

117TH CONGRESS  
2D SESSION

# S. 5032

To provide for the reestablishment of the National Fish and Seafood Promotional Council, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 29, 2022

Mr. WICKER (for himself and Mr. CARDIN) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To provide for the reestablishment of the National Fish and Seafood Promotional Council, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Seafood Marketing Act  
5 of 2022”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) The public health benefits of eating seafood  
9 for brain health, heart health, mental health, and  
10 overall wellness are well researched and established.

1           (2) Prominent organizations have consistently  
2 recommended eating at least 2 servings of seafood  
3 per week, including—

4                   (A) the Department of Agriculture and the  
5 Department of Health and Human Services in  
6 the Dietary Guidelines for Americans in 2010,  
7 2015, and 2020;

8                   (B) the Food and Drug Administration  
9 since 2004; and

10                   (C) the American Heart Association.

11           (3) Only 1 in 5 people in the United States fol-  
12 low the Dietary Guidelines for Americans to eat at  
13 least 2 servings of seafood per week, according to  
14 the Centers for Disease Control and Prevention.

15           (4) Eating seafood at least twice per week can  
16 reduce the risk of dying from heart disease by 36  
17 percent.

18           (5) More than 877,500 people in the United  
19 States die of heart disease or stroke each year, and  
20 the economic toll is approximately \$363,000,000,000  
21 in healthcare costs and lost productivity.

22           (6) Close to 55,000 deaths per year are associ-  
23 ated with insufficient seafood consumption in the  
24 United States.

1           (7) Pregnant people in the United States eat on  
2 average 1.8 ounces of seafood per week compared to  
3 the dietary recommendation of 8 to 12 ounces of  
4 seafood per week.

5           (8) Strong medical evidence shows that nutri-  
6 ents specific to seafood reduce the risk of preterm  
7 birth by more than 40 percent. In the United States,  
8 1 in 10 infants are born prematurely, which can  
9 negatively impact brain development, vision, and  
10 hearing.

11           (9) Public education campaigns have effectively  
12 communicated the health and nutritional benefits of  
13 other dietary recommendations.

14           (10) A previous effort to promote the public  
15 health benefits of eating seafood was conducted by  
16 the National Fish and Seafood Promotional Council,  
17 which was Federally funded from 1987 to 1991.

18           (11) The Marine Fisheries Advisory Committee  
19 of the National Oceanic and Atmospheric Adminis-  
20 tration published a report in July 2020 recom-  
21 mending establishing a National Seafood Council to  
22 elevate the narrative of the nutritional value of sea-  
23 food, which the report states could directly improve  
24 the health of the people of the United States.

1           (12) Increasing the awareness and perception of  
2           edible invasive non-native species of seafood can help  
3           control aquatic invasive species populations and sus-  
4           tain native stocks.

5 **SEC. 3. REESTABLISHMENT OF NATIONAL FISH AND SEA-**  
6 **FOOD PROMOTIONAL COUNCIL.**

7           (a) **FIRST MEETING.**—Section 205(g) of the Fish  
8           and Seafood Promotion Act of 1986 (16 U.S.C. 4004(g))  
9           is amended by striking “first meet” and all that follows  
10          and inserting “first meet not later than 180 days after  
11          the date of the enactment of the Seafood Marketing Act  
12          of 2022.”.

13          (b) **INITIAL APPOINTMENTS.**—Section 207(a)(5) of  
14          the Fish and Seafood Promotion Act of 1986 (16 U.S.C.  
15          4006(a)(5)) is amended by striking “within ninety” and  
16          all that follows and inserting “not later than 90 days after  
17          the date of the enactment of the Seafood Marketing Act  
18          of 2022.”.

19          (c) **TERMINATION.**—Section 206(g) of the Fish and  
20          Seafood Promotion Act of 1986 (16 U.S.C. 4005(g)) is  
21          amended by striking “December 31, 1991” and inserting  
22          “December 31, 2027”.

1 **SEC. 4. MODIFICATIONS TO QUALIFICATIONS FOR VOTING**  
2 **MEMBERS OF NATIONAL FISH AND SEAFOOD**  
3 **PROMOTIONAL COUNCIL.**

4 Section 205(d) of the Fish and Seafood Promotion  
5 Act of 1986 (16 U.S.C. 4004(d))—

6 (1) in paragraph (1), by striking subparagraphs  
7 (E) and (F) and inserting the following:

8 “(E) one member-at-large with demonstrated  
9 expertise in fresh-water and inland commercial fish-  
10 eries who is not a resident of the States of the Alas-  
11 ka, Pacific, Southeast, and Northeast regions;

12 “(F) one member-at-large who is a person pro-  
13 fessionally engaged in consumer marketing and the  
14 dissemination of information pertaining to the nutri-  
15 tional benefits and preparation of seafood and sea-  
16 food products; and

17 “(G) one member-at-large with demonstrated  
18 expertise in scientific research on the nutrition and  
19 public health benefits of seafood consumption.”; and

20 (2) by amending paragraph (2) to read as fol-  
21 lows:

22 “(2) Of the members appointed pursuant to each of  
23 subparagraphs (A) through (D) of paragraph (1), one  
24 shall be a harvester, one shall be a processor or a receiver,  
25 and at least one shall have demonstrated marketing exper-  
26 tise.”.

