

Southeastern Fisheries Association, Inc.

Proudly serving the Commercial Fishing Industry for over 50 years!



Hotlines Online Edition



October/November 2004



CONGRATULATIONS TO PRESIDENT GEORGE W. BUSH

Now that the election is over it is time to find a way to bring a very divided nation together. Our divided fishing industry is but a small component of the nation but as small as we are we should work towards coming together instead of tearing each other apart. We need some leaders who will step up and offer a path. Are you interested? Good luck to President Bush and good luck to us.

This newsletter is published by Southeastern Fisheries Association. Please pass it along and encourage others to be added to our mailing list.

If you want to be removed from the list, please contact us.

SFA is a non-profit association founded in 1952, charged with maintaining a viable seafood industry in the Southeast.

Robert P. Jones, Editor

GULF GROUPE FISHERY TO CLOSE

NMFS closes shallow-water grouper fishery effective November 15 at 12:01 AM. This closure could have been avoided if several factors had been fully considered and adopted.

1. The red grouper is not over fished and as such does not need the kind of rebuilding program offered by the Council that results in this closure.
2. The years of harvest chosen to base the amount of reduction needed could have been on a 10-year period rather than the 3 highest years of harvest selected. Using the 10-year base the reduction would have been 2% instead of 9.5%, a huge difference in the lives of many fishermen.
3. The rebuilding plan could have been designed so harvest reduction was not so front-end loaded as it currently is. In essence we are taking the largest portion of our reduction in the first part of the plan.

The reduction could have been spread out. SFA/SOFA believe we could have found a way to keep the fishery open at least to December 10th and then address quota options for the next fishing year. We have survived four hurricanes and in Florida this year but now face a "regulatory tornado."

JULIE MORRIS ELECTED CHAIRMAN OF GULF COUNCIL

Ms. Julie Morris, Florida-at-large Council member starting her second term has taken over the Chairmanship of the Gulf of Mexico Fishery Management Council. Ms. Morris has held the position of Chairman of the Florida Fish & Wildlife Commission and has been involved in environmental issues for several decades. SFA congratulates Ms. Morris on her election and hopes to have an opportunity to work together on issues of mutual concern. All SFA asks from any Council member is to abide by the rule of law. When this occurs, fairness follows.

RECREATIONAL HARVEST OF GULF FISH ASTOUNDING

The scientific report published in *SCIENCE Magazine*, Vol 305, 27 August 2004, has created waves around the nation. So many newspapers were surprised to learn that the recreational sector takes 64% of the at-risk-species in the Gulf of Mexico. Many people were under the false impression that it was those awful fishermen with their giant nets bigger than the city of Jacksonville taking all the fish as was stated during the net ban debacle.

Lo and behold, what the fishery trade

(Continued on page 2)

(Continued from page 1)

organizations were telling the newspapers and legislators at the time was we do not catch most of the fish, as proven by looking at the allocations between commercial and recreational harvests. There is a whole generation of Floridians who grew up reading the pap in the *Florida Sportsman magazine* and believing it. Its too late to re-educate all the ditto heads who use that magazine as a bible, but its not too late to educate the new crop of people truthfully about who gets the fish. If we can ever get an aggressive state and federal program going to stop the backdoor sale of seafood by the recreational sector, what a story that will make for all the newspapers. We are still a long way from having a viable program, so we have to keep pushing as hard as we can to stop the stealing and non-reporting of the catch of our fishery resources.

HR 2699 ADVANCING THROUGH CONGRESS

Labeled as the "*National Uniformity for Food Act of 2004*", the bill amends section 403A by adding national uniformity to all aspects of food adulteration other than food sanitation. It does not apply to food sanitation because the states have traditionally provided a leadership role throughout the country in regulating sanitary food practices. Under the provisions of HR 2699, any and all forms of warnings imposed on the regulated industry related to food

or to any constituent of food is required to be uniform throughout the nation. The law says no state or political subdivision throughout the nation is permitted to require a warning relating to food, including any component or package of the food, UNLESS THE SPECIFIC WARNING HAS BEEN REQUIRED BY FDA AND THE STATE WARNING IS IDENTICAL TO THE FDA WARNING. Certain state laws such as: Freshness dating; open date labeling; Grade labeling; State inspection stamp; Religious dietary labeling; organic or natural designation; returnable bottle labeling; unit pricing or statement of geographic origin.

HR 2699 also exempts any consumer advisory relating to food sanitation imposed on a food establishment or is recommended by the Secretary under the FDA FOOD CODE. The bill does allow the state to petition the FDA if that state has a food safety law not identical to FDAs. There could be some impact on the biosurveillance capability according to the CONSUMERS UNION, who is opposing the bill. In 2000, the US Senate Committee on Agriculture, Nutrition and Forestry approved S. 1155, a similar bill WITHOUT HOLDING ANY HEARINGS. The Congressional Budget Office estimated HR 2699 would cost \$106 million dollars over the 2005 – 2009 time period.

ALABAMA SEAFOOD INDUSTRY TAXES ITSELF FOR PROMOTION WORK

One of the issues on the ballot in Alabama on November 2, was a proposition to let the Alabama seafood industry levy a small tax on their harvest in order to fund marketing activities for Alabama seafood products. Over 62% of the voters approved the measure. Congratulations to the leaders of the Alabama seafood industry. The industry needs to share in raising funds for its own benefit. In Florida we did that in 1966 when we raised our licenses and earmarked 50% of the increase for marketing and promotion. Having something put into the law is the only way everyone participates. SFA hopes Alabama gets maximum participation in this program. We support and applaud the leadership.

