



Community Environmental Advisory Commission

ACTION CALENDAR  
November 19, 2013

To: Honorable Mayor and Members of the City Council  
From: Community Environmental Advisory Commission  
Submitted by: Nabil Al-Hadithy, Secretary to the CEAC  
Subject: Create Introductory Project for Sustainable Seafood Labeling

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to:

1. Support the policy of sustainable seafood;
2. Develop a nine-month introductory project with limited funding to Berkeley fresh seafood retailers to provide point of sale information on sustainable seafood; assess the introductory sustainable seafood labeling project at the end of the 9-months; and provide CEAC with this assessment.
3. Based on the results of the introductory project evaluation, develop an ordinance to require point of sale sustainable seafood labeling by January 1, 2015.

FISCAL IMPACTS OF RECOMMENDATION

The cost for a business to implement a sustainable seafood labeling program is expected to be \$150 per facility per month. Assuming the City supports seven fresh fish retail stores for 9 months of labeling, the cost to the City would be up to \$10,000. The City can help incentivize local businesses to incorporate sustainable seafood practices into their businesses, by defraying some of these costs in the interim.

There will be staff time required to implement the proposal.

CURRENT SITUATION AND ITS EFFECTS

Currently the City does not require point of sale information on seafood. Safeway has its own sustainable seafood program it developed with FishWise, a sustainable seafood consultancy non-profit that uses the Seafood Watch guidelines from the Monterey Bay Aquarium. Andronico's partnered with FishWise in the past and uses the Seafood Watch guidelines in stores. Whole Foods is certified through the Marine Stewardship Council (MSC) as a sustainable seafood retailer.

## BACKGROUND

On July 13, 2010, Council referred the issue of sustainable seafood and labeling requirements of fresh or frozen fish to the Community Environmental Commission (CEAC) to study. The referral requested that the CEAC return to Council with a recommendation for a process to educate the public and possible labeling requirements. Since the initial request, the CEAC has researched the topic and presents its findings and recommendations below.

The City adopted Resolution No. 62,693-N.S. to reduce consumption of resources, please see:

[http://www.ci.berkeley.ca.us/uploadedFiles/Planning\\_and\\_Development/Level\\_3\\_-\\_Energy\\_and\\_Sustainable\\_Development/Environmental%20Preferable%20Purchasing%20Resolution.pdf](http://www.ci.berkeley.ca.us/uploadedFiles/Planning_and_Development/Level_3_-_Energy_and_Sustainable_Development/Environmental%20Preferable%20Purchasing%20Resolution.pdf)

Sustainable seafood is a method of preserving resources whereby fish is either caught or farmed in ways that look towards both the longevity of a harvested species and the well-being of the oceans. Nearly 85% of the world's fisheries are fished to capacity, or overfished. This has resulted in record depleted stocks. Research suggests that fisheries are able to recover and stabilize their populations with responsible fisheries management and regulations.

Our seafood choices have the power to make this situation worse, or improve it. Seafood Watch recommendations don't hinge on any single issue. Instead, they consider the fishery, habitat, species, management, and a host of other factors that affect each species. In this way, Seafood Watch offers a complete vision of sustainability.

Assembly Bill 1217 (Monning, 2009), requires the Ocean Protection Council to develop and implement a voluntary seafood promotion program for California fisheries. The intent of AB 1217 is to encourage California fisheries to seek certification in accordance with internationally accepted standards for sustainability and to promote the purchase and consumption of certified sustainable California seafood. However, Assembly Bill 1217 was designed to promote only California fisheries.

The CEAC believes that in order to effectively promote sustainable seafood, a labeling program that encompasses fisheries, including outside of California, would be ideal. A more effective approach would be to utilize non-profit organizations that partner with local retailers to label their fresh seafood. These non-profit organizations guide retailers through a process which enables them to promote sustainable seafood within their organizations. The end result of this process is an educated retailer and sales staff with the knowledge to educate customers on sustainability as it pertains to seafood.

The CEAC envisions a point of sale educational experience for the consumer. This experience would contain:

1. Labels which identify sustainable choices.
2. Educational material which explain sustainable seafood.
3. Educational material which explain catch methods.
4. Knowledgeable staff which can answer basic questions about the seafood.

The CEAC believes that there are three critical next steps that Council can take to promote sustainable seafood within the City of Berkeley.

1. Identify the retailers which sell seafood within the City of Berkeley.
2. Make a commitment to promote sustainable seafood.
3. Develop an incentivized program to encourage retailers to partner with non-profit organizations to provide a point of sale educational experience for the consumer.

