

ECSGA
1623 Whitesville Rd.
Toms River, NJ 08755
www.ECSGA.org



Tom Kehoe
President
Ed Rhodes
Vice President
Chad Ballard III
Secretary
Gef Flimlin
Treasurer

2011 Legislative Priorities

1. The FDA's Proposed Ban on Raw Gulf Oysters

In October 2009 the Food and Drug Administration (FDA) announced that they intended to require Post Harvest Processing of all oysters harvested in the Gulf states from April through October to address shellfish-related food-borne illnesses from *Vibrio* bacteria. Such actions would have a devastating economic impact on producers, dealers and restaurants. Consumers prefer fresh oysters and are unwilling to pay more for processed dead oysters. A recent FDA cost analysis showed mandated processing would force the closure of over 200 shellfish dealers, putting 2,000 people out of work. Consumers should be allowed to choose what foods they want to eat. **We oppose any measures that ban the sale of raw shellfish.**

- *The ECSGA requests that Congress continue to support the Interstate Shellfish Sanitation Conference (ISSC) by directing \$250,000 in the FDA Office of Seafood Inspection budget (Agriculture Appropriations) to the ISSC for the continued funding of programs that protect the public's health.*

2. Trade Barriers Block Export of Shellfish to the European Union

In late 2009 a trade dispute erupted between FDA regulators and their counterparts in the European Union. FDA inspectors disputed the equivalency of various EU shellfish sanitation protocols, blocking the import of European products to the US. The EU responded by barring US shellfish exports, blocking our access to lucrative European markets.

- *The ECSGA requests that the US Trade Representative work with FDA regulators to find a way to end this impasse.*

3. USDA-ARS Shellfish Breeding Center

Several devastating parasitic diseases threaten shellfish crops. New genetic tools could help identify genetic markers associated with growth rate and disease resistance that would accelerate selective breeding efforts to develop domesticated strains with improved survival and growth.

The proposed USDA ARS Center would leverage existing resources and in six East Coast states by adding geneticists, breeders and funds to solve the vexing problems constraining the growth of the shellfish aquaculture industry. Such industry expansion will result in the creation of hundreds of new jobs in rural coastal communities.

- *The total appropriation required for USDA ARS is \$3M annually and is written into the base budget for FY2011. This would bring significant resources to six participating institutions: University of Maine, URI, Rutgers, UMD, VIMS and UNC Wilmington.*

4. Clean Water Act Issues

The Clean Water Act has ushered in vast improvements to our coastal waters, yet significant challenges remain. Non-point source pollution (from leaching septic systems and runoff) is currently the largest source of nutrients to sensitive coastal waters. These nutrients lead to algal blooms, eutrophication and low-oxygen conditions. NOAA experts now consider excess nutrients to be the major cause of degraded rivers and coastal waters. The Clean Water Act fails to address non-point source pollutants.

Filter-feeding shellfish have been shown to be a viable tool to improve water quality and for nutrient remediation. Their filtering clears and cleans the water, reducing nutrient pollution and letting more light penetrate to underwater vegetation. Cultured Eastern oyster harvests remove 360 tons of nitrogen from sensitive coastal waters annually. Unfortunately, the CWA and EPA regulations do not allow provisions for “in-stream treatment,” which would allow for nutrient credit trading and would provide incentives to expand shellfish aquaculture.

- *Modify the Clean Water Act to address non-point source pollution issues.*
- *Modifying the CWA to allow “in-stream treatment” would allow shellfish farmers to qualify for nutrient credits for removing excess nitrogen from sensitive coastal waters.*
- *Support the Chesapeake Bay Program, the Long Island Sound Program, the Puget Sound Program and the National Estuaries Program.*

5. Marketing

Shellfish producers are constrained by market forces, and prices fall if increased production is not matched by adequate marketing to boost demand. Most shellfish consumers are concentrated in coastal communities. The industry is composed of thousands of small mom-and-pop producers who are ill-equipped to carry out major marketing efforts. Vast underexploited markets for sustainable, nutritious shellfish exist in the nation’s heartland, but the industry has few resources to introduce these consumers to our products. Current marketing assistance programs under the USDA and DOC are not applicable to shellfish producers.

Until 2004 farmed shellfish were eligible for key marketing and research assistance as “Specialty Crops” under the Farm Bill. That favorable status was eliminated with the Specialty Crops Competitiveness Act of 2004, (H.R. 3242, § 3).

- *Support National Seafood Marketing Council. (See attachment)*
- *Reinstate the “Specialty Crop” designation for farmed shellfish in the Farm Bill.*

For more information on these issues please contact:

Robert Rheault, PhD.
Executive Director
East Coast Shellfish Growers Association
www.ECSGA.org
bob@ecsga.org
(401) 783-3360
(401) 714-3944 cell