

In The Matter Of:
Task Force on Combating IUU Fishing and Seafood Fraud

Deposition of

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Presidential Task Force on Combating
Illegal, Unreported, and Unregulated
Fishing and Seafood Fraud

Public Meeting

Mayflower Park Hotel
405 Olive Way
Seattle, Washington

Wednesday, August 20, 2014
3:00 p.m.

CERTIFIED COPY

REPORTED BY AMANDA SUE VARONA, CCR #3131

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1 -- o0o-

2 LAUREL BRYANT: Welcome. This is the second

3 public meeting of the Presidential Task Force on

4 Unregulated Fishing and Seafood Fraud. So if this is

5 the meeting you want to be a part of, you're welcome to

6 stay.

7 My name is Laurel Bryant. I am Chief of External

8 Affairs for NOAA Fisheries. And before I turn this

9 over to our two task force members who we have with us

10 today -- Russell Smith, Deputy Assistant Secretary for

11 International Fisheries at NOAA, and also Sally Yozell,

12 Senior Advisor, Office of the Undersecretary for

13 Economic Growth, Energy, and the Environment at the

14 Department of State.

15 But before I turn it over to them, I want to just

16 kind of give you an expectation of how we're going to

17 run this. We're going to pull a page from other public

18 meetings that we've done.

19 Those of you want wanted to make a remark, I have

20 your cards, and I'm going to kind of do a democratic

21 shuffle, and we'll be able to tell about how many and

22 to how to divide the time equitably, limiting it to no

23 more than five minutes. And if you've got comments

24 longer than that, after everybody else goes through

25 their comments and there's time, you're welcome to get

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1 back in the queue.

2 Also, if you didn't submit a card and you decide

3 you want to make a remark, please feel free. The cards

4 are in the back of the room, and just give them to

5 myself or my two colleagues in the back, Louis and

6 Alison.

7 This meeting is being reported and it will be

8 transcribed, so it will be part of the public record.

9 And there are also other ways to remark and make sure

10 that your comments are included, and both Russell and

11 Sally will be going through that.

12 And I think that's all I wanted to say.

13 We're going to be passing the mic around. As I

14 call on folks, Louis or Alison will bring the mic over

15 to you, and you've got your time. I will give you a

16 30-second heads-up so you can wrap it up, so we can

17 make certain we can hear our next speaker.

18 And then, looking at whatever time we have left

19 over, Sally and Russell may want to engage a little bit

20 more in depth.

21 Now, Sally, did you still want to go ahead and see

22 -- I don't think there's too many -- do you want to go

23 ahead and see about everybody introducing themselves?

24 I'm going to go ahead and start with my colleague up

25 here, Linda, because I know who she is.

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1 But if we could just have people stand up and

2 introduce themselves and who you're with...

3 Linda, I'll start with you.

4 Hi. I'm Linda Chavez, Senior Advisor in

5 International Trade for the National Fisheries

6 Service.

7 Good afternoon. I'm Rob Moore, Executive Director

8 of West Coast Seafood Processors Association.

9 And Jim Gilmore with the Processors Association

10 here in Seattle.

11 Hi, I'm Joe Rudolph. I'm the CEO of Trace

12 Resister [phonetic] Traceability Company.

13 Jim Humphreys. I'm the Fisheries Director for the

14 Marine Stewardship Council America, based here in

15 Seattle.

16 Ken Kimball with Costco Wholesale.

17 Eric Steiger, Chief of the Northwest Region

18 Seafood Inspection Program.

19 Matt Owens with Tri-Marine.

20 Joe Hamby with Tri-Marine.

21 Heidi Havanan with Tri-Marine.

22 Good afternoon. Lieutenant Commander Rick Stadt,

23 US Coast Guard.

24 Good Afternoon, Brian Cork, also with the Coast

25 Guard.

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1 Good afternoon, everyone. I'm Rebecca Reuter.

2 I'm with NOAA Fisheries at the Alaska Fisheries Plant

3 here in Seattle.

4 Good afternoon. I'm Tom Brenner, Tri-Cities

5 Eclipse.

6 I'm Bob Simon with NOAA Fisheries, also from

7 Seattle.

8 I'm Becky Housel at Oceania.

9 [Inaudible] Conservation Society in Seattle.

10 [Inaudible] From the law firm Harris & Moore.

11 VLADIMIR RADCHENKO: Good afternoon. My name is

12 Vladimir Radchenko [inaudible].

13 Todd Rosen, attorney in [inaudible] D.C.

14 Jim Stone. I'm a crab fisherman and I'm with

15 Ocean Fisheries, and I'm also with ICE and ADSE, which

16 is crab fishers.

17 Jay Davidson, Executive Director of

18 Intercooperative Exchange and crab fisherman.

19 Edward Poulson. I'm the President of Alaska

20 Bering Sea Crabbers and part-owner of two Bearing Sea

21 crab vessels.

22 [Inaudible] Christianson, Science Advisor for the

23 Alaska Bering Sea Crabbers.

24 John Simeone, Consultant for the World Wildlife

25 Fund based in Anchorage, Alaska.



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1 Heather Brandon, World Wildlife Fund, Senior
 2 Fisheries Officer for the Arctic Program.
 3 MS. BRYANT: I think that's everybody.
 4 And I think, Sally, with that, we'll go with you.
 5 MS. YOZELL: Thank you, everybody. And thank you
 6 for indulging me by acknowledging who everybody is.
 7 What a great combination of folks' interests, and I'm
 8 just very grateful that you're here because it's all
 9 about a listening session to learn from all of you.
 10 You're the experts.
 11 So, as I said and as Laurel said, my name is Sally
 12 Yozell. I am Senior Advisor at the Department of
 13 State. I represent Undersecretary Novelli and
 14 Secretary Kerry, who are very jazzed and interested and
 15 focused on these issues. It's exciting for us to have
 16 a secretary who has such a long interest in these
 17 issues, and has brought it to the forefront of the
 18 Department of State. And it's also great that working
 19 so closely with Commerce and NOAA. Russell and I have
 20 been working closely together on these issues.
 21 So when I think about all these issues that have
 22 been brought up -- traceability, IUU fishing, seafood
 23 fraud -- you know, again, I just want to say you are --
 24 you're the experts, and that is what this session is
 25 really all about.

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1 Our domestic management system, many of you know,
 2 came from our years at Gallup. Our domestic management
 3 system is one of the best in the world, if not the best
 4 in the world, but despite all of that and all the
 5 successes we have had, there are still some IUU fishing
 6 issues going on, and that really is however you -- and
 7 I'm sure yours -- can be an economic disadvantage to
 8 the good players and our domestic fisheries. Some
 9 studies have said that IUU fishing can be as great as
 10 one-third. I have no idea, and that's what I want to
 11 learn from you all.
 12 Some have said that there's a certain amount of
 13 seafood fraud. Some studies have said that seafood
 14 fraud happening in restaurants can be as much as a
 15 third. I have no idea. We're here to listen and learn
 16 from you.
 17 And so with all these unknowns and all these
 18 things related to our economic well-being about
 19 fisheries and jobs and whatnot, that's really why the
 20 President, during our oceans conferences that was
 21 hosted at the Department of State in the spring wanted
 22 -- did his presidential memorandum.
 23 And so Russell is going to walk us through a
 24 little bit of sort of the presidential memorandum,
 25 questions, and our goals.

