

U.S. House of Representatives
Committee on Natural Resources
Washington, DC 20515

September 4, 2024

Troy A. Miller
Senior Official Performing the Duties of the Commissioner
U.S. Customs and Border Protection
1300 Pennsylvania Avenue, NW
Washington, DC 20229

Dear Commissioner Miller,

We appreciate that U.S. Customs and Border Protection (CBP) is investigating forced labor allegations in the seafood industry. We further commend CBP's recent addition of seafood as a high-priority sector for enforcement under the Uyghur Forced Labor Prevention Act (UFLPA), which is an important step toward keeping American seafood free of Uyghur forced labor.

Recent reporting by the Outlaw Ocean Project¹ and the Associated Press² have evidenced issues of illegal, unreported, and unregulated (IUU) fishing and forced labor in the seafood supply chain with alarming detail. We are looking closely into this matter and would like to better understand the steps your agency is taking to address these serious concerns.

IUU fishing threatens domestic seafood production and economic prosperity for Americans. According to a report by the U.S. International Trade Commission, nearly eleven percent of all U.S. seafood imports, equal to \$2.4 billion annually, are derived from IUU fishing.³ Cheaper illegal seafood imports cost the U.S. commercial seafood industry millions of dollars annually by driving down the cost of American-caught and processed seafood.⁴ Globally, \$10 to \$23 billion are lost annually due to the impacts of IUU fishing on global markets.⁵

We are investigating the failure to address and eliminate IUU fishing and forced labor in the seafood supply chain. Given CBP's role in enforcing trade regulations, including Section 307 of the Tariff Act of 1930, we are writing to understand the steps CBP is taking or will be taking in

¹ The Outlaw Ocean Project. *The Whistleblower | India Shrimp: A Growing Goliath*.

<https://www.theoutlawocean.com/investigations/india-shrimp-a-growing-goliath/the-whistleblower/>

² Associated Press. *AP finds grueling conditions in Indian shrimp industry that report calls 'dangerous and abusive'*

<https://apnews.com/article/india-shrimp-seafood-industry-labor-abuses-us-imports-e5b51878eafbb6e28977710b191eb7de>

³ U.S. International Trade Commission. *Seafood Obtained via Illegal, Unreported, and Unregulated Fishing: U.S. Imports and Economic Impact on U.S. Commercial Fisheries*. <https://www.usitc.gov/publications/332/pub5168.pdf>

⁴ Ibid

⁵ Agnew et al., *Estimating the Worldwide Extent of Illegal Fishing*, <https://doi.org/10.1371/journal.pone.0004570>

response to the allegations. Please provide applicable decision memoranda, letters, emails, communications, situation summaries, discussion and evaluation documents, and briefing documents to support these responses.

1. Commercial Targeting and Analysis Center (CTAC): CTAC is an interagency coordination center that streamlines information sharing and leveraging multi-agency resources to address imports violating U.S. law.
 - a. What procedures are in place to identify seafood imports caught through IUU fishing?
 - b. A recent Government Accountability Office report recommended that CBP direct relevant officials to work with NFMS to ensure timely access to information that stops IUU fishing imports. Please describe CBP's implementation of this recommendation.
 - c. How are CBP and CTAC working to strengthen their collaboration with other agencies, such as the Food and Drug Administration and the National Oceanic and Atmospheric Administration, to address IUU fishing further and forced labor in the seafood industry?
2. Inspections of seafood imports:
 - a. What is the frequency of inspections of incoming seafood shipments, including shipments marked as a higher risk for non-compliance for IUU fishing and forced labor?
 - b. How is CBP working to increase the number of inspections for IUU fishing and forced labor while not impeding unrelated shipments?
 - c. Now that seafood has been added as a higher-priority sector for enforcement under the UFLPA, how does CBP plan to prioritize enforcement actions to keep such seafood out of the United States?
3. Automated Commercial Environment (ACE): The ACE system manages electronic reports for trade import data. This is the primary tool that CBP and NMFS use to identify cargo for possible inspection by agency officials.
 - a. What documentation is collected and reviewed from importers to authenticate that seafood shipment is free from IUU fishing and forced labor?
 - b. What forced labor indicators are collected and processed from seafood importers?
4. Withhold Release Orders (WRO): CBP has issued several WROs on seafood.
 - a. Given recent reporting, has CBP considered issuing new Withhold Release Orders to the vessels and processing facilities implicated by the Outlaw Ocean reporting?
5. Forced Labor Enforcement Task Force (FLETF):
 - a. What indicators have CBP and the FLETF identified linking seafood imports and forced labor?
 - b. How have CBP and the FLETF addressed these indicators to prevent seafood imports linked to forced labor?
 - c. To what extent does CBP use the Tariff Act of 1930, which prohibits the importation of goods made by forced labor, to address these issues in seafood imports?
 - d. Will the FLETF and CBP recognize seafood as a priority sector in the annually updated strategy that supports CBP's efforts to prevent importing goods from China made with forced labor?

