

Joint Resolution 1

(Senate Joint Resolution 4)

A Senate Joint Resolution concerning

Natural Resources – Fishing – Wild-Caught Blue Catfish

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

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

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

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

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

WHEREAS, Prior to the U.S. Department of Agriculture instituting new rules related to Siluriformes products, the State of Maryland had successfully established and expanded markets for blue catfish that were providing both economic and ecological benefit; and

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

WHEREAS, The U.S. Department of Agriculture inspection requirements have

rendered the State of Maryland unable to adequately use commercial harvest of wild catfish as a form of control over the invasive blue catfish species; now, therefore, be it

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

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

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

Signed by the President and the Speaker, May 18, 2021.