



# The Shrimp e-Advocate

Newsletter

July 2008

The Southern Shrimp Alliance (SSA) is a non-profit alliance of members of the U.S. shrimp industry in eight states committed to preventing the continued deterioration of America's shrimp industry and to ensuring the industry's future viability. SSA serves as the national voice for the shrimp fishermen and processors in Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Texas.

## Quick Links [SSA Website](#)

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## BREAKING NEWS

### CDSOA Deadline on July 29th

Affected domestic producers that are potentially eligible to receive an offset under the Continued Subsidies and Dumping Offset Act (CDSOA or Byrd Amendment) must submit certifications of qualifying expenditures for each shrimp antidumping order. All certifications must be received by July 29, 2008. See the May 30, 2008 Federal Register notice on SSA's Web site.

Please note that eligible qualified expenses must be incurred between February 1, 2005 and October 1, 2007 for Brazil, China, India, Thailand, and Vietnam. However, qualified expenditures claimed under Ecuador must have occurred between February 1, 2005 and August 23, 2007 because the antidumping duty orders on Ecuador were revoked before the CDSOA law expired.

The CBP's FAQ section has been updated to help answer questions on completing certifications. General questions regarding preparation of certifications should be directed to Leigh Redelman, Revenue Division of CBP, at (317) 614-4462.

## LEGAL UPDATE

### CBP: Report Trade Violations Online or via Phone

U.S. Customs and Border Protection has launched e-Allegations, a new electronic tool for receiving allegations about trade violations (<https://apps.cbp.gov/eallegations/>).

e-Allegations provides a means for the public to report to CBP any suspected violations of trade laws or regulations, such as misclassification of merchandise, false country of origin markings, health and safety issues, valuation issues, and intellectual property rights. If the allegation is about an immediate threat to public health and/or safety, you should also report that to CBP's 1-800-BE-ALERT. Informants may remain anonymous.

The new tool may be helpful to the CBP in ongoing efforts to crack down on circumvention of the shrimp antidumping orders and food safety laws.

## LEGISLATIVE UPDATE

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## SSA Testifies Against Child Labor and Forced Labor in Shrimp Production

SSA submitted testimony to the Department of Labor on the use of child labor and forced labor in the production of goods internationally. Over numerous years, the U.S. Department of State and Department of Labor have found labor abuses in the production of products, including shrimp, sold in the United States. A three-year study funded by U.S. Agency for International Development (U.S. AID) and the quasi-government National Endowment for Democracy was released in May by the Solidarity Center and highlights horrific labor abuses, including child labor, sexual humiliation, and physical beatings, in shrimp processing factories in Thailand and Bangladesh.

## Exemption to EPA Discharge Permits Pending

In June, Senator Boxer (D-CA) moved for "unanimous consent" on the Clean Boating Act of 2008, which fully and permanently restores the longstanding exclusion for recreational boaters and anglers from the federal and state permitting requirements under the Clean Water Act. The action would have allowed the bill to be voted upon without an amendment needed to provide exclusions for the shrimp industry.

SSA worked with other fishing groups nationwide to secure holds on the bill, insisting that an amendment be made to exempt commercial fishing vessels less than 125 feet from the permit requirement. There is a possibility that the Senate will take action on the bill before the July 4th recess.

Without a change in law, shrimp vessels will be subject to the NPDES permit requirement as of September 30, 2008 due to a District Court ruling. An appeal is currently pending before the U.S. Court of Appeals for the Ninth Circuit.

## REGULATORY UPDATE

### SSA Comments on Draft Loggerhead Turtle Recovery Plan

The National Marine Fisheries Service (NMFS) and U.S. Fish and Wildlife Service have issued the draft loggerhead turtle recovery plan, which includes offensively outdated data on the U.S. shrimp industry. The report's threat analysis relies primarily on trawl fisheries data from a 1990 study and ignores data published by NMFS in November 2002. By utilizing such old data, the government agencies have effectively ignored the 1994 requirement for shrimpers to use turtle excluder devices (TEDs), the 2003 regulation to implement new, larger TEDs, and the dramatic change in shrimping effort. The result is a grossly overstated impact of bottom trawling and the shrimp industry on the health of the loggerhead turtle and a distorted recovery plan.

