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"Waste and Duplication in the USDA Catfish Inspection Program"
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Mr. Chairman, Ranking Member Green, and distinguished members of the Subcommittee, thank you for the opportunity to share my views on the unnecessary "Catfish Inspection Program" being implemented by the USDA.

My name is Steve Otwell, Emeritus Professor from the Food Science and Human Nutrition Department at the University of Florida from which I retired in 2014 after 32+ years of research, training and extension services addressing all aspects of seafood and aquaculture product quality and safety. The accompanying vita provides some condensed credentials based on my education and experience with commercial, regulatory and academic sectors across our nation and about the world. In particular, I served on three National Academy of Science Committees that prepared reports to help direct Congressional responses to assure seafood safety in our nation. Currently, I remain in 'active' retirement directing the Seafood HACCP Alliance which includes a cadre of over 400 qualified instructors advancing proven HACCP approaches and mandates for seafood safety for all seafood and aquaculture products destine for commerce in the United States.

I would like to address two points here today to demonstrate that having catfish and catfish products inspected by the USDA Food Safety and Inspection Service (FSIS) is unjustified and an illogical use of government resources. First, catfish itself is a low-risk fish and any additional regulatory oversight by a separate agency is unjustified. Second, FDA's Seafood HACCP program is a robust science based regulatory program which has had a positive impact on the safety of seafood consumed by consumers in the United States (U.S.) for over the past 20 years.

There is no real, documented evidence that farm-raised catfish, from domestic or international sources, poses a significant food safety burden that warrants additional and duplicative federal regulations. Based on documented illnesses from consumption in the U.S. through the past 40 years, 'fish' remains the safest source of muscle protein eaten in the U.S. (combination of reports from the nation's National Academy of Sciences and Centers for Disease Control and Prevention (CDC) reports can substantiate). Likewise, various species of catfish (all

Siluriformes) are one of the safest fish selections amongst all fish eaten in the U.S. regardless of source.

Catfish and other *Siluriforme* fish pose no significant food safety risk for the U.S. consumer. A review of foodborne illness outbreaks reported to the CDC since 1998 shows only one confirmed outbreak associated with catfish. That is one outbreak out of over 19,000 reported outbreaks during that 17-year period. CDC's in-depth annual report of foodborne disease outbreaks reported in 2014[1] reviews 864 reported outbreaks and over 13,000 associated-illnesses. The top five pathogen-food category pairs associated with the most outbreak illnesses were:

- Seeded vegetables, such as cucumbers or tomatoes (357 *Salmonella* illnesses)
- Chicken (227 *Salmonella* illnesses)
- Turkey (184 *Staphylococcus aureus* enterotoxin illnesses)
- Dairy (144 *Campylobacter* illnesses)
- Sprouts (115 *Salmonella* illnesses)

Notably absent from the list is seafood in general and more specifically catfish or other *siluriformes*.[2]

According to these recent data compiled by the CDC, outbreaks of foodborne illness attributed to fish consumption in the U.S. have declined significantly, from an average of 65 per year from 1998-2004, to 32 per year from 2005-2012. The trend appears to continue decreasing. The CDC specifically cited HACCP principles mandated by FDA to ensure safe and sanitary processing of fish as one of the leading potential factors behind the trend.[3]

FDA employees over 50 seafood safety experts who are dedicated to establishing policy and conducting research to ensure the safety of the seafood consumed by the U.S. consumer. They know and understand hazards associated with seafood products. These experts have established a food safety, risk-based inspectional priority for imported seafood products. The following are

[1] Centers for Disease Control and Prevention (CDC). Surveillance for Foodborne Disease Outbreaks, United States, 2014, Annual Report. Atlanta, Georgia: US Department of Health and Human Services, CDC, 2016.

[2] CDC ranked finfish as the top two pathogen-food category pairs for the most outbreaks – however these illnesses (i.e., ciguatoxin and scombroid toxin) are associated with specific wild-harvested species and never with catfish or other *siluriformes*.

[3] Presentation by Sarah Bennett, CDC Division Foodbourne, Waterbourne and Environmental Diseases during conference arranged by the FL Sea Grant Program in Baltimore in August 2014, "Workshop: Implications for Future Considerations in Support of the Nation's Seafood Commerce." Presentations posted at Florida Sea Grant website, https://www.flseagrant.org/seafood/haccp/ in listed items under 'Seafood HACCP' to find the conference proceedings).

the top ten "high-risk" potential products ranked in order based on severity of health consequences:[4]

- Refrigerated seafood products packed in oxygen limiting packaging or reduced oxygen packaged (ROP)
- Raw (fresh and fresh frozen) molluscan shellfish from uncertified shippers
- Ready-to-eat fish or fishery products using any of the following processes:
    - cooking or pasteurization process (e.g., cooked shrimp, crabmeat, cooked lobster, cooked crayfish, pasteurized crabmeat, surimi-based analogs, etc.)
    - hot or cold smoking process
- Seafood mixes: Combination of seafood products either all raw or a mixture of raw and cooked product
- Scombrotoxin-forming (histamine-forming) species
- Aquacultured seafood
- Ready-to-eat fish or fishery products that have not undergone a heat treatment (such as caviar, urchin roe, or raw fish intended for sashimi/sushi) that are meant to be consumed raw.
- Salt-cured, and/or air-dried, un-eviscerated fish, such as Kapchunka, or bloaters
- Acidified and low acid canned foods (LACF)
- Food Intolerance Substances (FITs)