Americans deserve access to safe and healthy seafood. As the global leader in seafood importation, the United States must work to uphold the integrity of the entire supply chain, even when operations occur within other countries.

Thank you for your continued attention to this critical issue. Should you have any questions, please contact any of our staff. We look forward to working with you as we investigate this matter further.

Sincerely,



Raúl M. Grijalva
Member of Congress
Ranking Member
House Committee on Natural Resources



Garret Graves
Member of Congress



Jared Huffman
Member of Congress



Melanie A. Stansbury
Member of Congress

[NOAA]

Dear Dr. Spinrad,

The House Committee on Natural Resources (Committee) is conducting oversight related to reports of illegal, unreported, and unregulated (IUU) fishing and forced labor in the seafood supply chain. Recent reporting by the Outlaw Ocean Project and the Associated Press have evidenced such issues with alarming detail.

IUU fishing threatens domestic seafood production and economic prosperity for Americans. According to a report by the U.S. International Trade Commission, nearly eleven percent or \$2.4 billion worth of all U.S. seafood imports are derived from IUU fishing. Cheaper illegal seafood imports cost the U.S. commercial seafood industry millions of dollars annually by driving down the cost of American-caught and processed seafood. Globally, \$10 to \$23 billion are lost annually due to the impacts of IUU fishing on global markets.

IUU fishing also threatens our oceans' and fish stock's current and future health. According to the Food and Agriculture Organization of the United Nations, IUU fishing "remains one of the greatest threats to marine ecosystems due to its potent ability to undermine national and regional efforts to manage fisheries sustainably as well as endeavors to conserve marine biodiversity." IUU fishing contributes to overfishing, threatens marine biodiversity through bycatch and destructive unregulated catch practices, and can exacerbate habitat and ecosystem destruction.

In light of the reports noted above, the Committee urges NOAA, in cooperation with other Federal agencies, to investigate these allegations and use subsequent findings to improve its enforcement processes to ensure the integrity of the seafood supply chain.

To assist the Committee in its oversight role, please provide all applicable decision memoranda, letters, emails, communications, situation summaries, discussion and evaluation documents, and briefing documents to support these responses, in electronic format, by September 18, 2024.

- 1) Has NOAA opened any investigations or audited shipments in response to allegations of IUU fishing on global markets, particularly as reported by Outlaw Ocean Project or Associated Press reports?
- 2) Is NOAA currently assessing whether its processes under SIMP have proven adequate to identify allegedly fraudulent paperwork, as reported by various media outlets?
- 3) Has NOAA audited or flagged any recent imports reported to SIMP as potential candidates of IUU fishing or fraud?
- 4) How does NOAA identify risk factors for fraud or IUU fishing that SIMP should screen for? Do these factors vary based on credible reports, including those from the media, internal whistleblowers, or nonprofits?

5) Please provide a timeline describing milestones and completion of NOAA's revision of current audit procedures to incorporate automated screening processes, including any which may analyze the reported import data and identify potential risks of seafood fraud and IUU fishing.

Thank you for your continued attention to this critical issue. Should you have any questions, please contact the Subcommittee on Oversight and Investigations Democratic and Republican staff with the House Committee on Natural Resources. We look forward to working with you as part of our ongoing investigation.

