

United States Senate

WASHINGTON, DC 20510

July 24, 2012

The Honorable Rebecca Blank
Acting Secretary
U.S. Department of Commerce
1401 Constitution Avenue, NW
Washington, DC 20230

The Honorable Ron Kirk
U.S. Trade Representative
Office of the U.S. Trade Representative
600 17th Street, NW
Washington, DC 20508

Dear Secretary Blank and Ambassador Kirk:

We are writing to express our concern about the decision by the World Trade Organization (WTO) ruling partly against the United States' Dolphin-Safe tuna label. We are deeply disturbed by Mexico's efforts to undermine this voluntary and highly effective program to protect dolphins. As the parties responsible for implementing this label and defending it in international trade disputes, we request your assistance in developing a solution for complying with the ruling that maintains the current level of protection for dolphins.

For decades, Mexican fishermen have profited from the close association between dolphins and tuna in the Eastern Tropical Pacific by using purse seine nets to encircle dolphins and catch the tuna underneath. According to data from the Marine Mammal Commission and the Inter-American Tropical Tuna Commission, this method has resulted in the deaths of 6.5 million dolphins over the past sixty years – and this number is thought to be an underestimate. The Dolphin Protection Consumer Information Act of 1990 established standards for the use of the Dolphin-Safe label to recognize tuna caught without the use of this cruel and lethal practice. Thanks to this label and other conservation measures, dolphin deaths in the tuna industry have declined a remarkable 98 percent since 1990.

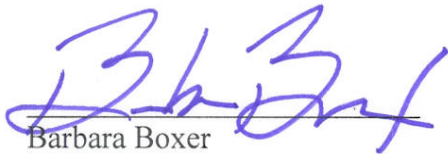
As you know, the U.S. and Mexico have been engaged in a WTO dispute since 2008 over Mexico's allegations that the U.S. Dolphin-Safe label creates a barrier to trade. It is important to note that this is a voluntary labeling scheme, and Mexican tuna can be and is sold in the U.S. without the label. Furthermore, Mexican tuna could qualify for the Dolphin-Safe label if Mexico agreed to follow the standards for Dolphin-Safe tuna that other countries, including the U.S. and Ecuador, follow in the same waters.

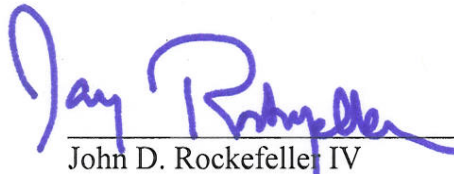
We are deeply disappointed by the WTO's final ruling, but we stand firmly committed to preserving the Dolphin-Safe label. Let us be clear – Congress has no intention of repealing or weakening the current law applying to this label. Therefore, we request your assistance in developing a solution for complying with the ruling that maintains the current level of protection for dolphins.

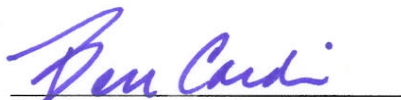
While we recognize the urgency that the WTO appeal panel's decision presents, we urge you to uphold the integrity of the U.S. Dolphin-Safe label to the fullest extent possible. Any weakening of the label would not only undo decades of conservation efforts, but would be a disservice to American consumers who have come to rely on the U.S. Dolphin-Safe tuna label


when purchasing tuna products. Thank you for your consideration of this issue of vital importance to conservation and the protection of consumer rights.

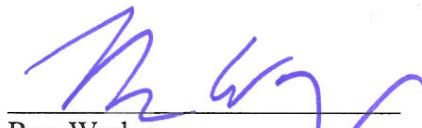
Sincerely,

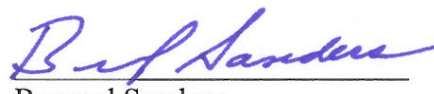

Barbara Boxer
United States Senator



John D. Rockefeller IV
United States Senator

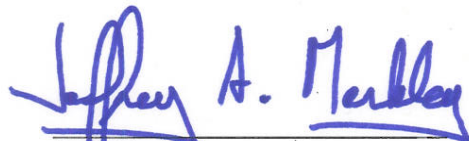

Benjamin L. Cardin
United States Senator

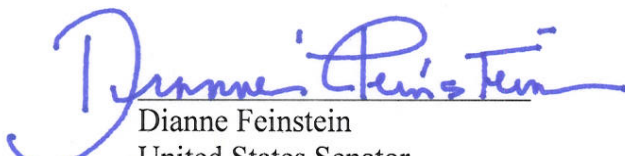

Sheldon Whitehouse
United States Senator

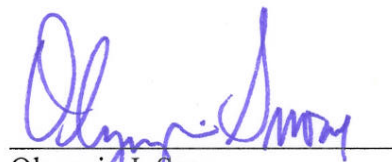

Ron Wyden
United States Senator

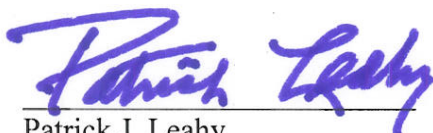

Bernard Sanders
United States Senator

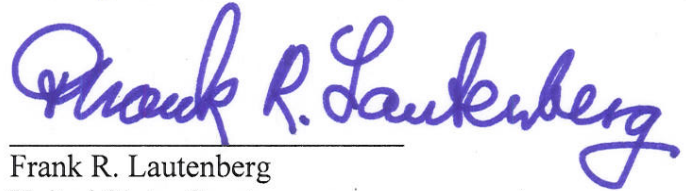

Richard Blumenthal
United States Senator

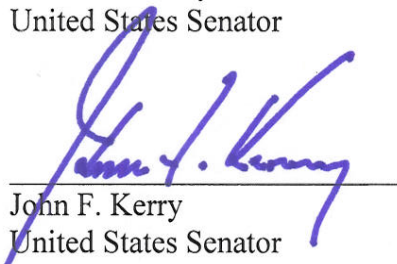

Jeff Merkley
United States Senator

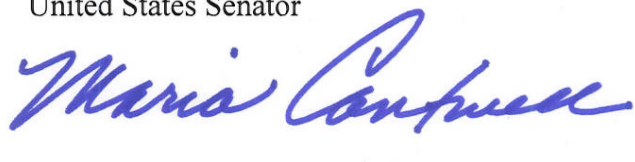

Dianne Feinstein
United States Senator


Olympia J. Snowe
United States Senator


Patrick J. Leahy
United States Senator


Frank R. Lautenberg
United States Senator


John F. Kerry
United States Senator


Maria Cantwell
United States Senator