

Standards-Related Variance Request (VR) Procedure



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This document will be publicly available on the ASC website.

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

For comments or questions regarding the content of this document, please contact ASC Standards and Science Team via VR@asc-aqua.org

1. Introduction

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

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

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

ASC Vision and Mission

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

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

Standards-Related Variance Request (VR) Process

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

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

2. Scope and Purpose of this Document

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

3. Referenced Documents

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

- 3.2. Procedures, Guidelines:
 - a) VR Committee Terms of Reference
 - b) ASC Standard Setting Procedure

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

4. Terms and Definitions

- 4.1. Terms and definitions are in the Appendix section.

5. Roles and Responsibilities

- 5.1. Aquaculture Stewardship Council (ASC) - responsible to follow the process described in the current Procedure and maintain it up-to-date.

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

- 5.3. VR Committee - responsible for making the decision to approve, not approve or decline a VR.

6. Variance Request (VR) Process

6.1. Variance Request - Formulation Requirements

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

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

6.1.2. A Variance Request:

6.1.2.1. For initial and/or re-certification audits - may be submitted as soon as the audit announcement has been published by ASC but this submission shall not take place later than fifteen (15) days after the date of completion of the audit.

6.1.2.2. For surveillance audits - shall not be submitted later than fifteen (15) days after the date of completion of the audit.

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

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

6.1.2.4. Shall be written in clear and concise English.

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

6.1.2.5. Shall cover only Indicator(s) from a single Criterion of a Principle.

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

6.2. Variance Request - Submission

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

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

- 6.2.2.1. Assign a number to the VR.

- 6.2.2.2. Send confirmation of receipt to the VR applicant within two (2) days.

- 6.2.3. A VR submission shall be referenced in the draft and final audit report, including the number of the VR.

6.3. Variance Request - Administrative Review

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

- 6.3.2. The Administrative Review will evaluate the compliance of a VR submission with the requirements on [6.1.2.](#)

- 6.3.2.1. If a VR submission fails to comply with [6.3.2.](#), ASC will notify the VR applicant of the reasons for the failure within the timeline outlined in [6.3.1.](#)

- a) The VR applicant can submit an updated version of the VR within ten (10) days following 6.3.2.1.

- i. If the updated version of a VR is received beyond the timeline outlined in [6.3.2.1.a](#), the VR will be declined on the aforementioned basis and ASC will proceed as per [6.7](#).
 - ii. Should the VR applicant decide not to submit an updated version of the VR, the VR will be declined on the aforementioned basis and ASC will proceed as per [6.7](#).
- b) Once the updated version of a VR is received, ASC will conclude the Administrative Review within five (5) days of receipt.
- i. If the updated version of a VR still does not comply with [6.3.2](#), the VR will be declined on the aforementioned basis and ASC will proceed as per [6.7](#).

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

6.3.3.1. Publish the VR on the ASC Variance Request and Interpretation Platform.

6.3.3.2. Notify registered stakeholders of the possibility to submit feedback on the VR.

a) Stakeholders must register with ASC in order to be notified.

b) Stakeholder feedback shall:

i. Be received within ten (10) days of notification.

ii. Be written in English.

iii. Be supported by publicly accessible information.

A. If supporting information is not in English, a summary of each piece of information shall be included in English within the submitted feedback.

6.3.3.3. Send confirmation of [6.3.3.1](#) to the VR applicant.

6.3.3.4. Begin the Technical Review of the VR as per [6.4](#).

6.4. Variance Request - Technical Review

6.4.1. The Technical Review of the VR will be conducted by ASC and will last for twenty (20) days following [6.3.3.4](#).

6.4.2. Stakeholders feedback ([6.3.3.2](#)) will be assessed during the Technical Review of the VR.

6.4.3. If additional information is needed to assess the VR, ASC will request the needed information to the VR applicant during the Technical Review ([6.4.1](#)).

6.4.3.1. The VR applicant shall provide the requested information within ten (10) days following the request.

- a) If the additional information is not provided within the allowed timeframe referred to in [6.4.3.1](#), the VR will be declined on the aforementioned basis and ASC will proceed as per [6.7](#).

6.4.3.2. If the VR applicant needs more time to provide the requested information, an additional ten (10) days may be requested by the VR applicant within the timeframe referred to in [6.4.3.1](#).

- a) If an extension is not requested within the allowed timeframe referred to in [6.4.3.1](#), the VR will be declined on the aforementioned basis and ASC will proceed as per [6.7](#).

