

PROPOSED FISH INSPECTION LITIGATION

Richard Gutting

National Fisheries Institute
Washington, D.C.

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Seafood Inspection Legislation
by
Richard E. Gutting, Jr.
National Fisheries Institute

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Seafood consumption in the United States has grown 23 percent during the last decade to a record high in 1989 of 15.9 pounds per person. During this period, product variety expanded rapidly, as did fish imports, exports and aquaculture production.^{1/}

While the health benefits of eating fish have been well publicized in the United States, media stories in the 1980's raised concerns about seafood contamination and the adequacy of federal inspection programs. The United States is virtually alone among industrialized fishing nations because it does not have a systematic, mandatory seafood inspection program.

During the 101st Congress, consumer advocates and industry leaders have contended that a more aggressive

1. Imports account for 65% of the U.S. supply. Aquaculture operations produce about 10 to 15% of the total U.S. supply.

and comprehensive inspection program is needed. In response, two separate seafood inspection bills were reported by Senate committees. The Senate on September 12 approved the seafood inspection bill (S.2924) supported by the National Fisheries Institute, Public Voice and many other organizations. The measure, which was sponsored by Senate Majority Leader George Mitchell and others, would give the Agriculture Department the primary responsibility for inspections. The FDA would continue to set tolerances for products and the National Marine Fisheries Services (NMFS) would oversee fisheries and growing waters.

Prior to approving S.2924 the Senate rejected, by a vote of 59 to 39, a proposal of Senators Ernest Hollings, Edward Kennedy and Ted Stevens which would give inspection duties to both the FDA and NMFS. In floor debate, Senator Mitchell and others successfully argued that the lack of a lead agency would "muddle lines of authority and accountability." Organized labor groups and some consumer groups supported the Hollings proposal because it would have protected workers from reprisals if they walked off the job or protested over alleged food safety violations. S.2924 does not include these provisions.

In its official statement, the Office of

Management and Budget advised Congress that "senior advisors" to the President would recommend a veto of any bill unless it was funded through user fees and gave "overall responsibility" to the FDA. Administration lobbyists worked hard to block Senate passage of S.2924.

Awaiting floor action in the House are three different bills supported by Agriculture Committee Chairman Kika de la Garza (H.R.3508), Commerce Committee Chairman John Dingell (H.R.3155) and Fishery Subcommittee Chairman Gerry Studds (H.R.2511). The Administration also has proposed a new regulatory program under existing authorities. Attachment A summarizes this legislative and regulatory activity.

This paper reviews the history behind the current policy debate over seafood inspection, and assesses some of the policy issues raised.

Present Inspection Programs

1. The Food and Drug Administration

The Food and Drug Administration (FDA) is responsible for ensuring the safety of most foods, including fish and seafood, under the Federal Food, Drug, and Cosmetic Act (FFDCA) (21 U.S.C. 301), the Fair Packaging and Labeling Act (FPLA) (15 U.S.C. 1451), and

the Public Health Service Act (PHSA) (42 U.S.C.241). The first two laws charge FDA with assuring that foods are safe, wholesome, and not misbranded or deceptively packaged. FDA's authority under the PHSA relates to the control of the interstate spread of communicable diseases.

FDA's food inspection program is a compliance program which periodically inspects manufacturing facilities and spot samples domestic and imported products. The FDA's authority, however, extends beyond foods to cosmetics, drugs, medical devices, and biologic and radiologic products. Altogether it employs a total of about 1,000 inspectors in the field who are shifted from one food or drug sector to another depending upon need. These inspectors spend about 30 to 40 percent of their time inspecting food.

The cost of the FDA food inspection program is borne by the taxpayer. In Fiscal Year 1989, FDA's budget for food safety was about \$160 million. It is difficult to determine the costs related to seafood because FDA does not separately compile funding for seafood. FDA officials, however, have testified that FDA is spending about \$20 million annually on seafood.

Plant Inspections: The FDA's Official

Establishment Inventory lists about 67,000 food facilities in the U.S. In 1988, 12,500 food inspections were performed by FDA inspectors and another 8,300 inspections were carried out by state personnel under contract with FDA. A typical inspection took 4 to 5 hours.

