



Southern Shrimp Alliance

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January 29, 2024

Robert P. Silvers
Under Secretary for Strategy, Policy, and Plans
Chair, Forced Labor Enforcement Task Force
Department of Homeland Security
2707 Martin Luther King Jr Ave SE
Washington, DC 20528-0525

Dear Chair Silvers:

Since January 2023, over 265 containers of Argentinian shrimp were shipped to the U.S. by Chinese exporters. This one year of shipments represents over twelve million pounds of shrimp landed by Argentinian fishermen in the Atlantic Ocean, shipped across the Pacific Ocean to Chinese seafood processors, and then shipped back across the Pacific to be offered to American consumers in grocery stores as a wild-caught shrimp product competing for sales against the pink shrimp caught by U.S. shrimpers in the Gulf of Mexico and the South Atlantic. Bills of lading information show that another twenty containers of shrimp from Ecuador, comprising roughly 800,000 pounds, was shipped to the United States by Chinese exporters over the last year.¹

The millions of pounds of South American shrimp exported from China enters the U.S. as a product of where it was harvested, meaning that there is no indication given in our official import statistics that this shrimp went through a Chinese processing plant. In fact, according to official U.S. import statistics, the United States imported less than 90,000 pounds of Chinese-origin frozen shrimp last year, while importing roughly 27 million pounds of Argentinian-origin frozen shrimp.² As with our import statistics, American consumers are provided no indication as to whether the Argentinian shrimp being sold in grocery stores was shipped here from China.

¹ This information is obtained from ship manifest data that has been made publicly available and where the bill of lading specifically mentions the harvest country source in the goods description. As manifest data may be subject to claims of confidentiality and there is no legal obligation to disclose the country of harvest in the bill of lading, there are likely substantial additional amounts of Argentinian and Ecuadorian-origin shrimp landing on the plates of Americans by way of China.

² Official U.S. import statistics obtained through the U.S. International Trade Commission's *Dataweb* and encompass the period of January through November in 2023.

Supply chains can be complex, but the globe-hopping of shrimp that is minimally processed before reaching consumers appears to be neither efficient nor cost-effective. Nevertheless, the South America to China to United States pipeline has become an entrenched part of the U.S. shrimp market. For these reasons, the Southern Shrimp Alliance, its members, and the American commercial shrimp industry at large are deeply disturbed by the extensive reporting regarding the exploitation of Uyghurs in the seafood processing industry in Shandong province. Even from the limited information available to the public, it is clear that at least some of the South American shrimp entering the United States market goes through Shandong.

As a result of these concerns, the Southern Shrimp Alliance has closely followed the recent hearings of the House Homeland Security Committee’s Subcommittee on Oversight, Investigations, and Accountability (SOIA)³ and of the Congressional-Executive Commission on China⁴ on the enforcement of the *Uyghur Forced Labor Prevention Act* (P.L. 117-78, UFLPA). Consistent with the views expressed at those hearings, we write to formally request that the Forced Labor Enforcement Task Force (FLETF) take action to recognize the significant evidence presented and published by the Outlaw Ocean Project, and include eight seafood processing companies proven to be employing Uyghur forced labor along with one provincial labor recruitment company on the *Entity List* of the *Uyghur Forced Labor Prevention Act* as provided for under section 2(d)(2)(B)(ii) of the UFLPA.

Additionally, given significant evidence that Uyghur forced labor is not only present in the seafood processing industry in China, but is actively sought out by processors,⁵ we write also to request that the FLETF move quickly to include seafood as a high-priority sector for enforcement under section 2(d)(B)(viii) of the UFLPA. Because the Chinese Communist Party (CCP) has facilitated the exploitation of Uyghurs in the Chinese seafood processing industry in regions far outside of the Xinjiang Uyghur Autonomous Region (XUAR), formally recognizing seafood as a “priority” sector is an important step towards tailoring the administration of the UFLPA to address these peculiar supply chains.

Section 307 of the Tariff Act of 1930 (19 U.S.C. § 1307) specifically prohibits importation into the United States of “{a}ll goods, wares, articles, and merchandise mined, produced, or manufactured wholly or in part in any foreign country by... forced labor.” In 2021, in recognition of the egregious, systemic, and ongoing violations of human rights committed by the CCP against China’s Uyghur population, as well as against other ethnic and religious

³ Subcommittee on Oversight, Investigations, and Accountability, Committee on Homeland Security, “Exploitation and Enforcement: Evaluating the DHS Efforts to Counter Uyghur Forced Labor” (Oct. 19, 2023), <https://www.youtube.com/watch?v=AxNwYKoaF9g>; Subcommittee on Oversight, Investigations, and Accountability, Committee on Homeland Security, “Exploitation and Enforcement Part II: Improving Enforcement in Countering Uyghur Forced Labor” (Jan. 11, 2024), <https://www.youtube.com/watch?v=HWGNSwTmkUQ>.

