
DIGEST

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Mills

HB No. 551

Abstract: Creates a public safety campaign to warn people about the risks of consuming Chinese seafood products. Encourages retailers to warn customers about possible contamination of Chinese seafood products.

Present law creates a seafood inspection program under the La. Dept. of Agriculture and subject to the state Sanitary Code, as administered by the La. Dept. of Health and Hospitals.

Proposed law creates a separate public safety campaign to warn the public of the risks of consuming Chinese seafood even if it is deemed safe by the seafood inspection program.

Proposed law requires the state health officer to promulgate rules and regulations to ensure consumers are warned of potential health risks of Chinese seafood.

Proposed law requires the state health officer and the La. Restaurant Association to employ a marketing campaign that highlights the benefits of eating domestic seafood.

Proposed law requires the state health officer and the La. Dept. of Agriculture and Forestry to enter into a memorandum of understanding to implement this marketing campaign.

Proposed law requires the La. Retailers Association to work with the La. Department of Agriculture and Forestry, the La. Crawfish Promotion and Research Board, and other respective agencies to develop a voluntary assessment for the implementation of the public safety marketing campaign.

Proposed law requires the state health officer to produce a statement to include on labels, placards, menu boards, or other promotional signage that encourages consumers to consume La. seafood and warns of the risks that may be associated with the consumption of Chinese seafood.

Proposed law requires the La. Retailers Association, the La. Restaurant Association along with other necessary organizations to work with the state health officer and the La. Dept. of Agriculture and Forestry to encourage the display of the signage and other promotional literature as provided for in proposed law where seafood sales occur.

Proposed law creates the Seafood Safety Task Force that is charged with obtaining: (1) the method in which the imported seafood is inspected in La.; (2) the frequency of inspections of imported seafood; (3) the substances for which imported seafood are currently being tested; and

(4) the results of sampling analysis of potentially harmful substances in imported seafood. The task force shall compile the results of these findings and develop seafood and safety recommendations to be reported to the House Committee on Health and Welfare, the Senate Committee on Health and Welfare, the House Committee on Agriculture, Forestry, Aquaculture, and Rural Development, and the Senate Committee on Agriculture, Forestry, Aquaculture, and Rural Development by March 1, 2010.

Proposed law provides for the membership of the task force as follows:

- (1) A member of the House Committee on Health and Welfare who shall serve as chair of the task force or his designee.
- (2) A member of the Senate Committee on Health and Welfare or his designee.
- (3) The commissioner of the Dept. of Agriculture and Forestry or his designee.
- (4) The chancellor of the La. State University Agricultural Center or his designee.
- (5) A representative of the La. Poison Control Center.
- (6) The secretary of the Dept. of Health and Hospitals or his designee.
- (7) A representative of the U.S. Food and Drug Administration.
- (8) A representative of the La. Farm Bureau Federation.
- (9) The secretary of the Dept. of Wildlife and Fisheries or his designee.
- (10) The secretary of the Dept. of Environmental Quality or his designee.

Effective Jan. 1, 2010.

(Amends R.S. 40:4(A)(1)(b); Adds R.S. 40:5.5.2 and 5.5.3)

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Health and Welfare to the original bill.

1. Requires the state health officer and the La. Restaurant Association to implement a marketing campaign highlighting the benefits of patronizing La. restaurants and eating local seafood.
2. Deletes the requirement that all food service establishments post signs warning that Chinese seafood may contain carcinogenic substances and the consumption of

Chinese seafood may be hazardous to people's health.

House Floor Amendments to the engrossed bill.

1. Specifies that the state health officer in conjunction with the La. Dept. of Agriculture and Forestry must institute a public safety marketing campaign.
2. Deletes hazardous conditions from the Section title and deletes language indicating that the consumption of seafood may pose a serious health risk.
3. Specifies that the La. Restaurant Association must employ a marketing campaign that highlights the benefits of eating domestic seafood.
4. Deletes a provision that prohibits a person from selling or offering for sale any imported marine or freshwater seafood from the People's Republic of China unless the container is clearly labeled and bears the words "WARNING" "This product contains Chinese seafood which may be hazardous to your health".
5. Deletes a requirement that retailers and any other person that sells Chinese seafood must label the product with the following: "This product contains Chinese seafood and has passed all current governmental standards for its sale in the state of La.; however, Chinese seafood products have been reported to contain substances which may be carcinogenic. The consumption of Chinese seafood may be hazardous to your health".
6. Deletes a requirement that retail seafood dealers post the following sign: "Chinese seafood has been reported to contain substances which may be carcinogenic. The consumption of Chinese seafood may be hazardous to your health." Also, deletes the requirement that such signs be in the English language, in legible type, and located in a conspicuous place.
7. Adds a provision that requires the state health officer and the La. Dept. of Agriculture and Forestry to enter into a memorandum of understanding to implement this marketing campaign.
8. Adds a provision that requires the La. Retailers Association to work with the La. Dept. of Agriculture and Forestry, the La. Crawfish Promotion and Research Board, and other respective agencies to develop a voluntary assessment for the implementation of the public safety marketing campaign.
9. Adds a provision that requires the state health officer to produce a statement to include on labels, placards, menu boards, or other promotional signage that encourages consumers to consume La. seafood and warns of the risks that may be associated with the consumption of Chinese seafood.

10. Adds a provision that requires the La. Retailers Association, the La. Restaurant Association, along with other necessary organizations to work with the state health officer and the La. Dept. of Agriculture and Forestry to encourage the display of the signage and other promotional literature as provided for in proposed law where seafood sales occur.
11. Creates the Seafood Safety Task Force that is charged with obtaining: (1) the method in which the imported seafood is inspected in La.; (2) the frequency of inspections of imported seafood; (3) the substances for which imported seafood are currently being tested; and (4) the results of sampling analysis of potentially harmful substances in imported seafood. The task force shall compile the results of these findings and develop seafood and safety recommendations to be reported to the House Committee on Health and Welfare, the Senate Committee on Health and Welfare, the House Committee on Agriculture, Forestry, Aquaculture, and Rural Development, and the Senate Committee on Agriculture, Forestry, Aquaculture, and Rural Development by March 1, 2010. Provides for the membership of the task force. Also, provides for responsibilities and duties of the task force.
12. Makes technical changes.