Sincerely,

[CEQ]

Dear Chair Mallory,

The House Committee on Natural Resources Committee (Committee) is conducting oversight related to reports of illegal, unreported, and unregulated (IUU) fishing and forced labor in the seafood supply chain. Recent reporting by the Outlaw Ocean Project and the Associated Press have evidenced such issues with alarming detail.

IUU fishing threatens domestic seafood production and economic prosperity for Americans. According to a report by the U.S. International Trade Commission, nearly eleven percent of all U.S. seafood imports, equal to \$2.4 billion annually, are derived from IUU fishing. Cheaper illegal seafood imports cost the U.S. commercial seafood industry millions of dollars annually by driving down the cost of American-caught and processed seafood. Globally, \$10 to \$23 billion are lost annually due to the impacts of IUU fishing on global markets.

IUU fishing also threatens our oceans' and fish stocks' current and future health. According to the Food and Agriculture Organization of the United Nations, IUU fishing "remains one of the greatest threats to marine ecosystems due to its potent ability to undermine national and regional efforts to manage fisheries sustainably as well as endeavors to conserve marine biodiversity." IUU fishing contributes to overfishing, threatens marine biodiversity through bycatch and destructive unregulated catch practices, and can exacerbate habitat and ecosystem destruction.

Americans deserve access to safe and healthy seafood. As the global leader in seafood importation, the United States must work to uphold the integrity of the entire supply chain, even when operations occur within other countries. The Biden administration has already committed to addressing IUU fishing and forced labor in its 2022 National Security Memo (NSM-11) and 2023 Worker Rights Memo.

The problem is multijurisdictional, impacting human rights, national security, and environmental protection. The Council on Environmental Quality (CEQ) is uniquely

positioned to support an all-of-government approach to improve traceability, enforcement, and protections for seafood laborers and American consumers. We urge you to identify a person in leadership within CEQ who can lead CEQ's engagement on this issue.

To assist the Committee in its oversight role, please provide answers and periodic updates to the following questions:

- 1) What steps is CEQ taking to engage with relevant federal agencies and their responses to the recent aforementioned issues, such as those reported by Ocean Outlaw Project and the Associated Press;
- 2) What steps is CEQ taking to urge relevant federal agencies to use existing authorities to address reports of IUU fishing and forced labor in the seafood industry; and
- 3) What steps is CEQ taking to identify strategies for improving seafood traceability and enforcing laws that help prevent or discourage reports of IUU fishing and forced labor in the seafood industry?

Thank you for your continued attention to this critical issue. Should you have any questions, please contact the Subcommittee on Oversight and Investigations Democratic and Republican staff with the House Committee on Natural Resources. We look forward to working with you as part of our ongoing investigation.

Sincerely,

[Dept of Labor]

Dear Secretary Su,

Recent reporting by the Outlaw Ocean Project and the Associated Press have evidenced issues of illegal, unreported, and unregulated (IUU) fishing and forced labor in the seafood supply chain with alarming detail. We are looking closely into this matter and would like to better understand the steps your agency is taking to address these serious concerns.

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even when operations occur within other countries. The Biden administration has already committed to addressing IUU fishing and forced labor in its 2022 National Security Memo (NSM-11) and 2023 Worker Rights Memo.

The Department of Labor Bureau of International Labor Affairs' mission is to "strengthen global labor standards, enforce labor commitments among trading partners, promote racial and gender equity, and combat international child labor, forced labor, and human trafficking." IUU fishing runs counter to each of these goals, promoting forced labor and facilitating profoundly anti-democratic values, all while undercutting conservation needs.

Please provide an update on the U.S. Department of Labor's efforts to combat IUU fishing abroad, along with answers to the following questions. Please provide applicable decision memoranda, letters, emails, communications, situation summaries, discussion and evaluation documents, and briefing documents to support these responses.