⁴ Congressional-Executive Commission on China, “From Bait to Plate – How Forced Labor in China Taints America’s Seafood Supply Chain” (Oct. 24, 2023), <https://www.youtube.com/watch?v=jYHqJvLrQNU>.

⁵ Outlaw Ocean Project, “Methodology: How did the investigation identify Xinjiang labor transfers to Shandong seafood-processing plants?,” <https://www.theoutlawocean.com/investigations/china-the-superpower-of-seafood/methodology/#method-discussion>.

minorities in Xinjiang province, Congress passed the UFLPA. By introducing a rebuttable presumption that all merchandise produced in Xinjiang or by Uyghur laborers, in whole *or in part*, is the product of forced labor, the UFLPA vastly strengthened Section 307 with regard to goods produced using Uyghur forced labor in the XUAR. With the rebuttable presumption, the Department of Homeland Security (DHS) is empowered by Congress to more actively and efficiently bar goods produced using Uyghur forced labor from entering the United States. However, the full power of this legislation to strip away the financial benefits obtained by the CCP and its sponsored industries from exploiting Uyghur forced labor can only be brought to bear if the FLETF exercises its discretionary authority to facilitate enforcement, as Congress intended.

Since its inception in June 2022, the *Entity List* has been updated four times, adding a total of just nine companies.⁶ Any update to the *Entity List* is laudable as it reduces the profitability of the CCP's campaign to control and dominate the Uyghur people. For that reason, when significant credible evidence of companies exporting product to the U.S. in violation of the UFLPA becomes available, the FLETF must act expeditiously to expand the *Entity List*.

Seafood from China is recognized as being produced through forced labor,⁷ but the involvement of Uyghur workers transferred from the XUAR to work in other provinces was not widely known.⁸ Because of the groundbreaking work of the Outlaw Ocean Project, this is no longer the case. Specifically, the Outlaw Ocean Project identified nine companies involved in the recruitment and use of Uyghur forced labor in the production of seafood.⁹ These companies are significant links in the supply chain for hundreds of U.S. grocery stores, frozen food manufacturers, restaurants, and wholesale distributors, and are reported to be suppliers of millions of dollars worth of seafood used to fulfill U.S. government contracts.¹⁰

⁶ Department of Homeland Security, "UFLPA Entity List," <https://www.dhs.gov/uflpa-entity-list>.

⁷ See Department of Homeland Security, Office of Strategy, Policy, and Plans, "Strategy to Prevent the Importation of Goods Mined, Produced, or Manufactured with Forced Labor in the People's Republic of China" (June 17, 2022) at 16, https://www.dhs.gov/sites/default/files/2022-06/22_0617_fletf_uflpa-strategy.pdf.

⁸ *Id.*

⁹ Outlaw Ocean Project, "The Uyghurs Forced to Process the World's Fish" (Oct. 9, 2023), <https://www.theoutlawocean.com/investigations/china-the-superpower-of-seafood/the-uyghurs-forced-to-process-the-worlds-fish/>; Outlaw Ocean Project, "Methodology," <https://www.theoutlawocean.com/investigations/china-the-superpower-of-seafood/methodology/#method-discussion>.

¹⁰ Outlaw Oceans Project, "Discussion," <https://www.theoutlawocean.com/investigations/china-the-superpower-of-seafood/discussion/#yantai-sanko-fisheries-co-ltd> and Congressional-Executive Commission on China, "From Bait to Plate – How Forced Labor in China Taints America's Seafood Supply Chain" (Oct. 24, 2023), <https://www.youtube.com/watch?v=jYHqJvLrQNU>.

