

**CHAPTER 60—FISH AND SEAFOOD  
PROMOTION**

Sec.	
4001.	Congressional findings.
4002.	Congressional statement of purpose.
4003.	Definitions.
4004.	Establishment of National Council.
4005.	Functions and duties of National Council.
4006.	Duties of Secretary with regard to National Council.
4007.	Voluntary payments.
4008.	Establishment of Fisheries Promotional Fund.
4009.	Establishment of seafood marketing councils.
4010.	Functions and powers of councils.
4011.	Functions and powers of Secretary.
4012.	Assessments.
4013.	Petitions.
4014.	Refunds.
4015.	Termination of a council.
4016.	Enforcement.
4017.	Investigations.

**§ 4001. Congressional findings**

The Congress finds that—

(1) the commercial fishing industry of the United States significantly contributes to the national economy, and could make a greater contribution if fish resources within the United States Exclusive Economic Zone were more fully utilized;

(2) the commercial fisheries of the United States provide significant employment in coastal areas and in processing and distribution centers;

(3) fish contribute an important nutritional component to the American diet;

(4) increased consumption of seafood in the United States could significantly lower the risk of many cardiovascular diseases;

(5) Federally supported development programs for commercial fisheries are unable to meet present and future marketing needs;

(6) many fish species are underutilized by the United States fishing industry because of underdeveloped markets; and

(7) the United States fishing industry has the potential to expand greatly its contribution to interstate and foreign commerce, favorably affecting the balance of trade.

(Pub. L. 99-659, title II, §202, Nov. 14, 1986, 100 Stat. 3715.)

SHORT TITLE

Pub. L. 99-659, title II, §201, Nov. 14, 1986, 100 Stat. 3715, provided that: "This title [enacting this chapter and amending section 713c-3 of Title 15, Commerce and Trade] may be cited as the 'Fish and Seafood Promotion Act of 1986'."

REPORT TO CONGRESS ON FISH AND SEAFOOD  
PROMOTION

Pub. L. 99-659, title II, §219, Nov. 14, 1986, 100 Stat. 3731, provided that: "The Secretary shall, not later than March 1, 1989, submit to the Congress a report on the effectiveness of the implementation of this title [enacting this chapter and amending section 713c-3 of Title 15, Commerce and Trade] in achieving the purposes of this title."

**§ 4002. Congressional statement of purpose**

The purpose of this chapter is to—

(1) strengthen the competitive position of the United States commercial fishing industry

in the domestic and international marketplace;

(2) encourage the development and utilization of all species of fish available for harvest by the United States fishing industry;

(3) encourage the utilization of domestically-produced fish through enhancement of markets, promotion, and public relations;

(4) help the United States fishing industry develop methods to improve quality and efficiency in the marketplace;

(5) educate and inform consumers on the use of fish;

(6) develop better coordination of fisheries marketing and promotion activities with commercial fisheries research and development programs; and

(7) educate and inform the public about the nutritional value of fish in the diet.

(Pub. L. 99-659, title II, §203, Nov. 14, 1986, 100 Stat. 3716.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original "this title", meaning title II of Pub. L. 99-659, Nov. 14, 1986, 100 Stat. 3715, which is classified principally to this chapter. For complete classification of title II to the Code, see Short Title note set out under section 4001 of this title and Tables.

**§ 4003. Definitions**

As used in this chapter, the term—

(1) "consumer education" means actions undertaken to inform consumers on matters related to the consumption of fish and fish products;

(2) "council" means a seafood promotional council established under section 4009 of this title;

(3) "fish" means finfish, mollusks, crustaceans, and all other forms of aquatic animal life used for human consumption; the term does not include marine mammals and seabirds;

(4) "Fund" means the Fisheries Promotional Fund established in section 4008 of this title;

(5) "harvester" means any individual who is in the business of catching or growing fish for purposes of sale;

(6) "importer" means any person in the business of importing fish or fish products into the United States from another country for commercial purposes or who acts as an agent, broker, or consignee for any person or nation that produces, processes or markets fish or fish products outside of the United States for sale or other commercial purpose in the United States;

(7) "marketer" means any person who is in the business of selling fish or fish products in the wholesale, retail, or restaurant trade, but whose primary business function is not the processing or packaging of fish or fish products in preparation for sale;

(8) "marketing and promotion" means an activity aimed at encouraging the consumption of fish or fish products or expanding or maintaining commercial markets for fish or fish products;

(9) "member" means any person serving on the National Council or on any council;