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1 But again, it is a wide-open opportunity. We're
 2 really grateful so many people are here. We want to
 3 learn. We want to listen. And that's really what the
 4 day is all about. So thank you.
 5 RUSSELL SMITH: Thank you, Sally. Thank you,
 6 Laurel. And thank all of you for being here.
 7 Again, I am Russell Smith, and I am here on behalf
 8 the other co-chair of this enterprise, Dr. Katherine
 9 Sullivan, who is the NOAA Administrator Undersecretary
 10 at the Department of Commerce. And this is an issue
 11 that she has become seized with, that she has really
 12 taken to heart, taken a big interest in and a personal
 13 involvement, in the work of this task force.
 14 As Sally mentioned, seafood and the management and
 15 the harvesting and sale of seafood are important to us
 16 in a number of ways, not only for food and food
 17 security, but also because of the jobs and because of
 18 the economic driver that it provides.
 19 And we know that there are some serious issues
 20 that we need to deal with. We need to deal with the
 21 fact that there are -- despite the work that has been
 22 done domestically, the sacrifices that have been taken
 23 domestically to bring our house in order, we are very
 24 dependent on what happens in the rest of the world. We
 25 are dependent on the global fisheries, and need to

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1 ensure that -- as a major market and as a major
 2 participant in those global fisheries, that we don't do
 3 anything that undermines our sustainability efforts
 4 domestically, and, in fact, that we do things that will
 5 help to improve the situation globally, both with
 6 respect to combating IUU, as well as this issue of
 7 seafood fraud and ensuring that consumers know -- have
 8 reasonable assurance that what they are consuming is
 9 what they expect to consume.
 10 The President has asked the Secretary of Commerce
 11 and the secretary of State to convene this task force.
 12 They have obviously delegated their responsibilities to
 13 the two undersecretaries, but I think the fact that the
 14 President created this task force and gave us this
 15 mandate to, in fairly short order, develop
 16 recommendations to him on how we can better address
 17 these issues suggests the importance that solving these
 18 problems has to him and therefore to the Administration
 19 and the government.
 20 So we're very excited to be here and to have this
 21 opportunity to hear from you and listen to your ideas,
 22 your thoughts about what the problems are, what the
 23 potential solutions might be, how we can better engage
 24 and better address these problems.
 25 Why don't we just start with the slides, very



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1 quickly.

2 Background here is that, as I mentioned, back on

3 June 17th, the President issued his executive

4 memorandum entitled, "Establishing a Comprehensive

5 Framework to Combat Illegal, Unreported, and

6 Unregulated Fishing and Seafood Fraud." And again, the

7 mandate that he gave was for the Secretary of State and

8 Secretary of Commerce to come together to create this

9 task force, to bring together representatives from the

10 relevant agencies within the federal government to

11 think about this issue and to come back to him with

12 recommendations.

13 An important component of that exercise is

14 reaching out to the public, understanding what you, as

15 consumers, as processors, as fishermen, as retailers

16 have to say, have to contribute to helping us

17 understand how we can best use existing authorities, or

18 perhaps new authorities, to try and address this issue,

19 try and move the process forward.

20 As I mentioned, the President instructed that the

21 task force should consist of a number of different

22 relevant agencies, and so we have a task force that now

23 has representatives from not only Commerce and State,

24 but from Homeland Security, the Department of Defense,

25 Department of Agriculture, Department of Interior,

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1 Department of Justice, Health and Human Services, as

2 well as various offices in the White House, including

3 the Office of Management and Budget, the Council on

4 Environmental Quality, the office of US Trade

5 Representative, the Office of Science and Technology

6 Policy.

7 The point of going through this list is just to

8 indicate a recognition that this is a whole-of-

9 government, a whole-of-the-administration effort,

10 because each of these various departments and offices

11 potentially has something to offer to one or both

12 pieces of this puzzle; this puzzle, the two pieces

13 being combating IUU and addressing seafood fraud.

14 State and Commerce have had the lead, but we are

15 depending very heavily on our federal partners, and I'm

16 particularly pleased that Homeland Security in the form

17 of the Coast Guard is here with us today. Without that

18 engagement, we won't really succeed in this.

19 I mentioned that public engagement is a very

20 important piece of this. This is our second public

21 outreach, and I will talk about what we're planning to

22 do in the future in a few moments. But really, it's

23 about first getting an understanding from you, from

24 your perspectives on what the problems are, what are

25 the issues that we should be focusing on?

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1 And since this is a public listening forum, we

2 wanted to come into this room with an open mind, with

3 very few borders around what we're looking at. Rather,

4 we want to really hear and get input about the scope,

5 about what the magnitude of these problems are, about

6 how we should be focusing the resources of the federal

7 government on addressing these issues.

8 We need to hear from you about priorities and

9 opportunities for addressing these issues. And we need

10 to know from you where you think that we can make the

11 most impact as the federal government, but also as the

12 federal government working in conjunction with you and

13 the various entities that are represented in the room.

14 So again, we're really here to listen. We come in

15 with an open mind. These are issues that I've worked

16 on and Sally's worked on for a long time, but -- and we

17 have worked with some of you, many of you, on these

18 issues, but this is an opportunity for us to really

19 take a fresh look, to get a fresh perspective, and

20 hopefully, to make some real progress on how the US

21 deals with the issue of IUU and how we address the

22 issue of seafood fraud.

23 So with that, let me turn it back over to Laurel

24 and actually start to hear from you. Thank you.

25 MS. BRYANT: Great. Thanks, Russell.

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1 I just want to remind folks of a little

2 housekeeping thing. If you're thirsty, we've got water

3 in the back.

4 And the agenda -- on the back of the agenda the

5 task force members -- they put together some trigger

6 questions. These are the same questions that appeared

7 in the Federal Register notice. They are not to

8 restrict you. They are simply to trigger areas of

9 interest that we know the task force members want to

10 hear about. So I just wanted to point that out to

11 you, if that helps you in guiding your comments.

12 This worked out just amazing. Now, somebody

13 might asked their card to it, but I actually have

14 twelve cards, times five, that's a perfect hour. So

15 I've done the democratic shuffle, and, Ed, you're

16 first in the barrel.

17 If you could stand up and we'll hand you the mic,

18 and if you could say your name and your association

19 for the record, so that the court reporter can get

20 that, I'd appreciate it. Thanks.

21 MR. POULSON: My name is Edward Poulson, and I am

22 the President of Alaska Bering Sea Crabbers, a trade

23 group representing roughly 70 percent of the crab

24 harvesters. I'm also a part owner in two Bering Sea

25 crab harvesters.



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1 I'm proud of the safe and sustainable mentality
 2 that has been fostered by the Alaskan fishing industry
 3 over the years. It's not always been this way. My
 4 father lived through the historic collapse of red king
 5 crab in the late '70s and growing up in the industry,
 6 I was also constantly reminded of vessels lost and
 7 crews never returning home.

8 Over the years, both safety and sustainability
 9 have greatly improved, particularly for the Bering Sea
 10 crab industry. Conservative management practices by
 11 both NMFS, National Marine Fisheries Service, and the
 12 Alaska Department of Fish and Game were implemented.

13 Harvest rates were significantly lower for our
 14 crab stocks than for crab stocks around the world,
 15 particularly from Russia. We have strict regulations
 16 on types of gear, areas that can be fished, times when
 17 fishing can occur, and one of the oldest observer
 18 programs, all to protect our stocks.

19 On top of this, industry works with National
 20 Marine Fisheries Service and Alaska Department of Fish
 21 and Game regarding cooperative research to better
 22 understand crab stocks. The industry voluntarily
 23 raised upwards of \$1 million annually to better
 24 understand our crab stocks and how to sustainably
 25 harvest them through this cooperative model.

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1 We also paid the government to manage our crab
 2 catch share program. This program has improved
 3 sustainability of our stock, but even more, it has
 4 dramatically improved safety by eliminating the race
 5 for fish.

6 There are many examples of regulation that are
 7 borne by the fishing industry, and I could talk about
 8 them all day, really. Needless to say, if my son
 9 decides he would like to be a fisherman when he grows
 10 up, I'll recommend he go to law school so he can
 11 understand how to leave the dock first.

12 By no means am I here to debate the merits of our
 13 fisheries regulations. As a matter of fact, we
 14 support many of them. Russia does not have this same
 15 level of regulation, however. The playing field is
 16 not equal. Our expenses are simply much higher than
 17 theirs to catch a pound of crab.

18 In addition, we catch significantly fewer pounds
 19 per year, so that we have crab for tomorrow. We live
 20 in this reality, but we receive basically the same
 21 price for crab as the Russians, which makes us very
 22 uncompetitive on the global stage. This is
 23 particularly painful when huge abundances of crab
 24 flood into our markets, such as is happening now,
 25 resulting in declining prices to harvesters.

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1 In order for Alaska crabbers to differentiate
 2 themselves in the marketplace, immediate effort should
 3 be made to implement country-of-origin labeling for
 4 whole cook crab and cooked crab sections.

