment from Common Language Group sent via FRDC newsletter x 2:

The Fisheries Research & Development Corporation (FRDC) established the Common Language Group to create and communicate a common understanding of the issues associated with the use of Australian aquatic ecosystems and resources.

The aim of the Group is to engage with stakeholders who have an interest in an issue related to the seafood supply chain and using factual information, reach a minimum baseline understanding between them.

The first Issues Paper – Defining Australian Sustainable Seafood for Wild Capture Fisheries has been finalised and is available for comment. It presents a science-based discussion of the Group around the biological and environmental elements of sustainable seafood. It raises issues that need to be considered to develop a consensus understanding.

The Issues Paper highlights what determines whether seafood is suitable or not and the points where views differ. A short survey consisting of structured questions has been developed to promote feedback and the opportunity for open comments.

Link to questionnaire on surveymonkey from Issues Paper...

'An Australian Guide to Sustainable Seafood

– Wild Capture Fisheries'

Common Language Group Issues Paper 1: Questions for Consideration.

This is the first Issues Paper in which The Common Language Group explores issues facing the Australian seafood industry. It presents a science-based discussion of the biological and environmental elements of 'sustainable seafood' and raises issues to be considered to develop a consensus – a common language. The Issues Paper highlights the issue that determining what seafood is sustainable is not always straight forward and is subject to different views.

You may use the Questions for Consideration as a guide to help you with the preparation for your submission in response to the Issues Paper. Please give your feedback on any part of the Issues Paper referencing sections where possible. Allow upload of document.

Sustainable Seafood

1. Do you consider that the following statement captures the core concepts of

sustainable seafood?

Sustainable seafood is that for which the status of stocks of retained target and other fish is sustainable and, in addition, in harvesting the seafood, the fishery's impacts on bycatch species, protected species, marine habitats and marine ecosystems are such that their existence and functioning also is maintained in a healthy state.
Y/N
Please comment.

Seafood Labelling

2. FSANZ don't include a mandatory regulation for retailers and restaurants to abide by FishNames within the Food Standards Code.

What should be done to ensure that retailers and restaurants abide by the use of FishNames?
Y/N
Please comment.

Overfished Stock

3. An "overfished stock" may be interpreted in different ways, of which two are the most common. The first, and safer, interpretation is that an overfished stock is one which that is at a lower biomass (total weight of fish in the stock) than that which would produce the desired or target yield, e.g., maximum sustainable or economic yield. The second is when the stock is depleted beyond a limit or point at which recruitment of new fish to the stock is so low that production from the stock is reduced and the future existence of the stock is at risk. In the second interpretation, the stock of fish is lower than in the first and, in addition, its future replenishment is at risk.

What do you consider is the best way of defining "overfished"? Definition 1, 2 or Other?
Are there circumstances in which you consider fish stocks could be permitted to be overfished to the extent that recruitment is at risk, e.g., as in the second definition?

Fishing Methods

4. The Australian commercial fishing industry through the Australian Fisheries Management Authority (AFMA) and State & Territory fisheries agencies are monitoring fishing methods to ensure the sustainability of the local environment.

What more do you think needs to be done?
Y/N
Please comment.

Habitats

5. In most human activities we acknowledge that habitats will be changed, for example in farming where vegetation is cleared and soil ploughed, or in constructing roads and towns.

a) Are there acceptable levels of habitat impact and habitat protection in fisheries and if so what are they and why? Y/N Please comment.
b) What would you suggest as suitable means to provide acceptable protection of fisheries habitats, including from fishing activities, non-fishing impacts (e.g., pollution and habitat destruction), and the impacts of climate change?

Ecosystem Impacts of Fishing

6. Ecosystem impacts of fishing have been widely discussed with three broad approaches to defining acceptable versus unacceptable impacts. Commonly, these impacts are ordered as follows, from the least to the most severe impact:
   (i) change in the abundance and size of species present
   (ii) the composition of species present in the habitat has changed in a major way; and
   (iii) an ecosystem shift has occurred (e.g. from fish regulated ecosystem to invertebrate or plant regulated).

• Do you agree on this order? Y/N Please explain.
Recognising that any fishing has an impact on the first of these levels, at what point does ecosystem impact become unacceptable?

Bycatch

7. Bycatch is that part of a fish catch taken incidentally in addition to the species and sizes targeted. Some or all of it may be returned to the sea as discards, usually dead or dying, and is considered collateral damage of the fishing operations.

What level of bycatch is acceptable for a target fishery to be considered sustainable? Please explain.
Since bycatch may consist of many species, many of which are little studied, a risk based framework is used increasingly to decide which are of higher priority to study and protect. Do you think that the risk based framework is an acceptable approach? Y/N Please comment.

TEPS

8. Threatened, endangered and protected species (TEPS) are a special sub-group of bycatch species due to their special status and/or value, e.g., cultural value, low abundance.

Do you consider that explicit bycatch limits on TEPS are an essential part of defining sustainability? Y/N Please comment.
If so, for what species?
If not, why not?

Consumers

9. Surveys and consumer behaviour have proven that Australian consumers want to eat more Australian seafood.

Where do you get your information about sustainability? Please comment.
Do you find information adequately available on fish and fisheries and is it easy to find? Please comment.

When completed, your submission can be sent to:

Via email: michellec@foodfocus.com.

Via mail: Common Language Group Issues Paper

Food Focus Australia

PO Box 1092

New Farm QLD 4005

Submissions close on 31 December 2013.

Submissions will be treated as public documents and published on the www.commonlanguage.com.au website except where individual authors specify that their submissions are to be treated as confidential.
Please provide your full name, company if appropriate and contact details with the submission so we can forward feedback on the process.

APPENDIX 7: Submissions Summary

Defining Australian Sustainable Seafood – Wild Capture Fisheries: Submissions Summary

Background and Context

This document is a summary of responses to a stakeholder survey prepared by the Custodian Common Language Group (CLG), managed by Food Focus Australia Pty Ltd (see foodfocus.com.au) in late 2013. The survey's questions were based on the Australian fisheries Common Language Group (CLG) Issues Paper 1: *Defining Australian Sustainable Seafood – Wild Capture Fisheries* which proposed that five elements make up sustainable seafood:

1. Targeted & Byproduct (retained) Species
2. Bycatch species
3. Threatened, endangered or protected species
4. Habitats important to marine/aquatic productivity and ecosystem function
5. Ecosystems impacted by fishing operations, including food-webs.

The purpose of the initiative of the Common Language Group is to develop a consensus on terminology on a range of important issues affecting the Australian fishing and aquaculture sectors; gaining greater clarity and transparency for consumers and the industry. The project focuses on improving the public perception of the Australian seafood industry by removing confusion over information on a range of terms and the underlying issues – a common language. The common language is being developed through a consensus approach involving all key stakeholder groups who are represented on the Common Language Group.

To obtain agreement on the elements of sustainable seafood for wild catch fisheries across disparate stakeholder groups is a milestone first achievement.

Survey / Submission Process

The Issues Paper was publicly accessible online via the FRDC website and widely distributed to those on the FRDC mailing list, Facebook, seafood industry leaders and others. Some members of the Common Language Group also contributed responses.

The survey was mentioned on the first page of the CLG Issues Paper 1, and a guide to making submissions was provided at the end. The survey was available online via 'Survey Monkey' and found on www.commonlanguage.com.au. It could also be completed in hard copy. It comprised 17 questions seeking respondents' views on issues discussed in the paper, and several questions at the end seeking respondent details.

The Issues Paper, with details of the survey, was distributed as a first round of feedback to around 4,883 unique emails in December 2013; with a closing date for submissions at the end of March 2014. 405 downloads of the Issues Paper were made from the Fisheries Research & Development Corporation (FRDC) website; thus 12% of those who downloaded the Issues Paper also responded to the survey Completed surveys were received from groups and individuals across the wild catch

fishing sector, seafood supply chain businesses and individuals, and key stakeholders. They provided well thought out, qualitative responses from key organisations and people. These responses included ENGO groups as a combined response, key retailers such as Coles and the Australian Fisheries Management Authority (AFMA, the Commonwealth statutory authority responsible for the day-to-day management of *fisheries* under Commonwealth jurisdiction). The intent of the survey was to obtain qualitative feedback on the Issues Paper and to use this to form the basis of wider discussions on the elements through an Open Forum.

Some limitations associated with the survey were identified. A small number of respondents suggested wording of some questions was ambiguous; and some of the links between Issues paper 1 and some elements of the survey were unclear.

Purpose of Survey

The survey was developed to help inform the Common Language Group about the range of stakeholder views held about elements of seafood sustainability. Its findings can help determine "whether a common understanding on sustainable seafood can be arrived at across the interest groups" (Discussion, Issues Paper p.14).

In the present document, the survey findings are summarised and have also been used as a crucial input in developing the Common Language Group document: "Sustainable Seafood: A Common Language for Sustainable Wild Capture Fisheries.". This summary is intended as a resource to build knowledge about seafood sustainability, including an understanding of the views of key wild catch fishery stakeholders.

This was not a statistical survey however, as a source of qualitative information; it also shows the diversity and agreement in opinions. The CLG has made progress gaining consensus on the elements of sustainable seafood as a starting point for the CLG and the definition of sustainable seafood.

The survey results have already been used in helping provide input to the Senate Rural and Regional Affairs and Transport References Committee enquiry on Labelling of Seafood and Seafood Products.

Format of Summary

Responses to first 16 survey questions of the survey are outlined by:

- Question number and which of the 5 sustainability elements it refers (if applicable)
- The question itself
- Broad overview of responses
- Areas of obvious consensus
- Areas of obvious divergence, with points/comments to illustrate this
- Key points: themes referred to by multiple respondents and shown as comments (representative of sector where possible)
- Suggestions or recommendations from respondents..

Question 17 asks for additional comments on the Issues Paper that respondents might want to make. These comments have been summarised and allocated to other questions where possible.

The Respondents

The following broad categories of respondents were used in representing viewpoints, based on individual survey responses,

Catching	Management & Regulators	Post-Harvest	Environmental NGOs
Professional fishers	Policy makers	Marketing	One comprehensive submission received from: Greenpeace, Australian Marine Conservation Society, WWF
Recreational fishers	Government, includ. Science/Research	Wholesalers	
Customary Indigenous	Industry	Retailers, consumer perspective	

Contributors to Issues Paper #1

The Custodian Common Language Group formed a sub-group to write Issues Paper #1 that consisted of the following people:

Michelle Christoe – Food Focus Australia

Ilona Stobutzki – ABARES

Jo-Anne McCrea – WWF

Crispian Ashby – FRDC and

Caleb Gardner - IMAS.

Mary Lack, Meryl Williams and the Indigenous Reference Group (IRG) provided some consultation into the technical areas.

Issues Paper #1 was reviewed and edited by the Custodian Common Language Group prior to being put out for public comment. Members consist of the following people:

CHAIR: Meryl Williams, SECRETARIAT: Michelle Christoe

Sector	Organisation	Nominee
NGOs	NGOs (MSC, WWF, AMCS)	Jo-anne McCrea, WWF
Commercial	National Seafood Industry Alliance (NSIA)	Grahame Turk
Recreational	RecFish Australia	Russell Conway
Aquaculture	National Aquaculture Council (NAC)	Pheroze Jungalwalla

Researchers	Fisheries Research and Development Corporation (FRDC)	Patrick Hone
Researchers	Research Providers Network	Ilona Stobutzki
Retail	Coles	Neil McSkimmings and Jackie Healing
Retail	Woolworths	Jason McQuaid and Natalie Mathews
Post harvest	Sydney Fish Market	Bryan Skepper
Fisheries managers	Australian Fisheries Management Forum	Doug Ferrell
Extension	Food Focus Australia	Michelle Christoe
Independent retailers	De Costi Seafoods	Anthony Mercer
Consumer group	Choice	Angela McDougal

Summary of Responses

Question 1 SUSTAINABLE SEAFOOD

Do you consider that the following statement captures the core concepts of sustainable seafood?

"Sustainable seafood is that for which the status of stocks of retained target and other fish is sustainable and, in addition, in harvesting the seafood, the fishery's impacts on bycatch species, protected species, marine habitats and marine ecosystems are such that their existence and functioning also is maintained in a healthy state."

Yes/No/Comment

Broad findings

Around two-thirds of respondents considered the statement captures the core concepts of sustainable seafood; the other third did not.

Consensus and divergence

Many respondents who agreed with the statement also commented on the wording, and that it could be improved for the general reader who lacks in-depth knowledge about fishing and seafood.

Those who disagreed with the statement commented on the need to include other factors. Some emphasised the need to define sustainability; others commented that the term sustainability is inappropriate.

Key points

Wording of statement:

- doesn't read simply and needs dumbing down (although message is accurate)
- really long winded (making it shorter would engage people)

- the term 'sustainability' is term is overused and jargonistic
- resilience should be emphasised

Examples of factors seen as missing in statement: [mostly Regulation/Management]

- fish stocks
- social dimensions
- transparency
- micro-factors (localised depletion, trophic status)
- indigenous people's cultural practices [Customary Indigenous]
- needs clarification in the first part of the statement: Sustainable seafood is that for which the status of stocks of retained target and other fish is sustainable [Consumer perspective]

See APPENDIX for alternative statements suggested by several respondents.

Question 2 SEAFOOD LABELLING

FSANZ (Food Standards Australia New Zealand) don't include a mandatory regulation for retailers and restaurants to abide by FishNames within the Food Standards Code. What should be done to ensure that retailers and restaurants abide by the use of FishNames?

Broad findings

About two-thirds of respondents thought mandatory regulation to abide by FishNames should apply.

Consensus and divergence

Some respondents emphasised that legislative change is needed to back it. A smaller proportion of respondents believe targeted education and public awareness would be more effective, as this would increase supplier and consumer demand to know fish type/source. A need for consistency was also emphasised in the responses.

Key points

- Consistent labelling important (without confusing consumers, e.g. imported products sharing similar names. [AFMA]
- Should be enforceable for processors, distributors, retailers; incorrectly labelled fish is sold far too often from retail outlets [Industry]
- Follow the same protocols as for country of origin labelling; traceability throughout the supply chain is imperative [Policy/Research]
- ENGO comment: A seafood labelling standard needs to cover more than fish names—should include fish species, where and how it was caught or farmed; species labelling legislation needs revising. The current legal requirements for labelling of seafood in Australia stem from a variety of laws at Federal and state levels, forming a patchwork of inadequate and confusing legislation. These requirements fall into two broad categories: country of origin labelling and species labelling.

See APPENDIX for more detail in ENGO comment.

Question 3 OVERFISHED STOCK [TARGET AND BYPRODUCT SPECIES]

An "overfished stock" is defined as one in which the stock has been fished beyond an explicit reference point beyond which it's potential to reproduce itself is reduced. The explicit reference point needs to be defined. Most typically, the reference point that marks overfished is one at which the fish stock is at a lower biomass (total w eight of fish in the stock) than that which would produce the desired or target yield, e.g., maximum sustainable or economic yield. A stock is usually called "sustainable" if its biomass is above this desirable target reference point. In more severe cases w here stocks are overfished, the stock may be reduced beyond a reference point called a limit reference point, below which the future existence of the stock is at risk. Do you consider the usual definition of "overfished stock" to be appropriate?

Yes/No/Please comment

Broad findings

About half the respondents indicated they believe the definition to be appropriate.

Consensus and divergence

Many thought the language used is only appropriate for those in the fishing industry, not for general consumers (i.e. too complex, technical). Others commented on the reference points or on fish stocks as factors that need attention in the definition.

Key points

Language used:

- Overfishing should be referenced in the context of prevention – to maintain utilisation whilst ensuring sustainability [Industry]
- The term is misused, the concept is based upon a presumption of absolute definition of the status of stocks and is almost always derived from models which are faulty by assuming things like constant recruitment [Catching]

Reference points:

A need to better define and/or clarify the reference points was mentioned by several respondents.

