



# SOUTHEASTERN FISHERIES ASSOCIATION

## H O T L I N E S

**AUGUST 2006**

### **REMEMBERING TWO LOVELY LADIES**

Estelle Versaggi, wife of past president Joe Versaggi and Grace Mc Roberts, wife of past president Gene McRoberts passed away within a week of each other the latter part of July 2006. Estelle died after being involved in an airplane crash just after taking off from a private airport. Grace died at home after a bout with declining health. The Versaggi family received friends in Tampa on July 28 as Joe is still in Tampa General and might be there for several months recovering from burns. Grace was laid to rest on July 27 in Ruskin, Florida. SFA sends its deepest sympathy to the Versaggi and Mc Roberts families. May their souls and the souls of all the faithfully departed, Rest In Peace. Amen

### **DUE PROCESS HEARINGS TO BE HELD THROUGHOUT THE STATE BY FWC**

The Florida Fish & Wildlife Commission has set 8 workshops in order to hear from the public regarding their rules and procedures regarding Due Process. Many people

in the fishing industry have concerns about the fairness and legality of the due process system used by the Commission. When the FWC was created by amending the Florida Constitution, The actual language in the Constitution reads, "*THE COMMISSION SHALL ESTABLISH PROCEDURES TO ENSURE ADEQUATE DUE PROCESS IN THE EXERCISES OF ITS REGULATORY AND EXECUTIVE FUNCTIONS. THE LEGISLATURE MAY ENACT LAWS IN AID OF THE COMMISSION, NOT INCONSISTENT WITH THIS SECTION, EXCEPT THAT THERE SHALL BE NO SPECIAL LAW OR GENERAL LAW OF LOCAL APPLICATION PERTAINING TO HUNTING AND FISHING.*"

Does the Commission in keeping with federal law and precedents use a completely valid Due Process system? That is the basic question. Due Process doesn't prevent a government entity from depriving a citizen of life, liberty and pursuit of happiness but Due Process does give the citizen who is to be deprived certain inalienable rights under the federal and state constitutions. Proper notification of proposed actions and a hearing at a meaningful time and meaningful location are required. SFA has always felt that 3 minutes before the Commission to express your concerns before a rule impacting on the way you live is not adequate due process. At the same time SFA knows a hearing can't go on for months in order to let everyone talk as long as they can. Somewhere in between these two poles lies the answer and we lean toward stakeholder workshops from the beginning of the idea of a rule to the final action. Maybe the public

hearings will bring out some suggestions so your attendance is encouraged. The Hearings are in Tallahassee-Aug.8, Panama City-Aug22, Jacksonville-Aug 23, Orlando-Aug 24, Tampa- Aug-28, Ft. Myers-Aug 29, Dania Beach-Aug 30 and Key Largo-Aug 31. Go to the FWC web site for times and locations. <http://myfwc.com/publicnotices/>.

### **CONGRESS SET TO VOTE ON MAGNUSON REAUTHORIZATION**

The Senate has passed its version of the Magnuson-Stevens reauthorization but the House has been unable to come together on a compromise between those who want to work toward rebuilding some of the stocks in trouble and those who want all the fishing to stop if a fishery can't be fixed in 2 years. Most all the fisheries in the southeastern United States are in good shape except for red snapper and there are legitimate questions about the gravity of that situation. Cod collapsing in New England and Canada seems to have been driving the management system for decades. The southeast gets dragged into the fight even though we do not have fisheries that have collapsed. There has been a concentrated agenda by militant environmental groups to close as much commercial fishing as possible. That is old news. Most of the time the governmental fishery managers recognize their agenda and are reluctant to close a fishery just because some group wants it closed. How the Magnuson bill ends up will fall to a handful of senators and representatives. Hopefully wis-

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

Robert P. Jones, Editor

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dom and good sense will prevail.

## **SEAFOOD PRODUCT SUBSTITUTION BEING RECOGNIZED BY CONSUMERS**

If more seafood-eating consumers would ask their server what kind of fish they are going to be served as compared to what it says on the menu, the problem of substituting catfish-like species for grouper would subside to a great degree. If a hundred customers asked questions about product substitution, bad business practices would be reduced greatly. There are hundreds of grouper species from various parts of the world that qualify as grouper on a menu. There is no problem here, as domestically harvested grouper will never meet the demand for grouper in the United States. Selling grouper from Mexico, Central or South America is an honest way to do business. But substituting other fish for grouper is against state and federal laws and those who participate in cheating the consumer must be identified and stopped. Look for more newspaper articles on this

subject in the coming months. The problem would go away if the vendor would correctly identify the type of fish for sale and let the marketplace work as it is supposed to work.

## **ST. PETERSBURG TIMES PUBLISHES ARTICLES ON GROUPE**

For those who have not read the St. Petersburg Times series on grouper, including the substitution problem, check out the following URL:

[http://www.sptimes.com/2006/08/07/Tampabay/Is\\_it\\_a\\_buyout\\_or\\_ju.shtml](http://www.sptimes.com/2006/08/07/Tampabay/Is_it_a_buyout_or_ju.shtml)

The investigative reporters look at the fishery as a whole, the controversy surrounding the longline buyout program, longlines in general, who the winners and losers are, the inadequacy of federal law enforcement and product substitution in the Tampa Bay area from just a very simple test of 11 restaurants. Fifty percent of the restaurants sold fish other than grouper and this is in an area where the locals at least know what grouper looks and tastes like.

New research is underway for a "dipstick" approach to seeing if what you order at a restaurant is what you get when it comes to grouper vs panga. A consumer could check to see if the cooked fish on the plate is a catfish-like species. The fingerprint from the cooked meat would tell if the fish was a species other than grouper. As an aside, some grouper fillets have been found that cost much less than what a domestic grouper costs.

A 1 to 2 oz grouper fillet was advertised at \$1.65 per pound, the 4/6 oz grouper fillet was \$2.45 per pound and the 10/12 oz grouper fillet was \$2.70 per pound. These particular grouper are from the Indian Ocean area and it could not be determined if this was the delivery price to the US importer. People can sell grouper like these as grouper without breaking any law. Only those who sell panga et al for grouper are breaking the law.

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