

United States Senate

WASHINGTON, DC 20510

November 6, 2013

The Honorable Debbie Stabenow
Chairwoman
Senate Agriculture Committee
328A Russell Senate Office Bldg.
Washington, D.C. 20510

The Honorable Thad Cochran
Ranking Member
Senate Agriculture Committee
328A Russell Senate Office Bldg.
Washington, D.C. 20510

Dear Chairwoman Stabenow and Ranking Member Cochran:

As you continue working toward passage of the Farm Bill, we urge your continued support of the USDA Food Safety and Inspection Service (FSIS) Catfish Inspection Program authorized in the 2008 Farm Bill. This program is critical to the food safety of American consumers and we request that you oppose the provision included in the House farm bill which repeals the USDA catfish inspection program.

As you know, the Food, Conservation and Energy Act of 2008 included instructions for the USDA to establish a voluntary fee-based inspection and grading program for catfish. *See* Pub. L. No. 110-246, Sec. 11016, 122 Stat. 2130 (2008). The USDA has issued a proposed rule and completed a lengthy public comment period. *See* 76 Fed. Reg. 10,434 (Feb. 24, 2011).

The reasons for implementing this program are just as real and present as they were when Congress rightly authorized the inspection program in 2008. FDA currently inspects U.S. catfish facilities. However, FDA inspects less than 2% of imported seafood, and government Import Refusal data, FDA Import Alerts, NOAA investigations and independent analysis continue to show banned drugs and chemicals in fish imported from Vietnam and China, placing American consumers at risk. Just recently, researchers in North Carolina discovered the use of Formaldehyde on fish imported from Vietnam, drawing more questions and concerns as to why FDA continues to fail in its inspection responsibilities. There is a clear concern with the lack of inspections of foreign catfish production facilities, as well as the lack of inspections of the foreign products when imported into the United States.

Efforts to repeal the Catfish Inspection Program are premature and ill advised. Contrary to opposing views, USDA's catfish inspection program will not distort existing or future trade agreements. To say otherwise ignores the fact that USDA successfully conducts inspection programs for a number of commodities and livestock sectors. The program will require both domestic and international production to undergo the same rigorous health and safety standards. All catfish meeting those standards would reach the marketplace,

whether domestic or imported. Scientific evidence and proper risk assessments, in line with international trade agreement requirements, clearly justify this needed program.

Further, over 85% of the official comments in response to USDA's proposed rule on implementation support FSIS inspection of catfish using the broadest possible definition of both imported and domestic catfish and catfish-like products. This program will strengthen food safety standards for both domestic and imported catfish. If the 2008 law is implemented correctly, there will be no duplication whatsoever. Catfish inspection will occur solely at USDA.

Our main priority should be the health and safety of American consumers. We ask you to oppose any efforts to repeal this program during conference negotiations. Thank you for your consideration of this request. Please do not hesitate to contact us should you require addition information.

Sincerely,

Jeff Janow

Richard Shelby

Orin Hatch

Mark Royce

Robert White

Wayne Gardner