

US Section 609

What is it?

Section 609 of US Public Law 101-162 is a trade-related environmental provision that prohibits the import of shrimp into the US unless it is harvested in a manner that does not adversely affect sea turtle populations. Enacted in 1989, the law requires countries exporting wild-caught shrimp to the US to implement and enforce sea turtle protection measures that are comparable in effectiveness to those used in US fisheries, specifically the mandatory use of Turtle Excluder Devices (TEDs) in shrimp trawl nets. The US Department of State conducts an annual certification process to determine which countries meet these requirements. Exemptions may apply to nations where shrimp harvesting does not overlap with sea turtle habitats.

Key components

1. Annual Certification Process

- a. Each year, the US Department of State evaluates and certifies countries that either (1) require the use of Turtle Excluder Devices (TEDs) comparable in effectiveness to those mandated in the US, or (2) harvest shrimp in ways that do not threaten sea turtle populations (e.g., through manual collection or in areas where sea turtles are not present). Only certified countries may export wild-caught shrimp to the US. Countries where shrimp are harvested by methods that do not pose a risk to sea turtles (e.g., hand collection, trap fishing) or in areas where sea turtles are not present may be exempted from TED requirements but must still undergo the certification process. Certified and uncertified countries are published annually in the Federal Register.

2. Turtle Excluder Device (TED) Requirement

- a. Certification typically depends on the use of TEDs—specialized gear modifications that allow sea turtles to escape shrimp trawl nets. The exporting country must have regulations in place requiring TEDs and demonstrate adequate enforcement of these rules. Section 609 applies specifically to wild-caught shrimp harvested with trawl gear that may interact with sea turtles. It does not apply to farmed shrimp or shrimp harvested with gear types that pose no threat to sea turtles.

Regardless of a nation's certification status, all shrimp and shrimp product imports into the US must be accompanied by a completed DS-2031 signed by the exporter.

What countries are covered?

In its annual certification published May 12, 2025, the US Department of State suspended Peru's certification under Section 609. Effective for shrimp exports dated June 1, 2025, and after, Peru was deemed non-comparable to US fisheries because it lacked a robust sea turtle protection program. Consequently, wild-caught Peruvian shrimp may no longer be imported into the US unless Peru implements TED mandates or harvests shrimp in zones where sea turtles are absent.

Resources

- [Guidelines for the Implementation of Section 609 of Public Law 101-162 Relating to the Protection of Sea Turtles in Shrimp Trawl Fishing Operations](#)
- [US Department of State Sea Turtles and Section 609 One Pager](#)
- [US Department of State Spotlight: Sea Turtles, Shrimp Imports, and Section 609](#)
- [US law \(Section 609 of P.L. 101-162, or Section 609\)](#)
- [Federal Register Annual Certification of Shrimp-Harvesting Nations](#)
- [Federal Register Annual Determination and Certification of Shrimp-Harvesting Nations 2025](#)

EU Fisheries Control Regulation

What is it?

The EU Fisheries Control System is a comprehensive legal and operational framework that governs how EU Member States monitor, inspect, and enforce compliance with the Common Fisheries Policy (CFP). Its primary aim is to ensure sustainable fisheries management, prevent IUU fishing, and guarantee the traceability of seafood products throughout the supply chain—from catch to market. The system applies to all vessels fishing in EU waters, as well as EU-flagged vessels operating abroad, and includes controls on imports of fishery products into the EU from non-EU countries.

Key components of the system are established through Council Regulation (EC) No. 1224/2009 (the Control Regulation), Commission Implementing Regulation (EU) No. 404/2011, and are supported by more recent updates under the 2023 revision of the Control Regulation, aimed at strengthening digital reporting, traceability, and enforcement. Additionally, Council Regulation (EC) No. 1005/2008—the IUU Regulation—specifically targets imports, prohibiting entry of products linked to IUU fishing and requiring non-EU countries to demonstrate effective fisheries control systems of their own.

The Control System is implemented by national authorities of each Member State, coordinated and overseen by the European Fisheries Control Agency (EFCA) and the European Commission. Together, they manage risk-based inspections, electronic reporting systems, and the EU Catch Certification Scheme for imports, working to ensure all seafood entering the EU market complies with sustainability and legality standards.

