



Southern Shrimp Alliance

P.O. Box 1577 Tarpon Springs, FL 34688
955 E. MLK Dr. Suite D Tarpon Springs, FL
34689
727-934-5090 Fax 727-934-5362



Georgia Shrimp Association

227 Fort King George Drive, P.O. Box
2339, Darien, GA 31305
912-437-8188

February 2, 2012

Gary W. Black
Commissioner
Georgia Department of Agriculture
19 Martin Luther King Jr. Drive, SW
Room 204
Atlanta, GA 30334
gary.black@agr.georgia.gov

Re: Safety of Imported Seafood in Georgia Markets

Dear Commissioner Black,

On behalf of the Southern Shrimp Alliance and the Georgia Shrimp Association, we are writing regarding the Georgia Department of Agriculture's seafood testing and sampling program. We are grateful for the release of a summary of the Department's program over the last five years in response to our open records request.

Per the information released, we understand that the Department took 400 samples of seafood products between fiscal years 2007 and 2011. Of these, 268 of the samples were of shrimp products and 132 were of fish products. Seventeen of the samples were found to contain violative residue levels of either fluoroquinolones or chloramphenicol – a 4.25% violation rate for the duration of the program. We note that of the 268 samples taken of shrimp products, it appears that 264 were tested exclusively for chloramphenicol, with the remaining four samples tested exclusively for fluoroquinolones. We further note that no samples were taken or examined in FY 2011, following 91 samples taken and evaluated in FY 2010.

As an initial matter, we would like to express our appreciation to the Department for its proactive efforts to ensure the safety of seafood products sold to Georgia consumers. The importance of this initiative is ably demonstrated by a March 16, 2009 Department memorandum regarding the laboratory report for sample #5875-060-09 and a March 18, 2010 Department memorandum regarding the laboratory report for sample #1821-021-10. In both instances, the Chinese catfish fillets sampled were found to be contaminated with fluoroquinolones. Finding catfish fillets from China contaminated with this harmful antibiotic in Georgia retail

establishments is remarkable given that imported catfish fillets from China (along with shrimp, dace, basa, and eel imports) have been the subject of a U.S. Food and Drug Import Alert (Import Alert #16-131) since 2007.¹ If not for the Department's sampling program, fish fillets tainted with fluoroquinolones would have reached unwitting Georgia consumers in spite of the FDA's Import Alert.

We believe that the Department's sampling and testing program is even more important today. All available public information confirms that foreign aquaculture has failed to eliminate the use of harmful antibiotics and fungicides. Regulatory actions to address the pervasive problem continue to be taken in other major seafood importing markets, including the European Union, Japan, and Canada. A review of the information available from these regulatory agencies leads to one inevitable conclusion: the problem of harmful contaminants in farmed seafood imports remains.

For example, according to the Ministry of Health, Labour and Welfare, of the 1,224 "cases" of violations of Japan's Food Sanitation Law by imported food in 2011, **100** involved Vietnamese shrimp contaminated with harmful drug residues.² In other words, Vietnamese shrimp laced with antibiotics or herbicides comprised over **8 percent** of **all** of the cases of imported food rejected by the Japanese government in 2011.³ The problem got considerably worse as the year wore on: over the last half of the year (July to December), Vietnamese shrimp contaminated by drug residues accounted for nearly **10 percent** of the "cases" of violative food imports detected by the Imported Foods Inspection Service (66 of 670). Since September, Vietnamese shrimp imports with banned drug residues comprised 47 of the 427 "cases" of violative food imports reported by the Japanese government (**11 percent**).

The use of enrofloxacin in shrimp farming has become a grave concern. The Japanese government reports that 39 shipments of shrimp from Vietnam were contaminated with this banned fluoroquinolone in the last four months of 2011 (59 total for all of 2011). A recent Vietnam-based English language news website, Tuoi Tre News,⁴ confirms that the Japanese government has made repeated findings of enrofloxacin in Vietnamese shrimp imports.

¹ http://www.accessdata.fda.gov/cms_ia/importalert_33.html.