- 1) How is the Department of Labor (DOL) working to ensure that national human trafficking task forces recognize the fishing industry as a source of trafficking and exploitation?
- 2) What plans, policies, and actions does DOL have planned to expand the Safe Fishing Alliance to other countries?
- 3) How is DOL strengthening "Fostering Accountability in Recruitment for Fishery Workers" and expanding it to other countries?
- 4) How has DOL's "Comply Chain" tool helped address forced labor in the seafood industry? What else can it do to address this issue further?
- 5) How does DOL do to fund overseas victim assistance related to forced labor in the seafood industry?
- 6) What additional ways does DOL engage with foreign governments and international organizations to promote labor rights and combat IUU fishing?
- 7) What actions has DOL taken in collaboration with other Federal agencies to address IUU fishing? How does DOL plan to strengthen these collaborations?
- 8) How has DOL's "Towards Freedom at Sea" 2023 handbook for detecting forced labor in commercial fishing influenced or changed the work of DOL and others in addressing forced labor in the seafood industry?
- 9) Given recent reporting, what steps is DOL taking to address the human rights abuse allegations in the seafood industry and strengthen its efforts accordingly?
- 10) How long does it take for DOL to update the "List of Goods Produced by Child Labor or Forced Labor" after newly reported abuses are discovered?
- 11) On May 10th, 2024, DOL removed shrimp from Thailand from the list of products requiring federal contractor certification for forced and indentured child labor. What lessons did you learn from your "Combating the Worst Forms of Child Labor in Shrimp and Seafood Processing Areas in Thailand" project that can be applied to the issues documented in the reporting?
- 12) Outlaw Ocean reporting also implicates Chinese seafood suppliers as employing Uyghur Forced Labor. We commend the recent addition of seafood as a high-priority sector for enforcement under the Uyghur Forced Labor Prevention Act (UFLPA). How will DOL, in

collaboration with U.S. Customs and Border Protection, continue to use the UFLPA to stop the flow of seafood into the United States processed by Uyghur labor?

Thank you for your continued attention to this critical issue. Should you have any questions, please contact any of our staff. We look forward to working with you as we investigate this matter further.

Sincerely,

[U.S. CUSTOMS AND BORDER PROTECTION]

Dear Commissioner Miller,

We appreciate that U.S. Customs and Border Protection (CBP) is investigating forced labor allegations in the seafood industry. We further commend CBP's recent addition of seafood as a high-priority sector for enforcement under the Uyghur Forced Labor Prevention Act (UFLPA), which is an important step toward keeping American seafood free of Uyghur forced labor.

Recent reporting by the Outlaw Ocean Project and the Associated Press have evidenced issues of illegal, unreported, and unregulated (IUU) fishing and forced labor in the seafood supply chain with alarming detail. We are looking closely into this matter and would like to better understand the steps your agency is taking to address these serious concerns.

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We are investigating the failure to address and eliminate IUU fishing and forced labor in the seafood supply chain. Given CBP's role in enforcing trade regulations, including Section 307 of the Tariff Act of 1930, we are writing to understand the steps CBP is taking or will be taking in response to the allegations. Please provide applicable decision memoranda, letters, emails, communications, situation summaries, discussion and evaluation documents, and briefing documents to support these responses.

1. Commercial Targeting and Analysis Center (CTAC): CTAC is an interagency coordination center that streamlines information sharing and leveraging multi-agency resources to address imports violating U.S. law.

a. What procedures are in place to identify seafood imports caught through IUU fishing?

- b. A recent Government Accountability Office report recommended that CBP direct relevant officials to work with NFMS to ensure timely access to information that stops IUU fishing imports. Please describe CBP's implementation of this recommendation.
- c. How are CBP and CTAC working to strengthen their collaboration with other agencies, such as the Food and Drug Administration and the National Oceanic and Atmospheric Administration, to address IUU fishing further and forced labor in the seafood industry?

2. Inspections of seafood imports:

- a. What is the frequency of inspections of incoming seafood shipments, including shipments marked as a higher risk for non-compliance for IUU fishing and forced labor?
- b. How is CBP working to increase the number of inspections for IUU fishing and forced labor while not impeding unrelated shipments?
- c. Now that seafood has been added as a higher-priority sector for enforcement under the UFLPA, how does CBP plan to prioritize enforcement actions to keep such seafood out of the United States?