Of the companies investigated by the Outlaw Ocean Project, at least eight show clear evidence of employing Uyghur labor in their factories and should be added to the *Entity List* under section 2(d)(2)(B)(ii) of the UFLPA immediately:¹¹

- Weihai Wendeng Xinghe Food Co.,
- Yantai Longwin Food Co.,
- Yantai Sanko Fisheries Co.,
- the Chishan Group Co. along with its subsidiaries,
 - Shandong Haidu Ocean Product Co., and
 - Rongcheng Haibo Seafood Co.,
- the Shandong Meijia Group along with its subsidiaries,
 - Rizhao Jiayuan Food Co., and
 - Rizhao Meijia Keyuan Food Co.,
- Qingdao Tianyuan Aquatic Foodstuffs Co.,
- Qingdao Lian Yang Aquatic Products Co., and
- The Rongsense Group / Shandong Rongxin Aquatic Food Group along with its subsidiaries,
 - Rizhao Rirong Aquatic Food Co., and
 - Rizhao Rongxing Food Co.

These same eight companies were also recently identified by the House Select Committee on the Chinese Communist Party as being involved in the use of Uyghur forced labor, with the Committee asking DHS to provide a detailed explanation as to whether or not each of these companies met the criteria for being placed on the UFLPA's *Entity List*.¹²

The companies listed above were identified following the Southern Shrimp Alliance's careful review of the Outlaw Ocean Project's published materials including articles, videos, the methodology section of the Project's website, and the published communications between the Outlaw Ocean Project team members and hundreds of stakeholders in the seafood industry, both in the United States and in China. Specifically, in addition to the companies that the Outlaw Ocean Project highlights in its own published articles and in an explanation of its own methodology, the Southern Shrimp Alliance reviewed all communications published on the Project's website between itself and U.S. grocery chains, wholesale distributors, restaurant chains, and seafood product brands to identify those Chinese processors with direct sales ties to

¹¹ The companies below appear on the Outlaw Ocean Project website also with the following slight variations in names: Weihai Wendeng Xinghe Foods Co. Ltd., Yantai Longwin Foods Co. Ltd., Yantai Longwin Food Co. Ltd., Yantai Sanko Fisheries Co. Ltd., Shandong Haidu Ocean Food Co. Ltd., Rongcheng Haibo Ocean Food Co. Ltd., Rizhao Jiayuan Foodstuff Co. Ltd., Rizhao Meijia Keyuan Foods Co. Ltd., Qingdao Tianyuan Aquatic Products Co. Ltd., Qingdao Lian Yang Aquatic Products Co. Ltd, Rizhao Rirong Aquatic Products Co. Ltd., and Rizhao Rongxing Food Co. Ltd.

¹² House Select Committee on the Chinese Communist Party, "Letter to Secretary Mayorkas on Enforcement of the Uyghur Forced Labor Prevention Act" (Jan. 19, 2024), <https://selectcommitteeontheccp.house.gov/media/letters/letter-secretary-mayorkas-enforcement-uyghur-forced-labor-prevention-act>.

the U.S. market. For companies included in the list, the Outlaw Ocean Project has identified clear and specific evidence that these companies used or recruited Uyghur forced labor in the production of seafood products, and that these products were destined for the U.S. market. Thus, consistent with the observations of the House Select Committee, the Southern Shrimp Alliance believes that these companies clearly meet the criteria for being included on the *Entity List*.

Moreover, a ninth company, Xinjiang Zhongtai Zhihui Modern Service (XZZMS), should also be added to the *Entity List* under the same provision given its status as intermediary between seafood processors on the Chinese coast and forced labor recruitment offices in Xinjiang. As a subsidiary of the Xinjiang Zhongtai Group, which itself is already included on the *Entity List*,¹³ XZZMS actively provided support to the Chishan Group in 2020 and 2021 in its efforts to recruit workers from Xinjiang to alleviate staff shortages in Shandong.¹⁴ Given that its parent company is already included on the *Entity List* and the evidence collected by the Outlaw Ocean Project regarding its activities, the inclusion of XZZMS should not be controversial.

While the Southern Shrimp Alliance is specifically requesting the inclusion of individual companies on the *Entity List*, the evidence indicates far more widespread abuse of Uyghurs in China's seafood processing sector. Both the sheer number of seafood processors identified as using Uyghur forced labor in their production facilities and the close relationships between seafood processors and CCP agents tasked with controlling the Uyghur population through forced labor and transfers away from the XUAR suggest that all seafood products sourced from China are at risk of being tainted by labor conditions prohibited under U.S. law. As such, we believe that it is vitally important that the FLETF exercise discretion to formally add seafood products to the list of priority sectors for enforcement under section 2(d)(B)(viii) of the UFLPA.

