



The Shrimp e-Advocate

Newsletter

May 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.

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[SSA Website](#)

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BREAKING NEWS

Report Highlights Labor Abuses in Shrimp Factories Overseas

A [three-year study](#) released last week by the Solidarity Center highlights horrific labor abuses, including child labor, sexual humiliation, and physical beatings, in shrimp processing factories in Thailand and Bangladesh. In commenting on the study, Ambassador Mark Lagon, director of the Office to Monitor and Combat Trafficking in Persons, stated that "it is essential that people know with absolute certainty that the flow of shrimp into the U.S. market is tainted by shrimp that is processed by the hands of those in slavery."

The report, which was funded by U.S. Agency for International Development (U.S. AID) and the quasi-government National Endowment for Democracy, corroborates findings by the U.S. Department of State and Department of Labor over numerous years.

Congress has taken notice of the report and is demanding that the U.S. government take immediate actions. Senator Landrieu (D-LA) [sent a letter](#) to President Bush calling for an immediate embargo on all shrimp imports from Thailand and Bangladesh, citing gross labor abuses and unsanitary conditions that could jeopardize the health of American consumers. Senator Harkin (R-IA) is spearheading a Senate letter calling for the Department of Homeland Security to explain why it hasn't enforced U.S. laws against goods produced with forced labor and/or forced child labor.

SSA strongly supports government action against documented abuses and is encouraging elected officials to sign onto Senator Harkin's letter.

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LEGAL UPDATE

USTR Appeals WTO Enhanced Bonding Decision

Throughout April, SSA and our allies on Capitol Hill continued efforts to persuade the United States Trade Representative (USTR) to appeal the WTO panel's erroneous decision on enhanced continuous bonding. The result was that USTR has now appealed the case to the WTO Appellate Body.

Enhanced continuous bonding is an important and effective method of collecting antidumping duties on shrimp imports from unscrupulous importers. Since 2001, U.S. importers have failed to pay nearly \$1 billion in antidumping and countervailing duties assessed on all types of unfairly traded imports. The inability to collect antidumping and countervailing duties has meant that, for many domestic agricultural and aquacultural industries, the effectiveness of United States trade laws designed to protect them from unfair trade has been completely undermined.

For example, over the last five years, U.S. Customs and Border Protection has reported that nearly 95 percent of the antidumping duties assessed as trade relief for the domestic crawfish, garlic, and canned mushroom industries has gone uncollected. In total, for all trade remedies implemented on behalf of agricultural and aquacultural industries, the U.S. government has been unable to collect nearly 72 percent of the duties assessed on these products.

However, the enhanced bonding requirement on shrimp imports has allowed Customs to collect 85 percent of the duties owed on unfairly traded shrimp. The program is vital to ensure that U.S. trade laws are enforced for the U.S. shrimp industry.

The most recent SSA press release calling for action can be found [here](#).

LEGISLATIVE UPDATE

Food Safety Legislation Moving Forward

There are multiple bills circulating the U.S. Congress that address problems with imported seafood safety. SSA is comparing the bills and making recommendations to our elected officials.

SSA endorses Representative Ross's (D-AR) bill on seafood safety (H.R. 5738). The bill's language is essentially the same as a bill drafted by Senator Stevens (R-AK) in March, which has since been significantly weakened by pressure from food importing interests and the FDA.

Also getting attention is Representative Dingell's (D-MI) new bill called the FDA Globalization Act. This bill deals with much more than seafood safety, addressing changes to the FDA, food safety, and drug devices. SSA supports Representative Dingell's efforts to bring meaningful reform to the FDA's regulation of seafood imports and will be attempting to work with his office to further strengthen the bill.

Last week, Representatives Costa (D-CA) and Putnam (R-FL) introduced a bill called the Safe FEAST Act, which has been described by the media as the negotiating stance of food industry interests, including the Grocery Manufacturers Association. SSA is currently reviewing the bill, which appears to do little to improve the current, deeply flawed system of monitoring the safety of seafood imports.

Finally, SSA is strongly supporting a bill introduced by Senator Vitter (D-LA) called the Imported Seafood Safety Act that addresses the specific problem of port shopping and would require the FDA to issue an import ban if the FDA determines that such seafood imports (1) do not meet U.S. food safety standards, or (2) "are not likely to meet the requirements" of U.S. food safety standards.

