UNITED STATES INTERNATIONAL TRADE COMMISSION
WASHINGTON, D.C.

In the Matter of CERTAIN SHRIMP AND PRODUCTS CONTAINING SAME	**PUBLIC VERSION** Business Proprietary Information Redacted in Single Brackets ([ ]) Investigation No. 337-TA-___

COMPLAINT UNDER SECTION 337 OF THE TARIFF ACT OF 1930, AS AMENDED

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I. INTRODUCTION

1. Complainants Versaggi Shrimp Corporation ("Versaggi") and W&W Dock LLP ("W&W Dock") (collectively, "Complainants") bring this Complaint pursuant to Section 337 of the Tariff Act of 1930, as amended (the "Act"), 19 U.S.C. § 1337, against Proposed Respondents Nekkanti Sea Foods Ltd. ("Nekkanti"), Eastern Fish Company ("Eastern Fish"), ALDI SÜD Dienstleistungs-SE & Co. oHG and ALDI Inc. (collectively, "ALDI"), Koninklijke Ahold Delhaize N.V. and Ahold Delhaize USA (collectively, "Ahold Delhaize"), and Meijer Inc. ("Meijer") (collectively, "Proposed Respondents") for imports into the United States of warmwater shrimp produced in India by means of forced labor, which constitutes an unfair act and method of competition, as it is contrary to U.S. legally enshrined norms and suppresses labor costs. The consequence of this unfair act and method of competition is the distortion of competitive conditions in the U.S. market and harm to domestic producers.

2. Complainants are U.S. fishermen of fresh warmwater shrimp, who sell their catch to processors of frozen warmwater shrimp. Both Complainants harvest wild-caught warmwater shrimp in U.S. territorial waters in the U.S. Gulf and South Atlantic.

3. Proposed Respondent Nekkanti is an Indian producer and exporter of frozen warmwater shrimp. Nekkanti produces shrimp from farm-raised ponds.

4. Proposed Respondent Eastern Fish is an importer of seafood products, including frozen warmwater shrimp from India. Eastern Fish imports shrimp produced by Nekkanti.[1]

[1] *See Total Exports to the U.S. – Nekkanti Sea Foods Ltd.*, PANJIVA (Sep. 2026) ("Nekkanti Total Exports"), panjiva.com (data retrieved on Sep. 28, 2026) (**Exhibit 1**).

5. Proposed Respondents ALDI, Ahold Delhaize, and Meijer are U.S. supermarkets that sell frozen warmwater shrimp from India, including shrimp produced by Nekkanti.[2]

6. Pursuant to 19 C.F.R. § 210.12(a)(12), a plain English description of the categories of accused products (collectively, "Shrimp Products") is frozen, farm-raised (*i.e.*, produced by aquaculture)[3] warmwater shrimp and prawns, head-on or head-off, shell-on or peeled, tail-on or tail-off, deveined or not deveined, cooked or raw, or otherwise processed in frozen form. Proposed Respondent Nekkanti produces Shrimp Products by means of forced labor in India, and the remaining Proposed Respondents purchase, directly or indirectly, Shrimp Products from Nekkanti to sell to U.S. consumers.

7. The U.S. International Trade Commission ("Commission"), in a separate proceeding related to the imposition of antidumping ("AD") and countervailing duty ("CVD") orders, found that: "{w}armwater shrimp are crustaceans that usually inhabit salt waters in coastal regions in the tropics and subtropics."[4] Both Complainants' and Proposed Respondent Nekkanti's shrimp are classified in the *Penaeidae* family, which includes shrimp of several genera and species. The wild-caught shrimp in the United States consists of primarily brown shrimp (*Panaeus*

[2] Nekkanti Total Exports (**Exhibit 1**); Angelo Alexander Decl. (**Exhibit 2**); Jenny Ambroise Decl. (**Exhibit 3**); Catherine Coquillette Decl. (**Exhibit 4**); Stephanie Demarest Decl. (**Exhibit 5**); Sebastian Kiguel Decl. (**Exhibit 6**); Stephen Long Decl. (**Exhibit 7**); Avis Miller Decl. (**Exhibit 8**); Dawn Ramey Decl. (**Exhibit 9**); Emily Ray Decl. (**Exhibit 10**); Ellen Rosendale Decl. (**Exhibit 11**); William Swanson Decl. (**Exhibit 12**).

[3] Wild-caught shrimp from India is prohibited from importation into the United States because India has not been certified by the U.S. Department of State under Section 609 of Public Law No. 101-162, 103 Stat. 988 ("Section 609"). *See* Annual Determination and Certification of Shrimp-Harvesting Nations, 91 Fed. Reg. 21364, 21365 (April 21, 2026) ("For nations, economies, and fisheries not listed above, only shrimp harvested from aquaculture is eligible to enter the United States.") (**Exhibit 13**).

[4] *Frozen Warmwater Shrimp from Ecuador, India, Indonesia, and Vietnam*, Inv. Nos. 701-TA-699-700 and 702 and 731-TA-1660 10 (Dec. 2024) (Final) ("Frozen Warmwater Shrimp Final Report") (**Exhibit 14**).

aztecus), white shrimp (*Panaeus setiferus*), and pink shrimp (*Penaeus duorarum*), whereas farm-raised shrimp in India are mainly whiteleg shrimp (*Penaeus vannamei*).[5]

8. Domestically produced frozen warmwater shrimp and imported frozen warmwater shrimp from India both sell to U.S. consumers through grocery chains, such as those owned by Proposed Respondents ALDI, Ahold Delhaize, and Meijer, as well as through national food distributors.

9. The Commission has found that, regardless of species, domestically produced frozen warmwater shrimp compete with imported frozen warmwater shrimp from India, with price being one of the top three factors in purchasing decisions.[6] Specifically, the Commission found that the majority of U.S. purchasers who responded to the agency's questionnaire reported that "domestically produced frozen warmwater shrimp were comparable to {frozen warmwater shrimp from India} with respect to product consistency, quality meets industry standards, quality exceeds industry standards, and count size."[7] The Commission has also found that there is a certain degree of interchangeability between imported farm-raised shrimp and domestically produced wild-caught shrimp.[8]

10. For example, the Commission noted that "seafood restaurants frequently advertise their selections with pictures of U.S. Gulf Coast shrimp boats and nets, suggesting that they serve

[5] *Id.* at 9–10; *see also* Trivesh S. Mayekar et al., *Life cycle assessment of whiteleg shrimp farming in earthen* vs. *HDPE-lined ponds in India*, 19 CLEANER ENV'T SYS. at 1-2 (Oct. 3, 2025), https://www.sciencedirect.com/science/article/pii/S2666789425000881 (**Exhibit 15**).

[6] Frozen Warmwater Shrimp Final Report, *supra* note 4, at 47–50 (**Exhibit 14**).

[7] *Id.* at 48.

[8] *Id.* at 47–49.

domestic wild-caught shrimp, but nevertheless serve only farm-raised imported shrimp."[9] As another example, certain distributers and retailers:

> discourage U.S. processors from labeling their shrimp as "made in the USA" to differentiate it from imported shrimp. Thus, while U.S. processors would like to market their domestic wild-caught shrimp as a premium product to consumers that might prefer wild-caught shrimp, their restaurant, retail, and distributor customers frequently discourage such efforts, leaving consumers that buy shrimp unaware of whether they are buying wild-caught domestic shrimp or farm-raised imported shrimp.[10]

Finally, the Commission has found that "price is an important factor in purchasing decisions for frozen warmwater shrimp."[11]

11. As discussed *infra*, imports of Indian warmwater shrimp, including those produced by Nekkanti, have gained a significant share of the U.S. market in recent years due to their cheap prices, which are a direct consequence of artificially suppressed labor costs resulting from forced labor rather than genuine comparative advantage. By eliminating or suppressing labor costs through the coercion of workers, Nekkanti obtains an artificial cost advantage that allows it to distort marketplace dynamics to its benefit. Workers in the Indian shrimp industry are exploited, underpaid, and abused. The workers, most of whom are women, work under conditions that are illegally abusive under relevant U.S. law. These conditions unlawfully suppress costs and enable Proposed Respondents to systematically undercut labor-standard-compliant domestic producers on price.

[9] *Id.* at 49.

[10] *Id.* at 49–50 (citations omitted).

[11] *Id.* at 50.

12. In hatcheries, workers report being prohibited from leaving the premises and being on call at all hours of the day and night.[12] Workers in hatcheries live in dirty, cramped rooms sleeping on flimsy mattresses on cots or concrete floors.[13] On shrimp farms, workers live in small, crowded storage sheds with no electricity or plumbing, and regularly work twelve-hour days with minimal safety equipment, if any.[14] These reports are indicative of the coercive conditions that make labor mobility impossible and suppress wages.

13. Earning below the legal minimum wage, workers in processing facilities have "raw and frostbitten" hands from peeling frozen shrimp for ten hours at a time, day after day.[15] Some women "have nail fungus, caused by small cracks that allow germs to cause infections. Other women have fingers or even their entire hands darkening with frostbite."[16] As one woman worker

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[12] CORP. ACCOUNTABILITY LAB ("CAL"), HIDDEN HARVEST: HUMAN RIGHTS AND ENVIRONMENTAL ABUSES IN INDIA'S SHRIMP INDUSTRY 40–41, 53–56 (Mar. 2024), https://corpaccountabilitylab.org/s/HiddenHarvest_Updated-2026.pdf (**Exhibit 16**).

[13] *Id.* at 51–52, 54.

[14] *Id.* at 34, 51–52; *see also* CTR. FOR LAB. RSCH. AND ACTION ("CLRA"), FROM GUJARAT'S FARMS TO FORKS IN THE WEST: TRACING THE SHRIMP GLOBAL COMMODITY CHAIN 43–45 (Dec. 2025), https://clra.in/wp-content/uploads/2026/03/From-Gujarats-Farms-to-Forks-in-the-West.pdf (**Exhibit 17**); CTR. FOR LAB. RSCH. AND ACTION, CAPTIVE LABOUR IN A GROWING INDUSTRY: MIGRANT WORKERS ON SURAT'S SHRIMP FARMS 29–38 (Dec. 2025), https://clra.in/wp-content/uploads/2026/03/Captive-Labour-in-a-Growing-Industry_13.01.26.pdf (**Exhibit 18**); ELEVATE, HUMAN RIGHTS IMPACT ASSESSMENT: FARMED SHRIMP IN INDIA 20–21 (May 2023), https://web.archive.org/web/20240325205320/https://www.thekrogerco.com/wp-content/uploads/2023/06/EVT_Kroger_Lidl_HRIA-Shrimp-India_May-2023-Final-Report.pdf (**Exhibit 19**).

[15] Martha Mendoza, Mahesh Kumar & Piyush Nagpal, *AP Finds Grueling Conditions in Indian Shrimp Industry That Report Calls 'Dangerous and Abusive'*, ASSOCIATED PRESS (Mar. 20, 2024, 10:54 AM), https://apnews.com/article/india-shrimp-seafood-industry-labor-abuses-us-imports-e5b51878eafbb6e28977710b191eb7de (last visited Oct. 14, 2026) (**Exhibit 20**); Sashikala VP, *The US Is India's Biggest Importer of Shrimp. Teenage Girls and Women Working in the Booming Industry Describe Grueling Conditions*, CNN (Feb. 8, 2025), https://www.cnn.com/interactive/asequals/indian-seafood-industry-women-exploitation-as-equals-intl-cmd/ (last visited Oct. 14, 2026) (**Exhibit 21**).

