THE UNITED STATES 'MARINE MAMMAL PROTECTION ACT' (MMPA)

POLICY IMPLICATIONS, CHALLENGES, OPPORTUNITIES AND A STRATEGY FOR THE EAST COAST SEALING INDUSTRY

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The United States 'Marine Mammal Protection Act' (MMPA)

Policy Implications, Challenges, Opportunities and a Strategy for the East Coast Sealing Industry

By

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".....We have confidence in the data and the management of the Harp seal resource by Canadian neighbours and their judgements on the Harp seal population.....the hunt has been proven to be most humane and the most effective....."

The International Association of Fish and Wildlife Agency; United States, June 9, 1982

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Abstract

Since 1972 restrictions arising from the United States Marine Mammal Protection Act (MMPA) have seriously hampered efforts to develop commercial markets for seal products to the United States, and other international markets influenced by the MMPA. This has resulted in significant negative economic impacts on the east coast Canadian seal fishery. The exemption of harp seal products from the restrictive grip of the MMPA is critical if the United States market for seal products is to be effectively developed. It is anticipated that access to the United States market would present new market opportunities for the sealing industry, particularly in the fur and neutraceutical sectors. The U.S. 'health food' sector alone is estimated to be worth $80 billion per year (Ho, 2003). This market includes all omega-three, oil based concentrates and a full range of herbal and homeopathic remedies purchased through the health food system.

There is limited historical United States market data for seal products, as seal products impacted by 'MMPA' have not been exported to that market since the early 1970's. Therefore, to evaluate market potential, this report establishes linkages using similar products in the categories of other furs and marine oils. The potential American market for fashion fur items is significant, with United States fur sales of $1.53 billion reported in 2002. (http://www.nafa.ca/page.asp.) These strong market indicators might present an

opportunity for the Canadian sealing industry, should the American market become accessible.

The economic benefits of the current seal fishery and the total value of the seal industry to Newfoundland and Labrador is an important factor in determining our export readiness for developing the United States markets. In 2007, the sealing industry in Newfoundland and Labrador employed 6,000 harvesters and over 300 production employees and there are spin off benefits in service industries, supplies, transportation, vessel and plant maintenance. (T. Grace, personal communication, June, 2008).

This paper analyzes important issues surrounding the MMPA, including the more recent activities related to the Act. The recommendations in this paper focus on a strategy for Governments, the private sector and trade associations, to address issues related to MMPA. These recommendations will be of particular interest to the Department of Fisheries and Aquaculture and the Canadian Sealers Association, who have coordinated their efforts since 2004 in support of amendments to the MMPA.

2.0 Purpose and Methodology

This report will review key issues surrounding the Marine Mammal Protection Act, (MMPA) and investigate opportunities and potential benefits for the sealing industry, through eventual access to the United States market. A review of some of the more recent challenges of the Marine Mammal Protection Act will be discussed. Opportunities for seal products in the United States consumer market will also be explored. This report will provide some recommendations for further action by government and industry in pursuit of amendments to the MMPA.

The following methodology was used to gather information for this paper:

1. A literature review was undertaken of challenges to the MMPA by other agencies and past work on accessing the United States market for fur, oil and meat products.
2. Interviews were conducted with key industry contacts, agencies, brokers and manufacturers in the sealing business to gather their views on potential impacts of the MMPA.
3. Selected production and trade data was reviewed.
4. Analysis of the background of the MMPA and its impact on the sealing industry on the east coast of Canada.

3.0 Introduction

The sealing industry in Eastern Canada has been a significant part of the culture and traditions of coastal people for centuries, dating back to the 16th century (Coleman,1937). The average harvest through to the mid-1800's was approximately 450,000 animals, reaching a historical peak of 700,000 animals harvested in 1844. The average harvest level in more recent years has been approximately 225,000 animals.

The earliest days of the seal harvest were primarily for subsistence. As the value of pelts and blubber increased, the seal harvest evolved into a commercial large vessel hunt and became a major contributor to the economy throughout the 19^{th} and 20^{th} centuries.

In more recent times, the seal harvest has been shrouded in controversy, beginning in the late 1970's when proactive animal rights groups began to concentrate efforts to end the harvest. They portrayed images of inhumane practices and concerns with endangerment of marine mammals, in general. This harp seal animal rights movement became one of the most explosive issues in the Northwest Atlantic Fishery and in the worldwide animal welfare movement. The seal hunt remains controversial to this day. It has placed sealers, politicians and animal rights lobbyists in a lengthy battle over destiny and control of the seal resource and related economic benefits.

As early as 1972, when Canada's program of sealing research had begun to build international respect, the voices of protest were evident. The United States Congress was hearing the first testimony of Brian Davies of Greenpeace and others, who contradicted all claims of humaneness in the slaughter and questioned the advisability of continuation of a hunt on the grounds that there was imminent danger of depletion of the harp seal stock (Henke, 1985).

Traditional markets for seal products were in Europe and the United Kingdom, with new market growth evident in Asia in more recent years. The introduction of the Marine Mammal Protection Act (MMPA) has effectively prohibited all seal products from entering the United States. The MMPA has proven to be a major impediment to seal market development. The sealing industry and government have publically stated that markets exist in the United States for seal products, but these markets are blocked by provisions of MMPA. Access to the United States market could provide a significant boost to the seal industry, particularly in the fur and neutraceutical sectors of the industry. Free access to the American marketplace may also lead to positive progress in building markets in other jurisdictions, such as Taiwan, Korea and Thailand, as many international seal buyers have an uneasy awareness of the scope of MMPA and the possible implications for trade of seal products in their respective nations (D. Dakins, personal communication, January, 2008).

The sealing industry has three sectors: harvesting, primary processing and value-added products. The value added industry can also be subdivided into three main product categories: fur, oil and meat/protein products. Products derived from the sealing industry include a range of consumer items, including fashion, health products and nutrition. In each of the preceding product categories, there are believed to be significant opportunities for market development in the vast United States market.

The Marine Mammal Protection Act was instituted in 1972 and is re-authorized every five years. The original objective of the MMPA was to block the importation of white coat seals into the Unites States, ostensibly because they were deemed endangered. The result is that the MMPA has effectively prohibited the shipment of all seal products to the United States from Canada, Norway, Iceland, Uruguay, and Africa.

There are arguably many elements to be considered in efforts to seek amendments to MMPA. Three primary considerations are: (Wells, 2003)

1. Evidence that the harp seal species is not endangered.
2. Demonstration of how the harp seal resource is sustainably managed.
3. Illustrate that a market may exist in the United States for seal products and that economic disadvantage is being placed upon aboriginal or commercial sealing interests in Canada, as a result of the trade impediments arising from MMPA.

4.0 Marine Mammal Protection Act

4.1 Background of the Act

The United States Marine Mammal Protection Act (MMPA) was enacted in 1972 with the stated objective being to "Protect mammal populations and to ensure certain species were allowed to regenerate and become stable in terms of population". The MMPA addresses a variety of issues, such as scientific research, subsistence use of marine mammals, and the incidental by- catch of marine mammals during commercial fishing.

The provisions of the act are applied by the United States and extend to all areas of the world where it may be perceived that actions are endangering wild populations of marine mammals.

The MMPA also applies to countries that engage in ecologically unsound practices. Jurisdiction and enforcement of MMPA is divided between the United States Fish and Wildlife Service and the National Marine Fisheries Service. (http://www.mms.gov/envd-bea/mmpa).

Since 1972 a variety of tactics have been used by industry and aboriginal groups, to lobby for changes to MMPA, including the following: (Wells, 2003).

1. Targeting specific legal provisions of MMPA that could potentially allow for exemptions.

2 Challenging MMPA as it relates to trade agreements such as the Convention on Trade in Endangered Species (CITES); General Agreement on Tariffs and Trade (GATT) and the; World Trade Organization (WTO).

