



## **SENATORS MCCAIN AND SHAHEEN URGE END TO DUPLICATIVE AND WASTEFUL USDA CATFISH INSPECTION PROGRAM IN FARM BILL**

**May 8, 2013**

*Washington, D.C.* – U.S. Senators John McCain (R-AZ) and Jeanne Shaheen (D-NH), along with a bipartisan group of Senators, this week sent a letter to Senator Debbie Stabenow (D-MI), Chairwoman of the Committee on Agriculture, Nutrition & Forestry, urging her to help eliminate the wasteful and duplicative USDA catfish inspection program. The Agriculture Committee intends to mark up the Farm Bill next week.

The text of the letter is attached and below.

**United States Senate**  
WASHINGTON, DC 20510

May 7, 2013

The Honorable Debbie Stabenow  
Chairwoman  
Committee on Agriculture, Nutrition & Forestry  
United States Senate  
328A Russell Senate Office Building  
Washington, D.C. 20510

Dear Chairwoman Stabenow:

As you begin to craft a Farm Bill this year, we ask for your help in eliminating a wasteful and duplicative program: the USDA catfish inspection program. This program unnecessarily shifts catfish inspection and oversight from the Food and Drug Administration (FDA) to the Food Safety and Inspection Service (FSIS) within USDA, will almost certainly provoke retaliation

against U.S. agricultural exports by our trading partners abroad, and is already wasting precious taxpayer dollars on a program whose effectiveness is – according to USDA – “unknown.” Consistent with the support of the full Senate to eliminate the program during last year’s Farm Bill consideration (S. 3240, Section 12208, Repeal of Duplicative Program), we request that you ensure this year’s Farm Bill repeals the USDA catfish inspection program.

Just this month, on April 9, the GAO concluded that “Repealing provisions of the 2008 Farm Bill that assigned U.S. Department of Agriculture’s Food Safety and Inspection Service responsibility for examining and inspecting catfish and for creating a catfish inspection program would avoid duplication of federal programs and could save taxpayers millions of dollars annually without affecting the safety of catfish intended for human consumption.” This is the fifth time that GAO has spoken out against this program. According to information USDA provided to GAO, the Department burned through \$19.8 million through the end of FY12 simply to prepare for program implementation in the future; it is only fair to assume that similar expenditures have been made in FY13. The President agrees and has proposed in his FY2014 budget request to eliminate funding for catfish inspection at USDA. According to the Office of Management and Budget, eliminating the funding for duplicative catfish inspection at USDA will allow the Department to be “better able to focus on its core mission of ensuring the safety of the Nation’s meat and poultry supply.”

According to USDA’s own food safety experts, catfish is a “low risk” food. USDA, with its longstanding responsibility for the safety of America’s meat, poultry and processed egg products, acknowledges that “since implementation [of FDA’S HACCP regulation in 1997], no cases of salmonellosis linked to catfish have been reported.” Considering the nation’s current fiscal constraints and the sequester effect, this is a clear opportunity to cut waste and eliminating a second agency from duplicating what another agency does well.

Eliminating this program also means helping American farmers and ranchers. Trade experts state that the USDA catfish inspection program would create a discriminatory de facto ban on exports from key trading partners. This ban, especially when coupled with the USDA’s assessment that no public health issue is being addressed, exposes U.S. exports, including agriculture commodities, to trade retaliation. International trade agreements that the U.S. has signed require that food safety measures rest on scientific evidence and an adequate risk assessment. In this case, there was no scientific evidence or a risk assessment that would justify the transfer of catfish from the FDA to the USDA. This weak food safety justification is one reason why the former head of the WTO appellate body has stated that the United States is likely to lose a WTO case brought in opposition to the USDA program.

U.S. agricultural exports continue to be the engine that drives our rural economy, with 2012 totals exceeding \$141.3 billion, an increase of \$26.5 billion over the record 2008 level. Agriculture Secretary Tom Vilsack recently noted that our agricultural exports to Europe, Asia, and the rest of the world support more than 1 million jobs here in the United States. In 2011, during the comment period on the proposed catfish rule, 16 agricultural groups and companies submitted joint comments expressing their serious concerns with the program and their opposition to the USDA’s proposed implementing rule. These groups, which represent America’s farmers and ranchers across nearly the entire agriculture industry, understand the ramifications that this program will have on their exports.

Finally, implementation of the 2008 catfish program would cause American seafood processors to have two sets of federal inspectors in their plants -- USDA inspecting catfish and FDA inspecting all other seafood. In its 2012 report titled "Responsibility for Inspecting Catfish Should Not Be Assigned to USDA," GAO concluded that the USDA catfish inspection program "would likely not enhance the safety of catfish but would duplicate FDA and NMFS inspections at a cost to taxpayers" (GAO-12-411, p. 25).

Thanks to your leadership last year, the Senate has spoken on this issue and unanimously voice voted to repeal the wasteful USDA catfish inspection program on June 19, 2012. Further, section 12208 of S. 10, the Agriculture Reform, Food, and Jobs Act of 2013, repeals this duplicative program.

As your Committee strives to responsibly reduce duplication and waste within USDA while also ensuring our ranchers and farmers are not left behind, we ask that you include the elimination of this program in this year's Farm Bill.

Sincerely,

John McCain

Jeanne Shaheen

Mark Kirk

Bill Nelson

Tom Coburn

Mike Crapo

Jim Risch

Kelly Ayotte

Maria Cantwell

Frank Lautenberg

Mike Enzi

Sheldon Whitehouse

Mark Warner