

Attachment — Additional Questions for the Record

The Honorable Joseph R. Pitts

1. How many years have you processed or sold domestic or imported catfish (siluriformes)?

We have been selling and processing catfish (domestic and imported) for at least 30 years. In all of that time, we have never had a food safety incident involving either species.

2. In your experience, is catfish (siluriformes) a low-risk food?

Yes, as I stated above, in all of our years selling and processing siluriformes, we have never had a food safety incident involving either product. The FDA's system for seafood safety HACCP has proven to be effective at preventing illnesses. For more than 20 years, all Libby Hill's suppliers, whether local or imports, have been required to follow the same rules, and now that has changed for no real scientific reason. As I emphasized in my written statement, the USDA through its own risk-assessment, admits that the effectiveness of the USDA catfish program is "unknown." The Centers for Disease Control and other public health agencies state that catfish (both imported and domestic) is a "low risk fish." USDA also admits that no one has gotten sick from salmonellosis (the USDA's focus) since introduction of FDA HACCP in 1997.

3. Does domestic or imported catfish (siluriformes) present any unique food safety issues that would warrant a separate government program from all other seafood?

Yes, as I stated above, in all of our years selling and processing siluriformes, we have never had a food safety incident involving either product. The FDA's system for seafood safety HACCP has proven to be effective at preventing illnesses. For more than 20 years, all Libby Hill's suppliers, whether local or imports, have been required to follow the same rules, and now that has changed for no real scientific reason. As I emphasized in my written statement, the USDA through its own risk-assessment, admits that the effectiveness of the USDA catfish program is "unknown." The Centers for Disease Control and other public health agencies state that catfish (both imported and domestic) is a "low risk fish." USDA also admits that no one has gotten sick from salmonellosis (the USDA's focus) since introduction of FDA HACCP in 1997.

4. What is the impact of having USDA regulate catfish and FDA regulate all other seafood on your business?

The end result is a waste of time and money to meet two different sets of requirements. Our suppliers must have a food safety system to meet FDA standards for seafood we serve to our customers. Due to this new law, now our suppliers must also have a USDA employee at our facility whenever we process catfish. The USDA rule requires my suppliers to gain a USDA inspector's blessing for our operating schedule two weeks in advance (that is 336 hours in advance). That conflicts with the way the seafood industry

works. Our customers (including other restaurants) typically call for their orders within a six-hour window, but if that order includes any type of catfish and there is no USDA inspector scheduled at that time, that order will not met. We have had orders that we could not fulfill, and several orders have been canceled. The trend does not look good. It may force us to stop buying catfish altogether. This law does nothing but stifle small business growth, and create unnecessary burdens for those in the seafood industry.