3. Automated Commercial Environment (ACE): The ACE system manages electronic reports for trade import data. This is the primary tool that CBP and NMFS use to identify cargo for possible inspection by agency officials.

- a. What documentation is collected and reviewed from importers to authenticate that seafood shipment is free from IUU fishing and forced labor?
- b. What forced labor indicators are collected and processed from seafood importers?

4. Withhold Release Orders (WRO): CBP has issued several WROs on seafood. a. Given recent reporting, has CBP considered issuing new Withhold Release Orders to the vessels and processing facilities implicated by the Outlaw Ocean reporting?

5. Forced Labor Enforcement Task Force (FLETF):

- a. What indicators have CBP and the FLETF identified linking seafood imports and forced labor?
- b. How have CBP and the FLETF addressed these indicators to prevent seafood imports linked to forced labor?
- c. To what extent does CBP use the Tariff Act of 1930, which prohibits the importation of goods made by forced labor, to address these issues in seafood imports?
- d. Will the FLETF and CBP recognize seafood as a priority sector in the annually updated strategy that supports CBP's efforts to prevent importing goods from China made with forced labor?

Americans deserve access to safe and healthy seafood. As the global leader in seafood importation, the United States must work to uphold the integrity of the entire supply chain, even when operations occur within other countries.

Thank you for your continued attention to this critical issue. Should you have any questions, please contact any of our staff. We look forward to working with you as we investigate this matter further.

Sincerely,

[FEDERAL TRADE COMMISSION]

Dear Chair Khan,

Recent reporting by the Outlaw Ocean Project and the Associated Press have evidenced issues of illegal, unreported, and unregulated (IUU) fishing and forced labor in the seafood supply chain with alarming detail. We are looking closely into this matter and would like to better understand the steps your agency is taking to address these serious concerns.

The reporting raises serious questions about oversight of the seafood industry and the deceptive business practices employed by companies mislabeling their seafood product to deceive the American consumer. Choice Canning has labeled their imports into the United States under the “Best Aquaculture Practices (BAP)” label, a Global Food Safety Initiative recognized standard. This label has four accountability standards: environmental responsibility, animal health, food safety, and social accountability. The BAP label conveys to the consumers that the seafood they buy has been held to specific sustainable and health standards. However, documents provided to the Committee by a whistleblower from the company stated that less than 10% of the shrimp farms in India with BAP certification adhere to the guidelines required by the certification. The documents indicate that the company is unsure about the origin of the shrimp, including whether the shrimp comes from BAP-certified aquaculture facilities. The whistleblower documented numerous cases of forced labor and unsafe working conditions at the processing plant, seemingly out of compliance with BAP’s social accountability standards.

According to the publicly available documents, Choice Canning’s shrimp products tested positive for antibiotics. Still, the company knowingly shipped them to U.S. retailers, a clear violation of the standards under the BAP certification and U.S. laws. They were allegedly packed in unsafe and unsanitary conditions, putting the workers at risk and deceiving the American consumer.

Numerous third-party seafood certifications are available to companies. Still, without proper oversight, they may be misleading consumers by inaccurately claiming that the products they certify adhere to strict environmental and social standards despite their inability to verify these claims adequately.

The U.S. Interagency Working Group on IUU Fishing identifies section 5 of the Federal Trade Commission Act as a tool to combat illegal, unreported, and unregulated through prohibiting deceptive advertising, including “false or misleading claims about the country-

of-origin of seafood, seafood species, sustainability of fishing practices, and similar claims important to consumers' purchasing decisions.”

Please provide answers to the following questions to facilitate a better understanding of how the FTC, with its expertise and authority, ensures the fair marketing of seafood within the seafood industry. Please provide applicable decision memoranda, letters, emails, communications, situation summaries, discussion and evaluation documents, and briefing documents to support these responses.