The FDA periodically inspects seafood processors, shippers, packers/repackers, labelers/relabelers, warehouses and importers. While firms are not required to register with the FDA, the agency believes there are about 4,000 such seafood-related facilities in the U.S. FDA estimates that it inspects about 1,000 seafood establishments a year, primarily for sanitation.

Product Samples: To monitor foods for adulteration or misbranding the FDA routinely samples foods considered to be of dietary importance, including fish. Part of this sampling is the "market basket," or total diet study, conducted four times a year. The same 234 foods are purchased in three cities in a given region and analyzed for certain contaminants. The FDA also takes product samples from retail outlets and establishments when violations are suspected.

According to the General Accounting Office, FDA samples less than 1% domestic and 3% of imported seafood. While violation rates vary, FDA reports that

12 to 30 percent of its seafood samples are violative (most for microbiological contamination).

Imports: FDA does not inspect overseas food plants shipping products to the U.S. Instead, it relies on sampling products at the U.S. port of entry. Approximately 167,000 formal entries of seafood products are imported annually. FDA conducts about 4,500 wharf examinations per year and takes 4,000 to 5,000 samples of imported seafood products.

Shellfish: The National Shellfish Sanitation Program (NSSP) was first established in 1925 by a conference of Federal, State and local officials and representatives of the industry following a major outbreak of typhoid fever attributed to oysters. Under this voluntary program, each shellfish-shipping state monitors growing waters, registers shellfish dealers and inspects operations. The FDA reviews state programs, including inspecting a representative number of shellfish processing plants and publishes a list of approval shellfish shippers. The NSSP applies to oysters, clams and mussels either shucked or in the shell, fresh or frozen. Scallops are excluded because only the muscle is consumed and they are usually not eaten raw. The program currently is under the auspices of the Interstate Shellfish Sanitation Conference

(ISSC).

Canned Salmon: The FDA also cooperates with the National Food Processors Association (NFPA) to monitor salmon processing on a voluntary basis. Under this program the NFPA samples each lot and FDA spot checks the samples. FDA also inspects canning operations to ensure that proper procedures are being followed.

Voluntary Services: Section 702A of the FFDCFA (21 U.S.C. 372a) authorizes the FDA to provide voluntary inspections on a user-fee basis. This authority, which was originally enacted in 1934 to alleviate problems with the decomposition of shrimp in the Gulf of Mexico, was used in the 1940's for canned oysters. It has not been used since 1957.

State Programs: The FDA does not assist states in the conduct of their seafood inspection programs. It does contract with some 25 states, however, for specific inspection services. Under these arrangements approximately 360 individual inspections are conducted each year.

2. The Department of Commerce

The Department of Commerce (DOC) offers voluntary grading and inspection services under the Agricultural

Marketing Act of 1946 (7 U.S.C. 1621-1627), the Fish and Wildlife Act of 1956 (16 U.S.C. 742e), and Reorganization Plan No. 4 of 1970 (84 Stat. 2000). This program includes inspection, grading and certification services, as well as the use of official marks that indicate that product has been inspected.

Under a Memorandum of Understanding with the FDA, the DOC inspects operations and products for compliance with both FDA and DOC requirements. The FDA takes this voluntary program into account when it targets its inspections.

The U.S. military forces and several major foreign and domestic buyers require federal inspection before purchases are made. These are performed by the DOC. The amount of seafood inspected under the DOC program, however, has declined from 19.2 percent of U.S. consumption in 1981 to 10.2 percent in 1987.

3. The Department of Agriculture

Unlike the general compliance program of the FDA, the Food Safety Inspection Service (FSIS) in the U.S. Department of Agriculture, carries out inspection programs specifically designed for meat and poultry.

FSIS employs about 7,600 inspectors who cover about 6,900 meat and poultry plants producing about 150

billion pounds of products. In addition, about 130 compliance officers review records and sample products in commercial channels. It presently spends about \$450 million each year.

Plant Inspections: The FSIS inspects and registers all facilities that slaughter and process meat and poultry products. It then monitors every animal from the time of slaughter through each stage of processing. This type of inspection is known as "continuous" and has been criticized as being inefficient and labor intensive. Unlike the FDA, the FSIS has authority to review the plant records, administratively detain foods suspected of violations and shut down the operation of equipment or plants. FSIS also requires prior approval of food labels, while FDA does not.

