
SENATE FLOOR AMENDMENTS

2024 Regular Session

Amendments proposed by Senator Abraham to Engrossed Senate Bill No. 62 by Senator Fesi

AMENDMENT NO. 1

2 Delete the set of Senate Floor Amendments (SFASB62 SCOTTA 1752) proposed by Senator
3 Abraham and adopted by the Senate on April 16, 2024.

AMENDMENT NO. 2

5 On page 1, line 3, change "31.35(B)" to "31.35(C)"

AMENDMENT NO. 3

7 On page 1, line 7, after "distributors;" delete the remainder of the line, delete line 8, and on
8 line 9, delete "and audits;" and insert "to provide for the authority of the Louisiana
9 Department of Culture, Recreation and Tourism; to provide for contracting with the
10 Louisiana Department of Agriculture and Forestry;"

AMENDMENT NO. 4

12 On page 1, at the end of line 12, change "31.35(B)" to "31.35(C)"

AMENDMENT NO. 5

14 On page 1, line 14, change "~~Imported~~" to "Imported"

AMENDMENT NO. 6

16 On page 1, line 16, change "~~Imported~~" to "Imported"

AMENDMENT NO. 7

18 On page 2, line 6, after "fund." delete the remainder of the line and delete line 7

AMENDMENT NO. 8

20 On page 2, delete lines 8 through 22 and insert the following:

21 "B. The monies in the fund shall be appropriated **to the Department of**
22 **Culture, Recreation and Tourism** and expended solely for the purpose of
23 **enforcing the provisions of R.S. 40:31.35.1. sampling, analysis, testing, and**
24 ~~monitoring of raw seafood products of foreign origin that are imported into~~
25 Louisiana and stored on the premises of any business holding a commercial seafood
26 permit issued pursuant to R.S. 40:31.35. The office of public health of the Louisiana
27 Department of Health shall directly administer or contract for such sampling,
28 analysis, testing, and monitoring functions. The office of public health shall employ
29 such functions to detect in imported seafood products the presence of substances that
30 are harmful to human health. The state health officer shall determine the specific
31 types of such sampling, analysis, testing, and monitoring functions to be
32 implemented as well as the frequency and scope of these activities, all of which he
33 may modify based upon the availability of funding for these purposes."

AMENDMENT NO. 9

35 On page 2, delete lines 27 and 28 and insert "laboratory analysis as mandated by the state
36 Sanitary Code. **The classification of the permit**"

1 AMENDMENT NO. 10

2 On page 2, line 29, change "separated" to "classified" and after "seafood" insert
3 "processor"

4 AMENDMENT NO. 11

5 On page 3 line 1, after "seafood" insert "processor"

6 AMENDMENT NO. 12

7 On page 3, delete lines 5 through 29, delete pages 4 through 6, and on page 7, delete lines
8 1 through 5 and insert the following:

9 ~~"C. The department~~ **In addition to the fee provided for in Subsection A of**
10 **this Section, the Louisiana Department of Culture, Recreation and Tourism**
11 **shall charge and collect an imported seafood safety fee of one hundred dollars**
12 **annually from each holder of a commercial seafood permit fee who sells processes**
13 **or distributes imported seafood. The proceeds of such fee shall be deposited into**
14 **the Imported Seafood Safety Fund and used for the purposes described in R.S.**
15 **40:510.1 R.S. 40:31.35.1.**

16 **§31.35.1. Imported seafood; Department of Culture, Recreation and Tourism;**
17 **testing; penalties**

18 **A. In addition to any regulations and testing required by the Louisiana**
19 **Department of Health to ensure compliance with the state Sanitary Code, any**
20 **processor or distributor who is required to pay the imported seafood safety fee**
21 **pursuant to R.S. 40:31.35(C) shall be subject to the regulations and testing**
22 **provided for in this Section.**

23 **B. Upon request of the Department of Culture, Recreation and Tourism,**
24 **the processor or distributor shall:**

