REPORT TO CONGRESS

DEVELOPING A PRIORITY LIST OF SPECIES FOR CONSIDERATION UNDER THE SEAFOOD IMPORT MONITORING PROGRAM

Developed pursuant to: House Report 116-455 accompanying the Consolidated Appropriations Act, 2021 (Public Law 116-260)
Janet Coit
Assistant Administrator for Fisheries
National Oceanic and Atmospheric Administration

Dr. Richard W. Spinrad
Under Secretary of Commerce for Oceans and Atmosphere
and NOAA Administrator
Additionally, within the funds provided for Fisheries Science and Management, NOAA shall develop a priority list of other species that should be considered for inclusion in the Seafood Import Monitoring Program in order to:

(1) reduce human trafficking in the international seafood supply chain,
(2) reduce economic harm to the American fishing industry,
(3) preserve stocks of at-risk species around the world, and
(4) protect American consumers from seafood fraud.

NOAA shall provide this list to the Committee within 180 days of enactment of this Act.

THIS REPORT RESPONDS TO THE COMMITTEE’S REQUEST.
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I. EXECUTIVE SUMMARY

This report responds to the directive in House Report 116-455 to develop a list of priority species to be considered for inclusion in the Seafood Import Monitoring Program (SIMP). The report provides an overview of SIMP and a review of the principles used to determine which species were initially included in SIMP, along with an overview of the volume and value of SIMP-covered species imported to the United States during the 2020 fiscal year (October 1, 2019 – September 30, 2020). The report also considers the inclusion of additional species in SIMP based on the original evaluation criteria, as well as the four new criteria identified by Congress: 1) reduce human trafficking in the international seafood supply chain; 2) reduce economic harm to the American fishing industry; 3) preserve stocks of at-risk species around the world; and 4) protect American consumers from seafood fraud.

II. BACKGROUND

Established in December 2016, SIMP created permitting, reporting, and recordkeeping requirements for importers of certain at-risk seafood products to prevent illegal, unreported, and unregulated (IUU) fish and fish products and misrepresented seafood from entering U.S. commerce, and to support identification of such products. SIMP was an output from the 2014 Presidential Task Force to Combat IUU Fishing and Seafood Fraud. The Task Force, co-chaired by the U.S. Departments of Commerce and State, with 12 other participating Federal agencies, identified the need to develop an effective seafood traceability program to help combat IUU fishing and seafood fraud.

Through a transparent rulemaking process, the National Oceanic and Atmospheric Administration’s National Marine Fisheries Service (NMFS) collected information to identify species particularly vulnerable to IUU fishing and/or seafood fraud, as the risk is not equal across seafood species or products, as well as to establish a traceability process. The final rule identified 13 species groups particularly at risk of IUU fishing and/or seafood fraud to be included in SIMP:

- Abalone
- Atlantic cod
- Blue crab (Atlantic)
- Dolphinfish (Mahi Mahi)
- Grouper
- King crab (Red)
- Pacific cod
- Red snapper (Northern)
- Sea cucumber
- Sharks
- Shrimp
- Swordfish
- Tuna (Albacore, Bigeye, Skipjack, Yellowfin, Bluefin)

These at-risk species and species groups are composed of approximately 1,138 individual species. SIMP came into effect for 11 of the 13 priority species groups on January 1, 2018. NMFS initially stayed the implementation requirements for shrimp and abalone to develop a comparable domestic program for aquaculture products. However, NMFS lifted the stay on shrimp and abalone at the direction of Congress in April of 2018, and they have been included in SIMP since December 31, 2018.

NMFS designed SIMP to be a risk-based system. As risk is not static, NMFS is undertaking a review of the top species by volume and value against the original risk-based factors, as well as
the additional factors identified by Congress in its request for this report. Based on this new evaluation, NMFS has concluded that there are some additional species that should be considered for inclusion in SIMP. NMFS is also reviewing our regulations and working to develop a proposed rule that modifies select provisions in our regulations to improve their efficacy. This proposed rule will include any additional species determined to be particularly vulnerable to IUU fishing and/or seafood fraud.