3. Demonstrating that there are economic penalties imposed by MMPA on native and/or other segments of the population.

4. Presenting supporting and scientific information on biomass, sustainability, humane harvesting practices and conservation measures.

In a particularly interesting appeal case to the MMPA, MacDorman, (1995) assessed the legality of MMPA as related to the former 'General Agreement on Tariffs and Trade' (GATT). The assessment suggested that certain provisions of MMPA were in violation of GATT. This review discussed whether U.S. law prohibiting the importation of marine mammal products, (specifically applied to harp seal products from Greenland and Canada) was consistent with the rules of GATT. The research concluded that GATT prohibits import embargoes of any sort, except in limited circumstances.

McDorman's findings were based on the GATT principle that a country may indeed prohibit its own citizens from producing and using harp seal products, as an endangered species, however GATT does not provide justification for prohibiting the importation of harp seal products. There are possible clauses in GATT that might, to some degree, support the United States cause, including 'protection of animal life and conservation of natural resources' (Jacobs,1986)

The final conclusion by MacDorman stated, in principle: "within GATT provisions, the United States can not use trade measures to force moral or ethical values upon a foreign state."

4.2 The United States Political Climate and MMPA

In 1998, following the Canadian harvest of two bowhead whales in the Arctic, United States President Bill Clinton wrote the United States congress, recommending punitive action against Canada. The letter directed the United States Department of Commerce, under provisions of the Marine Mammal Protection Act, to deny any future Canadian requests for waivers to the existing moratorium on the importation of mammal products into the United States. (D. Wells, personal communication, December, 2007.)

Ths action by the U.S. Government was a result of what is known as the 'Pelly Amendment.'

The Pelly Amendment was implemented in 1977, (section 8 of the U.S Fishermen's Protective Act) and required the Secretary of Commerce in the United States to report to the President, when the Secretary determined that nationals of a foreign country were diminishing the effectiveness of international fishery conservation programs. The President of the United States would then authorize the Secretary of the Treasury to prohibit importation of products from the offending nation for a duration of time which was deemed appropriate. It did however, stipulate that any prohibition must be consistent with the General Agreement on Trade and Tariffs, (GATT).

Under the provisions of the Pelly Amendment, the Secretary of Commerce is required to monitor and investigate foreign activities and to periodically review certifications under the terms of the amendment, including all fish products and marine mammals. Provisions were extended in 1978 to include all aquatic species. It was in 1998 that the United States cited Canada under the Pelly Agreement for "conducting whaling activity and effectively diminishing the conservation program of the international whaling commission. "

It was this action that resulted in President Clinton directing U.S. authorities to impose the following:

1. To oppose Canadian efforts to address trade issues surrounding marine mammals in the Arctic Council.

2. To withhold future Canadian requests for waivers of the moratorium on any listed seal products into the United States.

3. To continue to urge Canada to reconsider its decision to authorize whaling on what was interpreted as endangered stocks, outside the international whaling commission authority.

This action has proven a major hurdle for the Canadian sealing industry to this day, as it has sustained the status quo regarding export of seal products to the United States market. The conservation oriented policies of the International Whaling Commission (IWC) were cited in this correspondence to Congress as a main reason for this action (D. Wells, personal Communication, 2007). This is significant, because the United States used a third party international agreement as an authority in this issue. The approach questioned the authority of the United States to unilaterally impose this action, as the result of third party directive.

It was during this same period that the United States granted approximately 50 bow head harvest licenses to Alaskan residents in 1998. This action by the United States occurred less than one year after it recommended punitive action against Canada for harvesting bow head whales, despite no changes in the scientific data during this same period. As well, during this same period, the Department of Commerce of the United States continued to strongly oppose Canadian efforts to harvest marine mammals within the Arctic Council.

The Arctic Council is an intergovernmental agency providing a forum to address issues and challenges facing Arctic people. Member countries include Canada, Denmark, Finland, Iceland, Norway, Russian Federation, Sweden and the United States.

In 2002, the United States congress re-authorized the MMPA for a five-year period and was last re-authorized in 2007. This re-authorization process is designed to provide an opportunity for re-examination of the legislation, however MMPA can be amended at any time.

The United States Trade Representatives Office has suggested that any country wishing to import seal products can apply to the Secretary of Commerce for a waiver of the statutory moratorium on importation (D. Dakins, personal communication, November, 2007).

This strategy has been attempted numerous times by aboriginal sealing groups in Canada, with limited success.

Animal rights groups have continued to exert pressure on governments, and the general public, to maintain the MMPA ban on seal products into the United States. They have had the adhoc support of high-profile members of Congress such as Republican Senator John McCain and Democratic Senator John Kerry.

Further to this, in 2002, seven other northeastern United States senators wrote to the Premier of Newfoundland and Labrador, requesting a curtailment of the commercial seal hunt (Seal Industry Development Council,1996). The letter asked for reductions in the harp seal quota and affirmed that Americans are strongly committed to the spirit of the MMPA, which the senators believed was a vital piece of legislation that served as a model for responsible management of marine resources.

Domestically, an area of concern had been the political appetite in Ottawa for support to initiate changes to MMPA. (M. Small, Personal communication, March, 2007). Staff turnover has been a challenge at the Department of Foreign Affairs and International Trade, the key federal agency involved in the lobby. The time required for new staff to become familiar with the complex seal file has been an impediment. This may be partly attributable to the fact that little progress has been made in efforts to change MMPA.

Complicating the situation in recent years were the terrorist attacks of September, 2001. This national security issue resulted in the American government shifting priorities toward domestic affairs, making inroads in matters such as the MMPA even more challenging.

4.3 International Policy and Trade Issues Related to the MMPA

There are inherent connections between other international agreements and the MMPA. The Convention on International Trade in Endangered Species (CITES) is an international agreement aimed to ensure that international trade in species of wild animals and plants does not threaten their survival. The species covered by CITES are listed in three categories, according to the degree of protection required:

1. Those threatened with extinction.
2. Those not necessarily threatened with extinction, but in which trade must be controlled in order to avoid utilization incompatible with their survival
3. Those which are protected in at least one country, which has asked other CITES members to assist in control of the trade of the specie.

At issue is the linkage which has been made by the United States, between the Marine Mammal Protection Act and CITES. In order to support the prohibition of all marine mammals, The United States applied category one of 'CITES' to classify the harp seal as

endangered. In the opinion of a majority of Canadian agencies and the sealing industry, the harp seal is quite clearly not an endangered species.

Evidence suggests that other nations with historical seal harvests are generally supportive of changes to MMPA. In 1996, the chairperson of the Inuit Circumpolar Conference sent an official request to the United States Ambassador in Denmark, requesting that the United States ban on marine mammal products be removed (D. Wells, personal communication, November, 2007). This request cited four reasons why MMPA was unfair:

1. An MMPA ban does not demonstrate an ecological foundation.
2. An MMPA ban is not consistent with U.S. national law and law management.
3. An MMPA ban is not ethically founded.
4. An MMPA ban is in conflict with one of the cornerstones of U.S. law. This refers to the the freedom for an individual to express his/her religious and cultural beliefs.

Recent peripheral issues may have also impacted Canadian efforts to build support in the United States for MMPA changes. For example, the Humane Society of the United States launched several attempts to establish a boycott of Canada as a tourist destination, unless the seal hunt was ended.

As well, associated advertising campaigns commenced in 2005 to promote a Canadian seafood boycott involving major U.S restaurant chains. These boycotts were supported by coinciding campaigns launched by the International Fund for Animal Welfare. (http://www.ifaw.org). These issues negatively impact efforts to have the MMPA amended.

4.4 Other Jurisdictions, Management Approaches and Utilization

The Northwest Atlantic Harp seal herd is the largest seal resource in the world, there are however other significant seal populations worldwide that are being managed, harvested or culled for a variety of purposes. These other jurisdictions may be potential allies in the pursuit of changes to MMPA.