[16] Mendoza et al., *supra* note 15 (**Exhibit 20**).

explained, "{s}tanding for long hours in the cold while peeling and cutting shrimp takes a toll on my body."[17]

14. Many migrant workers live in guarded hostels, which can be dirty and overcrowded.[18] Locked inside the processing facilities and prohibited from leaving, in some cases these workers are stuck in debt bondage.[19] In processing facilities, workers must stand for long periods and are berated if they spend too much time in the bathroom.[20] Workers are regularly paid under the legal minimum wage and very few have contracts.[21] Often, workers are not allowed to leave their work premises even after work and they are denied freedom to organize[22] to ensure workers do not leave or seek other employment, thereby maintaining a captive labor force at a suppressed cost. These conditions enable Proposed Respondent Nekkanti to avoid paying labor, housing, and compliance costs that labor-standard compliant producers internalize, thereby reducing overall production costs.

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[17] *Id.*

[18] *See* CAL, *supra* note 12, at 51–56 (**Exhibit 16**); CAPTIVE LABOUR IN A GROWING INDUSTRY: MIGRANT WORKERS ON SURAT'S SHRIMP FARMS, *supra* note 14, at 35–37 (**Exhibit 18**); Ian Urbina, Maya Martin, Jake Conley, Joe Galvin, Susan Ryan & Austin Brush, *The Whistleblower*, OUTLAW OCEAN PROJECT (Mar. 20, 2024), https://www.theoutlawocean.com/investigations/india-shrimp-a-growing-goliath/the-whistleblower/ (last visited Oct. 14, 2026) (**Exhibit 22**).

[19] CAL, *supra* note 12, at 46–48 (**Exhibit 16**); Sashikala VP, *supra* note 15 (**Exhibit 21**); ISSARA INSTITUTE, THE FIRST MILE & THE BOTTOM LINE: UNLOCKING A FINANCIALLY VIABLE MODEL FOR ETHICAL SEAFOOD THROUGH WORKER ENGAGEMENT, at 25–26, 29–33, 76 (Mar. 2026), https://63971280-8a4a-4f58-b968-3dadecb1cd6f.filesusr.com/ugd/b8c96a_817479370a864c5d9d25231ca9bbc268.pdf?index=true (**Exhibit 23**).

[20] CAL, *supra* note 12, at 36, 43 (**Exhibit 16**); *see also* Mendoza, et al., *supra* note 15 (**Exhibit 20**).

[21] CAL, *supra* note 12, at 30–31, 70 (**Exhibit 16**); Mendoza, et al., *supra* note 15 (**Exhibit 20**).

[22] CAL, *supra* note 12, at 46–48, 53–56 (**Exhibit 16**); *see generally* Urbina et al., *supra* note 18 (**Exhibit 22**).

15. Forced labor in Proposed Respondent Nekkanti's production of Shrimp Products is part and parcel of a wide range of labor abuses in the Indian shrimp industry: dangerous working conditions; intimidation of workers; excessive control over and restriction of workers' movements; recruitment fees and debt bondage; crowded and unsanitary living arrangements; underpayment of workers; and excessive working hours. Proposed Respondent Nekkanti exploits vulnerable workers who, in many cases, have limited-to-no options for other employment.

16. U.S. warmwater shrimp producers, including Complainants, have been harmed by artificially low-priced foreign shrimp—primarily from India, including a substantial amount of shrimp from Proposed Respondent Nekkanti—that competes with U.S.-produced warmwater shrimp by means of unfair methods of competition and unfair acts, specifically the use of forced labor. As explained in greater detail below, Proposed Respondent Nekkanti's production of Shrimp Products and their importation into the United States, as well as their sale in the United States after importation by Proposed Respondents Eastern Fish, ALDI, Ahold Delhaize, and Meijer, cause substantial injury to the domestic industry and Complainants' competitive position in the U.S. market.

17. Complainants seek limited exclusion orders pursuant to Section 337(d), excluding from entry into the United States all Shrimp Products produced by Proposed Respondent Nekkanti. Forced labor is ubiquitous in Nekkanti's supply chains, and it would be impracticable for U.S. Customs and Border Protection ("CBP") to identify shipments from Nekkanti that are not affected by this practice. In addition, Complainants seek cease and desist orders pursuant to Section 337(f)(1) to prevent Proposed Respondents, their domestic subsidiaries, related companies, and agents from engaging in the importation, sale for importation, marketing and/or advertising, distribution, offering for sale, sale, use after importation, and other transfer within the United

States of Shrimp Products produced by Proposed Respondent Nekkanti in its facilities in India. Such relief is necessary because the unfair competitive advantage derived from forced labor is systemic and cannot be remedied through product-by-product inspection at the border.

II. THE PARTIES

A. Complainants

18. Complainant Versaggi Shrimp Corporation is a family-owned and operated shrimping business that harvests wild-caught pink shrimp. Versaggi is located at 2633 Causeway Blvd. in Tampa, Florida. The company has a fleet of five fishing vessels that operate in the Key West region of Florida year-round. Some shrimp undergo minor processing on board, with larger-sized shrimp de-headed. Upon returning to the dock, the shrimp is then purchased by processors who further peel, de-vein, de-head, or remove the tails to package and sell frozen warmwater shrimp to wholesalers, retailers, and restaurants.

19. Complainant W&W Dock LLP is a family-owned and operated business that harvests brown shrimp in the Texas Gulf region. W&W Dock is located at 112 Friery Dr. Turning Basin # 2 in Palacios, Texas. The company's fleet consists of seven boats that operate in the Texas Gulf for six to nine months each year. As a harvester of wild-caught shrimp, W&W Dock sells its catch to processors who further process the shrimp by peeling and deveining, de-heading, or removing tails, and then package the frozen warmwater shrimp to sell the products to wholesalers, retailers, and restaurants.

B. Proposed Respondents

20. Proposed Respondents can be grouped into three categories: (1) companies that harvest and process Shrimp Products outside the United States and export the Shrimp Products to the United States; (2) wholesalers who import the Shrimp Products into the United States and sell

them to other Proposed Respondents; and (3) grocers who distribute and sell the Shrimp Products to consumers throughout the United States. The first group includes Proposed Respondent Nekkanti. The second group includes Proposed Respondent Eastern Fish. And the third group includes Proposed Respondents ALDI, Ahold Delhaize, and Meijer.

21. Proposed Respondent Nekkanti is an Indian corporation with a principal place of business at D.No.3-16/3 Ocean Drive Layout, Gudlavanipalem, Sagar Nagar, Visakhapatnam – 530 045, Andhra Pradesh, India. Founded in 1983, Nekkanti is one of India's largest exporters of shrimp, producing 32,000 metric tons of shrimp annually.[23] Nekkanti operates five shrimp-processing facilities in India, including a 110-acre complex that can produce 100 metric tons of processed shrimp per day.[24] Nekkanti also owns over 500 acres of shrimp farms and its own hatchery.[25] In 2022, the most recent year for which information is publicly available, Nekkanti shipped 90% of its exports to the United States.[26] As detailed in Section IV.A, *infra*, Nekkanti sells shrimp produced with forced labor.

22. Proposed Respondent Eastern Fish Company, headquartered at 300 Frank W. Burr Blvd., Suite 30, Teaneck, NJ 07666, is a seafood distributor that produces private label products

[23] Cliff White, *Inside Nekkanti Sea Foods' Rise to Prominence in India's Shrimp-export Market*, SEAFOODSOURCE (Mar. 2, 2023), https://www.seafoodsource.com/news/premium/business-finance/inside-nekkanti-sea-foods-rise-to-prominence-in-india-s-shrimp-export-market (last visited Oct. 14, 2026) (**Exhibit 24**).

[24] *Id.*; *see Infrastructure*, NEKKANTI SEA FOODS LTD., http://nekkantiseafoods.com/infrastructure/ (last visited Oct. 14, 2026) (https://web.archive.org/web/20240312233738/http://nekkantiseafoods.com/infrastructure/) (**Exhibit 25**).

[25] White, *supra* note 23 (**Exhibit 24**).

[26] *Id.*

for supermarkets.[27] Eastern Fish is "one of the world's largest importers and marketers of shrimp."[28] It has a global network of producers, including in Asia.[29] The company "cover{s} the entire seafood supply chain from production to sales of final products."[30] Eastern Fish imports shrimp produced by Nekkanti.[31]

23. Proposed Respondent ALDI Inc. is a wholly owned subsidiary of ALDI SÜD, a German a discount retailer. ALDI SÜD, headquartered at Burgstraße 37, 45476 Mülheim an der Ruhr, Germany, owns supermarkets in eleven countries.[32] Proposed Respondent ALDI Inc., headquartered at 1200 North Kirk Road, Batavia, Illinois 60510, operates 2,741 supermarkets throughout the United States.[33] It is one of the fastest growing grocery store companies in the country, with stores in 40 states and in Washington, D.C.[34] ALDI sells shrimp produced by Nekkanti.[35]

24. Proposed Respondent Koninklijke Ahold Delhaize N.V. is a Dutch multinational company headquartered at Provincialeweg 11 1506 MA, Zaandam, The Netherlands. Its U.S.

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[27] *Private Label*, EASTERN FISH CO., https://easternfish.com/private-label/ (last visited Sep. 30, 2026) (**Exhibit 26**).

[28] *Background*, EASTERN FISH CO., https://easternfish.com/background/ (last visited Sep. 30, 2026) (**Exhibit 27**).

[29] *Id.*

[30] *Id.*

[31] Nekkanti Total Exports (**Exhibit 1**).

[32] *About Us*, ALDI SÜD, https://web.archive.org/web/20260316081642/https://aldi-sued-holding-careers.com/about-us (last visited March 16, 2026) (**Exhibit 28**); *Our Story*, ALDI SÜD, https://careers.aldi.us/our-story (last visited Oct. 15, 2026) (**Exhibit 29**).

[33] *See All Stores*, ALDI, https://info.aldi.us/stores (last visited Sep. 30, 2026) (**Exhibit 30**); *Aldi History*, ALDI, https://corporate.aldi.us/about-us/aldi-history (last visited Sep. 30, 2026) (**Exhibit 31**).

[34] *See All Stores*, ALDI, *supra* note 33 (**Exhibit 30**).

[35] Nekkanti Total Exports (**Exhibit 1**); Ambroise Decl. (**Exhibit 3**); Ramey Decl. (**Exhibit 9**); Swanson Decl. (**Exhibit 12**).

subsidiary, Ahold Delhaize USA, is headquartered at 1385 Hancock St., Quincy, MA 02169. Ahold Delhaize USA owns the supermarket chains Food Lion, Giant, Hannaford, and Stop & Shop, among others, in the United States.[36] Within the United States, the company operates more than 2,000 stores, with its local brands comprising the largest grocery retail group on the East Coast.[37] Ahold Delhaize sells shrimp produced by Nekkanti.[38]

25. Proposed Respondent Meijer Inc. is a supermarket based at 2929 Walker Ave. NW, Grand Rapids, Michigan 49544, with stores throughout the Midwest. Founded in 1934, Meijer has over 500 stores, including "supercenters, grocery stores, neighborhood markets, and express locations."[39] Meijer sells shrimp produced by Nekkanti.[40]

III. THE USE OF FORCED LABOR TO PRODUCE GOODS IMPORTED INTO THE UNITED STATES IS AN UNFAIR METHOD OF COMPETITION AND UNFAIR ACT UNDER SECTION 337

26. Section 337(a)(1)(A) of the Tariff Act of 1930, as amended, prohibits "{u}nfair methods of competition and unfair acts in the importation of articles . . . into the United States, . . . the threat or effect of which is—(i) to destroy or substantially injure an industry in the United States." 19 U.S.C. § 1337(a)(1)(A). The use of forced labor in the production of imported goods constitutes an unfair method of competition and an unfair act because it (1) violates federal

[36] *Our Brands,* AHOLD DELHAIZE, https://www.aholddelhaize.com/brands/ (last visited Sep. 30, 2026) (**Exhibit 32**).

