

Fact Sheet

Support H.R. 81 / S. 850 The Shark Conservation Act of 2009

The Shark Conservation Act was introduced by Rep. Madeleine Bordallo (D-Guam) and passed by the House of Representatives by voice vote on March 2, 2009. In late April, Sen. John Kerry (D-Mass.) introduced a companion bill in the Senate. The bill includes a requirement that sharks are landed with fins naturally attached, the only sure way to enforce the ban on finning - cutting off a shark's fins and throwing the rest of the shark back into the sea to die.

U.S. Shark Finning Ban: Shark finning was banned by Congress in 2000. The law includes a rebuttable presumption which allows fins to be separated from carcasses at sea, but when landed the fins must weigh no more than 5% of the "dressed" weight of the shark - that is, the carcass without its head or guts. This rule applied to all US-registered vessels. Foreign vessels may not fin sharks within the US Exclusive Economic Zone (EEZ), may not land fins or carcasses in the US without the corresponding carcasses (and within the 5% weight limit) and may not trans-ship fins at sea within the US EEZ. This system is complicated and difficult to enforce.

Consequently, last summer NOAA issued regulations that ban the practice of removing sharks' fins at sea in US fisheries in the Atlantic, Caribbean and Gulf of Mexico only.

The benefits of replacing the 5% ratio with a federal fins-attached policy are as follows:

- Shark conservation would be greatly enhanced because fishers would not be able to catch and fin sharks beyond the capacity of their freezers
- Time-wasting arguments about the correct weight ratio of fins to carcasses would be avoided
- There would be no opportunities for fishers to circumvent the rules, particularly by discarding lower-value fins along with lower-value carcasses and "matching" higher-value carcasses to higher-value fins, a problem that has been identified by NOAA.
- Landing sharks whole would provide the optimum conditions for collection of accurate catch and bycatch data, and thereby enable effective conservation measures to be implemented in a timely fashion.
- NOAA's recent decision to include a fins-attached policy applies only to US fisheries in the Atlantic, Caribbean and Gulf of Mexico: a federal fins-attached policy would bring Pacific fisheries into line with the rest of the country's fisheries.
- Fins would retain both their quality and their economic value, since the spoiling of fins by the adherence of meat would be reduced. HSI is aware that industry people have pointed to technical difficulties that they believe may arise if a fins-attached policy were adopted. However, we believe that such difficulties, if genuine, can easily be overcome with technical input from NMFS and with practice.



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