- We need to decide just how the 'reference point' is defined – is it a statutory or operational limit? - for example the harvest Strategy Standard developed by the New Zealand Ministry responsible for fisheries [Regulation/Management]
- Reference points are commonly below ecological sustainability levels for the stock and are set by committees of commercials fishers without the benefit of comprehensive, scientifically sound assessments [Research]

Fish stocks:

Respondents emphasised differences in fish stocks depending on species, and our ability to accurately assess stocks.

- The characteristics of different stocks are different and the need to maintain multiple year classes to maintain stock resilience varies, plus effects on ecosystem function when percentages of a stock or species are removed [Management]
- Need to include buffer to take into account additional factors other than overfishing that may affect fish stocks, e.g. pollution or climatic change [Consumer]

See APPENDIX for suggested changes to definition, detailed comments on reference points and on fish stocks.

Question 4 OVERFISHED STOCK [TARGET AND BYPRODUCT SPECIES]

Are there circumstances in which you consider fish stocks could be permitted to be overfished to the extent that recruitment is at risk, e.g., as in the case where stocks are reduced below a limit reference point?
Yes/No/Please comment

Broad findings

Around two-thirds of respondents did not consider that there were circumstances when overfishing could be permitted.

Consensus and divergence

Respondents against permission of overfishing expressed concern about upsetting ecosystems and saw it as irresponsible. Those in favour of permission provided specific examples. Some questioned the wording of the statement, saying it is too simplistic and requires more context.

Key points

Against permission:

- It's already being done so to change the baseline even more will only mean further damage to already low stocks [Regulation/Management]
- It doesn't make sense, not from an ethical viewpoint, nor an economical one. It's a short-term profit maximizing idea that leads into a dead-end [Regulation/Management]
- Consumers would find it difficult to understanding that any form of overfishing is acceptable [Major retailer]

Other comments:

- The question is: How confident are we in the science and resource assessment status, particularly in multi-species fisheries or fishers with both a recreational and commercial component? [Manager]
- Depends upon the levels of "conservatism" built into the limit reference points. What is needed are clear principles of when a LRP should be set for different types of stocks – e.g. short lived highly fecund or long lived sporadic spawners etc. All fishery management agencies then need to sign off and adopt those same standards unless there is a clear reason
- I am cautious about both a 'yes' and 'no' response because I don't accept that stock assessments work with such great precision as to confidently confirm recruitment overfishing [Industry]

See APPENDIX for examples of permissible circumstances.

Question 5 FISHING METHODS [BYCATCH SPECIES, TEPS, HABITAT]

The Australian commercial fishing industry through the Australian Fisheries Management Authority (AFMA) and State & Territory fisheries agencies are monitoring fishing methods to assess and ensure the sustainability of the local environment. As described in Table 1 (Page 6) within the Issues Paper "'Defining Australian Sustainable Seafood - Wild Capture Fisheries", the measures used in assessments include combinations of the elements described in the Issues Paper. What fishing methods do you think should be given priority in terms of monitoring for impacts on sustainability? Please explain your priorities.

What fishing methods do you think should be given priority in terms of monitoring for impacts on

sustainability? Please explain your priorities.

Broad findings
Many of the respondents listed the fishing methods they thought should have priority in terms of monitoring; some also explained these priorities.

Consensus and divergence
A large proportion of respondents' specified bulk harvesting methods which do not properly discriminate target species, such as trawling. Some mentioned netting (drift nets, gillnetting), longlining, purse seining; and examples were given by several respondents. One specified any fishing methods that are used in waters fished by indigenous peoples for cultural purposes; another any method that is used in such a way as to cause localised and/or serial depletion.

Key points

Trawlers:

- As someone who has been in the industry it is disgusting how much is wasted for no reason; estuary trawlers are better but the offshore trawlers need monitoring
- Bottom trawling should be banned; it seems to be the most destructive of fishing methods in terms of selectivity of size and species, damage to the benthos and bycatch of non target species
- Tropical fish trawling – massive by-catch, damage to benthic organisms, markets too far from boats
- Trawling is the fishery under greatest threat (AFMA should be disbanded to allow real and community return for the resource not just protecting commercial fishing interests)

Netting

- Massive by-catch problem including large, threatened marine mega fauna (dolphin, manta rays, turtles, pilot whales, turtles, dugong. Sometimes large scale dumping of target species (upgrading)

Longlining

- Some longline fishers possibly need closer monitoring for by-catch species and age/size structure of target species, and their impact on sea-birds ,dolphin and turtles

Aquaculture

- Place a research levy on fishing operations that pose a threat to wild fish and on all fisheries where aquaculture research is not being trialled or researched

Baitfish purse seining

- Takes too much of one population, can wipe out an entire area. These fisheries have been failing worldwide for decades (sardines, South America)

Recreational / charter

- Maybe some recreational monitoring but I am not aware of any target species by them that is in decline or threat; there is volumes of "Overboard" legislation applied

See APPENDIX for specific examples and for detailed comments by several respondents.

Question 6 HABITATS [HABITATS]

In most human activities we acknowledge that habitats will be changed, for example in farming w here vegetation is cleared and soil ploughed, or in constructing roads and tow ns w here natural systems are completely removed. In your view, what are the most important aquatic habitat characteristics to be

protected? You may wish to focus on any particular habitat type or make your comments and view s more general.

Broad findings

Many types of aquatic habitat were identified (by single or multiple respondents) as important for protection: mud flats, mangroves, seagrass beds, Bryozoan/coral/complex reef, shoals, sand beds, estuaries, coastal ecosystems, floodplains, sea grass beds, kelp forests, indigenous 'sacred sites', inshore/near shore, intertidal, riverine, benthic fauna, riparian zone on rivers, nursery areas, catchments.

Consensus and divergence

Most respondents agreed that protection of aquatic habitats is desirable or necessary, although the reasons varied. A proportion believed total protection is needed for the benefit of ecosystems; others mentioned benefits for fishing, economic or social interests. Consumer expectation that fishers are taking all care to keep fishery habitats in pristine condition was also emphasised.

Key points

Detailed habitat descriptions:

- Help protect Indigenous 'sacred sites' within our marine environments. Unless legislated by the states, non-Indigenous fishers can access and fish these areas whereas Indigenous people will not [Customary Indigenous]
- As the health and ecosystem function of estuaries is directly affected by upstream activities, the ongoing sustainability of marine catch commercial fisheries is dependent on healthy catchments [Industry]
- River estuarine environments are breeding grounds for aquatic creatures and play a part in creating ecosystems for marine life that resides around our coast [Consumer]

Protection of all habitats:

- No habitat destruction or major modification is acceptable. If you look after the habitat, the fish will look after themselves, provided fishing is managed completely in an ecologically sustainable way
- Fish use different habitats for different life stages, so it's not possible to say that one habitat is more valuable than another as it's completely species dependent

Other comments:

AFMA wishes to note the use of the previously mentioned ecological risk assessments. These assessments identify areas at high risk from fishing impacts. The results determine which risks should be given high priority and therefore no single ecosystem component is deemed more important than another. AFMA acknowledges that there are improvements that could be made in our processes and we are always looking for ways to improve our systems.

ENGOs believe management must ensure that the vulnerability of a given habitat (i.e. low to high vulnerability) is matched by the appropriate impact level and scale of fishing gear and activity. For example, fishing activity in highly vulnerable ecosystems, such as deep sea or coral reef habitats, should be low impact or consideration should be given as to whether fishing activity is appropriate in any form, whereas relatively higher impact fishing methods, such as bottom trawling, may be acceptable in low risk habitats that are more resilient to fishing activity, such as sandy bottom habitats. (See APPENDIX for more detail from ENGOs.)

Our oceans are marketed by the seafood industry as pristine environments. It would therefore seem reasonable that consumers would expect that all fishing methods are monitored in terms of sustainability. In setting priorities, the fishing methods identified by the relevant government agency as having or likely to have the largest impact on stocks, bycatch and the ecosystem should be the focus of monitoring. [Major retailer]

See APPENDIX for suggestions to aid habitat protection.

Question 7 HABITATS [HABITATS]

What would you suggest as suitable means to provide acceptable protection of fisheries habitats, including from fishing activities, non-fishing impacts (e.g., pollution and habitat destruction), and the impacts of climate change?

Broad findings

A range of suggestions were made in the areas of management, pollution control, fishing and other practices, zoning and others. Some respondents answered this in the previous question.

Consensus and divergence

The diversity of responses to this question indicates a range of viewpoints on habitat protection among the respondents. Some emphasised management or environmental regulation, while others highlighted adopting different fishing practices or implementing exclusion zones. Other comments were diverse and ranged from education to raising reference points.

Key points

Management:

- Management interventions in response to risk need to be monitored – no 'spray and walk away' political decisions
- Management, monitoring and data collection, full transparency (data needs to be available for the public to consult), and periodic review of management goals (inclusive = integrating the public)
- Existing Ecological Risk Management framework to develop management processes such as area closures, move-on provisions and effort management; new ones will be developed and implemented

Pollution control:

- Pollution, anchor damage, or any underwater mining that is likely to damage more than 10% of any one site/structure is not sustainable; neither is any fishing that impacts on customary Indigenous fishing
- Better environmental regulation of polluting and destructive activities that impact on fish habitat

Practices:

- Ensure that fishing practices are sustainable and that species ecology is protected, rather than closed areas
- More benign forms of the fishing activities need to be adopted, e.g. low impact fishing gears, "cleaner" pollution (see ENGO response for more suggestions)
- Reverse mangrove clearing by replanting, to provide a filter for flood waters draining back into the system and increase growth of seagrasses

Zoning:

- Exclusion zones from land use change in catchment areas by deep rooted grasses and tree plantations
- Limit large areas to line fishing only! All dredging be subject to a set charge per cubic meter of dumped material. This money to go into a fund to enhance areas (i.e. create artificial reefs, fund research) to offset the damage done
- Implementation of closed zones to commercial fishing activities during breeding seasons in areas where there are species under threat and stocks are reducing in numbers; e.g. western gill net shark fishery

See the APPENDIX for other suggestions and more detailed comments.

Question 8 ENVIRONMENTAL IMPACTS OF FISHING [HABITATS, ECOSYSTEM IMPACTS]

Environmental impacts of fishing have been widely discussed with three broad approaches to defining acceptable versus unacceptable impacts. Commonly, these impacts are ordered as follows, from the least to the most severe impact:
(i) change in the abundance and size of species present
(ii) the composition of species present in the habitat has changed in a major way; and
(iii) an ecosystem shift has occurred (e.g. from fish regulated ecosystem to invertebrate or plant regulated).

Do you agree on this order? Yes/No/Please explain

Broad findings

Around two-thirds of respondents indicated they agree with the order of these impacts.

Consensus and divergence

Some respondents who agreed with the order of impacts pointed out that more factors need consideration. Those who did not agree also thought other factors need taking into account e.g. assuming environment and species protection is more important, and some argued that the ordering of points is inappropriate or incorrect.

Key points

Comments – Yes

- Need to consider the scale of impacts – localised impacts of fishing can be significantly less than those of natural events (weather, sea) but still result in a 'change in the abundance and size of species present' [Industry]
- Correct when considering only those three approaches; however, the concept is not very detailed and is anthropocentric (extremely focused on the exploitation of fish stocks for economic benefits) [Regulation/Management]

Comments – No

Those who didn't agree thought the order is too simplistic and context-dependent, and that points (i) and (ii) occur simultaneously.

- Because they are interrelated, ordering them does not make sense; removal of older, larger fish can have a disproportionate effect on recruitment and ecosystem health [Research]
- At some point it becomes 'unacceptable' and this is a very fluid point [Post-harvest]

- We need to take a full ecosystem / food chain view; we should turn around legal size regulations for many species, e.g. bream [Regulation]
- The intent of this question is unclear. The listed impacts are not 'broad approaches' as articulated but rather scales of impact for which we consider there to be existing wide spread consensus that the three impacts listed are in order of lowest to highest degree of impact. [ENGO – see APPENDIX for detailed response]

Other factors to consider:

- Indigenous cultural knowledge; impact of non-Indigenous fishing on Indigenous practices
- Requires money to monitor and correct for any changes in harvest strategy
- Social factors, climate change etc.

See APPENDIX for comments on the individual points.

Question 9 ENVIRONMENTAL IMPACTS OF FISHING [HABITATS, ECOSYSTEM IMPACT]

Recognising that any fishing has an impact on the first of these levels, at what point does ecosystem impact become unacceptable?

Broad findings

Specific points were identified by many respondents, and some referred to those outlined in the previous question.

Consensus and divergence

Many respondents commented that an unacceptable point is when there is an apparent impact on the ecosystem, often in relation to replenishment/recruitment of fish stocks. A range of other comments were provided to this question, with several emphasising there is no single answer or that it is context-dependent. A major retailer emphasised that consumers expect the point at which recruitment is impaired beyond a sustainable level is likely to be considered as unacceptable.

Key points

Specific points identified:

- When the resilience of the ecosystem or species within it is compromised; the challenge is settling on the indicators and having a predetermined agreed response in place that can be implemented in a timely way with argument and procrastination [Management]
- When it reaches the level of degradation that impacts on recruitment [Industry]
- When Indigenous cultural fishing practices are detrimentally impacted [Cust. Indigenous]
- At the point where it is irreversible and threatens the long-term viability of the ecosystem to provide human society with its services [Catch sector]

Other comments:

- Responses are very fisheries focussed.
- At no point if thorough, scientifically sound stock assessment and fundamental species biological research has been done for each and every stock. These are common property resources and if you want to harvest a scientifically 'safe' portion of their stocks, then the prospective harvesters have to pay for the research before fishing begins [Research]
- Don't agree that any fishing has an impact as some fish find their own sustainable level and only breed to the sustainable capacity of the water body [Catch sector]

- Again it's context dependent– e.g. if something wipes out 50% of the remaining grey nurse shark population on the east coast, that would be highly significant as the species may not recover from such population reduction given its slow reproductive status [Management]
- AFMA has developed and implemented an Ecological Risk Management framework to address the impacts that fisheries' activities have on five ecological components of the marine ecosystem. Through this process, risks requiring further management action are identified and responses developed. AFMA acknowledges that no matter how much scientific information is available the public will still base their decision on their beliefs and not always factual information [Regulation/Management]
- It is important to recognise that the 'scales' of impact proposed in the question relate to 'consequence' only and do not incorporate the issue of frequency. Without consideration of that factor, the overall risk cannot be considered. An acceptable fishery is one for which:
- It is highly unlikely to disrupt the key elements underlying ecosystem structure and function to a point where there would be a serious or irreversible harm.
- There is a strategy in place, if necessary, that takes into account available information and is expected to restrain impacts of the fishery on the ecosystem to the above level. [ENGOs]

Question 10 BYCATCH [BYCATCH]

Bycatch is that part of a fish catch taken incidentally in addition to the species and sizes targeted. Some or all of it may be returned to the sea as discards, usually dead or dying, and is considered collateral damage of the fishing operations. What level of bycatch is acceptable for a target fishery to be considered sustainable? Please explain.

Broad findings

The levels of acceptable bycatch identified ranged from no acceptable level to when reference points are reached. Many thought it is dependent on the species caught. A range of suggestions were made, particularly in relation to fishing methods.

Consensus and divergence

Many respondents suggested that improved or different fishing methods would reduce bycatch levels (these are listed in the APPENDIX). Those that thought acceptable bycatch levels are species-dependent gave a range of explanations, such as commercial value. Other comments focused on bycatch as a resource that could be better utilised, through factors such as consumer education and alternative uses (e.g. fish meal for agriculture). Policy, regulations and risk assessment also featured in the comments.

