



## **Best Aquaculture Practices Certification Program**

Global Aquaculture Alliance

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# **Comments on BAP Standards**

## **Mussel Farm Standards**

*Comments concluded June 2013*

### **Aquaculture New Zealand**

Nelson, New Zealand

Thank you for the opportunity to comment on the draft BAP Mussel Farm Standards/Guidelines.

Aquaculture New Zealand (AQNZ) represents the interests of the aquaculture sector in New Zealand. The primary mussel species farmed is New Zealand Greenshell mussels (*Perna canaliculus*). By volume, mussels make up around 85% of the New Zealand aquaculture industry.

New Zealand mussel farmers continually push the boundaries of international best practice in environmental sustainability to meet the growing global demand for safe, healthy seafood products. As responsible users of the coastal area, the industry has developed an Environmental Management System to direct best industry practices throughout growing and harvesting to minimise potential effects on the environment.

Furthermore, the substantial New Zealand legal framework controls a wide range of sustainability parameters, balancing the economic, social and cultural wellbeing of New Zealanders, protecting the environment, safeguarding animal welfare and supporting the rights and welfare of employees.

AQNZ supports the Global Aquaculture Alliance's dedication to "advancing environmentally and socially responsible aquaculture" and recognises that where appropriate, eco-certification can be a useful tool to guide environmental improvement as well as demonstrate to local stakeholders and global customers a commitment to sustainability.

The New Zealand mussel industry already presents a well-recognised sustainability proposition to its markets, which at this time suggests limited, if any, market demand to demonstrate this through formal certification.

AQNZ made some comments to the draft standards in 2012, and we are encouraged to see that most of these have been incorporated into the latest draft. There are just a few additional points we would like to raise or reiterate here.

#### **GENERAL COMMENTS**

There remains some apparent inconsistency in the application of the "implementation" sections for each standard, and the standards would benefit from some guidance up front regarding these. At times the implementation sections appear to reiterate the standards in a particular section. At other times they are an explanatory narrative, while others seem to impose additional requirements over and above the standards.

**BAP:** *Please see next response.*

In particular, standard 7.1 states that “The applicant shall have a written Wildlife Interaction Plan consistent with the implementation requirements above.” This is a clear link between the audit requirement and the implementation section for standard 7, Predator and Wildlife Interactions. However, such a link is not provided for any of the other standards, so one would assume less of a direct requirement in these. More clarity would be helpful.

**BAP:** *Your observations and assumptions are correct. Wherever possible, the numbered clauses are written as stand-alone statements. But in certain cases, there is a need for a clause to refer to the accompanying implementation guidelines so the standard can be clearer about what is actually required. The alternative approach is to expand the text in the relevant numbered clause to cover all the information in the implementation guidelines. However, this approach has its drawbacks, as it can make the standard overly prescriptive and uneven. Clause 7.1 is the example you cite. Another example is 4.2, which refers to a “management plan” that is described in the implementation guidelines rather than the clause itself.*

#### Community Relations – Standard 2

Standard 2.3 requires that “the applicant shall demonstrate regular interaction with the local communities.” This should be amended to require “regular interaction with the local communities, where appropriate.” For example, in New Zealand, most of the mussel farms have been operating for more than 20 years with no community complaints. A requirement for “regular interaction” becomes onerous and unnecessary for both the local community and the farmer.

**BAP:** *The intention is certainly not to create a burden for such mussel farms. Note that “interaction” is very broadly defined as “via meetings, committees, correspondence, service projects or other activities.” And that the term “regular,” for which no frequency is set, should also allow for different scenarios to be covered.*

We have some concern that the audit success of a farming facility is partially dependent on areas or factors outside the direct control of the facility. For example, the implementation section requires an auditor to interview local people. The farming facility has no way to ensure that this occurs. There is also concern that there is a clear risk of bias, in that those willing to speak to an auditor may be more likely to have negative attitudes toward a facility. How will this risk be addressed? At the end of the day, there is a basic tenet that a facility’s audit performance should be based on factors within their control.

**BAP:** *This is a general point of concern that relates to all BAP farm standards and not just mussels. Our experience up to now has been that properly trained BAP auditors are aware of the risk of bias (both from interviewing people that are chosen by the farm management and of interviewing unrepresentative locals). If an audit report registers a non-conformity that is due to inadequate sampling of local public opinion, then a farm is able to submit evidence to this effect, and the non-conformity can be resolved.*

#### Worker Safety and Employee Relations – Standard 3

There are 33 out of a total of 91 standards for this section. Not only does this make it overly Prescriptive, but it also skews the “focus” of the standards significantly towards worker rights and away from environmental outcomes. AQNZ submits that this section could be rationalised significantly and still maintain the same level of integrity.