III. PRINCIPLES USED FOR INITIALLY DETERMINING SEAFOOD SPECIES AT RISK FOR IUU FISHING AND SEAFOOD FRAUD

In developing SIMP, NMFS and other Federal agency partners evaluated the strength and utility of various indicators of IUU fishing or seafood fraud, as well as their measurability and the robustness of data available to assess them, in order to come up with a set of principles for evaluating risk. An interagency team identified the principles used to determine particularly vulnerable species based on agency expertise and through public engagement and intelligence gathering efforts. The final principles included: enforcement capability; species misrepresentation or mislabeling; the existence of a catch documentation scheme; history of fishing violations; complexity of chain of custody and processing; and human health risks.

The interagency team applied these principles against a base list of species that included:

a) All species with an imported or domestically landed value of over $100 million in 2014;
b) Species with a high cost of product per pound, which could increase the incentive for IUU fishing and fraud; and
c) Any additional species identified by the interagency working group based on its expertise.

In some cases, the interagency team combined related species together in its analysis (e.g., shrimp) because the supporting data utilized nomenclature that made further analytical breakouts impracticable. In other cases, the working group was able to target species within larger species groups (e.g., red snapper), based on commercial and marketplace significance.

Both imported and domestically landed species were evaluated using the same principles, data sources, and methodology, as described below and in the next section. The principles were given equal weight when used to evaluate risk with respect to any given species. In addition, the interagency team considered the interaction of principles to be important. For example, the interaction between enforcement capability and history of violations was important when evaluating species. The presence or absence of one principle (e.g., catch documentation scheme) was not determinative in making the risk assessment.
The larger interagency team formed sub-working groups composed of subject matter experts from the partner agencies to complete the analysis of each species under each individual principle. The interagency team then combined the analyses done by the sub-working groups to determine which species were most at risk of IUU fishing and seafood fraud. The interagency team noted that the suite of risks posed to species varied not only in terms of which risks affected which species, but also in terms of the scale of risks. For example, a single documented case of species substitution for a species sold in high volumes was considered differently than one case for a species rarely found in U.S. markets. In addition, as the interagency team discussed the suite of risks associated with the principles, a relationship became evident between enforcement capability associated with a species and history of violations. In many cases, violations history indicated a strong enforcement capability for a species. Conversely, for some species, lack of violations history may have resulted from inability to detect or prosecute violations.

IV. VOLUME AND VALUE OF SEAFOOD SPECIES SUBJECT TO SIMP IMPORTED IN FISCAL YEAR 2020

The volume and value of seafood species subject to SIMP imported during Fiscal Year (FY) 2020 totaled 1,330,222,508 kg with a combined value of $10,383,488,198. SIMP imports make up roughly 45 percent by volume and 47 percent by value of all seafood products imported to the United States. The following table and figures reflect the volume and value of SIMP-covered species imported during FY 2020.\(^1\)

Table 1: Total Seafood and SIMP products imported in FY 2020.\(^2\)

<table>
<thead>
<tr>
<th>Category</th>
<th>Quantity (kg)</th>
<th>Value ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>All SIMP HTS* Codes</td>
<td>1,330,222,507.77</td>
<td>$10,383,488,198</td>
</tr>
<tr>
<td>All Seafood HTS Codes</td>
<td>2,973,015,961.49</td>
<td>$22,194,997,992</td>
</tr>
</tbody>
</table>

*Harmonized Tariff Schedule (HTS)

\(^1\) Data from NMFS International Trade Data System (accessed on May 10, 2021).

\(^2\) Ibid.
Figure 1: Breakdown of SIMP Species by Volume (kg)

General Harmonized Tariff Schedule codes with nonspecific species identifiers having been removed (e.g., unspecified fish fillets).

Figure 2: Breakdown of SIMP Species by Value (USD)

General Harmonized Tariff Schedule codes with nonspecific species identifiers having been removed (e.g., unspecified fish fillets).
V. EVALUATION CRITERIA UNDER FISCAL YEAR 2021 CONGRESSIONAL DIRECTION

The risk-based framework for inclusion of species in SIMP allows the program and team to target species most vulnerable to IUU fishing and seafood fraud. Risk is neither static nor equal across the spectrum of seafood species consumed. Our risk-based approach allows for efficient use of government resources for screening and implementation while minimizing the burden on industry. As seafood consumption trends evolve and fishing pressure on the most sought-after species adjusts to match the shift, so too must the list of species covered under SIMP evolve through periodic review and assessment of the species themselves and respective vulnerability criteria.