Key points

Depends on species:

- Context dependent; depends on the species of bycatch (life history, abundance, population size, etc.) For some bycatch species, killing just a few could be catastrophic; for others, you could safely catch, kill and discard thousands [Fisheries professional]
- Varies with the fishery and the composition of the bycatch; determination of an appropriate level requires some understanding of the dynamics of the species involved and their importance to the maintenance of the habitat which supports the fishery for the target species [Post-harvest]

Other comments:

- To compete with cheaper imported seafood, Australians could learn a lot from Indigenous Australians who value every fish in the boat, not by species. Non-target species that are taken could sell cheap to compete with imports [Customary Indigenous]
- There needs to be a policy developed to make all commercial fisheries comply with such a target (<10%) in a set time frame (e.g. 10 years) [Regulation/Management]
- We believe consumers would expect that bycatch is used and not wasted by discarding back into the ocean dead or dying and that measures are put in place by those responsible to reduce or eliminate bycatch and discards. [Major retailer]
- AFMA's ecological risk assessment process is generally used to assess risk and from there management responses are developed and implemented

ENGO response

- The cumulative impacts of fishing should be considered when setting acceptable levels of impact
- A transparent reporting system with high confidence levels must be in place
- The following management priorities should apply to all bycatch components:

- minimise discarding and maximize the survival of discards, regardless of commercial value
- reduce interactions with TEP species to as close to zero as possible
- ensure estimates of discards by species and quantity and interaction rates with TEP species are publicly available.

Question 11 BYCATCH [BYCATCH]

Since bycatch may consist of many species, many of which are little studied, a risk based approach is use increasingly to decide which are of higher priority to study and protect. Do you think that the risk based framework is an acceptable approach? Yes/No/Please explain

Broad findings

Around three-quarters of respondents agreed that the framework is an acceptable approach.

Consensus and divergence

While many respondents agreed with the approach, they made comments to suggest that it is not ideal. Other factors mentioned include the need for good data, scientific knowledge and more resources, such as for monitoring and assessment. Those who did not agree had strong views about the issue, such as lack of research on bycatch species and that it should be driven by the lowest level of impact. Many of these respondents expressed concern about the effect on those species not seen as commercially viable.

Key points

Comments – Yes

- If it reduces impact on that species in the long term, but this may not be acceptable in all fisheries; changes would have to be made to select target by-catch which would change with each locale surveyed [Consumer]

- AFMA must balance costs, catch and potential risk in determining priorities for management. It assesses the environmental impacts of fishing through its Ecological Risk Management (ERM) framework
- The ENGOs stated that they accept the risk based framework as the most practical and cost effective way to assess risks to species impacted by fishing. (See APPENDIX for conditions upon which this is based.)

Comments – No

- It's an approach that involves value judgements with an anthropocentric viewpoint. Particularly species that we humans consider as having a low value will lose out: they will never be studied sufficiently to protect their integrity on the long term. Precautionary and preventive approaches in terms of bycatch are definitely more acceptable than a risk based one [Policy]
- Species regarded as bycatch by commercial operators and unceremoniously dumped are worth many dollars to other fishers. The concept that commercial fishers 'own' the resource is totally incorrect and needs a fundamental shift in thinking [Research]

Question 12 TEPS [TEPS]

Threatened, endangered and protected species (TEPS) are a special sub-group of bycatch species due to their special status and/or value, e.g., cultural value, low abundance. Do you consider that explicit bycatch limits on TEPS are an essential part of defining sustainability?
Yes/No/Please comment. If so, for what species? If not, why not?

Broad findings

Over two-thirds of respondents agreed that explicit bycatch limits on TEPS are essential in defining sustainability.

Consensus and divergence

Respondents who agree that limits are essential provided a wide range of explanations as to how it could work. Those who don't agree indicated that a broad-based approach is necessary, using case-by-case management.

Key points

Comments – Yes
Factors mentioned to enforce limits include sustainable fishing practices, use of observers, appropriate fishing gear and collation of TEPs on trawls.

ENGO: our organisations agree that a sustainable fishery is one in which:

- The effects of the fishery are known and are highly likely to be within limits of national and international requirements for protection of TEP species
- Direct effects are highly unlikely to create unacceptable impacts to TEP species
- Indirect effects have been considered and are thought to be unlikely to create unacceptable impacts.

Comments – No

- Depends on core understanding of the species and its population at the time of any assessment. The notion of TEPS under most standards is broad and based on a range of drivers beyond just sustainability [Industry]
- AFMA: we employ a number of management measures to mitigate impacts on bycatch species. These include spatial closures, input/output controls, reconfigured gear, monitoring, handling guidelines and bycatch reduction devices. Most of these measures are based on protecting life history traits, i.e. reproductive season, spawning grounds, species size etc. A combination of actions provides the level of protection required to maintain sustainability. As such bycatch limits on TEPs are not an essential part of defining sustainability. (See APPENDIX for more detail in AFMA's response).

Species:
A few respondents identified TEPs requiring bycatch limits as all TEPs and those that are highly endangered. Others made comments about some species, such as the effectiveness of turtle exclusion devices and that for some species (e.g. NZ fur seals) there is perhaps no need for limits given their population status and/or growth rate. One referred to TEP bycatch trip limits that can reduce levels; e.g. the sea lion limits in the Commonwealth Trawl Sector has reduced their deaths.

See APPENDIX for Major retailer's suggestion on increasing consumer understanding.

Question 13 CONSUMERS

Surveys and consumer behaviour have proven that Australian consumers want to eat more Australian seafood. Where do you get your information about the sustainability of seafood?

Broad findings

Responses about sources of information could be broadly grouped into: Government, Media, Publications and Personal/Professional experience. A number of comments were made on the lack of information even the existence of misinformation about seafood sustainability.

Consensus and divergence

Many respondents indicated they source their information from FRDC. Publications commonly used include fishery status reports, scientific journals and government or management reports. Some clearly gained their knowledge from working professionally in the fishing industry. Other sources include ENGOs, websites, newspapers, television, catch sheets, product labels and talking to other fishers.

Key points

Lack of information / Misinformation:

Respondents commented on lack of information at point of sale and discrediting of information by eco campaigns or proponents of sustainability.

- Unfortunately, there is no consistent information regarding sustainable seafood in Australia. All tools and platforms available (e.g. seafood guide from AMCS, tuna guide Greenpeace, consumer guides etc) have huge limitations. Many key players even mislead consumers with what they consider to be "sustainable" without providing information on their assessments (e.g. WWF/Coles). Compared to other countries/markets (e.g. various European, North America, Canada) there is absolutely no consistency and extremely limited information available [Policy]

ENGO response: Consumers get their information about the sustainability of seafood from a mix of sources and via a range of mediums. The sources of this information include: ENGOs, celebrity chefs, conventional media, certifying bodies – commercial and not, seafood marketers include retailers, governments, the fishing industry, and academia. Sustainability messages may reach consumers direct from the source, via conventional and social media, advertising including point-of-sale, and via government and institutional websites. [see full answer for more detail re: social and other media]

Our experience is that consumers obtain their information from the media and trusted sources such as eNGOs like WWF & Greenpeace as seen in the recent super-trawler issue. [Major retailer]

Question 14 CONSUMERS

Do you find information adequately available on fish and fisheries and is it easy to find? Yes/No/Please explain

Broad findings

Respondents were divided on this question, with half agreeing and half not.

Consensus and divergence

Respondents who indicated they easily source information also considered, by contrast, that the general consumer lacks awareness and understanding about fish and fisheries. Most believe consumers need better access to good information that is not misleading; although one pointed out that information is easily accessible via the internet.

Those who indicated they do not source information easily also answered from the perspective of the general consumer, stating that much information about fish and fisheries is complex, confusing or misleading.

Key points

Difficulties for consumers:

- Most consumers will not look that hard, if they did care, most could not find the information they need, and many will be misled by packaging and advertising [Management]
- There needs to be more publicity given to the general public about the fisheries good news stories for there are plenty of them [Industry]
- I would suggest that the average consumer has limited understanding of where to look and what the information means - a good reason for this project!! Their fish supplier / retailer is probably the least well informed consumer interface in the process [Industry]
- As a consumer I look at two things – freshness and price. The definition of sustainability around any one species is too technically complex for me to be bothered with - if I had recourse to a fish species 'ready reckoner' compiled by Government (not by the fishing industry) then that would be a quick and easy guide for me.
- Our experience as a retailer is that most consumers have little knowledge of fish and fisheries. This would suggest that information is not easy to find. [Major retailer]

Values-neutral data that identifies species, origin and production method can and should be provided to consumers to allow them to make informed, independent choices. [ENGOs]

Question 15 CONSUMERS

Do you believe it is possible to inform consumers about the sustainability of the Australian seafood they buy? Yes/No/Please comment. If yes, why? If not, why not?

Broad findings

The vast majority of respondents thought it is possible to inform consumers about the sustainability of seafood.

Consensus and divergence

A large number of suggestions were provided by respondents, in the areas of effort and leadership, labelling, education/media and others. The need for increased effort by government and industry was emphasised, and the need for accurate and comprehensive labelling. Several also suggested that targeted media campaigns could be effective.

One who did not agree thought consumers are more interested in the cost of fish rather than its sustainability and where it comes from. [Catch sector]

Key points

Effort and Leadership:

- A more concerted effort is required, at the Ministerial and other levels within the States and the Commonwealth, to publicise the sound management plans and the emphasis on sustainable exploitation [Regulation / Management]
- This takes real leadership and of course a strongly supportive fishing industry, all doing the right thing (e.g. the Wallis lake oyster group)

Labelling:

- Label at point of sale with an accredited rating [Researcher]
- Label whether it was line caught, trapped, trawled or farmed – most people are happy with line caught or trapped as these are more discriminate forms of fishing with much less bycatch killed and small fish able to be released [Industry]

Education/media:

- Educate through popular media but ensure that the source/s of the information imparted is from a scientific base and the organisations publishing the information are respected and trusted, e.g. independent research and nothing anecdotal from the commercial fishing industry [Research]
- The industry needs to invest together with its key partner (govt agencies) in a national education and media campaign (similar to lamb/pork) to introduce the basics of what makes Australian seafood sustainable. [Industry]

Other:

- What consumers need is one independent, transparent and stringent tool they can rely on; we need information, transparency and accountability [Policy/Research]
- AFMA suggests a simple report card on Australian fisheries be developed for consumers, through an agreed forum. Species could be classified as overfished and still have a sustainable catch. This reinforces the importance of having clear definitions of common seafood terms to help ensure confusion is limited (see APPENDIX for more detail)

- ENGOs: There are challenges to the active uptake of information of the sustainability of products, the most significant of which is the lack of useful and accurate labelling. The real issue is whether information is actively taken up and understood by consumers to the extent that it influences purchasing behaviour (see APPENDIX for Nth hemisphere example of where this has happened)

See APPENDIX for detailed suggestions for informing consumers about seafood sustainability.

Question 16

The Issues Paper has proposed that the issues underpinning a common understanding of sustainable seafood will need to resolve: Is there an acceptable level of impact on the sustainability of any or all of the five elements discussed [in the Issues paper]? Yes/No/Don't know/Please comment

Broad findings

Almost half of respondents agreed; of the remainder most did not know, and a few disagreed.

Consensus and divergence

Respondents who agreed commented on how an acceptable level of impact could be reached, some pointing out that impact is inevitable and agreement needed on what is acceptable.

Little comment was provided by those who don't agree – one thought more discussion is needed on the impact of Australia's fisheries on Indigenous cultural fishing practices. [Customary Indigenous] Another stated consumers would expect that there is little to no impact from fishing on the sustainability of the marine ecosystem and survival of its species. [Major retailer]

Many of those who did not know hadn't read the Issues Paper or understood the question.

Key points

- An acceptable impact level of the stock status of target and other retained species needs to be determined, as this is the main man-induced factor influencing sustainability. The impacts of the remaining four factors are more difficult to assess but if possible these need to be monitored as indicators of adverse changes which may result from changes in the management of the target species fishery [Industry]
- This is an academic concept. The community is more interested in macro level issues and not wasting money on micro level research that they don't understand or trust [Catch sector]
- A very tricky and complicated question. The paper indicates there are many different ways to define sustainability and agreement is far from existent. Consequently, what might be "considered an acceptable level of impact" definitely needs to be defined. To me an acceptable level of impact would be no negative impact on the integrity of any ecosystem
- There must be an acceptance that the business of seafood production will lead to some modification of marine ecosystems [Industry – see APPENDIX for lengthy comment]
- ENGOs comment: Whether a fishing activity is sustainable relates not only to the current level of impact, it relates also the system of monitoring and management that is in place. For each issue raised in this survey, there are three important elements to consider in the determination of a sustainable fishery and what is acceptable: information; impact/status; management (see APPENDIX for more detail)

Question 17

Please enter any additional comments you wish to add on the Issues Paper.

About a third of respondents provided additional comments on the issues paper. These comments focused on a range of topics and emphasised the importance of:

- discussion of compliance, enforcement and management [Management]
- regeneration and maintenance of estuarine and other habitat [Catch sector]
- valuing social and community factors more highly than economic return [Government]
- staying focused on seafood promotion and the industry [Retail]
- finding a common language, and a common name [Consumer and rec fisher]
- consumer expectations that the retailer, industry and government are acting responsibly in preventing any harm to marine ecosystems [Major retailer]
- communication to the consumer must be a closed loop and educated consumers will grow understanding for sustainability and then demand [Major retailer]

See APPENDIX for a representation of the comments, including from a major Australian retailer.

APPENDIX

Q1 Alternative statements suggested by respondents:

Food sourced from the sea by people subject to a science based framework of management and monitoring that ensures the harvest can continue indefinitely with no known lasting detrimental impacts to the marine environment. If detrimental impacts are identified, any necessary actions are taken to eliminate them. [Consumer]

Sustainable seafood is that which is harvested in such a way that species, habitats and ecosystems are maintained in a healthy and productive state for the benefit of future generations. [Industry]

The status of stocks (both target and other fish) is maintained at a level where the fishery operations don't impact on the healthy functioning of the target species or any other part of the marine ecosystem. [AFMA]

Sustainable seafood comes from fisheries that maintain fishing activity at a level where the abundance and age/size structure of stocks of impacted fish are sufficient to maintain populations at healthy levels, the fishery does not have a serious or irreversible impact on other species, the long-term functionality and integrity of the environment in which the fishery operates is maintained and the fishery is managed by a system that maintains this state and responds to changing circumstances. These factors serve also to support an economically viable fishing industry. [ENGOs' submission]

Sustainable fishing is when it can be conducted without adversely affecting abundance in any region or overall. [Carefish]

Sustainable seafood is that for which the statuses of all retained stocks are not overfished and are not subject to overfishing. The fishery's impacts on bycatch species, protected species,

marine habitats and marine ecosystems are such that their existence and functioning also is maintained in a healthy state. In addition, management of the fishery is effective in ensuring the fishery meets these criteria. [Major retailer]

Q2

ENGO comment:
Ideally, a seafood label at all points of sale should include:

1) What it is - standardised species common name indicating unique species and/or scientific name
2) Where it was caught

a. For Australian seafood: the individual Australian State or Commonwealth fishery from which the fish is sourced

b. For imported seafood: the FAO major fishing area designation identified by name and/or individual country(ies), where fish is harvested exclusively in national exclusive economic zones (EEZ); and individual stock where more than one known stock exists in a given FAO area or EEZ or fishery.

3) How it was caught - specific type of fishing gear used as per UN FAO designation http://www.fao.org/fishery/geartype/search/en

For wholesalers and major retailers, upon request and/or on the retailer/supplier's website, the following information should be made available to consumers:

- status of the stock (depleted, lightly-exploited, fully-exploited, over-exploited, overfished, uncertain), according to the scientific body advising the management organisation in charge; in the event that a stock assessment has not been undertaken, this should be indicated.
- identification number (ID) and the flag state of the vessel that caught each seafood species contained in the product.
- port and country of landing, as well as the country of processing, for each seafood species contained in the product.