25 **(1) Provide any information, if available, on whether the seafood has**
26 **been tested in the country of origin or at the point of embarkation in the United**
27 **States.**

28 **(2) Ensure all labels affixed to the imported or commingled seafood**
29 **clearly indicates that it is imported, indicates the original country of origin, and**
30 **if the product is commingled, that the label clearly indicates that the seafood is**
31 **a product of the identified foreign country that also includes Louisiana domestic**
32 **seafood.**

33 **(3) Provide any additional information considered necessary by the**
34 **department to implement the provisions of this Section.**

35 **C.(1) Upon recommendation of the Seafood Safety Task Force, the**
36 **department may test seafood processed or sold by an imported commercial**
37 **seafood processor or distributor to ensure the chemical concentrations do not**
38 **exceed the minimum standards established by the United States Food and Drug**
39 **Administration.**

40 **(2) If the seafood tested exceeds the minimum standards, the department**
41 **shall report the test results to the Louisiana Department of Health and the**
42 **processor or distributor. The Louisiana Department of Health shall consider**
43 **any seafood reported pursuant to this Subsection to be an adulterated food**
44 **pursuant to R.S. 40:607.**

45 **(3) In addition to reporting the test results to the Louisiana Department**
46 **of Health, the Department of Culture, Recreation and Tourism may issue a fine**
47 **of not more than one thousand dollars for violations of this Subsection.**

48 **D. If the department has reason to believe a commercial seafood**
49 **processor or distributor is processing or distributing imported seafood packed**
50 **or labeled as domestic seafood, the department may test the seafood to ensure**
51 **the seafood is domestic. If the seafood is not domestic, the department may**
52 **assess the following fines on the commercial seafood processor or distributor:**

53 **(1) For a first offense, a fine of not more than five thousand dollars per**
54 **violation.**

1 **(2) For a second offense, a fine of not more than ten thousand dollars per**
2 **violation.**

3 **(3) For a third offense, a fine of not more than fifteen thousand dollars**
4 **per violation.**

5 **E. Any fines collected pursuant to this Section shall be deposited into the**
6 **Imported Seafood Safety Fund established in R.S. 40:5.10.1.**

7 **F. The department shall contract with the Louisiana Department of**
8 **Agriculture and Forestry to sample, analyze, and test seafood as required by**
9 **this Section.**

10 **G. For purposes of this Section, the following definitions shall apply:"**

11 AMENDMENT NO. 13

12 On page 7, between lines 7 and 8, insert the following:

13 **"(2) "Department" means the Louisiana Department of Culture,**
14 **Recreation and Tourism."**

15 AMENDMENT NO. 14

16 On page 7, line 8, change "(2)" to "(3)"

17 AMENDMENT NO. 15

18 On page 7, delete lines 10 through 16 and insert the following:

19 **"(4) "Domestic" means raised, harvested, or caught in any of the fifty**
20 **states of the United States or its territories and within the federal exclusive**
21 **economic zone (EEZ) and landed in the United States.**

22 **(5) "Imported" means raised, harvested, or caught outside of the federal**
23 **exclusive economic zone (EEZ) or landed in a country other than the United**
24 **States."**

25 AMENDMENT NO. 16

26 On page 7, line 12, change "(4)" to "(5)"

27 AMENDMENT NO. 17

28 On page 7, delete lines 17 and 18

29 AMENDMENT NO. 18

30 On page 7, line 20, delete "department" and insert "Louisiana Department of Health"

31 AMENDMENT NO. 19

32 AMENDMENT NO. 20

33 On page 7, delete lines 21 through 24, and insert the following:

34 **"(7) "Seafood" means fish and edible crustaceans, excluding domestic**
35 **catfish, live crawfish, and live crabs."**

36 AMENDMENT NO. 21

37 On page 7, line 25, delete "Louisiana Department of Health" and insert "Louisiana
38 Department of Culture, Recreation and Tourism and the Louisiana Department of
39 Agriculture and Forestry"