5 Currently, crooked crab products are excluded
 6 from COOL. This makes it nearly impossible for the US
 7 consumer to determine if the crab they are buying is
 8 Russian or US product, not to mention differentiating
 9 between legal and illegal Russian product.

10 By including cooked crab under the COOL
 11 requirement, US consumers will, for the first time,
 12 have the necessary information at their disposal to
 13 make an informed seafood purchase, benefiting US
 14 fishermen, as we can better market our product
 15 distinctly from Russian product.

16 And I'll just mention that Jake will have a lot
 17 more detail on COOL than I will.

18 MR. BRYANT: Great. Thanks. You're actually
 19 were totally under time.

20 Also, can I just say, if you've got a copy of
 21 that, it would be great. We could give ours to the
 22 reporter.

23 And nobody feel you have to rush through. She's
 24 typing away as fast as she can, but if you can slow it
 25 down.

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1 The next person is Jim Humphreys, Marine
 2 Stewardship Council.

3 MR HUMPHREYS: Thank you.

4 First I'd like to thank the task force for
 5 allowing me to provide comments today about the Marine
 6 Stewardship Counsel, NSC, and how our program
 7 addresses the issues of IUU fishing and seafood fraud.

8 You know, as you've pointed out, numerous
 9 scientific and anecdotal studies and reports have
 10 identified IUU fishing and seafood fraud as
 11 significant problems, and we applaud the presidential
 12 task force's efforts to address these issues.

13 For those of you not familiar with MSC, let me
 14 start by briefly giving you a brief background about
 15 it.

16 The MSC is a global, independent, not-for-profit
 17 organization with the staff located globally and a
 18 governance representing twenty different countries and
 19 six different continents.

20 We operate a global fisheries certification and
 21 ecolabeling program that relies upon market forces to
 22 recognize and we reward sustainable fisheries. As a
 23 voluntary standard, the MSC seeks to support the work
 24 of government and civil society in improving the
 25 sustainability of global fisheries.



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1 We maintain two standards: A fishery standard
 2 and a traceability standard. And as the owner of
 3 those standards, the MSC also develops the
 4 requirements and methodology to allow fisheries and
 5 companies to be assessed against the standards.
 6 The MSC program is voluntary, and fisheries enter
 7 the program by hiring independent certifiers to
 8 complete an assessment, and the fishery is assessed
 9 against three main principles: Looking at the health
 10 of the target stock, the fishery's impact on the
 11 ecosystem, and the effectiveness of the fisheries
 12 management system.
 13 The MSC chain-of-custody standards are described
 14 to ensure that seafood product sold with the MSC claim
 15 and label come from an MSC-certified fishery.
 16 The MSC is the largest seafood ecolabeling
 17 program around the world. Globally, our program has
 18 238 fisheries, representing about 8 percent of the
 19 wild catch. In the US there are thirty-two certified
 20 fisheries that represent over 50 percent of the catch
 21 in many of the largest fishery in the U.S -- largest
 22 and most important.
 23 So how does this all relate to IUU? Well, for
 24 fisheries that are MSC-certified, the MSC's intention
 25 with its program is that fisheries be harvested

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1 legally and that IUU is nonexistent. Or where IUU
 2 does exist, it is at a minimum level and such that
 3 management measures are capable of maintaining the
 4 effective populations at sustainable levels.
 5 IUU fishing is potentially scored under several
 6 different performance indicators under the MSC system.
 7 The concept of IUU is very complex and includes
 8 components of fishing activity that are illegal
 9 activities that are imported and unregulated
 10 activities.
 11 And the MSC system considers its impacts on a
 12 number of areas, from the scientific ability to assess
 13 stocks to compliance with regulations and laws.
 14 First and foremost, vessels catching fish that
 15 carry the MSC logo must be in compliance with all
 16 relevant national and international regulations. In
 17 effect, MSC fish cannot be illegal.
 18 Second, the target stocks that are the source of
 19 MSC-certified fish should have only minimal, if any,
 20 IUU fishing by uncertified vessels.
 21 The requirements for compliance with national and
 22 international laws, combined with the requirement that
 23 the fishery should not be causing any serious and
 24 irreversible harm to the ecosystem, means that the
 25 area being assessed should also be free of IUU fishing

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1 for nontarget species. And this is subject to scoring
 2 in a different area.
 3 So what this all means is that it creates a
 4 system whereby the MSC assessment evaluates several
 5 important questions: Does IUU fishing exist in
 6 fishery from target stock? Does IUU fishing exist in
 7 this fishery for nontarget species? Can management
 8 estimate how much IUU fishing is occurring? Can
 9 management deliver a sustainable fishery in the face
 10 of the IUU fishing that is taking place? Are
 11 management tools being used effectively at controlling
 12 the IUU fishing? And is the certified part of the
 13 fishery operating legally, so that at least the MSC-
 14 certified fish being sold in the supply chain is not
 15 IUU?
 16 The MSC chain-of-custody standard was designed to
 17 ensure that MSC products that are sold with the MSC
 18 claim and the MSC logo came from a certified fishery.
 19 In an MSC chain-of-custody supply chain, each company
 20 must have a system of documentation to show the
 21 products came from the MSC- certified fishery and
 22 wasn't mixed with noncertified products. This is very
 23 important in a context where there's IUU fish.
 24 In 2012, we conducted a PMA analysis, and we
 25 found that there was 99 percent accuracy down to the

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1 species level -- population of species level with the
 2 MSC labeling.
 3 So in conclusion, the MSC certification program
 4 provides a good and useful tool to audit the
 5 effectiveness of fisheries and fisheries management
 6 systems, and includes indicators which evaluate IUU
 7 and how management is aware of it, dealing with it,
 8 and how effective management is.
 9 Thank you.
 10 MS. BRYANT: Thank you.
 11 Next up to bat, Matt Owens, Tri-Marine.
 12 MR. OWENS: Good afternoon, everybody.
 13 My name is Matt Owens, and I'm the Director of
 14 Environmental Policy and Social Responsibility at
 15 Tri-Marine. Tri-Marine is a global tuna that company,
 16 but we have vessels and plants that operate both under
 17 American flag and American Samoa; also, in California.
 18 So I'm going to come at this kind of from an
 19 environmental perspective; that's my background. My
 20 colleague, Joe, will come at it from a more
 21 operational perspective.
 22 We will provide written comments in a little more
 23 detail, so this is a bit more general in nature.
 24 So the importation of illegal, unreported, and
 25 unregulated seafood and seafood products has become a



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1 serious problem in this country. This is bad for the
 2 consumer, the industry, the communities we support,
 3 and the environment. Current standards are weak and
 4 poorly enforced by a confusing mix of regulations and
 5 regulatory agencies.

6 Federal government intervention to correct this
 7 is vitally important, which is why we congratulate the
 8 Obama Administration on establishing this task force,
 9 and appreciate the opportunity to comment on its
 10 direction.

11 The solution lies with three guiding principles:
 12 transparency, traceability, and enforcement.

13 First, transparency. How can we combat IUU
 14 fishing and seafood fraud if the seafood product does
 15 not say what is actually in it, where it comes from,
 16 or how it was caught? This lack of transparency is
 17 due in part to a lack of clarity with existing laws.
 18 For example, the USDA country-of-origin labeling law,
 19 or COOL, FDA's statement of identity guidelines, and
 20 NOAA's fisheries Certificate of Origin, or Form 370,
 21 could be powerful tools if rationalized, strengthened,
 22 and applied universally.

23 Right now this is not the case. Let's consider
 24 canned tuna, the second most consumed seafood product
 25 in the US. For example, a canned tuna product can

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1 simply be labeled "light tuna," distributed by
 2 company X from city Y, USA. In reality this product
 3 can be skipjack, yellow fin, bigeye, albacore, or even
 4 bluefin, or a mixture of all of the above, caught by a
 5 Taiwanese-owned fishing vessel, operating under a
 6 Philippine flag, fishing in Papua New Guinea's waters,
 7 transhipped by Panamanian flag carrier, unloaded in
 8 Bangkok, processed and cleaned in Tularenses
 9 [phonetic], imported into the US, and then canned.

