



Via Electronic Mail

January 8, 2010

Mr. Michael Lodge
Independent Adjudicator
c/o Marine Stewardship Council
3rd Floor Mountbarrow House
6-20 Elizabeth St
London SW1W 9RB
UK
Email: toothfishobjection@msc.org

**Re: Comments in Support of ASOC Objection to MSC Certification of
Ross Sea Toothfish Longline Fishery**

Dear Mr. Lodge

The Center for Biological Diversity (“Center”) supports the objection filed by the Antarctic and Southern Ocean Coalition (“ASOC”) to the Marine Stewardship Council’s (“MSC”) certification of the Ross Sea Toothfish Longline Fishery. Throughout the certification process, the Center has submitted comments expressing its concerns regarding the sustainability of this fishery, lack of scientific data, and lack of adequate management mechanisms. We have shared the concerns expressed by ASOC and by the scientists comprising Friends of the Ross Sea Ecosystem (“FORSE”). Unfortunately, the MSC and its contractor, Marine Moody, have largely ignored the concerns set forth by outside scientists, conservation groups, and even peer reviewers. Rather than adhering to sound science and management principles, the MSC appears to have shoved such considerations to the side in order to reach a pre-ordained conclusion. The MSC’s decision to certify this unsustainable fishery directly undermines the MSC’s stated goal of supporting sound fisheries and consumer choices and, indeed, raises serious questions regarding the MSC’s legitimacy of the MSC label itself.

As we have stated in our past comments, this fishery is not sustainable as currently managed and has no prospect of becoming more sustainable in the foreseeable future. It targets a long-lived, poorly understood species that is highly vulnerable to overfishing. Moreover, the fishery threatens to harm other species that prey upon toothfish as well as species incidentally caught by vessels targeting toothfish. We agree with the more detailed points that ASOC and FORSE have raised with regard to the sustainability of this fishery (or rather, lack thereof) and incorporate those comments by reference.

While the MSC's decision to certify the fishery without any sound scientific basis is very troubling, its decision to increase consumer demand and pressure on an already stressed fish population and ecosystem is inexcusable. The MSC must realize that its certification of this and other unsustainable fisheries misleads consumers and directly undermines sound resource management. Such decisions have tarnished the MSC's reputation and threaten to render the MSC label meaningless. Conscientious consumers deserve better than this. Our ocean resources deserve better. The Center's members care deeply about ocean resources and many have relied on the MSC label to direct their seafood choices in the past. Should the MSC persist in certifying this and other harmful fisheries, the Center will be compelled to inform its over 240,000 members and online activists that neither the MSC certification process nor the label itself can be trusted.

We sincerely hope that the MSC will reverse its decision to certify the Ross Sea Toothfish Longline Fishery. Doing so would certainly aid in restoring the credibility of the MSC certification process in general. Thank you for your consideration.

Sincerely,

/s/

Andrea A. Treece