USDA

United States Department of Agriculture

Office of the Secretary
Washington, D.C. 20250

MAY 8 2015

The Honorable Jerry Moran
Chairman
Subcommittee on Agriculture, Rural Development,
Food and Drug Administration, and Related Agencies
Committee on Appropriations
United States Senate
190 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Mr. Chairman:

I am presenting the fifteenth progress report on implementation of the provisions on certain types of fish in the Agricultural Act of 2014 (P.L. 113-79).

Section 12106(b)(2) of the Agricultural Act of 2014 requires an update on the progress of the U.S. Department of Agriculture's Food Safety and Inspection Service (FSIS) in addressing the provisions on fish in the order of Siluriformes (hereinafter "certain fish") starting 30 days after the date of enactment of the law and every 30 days thereafter until the provisions have been fully implemented. This provision requires FSIS to report the agency's progress in developing a regulation and the status of the required Memorandum of Understanding (MOU) between FSIS and the Food and Drug Administration on how the agencies will work together to efficiently implement the Federal Meat Inspection Act and the Federal Food, Drug, and Cosmetic Act as they relate to certain fish. The MOU was signed on April 30, 2014. The final rule was submitted to the Office of Management and Budget for review on May 30, 2014. During the pre-decisional process, FSIS will engage its bargaining unit, as appropriate, regarding impact on work conditions for affected employees.

If you have any questions or comments, please have a member of your staff contact Todd Batta, Assistant Secretary for Congressional Relations, at (202) 720-7095.

A similar letter is being sent to Senator Jeff Merkley, Senator Pat Roberts, Senator Debbie Stabenow, Congressman Robert Aderholt, Congressman Sam Farr, Congressman Mike Conaway, and Congressman Collin Peterson.

Sincerely,

Thomas J. Vilsack
Secretary

Enclosure

Enclosure
Progress Report on Implementation of Regulations on Catfish Inspection by the U.S. Department of Agriculture's Food Safety and Inspection Service

May 2015

Upon the enactment of the Agricultural Act of 2014, the U.S. Department of Agriculture's (USDA) Food Safety and Inspection Service (FSIS) immediately began the process of completing development of the final rule on inspection of certain fish to ensure that it covers all fish in the order of Siluriformes.

A provision in the Agricultural Act of 2014 also requires FSIS and the Food and Drug Administration (FDA) to develop a Memorandum of Understanding (MOU) that will enhance interagency cooperation and clarify jurisdictional issues in order to avoid duplication. As previously reported, FSIS and FDA completed and signed the MOU on April 30, 2014. The agencies believe the MOU will ensure that inspection oversight will be non-duplicative and that requirements for domestic and foreign Siluriformes products will be met in accordance with the intent of Congress. Moreover, consistent with the spirit of the MOU, FDA has reviewed and commented on the draft final rule. FSIS has responded to FDA's comments.

As previously reported, FSIS has established an implementation team representative of all program areas from within the agency. Pre-decisional involvement discussions with union officials occurred on May 1, 2014.

The Department sent the final rule to the Office of Management and Budget (OMB) for review on May 30, 2014. FSIS is currently working with OMB to address comments received through the interagency review process.