10 Is this product of the USA? Yes and no. Do we
 11 know if the tuna or tunas in the can were caught
 12 legally? Very hard to say. This is where the
 13 importance of not only transparency but traceability
 14 become critical.

15 In the case I just described, a typical consumer
 16 would only see, "light tuna," distributed by a US
 17 company.

18 We must improve our laws so that all seafood
 19 products in all forms are labeled by the species name
 20 or names, where they were harvested, what gear was
 21 used, and if any chemical or gas treatment was applied
 22 to the product.

23 It's important for both the US government and the
 24 seafood industry to know what kind of seafood and how
 25 it was caught, as a matter of enforcing the law and

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1 protecting our resources. It's important for the
 2 consumer to know what they are buying and where it
 3 came from.

4 Today it is very difficult to know if the product
 5 is IUU or not or if any fraudulent activity was
 6 conducted to mask the product's natural
 7 characteristics.

8 COOL, statement of identity, and Certificate of
 9 Origin guidelines could help us achieve this if made
 10 clear, comprehensive, and consistent.

11 This leads me to the third and important
 12 principle here for investigating IUU seafood fraud:
 13 Enforcement. Product inspection and supply-chain
 14 auditing is fundamental to good enforcement, and the
 15 more we can use modern technology to manage all this,
 16 the better.

17 The NOAA office of law enforcement and NOAA's
 18 seafood inspection program are already in place and
 19 have the authority, under the Lacey Act, to impose
 20 significant sanctions against individuals and
 21 companies that violate seafood regulations. But they
 22 need the financial and institutional support necessary
 23 to do an effective job.

24 Right now, because NOAA does not have the budget,
 25 tools, and support it needs, the US is potentially

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1 becoming a dumping ground for low-quality, fraudulent
 2 IUU seafood.

3 Strong transparency, traceability, and
 4 enforcement will set a level playing field for US
 5 companies, protect the consumer, and conserve a vital,
 6 renewable source of healthy protein.

7 We already have many important tools like COOL,
 8 statement of identity, and certificate-of-origin
 9 guidelines, and institutions like NOAA, USDA, and FDA.
 10 But we needed clarity, consistency, and funding.

11 Thank you to the Obama Administration for
 12 establishing this task force, and all of you here, for
 13 your consideration of these comments.

14 MS. BRYANT: Thanks, Matt.

15 Next we have Jake Jacobson.

16 And don't forget to give your affiliation, Jake.
 17 Thanks.

18 MR. JACK JACOBSEN: Hi. My name is Jake
 19 Jacobson, and I'm the executive director of
 20 Intercooperative Exchange. Intercooperative Exchange
 21 is a harvesting cooperative of crab fishermen in the
 22 Bering Sea. Members of my co-op harvest approximately
 23 70 percent of the crab quota available in the Bering
 24 Sea and includes all of the folks that you might have
 25 seen on "The Deadliest Catch" TV show.



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1 We've heard the statistics, that global IUU trade
 2 results in economic losses of between \$10 and \$23
 3 billion annually. But IUU seafood products are also
 4 significantly impacting our domestic industry and
 5 undermining the efforts to US fishermen who abide by
 6 strict, science-based fishery management principles.

7 Here in the US, the Bering Sea crab fishery is a
 8 prime example of what can happen to the market when
 9 it's flooded with IUU product. In 2013, the Alaskan
 10 fishery brought about roughly 84 million pounds of
 11 light crab into the market. The official Russian
 12 harvest was about 96.1 million pounds that year.
 13 However, upon further examination of the Russian trade
 14 data, it appears that Russia actually exported closer
 15 to 196 million pounds in 2013. This 99-million-pound
 16 discrepancy is attributed to IUU production.

17 The resulting impact has been costly to both the
 18 Bering Sea fleet and Alaskan coastal communities.

19 Connie Barclay, a NOAA spokeswoman, told the Wall
 20 Street Journal that since the year 2000, it's resulted
 21 in approximately \$560 million in losses to crab
 22 harvesters, and additionally, Alaskan coastal
 23 communities have lost over \$11 million in the same
 24 period.

25 As a globally traded commodity, the supply chain

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1 for IUU Russian know crab is complex. There's
 2 basically two types of illegal fisheries. The one is
 3 Russia is what's called a black fishery or black
 4 market, and these are vessels that fly flags of
 5 convenience. They're usually from Sierra Leone or
 6 Cambodia. Some other countries are represented as
 7 well. They have no legal right to be in Russian
 8 waters to fish that product.

9 Then there's what's called a gray fishery, and
 10 these are vessels that have permits for some fishery,
 11 maybe even a crab fishery, but these are overharvest
 12 or they're supposed to be targeting cod and instead
 13 they target crab.

14 This crab that's caught is typically offloaded at
 15 sea to cargo vessels but also can be brought to ports
 16 in Japan and Korea, where it's processed and
 17 integrated into the supply chain.

18 Along the way there are multiple opportunities to
 19 obscure the origin of this illegal product, either
 20 through fraudulent paperwork or by co-mingling this
 21 illegal product with legal product.

22 As the task force works to put an end to the
 23 importation of IUU seafood products, we ask you that
 24 you consider the following solutions.

25 First, we believe one way to curb these illegal

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1 imports is to require enhanced traceability and
 2 documentation, with greater emphasis on electronic
 3 data for imported seafood. This, as well as a
 4 risk-based targeting at US ports of entry, will help
 5 curb the practices of fraudulent paperwork and
 6 co-mingling of product.

7 Second, we urge that the Administration support
 8 efforts to include whole cooked crab and cooked crab
 9 sections under the list of products subject to
 10 country-of-origin labeling requirements. As it stands
 11 currently, cooked crab products are excluded from
 12 COOL, making it nearly impossible for the US consumer
 13 to differentiate between Russian and US product, not
 14 to mention between legal and illegal Russian product.

15 Finally, as a short-term solution, we ask the
 16 Administration to immediately initiate an import ban
 17 on Russian seafood products in the United States.
 18 This ban is in retaliation for a recently announced
 19 ban on seafood imports into Russia from the US and the
 20 EU. Although this ban would stem -- from the ongoing
 21 tensions in the Ukraine, it would also be an effective
 22 tool to let the Russians know that the Administration
 23 supports domestic fishermen and will take future
 24 efforts to protect them from both hostile trade action
 25 and the impacts of IUU fishing.

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1 Measures that other countries have taken to
 2 combat IUU imports have worked. Earlier this year,
 3 Japan implemented measures to crack down on imports of
 4 illegally harvested Russian crab. As a result, their
 5 imports of Russian king crab are down 61 percent this
 6 year. Unfortunately, imports of Russian king crab
 7 into the US are up 50.5 percent in the same period.
 8 Therefore, we also urge the task force to work with
 9 other countries to strengthen their measures against
 10 IUU products.

11 And we appreciate the work of the Administration
 12 and the task force in finding the solution to the
 13 problem of IUU seafood. And thank you for your time.

14 MS. BRYANT: Thanks, Jake.
 15 Next, Vladimir Radchenko.
 16 [See written statement submitted to the Task
 17 Force and attached hereto.]
 18 Thank you for your attention.
 19 MS. BRYANT: Thanks.
 20 And just as a reminder to those who do have your
 21 comments written down, it would be really helpful if
 22 you could just provide a copy of that to us before you
 23 leave.
 24 Next we have two speakers splitting up their five
 25 minutes together, Heather Brandon and John Simeone.



