

2024 Regular Session

SENATE BILL NO. 40

BY SENATORS ALLAIN, CONNICK AND FESI

SEAFOOD. Provides relative to seafood safety. (gov sig)

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AN ACT

To amend and reenact R.S. 40:5.5.3, relative to seafood safety; to provide for the modernization of the Seafood Safety Task Force; to provide for an updated mission and purpose; to provide for enhanced areas of study; to provide for annual reporting; to provide for updated membership; to provide for the election of a chairman; to provide for subcommittees; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:5.5.3 is hereby amended and reenacted to read as follows:

§5.5.3. Seafood Safety Task Force; creation; purpose

A. ~~Within the Louisiana Department of Health there~~ **There** is hereby created the Seafood Safety Task Force, hereafter referred to as "task force". **The task force shall serve as the state panel of experts focused on ensuring the safety of seafood processed, distributed, purchased, and consumed in Louisiana, the education and awareness of consumers regarding the dangers of imported seafood, as well as pursuing initiatives to support and sustain the commercial seafood industry.**

B. The task force shall be charged with ~~obtaining~~ **studying all of the**

1 **following:**

2 (1) ~~the~~ **The** method in which the imported seafood is inspected in Louisiana;²

3 (2) ~~the~~ **The** frequency of inspections of imported seafood;²

4 (3) ~~the~~ **The** substances for which imported seafood are currently being tested,
5 **including but not limited to malachite green, oxytetracycline, fluoroquinolone,**
6 **and nitrofurantoin**;² ~~and.~~

7 (4) ~~the~~ **The** results of sampling analysis of potentially harmful substances in
8 imported seafood.

9 **(5) The harmful effects of antibody resistance due to consumption of**
10 **imported seafood.**

11 **(6) The most effective methods of education and awareness to alert the**
12 **public on the importance of reading labels, menus, packaging, and signage**
13 **before consuming seafood.**

14 **(7) The most effective methods of supporting the commercial seafood**
15 **industry in Louisiana, including but not limited to preserving the culture and**
16 **heritage of Louisiana seafood and protecting our waters from contaminated**
17 **foreign bait shrimp.**

18 **(8) The amount of fines and penalties imposed by the Louisiana**
19 **Department of Health, Louisiana Department of Agriculture and Forestry, and**
20 **Louisiana Department of Wildlife and Fisheries and whether the fines and**
21 **penalties are functioning as a successful deterrent or if they need to be**
22 **increased.**

23 **(9) The many laws of the state regarding the seafood industry to ensure**
24 **that they are updated and modernized to continue to protect consumers of**
25 **seafood.**

26 **(10) Any other matter considered appropriate by the members of the**
27 **task force or as requested by the legislature, governor, or state agency with**
28 **responsibility for seafood safety.**

29 **C.** The task force shall compile the results of these findings **annually** and

1 **shall** develop seafood ~~and~~ safety recommendations to be reported to the House
 2 ~~Committee on Health and Welfare, the Senate Committee on Health and Welfare, the~~
 3 ~~House Committee on Agriculture, Forestry, Aquaculture, and Rural Development,~~
 4 ~~and the Senate Committee on Agriculture, Forestry, Aquaculture, and Rural~~
 5 ~~Development by March 1, 2010~~ **governor and the legislature no later than**
 6 **February first of each year.**

7 ~~B.D.~~ The task force shall be composed of the following **sixteen** members:

8 (1) A member appointed by **the** chairman of the House Committee on Health
 9 and Welfare ~~who shall serve as chair of the task force or his designee.~~

10 (2) A member appointed by **the** chairman of the Senate Committee on Health
 11 and Welfare ~~or his designee.~~

12 (3) The commissioner of the Department of Agriculture and Forestry or his
 13 designee.

14 (4) The chancellor of the Louisiana State University Agricultural Center or
 15 his designee.

16 (5) A representative of the ~~Louisiana Poison Control Center~~ **Louisiana**
 17 **Seafood Promotion and Marketing Board.**

18 (6) The secretary of the Louisiana Department of Health or his designee.

19 (7) A representative of the ~~United States Food and Drug Administration~~
 20 **Louisiana Shrimp Task Force.**

21 (8) A representative of the Louisiana Farm Bureau Federation.

22 (9) The secretary of the Department of Wildlife and Fisheries or his designee.

23 (10) The secretary of the Department of Environmental Quality or his
 24 designee.

25 (11) A representative of the Louisiana Restaurant Association.

26 (12) A public health nutritionist.

27 **(13) A commercial fisherman appointed by the governor.**

28 **(14) A commercial fisheries processor appointed by the governor.**

29 **(15) A representative of the Louisiana Crawfish Promotion and Research**

1 **Board.**

2 **(16) A representative of the Louisiana Retailers Association.**

3 C: ~~E.~~ The task force shall convene for its first meeting no later than January
4 15, 2010 **at least quarterly.** At this meeting the **first meeting of each calendar**
5 **year, the** members shall elect a ~~vice~~ chairman and other officers as they ~~deem~~
6 **consider** appropriate.

7 D: ~~F.~~ The task force shall meet at ~~such~~ times and at places **throughout the**
8 **state as** it may designate **to ensure participation.** Meetings shall be held at the call
9 of the chairman or at the call of a quorum of members upon not less than seven days
10 notice. A majority of a quorum shall be present to transact any business. The
11 members of the task force shall not be compensated for their services on the task
12 force but may seek travel reimbursements from their respective agencies under their
13 respective guidelines. Meetings of the task force shall be subject to laws regarding
14 open meetings, and records of the task force shall be subject to laws regarding public
15 records.

16 E: ~~G.~~**(1)** The chair of the task force may appoint committees to fulfill the
17 purposes of the task force. The chair of the task force shall appoint the chair of any
18 committee and shall designate the functions and responsibilities of each committee
19 appointed.

20 **(2) Committees may include but not be limited to a committee to**
21 **facilitate coordination with other coastal or seafood producing states in the**
22 **United States, a committee on coordination with the Louisiana Congressional**
23 **delegation and the bipartisan American Seafood Caucus, and a committee on**
24 **promoting jobs and professional interest in commercial fisheries.**

25 **H. The member appointed by the chairman of the Senate Committee on**
26 **Health and Welfare shall serve as chairman of the task force. The staff of the**
27 **Senate Committee on Health and Welfare shall provide support and assist the**
28 **commission as requested by the chairman.**

29 Section 2. This Act shall become effective upon signature by the governor or, if not

1 signed by the governor, upon expiration of the time for bills to become law without signature
 2 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 3 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 4 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Amanda Trapp.

DIGEST

SB 40 Engrossed

2024 Regular Session

Allain

Present law establishes the Seafood Safety Task Force within the Louisiana Department of Health as a 12 member task force charged with obtaining certain information regarding imported seafood and reporting the information to certain legislative committees by March 1, 2010.

Proposed law provides updates to the task force membership, expands the mission and purpose of the task force, changes the chairman of the task force and the entity responsible for providing staff support, and provides for ongoing annual reporting to the legislature and governor.

Present law authorizes the task force to appoint committees to fulfill the purposes of the task force.

Proposed law identifies specific committees the task force may establish.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 40:5.5.3)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Health and Welfare to the original bill

1. Changes the member serving as chairman of the task force and the entity responsible for providing staff support.