**BAP:** *This concern has also been raised by members of the mussel technical committee. However, the BAP program aims to set consistent requirements for farmed seafood across the globe. One result of attempting to set a level playing field is that “baggage” from some industries seems like an imposition on other industries with distinct issues.*

*These 33 social clauses are designed to provide consistent global coverage, and they are common to other BAP standards -- the BAP program does not offer much flexibility here. BAP is a market-driven program, and these 33 clauses are effectively the minimum required to provide social assurance for retailers with well-developed CSR agendas.*

For example, 3.14 and 3.15 effectively cover the same “standard,” provision of information regarding worker rights. The only difference is that 3.15 applies to workers that have been recruited through a labour or employment service. These two standards could easily be rationalised to be less prescriptive but achieve the same outcome.

**BAP:** *As a global standard, the content has to be consistent across each. And, include all of the minimal provisions on social responsibility that are demanded of us as a global standard by the world's consumers and retailers. The two clauses are different in context, as you pointed out. The same rights have to be extended to employees hired directly by the farm (3.14) versus those who are hired and/or paid through a labor service. There have been a number of documented abuses of workers hired through unscrupulous labor or employment services. And where a facility uses such services, the facility must ensure these do not occur.*

Furthermore, standard 3.12 also seems unnecessarily prescriptive. If all of the other standards in this section can be shown to have been met, what gain is there in prescribing licensing requirements for recruiting or employment services?

**BAP:** *See above. Unscrupulous and unlicensed recruiting/labor/employment services have been found to be a source of labor abuses and regulatory violations.*

## **Dr. Charmaine Marie Gallagher**

Nelson, New Zealand

Section: Environment Carrying Capacity

Paragraph: Implementation

Standard Number: 4.1 and 4.2

Proposed Text:

Mussel rates of phytoplankton removal (metrics in litres or cubic meters) and a range of phytoplankton removal estimates.

Predefined limit ranges per area (areas defined in acres, hectares or cubic meters)

Stocking density ranges (number/cubic meter) and relevant areas (hectares or cubic meters) from which areas can be defined.

Reason for Change:

I welcome the flexibility of your standards to address appropriate levels of carrying capacity, but it would be relevant to have some metric standards from which to gauge loading for plankton depletion and stocking densities

**BAP:** *You are right that the standards allow for flexible approaches to managing carrying capacity. After much discussion about how to draft a standard that could be meaningfully applied to the very wide range of conditions and settings in which mussels are farmed, the Mussel Technical Committee concluded that this flexible approach was more appropriate and workable than setting metric standards.*

## **Darden Aquafarm, Inc.**

Dr. Andrew Jeffs

Sabah, Malaysia

Darden Aquafarm, Inc. is a global leader in the development of sustainable aquaculture of spiny lobsters with a particular focus on advancing commercial aquaculture in parts of Southeast Asia, especially Malaysia. The parent company, Darden, Inc., is a strong supporter of advancing sustainable aquaculture production and practices globally. Therefore, the company welcomes the development of the draft Best Aquaculture Practice certification standards for mussel farms and ultimately will be looking to adopt such as standard in relation to its mussel farming, which will be run in association with its lobster farming operations.

In so doing, we would like to raise the following issues for further consideration in further refining this draft Best Aquaculture Practice framework. Overall, the draft standard looks thoughtful and well-formed, and therefore our comments are only minor in extent.

#### Standard 10: Food Safety: Control of Potential Food Safety Hazards

This section assumes that mussel production is destined for human food use. However, there is increasing use of mussels in IMTA and as a natural feed source for other aquaculture species, where these food safety concerns are not of any major concern. The wording of this section needs to be clarified to indicate that it refers to mussel farm production destined for human consumption, and not for alternative end uses, such as a feedstock for other aquaculture species, such as fishes and lobsters.

**BAP:** *Agreed. This standard is only aimed at mussels for human consumption and is written in a food safety context rather than a feed safety context. For mussels that are being farmed as a feed ingredient, then the requirements of the BAP feed standards would apply. For marine ingredients, the requirements of the BAP feed standards relate to general feed safety with some sustainability criteria (for wild-harvested inputs, but not farmed inputs).*

Standard 11: Same concerns as outlined above. Also, the title for this section needs to include the number 11.

**BAP:** *Agreed, response as above.*

### Spring Bay Seafoods Pty. Ltd.

Phil Lamb, Managing Director  
Triabunna, Tasmania, Australia

The species of mussels in Australia is *Mytilus galloprovincialis*, and the correct and full common name is Australian blue mussels. Are you comfortable therefore that the standard adequately provides for this species?