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1 MS. HEATHER BRANDON: Good afternoon. My name is
 2 Heather Brandon, and I work for World Wildlife Fund.
 3 I'm the Senior Fisheries Officer for the Arctic Field
 4 Program in Anchorage, Alaska.
 5 Do you remember the last time you had a seafood
 6 meal and how good it was, or the last time you ordered
 7 crab? Do you know if it was caught legally?
 8 Illegal seafood harvesting is a global problem.
 9 The latest estimate out is that between 13 and
 10 31 percent of the world's annual seafood harvest is
 11 illegal. And there is no denying that American
 12 consumers unknowingly contribute to this underground
 13 economy.
 14 Crab from the Russian Far East is also a part of
 15 this global seafood black market. Russia, of course,
 16 has a legal crab fishery. Therefore, not all crab
 17 from Russian is illicit. In a soon-to-be- released
 18 study, we estimate that about half the crab coming out
 19 of Russia is illegally harvested.
 20 How do they do this? Well, Jake already went
 21 over this, so I can skim through it, I suppose,
 22 quickly, but Russian vessels might simply overharvest,
 23 or they might skip registering their harvest with
 24 Russian authorities and deliver crab directly to a
 25 foreign port. Or foreign vessels poach crab in

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1 Russia's Sea of Okhotsk in the western Bering Sea and
 2 then deliver it to a port outside of Russia.
 3 These foreign ports that receive the product are
 4 typically in Asia because they're close to crab
 5 fishing grounds and there is high demand for crab in
 6 Asia.
 7 Illegal crab ends up in the markets of Japan and
 8 the US, competing directly with crab harvested
 9 legally, including Alaska crab. The Alaska
 10 crabbers -- some of them are sitting here today --
 11 including those on "The Deadliest Catch" TV show, are
 12 robbed of a level playing field.
 13 Illegal crabbing also has a big economic and
 14 environmental impact within Russia. Russia itself has
 15 estimated that illegal fishing of all seafood, not
 16 just crab, results in 1 billion worth of lost tax
 17 revenue annually.
 18 World wildlife fund, being a conservation
 19 organization -- we're particularly concerned about the
 20 environmental impacts to the marine ecosystems of the
 21 Sea of Okhotsk and the western Bering Sea, and this is
 22 due the chronic and uncontrolled overexploitation of
 23 king and snow crab.
 24 Illegal crabbing can irreversibly alter the
 25 marine food web by comprehensively removing crab

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1 throughout the [inaudible] and from the ocean. Where
 2 they're a benthic predator.
 3 The Bering Sea is our fish basket in the US, and
 4 it is in our best interests to make sure it's healthy
 5 and protected.
 6 Not only does illegal fishing hurt the
 7 environment and the US economy, but illegal seafood
 8 ends up on the plates of American consumers.
 9 So tonight, when you go to a restaurant and you
 10 look at the menu, and there's seafood on it -- maybe
 11 crab -- pause for a moment. Do you think the seafood
 12 was harvested legally, and how can you know?
 13 So to follow up, I'm going to introduce John
 14 Simeone, who is a trade analyst and consultant to
 15 World Wildlife Fund, and he will provide you with some
 16 specific recommendations on all seafood, including
 17 crab.
 18 MR. JOHN SIMEONE: Thank you.
 19 Hi, my name is John Simeone. As Heather
 20 mentioned, I'm an independent consultant, and my work
 21 focuses on natural resource trade overall in the
 22 Pacific Rim, focusing on primarily on Russia. I speak
 23 Russian, and I mainly focus on forestry and seafood
 24 subjects.
 25 I offer my statement today as a contractor for

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1 WWF on illegal Russian crab harvest and trade.
 2 Overall, WWF recommends that the United States
 3 government mandate that all seafood sold in the US be
 4 fully traceable to verify illegal sources.
 5 In order for the US government to achieve WWF's
 6 overall recommendation and to rid IUU Russian crab
 7 from entering the US market, the following two
 8 concrete actions are a minimum necessity.
 9 One, improve harmonization codes for all seafood.
 10 All international trade -- that is, imports and
 11 exports -- are recorded by Customs authorities using
 12 the system of eight- or ten-digit HS codes, known as
 13 harmonized system codes. The US government should
 14 appeal to the World Customs Organization -- the
 15 organization which sets and administers these codes --
 16 in order to require more increased trade data
 17 harmonization for fish and seafood products, like
 18 crab, that are near impossible to track to the species
 19 level with only the required eight-digit code, of
 20 which only six digits are harmonized, meaning
 21 standardized globally.
 22 Currently the HS codes used for commercially
 23 traded crab species are totally inadequate. Species-
 24 specific HS codes are a necessity for crab as well as
 25 any other traded natural resource that is suspected of



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1 being harvested or traded illegally. That includes
 2 timber.
 3 As an example, there are certain codes for all
 4 globally traded tuna species throughout the world, so
 5 it can be done for crab.
 6 Two, second point. Establish an IUU multilateral
 7 initiative between common regional trade partners.
 8 For example, in regard to IUU seafood and trade in the
 9 north Pacific -- which includes IUU Russian crab --
 10 the US government should work to establish an IUU
 11 multilateral initiative between Russia, South Korea,
 12 Japan, China, and the US, specifically to address
 13 north Pacific IUU fishing.
 14 By Russia's own admission, the Russia-South Korea
 15 IUU Bilateral Initiative, which was signed in 2009,
 16 continues to not be effective to this day for stopping
 17 IUU crab. According to the US Custom data, US imports
 18 of Russian crab are likely to stop off in South Korea
 19 en route to the US.
 20 Bilateral agreements may be a productive starting
 21 place, but based on the connectivity of the trade
 22 between Russia, Japan, South Korea, and China, and the
 23 US, it is imperative that a multilateral working group
 24 and initiative be adopted among the five countries.
 25 This initiative would allow relevant government

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1 agencies and stakeholders to share trade data, yearly
 2 forecast publications -- which exist only in Russian
 3 currently -- allowable catch levels, enforcement
 4 intelligence, and vessel movements.
 5 Thank you.
 6 MS. BRYANT: Thank you, John.
 7 Next is Jim stone.
 8 MR. JIM STONE: I'm Jim Stone. I'm an Alaskan
 9 Bering Sea crab fisherman since 1979. I'm a member of
 10 Jake's cooperative that he already spoke to, and I am
 11 a member and board member of the Alaskan Bering Sea
 12 crabbers, and its previous president.
 13 We Alaska crab fisherman play by all the rules
 14 handed to us by US policies. That's strong fishery
 15 regulations, enforced stability standards, safety
 16 standards enforced by Coast Guard, OSHA, and others,
 17 environmental pollution standards enforced by EPA and
 18 others.
 19 We have huge insurance minimums to cover us
 20 against accidents. Our stability and safety records
 21 are enviable around the world, but these worthwhile
 22 goals have a heavy financial burden on the US fishing
 23 boats. Not to play by all these rules will result in
 24 a US crabber not being allowed to fish, with no wiggle
 25 room to evade these strict rules.

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1 In the US marketplace, we must compete with
 2 fishermen from other countries with much less
 3 regulations and costs. Even worse, with the glaring
 4 influx of Russian priority crab entering the United
 5 States the last couple of decades, we must now compete
 6 with fishermen that adhere to no rules whatsoever.
 7 Others will and have testified to the dollars
 8 lost in the aggregate, but I can estimate on our own
 9 fishing vessels that we lose about a half a million
 10 dollars a year due to artificially low market prices
 11 caused by an oversupply of illegal crab from Russian
 12 waters. And that hurts us in our ability to maintain
 13 safe and seaworthy vessels that adhere to the
 14 ever-tightening US regulations.
 15 The nature of crab is that it must be cooked as
 16 soon as it's offloaded live from our boats and cannot
 17 be maintained in the US for human consumption in its
 18 raw state unless it's kept alive.
 19 Current country-origination labeling rules only
 20 require uncooked raw seafood to be labeled as to what
 21 country it was caught in. Crab in the American
 22 markets are not required to advise the consumer where
 23 it was caught simply because it was cooked at the dock
 24 that we offloaded our crab at.
 25 All other seafoods that are in their raw state

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1 must be labeled as to what country it was caught in.
 2 Why not crab?, since cooked crab is the only way that
 3 99.9 percent of our crab is sold in the United States.
 4 Without this country label, the American consumer
 5 has no way of differentiating, and may just assume the
 6 crab they are buying was caught by American fisherman
 7 and again, maybe from "The Deadliest Catch" show.
 8 Yet, it might be from an illegal fisherman in Russian
 9 waters thwarting all the laws of their own nation. By
 10 doing so, the American consumer is unwittingly
 11 undercutting the American fisherman's price.
 12 Improved labeling laws will not solve the IUU
 13 problem by itself, but it would be a huge tool to
 14 assist us in getting the word out to the consumer.
 15 Without a label telling the public what country the
 16 crab was caught in, how can American crabbers
 17 articulate to the American consumer the message of
 18 "buy American crab"; don't support Russian pirates.
 19 And my final statement would be that, since
 20 American crab fishermen are fishing by all the rules
 21 and have no illegal crab entering the market, why in
 22 the world do we import Russian crab into the United
 23 States until they clean up their own house and
 24 eliminate their illegal catches?
 25 And yesterday I went out to five different