Commercial sealing activity is currently conducted in five nations, with several others regions having significant seal populations on or near their boundaries. Commercial sealing activity occurs in Canada, Greenland, Namibia, Norway, and Russia. The United States once had a commercial Northern Fur seal harvest, but now maintains a ban on the commercial hunting of fur seals, with the exception of its indigenous people, who are allowed a small number of seals each year.

4.41 Northwest Pacific Region - Pribilof Islands

According to the latest estimates from U.S. Government sources , there are approximately 800,000 fur seals in the Northwest Pacific region. There has been some evidence of decreased pup production in recent years. The Northern fur seal ranges from California to Bering Sea and westward to Japan, with two main breeding populations; the Pribilof Islands and San Miguel Island in California. The Pribilof Islands are now home to more than 70 percent of the world's population or fur seals (http://www.furcommission.com).

In 1993, the United States implemented a conservation plan for northern fur seals, which entailed a revised conservation plan, more recent scientific advice on population trends and a focus on traditional knowledge. The revised plan was completed in 2003/2004 and was implemented over a multi-year period.

The North Pacific Fur seal was hunted historically from the late 1700's into the mid 1980's. From 1786 until 1828, approximately 100,000 fur seals year were harvested each year. Approximately 42,000 seals were taken each year in the Bering Sea, with even more taken from waters off British Columbia. (EFSA Journal, 2007.)

Quite notably, from 1956 to 1968, a 'commercial harvest' of female fur seals commenced with the objective being to reduce the herd size. Once this cull ceased in 1970 , the herd began to slowly increase until the late 1970's when the population began to decline again, however this time the decline was attributed to natural factors. The current total world population of fur seals is estimated at 40 percent of the actual 1956 estimates on population, therefore the herd remains a protected specie. According to the National Marine Fisheries Service (NOAA -Fisheries) "we are dedicated to protecting and preserving our nation's living marine resources through scientific research, management, enforcement, and the conservation of marine mammals and other protected marine species and their habitat."

Potential allies might exist in the United States because of their past relationship with the fur seal and their recent renewed commitment to protecting this resource.

4.42 Greenland

Greenland is allocated a share of the Northwest Atlantic seal herd, although official figures for the Greenland seal hunt are difficult to document. Fisheries and Oceans Canada has estimated, in recent years that between 30,000 to 80,000 seals are killed in Greenland annually.

There have been a small number of harp seal pelts exported to Greenland from eastern Canada in the past two years (estimated at less than 30,000). This was the basis for the sudden import ban of Canadian seal products by the Danish Government in 2005. The pelts sent to Greenland were likely not for final use in the Greenland market, but rather were reprocessed or resold to those lucrative markets in Russia or China. (L. Yetman, personal communication, May 2008.)

The Danish Government heavily subsidizes the domestic Greenland sealing industry and there were serious concerns about Greenland buying seal products from outside sources, such as from Canada, with the possible aid of this subsidization.

The Danish Government's motivation is probably to protect the relatively small Greenland Ring and Harp Seal industry, for which they have invested their own financial resources and for which the direct subsidization was intended. The action safeguarded against subsidies being misdirected to source Canadian product. Sudden interest in the last two years by Greenland buyers in seal products from Canada and other regions, was primarily driven by market forces.

Seal products readily accessible near Greenland (i.e. older harp and ring seals), are not as popular or lucrative in key Russian and Chinese markets as imported younger high quality beater pelts. The Canadian fishery is primarily focused on these younger, more valuable animals.

As Canada has a strong linkage with Greenland through a common harp seal resource, this country might be an important partner in efforts to seek amendments to the MMPA.

4.43 Namibia

South African fur seals have historically inhabited several islands off the coast of South Africa. More recently they have also moved to mainland Namibia. Namibia is the primary African country harvesting the Cape fur seal, with harvest activity occurring in Cape Cross and the Wolf/Atlas Bay areas.

The hunt usually takes place from July to late November, with both commercial hunters and part-time workers harvesting younger pups between 7 to 11 months of age. Rifles and clubs are use for this on- shore harvest, with the harvest peaking at 91,000 seals in 2006. (European Food Safety Authority, 2007).

The Government of Namibia has faced fierce criticism from international animal right groups and other wildlife groups, as Cape fur seals are listed on Appendix II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora. (Note: Appendix II groupings are not threatened with immediate extinction, but survival is highly dependent on adherence to conservation measures).

The hunt in Namibia is the second largest commercial seal hunt in the world, behind the eastern Canadian harp seal hunt. The Namibian Government argues from economic and

scientific perspectives, noting that these seals consume up to 900,000 tons of fish a year, or more than a third of the fishing industry catch. The Government of Namibia maintains that they will continue to use all of their natural resources in keeping with UN Food and Agriculture Organization guidelines, noting that economies are hinged on the exploitation of living natural and nonliving natural resources.(Bank of Namibia, 2006)

Seal skins from the Namibia hunt are generally used for leather goods and furs while the carcasses are disposed or used for animal feed. From an economic perspective, the hunt provides crucial income to the rural poor, specifically women and children. It is apparent that these segments of the Namibian population are the ones mostly affected by not exploiting these seal resources, as the activity generates more than 160 part time jobs.

Namibia may be a potential partner in defense of the eastern Canadian sealing industry and another potential ally in seeking amendments to 'MMPA', as they face similar challenges involving social, economic and resource considerations.

4.44 Scotland

Waters around Scotland are home to about 70% of Europe's population of grey seals (*Halichoerus grypus*) and about 35% of the UK population of common seals (*Phoca vitulina*). This Scottish Grey seal population is the second largest population in the North Atlantic, the largest being in Canada. A huge issue in Scotland is the impact of

these seal populations on salmon and other fish species, which led to the establishment of the 'Moray Firth Seal Management Plan', put in place in recent years to address the impact of seal predation on salmon fisheries. It was intended as a pilot initiative to enable the local Salmon Fishery Boards to manage seal impacts on salmon stocks and in Special Areas of Conservation, while protecting the future of the seal population.

As well, a seal research and monitoring program is supported by the Scottish Government, the Association of Salmon Fishery Boards, and other industry groups.

This plan provides additional information about the effects of seal management on salmon fisheries and on seal populations. This program was developed by the District Salmon Fishery Boards, with input from Government, other agencies such as the Scottish Society for the Prevention of Cruelty to Animals.

Scotland may also be a potential ally in efforts to amend MMPA, as some politicians recently have called for additional research into seal populations and a possible cull. Some have even publically stated that if it is proven that seal populations are damaging fish stocks, tough political decisions would have to be made. Scotland has one of the world's largest seal populations and some believe they should be harvested and used like any other animals (www.scotland.gov.uk/Topics/Environment/20814).

4.45 Russia

The Russian seal hunt is somewhat challenging to document and has not been as well regulated or monitored as other seal hunts. Recent harvests have ranged from 35,000 to 50,000 animals.

Five species of seal are harvested in Russia, including harp, ringed, ribbon, bearded and spotted seals. Seals are also hunted in both the Caspian Sea and Lake Baikal. The ringed seal remains the most commonly hunted species and is harvested on the ice or in open water throughout the year.

Russia has historically used larger vessels that were involved in the harp and hooded seal hunt in the Greenland Sea until about 1994. In more recent years, the extent of commercial hunting in the White and Barents Seas has varied.

Harp seals are taken primarily on the whelping ice in the White Sea, usually from February through early March. Unlike other areas, whitecoat harp seals may still be harvested in the whelping patches, although this practice is under intense scrutiny.

Seals were also harvested using helicopters, however, this type or harvest last occurred in 2005. In this helicopter harvest, molting seals were live captured in March and transported with helicopters to open sheds along the coast, where they were held until they completed their molt. Russian sealers have a quota of 45,100 harp seals (or an equivalancy ratio pups, where one 1 mature seal is equal to 2.5 young pups).

The latest Government reported catches from 2005 show a harvest of 22,474 seals (including 14,258 young animals). In 2006 and 2007, the majority of harp seals were taken from small boats from the end of March to early May.