Key components

1. Catch Certification Scheme (CCS)

- a. All wild-caught marine fishery products imported into the EU from non-EU countries must be accompanied by an EU catch certificate. This document verifies that the fish was legally harvested and not associated with IUU fishing. Competent authorities in the exporting country must validate this certificate. (see pages 10-13 of the [Seafood Exporter Toolkit](#) for more)

2. Control Regulation (Regulation (EC) No. 1224/2009)

- a. Establishes an integrated system for controlling, monitoring, and inspecting all activities throughout the fishing chain, covering capture, landing, transport, and sale of fishery products.
- b. It applies to both EU and foreign vessels operating in EU waters.

3. Digital Traceability & Reporting:

- a. Recent revisions to the Control Regulation (2023) require the use of electronic reporting systems (e.g., electronic logbooks, landing declarations, sales notes) and enhanced traceability tools, including for small-scale vessels. These digital systems improve data accuracy and enforcement capacity.

4. IUU Regulation (Regulation (EC) No. 1005/2008)

- a. Prevents fishery products linked to IUU fishing from entering the EU market. It empowers the EU to issue formal warnings (yellow cards), trade bans (red cards), and initiate cooperation processes with third countries that lack effective fisheries governance.

5. Risk-Based Inspections

- a. EU Member States conduct inspections at various stages of the supply chain, guided by risk analysis. These checks focus on high-risk operators, ports, or species and include verification of documents, catch origin, and traceability.

6. Flag and Port State Responsibilities

- a. Exporting countries must fulfill both flag state (vessel control) and port state (landing oversight) obligations. Failure to enforce these can trigger EU sanctions, including suspension of market access.

EU Fisheries Control Regulation (cont.)

What species are covered?

The EU Fisheries Control System applies broadly to all wild-caught marine fishery products, regardless of species, when imported into the EU. However, aquaculture products, freshwater species, and certain ornamental species are typically excluded from catch certification requirements unless they were harvested at sea.* Additionally, some exemptions apply to small-volume consignments or highly processed products, provided risk remains low. As the system is species-agnostic in its legal scope, compliance hinges more on how and where the product was harvested rather than species alone. Products associated with IUU-listed vessels or high-risk fisheries are subject to increased scrutiny and may be denied entry regardless of species.

* While farmed, freshwater products don't have to provide a catch certificate, the EU labelling and traceability requirements (EU no. 1169/2011 - [Regulation \(EU\) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations \(EC\) No 1924/2006 and \(EC\) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation \(EC\) No 608/2004](#)Text with EEA relevance and [FFA New EU Seafood Labelling and Traceability Req. Guide 09.2014](#) require the relevant KDEs for labelling purposes, so basic information on harvest still has to be collected for farmed, freshwater species as well.

Resources

- [EU fisheries control system overview](#)
- [Regulation \(EU\) 2023/2842 of the European Parliament and of the Council of 22 November 2023 amending Council Regulation \(EC\) No 1224/2009, and amending Council Regulations \(EC\) No 1967/2006 and \(EC\) No 1005/2008 and Regulations \(EU\) 2016/1139, \(EU\) 2017/2403 and \(EU\) 2019/473 of the European Parliament and of the Council as regards fisheries control](#)
- [Council Regulation \(EC\) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy](#)
- [Regulation \(EU\) 2019/473 of the European Parliament and of the Council of 19 March 2019 on the European Fisheries Control Agency \(codification\)](#)
- [Consolidated text: Council Regulation \(EC\) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing](#)
- [Regulation \(EU\) 2017/2403 of the European Parliament and of the Council of 12 December 2017 on the sustainable management of external fishing fleets, and repealing Council Regulation \(EC\) No 1006/2008](#)
- [Regulation \(EU\) 1169/2011 Regulation \(EU\) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers](#)
- [Regulation \(EU\) No 1379/2013 Regulation \(EU\) No 1379/2013 of the European Parliament and of the Council of 11 December 2013 on the common organisation of the markets in fishery and aquaculture products](#)