1) Third-party certifications: Third-party certifications help consumers to easily recognize if a product and its production align with their values. As stated under 16 CFR § 260.6, “Third-party certification does not eliminate a marketer's obligation to ensure that it has substantiation for all claims reasonably communicated by the certification.” Despite the certification prohibiting antibiotics, the business willingly deceived consumers by shipping antibiotic-contaminated shrimp shipments to the U.S. and labeling it BAP-certified.

a. How does the FTC ensure that third-party certifications such as BAP are not being used to deceive Americans?

b. Given the recent reporting, has the FTC initiated any work investigating Global Seafood Alliance for certifying aquaculture farms in India using forged documents?

c. What work has FTC done and planned with companies such as Choice Canning who use a third-party certification despite knowingly not adhering to the certification guidelines?

2) Made in USA certification: Additional reporting from Outlaw Ocean details how American-caught shrimp is being processed using forced labor in China. In July 2021, the FTC published a “Made In USA” labeling rule. The shrimp industry has been advocating for this label to be applied to seafood caught in the U.S. and processed in the U.S. The FTC’s analysis stated that the FDA’s country-of-origin labeling provides primary regulatory authority over this issue, and the FTC would not issue regulations that preclude existing statutes.

a. How does the FTC justify allowing seafood products to use “Made in USA” labeling despite being processed overseas?

b. How has the FTC worked with other Federal agencies to strengthen honest labeling practices and improve traceability for seafood products?

3) Retailer oversight:

a. What is the FTC’s statutory ability to hold large corporations selling deceptively labeled seafood accountable?

4) IUU Fishing and Seafood Fraud: An estimated \$2.4 billion of seafood comes from illegal, unreported, and unregulated (IUU) fishing³. Nearly 11 percent of U.S. seafood imports are caught by IUU fishing, harming people and the environment. ⁴ Businesses engaging in IUU fishing may be misleading consumers about the sourcing and sustainability of the seafood they sell.

- a. What specific actions has the FTC taken to combat the sale of IUU-caught seafood and protect the American consumer from deceitful business practices?
- b. How has the FTC coordinated with agencies such as the Food and Drug Administration and the National Oceanic and Atmospheric Administration to address IUU fishing and seafood fraud?

Thank you for your continued attention to this critical issue. Should you have any questions, please contact any of our staff. We look forward to working with you as we investigate this matter further.

Sincerely,

[FDA]

Dear Commissioner Califf,

Recent reporting by the Outlaw Ocean Project and the Associated Press have evidenced issues of illegal, unreported, and unregulated (IUU) fishing and forced labor in the seafood supply chain with alarming detail. We are looking closely into this matter and would like to better understand the steps your agency is taking to address these serious concerns.

The reports brought to light serious allegations of fraud, mislabeling, and illicit use of antibiotics at Choice Canning. This seafood company, which produces and imports shrimp from India, is alleged to have deliberately imported antibiotic-positive shrimp into the United States. The whistleblower has made the documents public. They warrant immediate attention and action.

The FDA plays a crucial role in ensuring the safety of our nation's food supply. This responsibility, enshrined in the Federal Food, Drug, and Cosmetic Act, Food Safety Modernization Act of 2011, and the Public Health Service Act, among others, is implicated in the recent reporting above regarding the FDA's apparent inability to adequately monitor the health and safety of the nation's seafood importation.

Please provide relevant letters, emails, communications, situation summaries, discussion and evaluation documents, and briefing papers sufficient to answer the following questions:

1) Foreign Country Assessments: In a 2010 assessment of India, the FDA found that more testing for drug residue was required for their seafood exports. Despite this, the FDA largely relies on importer compliance through their Hazard Analysis Critical Control Point (HACCP), which passes the obligation of proactive safety onto the company rather than relying on reactive identification from the agency. As a result, large corporations have been allowed to falsify safety compliance assurances and ship unsafe products. Does the FDA

have a plan for strengthening its foreign country assessments, improving foreign government involvement in seafood safety, and providing real-time incorporation of new evidence into potential regulatory actions and inspections?

2) **Seafood Import Testing:** Estimates show that the FDA checks only 1% of shrimp imports into the United States for the presence of antibiotics. Even the tiny risk of being tested prevents deterrence from bad actors in the seafood supply chain, including Choice Canning, who sent over 300 cases of shrimp known to be anti-biotic-positive to the United States. Why is the FDA not testing a more significant portion of shrimp and seafood imports despite this known issue? What plan does the FDA have to strengthen its process of identifying shrimp imports that are not compliant with US regulations?