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1 grocery stores just to see what they have for crab,
 2 and every one of them except for one had -- just said
 3 "crab." Alaska -- it didn't say Alaska crab. It just
 4 said "king crab," "snow crab," and no country. Right
 5 next to it, it will say "cod," and it would say
 6 "Product of the USA" or "Product of Norway."
 7 With that, I will conclude. Thank you.
 8 MS. BRYANT: Thank you, Jim.
 9 Next, Rob Moore.
 10 MR. ROB MOORE: Good afternoon. My name is Rob
 11 Moore. I'm Executive Director of West Coast Seafood
 12 Processors Association. Our membership runs the gamut
 13 from some of the largest seafood companies on the West
 14 Coast and in the United States to literal mom-and-pop
 15 operations. And I say that -- and for the most part,
 16 other than a couple of larger companies that have
 17 distribution network, what we're dealing with is
 18 seafood products that come from the fish caught by
 19 errant fishermen delivered onshore to family-owned
 20 seafood plants. We have one company that goes back
 21 seven generations in the fishing industry. We have
 22 others that -- this is the first generation where
 23 they're doing seafood processing.
 24 The fishing and seafood marketing and seafood
 25 processing industry in the United States is incredibly

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1 diverse and complex. You can see that just from the
 2 testimony you've heard today. The problems facing my
 3 colleagues from the Bering Sea have nothing to do in
 4 terms of problems that we face. It's not to denigrate
 5 their problems. They're saying that something should
 6 be done. Yeah, something should be, but be careful,
 7 as you're going through your recommendations, to
 8 recognize the complexity of the seafood industry. And
 9 don't try to come up with a one-size-fits-all
 10 solution, because you're going to hurt American
 11 companies, American fishermen, American processors in
 12 the course of doing that, even though your goal is a
 13 highly valued one -- it's something that's incredibly
 14 good -- of trying to solve illegal fishing.
 15 You also need to separate out in your
 16 deliberations IUU fishing and seafood fraud. While
 17 there is certainly a nexus between the two, there's a
 18 big difference between illegal Russian boats
 19 harvesting crab and competing with our records, or the
 20 currently complex chain of tuna that was described by
 21 folks from Tri-Marine, and the sort of market channel
 22 that domestic-caught seafood gross through.
 23 There's been a couple of references to a report
 24 that was put out by an environmental group talking
 25 about the amount of seafood that's been mislabeled in

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1 this country. I was on a working group with members
 2 of the Oregon Legislature looking at legislative
 3 solutions on a state level to some of these issues.
 4 We actually were able to get the raw data that
 5 was used in Oregon are to come up with the report.
 6 And of the 98 samples that were taken -- and they were
 7 ascribed to either being from grocery or restaurant or
 8 sushi shops -- and I have no idea how those
 9 differentiations were made -- there were 21 samples
 10 that were mislabeled. Two of those were actually
 11 perfectly legal under Oregon law.
 12 Another three used colloquial names that anybody
 13 who was buying them from the local area would
 14 recognize. Technically, they were mislabeled, but
 15 nobody knew who they were.
 16 Two more, actually -- and these were from
 17 restaurants, actually substituted a more expensive
 18 fish for what was on the menu. So, yeah, there was
 19 consumer fraud, but the consumer benefited from it.
 20 So that left 14 samples that were mislabeled.
 21 All but one of those were from sushi shops.
 22 Now, I don't think that the federal government
 23 wants to go out and conduct a massive enforcement
 24 campaign against mom-and-pop sushi shops in the United
 25 States. And, in fact, that was the conclusion that

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1 the Oregon Legislature came to as well; that there's
 2 lots of laws out there that already cover these sorts
 3 of things, and, you know, we could enforce those.
 4 So, in conclusion, again, recognize the
 5 complexity and diversity of the seafood industry.
 6 Don't try to find a one-size-fits-all solution.
 7 Recognize that there's a difference between seafood
 8 fraud and IUU fishing. And keep in mind what the
 9 existing laws are, both on the federal level and on
 10 the state level, that can be used and, in some
 11 cases -- that's been talked about -- the COOL statute
 12 improved.
 13 Thank you.
 14 MS. BRYANT: Thanks Jim.
 15 Next is Phil Rudolph.
 16 MR. PHIL RUDOLPH: The Trace Register is a
 17 Seattle-based company and operates since 2006. We're
 18 a traceability company offering our services in eight
 19 languages, customers in twenty-four countries. We're
 20 currently working with 30 percent of big the US
 21 retailers, and also, our system is used by the Gulf
 22 Seafood Trace program.
 23 So we all know how complicated seafood supply
 24 chains are. They're long and -- from the smallest
 25 fishermen all the way up to the biggest retailers.



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1 Seafood products vary greatly, depending on species
 2 harvest location, method of capture, product-by-lot,
 3 and other factors.
 4 Massive flows of information accompany the
 5 seafood supply into the US market. So the difference
 6 is, do you want that in paper form or do you want that
 7 in digital form? That's what digital traceability
 8 brings.
 9 The paper form or paper seafood supply chains
 10 require human interaction to actually check the
 11 information on the documentation. Digital seafood
 12 supply chains offer a better way. Digital
 13 traceability and analytics help companies monitor and
 14 verify seafood, using computers to check the data
 15 accompanying the product through the supply chain. It
 16 delivers full chain traceability, all the way from the
 17 fishermen or farmers to the consumer.
 18 Some advantages of digital traceability are as
 19 follows. You can identify more seafood defects by
 20 checking more product data. Only a small amount of
 21 seafood sold through paper-based supply chains can be
 22 checked or inspected. SIB reports inspect about
 23 30 percent of the seafood, and the FDA inspects about
 24 2 percent of imported seafood. It's just simply
 25 humanly impossible to be able to review all the

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1 written information that accompanies seafood through
 2 the supply chain.
 3 Digital systems can check all seafood data for
 4 every product and every product attribute that moves
 5 through the supply chain. Common sense tells us that
 6 by checking more seafood data, more will be known
 7 about those products, and the ability to find problems
 8 will increase accordingly.
 9 Whole-chain traceability provides more
 10 visibility. Paper-based systems provides one up-one
 11 down traceability. Digital systems look at the supply
 12 chain as a whole. It is difficult to know whether
 13 data remains the same with paper-based systems;
 14 whereas, with digital systems, consistency can
 15 automatically determine whether a species name or a
 16 harvest location remains consistent from the harvester
 17 all the way to the consumer.
 18 A validity rule could be run on the names and
 19 numbers of the fishing vessels that harvest the
 20 product and the vessels that transport it. These
 21 names and numbers could then automatically be checked
 22 against official IUU vessel lists, and if a match is
 23 found, that product can be identified and dealt with.
 24 Digital systems allow data to be analyzed in near
 25 real time. The problems with the paper-based systems

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1 is that often the product is already consumed by the
 2 time a problem is identified.
 3 And the good news is that the incremental costs
 4 of digital traceability to combat IUU seafood are low.
 5 Leading companies are already adopting digital
 6 traceability. There's many of them out there and they
 7 recognize it and have adopted it for their own
 8 internal business purposes. They recognize that it
 9 improves their ability to manage their companies,
 10 manage their information, and improve their bottom
 11 lines.
 12 So focusing a little bit more on the IUU problem
 13 would be very low incremental costs to do.
 14 In closing, I'd like to encourage you to really
 15 look closely at the Gulf Seafood Trace program. And
 16 I'm not going to talk about that here, but I want to
 17 talk about one groundbreaking data integration program
 18 that they have.
 19 Data integration and collaboration was
 20 established between GSMSC, MFS, a state fisheries
 21 agencies, bluefin data, electronic trip ticket system,
 22 and trace register in the Gulf seafood industry. This
 23 allows GSE participants to automatically upload
 24 official trip ticket data directly to the GST
 25 traceability system at the click of a button. This

