



United States Department of Agriculture

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Food Safety and  
Inspection Service

June 21, 2018

1400 Independence  
Avenue, SW,  
Washington, D.C.  
20250

Mr. Leonard Lang  
Import Export Associates Inc.  
2034 Coast Guard Drive  
Stafford, VA 22554

Dear Mr. Lang,

This letter responds to the petitions you submitted on behalf of Golden Quality Seafood Corporation and Bien Dong Seafood on January 4 and March 2, 2017, respectively. Both petitions question the level of residue testing that FSIS conducts for Siluriformes fish products imported into the United States by the Bien Dong Seafood and Golden Quality Seafood Corporations. The petitions request that FSIS modify its residue sampling program for imported Siluriformes fish products so that it is “equivalent” to residue sampling for other imported meat products.

The final rule that established the Siluriformes fish inspection program published on December 2, 2015, and became effective on March 1, 2016. FSIS provided an 18-month transitional period, until September 1, 2017, to give affected entities the opportunity to bring their operations into full compliance with the new regulations. Throughout the transitional period, FSIS conducted random and targeted sampling and testing of both domestic and imported Siluriformes fish products, in part, for violative chemical residues. FSIS selected shipments for reinspection based on the country, volume of product being exported by that country, and information received from the FDA. Through this approach, FSIS was able to make the best use of available resources and to ensure that the transition process was as smooth and effective as possible for all parties, while still fulfilling our mission to protect public health.

Since August 2, 2017, FSIS has assigned reinspection tasks, including sampling of imported Siluriformes fish and fish products, through the Public Health Information System. FSIS is sampling and testing imported Siluriformes fish and fish products at the level appropriate to protect public health. On December 18, 2017, FSIS discontinued its third party hold-and-test requirements for subsequent lots after a violative residue finding. At the same time, the Agency began implementing the intensified level of reinspection in response to any type of reinspection failure. The intensified level of reinspection applies to subsequent lots of like product from the same foreign establishment, and is consistent with the level of testing for imported meat and poultry products. We believe this change is responsive to your petitions.

In accordance with our petition regulations, we have posted the petitions on the FSIS website (9 CFR 392.6). We intend to post this response as well.

Sincerely,



Roberta Wagner  
Assistant Administrator  
Office of Policy and Program Development

cc:

- C. Rottenberg, OA
- P. Keicker, OA
- M. Stanley, OA/OIC
- C. Blake, OPACE
- R. Smith, OPACE/CPAS
- K. Hunter, OPACE/ECIMS
- D. Adams, OPPD/IECPDS
- J. McGinn, OPPD/IES
- D. Amman, OPPD/IS
- B. Dwyer, OPPD/IS
- B. Rhodes, OFO
- P. Bronstein, OFO