Q3

Suggestions on wording:

- Include term 'fluctuating' (biomass) in second last sentence
- Simpler definition: The stock has been fished beyond a scientifically determined reference point, beyond which it's potential to reproduce itself to maintain stock levels is reduced and therefore has the potential to become threatened and the future existence of the stock is at risk.
- To be consistent with the definition of sustainable fishing, I suggest 'overfished stock' is such that dramatically impacts on Indigenous customary fishing. If this was to occur, then we would have an extra buffer (additional safety net) to avoid any collapse of 'stocks'

Reference points

- We need to: 1 - recognise that we should be starting from an understanding of productivity and any inherent natural fluctuations to productivity 2 - be able to quantify the CAUSES of decline in productivity 3 - put in place management to mitigate against these causes of decline [many of which are NOT fisheries] 4 - demonstrate therefore that for most of Australia's estuary-dependent stocks it is water quality / habitat NOT commercial, recreational or indigenous fishing effort that is the key issue to be addressed in sustainability. [Regulation/Management]

- Refers to two different reference points which results in a contradictory statement; Need to clarify that two reference points are involved (2nd point being limit ref point) [AFMA]
- Surely it would be wise to set reference points at highly precautionary levels. It should be an unacceptable risk to fish stocks to the point of recruitment failure. That should NOT be the trigger to 'curtail fishing'. Most species have had to suffer a free for all before protection has been provided. [Carefish]

Fish stocks

- [definition not apt] because stocks are currently being overfished in Australian waters – e.g. grey mackerel, sharks (Gulf of Carpentaria). While govt-employed scientists assess stock status, Australia will never get a 'true' assessment of fish stocks. Also, only target species are assessed. A commitment to biodiversity should see ALL stocks assessed. The mandatory reporting of by-catch numbers/species and all deaths of marine fauna needs to be strictly enforced, probably by independent non-government observers [Regulation/Management]

Major retailer: Consistent definitions are useful and perhaps there could be a statement about uncertainty. e.g. at the end of the statement, it could include: In the case that a target reference point is difficult to determine and/or enforce, the precautionary principle should apply in setting appropriate limits.

Q4

Examples of permissible circumstances:

- If they are an introduced species
- Pippies in Southwest Victoria where no control over take is in place for commercial harvesters
- Circumstances in a multi-species fishery, where fishing down a less desirable species to promote increases in others could be justified, e.g. of anchovy to promote pilchard stocks; would require an in-depth understanding of multi-species dynamics
- Only under dire economic circumstances as part of a longer term management strategy (see longer comment #1)
- Where there are management harvesting strategies in place to address the risk in the long term
- Only with regards to stocks of pest species that may be reduced to the level at which recruitment is impaired, under the condition that this fishing activity is not having detrimental impacts on other species and the environment (see lengthy comment ENGOs)
- Noxious fish species (Tilapia [?]) should not be protected; legislation virtually caters for a blanket protection of them... common sense gone out the door again
- Catch and release or tag and release methods used by recreational fishers, with appropriate education programs and appropriate controls on catch limits

Q5

Examples of priority fishing methods:

- Taking of pippies in Victoria's southwest
- Whiting in Port Phillip/Corio Bay
- School prawns – trawling in estuaries catches prawns before they are mature. Let's be smart and self-initiate a move to pocket netting only. We catch the bigger prawns as they run to

ocean / near shore for spawning, have a higher value product and minimal impact on our nursery grounds.

- All King Prawns

Q6

Suggestions to aid habitat protection:

- Recreational fishing only in estuaries, with more strict bag/size limits
- Plant trees and deep rooted grasses in catchment areas of both rivers and groundwater areas
- Fisheries management needs to step more into [protecting ecosystems] and factors affecting fisheries productivity such as habitat modification and water quality, particularly so in that coastal interface where most activity and conflicting use occurs
- Fish and prawn trawling needs to be reduced so that benthic fauna and the massive amount of juvenile fish that depend on it for sustenance is preserved
- Diversification is an option the commercial industry needs to explore
- The emphasis could be on reducing harm to the most sensitive marine habitats, ones that are unlikely to recover quickly following disturbance from fishing and that have a high value to the marine ecosystem. These habitats include coral reefs, sponge beds and seamounts. We recognise that the responsibility to define these habitats currently lies with the relevant regulatory body for the fishery. [Major retailer]

ENGOs comment continued... Our organisations believe that:

- A robust understanding of the nature and distribution of habitats should be a prerequisite for the conduct of moderate to high impact fishing operations;
- Representative portions of habitat should be fully protected to provide a reference area with which to compare fished areas and identify any unacceptable ecosystem state changes;
- It is essential the management regime sets the area and intensity of fishing activity appropriate to the habitat of fished area, based on likelihood and consequence of fishery related impact;
- In habitats with low-vulnerability and a high degree of resilience to fishing impacts, moderate fishery impacts are acceptable over biological and spatial scales appropriate to the habitat;
- While a degree of habitat modification through fishing activities is accepted, we do not support a severe degree of change to the point where habitat function is highly modified or ceases; or where recovery is predicted to take decades;
- In ecologically sensitive (e.g. deep sea mounts, coral reefs) and functionally important habitats (e.g. seagrass areas which act as nursery groups, habitats which support spawning aggregations etc), only low impact fishing methods (e.g. hand collection, line and rod) should be considered appropriate, e.g. mangrove habitats and coral reefs, and only when coupled with transparent, responsive regulations and management and appropriate monitoring.
- In some cases, ecologically sensitive habitats with high vulnerability to fishing impacts, the risk to habitats may be such that fishing activity should not occur; this should be assessed on a case by case basis. Should fishing take place, a greater proportion of the habitat should be fully protected as the risk to habitat function is greater.

Q7

Suggestions for acceptable fisheries habitat protection:

- Marine park and sanctuary zone establishment (see #20 and ENGO responses for more detail)
- Raise the reference points
- Applied stewardship (Reef Guardian program I manage is working this way in areas where we do not have any legislative responsibility)
- Sufficient information needed to clearly identify the adverse impact of these activities and the financial and environmental consequences
- Climate change – all that can be done is to monitor its effects and adjust fishing activities accordingly; mitigation is a lost cause under current governance arrangements
- The industry needs a strong advocacy body
- Tightly controlled development and increase in public transport to lessen urban runoff Regular monitoring of water quality, species abundance, species growth rates
- Risk and/or threat assessment evaluations informed by credible and objective science
- Restrictions and sanctions if necessary (e.g. banning of certain fishery methods, quota management)
- Consistent legislation in all states for protection of water quality, fresh brackish and in estuary / embayment habitats, and for offsets – as we will always have more development
- Development controls and rehabilitation (see #29 for detailed comment)

Q8

Comments on Points:

(i)

- Point 1 could be more significant depending on the value or status of a specific species (e.g. if it's the last few individuals of a threatened population)
- Changes in fish stock abundance are more readily adjusted and responded to in an ecosystem management / security context

(ii)

- This is where we need improved integration and collaboration
- Driven by point (iii) not (i)

(iii)

- This shift is the thing to be avoided if possible – if it has got to that it may be irreversible
- Where there is fundamental structural change in the ecosystem point (iii) then that is the level at which impacts must be assessed and responded to in the first instance

ENGO reference:

Consequence Level	**Consequence Description – Ecosystem Impacts**
0 – Negligible: No recovery time needed	Interactions may be occurring but it is unlikely that there would be any change outside of natural variation
1 – Minor: Rapid recovery would occur if stopped – measured in months	Minor changes in relative abundance of other constituents
2 – Moderate: Recovery probably measured in months – years if activity stopped	Measurable changes to the ecosystem components without there being a major change in function (i.e. no loss of components)

3 – Severe: Recovery measured in years if stopped	Ecosystem function altered measurably and some function or components are missing/declining/increasing well outside historical acceptable range and/or allowed/facilitated new species to appear.
4 – Major: Recovery period measured in years to decades if stopped	A major change to ecosystem structure and function. Different dynamics now occur with different species or groups now the major targets of the fishery
5 – Catastrophic: Long-term recovery period to acceptable levels will be greater than decades or never, even if stopped	Total collapse of ecosystem processes

2 Fletcher W. J., Chesson J., Fisher M., Sainsbury K. J., Hundloe T., Smith A. D. M., Whitworth B. (2002) National ESD Reporting Framework for Australian Fisheries: The '*How To*' Guide for Wild Capture Fisheries. FRDC Project 2000/145, Canberra, Australia. 120 pp.

Q10

Suggested methods to reduce bycatch levels:

- Fishing methods should be changed to avoid bycatch casualties totally
- Capture methods (netting, long lines etc) should encourage nil bycatch
- A lot of work is currently going on in this area and for recreational it is about best practice and using appropriate gear
- To be considered "sustainable" a target fishery must prove that the bycatch has been reduced to the absolute minimum. This can only be achieved with selective fishery gear (e.g. single hook, traps, jigs, etc.)
- All attempts to design and improve longline and trawling techniques are to be commended and should be enforced
- This is about smarter methods, likewise in trawling with TEDs etc. The question I would prefer we explored more is: How can we research, trial, invest in and then adopt methods that minimise all forms of non target catch?
- By conducting research to improve fishing methods, considering alternative fishing methods and using aquaculture to produce the species for consumption are viable alternatives
- Pelagic fish should be designated 'line caught' only (negligible by-catch). Any vessel found dumping catches/upgrading to lose their license. Fish trawling replaced with line only. Prawn trawling moved to trap lines. A target of nil by-catch of marine megafauna should also be set. ANY/ALL accidental captures to be reported and logged

Q11

ENGO comment continued...

- the level of fishing permitted is consistent with the confidence limits understood by the risk based analysis;
- increased fishing is only permitted where increased data has been collected to support an understanding that this level of fishing is within biologically based limits;
- there is continual investment is collection of additional data to move decisions out of the risk based approach where possible;
- there is pursuit of aggregate assessment of the impacts of fishing at species level to incorporate cumulative impact issues;
- there is a high level of confidence in the risk assessment process (as there is for the CSIRO risk based framework); and

- risk assessments must be conducted with appropriate frequency, dependent on the scale and nature of the fishing activity.

- AFMA suggestion: this question should ask what the alternative approaches would be if not agreeing that the risk based approach is acceptable.

Q12

Further detail on AFMA response:
A catch limit does not define anything. For some TEP species there is perhaps no need for limits given their population status and/or growth rate, e.g. New Zealand fur seals and some shearwater species. Limits can be potentially useful for managing impacts. From an ecological perspective, the concept of Potential Biological Removals (PBR) is the maximum number of a TEP species that can be removed while allowing the species to stay at or reach its sustainable population. However, where PBR is well above bycatch levels, bycatch limits on TEPs can be introduced for other reasons, including special status and cultural values.

A good way to help the public understand may be to record and publish TEP by-catch including whether they survived. Also it may help to make known what industry plans are in place to mitigate by-catch of TEPs and increase their ability to survive should the species be affected by fishing. [Major retailer]

Q13

Further detail on ENGOs response:
NGOs working in the marine space in Australia have in excess of one million directly contactable supporters. Interactions with the public via social media and websites mean that ENGOs regularly reach a very large number of additional Australians. ENGOs also reach consumers through conventional media stories, paid advertising, consumer guides, and partnerships with external entities, including commercial and academic entities.

Q15

Suggestions on informing consumers:

- WAFIC started to inform the general public a few years ago with handouts, brochures and a website, but now little is being done by the industry to promote quality Australian product for sale in retail outlets
- More effort needed – if people understood why imported product was cheap, I think many more would pay the premium
- Government agencies responsible for managing fisheries have the lead role in doing this. The seafood industry efforts will always be vilified and undermined by opponents of fishing. The owners of third party certification systems will hold seafood producers to ransom – and make no useful contribution to harvesting sustainably. The government agency on the other hand has a stake in supporting sustainable harvesting when it validates the product – industry and government partnerships are enhanced
- Labelling on food items alludes to sustainable catch on some products. Price normally dictates sustainability on other species

- If a fish comes from a sustainable fishery it can be labelled as sustainable. If it comes from an unsustainable fishery then it would not be labelled as sustainable
- Labelling works a bit – but the problem is that it is "3rd party certification" – not certification approved and organised by those who have responsibility to sustain the resources and the supply (governments)
- Without accurate and comprehensive labelling of seafood, it is almost impossible for consumers to make accurate choices
- The public interest in the supertrawler issue would suggest that the public are keen to understand more about. The information may need to be presented in a clear and simple way that touches them personally to prompt a willingness to obtain a basic understanding.

AFMA: (re simple report card based on) The ABARES reports are publicly available on the Department of Agriculture website and provide an independent evaluation of the biological status of fish stocks. However, many consumers may not be able to discern the difference between the ecological sustainability of Commonwealth or different state catches (for example Snapper can be seen as being green, decreasing ecologically, or unknown depending on the jurisdiction). All Australian fisheries are assessed at some level and these assessments are reported.

- ENGOs: Northern hemisphere markets are a good example that consumer purchasing behaviour, where the issue of sustainable seafood has been brought to the attention of consumers with much effect by celebration chef campaigns and other awareness raising mechanisms, can in fact be influenced. There is now a strong demand for verified sustainable seafood, a trend which we expect to flow through to the southern hemisphere including Australian markets.

Q16

- Further comment from Industry respondent: Industry is in the business of fishing - we are not agents of social and environmental welfare in our own right. If for whatever reason politicians and the wider community consider that "no fishing/no fishing economy" is preferable to the alternative then have them implement equitable transition programmes with credible opportunity adjustments. But before they do - ensure that a proper risk assessment is undertaken. What are the risks of fishing; at what scale (geography and time) do they exist and what can be done to avoid, remedy, mitigate such risks. Governments and industry (not industry on its own) should invest in incentivising changes in fishing behaviour rather than penalising behaviour that may be a risk to sustainability. Investing in new technologies; phasing out high impact methods in favour of more selective fishing methods; educating and informing the public - these are joint responsibilities.
-
- ENGOs comment (continued):

For each issue raised in this survey, there are three important elements to consider in the determination of a sustainable fishery and what is acceptable:

- Information –appropriate information is collected, monitored and reported in order to assess impact and make important management decisions.
- Impact/Status – impacts are highly likely to be within biologically based limits.
- Management –management practices are in place to reduce impacts where they are not acceptable
-

Q17

- Comment on Table 1: the MSC process is much broader on issues and today also focuses on the management framework and capacity to effectively engage in a co-management framework. This component of the table needs to be better researched and developed. Every SA industry funds an annual fishery stock assessment for key species – these need recognition as being a key source of information on sustainability rather than an outdated document – "fishery stock status and trends report". The annual assessment reports need to be more effectively publicised.
- The challenge is to ensure profitable seafood businesses flourish within operational regimes whilst ensuring sustainability and minimal adverse environmental impacts. The 'footprint' of the fishing industry needs to be put into the correct context. The impression created by eco-cults is that industry scours and scrapes every square metre of seabed within the EEZ and a large chunk of the high seas.
- Considering the high consumption of seafood in Australia, it's imperative to find a common language. As 70 to 80% of consumed seafood in Australia is being imported, it is definitely not sufficient to only focus on the local sector, i.e. wild caught seafood [see respondent #24 for lengthy comment]

Traceability
To enhance best practices the wild-caught domestic commercial fishery must aim to deliver products that are traceable to the harvest area. In other nations retailers have access to this level of traceability. There is also a latent marketing benefit that is currently untapped by engaging consumers with the provenance of their food. Creating excitement with new season catches, much like is seen for example, with Copper River salmon in USA can also be applied to sustainable Australian fisheries, like Banana prawns. The benefits of a traceability system are:
1. To build credibility of the Australian seafood supply
2. To identify and solve health consumption issues quickly (and maintain consumer safety and confidence as utmost priority)
3. To evolve the Australian system to compare with best-in-class standards
4. Allows the retailer to market the provenance to the consumer

APPENDIX 8: Formal Submission to Senate on 'The current Requirements for labelling of Seafood and Seafood Products'

9 July 2014

Formal Submission

Prepared by
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For the

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In regard to the

The current requirements for labelling of seafood and seafood products

General Comment

Seafood labeling within this review should support, among other things, the policy objectives of public health and safety contributing to sustainability through traceability enabling consumers to make informed choices.

It is important within this review to recognize that all food labeling requirements impose costs and that it is important that all food labeling laws:

a. Are evidence based and affective at achieving their policy purpose;
b. Do not impose unjustifiable regulatory burdens on business;
c. Provide a level of traceability; and
d. Are capable of being enforced in an effective, proportionate and consistent manner

Recommendations

(1) That country of origin laws applicable to seafood, including unpackaged seafood, be maintained and strengthened.
(2) That Country of Origin laws applicable to seafood be extended to apply in the restaurant and food service sectors.
(3) That it be a legal requirement for food labels on seafood to carry the standard fish name in accordance with the Australian Fish Names Standard AS SSA 5300.