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1 data link enables state governments to check the data
 2 automatically, and verify that a certified product
 3 really came through the Gulf and that volumes reported
 4 in commerce did not exceed that which was landed.
 5 This type of model could also be used to help
 6 CDP, FDA, and NMFS, and the seafood industry
 7 collaborate together to combat IUU fishing and seafood
 8 fraud.
 9 MS. BRYANT: Thank you, Phil.
 10 Becky Skizzer [phonetic].
 11 MS. BECKY SKIZZER: Good afternoon. Thank you
 12 for your time. My name is Becky Skizzer, and I'm here
 13 on behalf the Oceana, the largest international
 14 organization working solely to protect the world's
 15 oceans.
 16 Oceana strongly commends President Obama for
 17 creating this task force and for making the commitment
 18 to finding meaningful solutions to the ongoing
 19 problems of seafood fraud and IUU fishing.
 20 As you may know, Oceana has been at the forefront
 21 of the fight against seafood fraud and illegal fishing
 22 that it can't disguise.
 23 Beginning in 2010 we conducted a series of
 24 seafood samples and had their DNA tested to uncover
 25 the prevalence of seafood mislabeling, particularly



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1 species substitution, in the US market. We focused on
 2 species of regional importance and those that we knew
 3 to be commonly swapped, such as red snapper, wild
 4 salmon, and Atlantic cod.

5 In all, we gathered more than 1200 seafood
 6 samples from grocery stores, restaurants, and sushi
 7 bars in 21 states, and 14 major metropolitan areas and
 8 the District of Columbia.

9 We released our nationwide results in
 10 February 2013, and we were shocked by what we found.
 11 Everywhere we tested, we found seafood fraud.
 12 Nationwide, one in three of our samples was not the
 13 species it was purported to be. In some areas and for
 14 some species, those rates were much higher. Some of
 15 our results, briefly, include 44 percent, nearly half,
 16 of all of establishments that we tested -- we visited
 17 sold mislabeled seafoods. Out of the 120 samples of
 18 red snapper that we tested, only seven were actually
 19 red snapper.

20 We tested tuna labeled as white tuna, mainly from
 21 sushi restaurants, and 84 percent were actually
 22 escolar, a species that can cause serious digestive
 23 problems for some individuals who eat more than the
 24 recommended few ounces.

25 And finally, we have examples where high- mercury

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1 species were sold as species that are safe to consume.
 2 The root cause of seafood fraud are many,
 3 including intentionally trying to defraud consumers,
 4 simply misidentifying a species, purposefully trying
 5 to avoid tariffs or country-of-origin labeling, or
 6 disguise IUU fishing.

7 Regardless of the causes, seafood fraud has
 8 serious economic, health, and environmental impacts.
 9 We suspect that the United States is unintentionally
 10 incentivizing IUU fishing across the globe. The US is
 11 the second largest market for seafood imports behind
 12 the Europe Union, which already has regulations in
 13 place to combat IUU fishing through requiring proof of
 14 legality and traceability.

15 So in addition to what we know about seafood
 16 fraud, a recent study in the Journal of Marine Policy
 17 estimated that between 20 and 32 percent of the
 18 wild-caught seafood imported into the United States is
 19 illegally caught, worth between \$1- and \$2 billion a
 20 year.

21 Unfortunately, without sufficient border measures
 22 or traceability requirements here at home, the US will
 23 continue to import significant amounts of illegally
 24 caught seafood, and sell fraudulent market products in
 25 the marketplace.

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1 Fortunately, we believe there are real solutions.
 2 Seafood is a global industry and should be regulated
 3 like any other global industry, with oversight,
 4 accountability, and transparency. As the task force
 5 considers how best to combat IUU fishing and seafood
 6 fraud, Oceana recommends the following five solutions.

7 Briefly, one, prevent illegally caught fish from
 8 entering the US market by requiring that all seafood
 9 imported into the US or offered for sale demonstrate,
 10 through appropriate catch documentation, that it
 11 originated from legal fishing.

12 Two, require that all seafood sold in the US is
 13 fully traceable, from the final point of sale back to
 14 the point of harvest, incorporating basic information
 15 about the Who, What, Where, When, and How of fishing,
 16 processing, and distribution.

17 Three, improve consumer awareness by revealing
 18 basic information about the seafood product's origin,
 19 such as the type of fish and where and how it was
 20 caught, to allow buyers to make informed decisions.

21 Four, strengthen detection of IUU product by
 22 enhancing inspections, both at a border or in advance
 23 of entry into the US market, including random audits
 24 of the supply chain.

25 And five, improve interagency cooperation and

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1 planning with the sharing of resources, expertise, and
 2 real-time information, as well as increase and improve
 3 inspections to ensure cost-effective deterrence and
 4 prevention of these problems.

5 These recommended actions will protect
 6 law-abiding fishermen and seafood businesses that are
 7 competing with illegal and fraudulent products. It
 8 will give consumer more information about the origin
 9 of their seafood, and it will help stop IUU fishing
 10 which harms our oceans, people's livelihoods, and the
 11 food security of coastal communities dependent on
 12 sustainable fisheries.

13 Again, Oceana commends President Obama for his
 14 commitment to aggressively addressing these issues,
 15 and we appreciate the opportunity to provide comment.
 16 We intend to submit more detailed recommendations to
 17 the task force, and we're happy to provide any
 18 assistance, as this is vitally important.

19 Thank you very much.
 20 MS. BRYANT: Thanks, Becky.
 21 Okay. I believe I've got two more here.
 22 Ken Kimball.
 23 MR. KEN KIMBALL: Thank you.
 24 First, I would say that I agree with much of what
 25 was said today about transparency and traceability of



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1 the system.

2 MS. BRYANT: Ken, will you let people know where

3 you come from?

4 Sorry about that. I'm Ken Kimball from Costco

5 Wholesale.

6 Accountability, traceability. I think it's also

7 important that we work through the different agencies

8 that are inspecting product coming in, so that we can

9 get more effective use of inspecting the product here

10 in the US.

11 But two other items to mention. We have been

12 involved with many fisheries around the world moving

13 them towards MSC certification and getting a

14 sustainable fishery. The common theme that holds up

15 much of this is the government that we're dealing

16 with, the country that we're dealing with. Whether

17 it's Thailand, Peru, Ecuador, Mahi Mahi, Brazil, there

18 a constant theme that the government lacks the ability

19 to manage these fisheries; and hence, get us towards

20 that goal of having this sustainable resource going

21 forward.

22 Second, which hasn't been brought up, is

23 aquaculture. Currently 50 percent of our seafood

24 sales are aquaculture. Further down the chain,

25 fishmeal is used, out of different species out there.

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1 Those species and that resource needs to be managed.

2 As that continues to grow -- 50 percent by 2025; we're

3 expecting 75 to 80 percent. And that needs to be

4 addressed if we're going to have this long-term goal

5 of the sustainable resource.

6 MS. BRYANT: Thanks, Ken. You get the prize for

7 total efficiency. Thank you.

8 And last, I have Joe Hamby.

9 MR. JOE HAMBY: My name is Joe Hamby, and I'm the

10 Chief Operating Officer for the Tri-Marine Group.

11 We're a local company, and our operations are global.

12 We deal with, primarily, tuna. We do fishing,

13 processing, marketing of tuna, locally.

14 Unlike Matt, I'm not an environmentalist. I'm

15 the hands-on, operations guy. Because we have

16 operations all over the world, catch documentation is

17 a daily part of our lives, so I'm going to talk mostly

18 about catch documentation as it relates to IUU fishing

19 and seafood fraud.

20 In 2008 the EU established their catch

21 documentation system to prevent, deter, and eliminate

22 IUU fishing. That system is based on catch

23 certificates. Those certificates are issued by the

24 flag state of the fishing vessel. Any fish or product

25 goes into the EU has to have a catch certificate.

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1 NOAA's USDC seafood inspection program is the

2 validating authority for US flag boats for getting

3 catch certificates for product that goes to the EU.

4 And the purpose of catch certificate is to verify that

5 the fish has been caught in accordance with the rules

6 of the flag state and the relevant RFM code, the

7 regional fishery management organization.