6.4.3.3. Once the requested additional information is received, ASC will conclude the Technical Review within five (5) days of receipt.

6.5. Variance Request - Presentation to VR Committee

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

6.5.1.1. The need to conduct a targeted technical consultation when the VR relates to e.g.:

- a) A metric of the standard.
- b) Deferring to legal requirements instead of standard adherence.
- c) If stakeholder feedback ([6.3.3.2](#)) has indicated the need for broader input.
- d) Otherwise, as deemed needed.

6.5.1.2. An analysis to approve, not approve or to decline the VR. The analysis shall contain:

- a) The rationale for the analysis, including the rationale of how the VR is able to meet, or not, the intent of the indicator(s) for which the VR is sought.
- b) The VR applicability, including the scope and any conditions that are to be adhered to in case the analysis is to approve the VR.
- c) Any received stakeholder feedback ([6.3.3.2](#)).
- d) A draft of the VR decision, including [6.5.1.2.a](#) and [6.5.1.2.b](#), for publication on the ASC Variance Request and Interpretation Platform.

6.5.2. ASC will send the VR Analysis under [6.5.1](#) to the VR Committee within five (5) days of completing the Technical Review.

6.6. Variance Request – Decision

6.6.1. Within fifteen (15) days of receipt of the VR Analysis the VR Committee will:

6.6.1.1. Confirm or revise the analysis to approve, not approve or to decline the VR ([6.5.1.2](#)).

a) Following receipt of the VR Committee decision, ASC will proceed as per [6.7](#).

6.6.1.2. Confirm or revise the analysis to further conduct a targeted technical consultation ([6.5.1.1](#)),

a) If confirmed by the VR Committee, the targeted technical consultation will be coordinated by ASC.

i. The consultation will begin no later than ten (10) days after the confirmation from the VR Committee is received and shall last for fifteen (15) days.

ii. The consultation will include stakeholders listed under [6.3.3.2](#), stakeholders registered with the VR applicant and others (e.g. academia) where deemed necessary.

iii. ASC will compile all received feedback from the consultation in a Feedback Document which will be submitted back for Technical Review within five (5) days after the closing of the consultation.

iv. ASC will conclude the Technical Review and formulate a VR Analysis to approve, not approve or to decline the VR within ten (10) days of receipt of the Feedback Document. The VR Analysis shall also include:

A. The rationale for the analysis, including the rationale of how the VR is able to meet, or not, the intent of the indicator(s) for which the VR is sought.

B. The VR applicability, including the scope and any conditions that are to be adhered to in case the analysis suggests to approve the VR.

- C. A draft of the VR decision, including [6.6.1.2.a.iv.A](#) and [6.6.1.2.a.iv.B](#), for publication on the ASC Variance Request and Interpretation Platform.

- D. The Feedback Document, as per [6.6.1.2.a.iii](#).

- v. ASC will send the VR Analysis under [6.6.1.2.a.iv](#) to the VR Committee within five (5) days of receipt from the Technical Review.

- vi. Within fifteen (15) days of receipt of the VR Analysis under [6.6.1.2.a.iv](#) the VR Committee will confirm or revise the analysis to approve, not approve or to decline the VR.
 - A. Following receipt of the decision from the VR Committee, ASC will proceed as per [6.7](#).

- b) If the technical targeted consultation is not confirmed by the VR Committee, ASC will conclude the Initial Review within ten (10) days of receipt from the VR Committee and formulate a VR Analysis as per [6.5.1.2](#) to [6.6.1.1.a](#).

- 6.6.2. The decision from the VR Committee ([6.6.1.1](#), [6.6.1.2](#) and [6.6.1.2.a.vii](#).) shall be consensus-driven, otherwise majority-rule shall apply (i.e. two out of three).

6.7. Variance Request - Decision Publication

- 6.7.1. Within three (3) days following receipt of a VR decision ([6.3.2.1.a.i](#), [6.3.2.1.a.ii](#), [6.3.2.1.b.i](#), [6.4.3.1.a](#), [6.4.3.2.a](#), [6.6.1.1.a](#), [6.6.1.2.a.vi.A](#) and [6.8.1](#)), ASC will:

- 6.7.1.1. Publish the VR decision on the ASC Variance Request and Interpretation Platform.