Product Samples: During Fiscal Year 1988 FSIS performed over 2.1 million analyses on 463,000 statistically-selected samples to test for contamination in meat and poultry products.

Imports: The coverage of imports by FSIS is "two-pronged" and much more extensive than that of FDA. Overseas inspectors of FSIS examine foreign plants and review foreign inspection programs to ensure compliance with U.S. safety standards. In addition, about 80 FSIS

import inspectors examine foreign meat and poultry products at U.S. ports of entry to verify the effectiveness of foreign inspection programs. Imported meat and poultry products that are shipped to U.S. plants for further processing receive further inspection in those plants. FSIS import inspectors in 1988 reinspected 2.8 billion pounds of meat and poultry from 40 countries.

State Programs: FSIS cooperates with state agencies to avoid duplicative inspection efforts and reduce costs. Twenty eight states have inspection programs that are equal to the FSIS program. In these states, state inspectors are responsible for the program and FSIS shares half of the costs with the state agencies.

Voluntary Services: Grading and voluntary certification services for meat and poultry are provided by the Agricultural Marketing Service in the USDA under the Agricultural Marketing Act of 1946.

4. The States

All states, the District of Columbia and the overseas territories (American Samoa, Guam, Puerto Rico and the Virgin Islands) regulate food safety. Forty-five states have laws based upon the Federal Food, Drug

and Cosmetic Act. The federal/state relationship is further complicated by the use of state personnel to carry out fish inspections under the present federal programs.

The Federal Meat Inspection Act, the Poultry Products Inspection Act and the Egg Products Inspection Act assign certain responsibilities if states choose to conduct activities subject to these acts. Twenty-eight states have meat and/or poultry programs "equal to" the federal program with USDA contributing to the cost of these programs. States also have a dominate role inspecting milk products under the National Conference in Interstate Milk Shipment. A somewhat similar state program has been organized by the FDA for shellfish.

Historical Background

1. Evolution of Food Safety Law

The first U.S. meat inspection law was enacted in 1890 in an effort to expand the export market by meeting European requirements and restoring European confidence in the quality of American beef. The act was limited to meat destined for export.

The meat program was expanded to domestic products with the enactment in 1906 of the Federal Meat Inspection Act (34 Stat. 669. This law directs the

U.S. Department of Agriculture to inspect slaughtering and packing plants doing business across state lines. In the same year Congress enacted the Pure Food and Drugs Act giving USDA broad jurisdiction over food in interstate commerce (34 Stat. 768).

In 1924 the New York Live Poultry Commission Association began to inspect poultry. By 1926 the USDA assumed responsibility for voluntary poultry inspection.

In 1930 the McNary-Mapes Admendment to the Pure Food an Drugs Act (46 Stat. 1019) set quality standards for canned foods, and in 1938 the Federal Food, Drug and Cosmetic Act (FFDCA) gave the USDA additional powers to set food standards and better enforce sanitary conditions in food preparations and packing (52 Stat. 1040). Responsibilities under the FFDCA were transfered to what is now the Department of Health and Human Services in 1940. Congress required pre-market approval of ingredients added to food in 1958 and shifted the burden to industry of proving ingredients safe (72 Stat. 1784). Similar requirements were imposed on color additives in 1960 and animal drugs in 1968 (82 Stat. 342).

In 1957, with poultry consumption on the rise, the

Poultry Products Inspection Act was passed with inspection requirements for interstate shipments of poultry similiar to those which applied to meat.

The Talmadge-Aiken Act of 1962 established cooperative agreements allowing state employees to inspect meat and poultry plants that would continue to be considered "federally inspected" and qualify for interstate commerce (76 Stat. 663).

The Wholesome Meat Act of 1967 updated the inspection of meat and required intrastate state inspection programs to be at least "equal to" federal standards (81 Stat, 584). The Wholesome Poultry Products Act extended continuous inspection to intrastate firms in 1968 (82 Stat. 791). Similar requirements were extended to eggs and egg products in the Egg Products Inspection Act of 1970 (84 Stat. 2086).