SIMP was designed to function within existing trade mechanisms for imports and to complement the screening process. The U.S. Customs and Border Protection (CBP) Automated Commercial Environment screens shipments using key data elements and authorizes the import of only those shipments that meet mandatory requirements. These data elements also serve to direct audit and enforcement efforts toward those shipments of greatest concern. Since program implementation, CBP has also utilized data reported under SIMP to identify incoming shipments from fishing vessels suspected to be at risk for forced labor. NMFS will continue to periodically review species against the risk factors to ensure that SIMP includes all species most vulnerable to IUU fishing and seafood fraud. We will also continually seek improvements to better screen and monitor imported shipments for their risk to IUU fishing and seafood fraud.

In the current, ongoing review of species under SIMP, NMFS employs both the original principles and the new FY 2021 criteria outlined by Congress to evaluate species. As some of the new criteria overlap with existing principles, NMFS is evaluating similar benchmarks as a group to prevent double counting and redundancy in analysis. For example, the new criteria “to protect American consumers from seafood fraud” is similar to the existing principle of “species misrepresentation.” Therefore, NMFS is applying a benchmark for seafood fraud as a combined element, instead of two separate ones.

The principles established in 2015 to determine species at risk of IUU fishing and seafood fraud were:

- **Enforcement Capability:** The existence and effectiveness of enforcement capabilities of the United States and other countries, including both the existing legal authority to enforce fisheries management laws and regulations and the capacity (e.g., resources, infrastructure) to enforce those laws and regulations throughout the geographic range of fishing activity for a species.

- **Catch Documentation Scheme:** The existence of a catch documentation scheme throughout the geographic range of fishing activity for a species, and the effectiveness of that scheme if it exists, including whether a lack of proper documentation leads to discrepancies between total allowable catch and trade volume of a species.
• **Complexity of the Chain of Custody and Processing:** Consideration of transparency of chain-of-custody for a species, such as the level of transshipment for a species, as well as the complexity of the supply chain and extent of processing as it pertains to comingling of species or catch.

• **Species Misrepresentation:** The history of known misrepresentation of a species related to substitution with another species, focused on mislabeling or other forms of misrepresentation of seafood products.

• **Mislabling or Other Misrepresentation:** The history of known misrepresentation of information other than mislabeling related to species identification (e.g., customs misclassification or misrepresentation related to country of origin, whether the product is wild versus aquaculture, or product weight).

• **History of Violations:** The history of violations of fisheries laws and regulations in the United States and abroad for a species, particularly those related to IUU fishing.

• **Human Health Risks:** History of mislabeling, other forms of misrepresentation, or species substitution leading to human health concerns for consumers, including, in particular, incidents when misrepresentation of product introduced human health concerns due to different production, harvest, or handling standards, or when higher levels of harmful pathogens or other toxins were introduced directly from the substituted species.

The new criteria, added per the direction of Congress, are outlined below. The criteria being used to conduct the review are also included.

• **Reduce human trafficking in the international seafood supply chain:** This criterion includes documented reports of egregious forms of labor abuse, such as forced labor, predatory recruitment, and child labor in addition to human trafficking. In addition, NMFS is evaluating the declared Country of Origins of seafood imports with respect to the products and nations identified as most at risk for human trafficking within their supply chains.

• **Reduce economic harm to the American fishing industry:** This includes reports of IUU fishing of species and stocks where domestic fishermen are impacted due to the illegal take or supply chain actors (e.g., processors, importers, distributors) are affected by fraudulent practices. This criterion overlaps with the existing principles on history of fishing violations, enforcement capacity, and catch documentation schemes.

• **Preserve stocks of at-risk species around the world:** This criterion includes threatened or endangered species affected by IUU fishing, whether the species is harvested intentionally or accidentally (bycatch), reports of the species being overharvested due to fishing pressure, and/or existing legislation to protect the species due to its population.
- **Protect American consumers from seafood fraud:** This considers species that are commonly substituted or misrepresented, including both the intended species and the replacement species sold at retail directly to the final consumer. This criterion overlaps with existing principles of species substitution and mislabeling or other misrepresentation.