SSA Testifies on the Impact of Chinese Shrimp Imports on the Shrimp Industry

John Williams testified on April 25th before the [U.S.-China Economic and Security Review Commission](#) regarding the impact of China's fishing practices and Chinese fish farms on the Gulf Coast shrimp industry. Williams explained that the flood of cheap Chinese shrimp imports is caused in part by factors related to production, which include (1) subsidies to Chinese shrimp producers; (2) the use of banned pesticides, antibiotics, and other harmful substances to artificially increase production yields in overcrowded shrimp ponds; and (3) compromising environmental standards for increased shrimp production.

SSA also highlighted how the problem of overproduction is compounded by the laxity of the FDA's food safety controls relative to the stringent imported food safety regimes of

other major importing markets, which creates irresistible incentives for Chinese exporters to ship unsafe seafood products to the United States.

The U.S.-China Economic and Security Review Commission is an official advisory body to Congress on policy toward China. You can read SSA's full testimony to the Commission [here](#).

Court Ruling Could Lead to New Permit

The Environmental Protection Agency (EPA) has a longstanding policy that excludes commercial and recreational vessels from a requirement to obtain a National Pollutant Discharge Elimination System (NPDES) permit under the Clean Water Act. However, a District Court decision has revoked the EPA's regulatory exclusion, meaning shrimp vessels will be subject to the NPDES permit requirement as of September 30, 2008. An appeal is currently pending before the U.S. Court of Appeals for the Ninth Circuit.

The NPDES permit problem should be addressed through a legislative exemption for the commercial fishing industry.

Senator Boxer (D-CA) and Senator Bill Nelson (D-FL) have introduced S. 2766, The Clean Boating Act of 2008, to fully and permanently restore the longstanding exclusion for recreational boaters and anglers from the federal and state permitting requirements under the Clean Water Act. However, this legislation would not extend the current exemption to commercial fishing vessels.

Senator Stevens (R-AK) introduced S. 2645, the Vessel Discharge Evaluation and Review Act, to more broadly exempt the commercial fishing industry from the NPDES permit requirement. A similar piece of legislation was introduced by Representative Young (R-AK) in the House. It is believed that environmental groups, which challenged the EPA exemption before the court, will oppose legislative efforts to exempt commercial fishing vessels.

REGULATORY UPDATE

New Turtle Issue Could Affect Shrimp Industry

Oceana and the Center for Biological Diversity submitted a petition to the National Marine Fisheries Service (NMFS)

that requests that the Western North Atlantic loggerhead turtle be reclassified as an endangered species and that all state and federal land and water used by the species be designated as critical habitat.

The reason for the reclassification is the documented decline in loggerhead nests. NMFS is in the process of reviewing whether a reclassification is warranted. SSA will provide comment after research on other indicators of the loggerhead stock's health is completed.

The U.S. shrimp industry has a very strong record of minimizing its impact on all sea turtle species through the use of larger turtle excluder devices that allow more than 97% of turtles that encounter shrimp nets to swim free. In addition, the industry's fishing effort has declined significantly in the past few years, further limiting any possible interaction with loggerheads.

New Permits Proposed for Captains

The Gulf of Mexico Fishery Management Council (Council) is presently considering the adoption of new requirements for operators of commercial, charter and headboat vessels to obtain a federal permit. The proposed permit may create another layer of bureaucracy without great benefit to the shrimp industry.

In a letter to the National Marine Fisheries Service, SSA asked for a legal analysis as to whether the proposal isolates boat owners from liability when captains violate laws. NMFS responded that the proposed permit will not shield boat owners from costly penalties under the Magnuson Stevens Act as intended.

The second purpose of the proposed permit requirement is to inform vessel owners of the operator's past record of violations. Such information is generally available to the public, but is not presented in a format that is readily accessible. SSA asked NMFS about possibly consolidating such information on its website to assist vessel owners seeking to make educated decisions about whether or not to hire a captain. This would resolve the problem facing vessel owners without mandating an additional permit program on the shrimp industry. We look forward to a response from NMFS.

New Representation on Gulf Council Shrimp Advisory Panel

SSA's Executive Director John Williams and regulatory expert Glenn Delaney have been appointed to the Gulf of Mexico Fisheries Management Council Shrimp Advisory Panel (AP). The gentlemen will join 19 other members from the industry, environmental and academic communities to advise the Council on best management practices for the shrimp industry. The appointments will help SSA communicate directly with the Council regarding management decisions and outcomes.

