



 Fisheries

Study: U.S. fishing law does not constrain most fisheries or cause 'underfishing'

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By Responsible Seafood Advocate

New study finds that rhetoric about 'underfishing' in U.S. waters may be misguided



A new study finds that criticisms about "underfishing" in U.S. waters may be misguided, with lack of demand a contributing factor. Photo by [energetic.com](https://www.pexels.com/photo/fresh-fishes-3650159/)

A new study has concluded that the Magnuson-Stevens Act does not constrain most fisheries and that there are complex reasons that lead to certain fish species being underfished.

The study, which was published in *Science* (<http://dx.doi.org/10.1126/science.adf5595>), examined the assertion of critics of U.S. fishing law that it is too stringent and unnecessarily leaves too many fish in the water. The researchers examined two decades of data on 170 U.S. fish stocks. These 170 managed fish stocks represent 85 percent of the U.S. marine commercial fish landings.

The research team found that the main reason about half of the fish stocks in the U.S. are considered “underfished” is due to pure economics – fishers are not harvesting the fish because there is not enough demand for them.

Just four fish species – the Eastern Bering Sea walleye pollock, Atlantic sea scallop, Gulf of Mexico brown shrimp and Gulf of Mexico white shrimp – make up the majority of the revenue of those stocks that the researchers characterized as potentially less utilized and fished. Of those, most revenues came from just one species: The walleye pollock, the catch of which is not constrained by the Magnuson-Stevens Act.



(<https://www.deviseafoods.com>).

Other, healthy fish stocks are being left in the water because they could not be profitably caught without also catching other fish species that are depleted.

“Some healthy stocks are constrained by the Magnuson-Stevens Act because they are often caught with other stocks that are depleted,” said Kimberly Oremus, co-author and assistant professor in the School of Marine Science and Policy at the University of Delaware. “Some stocks are constrained by other laws such as the Marine Mammal Protection Act or the Pacific Halibut Treaty with Canada. Some stocks are constrained by both market forces and policies, such as our Gulf of Mexico shrimp stocks that are struggling to compete with the price of imported shrimp coming from less regulated countries.”

While political rhetoric has focused on laws that protect fisheries – such as the Magnuson-Stevens Act – as the main culprit in underfishing, the researchers said it is important to take a nuanced view of the picture and view fisheries on a case-by-case basis.



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To properly evaluate a fishery management system, we need a measure of the management regime as a whole: Enter the Fisheries Management Index (FMI).



“Targeting the Magnuson-Stevens Act will not change some of these outcomes,” said Eyal Frank, co-author and an assistant professor at the University of Chicago Harris School of Public Policy. “It is important to understand the multitude of factors involved. Simply relaxing fishery management targets under the law will most likely fail to increase utilization in many of the marine fisheries that appear to be underutilized at face value.”

With changes to the environment and overfishing still a big concern in other parts of the world, it is critical to have science-based fisheries laws in place to sustain fish stocks moving forward, Oremus said.

“On average, we find that less fished stocks were less fished six years before the law was passed in 1996, and their share of revenue has remained steady from 1990-2015,” Oremus said. “Though no law is perfect, the law appears to be attempting to balance the needs of fishers, other stakeholders, and the long-term conservation of the resource.”

Read the full study here (https://www.science.org/doi/10.1126/science.adf5595?adobe_mc=MC MID%3D47870151390029783420829366194149695191%7CMCORGID%3D242B6472541199F70A4C98A6%2540AdobeOrg%7CTS%3D168631)

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