In response to specific queries:

> *(a)whether the current requirements provide consumers with sufficient information to make informed choices, including choices based on sustainability and provenance preferences, regarding their purchases;*

We are fully supportive of the benefits delivered to consumers and producers through the application of country of origin labeling laws on both packaged and unpackaged seafood however they do not pertain to sustainability or provenance unless stated through a branded logo or program. These logos and brands are so wide and varied that consumers are confused. The reliability and acceptability of these branded logos are open to interpretation by consumers. The current requirements do not support any of these programs.

There is more than adequate justification for retaining the current requirements for country of origin labeling for seafood and these requirements should not be reduced.

It is clearly evident since the introduction of country of origin labeling requirements that many consumers take the product country of origin into consideration when purchasing products. This applies in particular to seafood (and other food groups) where consumers are now more conscious of global concerns relating to the environmental performance of international fisheries and aquaculture management regimes as well as the source country social and hygiene conditions.

It is also evident that while price remains a major factor in consumer choice, the benefits of supporting 'own country' products is an increasingly important consideration for a growing number of consumers. This is supported by the report 'Retail Sales and Consumption of Seafood' (Ruello &

Associates 2006) and the 'Seafood Consumption Omnibus Results' (2006) which identify that around 70 percent of consumers prefer Australia seafood to imported seafood.

We support mandatory Country of Origin labeling for seafood to ensure the consumer is always able to make informed choices about their seafood in all territories.

(b) whether the current requirements allow for best-practice traceability of product chain-of-custody;

Current seafood labelling requirements under the FZANZ (Food Standards Australia New Zealand Act) and ACCA (Australian Competition and Consumer Act) fall into two broad categories: country of origin labelling and species labelling. The current requirements need improvement within these two key areas of the FZANZ legislation:

(i) Within the FSANZ legislation, there needs to be made a variation of the Food Standards 1.2.4 and 2.2.3 to require that all point-of-sale and package labelling of fish and fish products to be labelled in accordance with the Australian Fish Names Standard.

(ii) FSANZ need to make a variation of the Food Standards to require the source, method of harvest, and sustainability assessments for both domestic and internationally caught seafood. In addition, FSANZ should develop regulations to display provenance of domestic and international seafood products and on standards of sustainability for imported seafood product.

It is well recognised that as resources have become more stressed, there is a trend towards the sustainable management of fisheries, and, consequently, greater demand for robust seafood traceability regimes and labelling. These traceability measures also support allergen and food poisoning programs within Food Standards.

(c) the regulations in other jurisdictions, with particular reference to the standards in the European Union (EU) under the common market regulation (EU) No 1379/2013 Article 35;

The EU law ensures consumers which fish they are purchasing, where it was caught and how it was caught. Fishery and aquaculture products sold must carry the following information:

1. Species name
2. Where the product were caught (wild catch, freshwater or farmed)
3. Catch production area (suitably defined)
4. Fishing gear used

FSANZ needs to clarify that WTO accreditation under the EPBC Act does not constitute achievement of sustainability and should not be used, or represented as such in the labelling of Australian seafood.

It is essential that FSANZ actively prevents the misuse of the *EPBC Act* as a means for industry to claim or label seafood as sustainable. While some industry bodies are signalling their wish to use *EPBC Act* strategic assessment as a form of sustainability label or ecolabel, the *EPBC Act* fisheries assessments lack the rigour, independence and transparency to be used in such a way. Further, the

decision criteria are undisclosed, there are limited types of evidence, there is limited review of monitoring and fishery improvement, and production benchmarks rather than conservation benchmarks are used.

Implementation of fisheries assessments has been designed to lever incremental improvements in the management of fisheries rather than certify that a fishery has, for example, no bycatch of threatened species, which would be consumers' expectation for an ecologically sustainable label.' There are different guidelines and a different process in the *EPBC Act* from that used in ecolabelling, and it is inappropriate to confuse the two processes.

Internationally the European Community (EC) and the United States of America have adopted measures to regulate the import of seafood sourced from Illegal, Unregulated or Unreported (IUU) fisheries. Greater transparency is needed on the provenance of seafood products imported into Australia beyond the current, minimal requirement of country of origin. In addition to this, Australia is currently reviewing the discussions of pursuing an FTA with the EU. Within these discussions, it is important that country of origin issues be addressed as outlined within this document.

(d) the need for consistent definitions and use of terms in product labelling, including catch area, species names, production method (including gear category), and taking into account Food and Agriculture Organisation guidelines;

The Common Language Group has recently developed an Issues Paper and survey exploring the most important drivers of sustainability. Within the analysis process, the Issues Paper and survey results from a broad range of industry and consumers. The survey found that there was a great deal of confusion around the subject of sustainability which starts around the need to agree key elements to be included in sustainability definitions. use consistent terms and agree on terminology used across all the key elements of sustainability.

1. Accurate Fish Names

Accurate labelling starts with the correct name of the fish. Scientists have developed a rigorous scientific system for naming types of fish, based on unique names for each species. Achieving national consistency in scientific and common trading names for seafood in Australia has been the subject of a concerted effort by the industry since 1983 and one which is considered important by the Common Language Group (see latest Issues Paper on 'Sustainable Fishing: A Common Language for Sustainable Wild Catch Fisheries').

The challenge of accurate fish names was initially taken up through the Fish Names Committee (FNC) in 2001. In October 2007, the list of standard fish names and process for inclusion or amendment of fish names was formally approved by Standards Australia – the resulting document being the Australian Fish Names Standard 9AS SSA 530).

FRDC is now in the process of promoting compliance with the Standard throughout the seafood industry and relevant government agencies in Australia. Broad uptake and compliance with the Standard is essential to eliminating confusion in the market names of fish.

It is now timely for all producers and retailers of seafood (supermarkets, sole traders and the service industry) to incorporate the Standard into their labelling and signage, through a legal requirement requiring food labels on seafood to carry the standard fish name in accordance with the Australian Fish Names Standard AS SSA 5300.
The application of country of origin labelling throughout the supply chain, coupled with a requirement to use fish names in accordance with the Australian Fish Names Standard (AS SSA

5300), would largely resolve this area of misrepresentation, deception and subsequent consumer complaints.

This misrepresentation is often conveyed to consumers through the use of inaccurate product names, including fish names that lead the consumer to assume that the product is Australian when it is, in pact, imported. Even among imported products, the practice of displaying signage indicating importation from a 'more favourable' country continues to occur (e.g. Scottish Haddock' – only to find the product cartons clearly identify 'Product of Argentina').

2. Where it is caught

Putting an accurate name on seafood is only one aspect of tracing whether the seafood is sustainable because different stocks of fish of the same species are harvested and managed differently. Many fish species occur widely in nature, within Australian waters and in waters of many other countries. For example barramundi (*Lates calcarifer*) occurs wild and is cultured in Australia and widely throughout tropical waters of Asia and the Western Pacific. In the case of some species, especially the highly migratory species, the species may consist of only a single population throughout its whole range, such as the southern bluefin tuna, but this is not the case for other species for which many distinct stocks of the same species exist. For more localised species, a critical element of knowing about sustainability is to know where it is caught and what conditions apply there.

(e) the need for labelling for cooked or pre-prepared seafood products with reference to the Northern Territory's seafood country of origin regulation;

The Common Language Group firmly believes that the country of origin labeling laws should now be extended to prepared food sold in restaurants and by the food service sector, including fast food outlets. Consumer feedback confirms that they are either not informed at all about the country of origin of these products or are presented with misleading statements or claims as to their country of origin.

In November 2008, the Northern Territory government introduced regulations to make it a requirement for all venues to identify imported seafood at the point of sale to the consumer.

With this improved level of labeling at the dining outlets, the reaction from the consumer was first one of shock to find out that the majority of the iconic NT species barramundi sold around the Territory was not local and was, in fact, imported product. The improved labeling requirement has gained considerable public support and has already seen many restaurants moving to use local product based around the demands from the consumer.

(f) recommendations for the provision of consumer information as determined through the Common Language Group process conducted by the Fisheries Research and Development Corporation;

The Common Language Group put out an Issues paper in 2013 for public comment on the 'Elements of Sustainable Seafood – Wild catch'. The vast majority of respondents thought it is possible to inform consumers about the sustainability of seafood.

About two-thirds of respondents thought mandatory regulation to abide by Fish Names should apply.

In summary, many respondents indicated they source their information from FRDC. Publications commonly used include fishery status reports, scientific journals and government or management reports. Some clearly gained their knowledge from working professionally in the fishing industry. Other sources include ENGOs, celebrity chefs, websites, newspapers, television, catch sheets, product labels, government and talking to other fishers.

Respondents commented on the lack of information at point of sale and discrediting of information by eco campaigns or proponents of sustainability. Unfortunately, there appears to be no consistent information regarding sustainable seafood in Australia. All tools and platforms available (e.g. seafood guide from AMCS, tuna guide Greenpeace, consumer guides etc) have major limitations. Many key players mislead consumers with what they consider to be "sustainable" without providing information on their assessments. Compared to other countries/markets (e.g. various European, North America, Canada) there is little consistency and extremely limited information available

Respondents who indicated they easily source information also answered from the perspective of the general consumer, who they see as lacking awareness and understanding about fish and fisheries. Most believe consumers need better access to good information that is not misleading; although one pointed out that information is easily accessible via the internet.

Those who indicated they do not source information easily also answered from the perspective of the general consumer, stating that much information about fish and fisheries is complex, confusing or misleading.

Key points

Difficulties for consumers:

- Most consumers will not look very far and, if they did take the trouble, most would have difficulty finding the information they needed, and many would be misled by packaging and advertising.
- There needs to be more publicity given to the general public about the fisheries good news stories for there are plenty of them.
- The average consumer has limited understanding of where to look and what the information means. Their fish supplier / retailer is probably the least well informed consumer interface in the process however they rely on the information given as being correct.
- The definition of sustainability around any one species is too technically complex for consumers. Suggestions were provided such as Values-neutral data that identifies species, origin and production method can and should be provided to consumers to allow them to make informed, independent choices.

A large number of suggestions were provided by respondents, in the areas of effort and leadership, labelling, education/media and others. The need for increased effort by government and industry was emphasised, and the need for accurate and comprehensive labelling. Several also suggested that targeted media campaigns could be effective.

Key points

Effort and Leadership:

- A more concerted effort is required, at the Ministerial and other levels within the States and the Commonwealth, to publicise the sound management plans and the emphasis on sustainable exploitation.

Labelling:

- Label at point of sale with an accredited rating.
- Label whether it was line caught, trapped, trawled or farmed – most people are happy with line caught or trapped as these are more discriminate forms of fishing with much less bycatch 'killed' and small fish able to be released.

Education/media:

- Educate through popular media but ensure that the source/s of the information imparted is from a scientific base and the organisations publishing the information are respected and trusted, e.g. independent research and nothing anecdotal from the commercial fishing industry.
- The industry needs to invest together with its key partner (govt agencies) in a national education and media campaign (similar to lamb/pork) to introduce the basics of what makes Australian seafood sustainable.

Other:

- What consumers need is one independent, transparent and stringent tool they can rely on; we need information, transparency and accountability.
- A simple report card on Australian fisheries could be developed for consumers, through an agreed forum. Species could be classified as overfished and still have a sustainable catch. This reinforces the importance of having clear definitions of common seafood terms to help ensure confusion is limited. There are challenges to the active uptake of information of the sustainability of products, the most significant of which is the lack of useful and accurate labelling. The real issue is whether information is actively taken up and understood by consumers to the extent that it influences purchasing behaviour.

(g) whether current labelling laws allow domestic seafood producers to compete on even terms with imported seafood products; and

There is no international standard on fishnames so Australian seafood is frequently substituted. This is an opportunity for Australia to work with other nations to extend its world's first, fish name standard. FAO has a basic standard however it is not mandated.

The species being sold is not always what it says it is. Although a species is required to be correctly labelled there are simple scientific methods e.g. DNA bar coding that can identify the fish species. The estimates are a third of seafood is incorrectly labelled.

(h) any related matters.

Traceability is very important in managing food safety issues e.g. knowing exactly where a fished product is sourced. Australia is well behind in this area and industry needs to protect consumers and themselves from legal and market issues. The systems in place have been voluntary and inconsistent across the food chain.

CONCLUSION

The Common Language Group would like this opportunity to thank the FRDC and Rural and Regional Affairs and Transport Legislation Legislation Committee established under the Senate Committee for the opportunity to provide input into this important review.

Should you require clarification on any matter raised in this submission, please do not hesitate to contact the officer nominated on the cover sheet. Note this is not a formal submission from the Common Language Group due to timeframes provided.

APPENDIX 9 : Sustainable Fishing – A Common Language for Sustainable Australian Wild Catch Fisheries

COMMON LANGUAGE FOR COMMON LANGUAGE FOR SUSTAINABLE SEAFOOD[27] DRAFT 2

Common Language Group

The fisheries Common Language Group (CLG) was established in 2013 to bring disparate stakeholders with competing objectives together to develop agreed language and positions on key issues affecting the seafood supply chain (http://frdc.com.au/knowledge/common_language). The Group's aim is to use factual information to develop a language that supports agreed principles for responsibly sourced "sustainable seafood". Agreed positions, and any matters for further dialogue, involve all key stakeholder groups through their representation on the Common Language Custodian Group (current membership is in Appendix 1).

Purpose and Scope

The scope of the CLG includes both wild fisheries and aquaculture. However, the elements of sustainability of seafood derived from wild-capture fisheries and aquaculture differ significantly. The first topic of the CLG focused on is the **sustainability of commercial Australian wild-caught seafood**. However, it also introduces points that will be common to both wild-caught and aquaculture seafood. The topic only touches lightly on matters relevant to recreational and Indigenous fisheries. The CLG Custodian Group stressed, that recreational and Indigenous fishing are also important and all catching sectors were highly interconnected in relation to sustainability.

The analysis in this first topic concentrates on ecological components. To date, these factors have been most commonly addressed as determinants of the sustainability status of seafood and a common understanding of these elements is the priority.

Among the environmental and biological components of this first topic, the focus is more on fisheries related factors such as catch levels and fishing methods. There is less emphasis on factors external to fisheries but still critical in their impact, such as pollution, human induced habitat alteration and destruction, and climate change.

Within the scope defined, the group developed Issues Paper 1 (*Defining Sustainable Australian Seafood: Wild-Capture Fisheries),* and made a public call for feedback on it and a set of structured questions. Based on the Issues Paper and the 31 responses from key environmental NGO's, other organisations and individuals across the seafood supply chain (e.g. fisheries managers; recreational, traditional and commercial fishers; seafood wholesale and retail suppliers, and consumers), the present document develops draft definitions[1] for sustainable seafood for wild capture fisheries. It considers expert opinion and stakeholder views, including areas where there is broad agreement and those where views diverge.

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[27] In this draft document, "Common language" denotes a definition drafted by the CLG. "Technical definitions" marked with "*" are those drafted by the CLG. Other "Technical definitions" are taken from the Status of Key Australian Fish glossary (http://fish.gov.au/glossary/Pages/default.aspx) or the FAO fisheries glossary (http://www.fao.org/fi/glossary/).

Document Overview

The Council of Australian Governments (COAG) agreed to the following definition for Ecological Sustainable Development (ESD) in 1992:

- 'using, conserving and enhancing the community's resources so that ecological processes, on which life depends, are maintained, and the total quality of life, now and in the future, can be increased'

Australia's use of ESD includes three pillars –social, economic and ecological, commonly termed 'triple-bottom line'. While the areas of social and economic sustainability are very important for defining a fishery as 'sustainable', this document seeks to set definitions around the ecological context of sustainable fisheries that has primacy.

