2025 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 8

BY REPRESENTATIVE BAYHAM

SEAFOOD: Memorializes Congress to compel the United States Food and Drug Administration to increase inspection and testing of imported seafood

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to compel the United States Food and Drug Administration (FDA) to fulfill its duties regarding inspection and testing of imported seafood.

WHEREAS, according to statistics by the National Oceanic and Atmospheric Administration (NOAA), United States (U.S.) imports of edible fishery products were 6.9 billion pounds, valued at $29.7 billion; and

WHEREAS, the estimated percentage of consumption from seafood imports in the U.S. was eighty-six percent in 2022; and

WHEREAS, NOAA Fisheries statistics show that the U.S. Department of Agriculture reported that in 2023 the total value of imported seafood was $25.5 billion, with imports from Canada accounting for the largest share valued more than $3.6 billion in seafood products (14.1 percent), followed by Chile (13.0 percent), India (10.0 percent), Indonesia (7.9 percent), and Vietnam (6.4 percent); and

WHEREAS, the FDA is responsible for the safety of all fish and fishery products entering the U.S. and sold in Louisiana; and

WHEREAS, the FDA's seafood safety program is governed by its Hazard Analysis Critical Control Point regulations, which address food safety management through the analysis and control of biological, chemical, and physical hazards from raw material production and procurement and handling to manufacturing, distribution, and consumption of the finished product; and

WHEREAS, the FDA's regulations for imported seafood are supposed to measure the compliance of imported seafood with inspections of foreign processing facilities, sampling of seafood offered for import into the U.S., domestic surveillance sampling of imported products, inspections of seafood importers, foreign country program assessments, and the use of information from foreign partners and FDA overseas offices; and

WHEREAS, approximately ninety four percent of the volume of seafood sold in the U.S. is imported from other countries; and

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

WHEREAS, a screening of these shrimp for sulfites and residues from antimicrobial drugs found the following: (1) five percent of the shrimp contained malachite green, (2) seven percent contained oxytetracycline, (3) seventeen percent contained fluoroquinolone, and (4) seventy percent contained nitrofurantoin, all of which have been banned by the FDA in domestic aquaculture operations; and

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

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

WHEREAS, the results of this study confirm that existing screening and enforcement measures for imported seafood are insufficient; and

WHEREAS, whatever the percentage of imports inspected may be, seafood is currently being imported that contains unsafe substances that put American consumers at risk; and

WHEREAS, the Food Safety Modernization Act (FSMA) directs the FDA to inspect each domestic high-risk food facility at least once every three years and each non-high-risk food facility at least once every five years; and

WHEREAS, according to a January 2025 report by the Government Accountability Office (GAO), the FDA has not met the mandated targets of the FSMA since 2018; and

WHEREAS, from Fiscal Year 2018 through Fiscal Year 2023, the FDA inspected an average of eight thousand fifty-three domestic food facilities per year versus just nine hundred seventeen foreign food facilities; and

WHEREAS, the GAO found that the FDA applies far more scrutiny to U.S.-based seafood processors than it does to their foreign competitors; and

WHEREAS, in contrast, imports of fishery products into the European Union (EU) are subject to strict standards including the requirement of an official certification based on the recognition of the competent authority of the non-EU country by the European Commission; and

WHEREAS, for all fishery products exported into the EU, countries of origin must be on a positive list of eligible countries; and

WHEREAS, imports of fishery products from non-EU countries must enter the EU via an approved border inspection post under the authority of an official veterinarian in the EU member state in question and each consignment is subject to a systematic documentary, identity, and physical check; and

WHEREAS, consignments which are noncompliant with EU legislation shall either be destroyed or, under certain conditions, redispatched within sixty days; and

WHEREAS, the FDA needs to improve oversight of imported seafood to, at minimum, match our foreign counterparts while simultaneously ensuring the seafood consumed in the state is safe.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to compel the FDA to increase inspection and testing of imported seafood.

BE IT FURTHER RESOLVED that the Legislature of Louisiana does hereby urge the United States Congress to support the recommendations of the GAO in its January 8, 2025, report (GAO-25-107571).

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

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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Memorializes Congress to compel the U.S. Food and Drug Administration to fulfill its duties regarding inspection and testing of imported seafood.