[37] *Id.*; *About Us,* AHOLD DELHAIZE USA, https://www.adusa.com/about-us (last visited Sep. 30, 2026) (**Exhibit 33**).

[38] Nekkanti Total Exports (**Exhibit 1**); Long Decl. (**Exhibit 7**); Demarest Decl. (**Exhibit 5**); Miller Decl. (**Exhibit 8**); Ray Decl. (**Exhibit 10**)

[39] *About Meijer*, MEIJER, https://newsroom.meijer.com/about (last visited Sep. 30, 2026) (**Exhibit 34**).

[40] Nekkanti Total Exports (**Exhibit 1**); Alexander Decl. ¶¶ 7-11 (**Exhibit 2**); Coquillette Decl. (**Exhibit 4**); Kiguel Decl. (**Exhibit 6**).

law, including 19 U.S.C. § 1307, and (2) confers an artificial and unlawful cost advantage derived from coercion rather than legitimate competitive factors. This cost advantage results in harm to domestic producers.

27. Section 337 does not define what constitutes "unfair methods of competition" or "unfair acts," but both legislative history and caselaw indicate that these terms should not be interpreted narrowly. The legislative history of the Tariff Act demonstrates that Congress intended the Commission to construe the terms broadly. Specifically, the Senate Report that accompanied the original passage of the Act states that "{t}he provision relating to unfair methods of competition in the importation of goods is broad enough to prevent ***every type and form of unfair practice***."[41]

28. Likewise, the Court of Customs and Patent Appeals explained that the prohibition against unfair methods and acts contained in Section 337 encompasses "wide discretion":

> {T}he quoted language is broad and inclusive and should not be held to be limited to acts coming within the technical definition of unfair methods of competition as applied in some decisions. The importation of articles may involve questions which differ materially from any arising in purely domestic competition, and it is evident from the language used that Congress intended to allow wide discretion in determining what practices are to be regarded as unfair.

In re Von Clemm, 229 F.2d 441, 443–44 (C.C.P.A. 1955). Early caselaw echoes this principle, affirming that the Commission has the power to find an act or practice unfair even if it has not previously labeled the act as unfair. *See, e.g.*, *In re Northern Pigment Co.*, 71 F.2d 447, 455 (C.C.P.A. 1934) ("{W}hen Congress used the phrase, . . . 'unfair methods of competition *and* unfair acts . . . ,' it did not intend that before such methods or acts could be stopped, the act had to fall within the technical definition of unfair methods of competition . . . ."); *In re Amtorg Trading*

[41] S. REP. NO. 67-595, at 3 (1922) (emphasis added) (**Exhibit 35**).

Corp., 75 F.2d 826, 830–31 (C.C.P.A. 1935) ("{I}t is not necessary that a particular act, or method, or practice must have been declared by the courts to be unfair before the {C}ommission could properly find such act, method, or practice to be unfair . . . ."). Section 337 therefore prohibits a broad spectrum of unfair acts, including those not named in previous decisions. This broad mandate is particularly important in the trade context, where unfair acts may arise from a wide range of practices that distort competition and harm domestic producers.

29. More recently, the Commission has construed "unfair methods of competition" and "unfair acts" under Section 337(a)(1)(A) to include acts that violate a predicate federal statute. *See, e.g.*, *Certain Insulated Security Chests*, Inv. No. 337-TA-244 (June 17, 1986) (Final) (allowing complainants to amend their Section 337 complaint to include Lanham Act claims); *Certain Programmable Logic Controllers (PLCs), Components Thereof, and Products Containing Same*, Inv. No. 337-TA-1105 (Mar. 26, 2018) (Terminated) (instituting a Section 337 investigation into an alleged violation of the Sherman Act); *Certain Disposable and Other Closed-System Electronic Nicotine Delivery Systems (ENDS) Devices and Components Thereof*, Inv. No. 337-TA-1486 (Feb. 26, 2026) (Preliminary) (instituting an investigation into whether there had been a violation of Section 337 "by reason of unfair methods of competition and unfair acts based on violations of the Prevent All Cigarette Trafficking Act . . . ."); *see also* U.S. I.T.C., CAUSES OF ACTION UNDER SECTION 337, USITC GC-G-243, 1983 WL 206913 at *3 (Sep. 30, 1983) (listing a violation of the Lanham Act as a common Section 337 claim).

30. The Federal Circuit has held that "whether particular conduct constitutes 'unfair methods of competition' and 'unfair acts' in importation, in violation of section 337 . . . should be decided under a uniform federal standard . . . ." *TianRui Grp. Co. v. Int'l Trade Comm'n*, 661 F.3d 1322, 1327 (Fed. Cir. 2011). Specifically, the Federal Circuit explained that:

> {T}he nonstatutory unfair competition provision of section 337 falls comfortably into both of the categories that have been described as calling for the application of federal common law—instances in which "a federal rule of decision is 'necessary to protect uniquely federal interests,' . . . and those in which Congress has given the courts the power to develop substantive law."

Id. (internal citations omitted) (ellipses in original). A predicate federal statute can provide such a "uniform federal standard," which determines whether an act or practice is unfair, including where the underlying conduct violates a federal statute governing the importation of goods. Here, Section 307 of the Tariff Act of 1930, 19 U.S.C. § 1307 ("Section 307") provides a clear federal standard establishing that goods produced with forced labor are unlawful to import into the United States. Under Section 307,

> All goods, wares, articles, and merchandise mined, produced, or manufactured wholly or in part in any foreign country by convict labor or/and forced labor or/and indentured labor under penal sanctions shall not be entitled to entry at any of the ports of the United States, and the importation thereof is hereby prohibited . . . .

"Forced labor" under Section 307 includes "all work or service which is exacted from any person under the menace of any penalty for its nonperformance and for which the worker does not offer himself voluntarily." *Id.* Accordingly, the production and importation of goods made with forced labor, including the forced labor conditions present in Proposed Respondents' supply chains, *see infra*, is not merely disfavored but expressly prohibited by federal law.

31. Congress has long understood that forced labor in the production of imported goods constitutes an unfair method of competition. The Senate broadly condemned such forced labor when it passed Section 307, not only because "{s}uch situations of poverty and degeneracy involve a moral question. But, aside from that, American agriculture and the American worker . . . should not be placed in competition with forced and indentured labor, wherever it may be found."[42] Another member of Congress explained at the time of Section 307's passage, "I think we are

[42] 71 CONG. REC. 4488 (1929) (statement of Rep. Blaine) (**Exhibit 36**).

agreed that American labor ought to be protected from the competition of convict-made goods or slave-made goods, under whatever guise that penal servitude or slavery may appear . . . ."[43] In fact, a primary motivation for enacting Section 307 was "to protect U.S. labor from competing with foreign forced labor . . . ."[44]

32. Congress reiterated its support for the idea that forced labor in the production of imported goods is always an unfair method of competition as recently as 2015 when it amended Section 307 and closed the so-called "consumptive demand loophole." This "loophole" had ensured that consumers continued to have access to necessary products by allowing goods not produced in sufficient quantities in the United States to be imported regardless of whether forced or convict labor produced the good.[45] CBP praised the amendment for providing a "{l}eveled playing field for U.S{.} industry through a fair environment in which American manufacturers do not compete with foreign manufacturers or U.S. importers benefiting from the use of forced labor."[46]

33. U.S. federal agencies have consistently recognized that the use of forced labor creates an unfair competitive advantage in international trade. CBP, which administers border measures under a variety of statutes, including Section 301 of the Trade Act and Sections 307 and 337 of the Tariff Act, explains that "{f}orced labor is an unfair trade practice that undermines the

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[43] *Id.* at 4494 (statement of Sen. Reed).

[44] *See* CHRISTOPHER A. CASEY, CATHLEEN D. CIMINO-ISAACS, MICHAEL A. WEBER, CONG. RSCH. SERV., IF11360, SECTION 307 AND IMPORTS PRODUCED BY FORCED LABOR 1 (version 18 2026) (**Exhibit 37**).

[45] *Id.*

[46] U.S. CUSTOMS & BORDER PROTECTION, CBP PUB. #2130-0316, TRADE FACILITATION AND TRADE ENFORCEMENT ACT OF 2015: REPEAL OF THE CONSUMPTIVE DEMAND CLAUSE, (Feb. 2020), https://www.cbp.gov/sites/default/files/assets/documents/2020-Feb/Fact%20Sheet%20-%20Repeal%20of%20the%20Consumptive%20Demand%20Clause.pdf (**Exhibit 38**).

ability of U.S. companies to compete fairly in the global economy."[47] The agency emphasizes that "{t}he use of forced labor provides trading partners with an unfair competitive advantage in international trade . . . and put{s} American industry at a disadvantage."[48]

34. The U.S. Trade Representative ("USTR") has similarly referred to the need to "combat forced labor as an unfair trade practice."[49] USTR's 2026 report on Section 301 of the U.S. Trade Act condemned other countries for not enacting import bans on goods produced with forced labor, saying "It is Unreasonable for Economies to Distort Market Conditions by Failing to Prohibit the Importation of Goods Produced with Forced Labor."[50] The report stressed that "{t}he United States has long recognized that it is a fundamental distortion of market principles to expect firms that source inputs and produce goods through legitimate means to compete with firms that derive a cost advantage from forced labor."[51] The report also argues that failure to institute import

[47] *Forced Labor*, U.S. CUSTOMS & BORDER PROTECTION (Jan. 30, 2026), https://www.cbp.gov/trade/forced-labor (last visited Oct. 14, 2026) (**Exhibit 39**).

[48] *Forced Labor Leveling the Playing Field*, U.S. CUSTOMS & BORDER PROTECTION (Jan. 30, 2026), https://www.cbp.gov/trade/forced-labor/leveling-playing-field (last visited Oct. 14, 2026) (**Exhibit 40**).

[49] U.S. TRADE. REPRESENTATIVE, U.S. GOVERNMENT TRADE STRATEGY TO COMBAT FORCED LABOR 5 (2025), https://ustr.gov/sites/default/files/U.S.%20Government%20Trade%20Strategy%20to%20Combat%20Forced%20Labor.pdf (**Exhibit 41**).

[50] U.S. TRADE REPRESENTATIVE, REPORT IN SECTION 301 INVESTIGATIONS OF THE ACTS, POLICIES, AND PRACTICES OF VARIOUS ECONOMIES RELATED TO THE FAILURE TO IMPOSE AND EFFECTIVELY ENFORCE A PROHIBITION ON THE IMPORTATION OF GOODS PRODUCED WITH FORCED LABOR 32 (June 2, 2026), ("USTR 2026 Forced Labor Report"), https://ustr.gov/sites/default/files/files/Press/Releases/2026/USTR%20Report%20Sec%20301%20FL%20301%206-2-26%20FINAL%20for%20upload.pdf (**Exhibit 42**).