This hunt focused on harp beaters and most seals were taken with rifles (European Food Safety Authority, 2007).

Russia remains a key market for Canadian harp seals. Therefore there may be potential for support from the Russian Government, however, the ongoing Russian harvest of whitecoats is under increasing scrutiny and is a major issue for many animal rights organizations. (F. Pinhorn, personal communication, June 2008.)

4.46 Norway

Through a common connection to G.C. Reiber Company Limited, who operate in Newfoundland and Labrador, the province has a strong connection to Norway's sealing industry. Sealing was a main means of livelihood for people in the countries around the Arctic and North Atlantic, and therefore is historically very important to Norway. The Norwegian hunt is based on both harp and hooded seals. (EFSA Journal, 2007.)

In Norway, sealing traditionally takes place in three areas; the Barent's Sea, the Eastern Ice off Russia, and the Western Ice off Greenland. Quotas are established with advice from the International Council for the Exploration of the Sea (ICES), the Northwest Atlantic Fisheries Organization (NAFO), and the Institute of Marine Research in Norway.

Norway has adopted a multi-species regime in fisheries management. In 2007, Norway's overall seal quota was 46, 000 animals. Russia is responsible for managing the harp seal stock in the East Ice, the stocks in the West Ice are under the jurisdiction of several other countries.

One important element in the Norwegian seal hunt is the level of direct Government Subsidization. The subsidy was introduced several years ago due to weak markets and reduced profitability of the sealing industry. Market prices have, however, risen sharply in the past few years and this has generated strong criticism towards the Norwegian sealing industry for availing of continued heavy subsidies. Norwegian Government maintains that this state support is still necessary to ensure 'sound regulation of seal stocks and to maintain traditional hunting skills so that seal populations can continue to be appropriately regulated.' (http:norway.org.uk/misc/.aspx)

Norway faces many of the same issues as Canada. These issues include: maintaining seal stocks at a reasonable level, animal rights activity, concerns over other fish stocks and differing influences and user groups, both directly and indirectly. Norway would make a strong partner in any efforts to amend the MMPA and should, therefore, be fully engaged in any process of appeal to the United States Government.

5.0 The Resource:

5.1 A Brief Historical Perspective

The sealing harvest was historically a subsistence hunt and products were used for food, clothing and lamp oil. The commercial industry developed through the late 1800's and early 1900's and pelts became the backbone of the industry. Oil and meat were also valued commodities in local markets, consumed by coastal populations. The seal fishery was sustained by two products through the 1700-1900's period; oil and skins.

These were marketed in Western Europe, particularly the United Kingdom. (Ryan, 1994)

The skins from older harp seals were manufactured into leather and used for upholstery, hats and shoe uppers. Younger harp seals provided oil and fur, which were used in the United Kingdom's traditional craft industries.

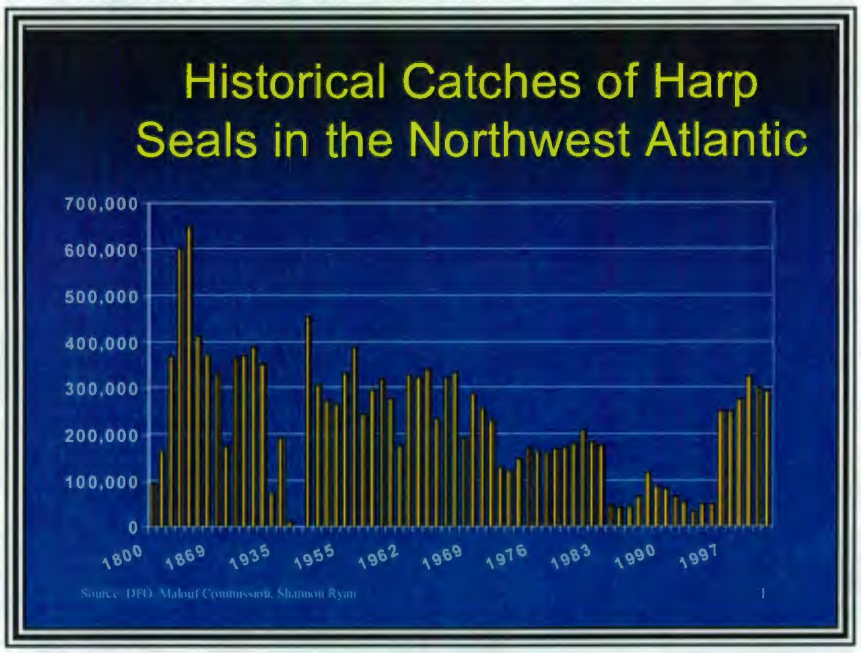
Refined vegetable based oils grew in popularity with the start of the industrial revolution, and were used in a wide range of applications in the food processing industry. The result was a more competitive market, which displaced seal oil products. Vegetable oils were less expensive and widely available by the early part of the 20th century (Ryan, 1994).

In 1857, in the peak of the seal hunt, 400 ships and 13,000 Newfoundlanders and Labradorians participated in the offshore seal fishery, harvesting in excess of 500,000 harp seal white coats.

(Figure 1). During the first half of the 19th century, the sealing industry accounted for 30% of Newfoundland's total exports (Malouf, 1985).

In 1982, a ban was imposed on the importation of white coat skins to Europe through a directive issued by the European community. The offshore seal hunt collapsed. The large vessel and long liner fleets were forced to withdraw from sealing activities, bringing an abrupt halt to sealing and industrial activity that had begun centuries before.

Figure 1



In 1985, the Federal and Provincial Governments responded with a Royal Commission on Seals and Sealing in Canada. The "Malouf Commission" laid the framework for the future of the sealing industry in Canada. The Malouf Commission was mandated to review all matters related to the sealing industry and to recommend policy changes. Many of the suggested strategies from the 1986 report, have been implemented by the Canadian and provincial governments, particularly those recommendations related to management, product and market development, and the aboriginal seal harvest.

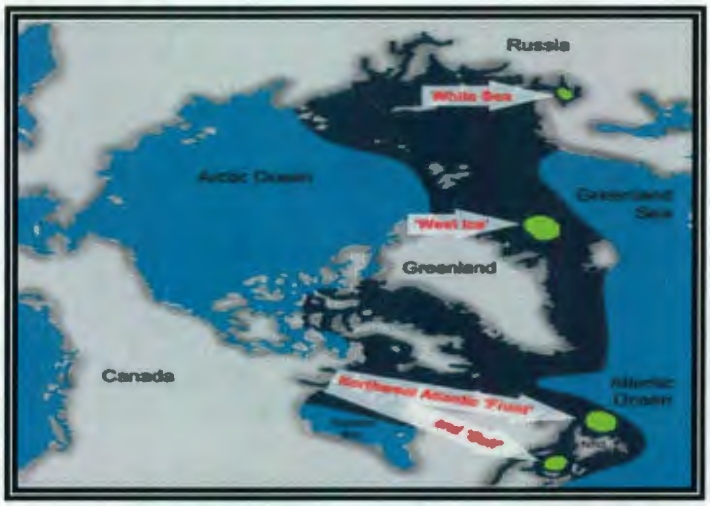
5.2 Distribution

The harp seal (Phoca groenlandica) is the most abundant seal resource in the world. It is an ice breeding mammal which migrates through sub-Arctic and Arctic regions of the Atlantic Ocean. The Northwest Atlantic stock whelps in two areas in early spring, the Gulf of St. Lawrence and the "front" off the Northeast Coast of Newfoundland and Labrador. (Stenson, G., Healey, B., Shelton, P., Sjare. B.,1999.)

The harp seal has three main breeding areas: the White Sea, the Jan Mayen Island and the east coast of Canada (Figure 2). The Northwest Atlantic herd is the largest concentration of harp seals in the world.

Figure 2

Harp Seal Distribution



(Riejnders, P.)