The ecological performance of Australian wild capture fisheries and the impacts from fishing on ecological components is of importance to the Australian wild capture fisheries community and other key stakeholders. Not all stakeholders hold the same opinions on what constitutes "sustainable seafood," although considerable common ground exists. This document thus examines the language surrounding "sustainable seafood," its principal terms and their definitions, and attempts to identify common understanding of them, as well as establish matters where opinions diverge. The aim is to help seafood consumers and the broader public come to a clearer understanding of what elements determine whether an Australian wild caught seafood is sustainable or not. These technical definitions provide a common platform that can be used to inform and underpin assessments and certifications.

Ecologically Sustainable Seafood: 5 key elements

The CLG and stakeholders agree that ecologically sustainable seafood is that in which the fisheries impacts on five key elements are acceptable. These elements are: (1) target and by-product species, (2) bycatch species, (3) threatened, endangered and protected species, (4) aquatic habitat, and (5) aquatic ecosystems. As indicated in Figure 1, these elements overlap and interact. Two pairs of elements are particularly closely related. First, threatened, endangered and protected species (TEPS) are a special sub-set of bycatch but TEPS are usually discussed separately as they often raise different or additional concerns to those for bycatch more generally. Second, habitat is considered a part of an ecosystem, the latter including all components and their functional relationships. In the present paper, the CLG has taken the marine ecosystem to refer to the trophic (feeding) structures and functions, biological community composition and biodiversity that support fish stocks. The CLG considers those fish habitat changes primarily by fishing, and mainly focuses on fishing impacts on the ecosystem and does not attempt to address humans as part of the ecosystem.

The five elements reflect the last three decades of international and Australian fisheries and environmental commitments, management, regulation and policy, during which time fisheries moved from expansionary development to conservation. The critical international fisheries law and codes are the United Nations Convention on the Law of the Sea (1982), the 1995 Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks Agreement, and the Code of Conduct for Responsible Fisheries (1995), and its subsequent technical guidelines. More broadly, recent global efforts to define sustainable development were stimulated by the 1987 report of the World Commission on Environment and Development (the Bruntland Commission), "Our Common Future," which was followed by an Australian process. The process produced the national strategy

for Ecologically Sustainable Development (1992) (ESD) that defined ecologically sustainable development. Australian fisheries are conducted under laws that recognize ESD principles. These laws include the (Commonwealth) *Fisheries Management Act 1991* (amended 2014), *The Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), and state and territory fisheries and environmental legislation.

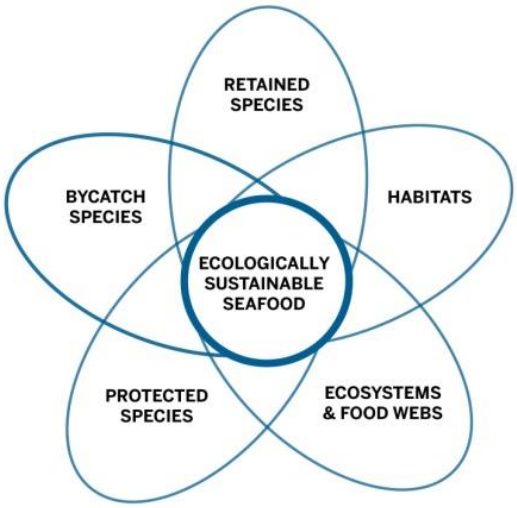


Figure 1: The 5 elements used to determine sustainable seafood.

What influences fisheries?

Many human interventions, from fishing to how fishing and other factors impact the resource are controlled, and even public opinion influences fisheries sustainability though many pathways (Figure 2).

The maintenance of diverse, healthy and resilient ecosystems is a fundamental requirement of productive and ecologically sustainable seafood. This in turn relies on healthy and unpolluted habitats. Natural environmental influences on fisheries and the likelihood of very significant impacts from human induced climate change, including habitat impacts, fisheries management legislation and policy, operational management strategies, and fishing industry practice are key determinants of fishery sustainability. Policies, legislation and fishing practices can be greatly influenced by public views on what is and is not acceptable.

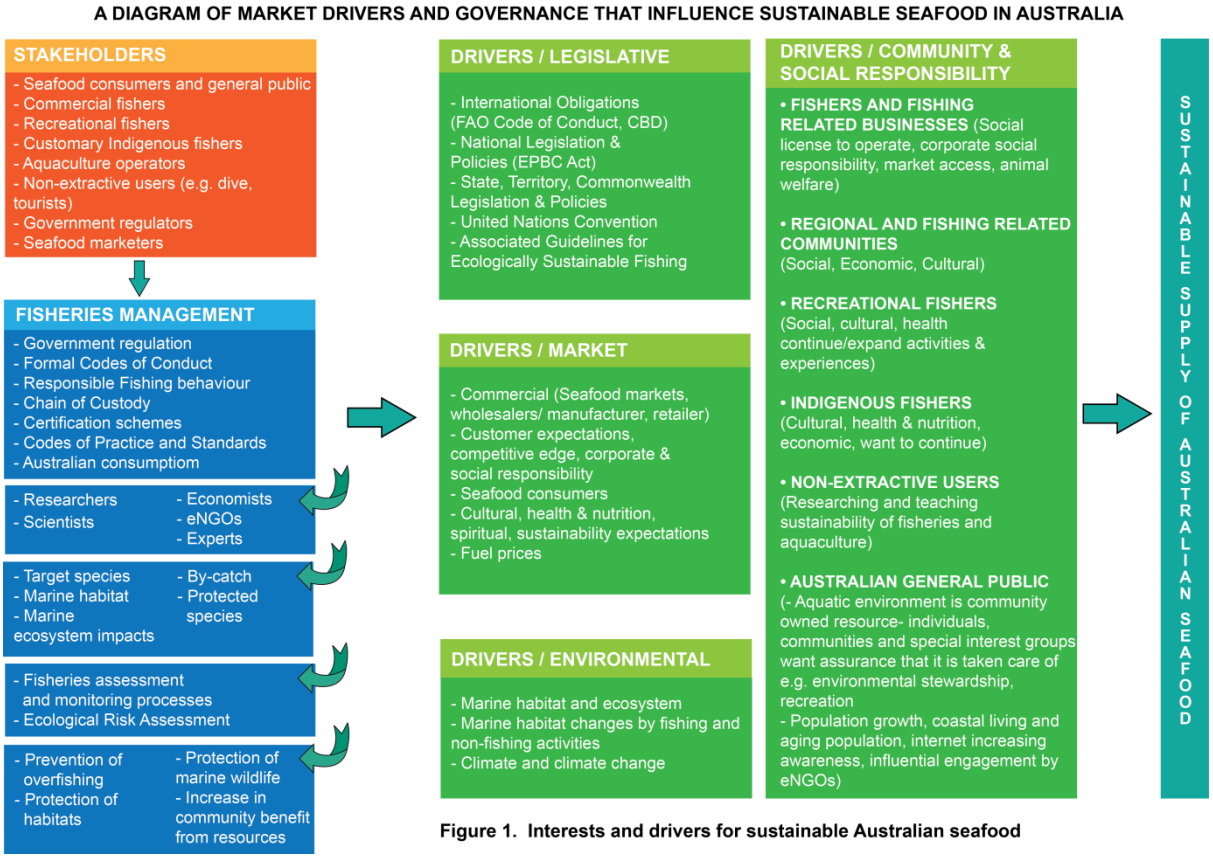


Figure 1. Interests and drivers for sustainable Australian seafood

DEFINING ECOLOGICALLY SUSTAINABLE SEAFOOD

As the definitions move from the high level elements through component definitions, they tend to move from using more general and qualitative terms, e.g., “acceptable” and “negligible,” to increasingly precise and potentially quantitative terms, e.g., “above or below reference points.” The technical definitions should not be interpreted as standards, but may lay the basis for developing and setting future standards and to inform and underpin assessments and certification programs.

OVERARCHING DEFINITION

Sustainable Wild Caught seafood

Technical definition: In wild capture fisheries, ecologically sustainable seafood comes from fish stocks maintained at levels that enable their long term continuation, fishing activity that has an acceptable impact on other species and the habitat, and where the integrity of supporting aquatic habitat and ecosystem is maintained over time and through fishery and environmental changes.

Ecologically sustainable fisheries

Technical definition: Sustainable fisheries are those that have acceptable fisheries impacts on five key ecological components: (1) target and by-product species, (2) bycatch species, (3) threatened, endangered and protected species, (4) aquatic habitats, and (5) aquatic ecosystems.

Sustainable Wild Caught seafood

Technical definition: In wild capture fisheries, ecologically sustainable seafood comes from fish stocks maintained at levels that enable their long term continuation, fishing activity that has an acceptable impact on other species and the habitat, and where the integrity of the supporting aquatic habitat and ecosystem is maintained over time and through fishery and environmental changes.

Ecologically sustainable fisheries

Technical definition: Sustainable fisheries are those that have acceptable fisheries impacts on five key ecological components: 1) target and by-product species, (2) bycatch species, (3) threatened, endangered and protected species, (4) aquatic habitat, and (5) aquatic ecosystems.

1. TARGET AND BY-PRODUCT SPECIES

Sustainable target and by-product stocks

Common language: Stocks that are fished at levels that will enable their long-term continuation.

Technical definition: A stock is sustainable if its biomass is fluctuating at or above the desirable (target) reference point and overfished or unsustainable when the stock is below the undesirable (limit) reference point. An overfished stock is one which has reduced potential to reproduce itself.

Sustainable target and by-product stocks

Common language: Stocks that are fished at levels that will enable their long-term continuation.

Technical definition: A stock is sustainable if its biomass is fluctuating at or above the

desirable (target) reference point and overfished or unsustainable when the stock is below the undesirable (limit) reference point. An overfished stock is one which has reduced potential to reproduce itself.

Target species

Common language: The most highly sought component of the catch.

Technical definition: A species that is, or has been, specifically targeted and is, or has been, a significant component of a fishery.

By-product species

Common language: A fish taken incidentally that is retained and sold.

Technical definition: A species taken incidentally in a fishery during fishing for another species. The species is retained for sale because it has commercial value.

Fish stock

Common language: A population of a species of fish that is distinct from, e.g. does not inter-breed with, other populations of the same species.

Technical Definition: Functionally discrete population that is largely distinct from other populations of the same species and can be regarded as a separate entity for management or assessment purposes.

Biomass

Common language: The total weight of a fish stock.

Technical Definition: Total weight of a stock or a component of a stock

Precautionary approach

Common language: Anticipatory actions taken in advance to protect the environment and its resources in the face of the threat of irreversible environmental damage and/or a lack of scientific information to provide advice on preventing the damage.

Technical Definition: Approach to resource management in which, where there are threats of serious irreversible environmental damage, a lack of full scientific certainty is not used as a reason for postponing measures to prevent environmental degradation. In the application of the precautionary approach, uncertainties should be evaluated and taken into account in a risk-assessment approach, and decisions should be designed to minimise the risk of serious or irreversible damage to the environment.

Reference point

Common language: A benchmark for a particular aspect of a fished stock, e.g., biomass or fishing level.

Technical Definition: Biomass or fishing mortality level used as a standard for comparison. Can be either a 'target reference point' or a 'limit reference point' (that is, a minimum biologically acceptable limit.

Limit reference point

Common language: The point at which, if fishing continues, the risk to the fish stock becomes unacceptably high.

Technical definition: Stock biomass or fishing level below which the risk to the stock is regarded as unacceptably high, such as where the risk of recruitment failure has increased.

Target reference point

Common language: Desirable benchmarks for the stock biomass and fishing mortality

Technical definition: Benchmark for the state of a fishery and/or a resource which is considered desirable. Management action should aim to bring to and maintain the fishery at this level. In most cases a TRP will be expressed in a desired level of output for the fishery (e.g. in terms of catch) or of fishing effort or capacity and will be reflected as an explicit management objective for the fishery.

Target Catch range

Common Language: The range of annual catches.

Technical definition: The range of annual catches, taking into account natural variations in recruitment to the fished stock that can be expected under a fishing effort–based management plan.

Total allowable catch (TAC)

Common Language: TACs are catch limits (expressed in weight) that are set for a fish stocks after a formal stock assessment has been conducted. These total catch limits can incorporate catch across multiple sectors i.e. commercial, recreational and Indigenous

Technical definition: For a fishery, a catch limit set as an output control on fishing. Where resource-sharing arrangements are in place between commercial and recreational fishers, the term total allowable commercial catch (TACC) applies. The term 'global' is applied to TACs that cover fishing mortality from all fleets, including Commonwealth, state and territory fleets.

Overfished stock

Common language: When fish stocks are depleted to unacceptable levels.

Technical Definition

Stock for which biomass (or biomass proxy) is at a level sufficient to ensure that, on average, future levels of recruitment are adequate (i.e. not recruitment overfished) and for which fishing pressure is adequately controlled to avoid the stock becoming recruitment overfished.

Overfishing

Common language: When the stock is being harvested at a rate that does not allow the stock to recover to a sustainable level but still the stock is not yet at the undesirable level.

Technical definition: When the stock is below the target reference point but not yet at the limit reference point, the stock is in a stage where “overfishing” is happening. When the fish stock is at a lower biomass than the limit reference point, it is considered “overfished.”

Harvest Strategy

Common language: A document that specifies the harvest control rules for sustainably managing a stock. These documents may also incorporate economic and social considerations.

Technical definition: A harvest strategy is a framework that specifies the pre-determined harvest control rules and management actions for defined species at the stock or management unit level. They aim to achieve the agreed ecological, economic and/or social management objectives. In Australia, harvest strategies are not generally applied to recreational and Indigenous fisheries.

CAVEATS

i. Some stakeholders reject the simple definition of “overfished” because of perceived risks

in setting and relying on the reference points.

ii. We acknowledge that modern assessments of environmental and biological sustainability are built on recent baselines and not on historical practices and fishing areas i.e. the baselines used are frequently those at the start of collection of commercial fisheries data.

iii. Definitions of "unacceptable" vary depending on management jurisdictions, type of fishing gear and the life history of the target and by-product. To date there are no agreed matrix of values for defining what is unacceptable limit points, although the Commonwealth Fisheries Harvest Policy does attempt this.

iv. In calculating the reference points, extra risks come from natural year-to-year variability, uncertain and incomplete data. When limited data are available, risk-based decision making is still not trusted by all. Preference would be to collect more data to try to reduce the uncertainty.

v. Different stocks require different measures to maintain stock resilience, such as through maintaining more year classes for longer lived species, and accounting for differences in reproduction potential.

vi. A more precautionary approach would maintain a bigger buffer to cope with factors such as pollution and climate change, and to prevent the stocks ever falling below the reference point.

vii. Some stakeholders mistrust the advocacy of others, such as commercial fishers, who may pressure managers to set the reference points at risky levels.

viii. In some fisheries, a contentious issue among different stakeholders is how the reference points are used to guide difficult management decisions in complex, multi-objective settings.

ix. Due to human impacts to date, many stocks are already at lower levels than historically and further changes to the baseline should be avoided.

x. In specific circumstances, some stakeholders feel that overfishing may be defensible, and, due to the uncertainty in stock assessments and the complexities of multi-species and multi- jurisdictional fisheries, is likely anyway to occur, even if the limits were set very conservatively.

xi. Many local target stocks are ignored by regulators and uncontrolled commercial and recreational harvesting is allowed without due assessment.

xii. Several Australian fisheries management agencies are putting in place harvest strategies which define rules within their jurisdictions. At present, no agreement yet exists on a national harvest strategy policy to inform all components.

Acceptable bycatch

Common language: In a sustainable fishery, the fishing operations do not interfere with non- target species and do not take non-target or target fish of undesirable sizes or types or in quantities that negatively affect the continuance of their stocks.

Technical definition: In a sustainable fishery, discards must be minimized and interactions with threatened and endangered species reduced to as close to zero as possible. The survival of discards must be maximized, the stocks of the main bycatch species, as well as target and by- product species must be highly likely to be within biologically based limits, and all catch must be utilised to the best extent. The cumulative impact of fishing on non-target species must be considered.

Acceptable bycatch

Common language: In a sustainable fishery, the fishing operations do not interfere with non- target species and do not take non-target or target fish of undesirable sizes or types or in quantities that negatively affect the continuance of their stocks.