With the evaluation benchmarks set, NMFS is using the 2015 review and species determinations as a baseline to measure whether the risk level changed for the current 13 SIMP species groups and the other 41 species evaluated. In addition, 10 new species or species groups were included in the review as they were among the top 50 seafood imports in 2020 (by volume or value) and/or due to other reports related to IUU fishing and seafood fraud risk. The estimated 64 species and species groups being evaluated in 2021 are as follows:

<table>
<thead>
<tr>
<th>Abalone</th>
<th>Halibut, Atlantic</th>
<th>Salmon, Sockeye</th>
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<tbody>
<tr>
<td>Anchovies</td>
<td>Halibut, Pacific</td>
<td>Scallops</td>
</tr>
<tr>
<td>Billfish (Marlins, Spearfishes, Sailfishes)</td>
<td>Lake (Yellow) Perch</td>
<td>Sea bass</td>
</tr>
<tr>
<td>Catfish (Ictaluridae)</td>
<td>Lobster</td>
<td>Sea cucumber</td>
</tr>
<tr>
<td>Cod, Atlantic</td>
<td>Mackerel</td>
<td>Seaweed (Algae)</td>
</tr>
<tr>
<td>Cod, Pacific</td>
<td>Menhaden</td>
<td>Skates and Rays</td>
</tr>
<tr>
<td>Crab, Atlantic Blue</td>
<td>Mussels</td>
<td>Sharks</td>
</tr>
<tr>
<td>Crabs, Other Blue</td>
<td>Octopus</td>
<td>Shrimp</td>
</tr>
<tr>
<td>Crab, Dungeness</td>
<td>Opah (Sunfish, Moonfish)</td>
<td>Sole</td>
</tr>
<tr>
<td>Crab, Red King</td>
<td>Oyster</td>
<td>Squid</td>
</tr>
<tr>
<td>Crab, Blue King</td>
<td>Orange Roughy</td>
<td>Sturgeon caviar</td>
</tr>
<tr>
<td>Crab, Brown King</td>
<td>Pacific Whiting</td>
<td>Swordfish</td>
</tr>
<tr>
<td>Crab, Golden King</td>
<td>Queen Conch</td>
<td>Tilapia</td>
</tr>
<tr>
<td>Crab, Snow</td>
<td>Red Drum</td>
<td>Toothfish</td>
</tr>
<tr>
<td>Cuttlefish</td>
<td>Snapper, Northern Red</td>
<td>Trout</td>
</tr>
<tr>
<td>Crustaceans (Other)</td>
<td>Snappers (Lutjanidae spp.)</td>
<td>Tunas (Albacore, Bigeye, Bluefin, Skipjack, Yellowfin)</td>
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<tr>
<td>Dolphinfish (Mahi)</td>
<td>Sablefish</td>
<td>Tunas (Other and Tuna-like)</td>
</tr>
<tr>
<td>Mahi)</td>
<td>Salmon, Atlantic</td>
<td>Wahoo</td>
</tr>
<tr>
<td>Eels</td>
<td>Salmon, Chinook</td>
<td>Walleye (Alaskan)</td>
</tr>
<tr>
<td>Flounder, Southern</td>
<td>Salmon, Chum</td>
<td>Pollock</td>
</tr>
<tr>
<td>Flounder, Summer</td>
<td>Salmon, Coho</td>
<td>Weakfish</td>
</tr>
<tr>
<td>Grouper</td>
<td>Salmon, Pink</td>
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<tr>
<td>Haddock</td>
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VI. HUMAN TRAFFICKING AND FORCED LABOR

NMFS relies on its federal partner agencies to identify and evaluate the presence of illicit or illegal labor practices in international seafood supply chains. Specifically, NMFS uses U.S. Government reports and information on human trafficking, forced labor, and child labor abuses throughout the seafood industry. As SIMP is a risk-based program focused on species and species groups, and labor abuse is typically reported by nation or commodity, NMFS is reviewing the available information through two avenues:

1. Reviewing reports and accounts to identify nations and supply chains of seafood products of interest, such as the CBP Withhold Release Orders, the Department of State Trafficking in Persons (TIP) Report (2020), and the Department of Labor List of Goods Produced by Child Labor or Forced Labor (2020).

2. Cross-referencing the declared Country of Origin for seafood imports in 2020 against the nations identified as vulnerable for labor abuses in seafood supply chains. Resource documents being consulted include the reports above, as well as the Report to Congress on Human Trafficking in the Seafood Supply Chain (Joint Report to Congress, 2020) and the CBP North Korea Sanctions and Enforcement Action Advisory (2020). Additionally, SIMP will consider non-government sources such as the Verité Commodity Atlas for Fish (2021) and publications from the Environmental Justice Foundation.