5.3 Management and Stock Status

The Northwest Atlantic harp seal herd is managed by Fisheries and Oceans Canada (DFO) through an annual management plan. This plan is formulated after consultation with industry, evaluation of latest scientific advice and market evaluation. Harp seal quotas were first introduced in 1971.

Several approaches are used to estimate population levels of harp seal. These include survival indexing, sequential population growth analysis and surveys of pup production. In recent years, DFO uses a combination of pup production (Figure 3) and time dependant reproductive rates, in order to derive an estimation on natural mortality and the size of the population in the age 1+ class (Winters, Miller, 1998).

There has been significant debate over the actual size of the seal herd and its impacts on other fish stocks in the Northwest Atlantic. The current management regime of the resource is based on sustainable harvest that allows the harp seal population to remain fairly stable, at the current level of 5.2 million animals. The significant harvests in recent years is of some concern to scientists within Fisheries and Oceans Canada and the international community. This stems from the fact that it will be necessary to make substantial reductions to future total allowable catches, to maintain the population at current levels.

Figure 3

Harp Seal and Pup

(IMMA Photo)

6.0 The Current Economic Value of the Industry

During the period 1996 - 2006, the seal fishery regenerated and become a major contributor to the harvesters income, providing early spring income to prepare for other fisheries. During the 1990's, the value of pelts ranged from $10 to $30 dollars. With a revitalization of the industry from 1996 to 2007, new markets have been developed, with average prices now reaching $50 or more per pelt.

The prices paid to sealers peaked at a record high in 2006 at more than $100 per pelt. This was mainly attributable to high level of competition among buyers in that year, coupled with strong market conditions. This boosted the landed value of seals in 2006, in Eastern Canada, to a record $33 million (Figure 4).

Figure 4

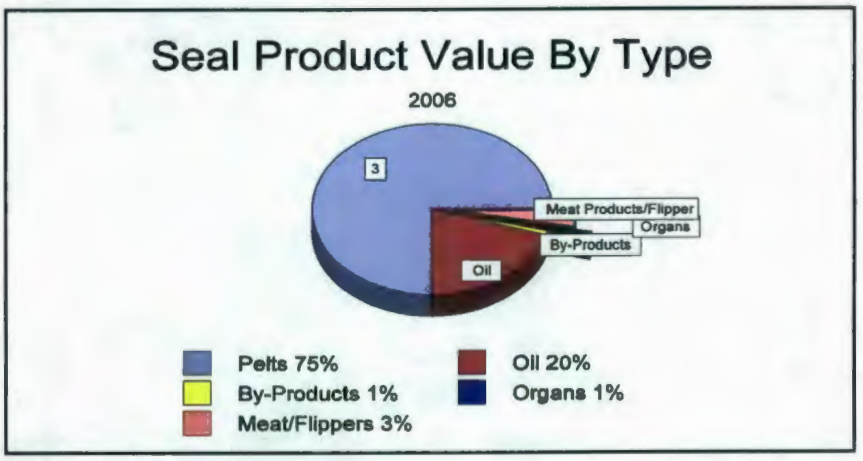
Harp Seal - Landed Values

Year	Number of Seals	Landed Value ($)CAD
1991	47080	424103
1993	23000	200000
1995	61000	700000
1997	275000	5000000
1998	275000	11000000
1999	246000	10000000
2000	86000	4000000
2001	270000	16000000
2004	287000	25000000
2005	303000	31000000
2006	316000	33000000

(Source: DFA Planning Services Division)

Current product value from the sealing industry is derived mainly from two products: fur and omega-3 oils (Figure 5). These products account for approximately 95 percent of the export value.

Figure 5



(Source: DFA, 2006)

The markets for seal products are unique in that while some components are considered neutraceutical in nature, others such as the fur are high end luxury items and are subject to the whims and fluctuations of world fashion markets.

6.1 The Fur Market

The market for fur products is cyclical in nature. Prices fluctuate considerably and the market for seal fur products is susceptible to short-term changes in consumer tastes, fashion and the supply of alternative fur products. (Seal fur designer products - Figure 6)

The campaigns of animal rights groups have negatively impacted consumer perceptions and also caused fluctuations in the demand for fur.

To illustrate, in 2000 the worldwide fur market weakened, as a result the number of animals landed was down to 86,000 animals.

By comparison, in 2001, markets rebounded considerably and were able to absorb the quota of 275,000 animals. The fur trade in Canada contributes about $800 million to the Canadian economy. The market for up to 20 percent of Canadian furs is the United States. (K. Nygaard, personal communication, Febraury 4, 2004). Research has shown that the major purchasers of furs, including seal, are females, aged 22-44 and that warmth and status were the main reason for purchasing a fur clothing item.

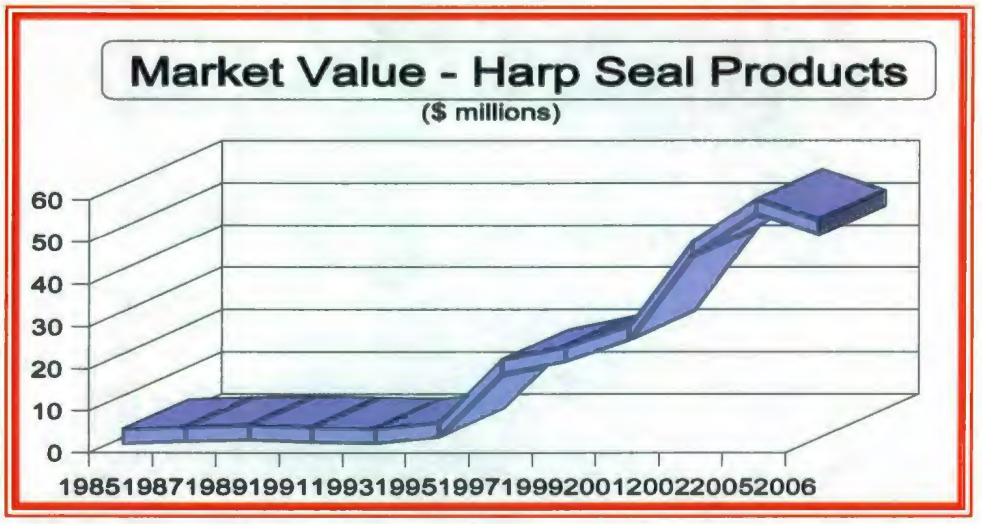
Figure 6

Seal Fur Products

(Courtesy, Seal Industry Development Council, 2001)

Harp seal furs are exported to market in either semi-processed or fully-cured garment ready state. Seal pelts are auctioned in Denmark, Montreal and in some European centers several times a year. The actual market for seal fur is a very small segment of the overall fur market and probably accounts for less than 0.1 % of the world supply of fur. Therefore, to some extent, seal can be marketed as a limited supply item, exclusive of other fur products and suppliers. (F. Pinhorn, personal communication. May 2008.)

Figure 7



(Source: Canadian Sealers Association, 2006)

The export of finished, "garment-ready" seal skins accounted for up to 50% of total seal pelt exports from the east coast of Canada in 2006. The balance were exported in a salted semi-processed state and are fully tanned in Norway, China, Italy or Russia (Nygaard, personal communication, 2007).

6.2 The Seal Oil "Omega-three" market:

The application of seal oil in Omega-3 supplements in recent years has been very positive. Growth has been very strong in neutracuetical markets in Asia and Europe. The positive affect of Omega-3 fatty acids upon inflammatory conditions, circulatory disease and diabetes has been established and has created a marketing advantage for seal oil. The worldwide market for heath food oil based supplements is estimated to be in excess of a billion dollars annually. With an aging demographic and increased awareness of the general health benefits of naturally sourced Omega-3 supplements, there may be an opportunity in the American marketplace for oil supplements derived from harp seal.

6.3 Seal Meat Markets:

The marketing of seal meat products has been the most challenging aspect of developing the commercial seal harvest. Success was achieved to some extent in 1996 and 1997 when seal meat carcass components were processed for white tablecloth markets in China. (D.Wells, personal communication, 2008.)