In 1986, meat law was amended by the Processed Products Inspection Improvement Act to authorize less than continuous inspection of post-slaughter meat processing establishments. The new system stresses industry responsibility and plant quality assurance systems.

2. Early Seafood Inspection Legislation

Specific legislative efforts to establish a mandatory fish inspection program began on October 18, 1966 when Senator Hart introduced S. 3922. That bill was reintroduced in the 90th Congress as S. 1472 and hearings were held in July, 1967. Another bill (S. 2958) was introduced in February, 1968 at the request of the Administration and hearings were held that April (Serial 90-41) but no further action was taken.

In the 91st Congress bills were introduced by Sen. Kennedy (S. 296), Sen. Hart (S.1091, S.1092 and S. 1528). Sen. Kennedy's bill called for a program in the Department of Commerce and authorized a loan program to assist companies while the other bills would have set up a program in the FDA and did not provide financial assistance. The two FDA bills, however, differed on the level of surveillance required. The Administration's proposal would have left the frequency of inspection to the discretion of the FDA, while Senator Hart's bill called for continuous inspection. Hearings were held in July, 1969 (Serial 91-33) but no further action was taken.

In the 92nd Congress, following widespread public concern over mercury in fish, efforts to pass legislation were more successful. Bills were

introduced in both the House and Senate at the request of the Administration (S.700 and H.R. 3666). Hearings were held May, 1971 (Serial No. 92-16) and in November, 1971 the Senate Commerce Committee reported (Rept. No. 92-435) a bill (S. 2824) which authorized the FDA to:

- o develop processing standards for vessels and facilities;
- o certify all processing operations;
- o inspect all processing operations;
- o take over intrastate programs from the states if they were found deficient;
- o sample and test products for contamination.

The bill passed the Senate in December (Cong. Rec., P.S. 20321) but died in the House because of the strong opposition of organized labor groups to any program which did not require continuous inspection like that required for meat and poultry.

Several fish inspection bills were introduced in the 93rd Congress including a proposal to set up a program in the Department of Interior by Rep. Pepper (H.R. 887), another calling for continuous inspection in the USDA by Rep. Melcher (H.R. 8894), another by Senator Magnuson (S. 2373) and yet another introduced by Reps. Sullivan and Dingell which would establish a program in the DOC (H.R. 12849). By this time, however, Administration strategy had shifted in favor of comprehensive inspection reforms for all foods and no fish inspection bill reached the floor of either the

House or Senate.

Bills continued to be introduced in the late 1970s but congressional interest waned. By 1980 there appeared to be little, if any interest in the subject.

3. Recent Efforts

Seafood inspection legislation resurfaced in the early 1980s with the publication of reports by the Congressional Research Service and Public Voice for Food and Health Policy, a Washington, D.C.-based consumer advocacy group, and the introduction of legislation in 1983 by Rep. Byron Dorgan (D-ND).^{2/}

In 1985, the National Fisheries Institute, after a two-year investigation of the issue, voted to seek legislation establishing an inspection system based upon the Hazard Analysis Critical Control Point (HACCP) system recommended that year by the National Academy of Sciences. As a first step, the NFI sought funding for a two-year study needed to design such a system for the seafood industry. Such funding was provided, thanks to the leadership of Sen. Ted Stevens, in an appropriation measure (H.R. 5161) which provided:

... \$350,000 to the National Oceanic and
Atmospheric Administration for the
express purpose of designing a program of

2. Rep. Dorgan reintroduced his bill in 1985 and 1987.

certification and surveillance to improve the inspection of fish and seafood consistent with the Hazard Analysis Critical Control Point System. NOAA shall complete the design of such program in consultation with the Food and Drug Administration, the U.S. Department of Agriculture, the fish and seafood industry, and the States. The Committee directs that on or before the expiration of the 24-month period following the date of enactment of the 24-month period following the date of enactment of this act, NOAA shall report to the Congress the results of the work, together with its comments and recommendations, and the comments and recommendations of the Food and Drug Administration, the U.S. Department of Agriculture and the States regarding the public and private cost of implement such a program. (See S.Rep. 99-425, p.19)

During this time Public Voice issued a report on fish inspection calling for a mandatory program with these components:

- o certification of fishing vessels;
- o microbial and chemical residue standards;
- o recordkeeping to trace products;
- o uniform state requirements;
- o sanitary plant and transportation standards;
- o better enforcement authority; and
- o public education.

