

Congress of the United States
Washington, DC 20510

April 27, 2018

The Honorable Robert Lighthizer
U.S. Trade Representative
Office of the U.S. Trade Representative
600 17th Street, NW
Washington, DC 20508

Dear Ambassador Lighthizer,

As you know, following Congressional intent in the 2008 and 2014 Farm Bills, the United States Department of Agriculture Food Safety Inspection Service (USDA-FSIS) has taken over the inspection of catfish and catfish-like products from the Food and Drug Administration (FDA). The program is working efficiently and effectively to ensure the safety of catfish in our food supply, and we ask that you defend this necessary food safety program.

Vietnam recently requested consultations at the World Trade Organization (WTO) regarding USDA-FSIS catfish inspection. Disappointingly, this action by Vietnam has nothing to do with trade and everything to do with politics. In fact, USDA-FSIS is currently determining equivalency of foreign importers of catfish and catfish-like products, including Vietnam. Throughout this process, safe catfish imports have continued to come into the U.S. from Vietnam and other countries. The catfish and catfish-like products that have not been approved to enter our food supply contain unapproved animal drugs, carcinogens and other harmful contaminants.

USDA-FSIS inspection, which has kept hundreds of tons of tainted catfish out of the U.S. food supply since officially beginning operations in 2016, has unfortunately continued to come under attack. The most often cited statement is an outdated Government Accountability Office (GAO) study, which noted that the USDA-FSIS catfish inspection system is duplicative with FDA inspection. However, this could not be further from the truth. The FDA no longer inspects catfish or catfish-like products, only USDA-FSIS inspects these products.

Lastly, the timing of Vietnam's request for consultations is suspiciously close to the time in which the Vietnamese government was expected to demonstrate that its regulatory food safety inspection system is equivalent to that of USDA-FSIS. Given the fact that the concept of equivalence originated with the WTO, and that Vietnam has yet to demonstrate it, we believe Vietnam's request for consultation lacks merit and respect for U.S. food safety laws.

Going forward in these consultations, we ask you to stand with U.S. catfish farmers and USDA-FSIS inspection of catfish to ensure a safe, wholesome food supply for U.S. consumers. Thank you for your attention to this matter, and we look forward to your response.

Sincerely,

John Boozman

John Boozman
United States Senator

Tom Cotton

Tom Cotton
United States Senator

Doug Jones

Doug Jones
United States Senator

Roger F. Wicker

Roger F. Wicker
United States Senator

Cindy Hyde-Smith

Cindy Hyde-Smith
United States Senator

Richard Shelby

Richard Shelby
United States Senator

Rick Crawford

Rick Crawford
Member of Congress

Steve Womack

Steve Womack
Member of Congress

Mike Rogers

Mike Rogers
Member of Congress

Bradley Byrne


Bradley Byrne
Member of Congress

Martha Roby

Martha Roby
Member of Congress

Steven Palazzo

Steven Palazzo
Member of Congress



Gregg Harper
Member of Congress



French Hill
Member of Congress



Trent Kelly
Member of Congress



Rosa L. DeLauro
Member of Congress



Bruce Westerman
Member of Congress



Bennie Thompson
Member of Congress



Ralph Abraham, MD
Member of Congress



Terri A. Sewell
Member of Congress

CC: The Honorable Gregg Doud, Chief Agricultural Negotiator, USTR