Figure 8

Seal Meat and Oil Products

Courtesy, Seal Industry Council, 2000)

The primary export market for seal meat has been Asia, although market values for seal meat products in this region are quite low, likely due to a surplus of inexpensive sources of meat protein, such as pork, available from central Canada..

7.0 The United States Trade Potential in the Absence of MMPA

There is very limited historical market data for seal products in the United States. Assumptions have therefore been made using similar products in the categories of fur and oil. Trends have been evaluated to determine relative product placement and prospects for success.

7.1 Furs

The fur market in the United States declined slightly from US. $1.69 billion in 2002 to U.S. $1.53 billion in 2004. For comparison purposes, the 2006 value of seal fur from Newfoundland and Labrador was approximately $38 million (D. Dakins, personal communication, 2007). The United States market may offer great potential to the sealing industry. Canadian fur exports to the United States have a market value, on average, of $50 million per year. (Figure 10).

In the fur and leather industry, world-wide production and use is at very high levels. Global acceptance of fur as fashion has rebounded from late 1980's and Canada's fur and leather industry is currently enjoying a resurgence in production and sales. Canada's primary export market for fur apparel is the United States, which purchases over 80% of our production. Farmed mink and fox are primary products of the North American fur trade, accounting for approximately 85 per cent of the industry's turnover. (L. Hein, personal communication, February 20, 2004).

Fur is currently a fashionable commodity and sales of fur are increasing. Many high-profile fashion houses are now using furs, including: Oscar de la Renta, Dolce & Gabbana, Fendi, Ferré, Gucci, Lagerfeld, Yves St. Laurent, Valentino and Versace.

7.1.1 Product Competition

The characteristics of desirable fur products include distinctive patterning, colour and thinness of the hairs. Short haired furs, such as mink, are in high demand in the fashion industry. Mink fur is the single most popular in the short haired category and would compete with seal fur in the United States market. Lynx, raccoon, beaver, fox, coyote and wolf all have long haired qualities, with lesser demand.

The unique patterning of the harp seal is desirable in an industry that is constantly looking for something different. In the fur business, the typical buyer will upgrade based on a new style becoming available. Designers in the luxury market want something that others do not have and is unique in appearance. The harp seal's distinct pattern and limited supply would satisfy both of these requirements.

7.1.2 Preferences and Trends

According to the Fur Council of Canada, Canadian fur production includes: beaver, chinchilla, mink, fox, lamb, muskrat, seal and coyote. Seal fur fits well into this product line. The short coat dyes well and the skins are relatively large.
(http://www.furcommission.com/resource)

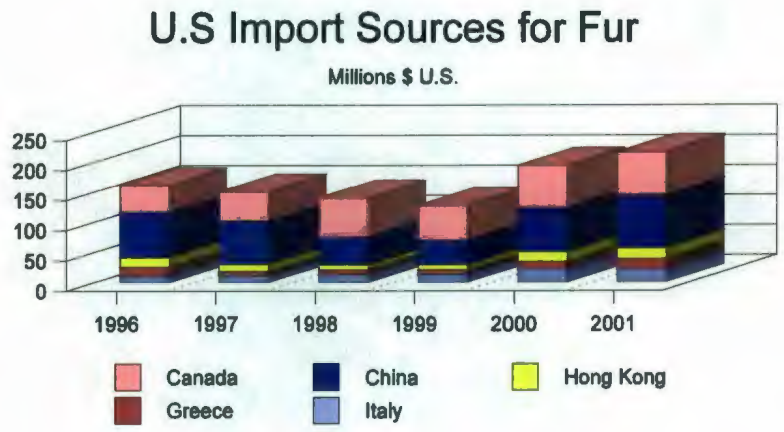
In production of garments, seal fur is comparable to other furs on a cost basis, in that the skins are large and less sewing and labour is required. On a negative note, seal fur may

not have the insulating properties of other more traditional furs (ie beaver) sought in the American market. In harp seal, the natural insulator is the sub-dermal layer of body fat, which is removed during processing (D Dakins, personal communication, November 30, 2007).

7.1.3 Market for furs

In recent years, exports of furs in all categories including raw skins and dressed furs from Canada to the United States has been fairly stable. United States fur imports from worldwide sources decreased over the period 1996-2000, with some re-growth in 2001 and 2002 (Figure 9). This trend is not, however, an indication of decreased fur usage, as the United States domestic supply increased during this same period.

Figure 9



(Source: US Department of Commerce)

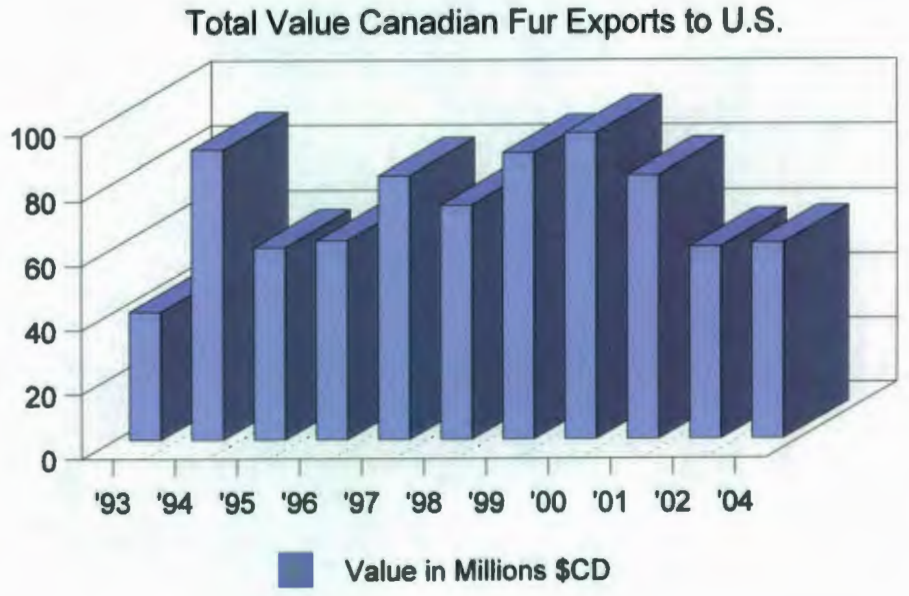
In 2003, the Fur Information Council of America reported that the United States fur sales for 2001 and 2002 were the second best in the past decade and 67% of fur retailers and specialty boutiques reported sales increases this past season. Categories such as fur-trimmed coats, jackets and accessories showed significant growth. In 2002, United States retailers reported fur sales of $1.69 billion, up from ten years prior, when the market reported $1.0 billion in sales. New York remains the primary market in terms of fur sales, one out of five women own a natural fur coat. (http://www.fur.org)

In the United States market, mink is the most popular fur, accounting for 55% of all sales, followed by sable, fox and beaver. According to the Fur Information Council of America (FICA), the average price of fur coats in 2002 was U.S. $5,676.

A majority of fur retailers in the United States are reporting increases in sales. It is likely that the long term trend of increasing fur consumption in the United States will continue. A variety of reasons indicate that harp seal fur would sell strongly in the United States, should the MMPA be amended (Dakins, personal communication, January, 2007). The selling features of seal fur include: light pelt weight, unique patterning, low cost, limited supply, and the fact that seal fur could become a trendy designer product. Figure 10 shows the total value of fur exported to the United States from Canada over the period 1993 to 2004. Positive growth that began in 1995 was set back slightly in 2001 and 2002 to the point where the 2002 value was slightly less than 1995 value of

CAD$60 million. Considering that the worldwide export value of Canadian fur was about C$335 million, $60 million in Canadian exports to the United States may not appear to represent a large market share. However, significant volumes of Canadian seal products would likely surface in the United States via a third "production" country such as China. This would likely be the scenario for many of the seal fur products entering an open United States market. (Wells, 2006)

Figure 10



Source: Statistics Canada

The entire harp sea quota is currently absorbed in the world market. Consequently, accessing the United States market for harp seal will not translate to additional harp seal

fur being sold. However, the effect of opening the United States market for seal fur will increase demand with the same current supply, resulting in higher prices for seal fur products.