In response to a request from Public Voice, the DOC decided in 1987 to divide the task of designing a HACCP-based system into two major components. The first was an examination of the potential health hazards by the National Academy of Sciences. The second was the design of a HACCP system for specific seafood operations.

In August 1988, the General Accounting Office

(GAO) published a report Seafood Safety: Seriousness of Problem and Efforts to Protect Consumers in which it concluded that "there does not appear to be a compelling case at this time for implementing a comprehensive mandatory federal seafood inspection program similar to that for meat and poultry."

Completion of the HACCP study by the DOC, FDA and USDA has been delayed. A preliminary report of this study, however, was issued in March, 1990. It recommends that a HACCP program be implemented over the next three years which would require plant registration and inspection, sampling and testing of products, equal treatment of domestic and imported products, public education and research. A final report is scheduled at the end of this year. The report from the National Academy of Sciences is scheduled to be released in October, 1990.

In April, 1989 the NFI decided to no longer wait for completion of the HACCP study. Immediately after this decision, NFI asked White House officials for their views on the issue. This prompted a series of interagency meetings during which USDA, FDA and NOAA each argued that it should conduct a HACCP-based program. FDA wanted 300 more inspectors and a \$23 million funding increase. USDA argued for a \$30-80

million program. OMB opposed any program unless it was paid for with user fees. The White House decided in May, 1989 to defer making a decision and the official position of the Administration throughout 1989 was to oppose any legislation "at this time."

At the end of 1989, NFI organized a coalition of food trade associations in support of a bill. This coalition asked the White House for its views in December. There was no response. Instead, the President's budget for Fiscal Year 1991 proposed that FDA and NOAA use their existing authorities to institute a voluntary user-fee program. In addition, the Administration's budget proposed a \$9 million increase for FDA's seafood activities, a \$10 million reduction in NOAA's seafood safety program and the imposition of at least \$5 million in user fees to increase FDA's fish inspection activities.

On June 27, 1990 the FDA and DOC published an advanced notice of proposed rulemaking announcing their intent to establish a voluntary program following HACCP principles (55 Fed. Reg. 26334). At the same time they solicited firms to participate in a two-month pilot study of the new program (55 Fed. Reg. 26339).

Major Policy Issues

A summary of the major bills being debated in Congress is attached (Attachment B). The differences among the various measures are discussed below.

1. Federal Standards

Product Safety: All bills call for FDA (or EPA for pesticide residues) to establish food safety standards for products, including the use of indicator organisms, following informal rule-making procedures. The major difference among the various bills is that some (S. 2924 and H.R. 3508) cross reference existing substantive criteria for safe food, while others (S. 2228, H.R. 2511 and H.R. 3155) would delete the "not-ordinarily-injurious" test for naturally occurring substances presently found in the FFDCA. The implications of such a change are discussed in an excellent 1971 article on the mercury controversy published in the Harvard Law Review.^{3/} Also, two bills (S.2924 and H.R. 3508) limit agency discretion to set standards for seafood products intended to be consumed raw.

Labels: Two bills (S. 2924 and H.R. 3508) propose a labeling approval system similar to the current

3. "Health Regulation of Naturally Hazardous Foods: The FDA Ban on Swordfish," Vol. 85:1025

system for meat and poultry. They call for national uniformity and require that each label be preapproved by USDA, or be a USDA "standard" label. H.R. 2511 calls upon DOC to set marking and identification standards while H.R. 3155 refers to FDA.

Operations: All bills call for standards regarding sanitation and processing consistent with HACCP. The major difference is which agency would be responsible. Two bills (S. 2924 and H.R. 3508) refer to the USDA, H.R. 3155 provides similar authority to FDA, and H.R. 2511 calls upon the DOC.

2. Inspection of Domestic Operations

Vessels: All bills except H.R. 3155 would require the inspection of fish processing vessels. Inspection of harvesting vessels would be studied by the DOC with a report to Congress in two years. H.R. 2511 also would authorize DOC regulation of harvesting vessels if there was no practicable alternative to protecting public health.