The five highest priority items represent true food safety risks associated with severe foodborne illness implications. **The prominent concern associated with imported 'catfish' has been the detection of unapproved antibiotics, but this issue is not a direct food safety problem in terms of resulting illnesses, but rather it is a perceived risk. Additionally it is not unique to imported, farm-raised catfish, or even fish in general.** The USDA efforts to reduce agricultural dependence on antibiotics also remains a challenge for beef, poultry and other commodities in the U.S. addressing the suspicion that the use of antibiotics for agricultural purposes enhances antimicrobial resistance. FDA efforts, aligned with State authorities and cooperative nations, have made a significant impact to reduce occurrence of the use of unapproved aquaculture drugs through the past ten years. FDA's screening and educational efforts have contributed to positive responses across the aquaculture world.

While screening is important, educational efforts will have the greatest impact long-term on eliminating the use of unapproved drugs. Aquaculture experts within FDA and the Joint Institute for Food Safety and Applied Nutrition (JIFSAN) continue outreach for foreign aquaculture operations. Controls and alternative approaches which are the basis of the U.S. government's capacity building efforts need to be built into the production process. This is the essential embodiment of the saying "give a man a fish he eats for a day, teach a man to fish he eats for a lifetime." One-hundred percent inspection and end-product testing to see if an unapproved drug can be found will never promote best practices. Behaviors will not be changed unless there is

[4] FDA's Import Seafood Products Compliance Program 7303.844 located at http://www.fda.gov/Food/ComplianceEnforcement/FoodCompliancePrograms/ucm071496.htm

understanding of a better preventive controls. FDA's Seafood HACCP regulations provide these preventive controls.

The proven positive value and impact of FDA's mandated Seafood HACCP regulations, initiated in 1996, calls to question the need for a new regulatory scheme solely to oversee the production of catfish and other *siluriforme* fish. The proven impact of the FDA seafood HACCP program has resulted in specific exemptions for seafood processing from the recent, historical Food Safety Modernization Acts (FSMA) regulations just initiated in 2015. The FDA mandate for HACCP controls in domestic and international seafood operations has proven to be an effective and recommended approach. Many nations and other commodities have adopted food safety control programs using the FDA HACCP approach as a model, including USDA's HACCP for meat and poultry products.

Since 1995, Seafood HACCP Alliance Education and Training Program (the Alliance) has maintained one of the most highly recognized and copied seafood safety education programs in the world. It has involved every State, every U.S. Territory, and every nation exporting seafood to the U.S. The program is certified by the Association of Food and Drug Officials (AFDO), the 100+ year professional organization for all food safety authorities in our nation. To date over 45,000 seafood inspectors, plant workers and QA/QC managers have been trained in the U.S. and abroad. Thousands continue to be trained each year. This successful program has also become a model nationally and internationally of workforce training for safe food processing, and is being emulated by other food sectors as they seek to implement the wide-ranging regulations mandated by the Food Safety Modernization Act.

The Seafood Alliance training materials were and continue to be developed in cooperation with FDA to ensure that the teachings represent accurate interpretations of FDA's regulatory and food safety policy expectations. This training does not focus on how to comply with FSIS expectations for meeting their HACCP regulatory requirements. This is by the choice of FSIS who declined the Alliance's invitation to adapt this existing, effective training for catfish processors.

A cadre of 400 trainers is now available to continue training in every seafood-producing nation in the world. The U.S. government through FDA, JIFSAN, and Asia-Pacific Economic Cooperation (APEC) have sponsored Alliance Train the Trainer workshops globally – all focusing on HACCP and FDA's regulatory program. While other speakers have talked about the unnecessary duplication of inspectional oversight in processing facilities, I also want to point out the unnecessary duplication of training efforts that will be necessary to ensure catfish processors in the U.S. and abroad understand their new regulatory obligations under FSIS. If we find this duplication confusing here in the United States, imagine the confusion around the globe for trainers to explain, "sorry this U.S.-FDA sanctioned course which I'm offering does not apply to one of the fish that you are processing; you will need to seek that training elsewhere."

Finally, in conclusion, **changing regulations for the sake of changing without real food safety benefits will further reduce public access to affordable, healthful seafood selections.** This situation will also impact retail and restaurant commerce as processors and distributors of "catfish" and other seafood products struggle to maintain and comply with two separate regulations by two separate federal agencies. The danger is that firms will elect to avoid this struggle by eliminating "catfish" from their offerings, thus reducing access to this affordable, healthful fish. **Currently, every pound of domestic farm-raised catfish has a market; No domestic catfish goes unsold.** The domestic catfish producer's argument is price! Their prices have been historically influenced more by consumer demand and preference than competition. A historical review of Federal and State-based support programs (largely USDA funds) to boost value and market share for domestic, farm-raised catfish will reflect this situation.