7.2 Seal Oils

The category of seal oils will be discussed in the context of marine oils. Growth in marine oils was among the highest of all health food sectors in the United States in 2002. While the vitamin market controls the largest share at 48%, the marine oils sector shows an extremely high rate of growth. This is destined to grow further, as medical research continues to support the benefits of omega-3 oils. If the United States market does open, it will be important to educate the health product consumers on the special benefits of omega-3 oils from harp seal.

In 2000, global dietary supplement sales were U.S.$50.4 billion, with the United States at $16.8 billion, a third of the global market. In 2004, the United States diet supplement market grew to US $17.7 billion. Marine oils in particular, experienced even higher growth. (Ho, 2003).

The United States Congress recently added the classification "dietary supplement" in the Dietary Supplement Health and Education Act (DSHEA), of 1994. According to the DSHEA: "a dietary supplement is a product that contains a specific dietary ingredient, intended to supplement the diet." This definition would include Omega-3 marine and seal oils, which contain specific

fatty acids known to have health benefits. Figure 11 lists the growth in sales for supplements in the United States for 2004.

Figure 11

Sales Growth in Supplements - United States Market

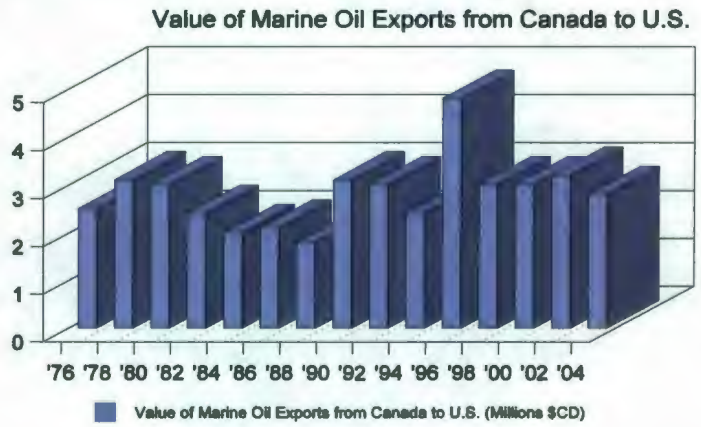
Product Category	Growth % 2001 - 2004
Dietary supplements (Omega-3 products)	30%
Sports Nutrition	17%
Specialty Soy Formulas	11%
Functional foods	28%
Minerals	8%
Vitamins	2%
Herbal Formulas	2%

Source: Nutrition Business Journal Supplemental Business Report, 2002

The total quantity and value of U.S. imports of fatty acid oils was virtually nil until the early 1980's when it began to develop, peaking in the early 1990's at 70,000 metric tons with a value of US$60 million. The import quantity then declined for a few years, but peaked again in 2000 at 80,000 mt, US$74 million. (Wells, 2006)

Canada's exports of marine oils to the United States for this same period fluctuated between 2 - 4.5 million dollars (Figure 12).

Figure 12



Source: Food and Agriculture Organization, Year Book Statistics

Many of the marine oil products in the United States are promoted as being beneficial to health. The cornerstone of these promotions and claims is the presence of omega-3 fatty acids. Omega-3 is the term used by scientists to define one particular group of fatty acids. Omega-3 fatty acids are referred to as "essential fatty acids" because the body needs them, but does not produce them. These essential fatty acids must be obtained from outside sources, through food or supplements. (Shahihi, 1996)

7.2.1 Competing Marine Oils and Omega-3 Sources

Traditional fish oils and cod liver oil contain significant amounts of the Omega -3 fatty

acids, eicosapentaenoic acid (EPA) and docosahexaenoic acid (DHA). Seal oil is another important source of EPA and DHA. These fatty acids have anti-inflammatory effects that aid treatment of inflammatory disease, such as rheumatoid arthritis. (Ho, 2003)

These oils are also useful in treating blood pressure problems and heart disease, as well as a variety of other health concerns. Aboriginal populations, who traditionally existed on diets with high levels of EPA and DHA, have fewer incidences of circulatory disease. (Ho, personal communication, 2008.) In the absence of MMPA, this ethnic segment of the United States population may present a potential market niche for these types of Omega-3 marine oil products.

As a potential marketing tool, seal oil is the only marine mammal oil that has high levels of docosapentaenoic (DPA), a third fatty acid known to be important in brain development. Omega -3 values are significantly higher in seal oil than in any other fish oils and are much more readily absorbed by humans. (Shahidi, 1996).

Literature produced in 2002 by "Omega Protein Incorporated", a major United States marine oil producer states: "Omega-3 oils are commonly referred to as essential fatty acids because the human body does not produce them and they must be obtained from outside sources, such as food or special supplements. Omega-3's oils are commonly referred to as good fat, recognized for their health benefits. Conversely, long term consumption of bad fats (saturated) is directly linked to health problems."

8.0 Conclusion, Strategy and Recommendations

Canada, particularly the aboriginal and commercial sealing interests, have been negatively impacted by the international sanctions of the Marine Mammal Protection Act since 1972. The collapse of certain fisheries systems in Atlantic Canada, some of which have been under moratoria since 1992, has placed commercial fishers and aboriginal peoples in economic transition. This has subsequently increased the reliance on marine mammals for both subsistence and cash income on an annual basis.

The MMPA restrictions were intended to promote conservation both in United States and abroad, but undoubtedly they have proven to be inappropriate management tools and have created unmerited trade barriers, particularly for the Canadian sealing industry. These barriers have become unacceptable to the Canadian Government, the sealing industry, and native populations.

The trade restrictions imposed by the MMPA are quite unique to marine mammals, in that they directly impact the trade of a wildlife species between Canada and the United

States. The United States has not accepted Canadian standards in the sealing industry as evidence of a well managed seal resource, nor as a humanely managed and scientifically sound harvest. The U.S. has imposed its own standards of conservation and humaneness as the benchmark for all other jurisdictions to be measured. The basic provisions of MMPA address protection, humaneness and maintaining an optimal population level.

Canada has adhered to these standards through regulation of the most humane hunting practices, reducing wastage and establishing quotas that are scientifically sound and generally accepted, internationally, as reasonable.

The communications messages of many US based international animal rights organization have focused heavily on the use of visuals, consistently providing misinformation by showing pictures of white coat seal pups that are no longer harvested, weapons that are generally no longer used in the industry and inhumane practices. These tactics were particularly powerful in the 1960s as visuals of blood on ice, baby seals, skinned seals and hunters with clubs were seen for the first time by mass United States audiences. In the early days of television, such visuals would have had a huge impact on audiences. Ths attention drew the first journalists to the ice flows to cover the seal hunt.

There have historically been disputes between the animal rights movement and the Department of Fisheries and Oceans regarding the sustainability issues, which, earlier discussed, is an important factor in any appeal to the MMPA.

Since opposing the hunt is such a lucrative activity for many animal right's organizations, it is in their best interest to continue opposing the hunt on the basis that it is 'inhumane and environmentally unsustainable'. These disputes continue to this day and will continue to be a hindrance to future MMPA challenges. It can be argued that in recent years, animal rights groups actions in breaking Canada's observer permit conditions has become an effective tool in

drawing additional media attention to the hunt. Both the Federal and Provincial Governments have been indecisive on the issue of whether or not to actively engage the anti-sealing movement publicly. This has likely impacted the progress of MMPA challenges and stymied any real momentum. MMPA has often been portrayed as a fight that cannot be won, particularly since the animal rights movements can engage in the use of such strong visual imagery that can only be countered with facts. Adding to the challenge, is the fact that the sealing industry itself has generally supported taking a more low profile approach and not drawing any undue attention to the industry.