3) **Seafood Labeling:** Under the Federal Food, Drug, and Cosmetic Act, a food product is deemed misbranded if the label is false or misleading. According to the Choice Canning whistleblower, shrimp products were imported with the Best Aquaculture Practices label, which bans antibiotics in its seafood. This clear mislabeling of seafood imports exposes millions of Americans to banned antibiotics. What is the FDA doing to ensure that seafood labeling is truthful and accurate in light of this new evidence? How has the FDA responded to mislabeled seafood that puts the health of the American people at risk?

4) **Government Accountability Office (GAO) Recommendations:** In 2017, the GAO published a report entitled “Imported Seafood Safety: FDA and USDA Could Strengthen Efforts to Prevent Unsafe Drug Residues.” The report was commissioned due to the concern about farmed seafood's use of antibiotics and the two agencies’ roles in overseeing seafood safety.

a. How has the FDA addressed the first GAO recommendation that “the Commissioner of the FDA should pursue formal agreements with countries exporting seafood to the United States that commit these countries to test for drugs of concern to the FDA and the corresponding maximum residue levels (MRLs) that FDA established for these drugs”?

b. Despite implementing recommendation 4 (which recommends coordinating with FSIS in developing drug residue testing methods and corresponding maximum residue levels for imported seafood), we still see seafood imports exceeding these levels entering the United States. Does the FDA have plans to strengthen its work with FSIS? What is the timeline for such actions?

5) **Food Code:** In November 2022, the FDA published its rule, “Requirements for Additional Traceability Records for Certain Foods.” This traceability plan says that for aquaculture farms, the farm map must show the location and name of each container in which it was raised, including the geographic coordinates and any other information needed to identify the location of each container. The reporting indicates that it was often unclear which farms supplied the plant with deliveries because certified and uncertified farms were routinely commingled. How will the FDA ensure compliance with this rule after January 20th, 2026?

6) Interagency coordination: The National Oceanic and Atmospheric Administration (NOAA) is reviewing its Seafood Import Monitoring Program and considering updates to help identify risky seafood imports. How is the FDA coordinating with NOAA to explore strategies and align efforts to identify, track, and inspect risky seafood shipments?

Thank you for your continued attention to this critical issue. Should you have any questions, please contact any of our staff. We look forward to working with you as we investigate this matter further.

Sincerely,

[USDA]

Dear Secretary Vilsack,

Recent reporting by the Outlaw Ocean Project and the Associated Press have evidenced issues of illegal, unreported, and unregulated (IUU) fishing and forced labor in the seafood supply chain with alarming detail. We are looking closely into this matter and would like to better understand the steps your agency is taking to address these serious concerns.

Over the last few months, a series of investigative reports has brought to light serious allegations of fraud, mislabeling, and illicit use of antibiotics at Choice Canning. This seafood company, which produces and imports shrimp from India, is alleged to have deliberately imported antibiotic-positive shrimp into the United States. The whistleblower has made the documents public. They warrant immediate attention and action.

The USDA oversees the importation and inspection of imported seafood at ports of entry. Please provide an update on how the USDA is ensuring the safety of our imported seafood by answering the following questions, as well as applicable decision memoranda, letters, emails, communications, situation summaries, discussion and evaluation documents, and briefing documents to support these responses.

1) Food Safety and Inspection Service: In 2017, the Government Accountability Office (GAO) published a study titled “Imported Seafood Safety: FDA and USDA Could Strengthen Efforts to Prevent Unsafe Drug Residues.” The report was commissioned due to concerns about farmed seafood's use of antibiotics and the two agencies’ roles in overseeing seafood safety.

- a. What on-site verification audits has the Food Safety and Inspection Service (FSIS) conducted in foreign countries for seafood imports?
- b. How are foreign sites selected for audits, and what is the timeline for the agency’s response to stories like those listed above?

c. Despite implementing recommendation 4, which recommends coordinating with the FDA to develop drug residue testing methods and corresponding maximum residue levels for imported seafood, we see in the reporting above that seafood imports still exceed these levels entering the United States. Does the USDA have ongoing plans to strengthen its IUU work with the FDA, and what is the timeline for such actions?

