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MSC suspends certification for Maine lobster fishery, enraging state's political leaders

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By Responsible Seafood Advocate

Maine Gov. Janet Mills says activists are 'weaponizing' the court system

In the latest in a string of setbacks for the Maine lobster industry, the Marine Stewardship Council on Tuesday suspended the certification for the Gulf of Maine lobster fishery due to gear interactions with endangered northern right whales.

The state's political leaders are expressing their outrage over the decision, which they say is the result of a "weaponization" of the Endangered Species Act.

Maine Senators Susan Collins and Angus King, Representatives Chellie Pingree and Jared Golden, and Governor Janet Mills expressed dismay over the decision, despite the London-based nonprofit organization acknowledging that Maine the fishery meets its environmental standard and is unlikely to cause harm to right whales.

"Today's decision by the Marine Stewardship Council to temporarily suspend certification of Maine's lobster fishery is the result of a years-long campaign from misguided environmentalist groups who



Maine's governor and Congressional delegation say activist pressure led the Marine Stewardship Council to suspend Maine lobster's certification. Image by [Nancy Morris](https://pixabay.com/users/nancymorris-1677179/?utm_source=link-attribution&utm_medium=referral&utm_campaign=image&utm_content=1343347) (https://pixabay.com/users/nancymorris-1677179/?utm_source=link-attribution&utm_medium=referral&utm_campaign=image&utm_content=1343347) from [Pixabay](https://pixabay.com//?utm_source=link-attribution&utm_medium=referral&utm_campaign=image&utm_content=1343347) (https://pixabay.com//?utm_source=link-attribution&utm_medium=referral&utm_campaign=image&utm_content=1343347).

seem to be hellbent on putting a proud, sustainable industry out of business without regard to the consequences of their actions," they said in a joint statement.

(<https://www.global.admanimalnutrition.com/activities/aquaculture/>).

In July, a federal court ruling ([Center for Biological Diversity v Gina Raimondo, Secretary of Commerce](https://www.biologicaldiversity.org/species/mammals/North_Atlantic_right_whale/pdfs/218-2022-07-08-Decision-on-Summ-Judg-NARW-2-0.pdf) (https://www.biologicaldiversity.org/species/mammals/North_Atlantic_right_whale/pdfs/218-2022-07-08-Decision-on-Summ-Judg-NARW-2-0.pdf)) found that 2021 regulations intended to reduce the

fishery's risk of entangling right whales did not meet the requirements of the Marine Mammal Protection Act (MMPA) and the Endangered Species Act (ESA) for fixed-gear fisheries. Maine lobster fishers use baited traps attached to ropes and buoys.

To meet the requirements of the MSC Fisheries Standard, fisheries must comply with all relevant laws. MRAG Americas, a third-party assessor responsible for monitoring fisheries' conformance with the MSC Fishery Standard, conducted the assessment.



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The suspension will be effective Dec. 15, 30 days after the notice of suspension, at which point Gulf of Maine lobster will not be eligible to be sold as "MSC-certified sustainable" or carry the MSC blue fish ecolabel on products.

The fishery was first certified in 2016. MSC certifications are valid for five years and audited annually before reassessment must occur. Reassessment of the current certificate began in November 2021 before it was due to expire in January 2023. The certificate was initially suspended in August 2020 for the same reasons but lifted a little over a year later, as the regulatory measures were subject to legal challenge.

Maine's political leaders say the fishery meets the highest standards for environmental sustainability and impact and framed the *CBD v. Ross* litigation as "based more on activism than evidence and is putting livelihoods in jeopardy."

“To be clear, this decision is not a reflection on the Maine lobster industry. As the MSC clearly states, ‘there is no recent evidence that the Maine lobster fishery is responsible for entanglements or interactions with right whales.’ The temporary suspension is purely because activists with an axe to grind have weaponized the court system and the Endangered Species Act to target the livelihoods of thousands of Maine lobstermen, their families, and the communities who work responsibly to maintain the delicate balance in Maine’s waters. The Maine lobster fishery has always complied with National Marine Fisheries Service regulations, and had the agency issued valid regulations, Maine’s lobster fishery would not have been in a position to lose its certification. It’s extraordinarily frustrating and incredibly unjust.

“We are deeply disappointed by this action, and hope that the MSC will reconsider the decision as litigation is ongoing in the matter. Any companies purchasing Maine lobster, or people deciding to enjoy a lobster roll, should view MSC’s decision purely as a result of a continuing legal process that is no fault of the fishery or lobstermen. MSC’s own independent review found the industry to be operating sustainably. In the meantime, we will continue doing everything in our power to support the iconic Maine industry and ensure that they have the resources they need to continue complying with any federal regulations.”

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