1 **SEC. 5. FUNDING FOR FISHERIES PROMOTION FUND.**

2 Section 209 of the Fish and Seafood Promotion Act  
3 of 1986 (16 U.S.C. 4008) is amended—

4 (1) in subsection (b), by amending paragraph  
5 (1) to read as follows:

6 “(1) amounts appropriated pursuant to the au-  
7 thorization of appropriations under subsection (e) of  
8 this section;”;

9 (2) in subsection (d), by striking “fiscal year  
10 1987 through fiscal year 1991” and inserting “fiscal  
11 year 2023 through fiscal year 2027”; and

12 (3) by adding at the end the following:

13 “(e) AUTHORIZATION OF APPROPRIATIONS.—There  
14 are authorized to be appropriated for the Fund  
15 \$25,000,000 for each of fiscal years 2023 through 2027.”.

16 **SEC. 6. DEFINITION OF SEAFOOD IN FISH AND SEAFOOD**  
17 **PROMOTION ACT OF 1986.**

18 (a) IN GENERAL.—Section 204 of the Fish and Sea-  
19 food Promotion Act of 1986 (16 U.S.C. 4003) is amend-  
20 ed—

21 (1) by striking paragraph (3);

22 (2) by redesignating paragraphs (4) through  
23 (14) as paragraphs (3) through (13), respectively;  
24 and

25 (3) by inserting after paragraph (13), as redес-  
26 igned, the following:

1           “(14) ‘seafood’ means finfish, mollusks, crusta-  
2           ceans, seaweed, and all other forms of aquatic life  
3           used for human consumption; the term does not in-  
4           clude marine mammals and seabirds;”.

5           (b) CONFORMING AMENDMENTS.—The Fish and  
6           Seafood Promotion Act of 1986 (16 U.S.C. 4001 et seq.)  
7           is amended—

8           (1) in section 202 (16 U.S.C. 4001)—

9                   (A) in paragraph (1), by striking “fish re-  
10                  sources” and inserting “seafood resources”;

11                  (B) in paragraph (3), by striking “fish  
12                  contribute” and inserting “seafood contrib-  
13                  utes”; and

14                  (C) in paragraph (6), by striking “fish spe-  
15                  cies” and inserting “seafood species”;

16           (2) in section 203 (16 U.S.C. 4002)—

17                   (A) in paragraph (2), by striking “species  
18                  of fish” and inserting “species of seafood”;

19                  (B) in paragraph (3), by striking “domes-  
20                  tically-produced fish” and inserting “domesti-  
21                  cally produced seafood”;

22                  (C) in paragraph (5), by striking “fish”  
23                  and inserting “seafood”; and

24                  (D) in paragraph (7), by striking “fish”  
25                  and inserting “seafood”;

1 (3) in section 204 (16 U.S.C. 4003)—

2 (A) in paragraph (4), as redesignated by  
3 subsection (a)(2), by striking “fish” and insert-  
4 ing “seafood”;

5 (B) in paragraph (11), as so redesignated,  
6 by striking “fish or fish products (including  
7 fish” and inserting “seafood or seafood prod-  
8 ucts (including seafood”;

9 (C) in paragraph (12), as so redesignated,  
10 by striking “fish” each place it appears and in-  
11 sserting “seafood”;

12 (D) by striking “fish and fish products”  
13 each place it appears and inserting “seafood  
14 and seafood products”; and

15 (E) by striking “fish or fish products”  
16 each place it appears and inserting “seafood or  
17 seafood products”;

18 (4) in section 206 (16 U.S.C. 4005)—

19 (A) in subsection (c)—

20 (i) in the first sentence, by striking  
21 “fish or fish products” and inserting “sea-  
22 food or seafood products”; and

23 (ii) in the second sentence, by striking  
24 “fish species” each place it appears and in-  
25 sserting “seafood species”; and



1 (B) by striking “fish and fish products”  
2 each place it appears and inserting “seafood  
3 and seafood products”;

4 (5) in section 210 (16 U.S.C. 4009)—

5 (A) by striking “fish and fish products”  
6 each place it appears and inserting “seafood  
7 and seafood products”;

8 (B) by striking “fish or fish products”  
9 each place it appears and inserting “seafood or  
10 seafood products”; and

11 (C) by striking “fish or fish product” each  
12 place it appears and inserting “seafood or sea-  
13 food product”;

14 (6) in section 213 (16 U.S.C. 4012), by striking  
15 “fish” each place it appears and inserting “seafood”;  
16 and

17 (7) in section 216(a) (16 U.S.C. 4015(a))—

18 (A) in paragraph (2), by striking “fish or  
19 fish products” and inserting “seafood or sea-  
20 food products”; and

21 (B) in paragraph (4), by striking “fish and  
22 fish products” and inserting “seafood and sea-  
23 food products”.

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