[51] *Id.*

bans against goods produced with forced labor incentivizes and promotes the use of forced labor internationally, contrary to enshrined universal norms of fairness.[52]

35. The Department of Labor also states that the International Labor Affairs Bureau, whose work includes investigating foreign forced labor, "stands up to unfair trade practices abroad, so American workers have the edge to win in the global economy."[53]

36. Both the legislative and executive branches have long recognized that forced labor in the production of imported goods, such as that addressed by Section 307, constitutes an unfair practice. Consequently, conduct that violates Section 307—namely, the use of forced labor in the production of goods for U.S. importation—should be considered an unfair act or unfair method of competition under Section 337.

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[52] *Id.* ("{I}t is universally agreed that the use of forced labor is contrary to fundamental norms of fairness and must be eliminated. However, given that use of forced labor to produce goods artificially lowers the costs of production, and facilitates lower prices for such goods, there is an economic incentive to purchase and sell forced labor goods, including through trade across borders. Therefore, by failing to prohibit the importation of forced labor goods, and by failing to effectively enforce a forced labor import prohibition, each investigated economy permits or creates an incentive for forced labor practices to exist.") (*See also* TRADE FRAUD TASK FORCE, A RESOURCE GUIDE TO TRADE FRAUD ENFORCEMENT 1–2 (July 2026) https://www.justice.gov/fraud/media/1452331/dl?inline ("{W}e have a moral and strategic imperative to ensure that our supply chains are free from the stain of forced labor. The exploitation of human beings is an affront to dignity, but it is also a source of vast illicit profit that further distorts global trade. When overseas goods produced under exploitative conditions such as forced labor and child labor enter our markets, they do so with an artificial cost advantage that domestic producers, who respect the rights, dignity, and safety of their workers, cannot match. The disruption and eradication of forced labor conditions from our commerce, including the related goods that make entry into the United States, is both a humanitarian necessity and a national security priority. . .. Those who fraudulently or knowingly receive, conceal, buy, sell, or in any manner facilitate the transportation, concealment, or sale of goods that were imported through illegal means face significant legal peril.".) (**Exhibit 43**).

[53] *Making Global Competition Fair for American Workers*, U.S. DEP'T OF LABOR, (last visited Oct. 1, 2026), https://www.dol.gov/agencies/ilab/resources/reports/child-labor (**Exhibit 44**).

37. Complainants' request for relief under Section 337 complements but does not contravene CBP's authority under Section 307. Under Section 307, CBP is charged with excluding imports tainted by forced labor from U.S. commerce, just as CBP is charged with administering border measures arising under other statutory provisions. Section 307, by its very terms, does *not* purport to restrict agencies other than CBP from making forced labor determinations. This lack of any indication of exclusive jurisdiction leaves open the possibility that agencies not named in Section 307, like this Commission, might act under their statutes to adjudicate claims of forced labor in U.S.-facing supply chains under the standard enunciated in Section 307.

38. The absence of any exclusive jurisdiction under Section 307 is underscored by *specific* language governing the jurisdiction of another U.S. agency, USTR. Section 301 of the Trade Act of 1974 allows USTR to grant trade remedies, including "duties or other import restrictions . . . notwithstanding any other provision of law . . .." 19 U.S.C. § 2411(c)(1)(B). Under Section 301, USTR may take action against acts, policies, and practices that are deemed "unreasonable," 19 U.S.C. § 2411(B)(1), which includes any act, policy, or practice that "permits any form of forced or compulsory labor." 19 U.S.C. § 2411(d)(3)(B)(iii)(III). The consequence of this is that Congress has made it clear that more than one agency can make determinations about forced labor with respect to imported goods, which negates any inference that Section 307 is meant to confer exclusive jurisdiction on CBP.

39. In sum, Congress did not vest exclusive authority in CBP to make determinations of forced labor in U.S.-facing supply chains and to assess the impact of forced labor goods on U.S. entities. This Commission, like USTR and CBP, possesses the authority to make such determinations.

40. The Commission's jurisdiction to make determinations in enforcing Section 337 is distinct from CBP's Section 307 authority for three reasons. First, Sections 307 and 337 are not mirrors of one another in their application to this kind of issue. While Section 307 bars the importation of goods made with forced labor—with no other statutory prerequisites—Section 337 addresses the competitive injury to a U.S. domestic industry caused by unfair methods, including forced labor.

41. Second, the Commission's remedial authority under Section 337 extends beyond barring importation, the sole remedy available under Section 307. Under Section 337, the Commission may grant cease-and-desist orders, prohibiting the domestic sale or distribution of infringing goods, often alongside limited or general exclusion orders. 19 U.S.C. § 1337(f). Section 337 also permits complainants to name as respondents U.S. entities that participate in the tainted supply chain. *See Kyocera Wireless Corp. v. Int'l Trade Comm'n*, 545 F.3d 1340, 1357–59 (Fed. Cir. 2008). These remedies are designed to address ongoing competitive harm in the U.S. market, not merely to block unlawful imports at the border.

42. Third, Section 337 provides a speedy, transparent, and adversarial process, allowing evidence to be tested in trial-type procedures before an administrative law judge, unlike the *ex parte* process of Section 307. The Commission resolves Section 337 investigations quickly, on average completing its process within seventeen or eighteen months.[54] In contrast, investigations under Section 307 can take years and, in many cases, never become public or lead

[54] Christopher T. Zirpoli, CONG. RSCH. SERV., IF12295, AN INTRODUCTION TO SECTION 337 INTELLECTUAL PROPERTY LITIGATION AT THE U.S. INTERNATIONAL TRADE COMMISSION (version 2 2024) (**Exhibit 45**).

to any action. With only eight Withhold Release Orders ("WROs") issued in the past twelve months, Section 307 as currently applied leaves U.S. producers with hollow recourse.[55]

43. Accordingly, as a matter of statutory interpretation and institutional capability, there is no basis for the Commission to defer to CBP as the proper forum for the claims asserted in this Complaint. As will be further demonstrated *infra*, Proposed Respondent Nekkanti employs forced labor in its operations. Both the legislative and executive branches have reiterated that forced labor is an unfair practice, and this Commission has full authority to determine whether such a practice took place. Therefore, because Proposed Respondents' use of forced labor violates Section 307 and confers an unlawful cost advantage that distorts competition, it constitutes an unfair method of competition and unfair act under Section 337.

IV. SPECIFIC INSTANCES OF UNFAIR METHODS OF COMPETITION AND UNFAIR ACTS ASSOCIATED WITH PROPOSED RESPONDENTS' SHRIMP PRODUCTS

44. There is ample evidence of forced labor—an unfair method of competition—in Nekkanti's shrimp supply chain. As defined by Section 307, forced labor constitutes "all work or service which is exacted from any person under the menace of any penalty for its nonperformance and for which the worker does not offer himself voluntarily." This definition matches almost exactly with the International Labour Organization's ("ILO") definition of forced labor from the 1930 Forced Labour Convention.[56] U.S. agencies look to the ILO definition of forced labor to help

[55] *See Withhold Release Orders & Findings Dashboard*, U.S CUSTOMS AND BORDER PROTECTION, https://www.cbp.gov/newsroom/stats/trade/withhold-release-orders-findings-dashboard (last visited Oct. 14, 2026) (**Exhibit 46**).

[56] International Labour Organization, Convention (No. 29) concerning forced or compulsory labour art. 2(1), Jun. 28, 1930, 39 U.N.T.S. 55 (defining forced labor as "all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily") (**Exhibit 47**).

interpret Section 307.[57] Under the ILO definition, "{m}enace of any penalty" can include "direct or indirect coercion, legal or financial sanctions, and the loss of rights or privileges," all of which must be evaluated from the perspective of the person experiencing the threats.[58] Absence of voluntary consent refers to both the consent to undertake the work itself and the inability to withdraw consent.[59]

45. Various U.S. agencies have already warned of the presence of forced labor in Indian shrimp facilities. According to the U.S. State Department: "Observers report indicators of forced labor – including failure to pay a minimum wage, restricted freedom of movement, and dangerous working conditions – in some shrimp and aquaculture facilities, particularly in Andhra Pradesh. The exploitative conditions in these aquaculture facilities also create debt bondage, especially among migrant workers and scheduled castes."[60] In 2024, the U.S. Department of Labor also added shrimp from India to its List of Goods Produced by Child Labor or Forced Labor.[61]

46. The findings described below consistently identify these same conditions in Nekkanti's supply chain. Taken together, this evidence demonstrates the presence of menace of penalty and involuntariness—the two components of forced labor under 19 U.S.C. § 1307—in the production of Shrimp Products. Shrimp tainted by this forced labor makes its way through the

[57] *See Forced Labor Leveling the Playing Field*, *supra* note 48 (**Exhibit 40**).

[58] INT'L LAB. ORG., ILO INDICATORS OF FORCED LABOUR: 2025 REVISED EDITION 3, (2025), https://www.ilo.org/sites/default/files/2025-11/ILO%20Indicators%20of%20Forced%20Labour%202025.pdf (**Exhibit 48**).

[59] *Id.*

[60] U.S. DEP'T OF STATE, 2024 TRAFFICKING IN PERSONS REPORT: INDIA (2024), https://www.state.gov/reports/2024-trafficking-in-persons-report/india/ (**Exhibit 49**).

[61] U.S. DEP'T OF LAB., 2024 LIST OF GOODS PRODUCED BY CHILD LABOR OR FORCED LABOR 17 (2024) https://www.dol.gov/sites/dolgov/files/ilab/child_labor_reports/tda2023/2024-tvpra-list-of-goods.pdf (**Exhibit 50**).

downstream Proposed Respondents' supply chains, causing all Proposed Respondents to benefit from these unfair methods of competition.

A. Forced Labor in Nekkanti's Supply Chain

47. The working conditions in Nekkanti's supply chain constitute forced labor. Women workers, especially those who migrated from other parts of India and live in Nekkanti's on-site hostels, are especially vulnerable. These workers experience both elements of Section 307's definition of forced labor: menace of penalty and involuntariness.

48. ***Menace of Penalty.*** Workers at Nekkanti's facilities experience restrictions on their movements, intimidation, and in some cases debt bondage, which both the U.S. Department of Labor and the ILO consider "menace of penalty."[62] Menace of penalty "should be understood in a very broad sense" and "covers penal sanctions as well as a wide range of means of coercion used to compel someone to perform work or a service against their will."[63] This can include both "direct or indirect coercion," including credible threats.[64] It includes factors such as restricting workers' movements, threatening and intimidating workers, and using debt bondage to keep workers from leaving.[65]

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[62] *Id.* at 63; INT'L LAB. ORG., TOOL NO. 2: FORCED LABOUR AND RELATED CONCEPTS 1–2 (2020), https://www.dol.gov/sites/dolgov/files/Conrad.Shannon.D%40dol.gov/TOOL_0~3.PDF (**Exhibit 51**); INT'L LAB. ORG., HARD TO SEE, HARDER TO COUNT: HANDBOOK ON FORCED LABOUR SURVEYS 16–18 (3rd ed. 2024), https://www.ilo.org/sites/default/files/wcmsp5/groups/public/%40ed_norm/%40ipec/documents/publication/wcms_914768.pdf (**Exhibit 52**).

[63] INT'L LAB. ORG., TOOL NO. 2, *supra* note 62, at 1 (**Exhibit 51**).

