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TO: Janet Coit, Assistant Administrator for Fisheries, NOAA
Michael Rubino, Senior Advisor for Seafood Strategy, NOAA

FROM: John Williams, Executive Director, Southern Shrimp Alliance

RE: NOAA Fisheries Draft National Seafood Strategy

The Southern Shrimp Alliance (SSA) appreciates the opportunity to present these comments on the NOAA Fisheries Draft National Seafood Strategy. SSA also appreciated the opportunity to receive and provide inputs on a presentation of this Strategy by Mr. Rubino at the March 16, 2023, meeting of the Gulf of Mexico Fishery Management Council's Shrimp Advisory Panel on which several SSA representatives sit, including me. I note that some of the comments made at that Shrimp AP meeting by SSA representatives are further elaborated in these comments.

General Comments

Shrimp is the most popular seafood consumed in the U.S. Urner Barry reports that in 2020, U.S. shrimp consumption rose to 5.0 pounds per capita, a 25 percent increase over the previous five years, and in 2021 and 2022, rose still further to record highs at 5.8 pounds and 5.7 pounds, respectively ¹. According to NOAA's *Fisheries of the United States*, total U.S. seafood (fish and shellfish) consumption per capita in 2020 was 19.0 pounds ². From these figures, we can conclude that shrimp accounts for more than 30 percent of all seafood consumed in the U.S.

According to NOAA's foreign fishery trade and commercial landings databases, the total U.S. supply of shrimp to the U.S. market in 2021 was nearly 2.2 billion pounds, of which only 8.7 percent (188.7 million pounds) was landed by the U.S. Gulf and South Atlantic shrimp fisheries,

¹ https://www.urnerbarry.com/PDF/Consulting/shrimp_inventory_fcst.pdf

² <https://www.fisheries.noaa.gov/resource/document/fisheries-united-states-2020>

while 91.3% (1.98 billion pounds) were imported.^{3,4} From these figures, we can conclude that approximately 27.4 percent (602 million pounds) of all seafood consumed annually in the U.S. is imported shrimp.

While precise estimates can be elusive, numerous federal and non-profit studies indicate that a substantial portion of shrimp imports consumed in the U.S. is produced in IUU fisheries and using forced or child labor in fisheries, processing facilities, the production of feed used by shrimp farms, and in the operations of those farms as well.

Further, the results of FDA's testing of farm-raised shrimp imports from nations that are the largest suppliers of shrimp imports to the U.S. confirm that a significant percentage of such shrimp is contaminated with residues of FDA-banned antibiotics used on those farms to prevent or treat disease outbreaks, increase stocking densities, and increase growth rates. The human health threats associated with those antibiotic residues in shrimp imports are both on the individual level – such as in the case of aplastic anemia – and on the global human population level – as in the case of contributing to anti-microbial resistance – something that many world health experts have identified as the greatest threat to human health in the coming decades.

We must also point out that in addition to being abhorrent abuses of human rights, threats to human health, and violations of fishery conservation objectives, these serious and illegal deficiencies in the standards and practices by which some significant percentage of shrimp imports consumed in the U.S. is produced provide those foreign shrimp producers – whether in wild capture fisheries, in processing facilities, or on shrimp farms – with a substantial competitive advantage in the U.S. market over shrimp produced in our domestic shrimp fisheries.

As is well documented by NOAA's own statistics, *ex vessel* prices for U.S caught shrimp, U.S. shrimp landings, U.S. shrimp fishing effort, and the number of active vessels in the U.S. shrimp fleet have all fallen to record lows in recent years since the massive and continued growth in U.S. shrimp imports over the past two decades that was fueled by the development and rapid expansion of shrimp farming in the major shrimp exporting nations.

This reality has today reached existential proportions for the domestic shrimp industry. Recent surges in shrimp imports have flooded the U.S. market and overwhelmed U.S. inventories to the point that shrimp processors can no longer purchase shrimp from U.S. shrimp fishermen. As a direct result, a substantial number of U.S. shrimp vessels are currently unable to fish at all and remain tied to the dock. Those that go fishing have found that they cannot sell their shrimp at a profit, if at all. Many believe that we are on the precipice of the collapse of this iconic American fishery – once the most valuable in the entire U.S. and today still the most valuable in the Gulf of Mexico.