- a) The publication shall include:

- i. The decision on whether the VR is approved, not approved or declined.
- ii. The rationale behind the decision, including the rationale of how the VR is able to meet, or not, the intent of the indicator(s) for which the VR is sought.
- iii. The VR applicability (in case VR is approved).
- iv. The Feedback Document, in case a technical targeted consultation has occurred ([6.6.1.2.a.iii](#)).
- v. Stakeholders comments ([6.3.3.2](#) and [6.6.1.2.a.ii](#)).

6.7.1.2. Categorise the VR as “Closed” on the ASC Variance Request and Interpretation Platform.

6.7.1.3. Send a confirmation of the VR decision to the VR applicant.

6.8. Variance Request -Transfers of Certificates

6.8.1. When a certificate is transferred and a decision on a VR is pending, ASC will stop the processing, decline the VR on the aforementioned basis and proceed as per [6.7](#).

6.8.1.1. The VR can be re-submitted if the succeeding CAB wishes to do so.

- a) If the VR is re-submitted, the timelines outlined in [6.1.2.1](#) and [6.1.2.2](#) will not apply.

7. Stakeholders Engagement

7.1. Stakeholders can submit comments on a VR to ASC at any time.

7.1.1. ASC may decide to reconsider a VR if deemed appropriate on the basis of received comments under [7.1.](#)

7.1.1.1. In case of reconsidering a VR ASC will:

- a) Communicate the decision to the CAB that originally submitted the approved VR;
- b) Proceed as per [6.4.](#) onwards (where applicable).

8. ASC Standard Review

8.1. Standards-related Variance Requests will be included as an input to the ASC Standard Review process.

9. Appendixes

9.1. Definitions

Term	Definition
ASC Audit Report Quality Assessment Process.	A review conducted by ASC focusing on the Audit Report's completeness and the presence therein of sufficient evidence to justify both non-conformances and compliances.
ASC Variance Request and Interpretation Platform	Publicly available website to view all Variance Requests and Questions for Interpretation that have been submitted to ASC. ASC's responses are also provided there.
ASC Standard Review	See ASC Standard Setting Procedure (https://www.asc-aqua.org/what-we-do/our-standards/farm-standards/).
Conformity Assessment Body (CAB)	See Certification and Accreditation Requirements, CAR - Terms and Definitions (https://www.asc-aqua.org/what-you-can-do/get-certified/about-our-certification/).

Consensus	General agreement, characterised by the absence of opposition.
Days	Refers to working days applicable to the country of the ASC Head Office (The Netherlands).
Technical Review	The technical review is carried out by the ASC Standard and Science team and consists of an analytical assessment of the issue presented by a VR, including the supporting evidence, breaking it down into its components, and evaluating how each of them, when put together, are able to meet, or not, the intent of the indicator for which the VR is sought.
Non-conformity	See Certification and Accreditation Requirements, CAR - Terms and Definitions (https://www.asc-aqua.org/what-you-can-do/get-certified/about-our-certification/).
Shall	Denotes a requirement.
Similar	Having a resemblance in appearance, character, or quantity, without being identical.
Targeted Technical Consultation	See Targeted Technical Consultation Guidance.
Technical Advisory Group (TAG)	Group responsible for providing scientific and technical advice to the Supervisory Board and to the Executive regarding the scientific and technical needs of the ASC in pursuing its Mission and Vision (https://www.asc-aqua.org/about-us/governance/).
Unit of Certification (UoC)	See Certification and Accreditation Requirements, CAR - Terms and Definitions (https://www.asc-aqua.org/what-you-can-do/get-certified/about-our-certification/).
Variance Request (VR)	Request to adapt an ASC indicator/performance level to a unique local circumstance, that the global ASC Standard(s) were not able to, for whatever reason, foresee during the Standard Setting Process, whilst continuing to adhere to the original intent as set out by the Standards.
VR Applicability	The scope of an approved VR and any conditions that are to be adhered to. The scope can include but is not limited to: farm(s), regions(s), audit(s), certification cycle(s), period(s) of time, etc. The conditions can include the allowance to re-use, or not, a VR by a CAB that encounters a similar circumstance for which an earlier VR has been approved.
VR Decision	Decision for closing a VR. A decision can be: approved, not approved or declined (i.e. no compliance with timelines, n/a, non-English, etc.).
VR Committee	Committee responsible for approving, not approving or declining a VR. The VR Committee consists of the Director of the Standards and Science Department, the Chair of the TAG and a TAG member as elected by the TAG. See VR Committee ToR.