



1 production, procurement and handling, to manufacturing, distribution, and consumption of  
2 the finished product; and

3 WHEREAS, FDA regulations are supposed to measure compliance for imported  
4 seafood with inspections of foreign processing facilities, sampling of seafood offered for  
5 import into the United States, domestic surveillance sampling of imported products,  
6 inspections of seafood importers, foreign country program assessments, and the use of  
7 information from foreign partners and FDA overseas offices; and

8 WHEREAS, in 2011 the FDA was only inspecting two percent of the seafood  
9 imported into the United States; and

10 WHEREAS, unfortunately 2011 is the last year for which data regarding the  
11 percentage of imports inspected is available due to a lack of transparency and inadequate  
12 assessment measures; and

13 WHEREAS, in 2011 the Government Accountability Office (GAO) noted that the  
14 FDA's assessments of foreign aquaculture operations was limited by the FDA's lack of  
15 procedures, criteria, and standards; and ten years later, a 2021 GAO report found that the  
16 agency was failing to monitor the effectiveness of its own enforcement policies and  
17 procedures; and

18 WHEREAS, in contrast, the European Union regularly conducts physical checks of  
19 approximately twenty percent of all imported fish products that are fresh, frozen, dry, salted,  
20 or hermetically sealed, and for certain fishery products, physical checks are conducted on  
21 approximately fifty percent of imports; and

22 WHEREAS, the Louisiana State University School of Renewable Natural Resources  
23 published a 2020 paper titled "Determination of Sulfite and Antimicrobial Residue in  
24 Imported Shrimp to the USA", which presented findings from a study of shrimp imported  
25 from India, Thailand, Indonesia, Vietnam, China, Bangladesh, and Ecuador and purchased  
26 from retail stores in Baton Rouge, Louisiana; and

27 WHEREAS, a screening of these shrimp for sulfites and residues from antimicrobial  
28 drugs found the following: (1) five percent of the shrimp contained malachite green, (2)  
29 seven percent contained oxytetracycline, (3) seventeen percent contained fluoroquinolone,

1 and (4) seventy percent contained nitrofurantoin, all of which have been banned by the FDA  
2 in domestic aquaculture operations; and

3 WHEREAS, although the FDA requires that food products exposed to sulfites must  
4 include a label with a statement about the presence of sulfites, of the forty-three percent of  
5 these locally purchased shrimp found to contain sulfites, not one package complied with this  
6 labeling requirement; and

7 WHEREAS, the drug and sulfite residues included in this screening can be harmful  
8 to human health during both handling and consumption and have been known to cause all  
9 of the following: liver damage and tumors, reproductive abnormalities, cardiac arrhythmia,  
10 renal failure, hemolysis, asthma attacks, and allergic reactions; and

11 WHEREAS, the results of this study confirm that existing screening and enforcement  
12 measures for imported seafood are insufficient; whatever the percentage of imports inspected  
13 may be, seafood is currently being imported that contains unsafe substances that put  
14 American consumers at risk; and

15 WHEREAS, because imported seafood is not held to the same standards as domestic  
16 seafood, domestic fishing industries are put at a distinct and significant disadvantage  
17 commercially; and

18 WHEREAS, according to the Louisiana Department of Wildlife and Fisheries, the  
19 average value of Louisiana shrimp fell from three dollars and eighty cents per pound in 1980  
20 to one dollar fifty cents per pound in 2017; and

21 WHEREAS, this unfair competition allows foreign competitors to flood the United  
22 States market with seafood harvested under intensive farming practices using antimicrobial  
23 drugs, while devastating local industries and the coastal communities built around them; and

24 WHEREAS, proposed federal legislation cosponsored by Representative Garret  
25 Graves of Louisiana titled the Illegal Fishing and Forced Labor Prevention Act, originally  
26 filed as H.R. 3075 and as incorporated into H.R. 4521 of the 117<sup>th</sup> Congress, seeks to combat  
27 illegal, unreported, and unregulated fishing practices in the international seafood supply  
28 chain which contribute to the foregoing inadequacies; and

29 WHEREAS, the proposed legislation seeks to enhance monitoring, inspection, data  
30 collection, labeling, and transparency related to imported seafood; to improve the ability of

1 United States regulators to enforce these measures; to increase outreach regarding seafood  
2 safety and fraud; and to appropriate additional money for improved traceability; and

3 WHEREAS, if enacted, the Illegal Fishing and Forced Labor Prevention Act could  
4 be an essential step towards improving the safety of consumers and the market for domestic  
5 fishing industries.

6 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby  
7 memorialize the United States Congress to support the Illegal Fishing and Forced Labor  
8 Prevention Act and to take such actions as are necessary to compel the United States Food  
9 and Drug Administration to fulfill its duties regarding inspection and testing of imported  
10 seafood.

11 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the  
12 presiding officers of the Senate and the House of Representatives of the Congress of the  
13 United States of America and to each member of the Louisiana congressional delegation.

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#### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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2022 Regular Session

Kerner

Memorializes Congress to support the Illegal Fishing and Forced Labor Prevention Act and to compel the U.S. Food and Drug Administration to fulfill its duties regarding inspection and testing of imported seafood.