Technical definition: In a sustainable fishery, discards must be minimized and interactions with threatened and endangered species reduced to as close to zero as possible. The survival of discards must be maximized, the stocks of the main bycatch species, as well as target and by- product species must be highly likely to be within biologically based limits, and all catch must be utilised to the best extent. The cumulative impact of fishing on non-target species must be considered.

2. BYCATCH SPECIES

Bycatch

Common language: The unwanted and untargeted fish and other marine creatures trapped or affected negatively by commercial fishing gear during fishing for a different species.

Technical definition: A species taken incidentally in a fishery whilst fishing for another species. The species is retained for sale because it has some commercial value.

Discards

Common language: Any part of the fish catch that is returned to the water, whether dead or alive.

Technical Definition: Any part of the catch that is returned to the sea, whether dead or alive.

Ecological risk assessment

Common language: Estimates of risks to defined ecological objectives due to particular fishing methods in a fishery.

Technical definition: (a) A process of estimating the effects of human actions on a natural resource. (b) Risk is defined as the probability that a (specified) fishery management objective is not achieved. (c) ERA approaches use proxy information that enable ranking of risks from fishing to different bycatch species. They are needed to handle the large number of bycatch species which would be unaffordable to fully assess.243

Cumulative Risk Assessment

Common language: Assessment of the cumulative risks of fishing and other impacts on all species, and/or ecological components and their impacts on ecological functions.

Technical definition:

CAVEATS

i. No consensus exists on what constitutes an acceptable level of bycatch; views range from "no acceptable level" to "when reference points are reached," or is conditional on the biology and ecology of bycatch species, and the fishing methods used.

ii. Most stakeholders accept the use of risk based frameworks as the most practical and cost effective way to assess risks to species impacted by fishing. Differences emerge over the precautionary conditions, especially the degree of confidence in the risk assessment process and the quality and quantity of data available.

iii. Bycatch reduction and management presents major challenges due to the levels and types of bycatch, and the numbers of species and the ways in which they are affected.

iv. The approach to managing bycatch tends towards more complete catch retention.

v. Whilst substantial progress has been made in developing and using harvest strategies for target and key by-product species, this is not the case for less valuable bycatch and/or TEP species.

vi. Risk-based approaches to bycatch management are broadly supported by stakeholders but debate remains as to whether they provide sufficient confidence and precaution to underpin sustainable management.

vii. Within the recreational fishing sector there are two components to catch which are discarded: (a) discards to comply with regulations, e.g., prohibited sizes; and (b) fish captured and released, e.g., in game fishing.

3. IMPACTS ON SUSTAINABILITY OF THREATENED, ENDANGERED AND PROTECTED SPECIES

Endangered species

Common language: A species that is seriously at risk of extinction.

Technical Definition: Species in danger of extinction because of its low numbers or degraded habitat, or likely to become so unless risks to conservation are reduced. The Environment Protection and Biodiversity Conservation Act 1999 dictates that a native species is eligible to be included in the endangered category at a particular time if, at that time, (a) it is not critically endangered, and (b) it is facing a very high risk of extinction in the wild in the near future, as determined in accordance with the prescribed criteria.

Protected Species (includes Threatened Species)

Common language: Threatened fish species are those protected by law because of low population numbers or special values to Australians and the world.

Technical Definition: The Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) establishes four different categories of protected species in Commonwealth areas. These provide for the recovery of populations and/or the long-term conservation of a species. A species that is a member of the following categories is a protected species:

1. Threatened species generally include species with low population numbers, those that have had a reduction in habitat or distribution, or are subject to an increase in other threats to the species survival.
2. Migratory species are listed to meet Australia's obligations under certain International treaties (such as the Convention on Migratory Species) which

require that we provide protection for species listed in the Convention.

3. Marine species are listed to provide general protection to Australia's marine native wildlife to reduce the likelihood of population decline. It is an offence to kill injure, trade, take, keep or move native wildlife without a permit or other authorization.
4. All Cetaceans are listed to uphold Australia's strong international, regional and national measures for the protection of this group of animals.

All whales, dolphin, seabirds, sea snakes, turtles, seals and sea lions, syngnathids (sea horses, sea dragons and pipefish), sawfishes (green and freshwater), crocodiles and dugongs are protected. There are also a small number of sharks (great white, grey nurse, whale) and other fish listed under the EPBC Act. A full listing of protected species is available on the DEWHA website at: www.environment.gov.au

CAVEATS

i. A consensus does not exist as to whether TEPS impacts should be definitive in establishing what sustainable wild caught seafood is. However, a significant body of stakeholders comprising the public, consumers, retailers and the environmental NGOs consider that minimising or eliminating the impact of fishing on TEPS is essential to a sustainable fishery.

ii. Bycatch management for charismatic marine fauna (e.g. marine mammals, sea turtles) and other TEP species may be more contentious and emotive than for less recognized or popular fish species. Highly endangered species are also a special category in the minds of most people.

iii. For some TEPS that are under protection and that have flourishing populations, e.g., New Zealand fur seals in southern Australia, the fishing industry questions the need for full protection.

Protecting aquatic habitats for sustainable fisheries

Common language: Sustainable fisheries are dependent on the long term health of aquatic ecosystems that should be protected for the economic, ecological and cultural viability of fisheries.

Technical definition: the regulatory body of a fishery is responsible for defining, in a precautionary manner, the most important habitats to protect from fishing and, with the fishing industry, developing measures that control fishing levels, areas and harvest methods, especially those methods that do not properly discriminate target species. The intensity and type of fishing permitted should be appropriate to the area, based on the likelihood and consequence of fishery related impact. Other parties are also responsible for maintaining healthy aquatic habitats for safe and productive fisheries, including environmental agencies, local authorities, and all direct and indirect users of the aquatic environment, including

4. AQUATIC HABITATS

Habitat

Common language: Places where animals and plants live.

Technical definition: Habitat is the biological and physical environment that animals and plants and their populations occupy, continuously, periodically or occasionally to complete their lifecycles and maintain productivity. Most fish species will make use of different habitats in different life stages, e.g., a common pattern is to spend larval and juvenile periods inshore in seagrasses, seaweed and mangrove habitats and then to move to deeper water as adults. Depending on the species, several relevant habitats need protection.

CAVEATS

i. While a degree of habitat modification by fishing activities is accepted by most stakeholders, views diverge as to how much change is acceptable. Some stakeholders believe that no habitat destruction or major modification is acceptable. Most stakeholders do not support a severe degree of change to the point where habitat function is highly modified or ceases; or where recovery is predicted to take decades. In ecologically sensitive and functionally important habitats, only low impact fishing methods should be considered appropriate, and only when coupled with transparent, responsive regulations and management and appropriate monitoring.

ii. All stakeholders committed to sustainable seafood agree that much stronger control is needed over coastal development and pollution.

iii. All fisheries stakeholders agree on the benefits of investing in low impact fishing gear and effective fisheries management. Habitat restoration is only supported in extreme cases. Conservation groups have a strong preference for marine parks and sanctuary zones, whereas fisheries regulators and the fishing industry have more faith in the potential to contain fishing impacts within safe bounds with good fisheries management and rely less onstrong and widespread spatial restrictions. This polarized debate on the role of marine protected areas in sustainable seafood and for other conservation purposes is happening not just in Australia but is global and needs reconciling.

iv. Ecological Risk Assessment/Ecological Risk Management is a process that has been undertaken in some Australian Fisheries, and is defined in the 'Bycatch' section above. This is a process of scientifically conducting a risk assessment on the potential for different fishing gears to impact on the habitat within a given area. The outputs of these is a risk from effects of fishing to altering a habitat. An example of this is that the risk of trawl fishing effecting a habitat of soft sponges and corals is a lot higher than a sandy environment which experiences a lot of natural disturbance through processes such as storms and flooding.

5. AQUATIC ECOSYSTEMS

Maintaining aquatic ecosystem functions for sustainable fisheries

Common language: Sustainable fisheries depend on well-functioning aquatic communities.

Technical definition: Aquatic ecosystems consist of the trophic structures and functions, biological community composition and biodiversity that support fish stocks. In order of increasing impacts, the following table describes levels of impact and consequence for aquatic ecosystems. Impacts of stage 3 and beyond are unacceptable and inconsistent with ESD principles and contemporary Australian fisheries management objectives. In

Level of Impact (0-5)	Consequences for Aquatic Ecosystem
0. Negligible: No recovery time needed	Interactions may be occurring but it is unlikely that there would be any change outside of natural variation
1. Minor: Rapid recovery would occur if stopped – measured in months	Minor changes in relative abundance of other constituents.
2. Moderate: Recovery probably measured in months – years if activity stopped	Measurable changes to the ecosystem components without there being a major change in function (i.e. no loss of components).
3. Severe: Recovery measured in years if stopped	Ecosystem function altered measurably and some function or components are missing/declining/increasing well outside historical acceptable range and/or allowed/facilitated new species to appear.
4. Major: Recovery period measured in years to decades if stopped	A major change to ecosystem structure and function. Different dynamics now occur with different species or groups now the major targets of the fishery
5. Catastrophic: Long-term recovery period to acceptable levels will be greater than decades or never (irreversible), even if stopped	Total collapse of ecosystem processes

Biodiversity

Common language: The variety of life in an ecosystem.

Technical Definition: Biological diversity: variety among living organisms, including genetic diversity, diversity within and between species, and diversity within ecosystems.

Ecosystem

Common language: A community of plants, animals and microorganisms and the non-living parts of their environment existing and interacting with each other.

Technical Definition: A complex of plant, animal and microorganism communities that, together with the non-living components, interact to maintain a functional unit.

Trophic level

Common language: The position of a plant or animal in the food chain.

Technical definition: Position in food chain determined by the number of energy-transfer steps to that level. Plant producers constitute the lowest level, followed by herbivores and a series of carnivores at the higher levels.

CAVEATS

i. Severe levels of impact or worse are unacceptable and inconsistent with ESD and fisheries management objectives. Even short of this level of impact, the values stakeholders place on ecosystem components determine what they view as acceptable.

ii. Fisheries impacting important prey or forage species offer particular challenges to management, having multiple uses by humans (food, bait, aquaculture feed, etc) and by other component fishes in the ecosystem. They require management strategies that are more conservative or precautionary than would be acceptable for key target species in a fishery. Food-web dynamics and divergent stakeholder perspectives about the suitability or not of fishing such forage species can give rise to strong public opposition.

iii. The geographic scale of the impacts needs also to be considered. Localised impacts of fishing can be significantly less than those of natural events (weather, sea) but still result in a "change in the abundance and size of species present."

iv. Some stakeholders consider the levels to be anthropocentric and extremely focused on the exploitation of commercial fish stocks. Beyond merely anthropocentric, the scale does not consider Indigenous cultural knowledge and the impact of non-Indigenous fishing on Indigenous fishing practices and gives less weight to existence, cultural – including scientific, and recreational and other values.

v. A key factor in determining what is acceptable is that a strategy is in place, if necessary, that takes into account available information and is expected to restrain impacts of the fishery on the ecosystem to safe levels.

vi. The frequency of any impact must also be brought into the above scale as this is an important consideration of the overall risk. Frequent moderate impacts may place the ecosystem in greater danger of sliding into more serious impact levels.

Appendix 1 - Common Language Group – Custodian Group Membership

CHAIR: Meryl Williams

SECRETARIAT: Michelle Christoe/Josh Fielding

Sector	Organisation	Nominee
NGOs	NGOs (MSC, WWF, AMCS)	Jo-anne McCrea, WWF
Commercial	National Seafood Industry Alliance (NSIA)	Grahame Turk/Johnathon Davey
Recreational	RecFish Australia	Russell Conway
Aquaculture	National Aquaculture Council (NAC)	Pheroze Jungalwalla
Researchers	Fisheries Research and Development Corporation (FRDC)	Patrick Hone/Josh Fielding
Researchers	Research Providers Network	Ilona Stobutzki
Retail	Coles	Rob Cumine
Retail	Woolworths	Natalie Mathews
Post harvest	Sydney Fish Market	Bryan Skepper/Sevaly Sen
Fisheries managers	Australian Fisheries Management Forum	Doug Ferrell
Extension	Food Focus Australia	Michelle Christoe
Independent retailers	De Costi Seafoods	Anthony Mercer
Consumer group	Choice	Angela McDougal
Imports	Seafood Importers Association	Norm Grant
Indigenous Fishing	Indigenous Reference Group	Chris Calogeras

GENERAL COMMENTS

The caveats were well done, but ending with the caveats means ending with uncertainty. Is there a way to conclude each section with a "strength"?

For the sub-terms, the 'technical definition' and the 'common language' both generally use 'common language'. More often than not, the 'technical definition' appears to provide more useful information that is still mostly accessible to a 'common language' audience. It may make more sense to come up with one definition for each term that is accessible to all, rather than duplicate. It may be more useful to think of the definitions as a 'short' and 'long' definition.
The caveats are generally written in 'technical' as opposed to common language. This may result in some confusion and further disagreement between stakeholders.

UN CBD site on ecosystems approach with guides (http://www.cbd.int/ecosystem/sourcebook/). His words follow;

- *'perhaps to contextualise concerns with section 5, what is needed earlier on in the draft are some words around the place of humans in ecosystems and in particular Indigenous people, perhaps in the diagram (figure 1) a sixth element is needed, especially for Australia (and other colonised countries), that element being ' Indigenous cultural fishing' (well outlined in FAO Code of Conduct Article 7 sect 7.6.1, UNDRIP and UNCBD Convention Articles 8(j) and 10(c) as well as the CBD guidelines on Ecosystems Approach to management of biodiversity etc).*
- *So for example in section 5. Aquatic Ecosystems, subsection ecosystem the definition should include humans and in the caveats section the explanation could be a bit more explicit and focussed on indigenous fishing. So in caveats section of section 5 while dot point (iv) lines 381-384 starts to the issue I think it confuses it with other issues and is not clear enough, suggestion would be to drop the Indigenous part contained and add a new point (ii) along the lines of;*
- *(ii) Fisheries impacting indigenous cultural practices, which includes cultural fishing and the maintenance of indigenous fishing knowledge, require management strategies that acknowledge the core presence of indigenous people in the ecosystems being impacted and the inherent rights associated with that presence.'*

– I am sure the use of 'acceptable' in common language definitions has been done to death by the Committee – but the continued use of it without some clearer definition does concern me as it leave such a large opportunity for a variation in interpretation. I wonder if it is possible to use a common language definition of the term up front along the lines of: acceptable = "ecologically defensible"?
Is it really necessary to have both CLs and TDs in all cases. There are certainly some instances where this is the case, but not many. Also, many of the TDs are not particularly technical, whereas more technical detail could be included by providing details of actual reference points and other metrics.
While this effort specifically relates to Australian fisheries, it may also have an influence on fisheries in other parts of the world including New Zealand. Indeed, it would be advantageous for there to be a world-wide common language.
Surely such common and technical definitions have been thought through and previously defined previously somewhere locally or internationally? If not ok, but I feel like the wheel might be being reinvented.
I think one of the main issues is that in the definitions of sustainability, overfished, overfishing, reference points etc etc etc there needs to be greater linkage and consistency across both the common and technical definitions. Specifically, a common theme through those should be references to biomass and fishing mortality and potentially economic yield and recruitment (or reproductive capacity) in a way that allows linkage between terms. This seems to be lacking.
We are not convinced there is a need for the caveats sections and they often seem irrelevant to the definitions themselves. If a definition of a term needs a bunch of caveats then the definition is not much good or is too narrow. The definitions, particularly the technical ones, go well beyond any concept of definition and involve quite detailed discussions.