[64] *Id.*

[65] *Id.*

49. Nekkanti severely restricts its workers who live in company hostels from leaving the facilities.[66] According to one worker at Nekkanti's Facility #3 near Kakinada, "Living inside a company accommodation is like deciding to reside in an open jail."[67] Workers, especially women migrant workers who live in company-owned hostels, are only allowed to leave the hostels once or twice a month, with guards controlling access into and out of the facilities.[68] Even on the rare days workers can leave, Nekkanti maintains a curfew, only allowing workers to venture out of the residences during certain hours.[69] If workers fail to arrive back to the residences in time, they face repercussions.[70]

50. Nekkanti surveils workers' movements on the rare occasions they are allowed to leave the facilities. Workers at one facility complained that Nekkanti hires autorickshaw drivers to escort workers to and from town while the workers run errands.[71] Such strict control over and surveillance of workers' movements constitutes menace of penalty under Section 307's definition of forced labor.

51. The coercive environment migrant workers at Nekkanti's facilities face is exacerbated by recruitment fees, debt, and in some cases debt bondage. Contractors for the shrimp processing sector act as intermediaries between workers and companies, in some cases providing loans to workers who must continue working to pay them off, resulting in debt bondage.[72]

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[66] Rejimon Kuttappan Decl. ¶¶ 21–30, 104, 125–141, 147, 149, 151 (**Exhibit 53C**).

[67] *Id.* ¶ 21.

[68] *Id.* ¶¶ 18–31, 125–141.

[69] *Id.* ¶¶ 21, 29, 130–133.

[70] *Id*.

[71] *Id.* ¶¶ 127-128, 130-131, 133-134.

[72] CAL, *supra* note 12, at 46–48 (**Exhibit 16**); Kuttappan Decl. ¶¶ 40-42 (**Exhibit 53C**).

Contractors work on behalf and at the behest of companies to find workers,[73] targeting impoverished rural areas with few employment options and luring workers to Andhra Pradesh for processing work.[74] These, and workers' pre-existing high interest loans, prevent workers from being able to leave their jobs until they have paid off their debts.[75] Such financial penalties constitute menace of penalty.[76]

52. Workers appeared fearful of speaking to outsiders, especially near Nekkanti's facilities where company guards could see them,[77] evidencing the intimidation and culture of fear Nekkanti cultivates. When a supervisor tried to bring male workers who live in Nekkanti's hostels to speak to CAL's field investigators, the guards questioned him and the workers "panicked."[78]

53. ***Involuntariness.*** Involuntariness "refers to workers not having given their free and informed consent to enter into an employment relationship and/or their inability to withdraw their consent at any time; that is to say to freely leave the employment."[79] Factors such as intimidation, debt bondage and recruitment fees, hazardous working conditions, excessive overtime, withholding of wages, and degrading living conditions are recognized as indications that a worker is not working voluntarily.[80] Some of these conditions were described above; the rest are also present at Nekkanti's shrimp facilities.

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[73] Kuttappan Decl. ¶¶ 43–49, 94–96, 154–156 (**Exhibit 53C**).

[74] CAL, *supra* note 12, at 47 (**Exhibit 16**).

[75] Kuttappan Decl. ¶¶ 71-77.

[76] INT'L LAB. ORG., TOOL NO. 2, *supra* note 62, at 1 (**Exhibit 51**).

[77] Kuttappan Decl. ¶¶ 16, 29, 91 (**Exhibit 53C**).

[78] *Id.* ¶ 28

[79] INT'L LAB. ORG., TOOL NO. 2, *supra* note 62, at 2 (**Exhibit 51**).

[80] *Id.* at 1–2; INT'L LAB ORG., HARD TO SEE, HARDER TO COUNT, *supra* note 62, at 10–14 (**Exhibit 52**).

54. Many of the workers at Nekkanti's facilities are Dalits,[81] migrants from other regions in India, have few options for employment,[82] and in some cases have pre-existing debt.[83] Although working full time, workers at Nekkanti often lack formal contracts,[84] increasing their vulnerability. Nekkanti employees do not gain tenure or work security.[85] One worker complained that Nekkanti treated her as a daily worker, even after five years of working at the same company.[86] Nekkanti pays workers via a contractor, who is responsible for calculating the worker's working days and paying the worker accordingly.[87] Workers have little insight into how these calculations are done.[88] Contractors and recruiters take a cut from workers' wages, and the amount taken may be unclear.[89] One worker reported being promised a monthly wage of INR 12,000, only to have her contractor deduct INR 3,000 each month.[90] Another worker earned only INR 9,000 but had been told by the Human Resources department to tell anyone outside the company that she earned INR 15,000.[91]

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[81] According to Minority Rights Group International, "{t}he term Dalit means 'oppressed,' 'broken' or 'crushed' to the extent of losing original identity." In India, Dalits represent the lowest caste. They are routinely subjected to sub-human and degrading living conditions, abuse, and physical violence. Minority Rights Group International, *World Directory of Minorities and Indigenous Peoples - India: Dalits*, REFWORLD GLOB. L. & POL'Y DATABASE (2008), https://www.refworld.org/reference/countryrep/mrgi/2008/en/111482 (last visited Oct. 14, 2026) (**Exhibit 54**).

[82] Kuttappan Decl. ¶¶ 12, 65–68, 159–163 (**Exhibit 53C**).

[83] *Id.* ¶¶ 40–42, 71–77.

[84] *Id.* ¶¶ 78–82, 97–99.

[85] *See id.* ¶¶ 81–82, 97–99.

[86] *Id.* ¶ 81.

[87] *Id.* ¶¶ 51–58, 94–96.

[88] *Id.*

[89] *Id.*

[90] *Id.* ¶ 94.

[91] *Id.* ¶ 81.

55. Workers in Nekkanti's processing facilities often face abusive and dangerous conditions, such that they would not choose this work if they had other options. Working in cold processing plants, workers directly handle frozen shrimp which often leads to frostbite.[92] Workers faint from standing for long periods.[93] Workers, especially women, are verbally abused by supervisors if they slow down, talk to one another, or otherwise assert their autonomy.[94]

56. Workers often work long hours, with few breaks, to earn low wages, another indication of lack of consent. Multiple workers reported working weeks on end with no days off, as many as 30 days in a row.[95] Workers, especially migrant women workers, are not always paid for overtime work.[96]

57. Finally, workers live in degrading conditions, conditions they would not willingly agree to. Migrant workers live in overcrowded company-owned hostels on Nekkanti's premises;[97] in at least one facility, surveillance is constant, with cameras in the corridors.[98] As one worker explained: "We aren't allowed to freely laugh or make noise. … Even walking through the corridor or company premises is not allowed much."[99] Additionally, in one facility, married couples must

[92] *Id.* ¶¶ 34, 92–93; CAL, *supra* note 12, at 35 (**Exhibit 16**)

[93] Kuttappan Decl. ¶¶ 32–35

[94] *Id.* ¶¶ 36–37, 130–131, 139–141, 142–146.

[95] *Id.* ¶¶ 38–39.

[96] *Id.* ¶¶ 53–58, 100.

[97] *Id.* ¶¶ 18–31, 148.

[98] *Id*. ¶ 139.

[99] *Id*.

live in separate buildings and are rarely allowed to see each other.[100] In another facility, families live in cramped rooms on site with their children, who do not attend school.[101]

58. Overall, Nekkanti uses the techniques described above to trap workers in their jobs. Both elements of the definition of forced labor under Section 307—menace of penalty and involuntariness—are present at Nekkanti's facilities. These forced labor tactics are immoral and unethical, violating U.S. legal norms and public policy. Since these actions violate the predicate statute Section 307, they consequently constitute unfair methods of competition and unfair acts under Section 337.

B. The Downstream Respondents

59. Proposed Respondent Nekkanti's Shrimp Products are imported into the United States in substantial quantities.[102] Given the widespread pattern of forced labor in its production processes, without the relief Complainants seek from the Commission, it would be impossible for CBP to identify at the time of entry which of Nekkanti's imported Shrimp Products were not affected by this illegal and unfair practice. Further, due to the systemic nature of these practices, the resulting cost advantage permeates all Shrimp Products produced by Nekkanti.

60. On information and belief, Proposed Respondents ALDI, Ahold Delhaize, and Meijer have substantial operations in the United States that include selling after importation Shrimp Products produced by Proposed Respondent Nekkanti.

61. Until March 2024, when Nekkanti removed all information from its website about its buyers, Nekkanti listed ALDI, Ahold Delhaize, and Meijer, among others, as its

[100] *Id.* ¶¶ 31, 104.

[101] *See, e.g., id.* ¶¶ 147–153.

[102] White, *supra* note 23 ("In 2022, the United States accounted for 90 percent of Nekkanti Sea Foods's exports.") (**Exhibit 24**); *see* Nekkanti Total Exports (**Exhibit 1**).

"Customers."[103] Although the "Customers" page on Nekkanti's website is now blank, additional information demonstrates that Nekkanti continues to sell to many of the same buyers, including to ALDI, Ahold Delhaize, and Meijer.

62. For example, publicly available information demonstrates that Nekkanti sells farmed shrimp produced in India to ALDI. ALDI sells shrimp produced in India under both the Sea Queen and Fremont brands, both exclusively ALDI private labels, in its U.S. stores.[104] Import data shows that Nekkanti exports Sea Queen and Fremont branded shrimp from India, sold via Eastern Fish, and imported into the United States.[105] There are multiple examples of imports of Nekkanti-produced shrimp for ALDI. For example, export data provided in Exhibit 1 demonstrates that Nekkanti shipped packages of frozen shrimp via Eastern Fish in November 2025.[106] Furthermore, bags of Fremont-branded shrimp with the Best Aquaculture Products ("BAP") seal

[103] *Customers*, Nekkanti Sea Foods Limited (Mar. 12, 2024), https://nekkantiseafoods.com/customers/ (https://web.archive.org/web/20240312233631/http%3A%2F%2Fnekkantiseafoods.com%2Fcustomers%2F) (**Exhibit 55**).

[104] Rachael S. Johnston, *Fremont Fish Market and Sea Queen Medium Shrimp*, ALDI REVIEWER, (July 1, 2024), https://www.aldireviewer.com/fremont-fish-market-and-sea-queen-medium-shrimp/ (last visited Oct. 1, 2026) (**Exhibit 56**); ALDI, https://www.aldi.us/store/aldi/storefront (search in search bar for "Sea Queen shrimp" or for "Fremont shrimp") (last visited Oct. 13, 2026) (**Exhibit 57**); Ambroise Decl. (**Exhibit 3**); Ramey Decl. (**Exhibit 9**); Swanson Decl. (**Exhibit 12**).

[105] *See* Nekkanti Total Exports (**Exhibit 1**).

[106] *See* Nekkanti Total Exports, at 23 (Shrimp Products with the following description were exported to the U.S. via Eastern Fish on November 21, 2025: FRZ OTHER THAN AFD CKD INSHELL PIN DEVINED T/ON VNM SH IQF PKD:16x0.340500KG BR:FREMONT FISH MARKET GR-26/30 CTN-2500) (**Exhibit 1**).

on them are labeled with the number P10575.[107] According to BAP's website, products with this label were produced at Nekkanti's Facility #3 near Kakinada in India.[108]

63. Publicly available information also shows that Nekkanti sells farmed shrimp produced in India to Ahold Delhaize's supermarkets. Ahold Delhaize owns the Hannaford and Food Lion grocery chains, among others.[109] Hannaford sells both Hannaford and Nature's Promise branded shrimp with the BAP number P10575.[110] Food Lion similarly sells Food Lion and Nature's Promise branded shrimp with the BAP number P10575.[111] According to BAP's website, such products were packaged at Nekkanti's Facility #3 near Kakinada.[112] Additionally, according to import data, Nekkanti has repeatedly exported shrimp labeled as "Hannaford" and "Food Lion" to Eastern Fish.[113] Export data shows that these products were shipped via Eastern Fish as recently as July 2026.[114]

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[107] Ramey Decl. 2 (**Exhibit 9**); Swanson Decl. (**Exhibit 12**); Ambroise Decl. (**Exhibit 3**); Alexander Decl. (**Exhibit 2**).

