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Contact: Deborah Long
785.539.5218

Dusted Shrimp Update

Tarpon Springs, FL—Antidumping duties on certain frozen, warmwater shrimp imports from six countries do not apply to shrimp defined by the Department of Commerce as “dusted.” So-called "dusted" shrimp refers to an insubstantial addition (as little as four percent of the total weight) of rice or wheat flour to shrimp. While the process of dusting frequently is a precursor to breading a shrimp, it does not fundamentally change the product and can easily be reversed. Since “dusted” shrimp are not substantially different from other frozen shrimp, SSA believes strongly that the law requires that antidumping duties apply to the product.

SSA appealed the Department of Commerce’s exclusion of so-called "dusted" shrimp to the U.S. Court of International Trade. More than a year after final argument in the case, the Court of International Trade issued a decision denying SSA's appeal on procedural grounds. The Court did not rule on the substance of SSA's appeal.

“The U.S. shrimp industry strongly objects to the Department of Commerce’s determination that shrimp imports that are ‘dusted’ with as little as four percent rice or wheat flour constitutes a different product,” stated John Williams, executive director of the Southern Shrimp Alliance. “These arbitrary decisions by Commerce and the Court are not consistent with U.S. trade laws.”

SSA is considering its legal options, including whether to appeal this decision to the U.S. Court of Appeals for the Federal Circuit.