Comment on the Fisheries Ecosystem Plan

Throughout May, the South Atlantic Fisheries Management Council will be hosting public hearings regarding the development of a Fisheries Ecosystem Plan to protect various species of deep sea coral found along the east coast from Florida to North Carolina.

SSA will be submitting written comments, which the Council is accepting until 5:00 p.m. on May 16, 2008. Copies of the public hearing and scoping documents with details on how to submit written comments on each topic are available by contacting the Council office and will be posted on the [Public Hearing Documents](#) page as they become available.

SSA remains concerned by one boundary of one of the four Habitat Areas of Particular Concern (HAPC) that could unnecessarily impact the rock and royal red shrimp fisheries. SSA is seeking to have the boundary moved so the HAPC excludes a relatively small area that is not coral habitat, as evidenced by the traditional and current frequent use of shrimp gear in this area.

Public Hearing/ Scoping Meeting Dates and Locations: 3:00 PM - 7:00 PM

May 7, 2008

Key Largo Grande
97000 S. Overseas Highway
Key Largo, Florida 3307
Phone: 866-597-5397

May 9, 2008

Radisson Resort at the Port

8701 Astronaut Boulevard
Cape Canaveral, Florida 32920
Phone: 321-784-0000

May 12, 2008

Mighty Eighth Air Force Museum
175 Bourne Avenue
Pooler, Georgia 31322
Phone: 912-748-8888

May 13, 2008

Town & Country Inn
2008 Savannah Highway
Charleston, South Carolina 29407
Phone: 843-571-1000

May 15, 2008

Sheraton New Bern
100 Middle Street
New Bern, North Carolina 28560
Phone: 252-638-3585

MEMBERSHIP UPDATE

Board Meeting in July

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.

Meetings Provide Vital Information in North Carolina

Last month, SSA participated in a series of informational meetings for shrimp fishermen with specialists from Texas A&M University, the Texas shrimp industry, and North Carolina Sea Grant. At the meetings, shrimpers learned about a new type of trawl door and webbing being used in Gulf shrimp fisheries that has shown a documented 20 percent to 40 percent fuel savings over conventional gear. Lindsey Parker from the University of Georgia Marine Extension provided updates on the latest Bycatch Reduction Devices (BRDs) and Richard Vendetti of SSA shared news about legal, legislative, and regulatory issues that affect the shrimp industry.

The formal meetings were hosted throughout North Carolina, including Supply, Sneads Ferry, Moorehead City, and Bayboro. In addition, Vendetti held informal dockside meetings in Calabash, Varnumtown, Shallote, Swansboro, Oriental, Hobucken, Vandemere, Belhaven, and Swan

Quarter. Additional SSA informational meetings included a presentation at the April 25th SC Shrimper's Association meeting and dockside visits in Little River, SC.

SSA's Richard Vendetti will be attending the monthly meeting of the Shrimp Producers Association in Fernandina, Florida on May 17th and will be returning in May to South Carolina as well. Please feel free to contact Vendetti at 912.222.8796 for more detail and come out to see him if you can.

WASI UPDATE

Wild American Shrimp Continues to Make Headlines

After starting off 2008 appearing in more than 50 newspapers as a top food trend for 2008, Wild American Shrimp continues the momentum this spring with coverage everywhere, including a mix of consumer and trade-focused publications.

Chef Magazine

"The shrimpers of the Southern states have long understood the importance of sustaining the species and taking care of the ecosystem, and Wild American Shrimp was formed to ensure the viability of the domestic shrimp industry."

Newsday

"Wild American Shrimp is a trade organization that certifies that the shrimp bearing its label were indeed caught in American waters and processed according to the highest standards. For a list of certified grocery retail brands, go to wildamericanshrimp.com."

Road Show Schedule Hits Texas in May

Eddie Gordon, Mario Piccinin, Joe Chiarella and Gary Scantlen will be stopping to meet with Approved Suppliers throughout Texas May 14th through 17th. They will be showing presentations on WASI's activities, answering questions about the Certification Program, and providing insight on the overall push to increase the value of domestic, wild-caught shrimp. They are also scheduled to speak at the Texas Shrimp Association annual meeting

on May 17th.

Anyone interested in learning more about WASI programs and promotional opportunities are encouraged to contact Mario at 843.697.5973 or by email at mario@wildamericanshrimp.com for more information about the road show.