

Hello

Please find the attached petition for certification and eligibility for the U.S. producers of American lobster (*Homarus americanus*) under the TAAF program, submitted by the Maine Lobstermen's Association.

Please contact me if you require any additional information.

Thank you. Patrice

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**FAS-930**  
(10-30-09)

**U.S. DEPARTMENT OF AGRICULTURE**  
Foreign Agricultural Service

**TRADE ADJUSTMENT ASSISTANCE FOR FARMERS (TAAF)  
PETITION FOR CERTIFICATION AND ELIGIBILITY FOR A GROUP OF PRODUCERS**

**NOTE:** *The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a - as amended). The authority for requesting the information identified on this form is 7 CFR Part 1580 and the American Recovery and Reinvestment Act of 2009 (Pub. L. 111-5). The information will be used to determine eligibility for benefits provided by the Trade Adjustment Assistance for Farmers program. The information collected on this form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FAS/2. Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of ineligibility for participation in the Trade Adjustment Assistance for Farmers Program.*

*According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0551-0040. The time required to complete this information collection is estimated to average 6 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Completed petition may be submitted by fax or emailed or delivered to addresses listed below.*

<b>FAX:</b> 202-720-0876	<b>MAIL TO:</b> TAAF Foreign Agricultural Service Stop 1021 USDA 1400 Independence Ave., S.W. Washington, DC 20250-1021	<b>COURIER DELIVERY</b> TAAF Foreign Agricultural Service Suite 400 USDA 1250 Maryland Avenue, S.W. Washington, DC 20024
<b>Or:</b>	<b>Or:</b>	<b>Or:</b>
<b>EMAIL:</b> <a href="mailto:tradeadjustment@USDA.gov">tradeadjustment@USDA.gov</a>		

1. Name of Authorized Representative or Primary Contact Patrice McCarron	2. Name and Business Address (Including City, State, and Zip Code) Maine Lobstermen's Association 21 Western Ave #1 Kennebunk, ME 04043
3. Telephone Number (Including Area Code) 207-967-4555	5. E-Mail Address patrice@mainelobstermen.org
4. Fax Number (Including Area Code) 866-407-3770	

6. This petition is made on behalf of the following producers: (Enter at least 3 names if filed by an individual. Organizations do not need to enter producer name.)

A. Name of Producers	B. Mailing Address	C. Telephone No. (Including Area Code)	D. E-Mail Address

**7. COMMODITY INFORMATION:**

A. Description of the raw (excludes processed) agricultural commodity: (e.g., fresh raspberries)  Live Lobster ( <i>Homarus americanus</i> )	B. Competing Imported Commodity's Harmonized Tariff Schedule (HTS) Number (HTS can be found at: <a href="http://www.usitc.gov/taffairs.htm">http://www.usitc.gov/taffairs.htm</a> )  0306.22.0010
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C. This petition is for the most recent marketing year for the commodity beginning in January 2008 and ending December 2008  
(month/year) (month/year)

D. Check the production area of the commodity for which this petition is submitted (state, states, or national):

National       State (Identify State or States(list): \_\_\_\_\_)

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*To file a complaint of discrimination, write to USDA, Assistant Secretary for Civil Rights, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Stop 9410, Washington, DC 20250-9410, or call toll-free at (866) 632-9992 (English) or (800) 877-8339 (TDD) or (866) 377-8642 (English Federal-relay) or (800) 845-6136 (Spanish Federal-relay). USDA is an equal opportunity provider and employer.*

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8. Provide one of the following for the most recent marketing year and for each of the 3 preceding marketing years: the average annual price, production quantity, value of production, or cash receipts.

**Note: Use Official data if available.** The Department's National Agricultural Statistical Service (NASS) has national price data available for many raw agricultural commodities. The information can be found at [www.usda.gov/nass](http://www.usda.gov/nass). You must state the source of your data. If you do not use official data, you must provide contact information for verification purposes and supporting documentation to show how your data was calculated or obtained.