The Joint Report to Congress (2020) compared the reported Country of Origin of U.S. imports against those exporting nations vulnerable to forced labor. This analysis included all seafood imports from the relevant country, regardless of a nexus to forced labor or other labor abuses. NMFS is building on this work to narrow the focus to only those species harvested or otherwise associated with illegal labor practices. This cross-referencing enables NMFS to assess the risk for, and understand the trade flow of, seafood products identified as vulnerable to forced labor, human trafficking, or child labor abuses.

Based on that available information, the most predominant species that are entering U.S. markets and are vulnerable to forced labor are shrimp and tuna (Albacore, Bigeye, Bluefin, Skipjack, Yellowfin). Both shrimp and tuna are already included in SIMP. In the context of shrimp, the United States receives imports from almost every nation identified with labor concerns in the shrimp supply chains based on declared trade data available. These nations include Bangladesh, Burma, Cambodia, Ecuador, Madagascar, and Thailand. Wild-harvested shrimp products from Bangladesh, Burma, Madagascar, Cambodia, and Thailand are prohibited from import into the United States, as the countries are not certified under the Department of State Section 609 Program for sea turtle protections (Public Law 101-162). In the context of tuna, additional consideration to expand coverage of tuna under SIMP from the five true tuna species to other tunas and tuna-like species is described in the following section.
NMFS is continuing to review information related to other species that may also be vulnerable to forced labor in their supply chains.

VII. CONSIDERATION OF CANDIDATE SPECIES

NMFS is employing a similar approach to evaluating the principles and criteria associated with IUU fishing and seafood fraud, as well as with preserving stocks of at-risk species globally. The 2015 review provided a baseline to build from, while findings gleaned from SIMP audits, enforcement actions taken by NMFS, additional reports from partner government agencies, literature (peer-reviewed and grey), and various media sources to further inform the evaluations. The NMFS review is divided into two sections: first, a review of the 13 species and species groups included in SIMP; and second, a review of additional species that may be at risk for IUU fishing and seafood fraud. At this stage, given our analysis, NMFS is unlikely to propose the removal of any species or species groups currently included in SIMP.

A. Potential Expansion of SIMP Species to Include Additional Species Groups

NMFS is reviewing the 13 species and species groups included in SIMP (consisting of approximately 1,138 individual species) against the two sets of criteria outlined previously in this report, and considering any updated data available that would support a clear reduction or elimination of risk factors associated with the species. The review has found so far that all 13 species and species groups remain at risk for IUU fishing and seafood fraud, and shrimp and tuna were identified as also vulnerable to forced labor concerns as discussed above. In addition, NMFS is considering expanding the following SIMP species to create larger species groups due to the risk criteria identified and concerns that species misrepresentation may be occurring in order to circumvent reporting requirements.

<table>
<thead>
<tr>
<th>At-risk criteria flagged:</th>
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<tbody>
<tr>
<td>Reduce economic harm to the American fishing industry</td>
</tr>
<tr>
<td>Preserve stocks of vulnerable species around the world</td>
</tr>
<tr>
<td>Protect American consumers from seafood fraud</td>
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NMFS is considering expanding Northern Red Snapper to all snapper species (*Lutjanidae* spp.).

“Unspecified snapper species” is one of the top 50 seafood products imported into the United States. Northern Red Snapper is already included in SIMP due to its history of fisheries violations, the lack of a catch documentation scheme and enforcement capability, and a strong history of species substitution with some species presenting human health risks, such as parasites and natural toxins. Since program implementation, incidents of Mexican lanchas fishing illegally for snapper species in the U.S. EEZ continue. The potential to mislabel Northern Red Snapper as another snapper species that
does not require reporting and recordkeeping requirements is of concern to NMFS. These concerns have been documented in the High Seas Driftnet Fishing Moratorium Protection Act biennial reports to Congress since 2015. Snapper was also identified in multiple public reports as commonly mislabeled (FDA, 2018; New York City Attorney General, 2018; Canadian Food Inspection Agency, 2021; The Guardian, 2020; Oceana, 2016).

NMFS is considering expanding Atlantic Blue Crab to additional **blue and swimming crabs**

Atlantic Blue Crab is already included in SIMP because of a strong history of species substitution and mislabeling, as well as incidents of short-weighting. While *Callinectes sapidus* is the only species allowed to be marketed as “blue crab,” in practice this species is often confused with the species *Portunus pelagicus*, “blue swimming crab” which does not require submission of SIMP data. Blue swimming crab is subject to IUU fishing in Indonesia, Vietnam, and other areas where there is little management in place. Species substitution of swimming crab for Atlantic Blue Crab remains common. A 2019 investigation, carried out in part by NMFS, found a domestic seafood processor “falsely labeled nearly 400,000 pounds of crab meat with a retail value in the millions of dollars” (DOJ, 2019).

