

February 23, 2026

Senator Bill Cassidy, MD  
Chairman,  
U.S. Senate Committee on Health,  
Education, Labor, and Pensions

Senator Bernie Sanders  
Ranking Member,  
U.S. Senate Committee on Health,  
Education, Labor, and Pensions

Representative Brett Guthrie  
Chairman,  
House Committee on Energy  
and Commerce

Representative Frank Pallone  
Ranking Member,  
House Committee on Energy  
and Commerce

**Re: *The Destruction of Hazardous Imports Act*, H.R. 2715 and S.3213**

Dear Chairman Cassidy, Chairman Guthrie, Ranking Member Sanders, and Ranking Member Pallone:

According to U.S. Food and Drug Administration (FDA) documentation, the United States imports 94 percent of the seafood that Americans consume annually.<sup>1</sup> Given the substantial volume of seafood entering the U.S. market each year, even a small share of unsafe imports presents significant public health risks to American consumers.

Each month, the FDA reports refusing entry lines of foreign seafood that have been contaminated with banned veterinary drugs, pesticides, poisonous substances, salmonella, listeria, E. Coli, and other human pathogens occurring from bacteria or viruses.<sup>2</sup> Because of these findings, the FDA maintains and actively administers Import Alerts in order to prevent contaminated seafood from entering the U.S. market.<sup>3</sup>

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<sup>1</sup> U.S. Government Accountability Office, Food Safety: FDA Should Strengthen Inspection Efforts to Protect the U.S. Food Supply, GAO-25-107571 (Jan. 8, 2025) p.22 n.3; *see also* U.S. Food and Drug Administration, Activities for the Safety of Imported Seafood, (Feb. 2023) p.4.

<sup>2</sup> *See* U.S. Food and Drug Administration, “Import Refusal Report” (search results for “Refusal Actions by FDA as Recorded in OASIS for 16-Fishery/Seafood Products”) <https://www.accessdata.fda.gov/scripts/importrefusals/>.

<sup>3</sup> *See* U.S. Food and Drug Administration, “Import Alert for Industry Fishery/Seafood Prod” [https://www.accessdata.fda.gov/cms\\_ia/industry\\_16.html](https://www.accessdata.fda.gov/cms_ia/industry_16.html). Specifically, the FDA maintains and administers Import Alerts on ready-to-eat seafood contaminated with *Listeria monocytogenes* (Import Alert 16-39), seafood contaminated with salmonella (Import Alert 16-81), cooked seafood products contaminated with E. Coli (Import Alert 16-121), aquaculture seafood products contaminated with unapproved drugs (Import Alert 16-124), seafood contaminated with chloramphenicol (Import Alert 16-127), seafood contaminated with nitrofurans (Import Alert 16-129), seafood contaminated with viruses (Import Alert 16-137), foods (including seafood) contaminated with pesticides (Import Alert 99-08), foods (including seafood) contaminated with chemicals (poisonous) (Import Alert 99-48), and foods (including seafood) contaminated with radioactive chemicals (Cs-137) (Import Alert 99-51).

Under existing law, whenever the agency refuses entry to imported seafood – whether as the result of an inspection or the operation of an Import Alert – the FDA must provide the importer with the option to re-export the contaminated product rather than destroy it. The re-exportation option creates the risk that unscrupulous exporters and/or importers may nevertheless seek to enter the unsafe seafood through another port, a fraudulent practice referred to as “port-shopping.”<sup>4</sup>

The FDA has recognized this weakness in government oversight of foreign seafood and, as part of its budget request for fiscal year 2026, has asked that Congress provide the agency with “the authority to require an importer to destroy any FDA-regulated product(s) refused entry into the United States that presents a significant public health concern, thus removing their option to export such product(s).”<sup>5</sup> In explaining its need for this authority, the FDA noted that the agency “has observed importers exporting or attempting to re-import commercial-sized shipments that pose a significant public health concern including food contaminated with Salmonella, Listeria and carcinogenic unapproved animal drugs . . .” The FDA cited to a specific example of an importer that attempted to re-import seafood that had been refused by the agency after testing established that it was contaminated “with a carcinogenic unapproved animal drug.” As the agency explained, “FDA believes this new authority would prevent reimportation of refused products and would deter importers from seeking to import products they know or have reason to believe would pose a significant public health risk and could be ordered destroyed.”