[108] Global Seafood Alliance, *Producers List*, PRISM (last visited Oct. 7, 2026) https://prism-landing.globalseafood.org/producers (search field for "P10575" and download data) (**Exhibit 58**).

[109] *Ahold Delhaize Announces U.S. Brand Food Lion Has Agreed to Acquire 62 Stores from Southeastern Grocers*, AHOLD DELHAIZE, https://newsroom.aholddelhaize.com/ahold-delhaize-announces-us-brand-food-lion-has-agreed-to-acquire-62-stores-from-southeastern-grocers (last visited Oct. 14, 2026) (**Exhibit 59**); *Quick Facts*, FOOD LION NEWSROOM (2025), https://newsroom.foodlion.com/quick-facts (last visited Oct. 14, 2026) (**Exhibit 60**).

[110] Miller Decl. ¶¶ 1–3 (**Exhibit 8**); Ray Decl. ¶¶ 2–4 (**Exhibit 10**); Rosendale Decl. ¶¶ 1–4 (**Exhibit 11**).

[111] Demarest Decl. ¶ 2 (**Exhibit 5**); Long Decl. ¶ 2 (**Exhibit 7**).

[112] *See* Global Seafood Alliance, *supra* note 108 (**Exhibit 58**).

[113] Nekkanti Total Exports (**Exhibit 1**).

[114] *See, e.g.*, *id*. at 2 (Shrimp Products with the following description were exported to the U.S. via Eastern Fish on July 30, 2026: COOKED FROZEN PEELED AND PIN DEVEINED TAILON RINGS VANNAMEI SHRIMPS IQF TRAY PACK PACKED 1 2X0. 227 KG BRAND HANNAFORD. SPECIESLITOPENAEU S VANNAMEI PO XXXXX DT. 13022026

64. Publicly available information also demonstrates that Nekkanti sells farmed shrimp produced in India to Meijer. Meijer sells Meijer and Frederik's by Meijer branded shrimp with the BAP number P10575.[115] According to BAP's website, such products were packaged at Nekkanti's Facility #3 near Kakinada.[116] Additionally, according to export data provided in Exhibit 1, Nekkanti has repeatedly exported shrimp branded as "Meijer" to the United States as recently as September 2026.[117]

65. ALDI, Ahold Delhaize through Food Lion and Hannaford, and Meijer also all sell U.S. wild-caught warmwater shrimp. At ALDI, such shrimp is sold under the Fremont or Sea Queen label.[118] At Food Lion, such shrimp is sold under the Cox's Shrimp brand and the Wanchese

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NET WEIGHT 1 4508. 00 LBS (6586. 63 KGS) AND GROSS WEIGHT 16 926. 00 LBS (7684. 40 KGS)); *see, e.g., id.* at 3 (Shrimp Products with the following description were exported to the U.S. via Eastern Fish on July 10, 2026: RAW FROZEN PEELED DEVEINED TAILOFF FULL CUT V ANNAMEI SHRIMPS IQF PACKED 10X1 LB BRAND FOOD LION SPECIES: LITOPENAEUS VANNAMEI PO# XXXXX, DT. 17-04-2026 SB NO: 3707884 DT: 30. 05. 2026 TOTAL NET WEIGHT: 34000. 00 LBS (15436. 00 KGS) TOTAL GROSS WEIGHT: 37400. 00 LBS (16979. 60 KGS) FREIGHT PREPAID THE TEMPERATURE TO BE S ET AT MINUS 18 DEGREE CELCIUS IN ACCORDANCE W ITH SHIPPER'S INSTRUCTION) (**Exhibit 1**).

[115] Alexander Decl. ¶¶ 7–8 (**Exhibit 2**); Coquillette Decl. (**Exhibit 4**); Kiguel Decl. (**Exhibit 6**).

[116] *See* Global Seafood Alliance, *supra* note 108 (**Exhibit 58**).

[117] *See* Nekkanti Total Exports at 1 (Shrimp Products with the following description were exported to the U.S. via Eastern Fish on September 14, 2026: 01X40'RF RAW FROZEN PEELED AND DEVEINED TAIL OFF VANNAMEI SHRIMPS IQF PACKED 16X0. 75 LB BR AND MEIJER SPECIES: LITOPENAEUS VANNAMEI PO# 6 6071, DT. 17-06-2026 SB NO: 5356624 DT: 25. 07. 2026 NET WEIGHT: 34800. 00 LBS (15799. 20 KGS) GROSS WEIGHT: 37700. 00 LBS (17115. 80 KGS).) (**Exhibit 1**).

[118] *Fremont Fish Market Wild Caught Gulf Shrimp*, INSTACART, https://www.instacart.com/landing?product_id=27242783&retailer_id=12&region_id=4675856463.00000&mrid=226644795&utm_source=instacart_bing&utm_medium=sem_shopping&utm_campaign=ad_demand_shopping_food_il_chicago_bing&utm_content=accountid-146005746_campaignid-367693858_adgroupid-1223756885539055_device-c&utm_term=matchtype-e_keyword-_targetid-pla-4586681478906267_locationid-&msclkid=2035a2eb7a011d4eb461c83e280568f4 (last visited Oct. 18, 2026) (**Exhibit 61**);

Shrimp Company brand.[119] At Hannaford, U.S. wild-caught warmwater shrimp is sold under the Big Easy Foods and Paul Piazza brands.[120] At Meijer, U.S. wild-caught warmwater shrimp is sold under Frederik's by Meijer brands.[121] This U.S. wild-caught warmwater shrimp competes directly with farm-raised shrimp from Nekkanti. Both U.S. wild-caught warmwater shrimp and farmed shrimp from Nekkanti are sold at the same stores, often in the same aisle or even in the same freezer.[122]

66. Importation into the United States of Proposed Respondent Nekkanti's Shrimp Products that are produced with forced labor constitutes an unfair method of competition and unfair act prohibited under Section 337 because it introduces into U.S. commerce goods produced in violation of federal law and at artificially suppressed costs. Sale after importation into the United States of Proposed Respondent Nekkanti's Shrimp Products that are produced with forced labor also constitutes an unfair method of competition and unfair act prohibited under Section 337.

Fremont Fish Market Large, Peeled & Deveined Wild Gulf Shrimp, ALDI, https://www.aldi.us/store/aldi/products/21236577-sea-queen-large-raw-peeled-deveined-wild-gulf-shrimp-12-oz (last visited Oct. 18, 2026) (**Exhibit 62**).

[119] *Cox's Wild Domestic Caught Raw Small Peeled & Deveined Shrimp Frozen*, FOOD LION, https://foodlion.com/groceries/product/coxs-wild-domestic-caught-raw-small-peeled-deveined-shrimp-frozen-12-oz-bag/248643 (last visited Oct. 20, 2026) (**Exhibit 63**); *Wanchese Fish Company Wild Caught Shell-On Raw Shrimp apx 31-40 ct*, FOOD LION, https://foodlion.com/product/wanchese-fish-company-wild-caught-shell-on-raw-shrimp-apx-31-40-ct-16-oz-pkg/392173 (last visited Oct. 20, 2026) (**Exhibit 64**); Demarest Decl. ¶¶ 1, 3–5 (**Exhibit 5**); Long Decl. ¶¶ 1, 7 (**Exhibit 7**).

[120] HANNAFORD, https://hannaford.com/home (search in search bar for "Paul Piazza shrimp") (last visited Oct. 20, 2026) (**Exhibit 65**); Ray Decl. ¶¶ 1, 4, 5 (**Exhibit 10**); Miller Decl. ¶¶ 1, 4–6 (**Exhibit 8**); Rosendale Decl. ¶¶ 6–7 (**Exhibit 11**).

[121] *Frederik's by Meijer 31/40 Wild Caught Key West Pink Raw Shrimp, 16 oz*, MEIJER, https://www.meijer.com/shopping/product/frederik-s-by-meijer-31-40-wild-caught-key-west-pink-raw-shrimp-16-oz/76023666774 (last visited Oct. 15, 2026) (**Exhibit 66**); Alexander Decl. ¶¶ 8–10 (**Exhibit 2**); Coquillette Decl. (**Exhibit 4**); Kiguel Decl. ¶¶ 2, 6 (**Exhibit 6**).

[122] *See* Demarest Decl. ¶¶ 1–5 (**Exhibit 5**); Ray Decl. ¶¶ 1, 2, 4 (**Exhibit 10**); Miller Decl. ¶¶ 1–6 (**Exhibit 8**); Alexander Decl. ¶¶ 1, 11 (**Exhibit 2**).

V. PROPOSED RESPONDENTS' UNFAIR METHODS OF COMPETITION AND UNFAIR ACTS THREATEN TO CAUSE AND HAVE CAUSED SUBSTANTIAL INJURY TO THE DOMESTIC INDUSTRY

A. The Domestic Industry

67. For purposes of Complainants' unfair methods of competition and unfair acts claims in this action brought under 19 U.S.C. § 1337(a)(1)(A), a domestic industry exists related to the production of fresh and frozen warmwater shrimp, which is in competition with the Shrimp Products from Proposed Respondent Nekkanti described above.

68. The domestic industry is composed of all domestic harvesters of fresh warmwater shrimp, which include both fishermen and farmers, as well as processors of frozen warmwater shrimp.[123] Complainants, as fishermen of frozen warmwater shrimp, are participants in the domestic warmwater shrimp industry, as explained in Confidential Exhibits 71C and 75C. Each Complainant has made substantial investments in the domestic production of warmwater shrimp.

69. Each of the Complainants is engaged in the United States in the production of warmwater shrimp and competes with the imported Shrimp Products. Each has made significant investments in plants and equipment and significant investments in the employment of labor and capital associated with the production of warmwater shrimp.

70. Specifically, Complainants operate large fishing vessels, trawl for shrimp in U.S. waters, load and freeze the shrimp on board their fishing vessels using specific preservation equipment, then sell their catch directly to retailers, processors, or individual customers on shore. These activities require investments in regular maintenance and in necessary equipment, such as fishing vessels and shrimp fishing equipment, as well as employment of labor at standard industry

[123] *See* Frozen Warmwater Shrimp Final Report, *supra* note 4, at 25–27 (**Exhibit 14**); *Frozen Warmwater Shrimp from China, Ecuador, India, Malaysia, and Vietnam*, Inv. Nos. 701-TA-491-493, 495, and 497, USITC Pub. 4429, at 10–12 (Oct. 2013) (Final) (**Exhibit 67**).

rates. These activities and investments are further described in detail in Confidential Exhibits 71C and 75C.

B. Substantial Injury and Threat of Substantial Injury to Domestic Industry

71. Proposed Respondents' unfair methods of competition and unfair acts have caused, and threaten to further cause, substantial injury to the domestic industry as defined under 19 U.S.C. § 1337(a)(1)(A).

72. The use of forced labor enables Proposed Respondents to reduce production costs below lawful market levels, allowing them to sell Shrimp Products at artificially low prices in the United States.[124] This cost-based distortion is not the result of efficiency or innovation, but of unlawful labor practices prohibited by federal law.