Plant Registration: All bills require the registration of processing facilities and businesses engaged in commercial importation of seafood. No processing facility or importer would be authorized to process or handle fish and fish products unless registered. The differences between the bills have to

do with which agency would be responsible.

The substance of the various bills is very similiar. Applications would require the name of the owner and operator of the processing facility or import business, the principal place of business, and a list of each type of seafood processed or imported. Upon receipt of a completed application, a certificate of registration would be issued to the applicant or the applicant would be notified in writing of the reasons for denial. Any applicant denied a certificate of registration would be provided an opportunity for a hearing upon request.

Sanctions are authorized if a processing facility or importer is not in compliance with requirements or regulations. After providing a notice of noncompliance and an opportunity for a hearing, registration can be revoked, the registration suspended for a period of time, or conditions and restrictions on the registration imposed. Registration may be suspended prior to providing notice and an opportunity for a hearing for failure to permit access for inspection.

Procedures for reinstatement of a registration that has been revoked or suspended are provided. A registration would be reinstated upon a determination

that the holder of the registration is fit to engage in fish processing. In addition, conditions or restrictions placed on a registration could be removed if the holder of the registration was found to have taken adequate measures to come into compliance with the bill.

Registrants are required to maintain records and provide information. Recordkeeping requirements placed on processing facilities would be limited to information necessary for assessing whether the products and operations of a facility were in compliance with the regulations and standards of the bill. Each registrant would be required to permit access to and copy these records upon request and at reasonable times.

3. Monitoring Growing Waters

All bills except H.R. 3155 would require the DOC to establish and maintain a comprehensive system for monitoring, classifying and closing fish growing and harvesting areas. The purpose of the system is to identify problem areas from which contaminated fish are likely to be harvested. H.R. 3155 would give this authority to FDA.

4. State Programs

All bills call for establishing State seafood

safety programs and delegating authority to the States to implement the Federal program. While the level of detail in the bills vary, the major difference concerns which agency should be responsible.

Most bills include express policies to encourage States to continue, strengthen, or establish seafood safety and quality assurance programs at least equal to the program established under the bill. All bills authorizes advisory and technical assistance and financial support for development of state seafood programs.

States would apply for approval to administer its own federally-equivalent seafood safety and quality assurance program. Unless the State program lacks adequate authority and capacity to satisfy federal prerequisites, state programs would be approved and designated as one in which the Federal program does not apply. Each State with an approval program becomes eligible to receive an annual grant for up to 50 percent of the cost of operating the program. Approved State programs would be monitored to ensure that they maintain necessary program standards. Federal assistance may be withheld if the State program fails to meet requirements.

The bills also would authorize service agreements with Federal, State, or local agencies or foreign governments on a reimbursable basis for the use of the personnel services, and facilities of such agencies in conducting registration, inspection, monitoring, and certification under the bill.

5. Imports

While the bills are similiar in their provisions concerning imports, there are two major differences. First, which agency would be responsible. Second, whether products from a foreign country without an inspection program equal to the U.S. program, must be inspected before importation.

The bills are similiar in that they establish criteria for ensuring that seafood imports are held to the same standards as domestic products. For example, seafood imports must: (1) not be adulterated or misbranded; (2) comply with all standards applicable to seafood in interstate commerce; and (3) be marked and labeled as required by regulations. Imports which meet the criteria would be treated as domestic products.

Random inspection and sampling of seafood imports would be mandatory, and all products that are refused entry because they do not meet the import criteria would be destroyed unless exported within a designated

time or brought into compliance with the Act. Storage, cartage, labor, and other costs resulting from the denial of entry would be the responsibility of the owner or consignee. Failure to pay such costs would constitute a lien against that seafood or any future imports by the owner. These requirements are similiar to present law.

The major difference from current law is the emphasis in pending legislation on foreign inspection programs. All bills, for example, would authorize the U.S. to enter into an agreement with any nation wishing to export seafood to the United States. Such an agreement would include an evaluation of the adequacy of the nation's seafood safety and quality assurance program and ensure reciprocity between the two nations with respect to trade in seafood. The basic idea is to require exporting nations to maintain a program at least "equal to" that of the United States.