2) **Country-of-Origin Labeling:** The Outlaw Ocean Choice Canning investigation reported that the company hid conflicting information about its shrimp products during an audit. One employee wrote, “postponed today’s Cape Gourmet cpto. Raw material is from Indonesia and bags say India. I didn’t think the FDA auditor on site would appreciate that, so I put it off until he’s gone.”

a. How does USDA verify country-of-origin labeling for seafood products?

b. What documentation is required from a company to authenticate the country of origin and the processing location?

3) **Purchase of IUU products:** The Outlaw Ocean Project reporting states that the USDA has awarded contracts to five seafood companies with known links to Uyghur forced labor.

a. How does the USDA ensure that it does not enter into contracts for seafood caught outside U.S. waters or processed in overseas plants that engage in forced labor?

b. How does the USDA ensure that the contracts it awards are not tied to IUU fishing?

c. What are the USDA's plans for prioritizing supporting and buying domestic seafood within their contracts?

Thank you for your continued attention to this critical issue. Should you have any questions, please contact any of our staff. We look forward to working with you as we investigate this matter further.

Sincerely,

[STATE DEPARTMENT]

Dear Secretary of State Blinken,

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IUU fishing also threatens our oceans' and fish stocks' current and future health. According to the Food and Agriculture Organization of the United Nations, IUU fishing "remains one of the greatest threats to marine ecosystems due to its potent ability to undermine national and regional efforts to manage fisheries sustainably as well as endeavors to conserve marine biodiversity." IUU fishing contributes to overfishing, threatens marine biodiversity through bycatch and destructive unregulated catch practices, and can exacerbate habitat and ecosystem destruction.

Americans deserve access to safe and healthy seafood. As the global leader in seafood importation, the United States must work to uphold the integrity of the entire supply chain, even when operations occur within other countries. The Biden administration has already committed to addressing IUU fishing and forced labor in its 2022 National Security Memo (NSM-11)⁷ and 2023 Worker Rights Memo.

The State Department's mission is "to protect and promote U.S. security, prosperity, and democratic values and shape an international environment in which all Americans can thrive." IUU fishing is the antithesis of these goals, undercutting American domestic seafood producers and facilitating profoundly anti-democratic values.

Please provide answers to the following questions, as well as applicable decision memoranda, letters, emails, communications, situation summaries, discussion and evaluation documents, and briefing documents to support these responses.

- 1) What actions has the State Department taken to strengthen domestic and international ocean governance to combat IUU fishing?
- 2) How does the State Department engage with seafood-catching and processing nations to encourage implementing and enforcing laws that promote sustainable fishing practices and protect workers' rights?
- 3) How has the State Department worked with other nations to ensure our allies address forced labor and illegal fishing?
- 4) How has the State Department assessed the effectiveness of the existing multilateral agreements to combat IUU fishing? For example, how has the Agreement on Port State Measures to Prevent, Deter, and Eliminate Illegal, Unreported, and Unregulated Fishing that went into effect in 2016 impacted the U.S.' ability to combat IUU fishing?
- 5) What actions has the State Department taken in collaboration with other Federal agencies to address IUU fishing? How does the State Department plan to strengthen these collaborations?
- 6) Given recent reporting, what steps is your agency taking to address these abuse allegations in the seafood industry and strengthen its efforts accordingly?
- 7) Outlaw Ocean reporting also implicates Chinese seafood suppliers as employing Uyghur Forced Labor. We commend the recent addition of seafood as a high-priority sector for

enforcement under the Uyghur Forced Labor Prevention Act (UFLPA). How will the State Department, in collaboration with U.S. Customs and Border Protection, continue to use the UFLPA to stop the flow of seafood into the United States processed by Uyghur labor?

Thank you for your continued attention to this critical issue. Should you have any questions, please contact any of our staff. We look forward to working with you as we investigate this matter further.

Sincerely,