CATFISH FARMERS OF AMERICA FILE PETITION

The US Department of Commerce is launching an "anticircumvention inquiry" at the behest of the catfish farmers to see if Cambodia is sending Vietnam catfish to the United States. "*Oh what wicked webs we weave when first we practice to deceive.*"

FWC LAW ENFORCEMENT REPORTS AVAILABLE TO ALL

Weekly law enforcement reports filed by the Florida Fish & Wildlife Commission can now be found at <http://myfwc.com/law/Weekly/index.htm>.

These reports give a thumbnail sketch of the different law enforcement problems the officers run into each week. Pending or open cases are not reported so you might not hear of an arrest or incident for quite some time. There are only 6 months of records on the site at this time but there is probably a way to

ANOTHER MRSA CASE REPORTED TO SFA

One of our members in the Panhandle has had three bouts with MRSA with resulting in finger amputation. In the most recent incident, the culture taken at the hospital proved the infection was MRSA and a new drug is being administered at this time. The cost of the pills used for treatment is very; very high and only those working fishermen who have a strong health plan will be able to afford the treatment. SFA will be going to interview this member and will file a report with the Florida Health Department and the Center for Disease Control and ask for assistance in finding what is causing this MRSA outbreak and try to find drugs that working fishermen can afford.

(Continued on page 3)

(Continued from page 2)

access the archives by contacting someone in the FWC.

DIESEL FUEL PRICES BRINGING INDUSTRY TO ITS KNEES

Fuel as high as \$1.73 per gallon is absolutely destroying the chance of many domestic fishermen to make it through some very trying times, especially in Florida where the hurricanes were so numerous. The cost of fuel negates any gain made in pricing and prevents a boat owner from being able to stay competitive with other nations cost of production. Some kind of fuel subsidy is needed for commercial fishing vessels.

OPERATOR PERMITS FOR THE SOUTH ATLANTIC ROCK SHRIMP AND ATLANTIC DOLPHIN AND WAHOO FISHERIES

Beginning November 23, 2004, operator permit cards (**operator cards**) will be required for an operator of a vessel that has, or is required to have, a charter vessel/head boat or commercial vessel permit for Atlantic Dolphin-Wahoo. Operator cards have been required in the South Atlantic rock shrimp fishery since May 16, 2003. A person required to have an operator card must carry that card on board the vessel along with one other form of personal identification that includes a picture (driver license, passport, etc.). Send the written signed request to:

**Southeast Regional Office
NOAA Fisheries, Permits Branch
9721 Executive Center Drive North
St. Petersburg, Florida 33702**

Southeastern Fisheries Association will customize your company's HACCP Plan!

FDA trained consultant with over 40 years experience in all levels of the seafood industry.

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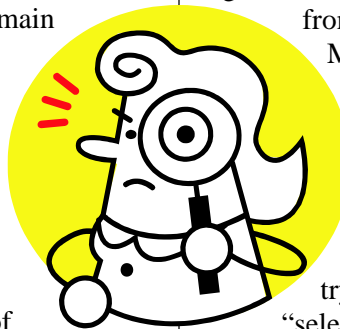


FDA SCRUTINIZING SOME FIRMS ... IGNORING OTHER FIRMS

HACCP inspections in Florida by FDA are getting more and more difficult to comprehend. One of the main thorns in the side is the small percentage of the wholesale seafood dealers in the state inspected by FDA. This gives the impression of "selective enforcement."

This seems to be an era of less concern about working with industry and more concern about writing up as many deviations as possible, especially if your firm is one of the com-

pany's on the regular inspection list, and if you have had a problem with FDA before. The FDA seems hung up on histamine type fish when it comes to a seafood dealer but turns a blind eye on histamine type fish such as large king mackerel that enter the market from recreational King Mackerel Tournaments. In Monroe County as was reported previously, FDA only inspects a very small percentage of the wholesale dealers. From the seafood industry's point of view this is "selective enforcement." At the very least FDA should rotate among firms inspected.



(Continued on page 4)

LOUISIANA DESTROYS 6 TONS OF TAINTED IMPORTED CRABMEAT



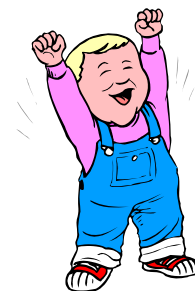
Over \$86,000 worth of Chinese crabmeat was ordered destroyed by a Federal District Judge after the owners of the product failed to claim it. The crabmeat contained chloramphenicol, which is illegal in the United States. **Piazza's Seafood World**, owner of the crabmeat, has a case in federal court objecting to the seizure of the product

We invite anyone receiving this newsletter, who is not already a member of SFA to join us and become an activist for your business. We are here to respond to your business needs in the state capital and around the Southeast Region. We can help you only if we know you and correspond with you regularly.....We would look forward to serving you and your company!

Welcome to SFA New Members: SFA is proud to welcome the following new members into its growing family of successful seafood companies. We encourage each member to support one another for the overall good of maintaining an economic and cultural presence for commercial fishing in America as well as providing marine protein to the people.

Retail Market/Restaurant

Ernest Hamilton Stone Crabs: Glenn Weeks, General Manager, Chokoloskee, FL



(Continued from page 3)

SFA believes Congressional Oversight Hearings should be held in various regions of the country to hear from seafood businesses that are under the microscopic management of FDA. The guidelines originally published to assist the seafood industry were guidelines only but some FDA investigators are using them as dogma.

FISHERMEN GET RELIEF IN TAX BILL

President Bush signed the "Corporate Tax" bill last week that provides between \$3 million and \$10 million a year for the next ten years



savings. "Income averaging" is again allowed after being taken away in 1986. This lets fishermen level out the peaks and valleys of income resulting in less of a tax burden. The change in the law re-classifies fishermen as farmers which has been long overdue.

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