73. It is well understood that the use of forced labor allows businesses to reduce their production costs, suppress their pricing, and improve their overall profitability.[125] Indeed, as

[124] The Federal Circuit recently listed this type of injury—underpricing competitors via forced labor in supply chains—as a hypothetical basis for standing under Section 307. *Int'l Rts. Advocates v. Mullin*, 177 F.4th 1366, 1374, (Fed. Cir. 2026) (positing plaintiff organization may have standing if "it or its members produce more costly ethical chocolate and are underpriced by chocolate makers who use less-expensive cocoa made by forced child labor").

[125] *See, e.g.*, U.S. TRADE REPRESENTATIVE, *supra* note 50, at 12–26 (**Exhibit 42**); U.S. GOV'T ACCOUNTABILITY OFFICE, GAO-21-106, FORCED LABOR IMPORTS 1 (2020), https://www.gao.gov/assets/gao-21-106.pdf (noting forced labor generates $150 billion in profits annually which "undermines legitimate trade and competition") (**Exhibit 68**); Genevieve LeBaron, *The Global Business of Forced Labour: Report Of Findings*, SPERI & UNIV. OF SHEFFIELD, 2, 3 (2018), https://respect.international/wp-content/uploads/2018/06/The-Global-Business-of-Forced-Labour-Report-of-Findings-University-of-Sheffield-2018.pdf (research based on forced labor practices in the tea and cocoa industry found that "{e}mployers use forced labour to reduce their costs of doing business" and "{e}mployers use forced labour to generate revenue.") (**Exhibit 69**); INT'L LABOUR ORG., PROFITS AND POVERTY: THE ECONOMICS OF FORCED LABOUR 9, 15 (2014), https://www.ilo.org/sites/default/files/wcmsp5/groups/public/%40ed_norm/%40declaration/documents/publication/wcms_243391.pdf ("employers . . . can make significant profits by exacting forced labour" and "the profits from forced labour in agriculture, including forestry and fishing, are estimated to be US$ 9 billion per year" (emphasis removed)) (**Exhibit 70**).

detailed above, Proposed Respondent Nekkanti has engaged in forced labor-relevant practices that unmistakably lower its production costs. Specifically, as explained in Section IV.A, *supra*, workers in Nekkanti's factories are paid less than the legally required minimum wage, often not paid for overtime work, not provided with proper work safety equipment, and housed in uninhabitable accommodations. These practices reduce the costs Proposed Respondent Nekkanti would otherwise have to incur had it complied with the labor laws and not engaged in forced labor. Due to the reduced production costs, Proposed Respondent Nekkanti has been able to sell Shrimp Products in the U.S. market at unfairly low prices.

74. In contrast, Complainants retain workers fully in compliance with relevant U.S. laws and regulations. Specifically, for Complainants, the crew members working in Complainants' fishing vessels are compensated in a profit sharing arrangement, a common industry practice, where the crew members manning the vessels are paid based on a percentage of the catch landed (with 30 percent being the standard practice).[126] Complainants, i.e., owners of the vessels, conduct regular maintenance on the trawlers to ensure they can safely go out to sea for weeks at a time and provide the crew with necessary safety equipment.[127]

75. Exhibits 71C and 75C demonstrate that Proposed Respondents' Shrimp Products compete with wild-caught shrimp produced by Complainants. For example, [[redacted]

[126] Justin Versaggi Decl. ¶ 3 (**Exhibit 71C**).

[127] *See, e.g.*, *id.* ¶ 8.

[redacted].[128] In another example, [redacted].[129]

76. Proposed Respondent Nekkanti sells Shrimp Products at unfairly low prices, which has a negative price impact on U.S. wild-caught shrimp produced by Complainants. Specifically, industry pricing data demonstrates that the average wholesale price of Indian shrimp has consistently remained lower than the average wholesale price of the U.S. industry.[130] For example, even at its highest reported price during the 2021 to 2025 time period, the average wholesale price for 36-40 count size packages of Asian shrimp in October 2025 was $4.25/lb.[131] At that price, Asian shrimp was priced about 23 percent lower than U.S. Gulf Brown shrimp at $5.25/lb and about 12 percent lower than U.S. Gulf White shrimp at $4.80/lb.[132] Similarly, for 21-25 count

[128] As explained above, [redacted].

[129] As explained above, [redacted].

[130] *See* Urner Barry by Expana, *Wholesale Pricing, Headless, Shell-on (HLSO) Shrimp, "Gulf of Mexico, Domestic Brown"; "Gulf of Mexico, Domestic White"; and "Farm-Raised, Asian, White"; "21-25 count",* January 2021 through December 2025 ("Urner Barry 21-25 ct. Data"), at 3 (**Exhibit 72**); Urner Barry by Expana, *Wholesale Pricing, Headless, Shell-on (HLSO) Shrimp, "Gulf of Mexico, Domestic Brown"; "Gulf of Mexico, Domestic White"; and "Farm-Raised, Asian, White";* "36-40 count", January 2021 through December 2025 ("Urner Barry 36-40 ct. Data"), at 3 (**Exhibit 73**). Note that Asian shrimp is composed of pricing data for shrimp from India, Thailand, Indonesia, and Vietnam. Given that India is the largest exporter of shrimp in Asia, accounting for over half of the quantity of all Asian imports, this Complaint assumes that prices reported under "Asian White" by Urner Barry largely reflect prices of the Indian imports. *See Dataweb – Asian frozen warmwater shrimp industry*, U.S. ITC DATAWEB (data retrieved and compiled on Sep. 21, 2026) (**Exhibit 74**).

[131] Urner Barry 36-40 ct. Data, *supra* note 130, at 2 (**Exhibit 73**).

[132] *Id.*

packages of frozen shrimp, the average wholesale price for 21-15 count size packages of Asian shrimp was at its highest reported price in September 2025 at $5.05/lb.[133] At that price, Asian priced about 54 percent lower than U.S. Gulf Brown shrimp and about 25 percent lower than U.S. Gulf White shrimp.[134]

77. As the Commission previously found, when prices of imported shrimp are low, as is the case with Shrimp Products produced by Proposed Respondent Nekkanti, "U.S. processors had to lower their prices to compete with {the imported products} in the U.S. market."[135] The U.S. processors, in turn, "were forced to lower the prices they could pay fishermen, and the fishermen's prices therefore were also depressed by low-priced {} import competition."[136]

78. The same dynamic occurs with respect to Shrimp Products produced by Proposed Respondent Nekkanti and U.S. wild-caught shrimp produced by Complainants. Specifically, for Complainants, processors set the prices for their fresh wild-caught shrimp.[137] These processors compete with Proposed Respondent Nekkanti in sales to wholesalers and retailers. Proposed Respondent Nekkanti's low prices have forced the U.S. processors to also lower the prices of their products, which translate to lower prices for U.S. fishermen, such as Complainants. Versaggi, for example, explained that "Indian imports have been driving the market price down" and that "processors have continued to underprice {their} shrimp in order to maintain their own profit

[133] Urner Barry 21-25 ct. Data, *supra* note 130, at 2 (**Exhibit 72**).

[134] *Id.*

[135] Frozen Warmwater Shrimp Final Report, *supra* note 4, at 67 (**Exhibit 14**).

[136] *Id.*

[137] Versaggi Decl. ¶ 6-7 (**Exhibit 71C**); Wallis Decl. ¶7 (**Exhibit 75C**).

margins."[138] These effects are the predictable result of competition against imports priced below lawful cost structures.

79. These effects are further demonstrated in data provided by fishermen Versaggi and W&W Dock. Over the years, the domestic industry has managed to establish and maintain a price premium for its wild-caught shrimp over Indian imports, which allow the domestic industry to stay afloat. However, starting in 2021, as low priced Indian imports, including those of Proposed Respondents, flooded the U.S. market, the domestic industry began to lower its prices to remain competitive, leading to a continuous erosion of the price premium throughout 2021 to 2023.[139] Complainants, as shrimp fishermen, bore the brunt of the downward pricing pressure, as explained above, and had to [ ] their average unit values ("AUVs") in order to make sales.[140] Specifically, Versaggi experienced a [ ] in its AUVs – from $[ ] in 2021 to $[ ] in 2025.[141] W&W Dock experienced a [ ] in its AUVs – from $[ ] in 2021 to $[ ] in 2025.[142]

80. As a result of the [ ] AUVs, both Complainants experienced [ ], as reported in Confidential Exhibits 71C and 75C. For Complainant Versaggi, the company experienced losses "[ ]."[143] Particularly, Versaggi reported [ ]

[138] Versaggi Decl. ¶ 7 (**Exhibit 71C**).

[139] *See Dataweb – Indian frozen warmwater shrimp industry*, U.S. ITC DATAWEB (data retrieved and compiled on Sep. 21, 2026) (**Exhibit 76**). *See* Urner Barry 21-25 ct. Data, *supra* note 130 (showing that the price premium for packages of 21-25 count frozen shrimp peaked in July 2021 and continued to fall to meet low pricing of Asian White shrimp) (**Exhibit 72**).

[140] Versaggi Decl. (**Exhibit 71C**); Wallis Decl. (**Exhibit 75C**).

[141] *See* Versaggi Decl. at ¶ 7 and attach. 2 (**Exhibit 71C**).

[142] *See* Wallis Decl. ¶ 8 and attach. 1 (**Exhibit 75C**).

[143] Versaggi Decl. ¶ 7 (**Exhibit 71C**).

[redacted]].[144] As a result, Versaggi reported [[redacted]].[145]

81. Complainant W&W Dock reported [[redacted]].[146] W&W Dock's buyers have not only been underpricing their product, but have also been "ordering less shrimp in the past few years because their inventories are stocked with cheap imported shrimp," which has led the company to shorten its shrimping season to six months rather than nine months.[147] The company explained that "{i}f processors are not buying our shrimp, we would be in the red trying to cover these costs without any financial benefit."[148] W&W Dock experienced [[redacted]].[149]

82. Both Versaggi and W&W Dock attribute these losses to Indian imports driving down the market price of Shrimp Products, resulting in processors offering them lower prices for their shrimp to maintain their profit margins.[150] The [ ] AUVs have resulted in a [ ] in profits for Complainants. Further, the economic instability caused by low-priced

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[144] *Id*. at attach. 2.

[145] *Id*. ¶ 8.

[146] Wallis Decl. at attach. 1 **(Exhibit 75C)**.

[147] *Id*. ¶¶ 7–9.

[148] *Id*. ¶ 9.

[149] *Id*. at attach. 1.

[150] *See* Versaggi Decl., ¶ 7 (**Exhibit 71C**); Wallis Decl., ¶ 7 (**Exhibit 75C**).

Shrimp Products has prevented Complainants from making any incremental investments to improve and expand production and capacity.[151]

83. Although both Versaggi and W&W Dock began to see improvements in their financial performance in 2024 and 2025, these gains are likely the result of unrelated or short-term intervening measures.[152] Specifically, in October 2023, the U.S. shrimp industry filed a petition for the imposition of antidumping duties against warmwater shrimp from Ecuador and Indonesia and countervailing duties from Ecuador, India, Indonesia, and Vietnam.[153] These AD/CVD investigations lasted throughout 2024 and created disciplinary effects on the Indian imports, including those from Proposed Respondents. Further, in April 2025, the Trump Administration invoked the International Emergency Economic Powers Act ("IEEPA") and imposed tariffs on major imports from India, including warmwater shrimp. The IEEPA tariffs on India started at 10 percent from April to July[154] and increased to 50% from August to December 2025.[155] Indian import prices responded to these measures. Specifically, wholesale prices of Asian White started to climb from January 2024 (before dipping again at the end of 2025).[156] From January 2024 to September 2025, wholesale prices of Asian White increased by 29 percent.[157]

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[151] *See* Versaggi Decl. ¶ 10 (**Exhibit 71C**); Wallis Decl. ¶ 9 (**Exhibit 75C**).