All bills except H.R. 3155 would require that imports from any nation which does not have an approved inspection program be inspected. H.R. 3155 calls for "more intensive" inspections leaving it to the discretion of FDA to decide the appropriate level of inspection.

6. Whistleblower Protection

H.R. 3155 and H.R. 3508 also would protect workers from loss of employment or discrimination for reporting a seafood inspection violation. The provisions of H.R. 3155 are modeled after the protections offered employees under the Clean Air Act while those in H.R. 3155 reference the Toxic Substances Control Act (15 USC 2622). H.R. 2924 does not provide any protection for employees.

H.R. 2511 goes further than H.R. 3155 and H.R. 2511 in also protecting workers who refuse to work because of alleged violation. The provision in H.R. 2511 is patterned after language contained in the Surface Transportation Assistance Act of 1982 (49 USC 2305).

101st Congress
Seafood Inspection Legislative Activity

Bills introduced:

1. Mandatory Fish Inspection Act of 1989 (H.R. 1387), introduced March 14, 1989 by Rep. Byron Dorgan (D-MD)
2. Consumer Seafood Safety Act of 1989 (H.R. 2511), introduced May 25, 1989 by Rep. Gerry Studds (D-MA)
3. Federal Fish Inspection Act (S. 1245), introduced June 22, 1989 by Sen. George Mitchell (D-ME)
4. Fish and Fish Products Safety Act of 1989 (H.R. 3155), introduced August 4, 1989 by Rep. John Dingell (D-MI)
5. Consumer Seafood Safety Act of 1989 (H.R. 3369) introduced September 28, 1989 by Rep. Dan Glickman (D-KA)
6. Consumer Seafood Safety Act of 1989 (H.R. 3481), introduced October 17, 1989 by Rep. Dan Glickman (D-KA)*
7. Federal Inspection for Seafood Healthfulness Act of 1989 (H.R. 3508) introduced October 23, 1989 by Rep. de la Garza (D-TX)
8. Consumer Seafood Safety Act of 1989 (S. 1983), introduced November 21, 1989 by Sen. Patrick Leahy (D-VT);
9. Fish Safety Act of 1990 (S. 2924), introduced July 26, 1990 by Sen. George Mitchell (D-ME)**
10. Consumer Seafood Safety and Quality Assurance Act (Amendment No. 2431), introduced July 27, 1990 by Sen. Fritz Hollings (D-SC)**

* Substitute bill correcting errors in H.R. 3369.

** Under an unanimous-consent agreement ordered on July 25, 1990 (136 Cong. Rec. S.10588), Senator Mitchell reintroduced an amended version of S. 1245 on July 26 as S. 2924 (136 Cong. Rec. S.10780) and Senator Hollings refiled an amended version of S. 2228 on July 27 as Amendment No. 2431 (136 Cong. Rec. S.11017).

Hearings held:

1. House Energy and Commerce Committee on June 5, 1989 (Unpublished).
2. House Subcommittee on Fisheries and Wildlife Conservation and the Environment on June 7, 1989 (Serial No. 101-23).
3. House Subcommittee on Health and Environment on September 15, 1989 (Unpublished).
4. House Agriculture Committee on October 17, 1989 (Unpublished).
5. Senate Committee on Agriculture, Nutrition and Forestry on October 24, 1989 (Unpublished).
6. House Subcommittee on Fisheries and Wildlife Conservation and the Environment on November 9, 1989 (Serial No. 101-59).
7. House Subcommittee on Fisheries and Wildlife Conservation and the Environment on April 25, 1990 (Serial No. 101-82).
8. Senate Committee on Commerce, Science and Transportation on May 24, 1990 (Unpublished).

Reports filed:

1. Senate Committee on Agriculture, Nutrition, and Forestry, Report on S. 1245 (S. Report 101-335)
2. Senate Committee on Commerce, Science and Transportation, Report on S. 2228 (S. Report 101-369)

Floor debate:

1. July 25, 1990 (136 Con. Rec. S. 10577)
2. September 12, 1990 (136 Con. Rec. S. 12927)