SSA is submitting comments, due July 29, on behalf of the U.S. shrimp industry in response to the report. NMFS and the Fish and Wildlife Service will review the comments and approve or disapprove the draft recovery plan.

## Compromise Reached on HAPC

In June, SSA met again with NMFS, Coral AP representatives and Council staff regarding the adjustment of one boundary of one of the four Habitat Areas of Particular Concern (HAPC) that would prohibit commercial fishing access to the traditional Royal Red Shrimp fishing grounds. A compromise resulted in a delineated Shrimp Fishery Access Area that allows limited access within the HAPC to shrimp trawlers while simultaneously protecting specific, known coral areas. The HAPC grounds excluded from the Shrimp Fishery Access Area do not appear to encompass any of the traditional fishing grounds of the Royal Red shrimp fishery used within the last 12 years. The revisions were presented to the full Council and accepted without objection as the Preferred Alternative to be drafted into Public Hearing documents.

Please note that the Shrimp Fishery Access Area will only be available to vessels holding a rock shrimp limited access endorsement and equipped with an approved vessel monitoring system (VMS) as terms of the compromise. Further information on the alternative or the coordinates of the proposed boundary can be found at the Council's website. SSA will work to ensure the accurate placement of the boundaries within the East Florida Lithoherm HAPC.

#### **Rock Shrimp Fishery Smaller than Expected, Permit Language Changes Suggested**

A NMFS presentation at the June South Atlantic Fisheries Management Council (SAFMC) meeting revealed that approximately 25 rock shrimp fishery permits, required under Amendment 7, appear to be no longer in business or otherwise inactive. This reduces the original of the original estimate of 155 permits to 130 permitted vessels. SSA will request a list of those rock shrimp permits that are eligible but have not been renewed and contact those members, if any, to inform them of their options.

The Council staff was asked to further clarify and define the Amendment language through several minor revisions. SSA will review the revised language in Rock Shrimp Amendment 7 on behalf of the industry.

Also, as the result of alleged trawl damage to the Oculina Bank, the Council is considering a new action to address rock shrimp permit holders that have not been required to purchase a VMS due to inactivity. SSA will continue to follow this issue closely.

#### **Environment Affecting Pink Shrimp Abundance, Not Fishing**

The SAFMC Shrimp Committee determined that the overfished status of the pink shrimp stock in the South Atlantic region is not due to fishing after reviewing the information and analysis used by the Shrimp Review Panel to calculate its current status. It appears that environmental factors may be affecting pink shrimp abundance in the region, but the economic downturn in the shrimp industry has reduced the industry's impact on the stock. Therefore, the Shrimp Committee recommended that the Council take no management action at this time.

## MEMBERSHIP UPDATE

### SSA Board Meeting

SSA's next Board meeting is scheduled for July 28-29 in Biloxi, Mississippi. Members are welcome to attend the meeting and provide feedback to the Executive Committee. For more information, please call 727.934.5090.

***Please have a happy and safe Independence Day!***

## WASI UPDATE

### Toledo Blade

Kathie Smith, Food Editor for the Toledo Blade, recently published an informational article explaining the differences between domestic, wild-caught shrimp and their pond-raised, imported cousins. With quotes from WASI Executive Director and Chef Advocate Tory McPhail, the story emphasized the uniqueness of the flavor profiles of pink, brown, and white shrimp.

To read this story, visit

<http://www.toledoblade.com/apps/pbcs.dll/article?AID=/20080617/ART06/12215453>

### **More press coverage for wild-caught, domestic shrimp!**

Keep an eye out for some upcoming press coverage in the Wall Street Journal, Restaurant Hospitality Magazine, and Flavor & the Menu Magazine. The Wall Street Journal article should be about the sustainability of wild-caught shrimp and other favorable attributes such as nutrition and flavor. Restaurant Hospitality and Flavor & the Menu are two culinary trade magazines that target chefs and restaurant owners.