



April 8, 2011

Submitted Electronically

The Honorable Gary Locke
Secretary of Commerce
Room 5858
United States Department of Commerce
1401 Constitution Avenue, N.W.
Washington, DC 20230

The Honorable Dr. Jane Lubchenco
Under Secretary of Commerce for Oceans and Atmosphere and Administrator
National Oceanic and Atmospheric Administration
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RE: Draft DOC and NOAA Aquaculture Policies

On February 9, 2011, the Department of Commerce (DOC) and the National Oceanic and Atmospheric Administration (NOAA) published in the Federal Register for comment complimentary draft national aquaculture policies (Draft Policy or Policies) for the purpose of supporting sustainable marine aquaculture.

The Food Marketing Institute (FMI) appreciates the opportunity to respond to the request of DOC and NOAA for comments on their Draft Policies.

FMI is the national trade association that conducts programs in public affairs, food safety, research, education and industry relations on behalf of its 1,500 member companies – food retailers and wholesalers – in the United States and around the world. FMI's members in the United States operate approximately 26,000 retail food stores and 14,000 pharmacies. Their combined annual sales volume of \$680 billion represents three-quarters of all retail food store sales in the United States. FMI's retail membership is composed of large multi-store chains, regional firms, and independent supermarkets. Our international membership includes 200 companies from more than 50 countries. FMI's associate members include the supplier partners of its retail and wholesale members.

FMI believes that DOC and NOAA should consider the following recommendations as they work to develop final aquaculture policies:

Meeting Consumer Demand

Fish consumption is on the increase around the world. The latest United Nations State of the World Fisheries and Aquaculture Report¹ indicates that per capita consumption of fish is at an all time high. Aquaculture accounted for 46 percent of the total food fish supply and is set to overtake capture fisheries as a source food fish.² Aquaculture continues to be the fastest-growing animal producing sector.

The U.S. has one of the highest seafood consumption rates in the world and it is likely to rise. The recently released 2010 Dietary Guidelines for Americans doubled the recommendation in the 2005 Guidelines for weekly seafood consumption. As consumer demand increases, cultured seafood will undoubtedly play an increasing important role in helping Americans achieve dietary goals.

DOC and NOAA aquaculture policies should anticipate the increase in demand both domestically and abroad and contemplate how best to balance expansion of aquaculture with the maintenance and restoration of wild fisheries.

Complementing Wild Fisheries

It is essential that any aquaculture policies be crafted in such a way as to complement wild fisheries, not diminish them. Cultured fish and shellfish should provide consumers with greater choices, but not supplant wild seafood in the marketplace. Aquaculture should not displace wild populations. NOAA should prioritize the development of alternative feeds to forage fish so as not to threaten wild stocks. Aquaculture should not be conducted in a manner which damages estuaries or other environments essential to wild stocks.

FMI supports NOAA's commitment to "Ensure agency aquaculture decisions protect wild species and healthy, productive, and resilient coastal and ocean ecosystems, including the protecting of sensitive marine areas."³

¹ <http://www.fao.org/docrep/013/i1820e/i1820e00.htm>

² Id.

³ <http://www.nmfs.noaa.gov/aquaculture/docs/noadraftaqpolicy.pdf>

Free Trade

A component of the DOC policy is to:

Promote a level playing field for U.S. aquaculture businesses to engage in international trade. Work to ensure that countries exporting culture seafood products to the United States are meeting requirements relating to fair trade, food safety, and international agreements.⁴

Imported cultured fish and shellfish is an essential part of the marketplace. It has been responsible for increased consumer interest and consumption of seafood. Cultured seafood imports have provided Americans with a greater variety of fresh, affordable fish and shellfish than ever before. DOC should not implement protectionist policies for purposes of reducing competition to U.S. producers. Protectionist policies would lead to higher prices and less choice, significantly harming consumers. As demand for seafood continues to rise in the United States, the marketplace will not be able to respond to it absent imported cultured fish and shellfish. The Dietary Guidelines have recommended significantly greater levels of fish and shellfish consumption and imported cultured seafood is essential in helping Americans meet their dietary goals. DOC should coordinate with the United States Trade Representative to ensure that all policies are consistent with trade obligations including World Trade Organization rules.

Consumer Education

FMI supports NOAA's policy to "Advance public understanding of sustainable aquaculture practices."⁵ A significant amount of misinformation exists regarding aquaculture practices and production. Educating consumers on the environmental and economic benefits of aquaculture is critical. It is essential to advance public understanding of the safety, quality and freshness of cultured seafood. FMI members have played key roles in educating consumers about sustainable seafood and the industry welcomes the opportunity to partner with NOAA and DOC to advance public understanding of sustainable aquaculture.

Responding to the Marketplace

It is essential that any federal aquaculture policy respond to the demands of the marketplace. NOAA and DOC should work to support seafood species that are attractive to consumers. Price points on cultured fish and shellfish must make them competitive with existing products. NOAA should also contemplate that the form in which cultured items are sold to consumers must be convenient and appealing. The agency should also consider how consumer tastes and demand vary by region to region in the United States.

⁴ http://www.nmfs.noaa.gov/aquaculture/doc_policy/

⁵ <http://www.nmfs.noaa.gov/aquaculture/docs/noadraftaqpolicy.pdf>

Establishing Goals

NOAA and DOC should craft aquaculture policies that establish clear and measurable goals. The agencies should periodically examine if they are meeting these goals and reassess aquaculture policies if necessary.

Resources

NOAA and DOC should work with Congress to ensure that adequate federal resources are dedicated to aquaculture research.

Thank you for considering our comments on these important issues.

Sincerely,

A handwritten signature in black ink, appearing to read "Erik R. Lieberman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Erik R. Lieberman
Regulatory Counsel