

2022 Regular Session

HOUSE RESOLUTION NO. 253

BY REPRESENTATIVE KERNER

SEAFOOD: Memorializes the U.S. Congress to enact federal law requiring restaurants to notify patrons if they are serving imported shrimp

1 A RESOLUTION

2 To memorialize the United States Congress to enact federal legislation requiring food  
3 service establishments to notify patrons if they are serving imported shrimp.

4 WHEREAS, according to the National Oceanic and Atmospheric Administration, in  
5 2019 the United States imported six billion pounds of edible seafood products, including one  
6 and one half billion pounds of shrimp, an increase of nearly six and one half million pounds  
7 more than the shrimp imported in 2018; and

8 WHEREAS, the 2019 shrimp imports alone, valued at six billion dollars, accounted  
9 for twenty-seven percent of the total value of imported seafood that year, which reached  
10 twenty-two billion dollars; and

11 WHEREAS, it is estimated that over half of the imported seafood consumed in the  
12 United States is from aquaculture, or seafood farming, rather than wild-caught; and

13 WHEREAS, the United States Food and Drug Administration (FDA) is responsible  
14 for the safety of all fish and fishery products entering the United States and sold in  
15 Louisiana; and

16 WHEREAS, the FDA's seafood safety program is governed by its Hazard Analysis  
17 Critical Control Point regulations, which address food safety management through the  
18 analysis and control of biological, chemical, and physical hazards from raw material  
19 production, procurement and handling, to manufacturing, distribution, and consumption of  
20 the finished product; and

1           WHEREAS, FDA regulations are supposed to measure compliance for imported  
2 seafood with inspections of foreign processing facilities, sampling of seafood offered for  
3 import into the United States, domestic surveillance sampling of imported products,  
4 inspections of seafood importers, foreign country program assessments, and the use of  
5 information from foreign partners and FDA overseas offices; and

6           WHEREAS, in 2011 the FDA was only inspecting two percent of the seafood  
7 imported into the United States; and

8           WHEREAS, unfortunately 2011 is the last year for which data regarding the  
9 percentage of imports inspected is available due to a lack of transparency and inadequate  
10 assessment measures; and

11           WHEREAS, in 2011 the Government Accountability Office (GAO) noted that the  
12 FDA's assessments of foreign aquaculture operations was limited by the FDA's lack of  
13 procedures, criteria, and standards; and ten years later, a 2021 GAO report found that the  
14 agency was failing to monitor the effectiveness of its own enforcement policies and  
15 procedures; and

16           WHEREAS, in contrast, the European Union regularly conducts physical checks of  
17 approximately twenty percent of all imported fish products that are fresh, frozen, dry, salted,  
18 or hermetically sealed, and for certain fishery products, physical checks are conducted on  
19 approximately fifty percent of imports; and

20           WHEREAS, the Louisiana State University School of Renewable Natural Resources  
21 published a 2020 paper titled "Determination of Sulfite and Antimicrobial Residue in  
22 Imported Shrimp to the USA", which presented findings from a study of shrimp imported  
23 from India, Thailand, Indonesia, Vietnam, China, Bangladesh, and Ecuador and purchased  
24 from retail stores in Baton Rouge, Louisiana; and

25           WHEREAS, a screening of these shrimp for sulfites and residues from antimicrobial  
26 drugs found the following: (1) five percent of the shrimp contained malachite green, (2)  
27 seven percent contained oxytetracycline, (3) seventeen percent contained fluoroquinolone,  
28 and (4) seventy percent contained nitrofurantoin, all of which have been banned by the FDA  
29 in domestic aquaculture operations; and

1           WHEREAS, although the FDA requires that food products exposed to sulfites must  
2 include a label with a statement about the presence of sulfites, of the forty-three percent of  
3 these locally purchased shrimp found to contain sulfites, not one package complied with this  
4 labeling requirement; and

5           WHEREAS, the drug and sulfite residues included in this screening can be harmful  
6 to human health during both handling and consumption and have been known to cause all  
7 of the following: liver damage and tumors, reproductive abnormalities, cardiac arrhythmia,  
8 renal failure, hemolysis, asthma attacks, and allergic reactions; and

9           WHEREAS, the results of this study confirm that existing screening and enforcement  
10 measures for imported seafood are insufficient; whatever the percentage of imports inspected  
11 may be, seafood is currently being imported that contains unsafe substances that put  
12 American consumers at risk; and

13           WHEREAS, because imported seafood is not held to the same standards as domestic  
14 seafood, domestic fishing industries are put at a distinct and significant disadvantage  
15 commercially; and

16           WHEREAS, according to the Louisiana Department of Wildlife and Fisheries, the  
17 average value of Louisiana shrimp fell from three dollars eighty cents per pound in 1980 to  
18 one dollar fifty cents per pound in 2017; and

19           WHEREAS, this unfair competition allows foreign competitors to flood the United  
20 States market with shrimp harvested under intensive farming practices using antimicrobial  
21 drugs, while devastating local industries and the coastal communities built around them; and

22           WHEREAS, Louisiana passed a law in 2019 requiring food service establishments  
23 to provide notice to patrons that they are serving shrimp imported from a foreign country;  
24 and

25           WHEREAS, Louisiana Revised Statute 40:5.5.4 requires any food service  
26 establishment that sells or provides cooked or prepared shrimp originating outside the United  
27 States to display the country of origin of such shrimp, or denote that it is imported, on all  
28 menus in the same font as the rest of the menu, or if no menu is used, to display such  
29 information on a sign at least eighteen inches tall and wide, located in a conspicuous place,  
30 with lettering at least one inch in size; and

1           WHEREAS, like Louisiana consumers, consumers across the United States deserve  
2 to be protected from harmful chemicals and residues found in imported shrimp; and

3           WHEREAS, consumers across the United States likewise have the right to know  
4 whether the shrimp prepared and served to them in food service establishments are imported.

5           THEREFORE, BE IT RESOLVED that the House of Representatives of the  
6 Legislature of Louisiana does hereby memorialize the United States Congress to enact  
7 federal legislation requiring food service establishments to provide notice to patrons if they  
8 are serving imported shrimp.

9           BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the  
10 presiding officers of the Senate and the House of Representatives of Congress and to each  
11 member of the Louisiana congressional delegation.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HR 253 Original

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Kerner

Memorializes the U.S. Congress to enact federal legislation requiring food service establishments to provide notice to patrons if they are serving imported shrimp.