

SENATE JOINT RESOLUTION 3

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By: **Senators Guzzone, Bailey, Carozza, Eckardt, Elfreth, Ellis, Gallion, Hershey, Hester, Pinsky, and Washington**

Introduced and read first time: January 31, 2020

Assigned to: Education, Health, and Environmental Affairs

SENATE JOINT RESOLUTION

1 A Senate Joint Resolution concerning

2 **Natural Resources – Fishing – Wild–Caught Blue Catfish**

3 FOR the purpose of opposing certain inspection rules promulgated by the U.S. Department
4 of Agriculture that affect the blue catfish harvest in the State; urging the U.S.
5 Congress to amend 21 U.S.C. § 601(w) to exempt the wild catch of domestic catfish
6 from certain inspection requirements; requiring a copy of this Act to be forwarded to
7 certain elected officials; and generally relating to the harvest and processing of wild
8 blue catfish.

9 WHEREAS, Federal oversight responsibilities related to the processing and
10 inspection of fish of the order Siluriformes were transferred from the U.S. Food and Drug
11 Administration to the U.S. Department of Agriculture in 2017; and

12 WHEREAS, The U.S. Department of Agriculture instituted new rules related to
13 Siluriformes products requiring an entity that processes fish of the order Siluriformes for
14 distribution in commerce as human food to have a U.S. Department of Agriculture Food
15 Safety and Inspection Service inspector present during processing in addition to a dedicated
16 processing space; and

17 WHEREAS, Blue catfish, fish of the order Siluriformes, have been introduced to the
18 Chesapeake Bay ecosystem by human actions, are listed as aquatic nuisance organisms in
19 the State of Maryland, and are considered invasive species in their non–native range,
20 meaning that they have the potential to cause economic and environmental harm; and

21 WHEREAS, Blue catfish, which have been found in all tributaries of the Chesapeake
22 Bay, pose an ecological threat because of their increasing population, rapid range
23 expansion, and capacity to consume significant amounts of native species, including blue
24 crabs, clams, herring, menhaden, oysters, perch, and rockfish; and

25 WHEREAS, Prior to the U.S. Department of Agriculture instituting new rules
26 related to Siluriformes products, the State of Maryland had successfully established and



1 expanded markets for blue catfish that were providing both economic and ecological benefit;
2 and

3 WHEREAS, The U.S. Department of Agriculture inspection requirements related to
4 the processing of fish of the order Siluriformes have drastically impeded the harvest and
5 sale of wild blue catfish in the State of Maryland, due to the burdensome cost of a dedicated
6 processing space and of having an inspector present at all times of operation at facilities
7 that process fish of the order Siluriformes; and

8 WHEREAS, The U.S. Department of Agriculture inspection requirements have
9 rendered the State of Maryland unable to adequately use commercial harvest of wild catfish
10 as a form of control over the invasive blue catfish species; now, therefore, be it

11 RESOLVED BY THE GENERAL ASSEMBLY OF MARYLAND, That the rules
12 promulgated by the U.S. Department of Agriculture requiring the inspection of fish of the
13 order Siluriformes are unnecessary and burdensome and have led to unintended
14 consequences, which include deflating the market for blue catfish caught in Maryland
15 waters and financially harming harvesters and the Chesapeake Bay ecosystem; and be it
16 further

17 RESOLVED, That the General Assembly urges the U.S. Congress to amend 21
18 U.S.C. § 601(w) and return federal oversight responsibilities related to the processing and
19 inspection of wild invasive catfish caught in the Chesapeake Bay to the U.S. Food and Drug
20 Administration; and be it further

21 RESOLVED, That a copy of this Resolution be forwarded by the Department of
22 Legislative Services to the Maryland Congressional Delegation: Senators Benjamin L.
23 Cardin and Christopher Van Hollen, Jr., Senate Office Building, Washington, D.C. 20510;
24 and Representatives Andrew P. Harris, C. A. Dutch Ruppersberger III, John P. Sarbanes,
25 Anthony G. Brown, Steny Hamilton Hoyer, David J. Trone, and Jamie Raskin, House Office
26 Building, Washington, D.C. 20515.