The importation of seafood tainted by forced labor in any form is morally indefensible in addition to being a violation of U.S. law and should be countered with every tool available. In the case of forced labor from Xinjiang, such purchases make American consumers unwittingly complicit in systemic, documented, and ongoing gross human rights abuses against the Uyghur people and other ethnic minority communities in China. Concerns have been repeatedly voiced regarding Chinese seafood supply chains and the exploitation of Uyghurs,¹⁵ and, through this

¹³ Department of Homeland Security, "UFLPA Entity List," <https://www.dhs.gov/uflpa-entity-list>.

¹⁴ Outlaw Ocean Project, "Methodology: How did the investigation connect Xinjiang Zhongtai Group to Uyghur forced labor in Shandong seafood-processing facilities?," <https://www.theoutlawocean.com/investigations/china-the-superpower-of-seafood/methodology/#method-discussion>.

¹⁵ See, e.g., Rep. Raul M. Grijalva (D-NM) and Rep. Jared Huffman (D-CA), "Letter to Acting Commissioner Troy A. Miller" (Oct. 20, 2023), https://democrats-naturalresources.house.gov/imo/media/doc/grijalva_huffman_iuu_forced_labor_letter_to_cbp.pdf; Congressional-Executive Commission on China, "DHS Letter – IUU fishing and seafood industry forced labor" (Oct. 24, 2023), <https://www.cecc.gov/sites/chinacommission.house.gov/files/documents/DHS%20letter%20-%20IUU%20fishing%20and%20seafood%20industry%20forced%20labor%20Final.pdf>; and Rep. Frank Pallone (D-NJ), "Letter to Acting Commissioner Troy A. Miller" (Dec. 4, 2023), <https://pallone.house.gov/sites/evo-subsites/pallone.house.gov/files/evo-media-document/pallone-letter-to-cbp-120423.pdf>.

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correspondence, the Southern Shrimp Alliance implores the FLETF to take concrete action to expand the *Entity List* and to identify seafood as a high-priority sector for UFLPA enforcement.

I am available to address any questions you might have regarding this correspondence.

Sincerely,



John Williams
Executive Director

cc:

Rep. Jason Smith (R-MO), Chairman, Committee on Ways and Means
Rep. Richard Neal (D-MA), Ranking Member, Committee on Ways and Means
Rep. Mike McCaul (R-TX), Chairman, Committee on Foreign Affairs
Rep. Gregory Meeks (D-NY), Ranking Member, Committee on Foreign Affairs
Rep. Mark Green (R-TN), Chairman, Committee on Homeland Security
Rep. Bennie Thompson (D-MS), Ranking Member, Committee on Homeland Security
Rep. Dan Bishop (R-NC), Chairman, Subcommittee on Oversight, Investigations, and Accountability, Committee on Homeland Security
Rep. Glenn Ivey (D-MD), Ranking Member, Subcommittee on Oversight, Investigations, and Accountability, Committee on Homeland Security
Rep. Mike Ezell (R-MS), Member, Subcommittee on Oversight, Investigations, and Accountability, Committee on Homeland Security
Rep. Patrick McHenry (R-NC), Chairman, Committee on Financial Services
Rep. Maxine Waters (D-CA), Ranking Member, Committee on Financial Services
Rep. Jim Jordan (R-OH), Chairman, Committee on the Judiciary
Rep. Jerrold Nadler (D-NY), Ranking Member, Committee on the Judiciary
Rep. Troy Nehls (R-TX), Member, House Judiciary Committee
Rep. Bruce Westerman (R-AR), Chairman, Committee on Natural Resources
Rep. Raul Grijalva (D-NM), Ranking Member, Committee on Natural Resources
Rep. Garret Graves (R-LA), Member, Committee on Natural Resources
Rep. Cliff Bentz (R-OR), Chairman, Subcommittee on Water, Wildlife, and Fisheries, Committee on Natural Resources
Rep. Jared Huffman (D-CA), Ranking Member, Subcommittee on Water, Wildlife, and Fisheries, Committee on Natural Resources
Rep. Mike Gallagher (R-WI), Chairman, Select Committee on the Chinese Communist Party
Rep. Raja Krishnamoorthi (D-IL), Ranking Member, Select Committee on the Chinese Communist Party
Rep. Kathy Castor (D-FL), Member, Select Committee on the Chinese Communist Party
Rep. Christopher Smith (R-NJ), Co-Chair, Congressional-Executive Commission on China
Senator Jeff Merkley (D-OR), Co-Chair, Congressional-Executive Commission on China
Commissioner Thea Lee, Congressional-Executive Commission on China (Deputy Undersecretary for International Affairs, U.S. Department of Labor)