³ <https://www.fisheries.noaa.gov/national/sustainable-fisheries/foreign-fishery-trade-data>

⁴ <https://www.fisheries.noaa.gov/foss/f?p=215:200:32165188631007:Mail:::>

Consequently, no U.S. fishery has a more significant stake in NOAA's National Seafood Strategy than the domestic shrimp industry. For these reasons, SSA strongly supports the clear focus of this National Strategy on protecting and advancing U.S. seafood production, including shrimp, the most sustainable and safe seafood in the world.

SSA membership comprises shrimp fishermen, processors, and the associated shoreside enterprises and fishery-dependent communities throughout the Gulf and South Atlantic regions. Working on their behalf since its founding 20 years ago, SSA has shared many of the same purposes and priorities - along with the goals and the strategies to achieve them - as are reflected in this NOAA National Strategy. We strongly support this overall Strategy and look forward to working with NOAA to implement it. However, we must stress that there are several very important objectives and actions outside of NOAA's scope that other federal agencies and Congress must pursue to address the U.S. shrimp industry's current and long-term needs, and we plan to continue our work with those other agencies and Congress as well. We certainly encourage NOAA to do the same.

GOAL 1: Sustain or increase sustainable U.S. wild capture production

On its face, this Goal states a fundamental shrimp industry priority, and it sets forth specific science, management, and habitat protection objectives and strategies for fishery sustainability that are shared by the shrimp industry - not just in words but in actions.

SSA regularly partners with NOAA and non-federal scientists to generate the best scientific information available and participates extensively in the federal fishery management process through the Regional Councils, the Advisory Panels, and the agency's rulemaking process to sustainably manage our shrimp stocks, to minimize our bycatch to the extent practicable, and to protect sensitive marine habitats.

SSA looks forward to continuing its partnerships and collaborations with NOAA and its partner agencies in implementing this Goal through the following priorities, among others:

- Essential to the effective assessment of shrimp stocks and the management of the fishery to minimize bycatch and protect sensitive habitats is the collection and analysis of data that provides precise measures of shrimp fishing effort. The agency must complete its work with the Gulf Council and shrimp industry to implement a new system.
- As noted in the Strategy itself, "*new ocean uses*" competing with the shrimp industry for space present a new challenge to the Goal to "*sustain or increase sustainable U.S. wild capture production*" of shrimp, as well as to the goals of "*Maximizing fishing opportunities and sustainable seafood production...*". Therefore, NOAA must continue developing and applying spatial suitability modeling in collaboration with the shrimp industry and, as appropriate, with its partner agencies to deconflict such new ocean uses as offshore aquaculture and offshore wind energy development with the shrimp industry. We note that the availability of precise measures of shrimp fishing effort are also an essential element of this modeling.

GOAL 2: Increase sustainable U.S. aquaculture production

Once again, SSA shares the perspective reflected in this stated Goal of the Strategy:

“Supporting gradual, diverse, and regionally-appropriate growth of the domestic industry will depend on an efficient, strategic, and science-based regulatory approach that considers and mitigates impacts on protected resources, essential fish habitat, and marine ecosystems.” (emphasis added)

SSA has engaged extensively to ensure that future offshore aquaculture development follows that necessary science-based approach. As noted above, SSA has collaborated with NOAA’s National Centers for Coastal Ocean Sciences (NCCOS) in its spatial suitability modeling and the development of its Aquaculture Opportunity Areas (AOA) Atlas for the Gulf of Mexico. SSA is also providing extensive inputs addressing ecosystem and shrimp industry impacts to NOAA’s ongoing development of a Programmatic Environmental Impact States (PEIS) for AOAs in the Gulf.⁵ And, while serving as a Steering Committee Member, it brought the shrimp industry’s perspectives and expertise to the Meridian Institute’s noteworthy workshop addressing the future of U.S. marine aquaculture.⁶

SSA again looks forward to continuing its partnerships and collaborations with NOAA and its partner agencies in implementing this Goal through the following shrimp industry priority:

- The agency’s implementation of this Goal must prioritize the sustainability of this industry to no less of a degree than it prioritizes the sustainability of wild capture fisheries – with respect to potential ecosystem and habitat impacts and with respect to deconflicting offshore aquaculture operations with the fishing industry both in the ocean environment and in the seafood marketplace.

