

Consumers and Lawmakers Take Steps to End Forced Labor in Fishing

By Ian Urbina

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WASHINGTON — Federal lawmakers, State Department officials, fishing and pet food companies, and class-action lawyers are stepping up efforts to combat forced labor at sea.

Last week, a group of consumers filed a class-action lawsuit in California against Mars, accusing the company, among the biggest producers of seafood-based pet food in the world, of failing to disclose its dependence on forced labor. A similar lawsuit was filed in late August against Nestlé, also a major producer of seafood-based pet food.

Several lawmakers have also begun trying to address the problem. Senator Richard Blumenthal, Democrat of Connecticut, proposed legislation in August aimed at increasing transparency and accountability in corporate supply chains. The bill requires larger companies to report in their financial filings what they are doing to prevent the use of trafficked workers.

Representative Carolyn B. Maloney, Democrat of New York, who introduced similar legislation in the House, sent a letter last week to the National Oceanic and Atmospheric Administration, or NOAA, which monitors the oceans, urging the agency to focus not just on illegal fishing but also on preventing “trafficking and slavery in the fishing industry.”

“I am particularly concerned by the fact that trafficking and other human rights abuses are part of the supply chain for seafood that is imported into the U.S.,” she wrote.

In taking these steps, the lawyers and lawmakers cited a recent New York Times series, *The Outlaw Ocean*, about lawlessness on the high seas. One of the articles focused on migrant boys and men who were sold onto fishing boats in the South China Sea, where they were held captive, sometimes for years.

Thai Union Frozen Products, Thailand's largest seafood company, responded to the series by saying that it planned to audit all of its suppliers to check for labor abuses by December. To better track conditions on board ships, it intended to significantly reduce the number of boats from which it buys fish, company officials said. "Thai Union is completely committed to eradicating human trafficking in any and every part of our supply chain," said Sasinan Allmand, a company spokeswoman.

In late July, Secretary of State John Kerry announced his agency's decision to keep Thailand on the lowest tier of the State Department rankings on human trafficking, indicating that the country was not making a significant effort to combat the problem.

"We want to bring to the public's attention the full nature and scope of a \$150 billion illicit trafficking industry," Mr. Kerry said then. "Pick up today's New York Times, front page story about a young Cambodian boy promised a construction job in Thailand, goes across the border, finds himself held by armed men, and ultimately is pressed into service on the seas, three years at sea shackled by his neck to the boat."

In late September, the Senate Caucus to End Human Trafficking, chaired by Mr. Blumenthal and Senator Rob Portman, Republican of Ohio, is scheduled to hold a briefing about the problem of forced labor in fishing. The panel plans to discuss ways that the United States government might adjust its purchasing policy to reward companies that have better policies in place to prevent labor abuses.

Nestlé's Fancy Feast cat food was among several major brands of seafood-based pet food exported to the United States by Thai Union, the investigation found. Some of the fish was processed by a subsidiary, Songkla Canning Public Co., and was caught on boats using forced labor.

The two class-action lawsuits filed in the Federal District Court for the Central District of California were brought by consumers who had purchased Fancy Feast, or Iams cat food, made by Mars. The lawsuits accuse the corporations of violating consumer protection laws, including false advertising and unfair competition, by failing to disclose the use of forced labor.

“Forced labor has no place in our supply chain,” said Keith Schopp, a spokesman for Nestlé Purina, while declining to comment on the litigation. He added that his company has, however, begun working with the auditing firm Verité to investigate the problem among its suppliers in Thailand. The results of that investigation will be published this year, he said.

Allyson Park, a spokeswoman for Mars, declined to comment on the lawsuit. One of The Times’ articles focused on a Cambodian man, Lang Long, who was sold by traffickers to a Thai fishing boat, where he was shackled by the neck at times during his two years of captivity. Over the past year, Mars received more than 90,000 cartons of cat and dog food from the cannery supplied by one of the boats where Lang Long was held, according to United States Customs documents.

In response to Representative Maloney’s letter, Paul Doremus, the deputy assistant administrator for operations for the NOAA Fisheries program, said that his agency had a robust enforcement division but its mandate was to enforce laws primarily relating to illegal fishing, not human trafficking.

As fish stocks closer to shore are depleted, commercial fishing companies globally are relying more on a system called transshipment, which allows boats to venture farther out and stay at sea longer, sometimes months or years, as so-called motherships shuttle fish to land and haul supplies back. Fishing boats that depend on transshipment tend to have the worst labor abuses because they are so far out from land and few law enforcement officials patrol the high seas.

Ms. Allmand, the Thai Union spokeswoman, said that her company was ending the use of transshipment by its own fleet, except on certain vessels with observers on board. She declined to specify whether the ban extended to other fishing companies that supply Thai Union.

Human rights advocates and ocean conservationists said that while Thai Union's shift away from transshipment was a positive development, the move did not go far enough since transshipment could still be used on boats operating outside Thai waters or on boats operated by other companies that sell to Thai Union.

"The Thai seafood industry and Thai government know what they need to do to fix these problems," said John Hocevar, oceans campaign director for Greenpeace.

"For now, they're sticking to half measures."

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