The incentivized program would offer seafood retailers an opportunity to partner with FishWise, a sustainable seafood consultancy non-profit; to seek MSC certification; or to develop their own program with guidelines from FishWise or Seafood Watch with financial assistance from the City.

FishWise's mission is to promote the health and recovery of ocean ecosystems by providing innovative market-based tools to the seafood industry. It supports sustainability through environmentally responsible business practices. FishWise was conceived in 2002 in order to fill a critical gap in which consumers did not have the information necessary to make informed choices and well-intentioned businesses did not have the tools and resources to accurately and credibly incorporate sustainability into their seafood cases. FishWise has the necessary experience to partner with the City of Berkeley in addition to demonstrating that consumer information on sustainable seafood purchasing has led to an increase in seafood retailer sales.

For Marine Stewardship Council or MSC certification, the retailer would work towards MSC Chain of Custody Certification where the seafood retailer would communicate to and educate their staff; buy sustainable fish from sustainable fisheries; and seek an audit by a certifier: <http://www.msc.org/get-certified/supply-chain/how-can-i-get-chain-of-custody-certification> The City of Berkeley would provide the same financial assistance for this certification. CEAC recommends FishWise for the introductory project because it is a local not for profit with the experience to provide assistance to retailers at every step as opposed to being retailer directed.

On September 5, 2013 the CEAC adopted this final amended motion in support of the Introductory Project on Sustainable Seafood Sales in Berkeley unanimously:

Action: Motioned/Seconded/Carried (Torkelson/ Gomberg)

Votes: Ayes: August, Gomberg, Goldhaber, Lim, Plummer, Magoffna, Torkelson.

Noes: None. Absent: None. Abstain: None.

#### RATIONALE FOR RECOMMENDATION

Asking staff to develop sustainable seafood education material and labeling requirements is onerous; however, non-profit organizations that specialize in promoting sustainable seafood practices have already developed educational material and labeling programs. For example, Safeway and Andronico's have collaborated with FishWise, to incorporate sustainable seafood practices into their business. Andronico's, Safeway, and Whole Foods have joined FishWise and other conservation groups in the Conservation Alliance for Seafood Solutions. The CEAC believes that point of sale labeling, through partnership between retailers and non-profit organizations, is an attainable goal and the City can speed this process by providing a small grant program to incentivize this aim. The number of retailers in Berkeley selling fresh seafood is small, and the pilot program could be designed to take into considerations the size and scale of different merchants.

#### ALTERNATIVE ACTIONS CONSIDERED

The CEAC also considered whether adding frozen or processed seafood to the labeling program. However, the commission believes that the pilot program should first focus on fresh seafood, where information is most readily available. Considerations were also made as to whether labeling requirement should apply to restaurants and dining facilities. Again, the CEAC recommends that the City first try labeling with merchants of fresh seafood, and if successful expand the program.

#### CITY MANAGER

See accompanying report from City Manager.

#### CONTACT PERSON

Max Gomberg, Acting Chair, CEAC, Tel: 415-310-7013

Kristina Lim, CEAC Commissioner, Tel: 415-217-2095

Nabil Al-Hadithy, Commission Secretary, 510-981-7460

Attachment:

1: Resolution

2: Letter from FishWise to Mayor Tom Bates on 7-31-2013

3. FAQs from FishWise

RESOLUTION NO. ##,###-N.S.

CREATE PILOT PROJECT FOR SUSTAINABLE SEAFOOD LABELING

WHEREAS, the City of Berkeley has a history of progressive environmental policies; and

WHEREAS, the City has adopted Resolution No. 62,693-N.S. which requires the City's minimizing of consumption of resources; and

WHEREAS, FishWise is a non-profit a sustainable seafood consultancy that promotes the health and recovery of ocean ecosystems through environmentally responsible practices. FishWise uses peer-reviewed published research, third-party ecolabels (e.g. MSC, ASC, GlobalGAP), and color ratings (e.g. Seafood Watch, SeaChoice) to work with seafood retailers to accurately and credibly incorporate sustainability into their seafood cases.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the Introductory Seafood Labeling project will be considered to pay for 9 months of services from FishWise to provide seven fresh fish retailers in Berkeley with services to work with retailers to create labels for their seafood cases, create point of sale materials, train their counter staff, and work with their vendors to understand the sustainability of their fresh seafood products.

BE IT FURTHER RESOLVED that the City of Berkeley will develop and support a policy of sustainable seafood.

BE IT FURTHER RESOLVED that the City of Berkeley will develop an ordinance to require point of sale sustainable seafood labeling by January 1, 2015.