The undersigned agree with the FDA that this authority would safeguard the health of the American public through the destruction of contaminated seafood as well as the establishment of a powerful incentive for exporters to prevent the shipment of unsafe product in the first instance. To this end, we have strongly supported the *Destruction of Hazardous Imports Act*, bipartisan legislation introduced by Representative Clay Higgins (R-LA) and Representative Troy Carter (D-LA) in the House (H.R. 2715), and by Senator Rick Scott (R-FL) in the Senate (S.3213). The *Destruction of Hazardous Imports Act* would provide the agency with the authority to destroy FDA-regulated goods that pose a “significant public health concern,” including seafood contaminated with banned veterinary drug residues, pesticides, poisons, or with dangerous human pathogens. Revised bill language under consideration would clarify that the FDA will require importers to destroy refused FDA-regulated products presenting a significant public health concern. Once modified, the *Destruction of Hazardous Imports Act* substantially strengthens oversight of foreign seafood sold in the U.S. market while minimizing burdens on U.S. taxpayers.

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<sup>4</sup> See, e.g. J. Spink and D. Moyer, Defining the Public Health Threat of Food Fraud, *Journal of Food Science* Vo. 76, Nr. 9, 2011 (“fraudsters may shift ports of entry by conducting strategic ‘port shopping’ and by shipping fraudulent product through less-monitored entry points.”).

<sup>5</sup> U.S. Food and Drug Administration, Summary of FY 2026 Legislative Proposals  
<https://www.fda.gov/media/187068/download?attachment>.

For these reasons, we ask for your support of the *Destruction of Hazardous Imports Act* and for swift action to enact this important legislation into law. We thank you in advance for any consideration given to these comments.

Sincerely,

***Alaska Longline Fishermen's Association***

<https://www.alfafish.org/>

***Apostleship of the Sea of the United States of America***

<https://aos-usa.org/>

***Chesapeake Bay Seafood Industries Association***

<http://www.cbsia.org/>

***East Coast Shellfish Growers Association***

<https://ecsga.org/>

***Gulf of America Reef Fish Shareholders' Alliance***

[www.shareholdersalliance.org](http://www.shareholdersalliance.org)

***Hawaii Longline Association***

<https://www.hawaiilongline.org/>

***Louisiana Crawfish Processors Alliance***

***Louisiana Farm Bureau Crawfish Advisory Committee***

<https://lafarmbureau.org/>

***Maine Coast Fishermen's Association***

<https://www.maine coastfishermen.org/>

***North American Marine Alliance***

<https://www.namanet.org/>

***North Carolina Fisheries Association***

<https://ncfish.org/>

***Oregon Trawl Commission***

<https://www.oregonrawl.org/>

***Port Arthur Area Shrimpers Association***

<https://www.facebook.com/PAShrimpers/>

***Southeastern Fisheries Association***

<https://www.sfaonline.org/>

***Southern Shrimp Alliance***

<https://shrimpalliance.com/>

***Texas Shrimp Association***

<https://www.facebook.com/TexasShrimpAssociation/>

cc:

Senator Angela Alsobrooks  
Senator Susan Collins  
Senator Maggie Hassan  
Senator Tim Kaine  
Senator Andy Kim  
Senator Ed Markey  
Senator Ashley Moody  
Senator Lisa Murkowski  
Senator Christopher Murphy  
Senator Patty Murray  
Senator Lisa Blunt Rochester  
Senator Rick Scott  
Senator Tim Scott  
Senator Tommy Tuberville

Representative Jake Auchincloss  
Representative Cliff Bentz  
Representative Gus Bilirakis  
Representative Kat Cammack  
Representative Buddy Carter  
Representative Troy Carter  
Representative Kathy Castor  
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Representative Russell Fry  
Representative Clay Higgins