

United States Senate

WASHINGTON, DC 20510

April 27, 2017

Wilbur Ross
Secretary
United States Department of Commerce
1401 Constitution Ave., N.W.
Washington, DC 20230

Dear Secretary Ross:

Thank you for recognizing how important the U.S. fishing industry is to our nation and how equally important it is for the U.S. to enforce our trade policies and programs to ensure it remains so.¹

The U.S. shrimp industry has been, for many decades, at the heart of the economies and social fabric of many coastal communities, especially in the Gulf of Mexico and South Atlantic region. Thousands of our constituents earn their living harvesting and processing shrimp.

Unfortunately, the U.S. shrimp industry has been negatively affected by foreign imports. Today, annual imports of warm-water shrimp often exceed \$5 billion² and account for more than 90 percent of the shrimp consumed in the U.S.³

In order to evade the U.S. enforcement of U.S. anti-dumping duties, FDA Import Alerts and other U.S. trade and conservation laws, shrimp exporters and importers have engaged in a broad spectrum of fraudulent activities throughout the supply chain from point of production to entry into U.S. commerce.

In 2005, the U.S. found it necessary to impose anti-dumping duties on cheap shrimp imports from six exporting nations, including China. In 2013, your department determined China and four other major shrimp exporting nations were subsidizing their shrimp industries in order to undercut the price of domestically harvested shrimp.

In addition to government subsidies and illegal dumping, another reason some shrimp imports are so cheap is that they are produced on farms using antibiotics that promote unnatural growth rates and prevent diseases in ponds stocked at very high densities.

The FDA has found it necessary to ban the importation of shrimp containing residues of these antibiotics because of the severe health risks they pose to U.S. consumers such as aplastic

¹ <http://www.politico.com/tipsheets/morning-trade/2017/02/ross-side-project-make-america-first-on-seafood-218934>

² U.S. Department of Commerce, NOAA Fisheries, Fishery Statistics Division, U.S. Foreign Trade, see <http://www.st.nmfs.noaa.gov/commercial-fisheries/foreign-trade/>

³ UNITED STATES INTERNATIONAL TRADE COMMISSION. Prehearing Report Investigation Nos. 731-TA-1063-1064 and 1066-1068 (Second Review)

anemia⁴, antibiotic resistance⁵ and cancer.⁶ The use of illegal antibiotics on shrimp farms in China, for example, is so prevalent that the FDA found it necessary to issue an Import Alert for Chinese shrimp exports to the U.S.⁷

Unfortunately, shrimp harvested in some foreign fisheries and processed in some foreign plants have been documented to profit from the use of slave labor.⁸ And, some foreign fisheries that supply feed to foreign shrimp farms have been identified as illegal, unreported and unregulated (IUU) fisheries.⁹

We believe the Seafood Import Monitoring Program, now in its early stages of implementation by your department, promises to become an important U.S. trade enforcement tool to combat these practices that harm our U.S. seafood industry.

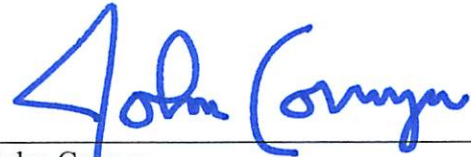
However, despite the importance of the U.S. shrimp industry, the scale of shrimp imports, and the scale and scope of fraud and other illegal activities in the shrimp import supply chain, the past Administration placed a "stay" on the implementation of this program for shrimp imports due to possible World Trade Organization challenges by other countries.

We encourage you to take the necessary steps to lift this stay as soon as possible and restore the full enforcement of U.S. trade laws with respect to shrimp imports.

Sincerely,



Bill Cassidy, M.D.
United States Senator



John Cornyn
United States Senator

⁴ U.S. Food and Drug Administration, CPG Sec. 654.300 Chloramphenicol as an Unapproved New Animal Drug - Direct Reference Seizure Authority (emphases added), available at:

<http://www.fda.gov/ICECI/ComplianceManuals/CompliancePolicyGuidanceManual/ucm074681.htm>

⁵ FDA, Enhanced Aquaculture and Seafood Inspection—Report to Congress (Washington, D.C., Nov. 20, 2008).

⁶ U.S. Food and Drug Administration, Import Alert 16-129, available at:

http://www.accessdata.fda.gov/cms_ia/importalert_31.html.

⁷ FDA, Import Alert #16-131, "Detention Without Physical Examination of Aquacultured, Shrimp, Dace, and Eel from China—Presence of New Animal Drugs and/or Unsafe Food Additives"

See: https://www.accessdata.fda.gov/cms_ia/importalert_33.html

⁸ Exploitative Labor Practices in the Global Shrimp Industry, Prepared by Accenture for Humanity United, May 13, 2013. See: http://humanityunited.org/pdfs/Accenture_Shrimp_Report.pdf

⁹ Trafficked into slavery on Thai trawlers to catch food for prawns, [Kate Hodal](#) and [Chris Kelly](#), The Guardian, June 10, 2014. See: <https://www.theguardian.com/global-development/2014/jun/10/sp-migrant-workers-new-life-enslaved-thai-fishing>



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