GOAL 3: Foster access to domestic and global markets for the U.S. seafood industry

Of the goals of this Strategy to which the domestic shrimp industry most closely relates in today’s circumstances of a completely import-dominated U.S. market are the following:

“A thriving, well-regulated domestic seafood industry—capable of competing at home and abroad—will translate into greater global seafood supply and food security from sustainable U.S. fisheries. It will also decrease our reliance on foreign fisheries that are at greater risk of overfishing, IUU fishing, and forced labor.” (emphasis added)

“Promote fair seafood trade by combating IUU fishing and related harmful fishing practices around the world....”

⁵ <https://www.shrimpalliance.com/wp-content/uploads/2023/03/SSA-Comments-AOA-PEIS-notice-of-intent-7-21-22-.pdf>

⁶ https://www.dropbox.com/s/niiuoivqzvruxl0/U.S.%20Marine%20Aquaculture%20Workshop%20Synthesis_Spring%202022.pdf?dl=0

Since its founding, SSA has fought to combat unfair and illegal trade through the imposition of anti-dumping duties now in place for shrimp imports from China, India, Thailand, and Vietnam and by working with Congress and federal agencies to develop, strengthen, and implement policies and programs to prevent the importation of seafood produced in IUU fisheries or with the use of forced or child labor, with the use of illegal antibiotics, or imported through any fraudulent means such as product mischaracterization and mislabeling. Together with its commitment to achieving the highest level of sustainability for any shrimp fisheries in the world, SSA's extraordinary investment in combatting unfair and illegal seafood trade literally defines the organization.

Which brings us to the Strategy's additional and pivotal stated goal to "*put more U.S. seafood back on U.S. plates.*" This, along with the focus of the entire Strategy on increasing U.S. seafood production and strengthening the resilience of the domestic seafood-producing sector in part by taking actions that level the playing field with imports, could not resonate more with the domestic shrimp industry. The agency has it absolutely right in this Strategy.

That said, the non-profit Seafood Nutrition Partnership (SNP) has advanced an initiative that would establish a National Seafood Council and provide that Council with \$25 million of Congressional appropriations each year for five years for a national seafood marketing campaign (*Eat Seafood, America*) to promote seafood consumption in the U.S. ⁷

As described by SNP on their website and in many posts, the campaign will promote an increase in U.S. seafood consumption by promoting - the human health benefits of eating seafood - the sustainability of seafood, especially as compared to other meat proteins (beef, pork, chicken) - and the many US jobs an increase in U.S. seafood consumption would create. The unfortunate problem is, however, this marketing campaign and the \$125 million in taxpayer funds would be used to promote U.S. consumption of both domestic seafood production AND seafood imports.

For convenience here, using the often-cited statistic that roughly 90 percent of seafood consumed in the U.S. is imported, that means, effectively, that the campaign might use \$112.5 million of U.S. taxpayer dollars to promote the U.S. consumption of seafood imports over those five years, assuming their expenditures were proportional to that 90 percent figure. Contrary to SNP's claims, seafood imports are often neither sustainable nor healthy, and they often compete unfairly—if not illegally—against U.S. fisheries and U.S. jobs in many ways we have referenced in these comments and elsewhere (e.g., IUU fishing, forced labor, product misrepresentation/fraud, substandard conservation standards, etc.).

If we consider just the International Trade Commission's 2021 Report indicating that approximately 11 percent of U.S. seafood imports were derived from IUU fishing in 2019, that would mean that the SNP campaign might proportionately end up spending \$12.4 million of taxpayer funds over those five years on promoting the consumption in the U.S. of seafood derived from IUU fishing. ⁸

⁷ <https://www.seafoodnutrition.org/eat-seafood-america/>

⁸ https://www.usitc.gov/press_room/news_release/2021/er0318II1740.htm

Given the extensive and much appreciated commitment and investment by NOAA in combatting IUU fishing, forced and child labor in the seafood supply chain, and all other forms of illegal seafood imports, we expect that NOAA and the Administration broadly would never support spending U.S. taxpayer dollars on promoting the U.S. consumption of seafood imports.

Indeed, we must recognize the extraordinary scope of authorities and programs to prevent illegal seafood imports that NOAA's Office of International Affairs, Trade, and Commerce is devoted to implementing and enforcing in collaboration with other Federal agency partners, such as the Seafood Import Monitoring Program (SIMP), the High Seas Driftnet Fishing Moratorium Protection Act, the Marine Mammal Protection Act, among others.