I think a problem through the definitions is a lack of consistency and linkage. So here for example, the definition of overfishing should be strongly linked to that of overfished (above) e.g.
"Overfishing occurs when the rate of harvesting is such that it will lead to the stock being depleted to an unacceptable level (i.e. overfished) if that rate is not reduced"
This terminology links the definitions in a consistent manner. I am not saying that these should definately be the definitions, just that whatever definitions are chosen are consistent with one

another.
If you want a definition that links to recruitment overfishing then perhaps:
"Overfishing is when the stock is being harvested at a rate that will, if not decreased, reduce the reproductive capacity of the stock"
"Overfished is when the adult stock has been reduced such that the reproductive capacity is diminished/reduced/declined etc"

In my opinion, what we consider sustainable fishing should be directly linked to the ecosystem's capacity for production, which is a fact directly related to a physical reality, not to a particular interest group.
Therefore, I urge you to give weight to the capacity of production coupled with real conservation of marine ecosystems to coin a term which reflects reality, rather creating a word which disguises financial gain and ecological destruction as sustainable practices.

APPENDIX 10: Press Releases and Articles

Prepared for FISH Magazine 2014

Common Language Group discussing 'What is Sustainable Fishing?'

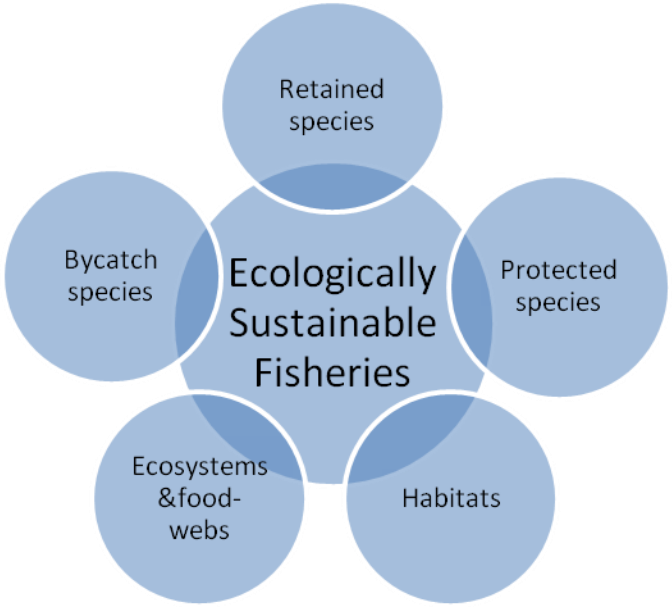
There is often confusion among industry stakeholders and the public on contentious issues faced by the Australian seafood industry, such as definitions and sometimes conflicting claims for sustainability, responsible fishing, the value of MPAs, and the merits and problems of different fishing methods. This lack of common understanding can occur anywhere along the seafood supply chain (producers, wholesalers, retailers), among a range of stakeholder groups (NGOs, etc) as well as within the general public.

To create and communicate a common understanding of the issues associated with the use of Australian aquatic eco systems and resources, the Common Language Group (CLG) was formed in 2012.

This is important because, unless addressed through better dialogue, misunderstandings between the industry and consumers could generate negative perceptions of the Australian seafood industry on a range of important issues such as the performance of fisheries management and the state of the environment.

The CLG is guided by a Custodian Group made up of senior representatives from key fisheries stakeholder groups including: commercial fishers, recreational fishers, traditional indigenous fishers, aquaculture, fisheries management, science and research, post harvest sectors, supermarkets, environment NGO's and seafood consumers. Dr Meryl Williams is the Chair of the Custodian Group which determines issues to be forwarded to working groups to prepare draft position papers which would then be discussed in open CLG forums, resulting in public explanatory documents.

The Custodian Group agreed that a clear understanding of what constitutes "sustainable seafood" should be an initial priority for the CLG process. This process included an analysis of different stakeholder views, including identifying areas of broad agreement or common ground on key issues, as well as areas where views diverge. After several meetings and hard work by members of the Custodian Group, a working group was formed to further



develop a consultation document.

Figure 1: the 5 ecological components used to determine ecologically sustainable fisheries

Consequently, the Draft Issues Paper 1 – Defining Sustainable Australian Seafood "Wild-Capture Fisheries" was prepared by a small working group who also sought expert technical advice. The result was a consensus across the group on what defined the five elements that make up sustainable seafood:

6. Stock Status of Targeted and Retained Species
7. Impacts of Bycatch Species
8. Impacts on Protected Species
9. Impacts on Marine Habitats
10. Impacts on Marine Ecosystems

The Issues Paper was publicly accessible online via the FRDC website and widely distributed to those on the FRDC mailing list, facebook, seafood industry leaders and others. Alongside the Issues paper, a survey was made available online via 'Survey Monkey' and found on www.commonlanguage.com.au.

The Issues Paper, with details of the survey, was distributed as a first round of feedback to around 4883 unique emails in December 2013; with a closing date for submissions at the end of March 2014. 405 downloads of the Issues Paper were made from the Fisheries Research & Development Corporation (FRDC) website with responses equating to 12%. Completed surveys were received from groups and individuals across the wild catch fishing sector, seafood supply chain businesses and individuals, and key stakeholders providing well thought, qualitative responses from key organisations. These responses included ENGO groups as a combined response, key retailers such as Coles, the Indigenous Reference

Group and the Australian Fisheries Management Authority (AFMA). The intent of the survey was to obtain qualitative feedback on the Issues Paper and to then discuss the elements in a wider audience through an Open Forum (date yet to be established).

The CLG survey respondents generally agreed with the definition that *"Sustainable seafood is that for which the status of stocks of retained target and other fish is sustainable and, in addition, in harvesting the seafood, the fishery's impacts on bycatch species, protected species, marine habitats and marine ecosystems are such that their existence and functioning also is maintained in a healthy state."*

The vast majority of respondents thought it is possible to inform consumers about the sustainability of seafood.

About two-thirds of respondents thought mandatory regulation to abide by Fish Names should apply.

Around three-quarters of respondents agreed that the risk based frameworki proposed s an acceptable approach to managing bycatch.

Many other issues require more work to gain consensus, especially a clear and easy to understand definition for an overfished stock, methods for protection of fisheries habitat, priority fishing methods that require monitoring and acceptable levels of bycatch.

Hosted at the impressive new WWF offices in Ultimo, where they 'walk the talk' on sustainability, an initial meeting has taken place to discuss the findings by the CLG Custodian Group. The CLG Custodian Group has considered the responses and will make available via its website a Submission Summary outlining responses from the industry, and "Sustainable Fishing", a document outlining the terms used (both technical and in consumer language). These documents will be made publicly available for consideration by stakeholders, followed by the open forum to further refine the agreed common language terms on the basis of stakeholder feedback.

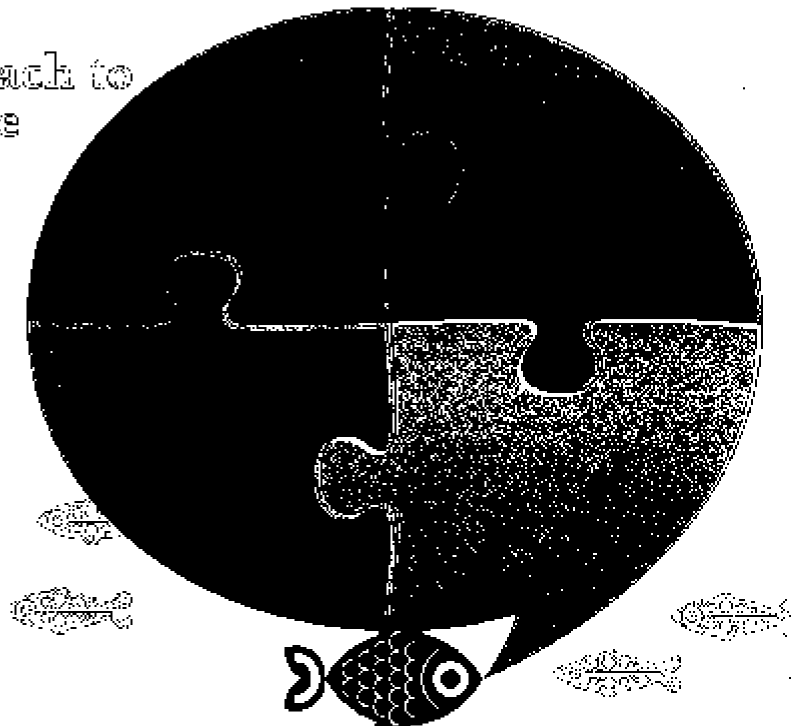
Open CLG forums will be advertised on the FRDC and Common Language Group website and via notifications to the FRDC subscriber database. Anyone will be welcome to attend and participate. To view the Draft Issues Paper, find out more about the CLG process and keep up to date with all CLG, please go to www.commonlanguage.com.au.

The Common Language Group (CLG) project is supported by funding from the Fisheries Research and Development Corporation on behalf of the Australian Government. For the past twelve months this project has been managed by Michelle Christoe of Food Focus and will revert to FRDC in the new financial year.

By Catherine Norwood

FRDC Research Code: 2012/500
More information: Michelle Christoe, Seafood Services Australia, [illegible], www.seafood.net.au; Seafish Industry Authority (UK), www.seafish.org

Common approach to clearer language



The meaning of terms such as 'sustainability', 'responsible fishing', 'fully fished' and 'overfished' is often unclear to members of the general public, and also to those within the fishing industry and seafood supply chain.

Seafood Services Australia (SSA), in conjunction with the FRDC, is working on a project designed to develop a consensus on a range of issues affecting the Australian fishing and aquaculture sectors.

The 'Common Language Group' project is based on a similar effort in the UK.

During the past decade the UK project, overseen by the Seafish Industry Authority, has developed and adopted agreed positions on a range of topical issues affecting the industry, providing a forum and framework for all stakeholders to reach a consensus.

The head of environmental responsibility for Seafish, Phil MacMullen, says the project has improved industry transparency and consumer confidence. In Australia, it is hoped the Common Language Group will improve public perceptions of the Australian seafood industry by removing confusion.

The FRDC's executive director, Patrick Hone, says the industry needs to work with other influential stakeholders to agree on a science-based process to address areas of disagreement.

SSA has formed an interim group to develop the initiative, which is expected to be formally launched within the next few months. All key stakeholder groups will be represented through the Common Language Group.

The executive officer of SSA, Michelle Christoe, says seafood industry sectors have not traditionally worked closely together on a problem.

"However, the Common Language Group will allow us to pioneer a collaborative, national approach to complex issues that affect the seafood supply chain, for the sake of sustainable sourcing and responsible practices."

Michelle Christoe worked in the food industry in a variety of marketing and strategic development roles for more than 20 years before joining SSA last year.

She says there appears to be more confusion about terminology in the seafood industry than in other food industries.

"There are completely different practices in the wild-capture and aquaculture sectors, and even in the processing sector. These all contribute to the confusion," she says.

In the public arena, topical issues facing the Australian seafood industry include sustainability, responsible fishing and fishing methods. In addition to the confusion about terminology within the seafood supply chain, there are also issues for a range of stakeholder groups and non-government organisations (NGOs), as well as among the general public.

"It contributes significantly to the negative perception of the Australian seafood industry on a range of issues, from our fisheries management to environmental impact," Michelle Christoe says.

The importance of the language issue was raised by Phil MacMullen last year at an SSA Network Meeting involving key members of the Australian seafood industry and environmental NGOs. It was agreed at the meeting that the Australian seafood industry needed clearer definitions and terminology, along with increased community engagement on sustainability.

Many definitions and terms relating to fishery management and sustainability were identified as problematic. Adding to the confusion, particularly for consumers, is the existence of multiple eco-labels for seafood around the world – each with different criteria. ■

Talking points

The initial discussions of the Common Language Group will focus on issues for the seafood industry such as:

- terms that should have a clearer definition, such as 'fully fished' and 'overfished'; and
- misinformation on stock status

APPENDIX 11: Food Focus Capability Statement

FoodFocus

Capability Statement

Food Focus is a consultancy which acts as an outsourced Marketing & Business Services agency managed by Michelle Christoe, based in Brisbane. She is supported by a number of specialist consultants and administrative support.

Michelle is an experienced corporate consultant and advisor, and a professional presenter for the Australian Catholic University. She is MBA qualified and an active accredited Director.

Advantages of outsourcing to Food Focus include:

- Access to skilled marketing expertise not available internally.
- Credibility with Government and Private sector organisations at the highest levels.
- Speed in driving through projects and in responding to marketplace demands.
- Experience in working in international markets.
- Total flexibility: Access to a broad range of marketing and business services only as you need them.
- Objectivity and Independence: Objective advice and impartial implementation.
- We free-up your valuable internal management time & resources for other purposes.

The 6 Key pillars that underpin Food Focus are:

Standards development expertise
Seminars and Workshops
Communications
Export & Import Facilitation
Product Development
Project Management and Facilitation

Track Record (2010 – 2014)

Food Focus has a track record in delivery food industry outcomes, for public and private clients that make a difference which include:

The establishment and facilitation of the seafood industry, Common Language Group
Workshops which include Marketing Outside the Box, Manufacturing for Profit, Commercialising New Products and Creative Marketing
International Business and Marketing Lectures at University level
Project Managing the development and distribution of seafood, beef and chicken meals through Woolworths, Coles & Aldi
Business Due Diligence Reporting
Change Management
Strategic Planning Workshops and Plans
Standards development in horticulture and seafood
Merchandising and Product Marketing Programs for Organic Beef, Turkey & Seafood

Business Clients span the supply chain and include farmers and growers, retailers of all shapes and sizes, food manufacturers , food service, Associations, Universities & government departments. As a consultant, acting as an external marketing and operations department working on projects for industry to improve bottom lines.

Projects are underpinned by a strong knowledge of customer purchasing motivations, trade expertise, product design and market development. This insight is constantly updated through the involvement in qualitative and quantitative research projects and strategic planning workshops.

www.foodfocus.com.au

FRDC FINAL REPORT CHECKLIST

Project Title:	Common Language Group		
Principal Investigators:	Michelle Christoe – Food Focus Australia		
Project Number:	2012/500		
Description:	The Common Language Group (CLG) was originally created by the former Seafood Services Australia (SSA), supported by a grant by Fisheries Research & Development Corporation (FRDC) "to create and communicate a common understanding of the issues associated with the use of Australian aquatic ecosystems and resources". Due to significant reduction in funding, SSA ceased trading in 2012 and the FRDC assisted the SSA organisation in transitioning projects to other organisations to see them completed and available to industry. The Common Language Group project was one of these projects. The agreed objectives of this project were met and exceeded in many areas due to the firm industry and individual commitment to the Common Language Group. The project was successful in gaining all seafood sectors to sit around a table to openly discuss and understand key issues. The Common Language Custodian Group during the course of this project succeeded in agreeing on the elements of sustainable seafood. This achievement should not be underestimated. The process is key to ensuring transparency and open communication is maintained across the Australian seafood industry to address key issues. The FRDC aims to continue to deliver the Common Language Group project and will continue to evolve the process.		
Published Date:	XX/XX/XXXX (if applicable)	**Year:**	XXXX
ISBN:	XXXXX (if applicable)	**ISSN:**	XXXXXXXXXXXXX (if applicable)
Key Words:	Needs to include key subject areas and species name (see www.fishnames.com.au)		

Please use this checklist to self-assess your report before submitting to FRDC. Checklist should accompany the report.

	Is it included (Y/N)	**Comments**
Foreword (optional)	Y	
Acknowledgments	Y	
Abbreviations	Y	
Executive Summary	Y	
– **What the report is about**	Y	
– **Background – why project was undertaken**	Y	
– **Aims/objectives – what you wanted to achieve at the beginning**	Y	
– **Methodology – outline how you did the project**	Y	

– **Results/key findings – this should outline what you found or key results**	Y	
– **Implications for relevant stakeholders**	Y	
– **Recommendations**	Y	
Introduction	Y	
Objectives	Y	
Methodology	Y	
Results	Y	
Discussion		
Conclusion	Y	
Implications	Y	
Recommendations	Y	
Further development	Y	
Extension and Adoption	Y	
Project coverage	Y	
Glossary	Y	
Project materials developed	Y	
Appendices	Y	

[i] This issues paper was developed without the indigenous reference group being part of the working group, however has been sought input into its contents. Since the original development of this issues paper, the indigenous reference group has been invited into the Custodian Group.