8 It's useful to compare the EU system to the US

9 system. The U.S. system for regulating imported tuna,

10 is centered on NOAA's Form 370 and the declaration

11 from the caption of the vessel.

12 So, unlike the EU's catch documentation system,

13 ours is a self-documentation system. These documents

14 are often prepared by a clerk somewhere in a supply

15 chain, the documentation clerk. No government

16 authority; just someone who works for the company

17 that's trying to export the product to the US to

18 satisfy the request of the importer so that they can

19 be paid.

20 Form 370 doesn't mention anything about the

21 legality of the fish. Our thought is that, minimally,

22 the US should require certification from the importer

23 that confirms that the fish has been caught legally,

24 in compliance with the rules of the flag state and the

25 RFO.

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1 The importer should also be held responsible and

2 face legal or financial consequences of importing IUU

3 fish. This will force commercial scrutiny of who

4 you're buying your fish from and which boat is

5 catching it. That's a start.

6 Of course, a more dynamic and comprehensive

7 system would be needed to restructure the US catch-

8 documentation system. And I'm happy to see that NOAA

9 has engaged in this bilateral discussion with the EU

10 regarding their IUU system. We believe that that

11 collaboration should include seafood fraud. Right now

12 it's only limited to IUU fishing.

13 For example, the EU does not allow the

14 importation of tuna that has been treated with carbon

15 monoxide. This practice -- although it may not be a

16 health hazard, a public health hazard by itself, the

17 process disguises the actual freshness of the tuna by

18 changing its color to an unnatural, uncharacteristic,

19 very bright red color.

20 This reduces the ability of the consumer to

21 determine the freshness of the fish. So they just are

22 not making an informed choice. This should be

23 outlawed just as it's outlawed in Japan, in the EU,

24 Australia, and even in China.

25 As a business person, I'm not always in favor of



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1 more regulation, but not surprisingly, the industry
 2 did not support the development of the EU IUU catch
 3 documentation system when it was first introduced. In
 4 fact, we testified in Brussels regarding that system,
 5 but now we see that it works.

6 And we see that fish that can't go to the EU
 7 comes to the United States, and that's not good for
 8 our country; it's not good for the quality of the fish
 9 that's in this market, the value of that fish; and it
 10 denies the consumer information about what he's
 11 eating.

12 So thank you for the time to share these
 13 comments. We really applaud the Obama
 14 Administration's efforts to put this in front of all
 15 of us. And hopefully you'll consider our comments.
 16 Thank you.

17 MS. BRYANT: Thanks, Joe.

18 Right now my clock shows only 4:20, so we still
 19 have an additional 40 minutes. Before I turn to over
 20 to you guys a little, do you want me to kind of open
 21 it up and see if anybody else has any other comments
 22 or would like to get back in the queue?

23 Feel free.

24 Okay. Russell, I'm going to turn it back over to
 25 you.

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1 MR. SMITH: So this has been an interesting
 2 discussion. I really do appreciate the information
 3 that you have put out there.

4 I would like to just say again, is there anybody
 5 that has anything additional that they want to say? I
 6 know we had to cut some people short, and we're here
 7 for the next two hours to listen to input. It's
 8 really important to get it, so anybody want to change
 9 their mind?

10 AUDIENCE MEMBER: What have you got for deadlines
 11 for written comments and where to? Where should
 12 people send them to?

13 MS. BRYANT: Comments are due by September 2nd.

14 And, Sally, do you want to go over, kind of, our
 15 web page and some of the next dates.

16 MS. YOZELL: So actually, let's go back one
 17 slide.

18 Just so that everyone understands, this is the
 19 second in-person -- I mean, the first in-person
 20 meeting we've had. We had a webinar last week, and I
 21 have to tell you, there were 80 people on the phone.
 22 It was pretty amazing, considering. There was
 23 serious, serious interest, and we are excited about
 24 that.

25 But that said, next week we are going to have

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1 another webinar, and then we're going to have another
 2 public meeting like this one, but on the East Coast,
 3 in D C. So, folks, really keep thinking about this.
 4 Keep sending us ideas. Make sure your comments come
 5 in. They're due to us, as Laurel just said, on
 6 September 2nd.

7 And then what we'll do is we'll have a series of
 8 task force meetings. We will probably, quite frankly,
 9 break all this information down into usable
 10 recommendations and chunks, and start really sort of
 11 working on it and figuring out what areas need -- are
 12 fine, where there are gaps.

13 There's a long continuum of laws and rules, and
 14 we're going to try to go from A to Z and even build up
 15 a time frame of how it gets from here to there, what's
 16 working, what's not working. It's really based on
 17 what we're hearing from all of you.

18 So that is the near-term. And then we have this
 19 great Web page that NOAA has put up that has all the
 20 questions. It will have calendars, it will have
 21 updates, and it will have all the information that we
 22 could think about providing to all of you on this.

23 And, you know, our goal -- 180 days is so short,
 24 so that's why we're jamming this into the summer
 25 instead of all taking a lovely vacation, as we should

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1 be doing in August. We're jamming this in because of
 2 the 180 days and trying to get as much public
 3 information to us so we can really start working.

4 And we will put toward a series of
 5 recommendations to the President sometime around -- I
 6 think it's in December. And then we'll come back and
 7 make those available publicly at some point for a
 8 30-day comment period, so that you all will be able to
 9 tell you -- get it right, and it will be helpful as
 10 well because this is such an important part, right up
 11 front.

12 So that's sort of the game plan.

13 MS. BRYANT: I think the only other thing I
 14 read -- for those of you what are not familiar with
 15 regulations.gov and making comments online, we have
 16 put the link; it's right here (indicating on slide).
 17 This is where you'll go to find all the questions
 18 asked. You don't have to limit yourself to those.
 19 There's others, but this will actually collect all
 20 your comments and go directly in and help us compile
 21 it. So you can find access to all of that.

22 And as Sally said, as things develop and go
 23 along, we'll use this page as a repository for
 24 anything relevant to the task force and its
 25 activities.



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1 MS. YOZELL: So in closing, let me just say thank
 2 you all very much. We really are trying to get a
 3 grasp of the extent of the problem, where it exists,
 4 what needs to be done, what are the best practices.
 5 We don't want to start something brand new if there
 6 are great examples, like we've heard some today.
 7 You know, we want this to be as least of a burden
 8 on industry, but we want it to be as open and
 9 transparent and meet all the pieces that were put in
 10 the presidential memorandum, our requirements.
 11 And so again, thank you. Really, thank you for
 12 coming out today.
 13 Russell, do you have anything more?
 14 MR. SMITH: I'll just join you in saying thank
 15 you very much, and encourage people to use the Federal
 16 Register comment process and provide additional
 17 information, participate in the upcoming events.
 18 I know that some of you actually participated in
 19 the first webinar we did. It's good to get as much
 20 participation as we can, as much information as we can
 21 up front. I think we have a heavy task, a heavy lift,
 22 and the more you can give us, the more you can help
 23 us, the better job we'll do.
 24 So thanks again, and I look forward to hearing
 25 from you.

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1 MS. BRYANT: And again, anybody that's got their
 2 comments written, it would be terrific to get to copy
 3 of that. Appreciate it.
 4 Thank you.
 5 (Applause.)
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 7 (Public meeting adjourned at 4:25 p.m.)
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CERTIFICATE

1
 2
 3 STATE OF WASHINGTON)
 4) ss.
 5 COUNTY OF KING)

6 This is to certify that I, AMANDA SUE VARONA,
 7 Certified Court Reporter in and for the State of
 8 Washington, residing at Seattle, reported the within
 9 public meeting; that said public meeting was taken by
 10 me in shorthand and thereafter under my supervision
 11 transcribed, and that the same is a full, true, and
 12 correct record of the proceedings.
 13 IN WITNESS WHEREOF I have hereunto set my hand and
 14 affixed my Washington State CCR Seal this 28th day of
 15 July, 2014.

 16 Amanda Sue Varona
 17 Certified Court Reporter No. 3131
 18 In and for the State of Washington
 19 residing at Seattle. My CCR
 20 certification expires 4/23/15.
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