8.1 Strategy for Government and the Sealing Industry:

The product mix from seal oil has changed dramatically in the past three to four years and has resulted in a dramatic increase in the value of the final products. If potential United States markets can be developed upon MMPA changes, it would demonstrate substantial economic benefit for the sealing industry.

It had been expected that the sealing industry would continue to expand over the next three to five years, with the value of the sealing industry reaching $100 million, by 2009. This projection is based on average pelt prices of $180 per pelt. (F. Pinhorn, personal communication, 2008) However, in 2006 and 2007, ice conditions coupled with market saturation and quality issues have caused pelt prices to drop well below $50 per pelt. In terms of employment, the industry will likely continue to employ about 5000 fishers and 500 plant workers on a seasonal basis, with a small percentage of plant workers employed on a full time

basis tanning fully cured furs.

It is important that the Canadian sealing industry be able to develop the lucrative United States market. The Canadian, Newfoundland and Labrador, and Quebec governments continue to lobby for changes to the Marine Mammal Protection Act. The government of Nunavut recently requested an amendment to MMPA on a cultural and heritage basis for northern aboriginal people. Other industry associations representing seal harvesters, processors and marketing agents are also lobbying for change.

Unfortunately, the future success of MMPA challenges may be uncertain, as animal rights groups have some of their greatest success in the United States. In excess of 60 % of the membership of animal rights groups are in the United States. A strong environmental lobby is also present in this country. Within American political culture, there is strong support for sustaining the MMPA.

This is particularly true in Congress. In fact, some of the American congress tout 'MMPA' as a prime example of the best environmental legislation in the country. There are, however, a few groups that might support the Canadian position on the importation of seal pelts into the United States. The U.S. Congress and conservation groups are generally favorable towards fair treatment of aboriginal people, aging populations and related national organizations with notable political influence.

As discussed earlier in this report, previous tactics used to influence the United States government on the importation of seal pelts and MMPA have generally centered around influencing federal members of congress and their senior staff. However, this would likely be an exercise in futility as the MMPA continues to enjoy significant mass popularity in America. It is a piece of legislation of which many Americans are proud.

Against this back drop, it would be more beneficial to lobby for MMPA changes and build support from potential allies in the United States. This would be linked to areas such as effective and sound management of the hunt, the importance to our economy, the heath benefits to be derived from seal products within certain segments of the U.S. population and lastly, the economic significance of the industry to coastal and aboriginal peoples.

To realize changes to MMPA, ongoing support from the Canadian government, particularly the Department of Foreign Affairs and International Trade (DFAIT), will be required. To help with this effort, it is important that DFAIT have access to reliable and accurate information on the sealing industry. This should include information on issues such as health benefits, herd status, economic impacts of MMPA and other national and international considerations. The government's challenge to MMPA should include the following perspectives:

1. Proposed health benefits to Americans as a diet supplement, particularly the baby boomer segments of the population.
2. That the sealing industry is sustainable and properly managed; current harp and grey seal populations of seals are likely adversely affecting groundfish recovery.

3. That MMPA provisions may be in contravention of some bilateral treaties (GATT).

The Fur Institute of Canada (FIC) has become very proactive in recent years and are a key non-Governmental agency promoting the cause of the east coast sealing industry. They have worked cooperatively with federal agencies and the Provincial Government in the creation of a strong informal 'sealing network' (FIC, 2006). The sealing coalition is represented by sealing stakeholder groups ranging from Inuit, sealing associations, industry groups, veterinarians, biologists, government agencies, researchers and other specialists.

This sealing network of the FIC set up a new website in 2007 (www.sealsandsealing.net) and produced a variety of promotional materials to support their plans to publically challenge important issues, primarily the seal product trade bans in the European Union and the Marine Mammal Protection Act.

8.2 Recommendations:

The following recommendations are proposed for provincial and federal governments and industry to address MMPA issues in the United States:

1. Demonstrate the advantages of Omega -3 oils from seals over traditional fish oils to the American populace.

Scientific research on seal oil omega three content needs to be accepted in the United States market. This can be accomplished through distribution of published scientific works,

international health supplement conferences, scientific journal publications and solicitation of general support from the scientific community, twinning arrangements with American Universities and phamaceutical companies.

Seal oil is marketed in concentrated and capsule form which is rich in Omega-3 acid. These fatty acids are well known and accepted to be helpful in preventing and treating hypertension, diabetes, arthritis and many more health problems. (Ho, 2003).

There must be more formal clinical trials on the benefits of Omega-3 from seal. There is an abundance of information on health benefits of fish oils. Most of this information is related to marine fish such as herring, salmon and tuna. Limited clinical trial work has been completed on seal oils. Clinical trials would allow this information to be presented to the American consumer, and could potentially lead to growing demand in the United States market. This recommendation carries considerable cost, but may be feasible by raising the profile of seal oil health benefits with groups such as the American Association of Retired Persons (ARP) and other special interest groups. These potential 'allies' would likely benefit most from being able to access Canadian Omega-3 seal oil products, in the absence of MMPA.

2. Develop educational programs on Sealing Industry Issues for appropriate United States government agencies and the general public.

This would include humaneness issues, sustainability, biomass, health benefits and a review of the extent of the existing and potential United States fashion fur market. Many non-governmental organizations involved in American based animal right's aCtivities are quite versatile.

They tend to have an advantage over governments agencies in using the media. They are generally not as constrained by the same level of process in making communications decisions, political sensitivities or accuracy, enabling them to act quickly and freely in getting their messages out. This enables them to be extremely responsive in a short time frame to any educational or information programs launched by the sealing industry In essence, they have a broader range of tactics at their disposal which they can draw on in shorter time frames.

The main focus of any information and educational program would be to counteract mis-information on the province's sealing industry, with the American populous, particularly myths and misleading messages that are being spread by international anti-sealing organizations. Effective educational materials and a well developed website would support efforts in the potential American marketplace and allow quicker response to any boycotts or bans on the importation of seal products.

It is also imperative to further develop the relationship with the federal Department of Fisheries and Oceans on seal fishery issues, so that stakeholders may work more effectively together on this issue. As well, there is a need to be more proactive in effectively informing and influencing the Department of Foreign Affairs and its embassies on the sealing industry. The dissemination of appropriate information to the United States markets and key groups within, such as the 'ARP', will demonstrate that that the seal fishery is indeed soundly managed, sustainable and that it is the unjust target of many international animal rights groups.

3. Align support with groups in the United States that could potentially be allies in efforts to seek changes to MMPA.

This approach will aid in developing support from within the United States for changing MMPA. Potential allies such as the American Association of Retired Persons (AARP) or the American Diabetes Association (ADA) are very powerful lobby groups who may recognize the long term health benefits for their members, through access to Canadian Omega-3 seal products.

Alaskan natives may be amicable to supporting the Canadian cause because of their historical connection to the sealing resources in the Pribilof Islands. As well, Fishermen in the New England States, California and Washington states have a longstanding issues with rapidly increasing populations of some marine mammal species . These associations would be potential allies in supporting amendments to the Marine Mammal Protection Act. Other potential supporters would be hunting groups, commercial trapping and fur farming associations and industry groups such as the American Fur Institute .

4. Develop and strengthen political support by linking MMPA to other trade issues.

It may be challenging to get political support for this initiative, but it is imperative that, as with any trade issue, MMPA challenges be strongly backed by the Canadian government. The MMPA issue must receive the same profile as wheat, softwood lumber and salmon issues. The sealing industry must be acknowledged to be of value, economically, ecologically and culturally to all Canadians.

5. Develop allies in other jurisdictions that support sealing and future MMPA changes.

There is strength in numbers. Through a co-ordinated effort with other nations, such as Greenland, Norway, Namibia and others, there is a better chance of success in achieving MMPA changes. These other nations and governing bodies would help provide a united front in addressing potential MMPA amendments.

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