[152] *See* Versaggi Decl. at attach. 2 (**Exhibit 71C**); Wallis Decl. at attach. 1 (**Exhibit 75C**).

[153] *See* Frozen Warmwater Shrimp Final Report, *supra* note 4, at 1-2 (**Exhibit 14**).

[154] Exec. Order No. 14,257, 90 Fed. Reg. 15,041, 15,045 (Apr. 2, 2025) (imposing 10 percent reciprocal tariff on goods from India) (**Exhibit 77**).

[155] Exec. Order No. 14,326, 90 Fed. Reg. 37,963, 37,967 (July 31, 2025) (imposing 25 percent reciprocal tariff on goods from India) (**Exhibit 78**); Exec. Order No. 14,329, 90 Fed. Reg. 38,701 (Aug. 6, 2025) (imposing an additional 25 percent tariff on goods from India) (**Exhibit 79**).

[156] Urner Barry 21-25 ct. Data, *supra* note 130, at 2 (**Exhibit 72**).

[157] *Id.*

84. This increase in prices of Asian White has led an increase in domestic wild-caught shrimp pricing. For example, for Versaggi, [ ],[158] and for W&W Dock, [ ].[159] The same trend is reflected in the wholesale prices. For the 21-25 count size, the wholesale prices for domestic shrimp increased from an average of $5.05/lb. for Gulf White and $5.43/lb. for Gulf Brown in 2023 to $5.80/lb. and $6.94/lb. in 2025.[160] For the 36-40 count size, the wholesale prices for domestic shrimp increased from an average of $3.92/lb. for Gulf White and $3.96/lb. for Gulf Brown in 2023 to $4.46/lb. and $4.84/lb. in 2025.[161] However, these measures have not fully remedied the harm caused by Proposed Respondents' imports of illegally produced warmwater shrimp. Specifically, the increase in wholesale prices and [ ] still have not achieved a rebound to the 2021 pricing level. For example, for the 21-25 count size, on average domestic shrimp price was sold at 161% of Asian White shrimp price in 2021 and only 137% in 2025.[162] For the 36-40 count size, domestic shrimp was sold at 140% of Asian White shrimp price in 2021 and only 116% in 2025.[163] Therefore, while the above-mentioned AD/CVD investigations and the IEEPA tariffs have likely had a short-term positive impact on the industry, they have not remedied the unfair acts of Proposed Respondents. In fact, it is likely that those measures would have resulted in greater benefits to Complainants but-for Proposed Respondents' unfair acts.

[158] Versaggi Decl. at attach. 2 (**Exhibit 71C**).

[159] Wallis Decl. at attach. 1 (**Exhibit 75C**).

[160] Urner Barry 21-25 ct. Data, *supra* note 130, at 3 (**Exhibit 72**).

[161] Urner Barry 36-40 ct. Data, *supra* note 130, at 3 (**Exhibit 73**).

[162] *Id.*

[163] *Id.*

85. In conclusion, as the evidence demonstrates, through direct competition between the Shrimp Products and shrimp produced and sold by the domestic industry, Proposed Respondents have substantially injured and threaten to substantially injure Complainants and the domestic shrimp industry within the meaning of 19 U.S.C. §1337(a)(1)(A). *See TianRui Grp. Co.*, 661 F.3d 1322, 1337 (Fed. Cir. 2011) (holding that where unfair imports "directly compete" with the domestically produced products, such competition is "sufficiently related to the investigation to constitute injury to an 'industry' within the meaning of section 337(a)(1)(A)"). The injury described herein is directly linked to Proposed Respondents' use of forced labor and the resulting distortion of competitive conditions in the U.S. market.

VI. HARMONIZED TARIFF SCHEDULE CLASSIFICATIONS

86. The Harmonized Tariff Schedule of the United States classifies Proposed Respondents' Shrimp Products under one or more of the following headings:[164]

Heading/ Subheading	Article Description
0306.17.00.04	Frozen shrimps and prawns, shell-on, farmed
0306.17.00.05	Frozen shrimps and prawns, shell-on, farmed
0306.17.00.07	Frozen shrimps and prawns, shell-on, farmed
0306.17.00.08	Frozen shrimps and prawns, shell-on, farmed
0306.17.00.10	Frozen shrimps and prawns, shell-on, farmed
0306.17.00.11	Frozen shrimps and prawns, shell-on, farmed
0306.17.00.13	Frozen shrimps and prawns, shell-on, farmed

[164] U.S. INT'L TRADE COMM'N, USITC Pub. 5798, HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (2026) REVISION 20 at ch. 3, at 31–32 (Sep. 2026) (**Exhibit 80**); U.S. INT'L TRADE COMM'N, USITC Pub. 5798, HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (2026) REVISION 20 at., ch. 16, at 14 (Sep. 2026) (**Exhibit 81**).

0306.17.00.14	Frozen shrimps and prawns, shell-on, farmed
0306.17.00.16	Frozen shrimps and prawns, shell-on, farmed
0306.17.00.41	Frozen shrimps and prawns, peeled, farmed
1605.21.10.30	Prepared or preserved shrimps and prawns, frozen, not in airtight containers
1605.29.10.10	Prepared or preserved shrimps and prawns, frozen

VII. RELATED LITIGATION

87. There is no other litigation between Complainants and any Proposed Respondent. There is, however, an antidumping duty order and countervailing duty order in effect on frozen warmwater shrimp from India.[165] The countervailing duty order went into effect in December 2024, and the U.S. Department of Commerce completed its 20th administrative review of the antidumping duty order in February 2026.[166]

88. Complainants also note that Corporate Accountability Lab is a plaintiff in *Corporate Accountability Lab v. Aqua Star (USA), Corp.*, Case No. 2026-CAB-001574 (D.C. Sup. Ct.), an ongoing D.C. Consumer Protection Procedures Act, D.C. Code §§ 28-3901, case that

[165] *See Frozen Warmwater Shrimp From Indonesia: Antidumping Duty Order; Frozen Warmwater Shrimp From Ecuador, India, and the Socialist Republic of Vietnam: Countervailing Duty Orders*, 89 Fed. Reg. 104,982 (Dep't Commerce Dec. 26, 2024) (**Exhibit 82**); *Certain Frozen Warmwater Shrimp From India: Final Results of Antidumping Duty Administrative Review; 2023–2024*, 91 Fed. Reg. 5717 (Dep't Commerce Feb. 9, 2026) ("*Frozen Warmwater Shrimp From India AD Final Results*") (**Exhibit 83**).

[166] *Frozen Warmwater Shrimp From India AD Final Results* (**Exhibit 83**). In the 20th Administrative Review of the antidumping order for frozen warmwater shrimp from India, Commerce found that a particular market situation exists in India, in which costs of production of shrimp are distorted by labor violations, "including unsafe and unsanitary working conditions, excessively long hours, and forced labor." Commerce's findings, specifically governed by rules relevant to antidumping duty proceedings, indicate the presence of forced labor in India's supply chain. *See* Issues and Decision Memorandum for the Final Results of the Antidumping Duty Administrative Review of Certain Frozen Warmwater Shrimp from India; 2023-2024 (ACCESS Barcode No. 4872712-02), A-533-840, 91 Fed. Reg. 5717 (Jan. 28, 2026) (**Exhibit 84**).

alleges, *inter alia*, that Aqua Star sources shrimp produced using forced labor from Nekkanti. Complainants are also aware of *Brunker v. Costco Wholesale Corp.*, Case No. 3:26-cv-02035-YY (D. Or.), filed on October 1, 2026. Plaintiffs in *Brunker* filed a class action complaint under the Oregon Unlaw Trade Practices Act, ORS 646.638, that cites to Nekkanti's alleged use of forced labor in Andhra Pradesh.

VIII. RELIEF REQUESTED

WHEREFORE, by reason of the foregoing, Complainants respectfully request that the United States International Trade Commission:

a. Institute an investigation pursuant to Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, with respect to Proposed Respondents' violations of that section based on the importation into the United States, sale for importation, and/or the sale within the United States after importation of Shrimp Products produced by Proposed Respondents;

b. Schedule and conduct a hearing pursuant to 19 U.S.C. § 1337(c) for the purposes of receiving evidence and hearing argument concerning whether there has been a violation of 19 U.S.C. § 1337(a)(1)(A), and following the hearing, determining that there has been a violation of 19 U.S.C. § 1337(a)(1)(A);

c. Issue a limited exclusion order, pursuant to 19 U.S.C. § 1337(d), barring from entry into the United States all Shrimp Products produced by Proposed Respondent Nekkanti and/or its subsidiaries, related companies, or agents to eliminate the unfair competitive advantage derived from forced labor;

d. Issue a permanent cease and desist order, pursuant to 19 U.S.C. § 1337(f), prohibiting each Proposed Respondent, its domestic subsidiaries, related companies, and agents from engaging in the importation, sale for importation, marketing and/or advertising, distribution,

offering for sale, sale, use after importation, and other transfer within the United States of Shrimp Products produced by Proposed Respondent Nekkanti or its subsidiaries, related companies, or agents;

e. Impose a bond, pursuant to 19 U.S.C. § 1337(e), for any importation during the Presidential review period of all Shrimp Products produced with forced labor by Proposed Respondent Nekkanti sufficient to offset the price advantage derived from forced labor; and

f. Issue such other and further relief as the Commission deems just and proper based on the facts determined by the investigation and the authority of the Commission.

Date: October 28, 2026

Respectfully submitted

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VERIFICATION OF COMPLAINT

I, Justin Versaggi, Manager of Versaggi Shrimp Corp., hereby declare in accordance with 19 C.F.R. §§ 210.4 and 210.12(a), that I am duly authorized to sign this verification on behalf of Complainant Versaggi Shrimp Corp.. I have read the Complaint and am aware of its contents. The Complaint is not being presented for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation. To the best of my knowledge, information, and belief founded upon reasonable inquiry, the claims and legal contentions of the Complaint are warranted by existing law or a nonfrivolous argument for the extension, modification, or reversal of existing law or the establishment of new law. The allegations and other factual contentions made in the Complaint have evidentiary support or are likely to have evidentiary support after a reasonable opportunity for further investigation or discovery.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 28th day of October, 2026.

Respectfully Submitted,

Justin Versaggi

Justin Versaggi
Manager
Versaggi Shrimp Corp.

VERIFICATION OF COMPLAINT

I, Craig Wallis, Owner of W&W Dock LLP, hereby declare in accordance with 19 C.F.R. §§ 210.4 and 210.12(a), that I am duly authorized to sign this verification on behalf of Complainant W&W Dock LLP. I have read the Complaint and am aware of its contents. The Complaint is not being presented for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation. To the best of my knowledge, information, and belief founded upon reasonable inquiry, the claims and legal contentions of the Complaint are warranted by existing law or a nonfrivolous argument for the extension, modification, or reversal of existing law or the establishment of new law. The allegations and other factual contentions made in the Complaint have evidentiary support or are likely to have evidentiary support after a reasonable opportunity for further investigation or discovery.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 28th day of October, 2026.

Respectfully Submitted,

Craig Wallis
Owner
W&W Dock LLP