(Check and complete only one)	(1) Most Recent Year 2008	(2) 1 Year Ago 2007	(3) 2 Years Ago 2006	(4) 3 Years Ago 2005
A. <input type="checkbox"/> Average Annual Price	\$	\$	\$	\$
B. <input type="checkbox"/> Production Quantity				
C. <input checked="" type="checkbox"/> Value of Production	\$329,886,291	\$366,368,568	\$395,149,738	\$415,414,861
D. <input type="checkbox"/> Cash Receipts	\$	\$	\$	\$

9. Source of data entered in Items 8A - 8D: NOAA Fisheries annual commercial landings statistics

10. Basis for request for adjustment assistance. Explain (or attach documentation) how imports have affected your commodity during the most recent marketing year based on at least one of the following measures: price, quantity of production, value of production, or cash receipts. Include any other factors that may also have contributed to lower producer prices below:

The national value of American lobster (*Homarus americanus*) has decreased more than 15% compared to the average of the previous three years. Therefore, live American lobster qualify as a commodity under the Trade Adjustment Assistance for Farmers program.

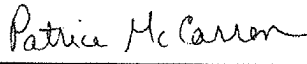
The value of lobster in 2008 was \$329,886,291, 16% below the average value of \$392,311,055 during the three preceding years(1). The decrease in value occurred during a time when landings increased. U.S. lobstermen landed 87,808,672 pounds of lobster in 2005; 92,608,979 pounds in 2006; and 80,083,176 pounds in 2007 averaging 86,833,609 pounds. In 2008, U.S. lobstermen landed 88,803,667 pounds, a 2% increase over the average landings of the previous three years. In 2008, lobstermen faced skyrocketing fuel and bait costs, even before the recession of 2009. The increased cost of doing business and higher productivity were not reflected in the value in the commodity. Instead, steadily increasing imports drove the price of U.S.-caught American lobster to all time lows.

Trade data for the commodity show that lobstermen are being injured by international imports of American lobster. According to import data for live lobster's Harmonized Tariff Schedule number, 20,466.60 units of lobster were imported in 2006; 19,571.60 units in 2007; and 20,122.00 units in 2008, averaging 20,053.40 units of lobster. Anticipated 2009 imports are estimated to be 21,231.80 units, a 5% increase in imports over the previous three years.

National landings and value data are not yet available for 2009. However, preliminary figures from Maine indicate continued increased landings and depressed value of lobsters in 2009. Maine lobstermen catch on average 80% of U.S.-caught American lobster. As of March 1, 2010, preliminary 2009 State of Maine lobster landings are 75,598,534 pounds which are the highest lobster landings ever recorded since the Maine Department of Marine Resources and National Fisheries Service began keeping records (2). These landings were valued at \$221,661,390. The pounds landed increased from the 2008 levels by 5,706,113 pounds, but the total value decreased by \$23,190,587. These figures represent 94% compliance from seafood dealers (including retailers) which have reported landings. For reference, 2008 Maine landings are 69,892,421 pounds with a value of \$244,851,977.

(1) NOAA Fisheries Annual Commercial Landings Statistics, [www.st.nmfs.noaa.gov/pls/webpls/MF\\_ANNUAL\\_LANDINGS.RESULTS](http://www.st.nmfs.noaa.gov/pls/webpls/MF_ANNUAL_LANDINGS.RESULTS). All national values shown are from these data sets.

(2) Preliminary 2009 Maine Lobster Landings, Maine Department of Marine Resources, [www.maine.gov/dmr/news/loblandings.htm](http://www.maine.gov/dmr/news/loblandings.htm).

11A. SIGNATURE OF AUTHORIZED REPRESENTATIVE OR PRIMARY CONTACT 	11B. TITLE Executive Director	11C. DATE SIGNED (MM-DD-YYYY) 04/13/2010
12A. SIGNATURE OF FAS REPRESENTATIVE	12B. TITLE	12C. DATE PETITION FILED (MM-DD-YYYY)