**BAP:** *Agreed. The standard specifically mentions M. galloprovincialis and is certainly designed to cover this species. Hence we will insert the common name into the preamble to make it clear that this species has more than one common name.*

Production of mussel spat in hatchery?

#### Section 4. Environment – Seed Supply

You talk about the standards applying to the collection of “wild-caught” mussel spat – which I understand. There is no mention of hatchery-produced mussel spat.

**BAP:** *A separate BAP hatchery (seed production unit) standard is currently being finalized, and this will apply to a mussel hatchery that seeks BAP certification.*

Our company grows and sells over 1,000 mt of Australian blue mussels and is one of the few (but there are others) that are involved in producing our spat in a hatchery. In fact, we produce all our spat in a land-based hatchery.

I am anxious that hatchery production be provided for or recognized in the proposed standards.

**BAP:** *Agreed. The standard is written on the assumption that wild seed is being used. The use of hatchery seed would render many of the requirements of Section 5 (Seed Supply) redundant, and as such, the auditor would record some audit points as “not applicable.”*

# Global Trust

Dundalk, County Louth, Ireland

## Cultivation Methods

It would be beneficial to clarify the status of bottom dredge mussel operators. Under section 6, it states bottom dredge is excluded from that section, but is bottom dredge overall permitted? Should section 6 refer to seabed cultivation and not dredge?

**BAP:** *There is no mention of bottom dredge in this version of the mussel standard, which states:*

*“Mussels grown on the seabed, rather than suspended from rafts or long-lines, occupy two rather than three dimensions, and the risk of negative sediment impacts is low. Thus they are excluded from Standard 6.”*

Clause 2.2 talks about property lines, assumedly a reference to the farm boundary. It would be beneficial to specify clearly marking corners with approved markers.

**BAP:** *Agreed. Modify 2.2 to “The applicant shall clearly identify farm property lines and corners.”*

Clause 6.1. With the inclusion of (when available) is potentially rendered not relevant by this statement.

**BAP:** *Agreed. Text in parentheses changed to “(where this information exists and is available to the farm operator).”*

Clause 10.1. There is a sentence that refers to “responsible governance.” That would appear to be a judgement decision for an auditor. Responsible governance should be defined in another manner or clearly stated.

**BAP:** *Agreed. Text in 10.1 modified to “In the absence of such regulatory programs, ...”*

General comments that would be appropriate in a general farm management context.

The farm shall be tidy. If used, lines should be straight. Barrells/floats should be uniform in shape and colour. Colour should be neutral. Barrells/floats shall be of adequate size to prevent lines or rafts sinking.

Rafts shall be tidy. Poles shall be uniformly spaced and of uniform height.

All growing areas shall be free from derelict growing equipment.

**BAP:** *Agreed. New text added to implementation guidelines paragraph starting “Farms should maintain a neat and attractive appearance...”: “Rafts should be tidy with poles uniformly spaced and of uniform height, and all growing areas should be free of derelict growing equipment.”*

Product shell should be free from excessive fouling.

**BAP:** *This requirement would normally form part of the particular product specifications set by the buyer. The BAP program generally avoids specifying this kind of requirement.*

Harvest vessels should be clean, safe and well maintained. Food-grade or biodegradable oils and grease should be used. Bilges shall not be emptied in the growing area.

**BAP:** *Agreed. New recommendation to add to the implementation guidelines for Section 10: “Harvest vessels should be clean, safe and well maintained. Food-grade or biodegradable oils and grease should be used, and bilges shall not be emptied in the growing area.”*

*Safe conditions on vessels are addressed in Section 3.*

Droppers, if used, shall be uniformly spaced with plenty of space between them to allow for good water flow.

**BAP:** *This is largely addressed in Section 4, which covers the management plan for carrying capacity.*

In Section 10. if the farm has a depuration system, then regular microbiological testing shall be carried out to insure that the depuration system is working. This testing may be done within the company using recognized methods. Periodically, samples shall be sent to an independent lab to verify internal labs methods.

**BAP:** *10.6 addresses this important point:*

*10.6: Where depuration or other post-harvest treatment facilities are used to cleanse the mollusks or reduce potential contaminants, documentation shall be provided to evidence the recognized or licensed status of the particular operation in accordance with regulatory guidelines and/or measures for effective operation.*

A mass mort disposal plan shall be documented (attached to a recall in section 10.4).

**BAP:** *Agreed. A new standard has been added: "10.5. Documentation shall include a disposal plan for mass mortalities."*

Records of meat yields and numbers of mussels per kg should be kept. This will indicate if the bay is becoming depleted of food/poorer productivity over time.

**BAP:** *Standard 4 requires a management plan that directs operators to "conduct meat yield and length frequency sampling at time intervals appropriate to the cultivation and harvesting method."*