Indeed, given all of the deficiencies in the standards and practices associated with seafood imports identified to date, the clearly articulated purposes and goals and strategies of this NOAA National Seafood Strategy to promote and increase U.S. wild and aquaculture production, to “decrease our reliance on foreign fisheries that are at greater risk of overfishing, IUU fishing, and forced labor,” and “to put more U.S. seafood back on U.S. plates” should ensure that NOAA would never support or participate in any activity such as the SNP campaign that would promote the U.S. consumption of seafood imports.

Indeed, promoting the U.S. consumption of seafood imports known to include seafood derived from IUU fisheries or produced using forced and child labor would be the antithesis of combatting those illegal and abhorrent practices. Such support or participation in the SNP campaign would be strikingly inconsistent with NOAA's National Seafood Strategy and the very purpose and mission of its own Office of International Affairs, Trade, and Commerce. It would represent a serious disservice to U.S. seafood consumers and their health, and a betrayal of the domestic wild capture and aquaculture production industries.

But wait...

The SNP website indicates that “*The Eat Seafood, America! campaign is a collaborative effort of the members of the Seafood4Health Action Coalition*”. It then lists the members of this Coalition, which includes “NOAA Fisheries”.⁹

Further, as reported by Cliff White in his November 3, 2022, *Seafood Source* article addressing the departure from NOAA Fisheries of Deputy Assistant Administrator Paul Doremus:

While working in partnership with the National Seafood Council Task Force over the past two years, Doremus played a key role in advocating for federal funding for the National Seafood Council, an industry-led effort supporting the Seafood Nutrition Partnership (SNP) with its efforts to promote seafood as a healthy food source, leveraging recommendations from NOAA's Marine Fisheries Advisory Council.” (emphasis added)¹⁰

⁹ <https://www.seafoodnutrition.org/eat-seafood-america/>

¹⁰ <https://www.seafoodsource.com/news/premium/supply-trade/paul-doremus-leaving-noaa-joining-trident-not-expected-to-jeopardize-seafood-marketing-board-push>

Indeed, while attending the 2022 Seafood Expo North America conference in Boston, SSA's representative heard first-hand Mr. Doremus's public expressions of strong support for the SNP's campaign to promote U.S. seafood consumption, including seafood imports, notwithstanding the fact that at the very same conference, more senior NOAA officials spoke extensively about the agency's commitment to and investments in combatting IUU fishing, the use of forced and child labor, and the substandard conservation practices associated with seafood import supply chains.

Still further, in that November 3, 2022, article Mr. White quotes SNP's President Linda Cornish as follows:

"Current NOAA Fisheries Assistant Administrator Janet Coit is a backer of the initiative, Cornish said."

Clearly, NOAA needs to reassess its policies and priorities. SSA calls on NOAA to rescind its statements of support for spending federal taxpayer dollars on promoting the U.S. consumption of seafood imports and support for proposed legislation and appropriations that would have that result. SSA further calls on NOAA to cease and desist from any further participation in the SNP campaign so long as it continues to promote the U.S. consumption of seafood imports.

NOAA cannot adopt this National Seafood Strategy and at the same time support the objectives of or participate in that campaign.

SSA notes that SNP and its campaign participants still have the opportunity to reconsider and revise its priorities to promote only the U.S. consumption of U.S. seafood produced in U.S. wild capture fisheries and U.S. aquaculture operations. Hopefully, with NOAA's encouragement, they will do so.

GOAL 4: Strengthen the entire U.S. seafood sector

The U.S. shrimp market is flooded with imported shrimp to the extent that it threatens the future existence of the domestic shrimp fisheries. U.S. inventories are overwhelmed with shrimp imports. While the massive and continued growth in shrimp imports, especially farm-raised, has a long history, today the oversupply of cheap farm-raised shrimp imports that have overwhelmed U.S. shrimp inventories are, in significant part, a consequence of COVID-19 disruptions. As referenced earlier in these comments, the domestic shrimp industry also faces "*new competing uses*" on both the fishing grounds and in the working waterfronts, including offshore aquaculture and offshore wind energy development. And, like many U.S. fishing industries, the U.S. shrimp industry is also experiencing an aging workforce and must attract young fishermen.

SSA strongly supports the goals and objectives to strengthen the U.S. seafood sector and strategies to achieve them set forth in this Goal of the National Strategy and looks forward to working with NOAA to implement them.