

**Rep. Joseph R. Pitts**  
**Opening Statement**

**Energy and Commerce Subcommittee on Health Hearing:**  
**“Waste and Duplication in the USDA Catfish Inspection Program”**  
**Wednesday, December 7, 2016 (10:00 AM)**

Today’s hearing will be taking a close look at what many consider an unnecessary and duplicative program at the U.S. Department of Agriculture (USDA) – the catfish inspection program.

Why is it considered unnecessary and duplicative? Because we already have a federal agency responsible for overseeing the safety and inspection of other types of seafood – it is the Food and Drug Administration (FDA).

As Members of the Health Subcommittee of the Energy and Commerce Committee with direct oversight of the FDA, it is illogical (and wasteful) that the USDA would be given the exclusive authority to oversee and regulate catfish only, while the FDA regulates all other seafood. What is it about catfish? Interestingly enough – nothing! Catfish is an extremely low risk food product. Explicitly creating a program exclusively for catfish is unnecessary and directs resources away from high risk foods to focus on a food that is one of the safest.

Think for a moment what this means to American seafood companies who are put in the untenable position of complying with two sets of federal inspectors overseeing their facilities: one set for catfish and one set for all other seafood. Why would companies continue to purchase catfish given this additional burden?

What makes this scenario even more troubling is the fact that both the FDA and the General Accountability Office (GAO) agree that there is no food safety justification for this regulatory divide and I, along with my colleagues on this committee – Chairman Upton, then-Ranking Member Waxman, and current Ranking Member Pallone, sent a letter in 2013 to our Agriculture Committee colleagues expressing this very point. In 2014, we sent another letter to the Director of the Office of Management and Budget expressing our concerns about this program, and in June of 2016, we sent yet another letter to House Leadership urging the House to consider S.J. Res. 28, which would repeal the program.

The Senate has already passed S.J. Res. 28 by a vote of 55-43, a significant vote indeed.

Since the very beginning of this transfer of regulation (from FDA to USDA) the justification was to ensure food safety. But USDA's expertise is meat and poultry, not fish. Frankly, the real aim of this move was to hinder foreign firms importing catfish so they would be unable to compete with domestic catfish farmers. Such actions could trigger a World Trade Organization (WTO) lawsuit.

Another concerning aspect is that this USDA program has cost the American taxpayers an exorbitant amount of money without much to show for it.

The GAO has issued no less than nine reports indicating that the responsibility for inspecting catfish should not be assigned to the USDA. Charged with

overseeing over 80 percent of the food Americans eat, we have long entrusted FDA to be the primary regulator of our food supply. And, FDA has the scientific expertise and regulatory experience to oversee the entirety of the seafood market.

Many of you know I am also a fierce critic of the sugar program. It exists primarily – and some would say solely – to create barriers to competition and ensure the profits of a special interest group. I view this wasteful catfish program in the same light.

This jurisdictional grab, when weighed against its duplicity, serves only to shield catfish farmers against competition at the expense of U.S. consumers. Such wasteful and duplicative programs can negatively impact the U.S. economy at a time we can ill afford that. If you want an example of what's wrong with Washington, the catfish program is a textbook example.

Sadly, this smacks of food politics, not public health. And the consequences are more than just waste and duplication. The program will increase costs for consumers and ultimately hurt the catfish market.

Experts in public health, public policy, economics, trade and regulation have called for the repeal of the catfish inspection program that does not improve food safety but does cost American jobs and wastes American tax dollars. I applaud the people and organizations that have voiced concerns about the program and I am glad we are holding this hearing today to ensure it is clear that this committee does not support this program and we urge its repeal immediately.