NMFS is considering expanding Red King Crab to all **king crabs**

Red King Crab is included in SIMP due to the significant history of fisheries violations, insufficient enforcement capability, lack of a catch documentation scheme, mislabeling primarily for origin and species substitution, as well as a high occurrence of transshipment. Considerations to include all king crabs include the high value nature for species and the substitutability for king crab reporting to bypass SIMP requirements. Blue (*Paralithodes platypus*) and Gold (*Lithodes aequispinus*) King Crabs are in the top 50 U.S. seafood imports by value in 2020.
NMFS is considering expanding true tunas to include additional tuna and tuna-like species

The five species of true tunas – albacore, bigeye, bluefin, skipjack, and yellowfin – are included in SIMP due to a history of fishing violations, transshipment and complex supply chains, lack of a complete documentation scheme (even across various reporting and management mechanisms), and substitution history. Potential consideration for additional tuna species to be included under SIMP is warranted due to the various reports of labor abuses and IUU fishing in the supply chains from multiple nations (trade routes), as well as concerns of species reporting and mislabeling. In a nationwide operation in 2019, in cooperation with CBP and FDA, NMFS found that importers misidentified some consignments of tuna in the entry filing as bonito, which has significantly lower tariff rates. In addition to NMFS actions, 32 companies were identified as misreporting tuna as bonito. CBP took actions to recover nearly $600,000 in lost revenue to the United States due to the underpayment of tariffs.

Furthermore, CBP has issued six Withhold Release Orders (WRO) for suspected forced labor connected to imports, and all of them pertain to the harvest of tuna and tuna-like species (CBP, 2021). The earliest WROs are for vessels flagged and/or owned by Taiwan- or Vanuatu-based companies and both are identified in the TIP Report (2020) as having foreign fishermen working onboard Vanuatuan-flagged, Taiwan-owned vessels with strong indicators of forced labor. From 2017 to 2021, the United States imported roughly 6.4M kg (worth $67M) of tuna products declared from Taiwan and roughly 20.6K kg (worth $252K) tuna declared products from Vanuatu. The latest WROs are for a Fijian flagged and owned fishing vessel and a Chinese-based company. The TIP Report (2020) described forced labor in general for both Chinese and Fijian fisheries. From 2017 to 2021, the United States imported roughly 50.8M kg (worth $268M) of tuna products declared from China and approximately 55M kg (worth $359M) of declared tuna products from Fiji.

B. Potential Inclusion of New Species in SIMP

NMFS is evaluating the remaining species against the two sets of criteria outlined previously in this report to determine if any additional species and species groups are vulnerable to IUU fishing and seafood fraud. Based on this evaluation, NMFS will determine whether to propose any additional species for inclusion in SIMP.
Any consideration of potential new species inclusion in SIMP would include a formal rulemaking process. This would include a public comment period, as well as the requirement for comparable traceability requirements within the United States for each species.

VIII. REGULATORY WORK ON OVERALL SIMP REGULATIONS

NMFS is committed to continuous improvement. Over the course of SIMP’s implementation, NMFS has identified several opportunities to improve the program’s effectiveness through regulatory reform. NMFS is in the process of reviewing our regulations and preparing some proposed revisions. Among the areas under consideration for revision are the following:

- Reviewing the International Fisheries Trade Permit (IFTP) requirements to provide greater clarity on the relationship between an IFTP holder and the importer of record under the customs definition.
- Improving our ability to verify legality of harvest through access to additional documentation during a SIMP audit.
- Using standardized forms to more quickly and effectively evaluate the legality of any given import.
- Revising requirements related to the provision of electronic documents during audits.
- Clarifying the required level of specificity for area of harvest.

IX. CONCLUSION

NMFS continues its evaluation of species against the original risk-based factors, as well as the additional factors identified by Congress in its request for this report. Based on the new evaluation criteria and original principles, NMFS has concluded that some additional species under current SIMP species groups should be considered for inclusion in SIMP. NMFS has yet to determine whether to propose any additional species for inclusion in SIMP. NMFS is also reviewing our regulations and working to develop a proposed rule that modifies select provisions to improve their efficacy. This proposed rule may include additional species if NMFS determines them to be particularly vulnerable to IUU fishing and seafood fraud.