² Import notifications are available on a monthly basis in Excel format here: <http://www.mhlw.go.jp/english/topics/importedfoods/index.html>. Attachment 1 summarizes the entries related to Vietnamese shrimp imports contaminated with harmful drug residues.

³ Shrimp imports from all countries accounted for 141 of Japan's reported 1,224 cases of violative food imports in 2011 (11.5%); Vietnamese shrimp imports, inclusive of those imports found violative for reasons other than drug residues, accounted for 112 of Japan's reported 1,224 cases of violative food imports in 2011 (9.2%).

⁴ Tuoi Tre News, "Shrimp Exporters Face Shut-down Due to Antibiotic Residue" (Jan. 7, 2012): <http://www.tuoitrenews.vn/cmmlink/tuoitrenews/business/shrimp-exporters-face-shut-down-due-to-antibiotic-residue-1.57671>.

The findings of the Japanese government come on the heels of a July 2011 press story⁵ indicating that the Canadian Food Inspection Agency (CFIA) was considering a ban on Vietnamese catfish imports due to multiple findings of enrofloxacin contamination. At the end of September, the CFIA's Mandatory Inspection List (MIL) included fourteen (14) Vietnamese exporters for the discovery of fluoroquinolones in 2011.⁶ Between October and December of 2011, the MIL included an additional six (6) Vietnamese seafood exporters for fluoroquinolone violations.⁷

It is particularly unsettling that the Tuoi Tre News story quotes the Deputy Head of the Vietnamese government's General Seafood Department, Phanm Anh Tuan, as erroneously stating that the United States only limits the level of enrofloxacin allowed in seafood rather than bans its presence outright. This claim is inaccurate. In fact, the FDA has not approved any fluoroquinolone, including enrofloxacin, for use in aquaculture⁸ and currently lists six (6) Vietnamese seafood exporters on Import Alert 16-124⁹ for enrofloxacin violations. Nevertheless,

⁵ Bao Tuoi Tre English, "Canada Warns Vietnam About Antibiotic in Catfish," (July 26, 2011): <http://en.baomoi.com/Info/Canada-warns-Vietnam-about-antibiotic-in-catfish/5/166233.epi>.

⁶ Those fourteen (14) were: Bentre Aquaproduct Import and Export Joint Stock Company (July 8, 2011); Cuu Long Fish Joint Stock Company (June 24, 2011 and July 25, 2011); Dong Thap Trading Corporation's Branch (DOCIFISH) (July 8, 2011 and Sep. 20, 2011); Hung Vuong – Vinh Long Co., Ltd. (Sep. 1, 2011); Mekong Delta Food Factory (CASEAMEX) (June 9, 2011); Nam Hai Company Limited (Feb. 25, 2011); Phuong Dong Seafood Ltd. (June 21, 2011); Phuong Nam Co. Ltd. (Jan. 27, 2011 and May 26, 2011); Quang Minh Seafood Co. Ltd. (June 7, 2011 and June 28, 2011); Tan Thanh Loi Frozen Food Co. Ltd. (Apr. 19, 2011); TG Fishery Holdings Corporation (Aug. 3, 2011); Thuan Thien Producing Trading Limited Company (Sep. 29, 2011); Tra Vinh Food-Stuffs and Agricultural Products Company (TAVIFACO) (Aug. 23, 2011 and Sep. 23, 2011); and Workshop II – Hung Vuong Corporation (Aug. 31, 2011).

⁷ The additional six (6) companies are: An Phu Seafood Corporation (ASEAFOOD) (Oct. 21 & 24, 2011); An Phuoc Fish Joint Stock Company (APFISH) (Oct. 17, 2011); Cadovimex II Freezing Factory No. 1 – Cadovimex II Seafood Import-Export and Processing Joint Stock Company (Dec. 29, 2011); Hoang Phuong Seafood Factory, Subsidiary of Ut Xi Aquatic Products Processing Corp. (Dec. 13, 2011); Hung Loi Manufacturing & Trading Co. Ltd. (Oct. 18, 2011); Lucky Shing Enterprise Co. (Nov. 9, 2011); and Think Hung Company (Nov. 9, 2011).

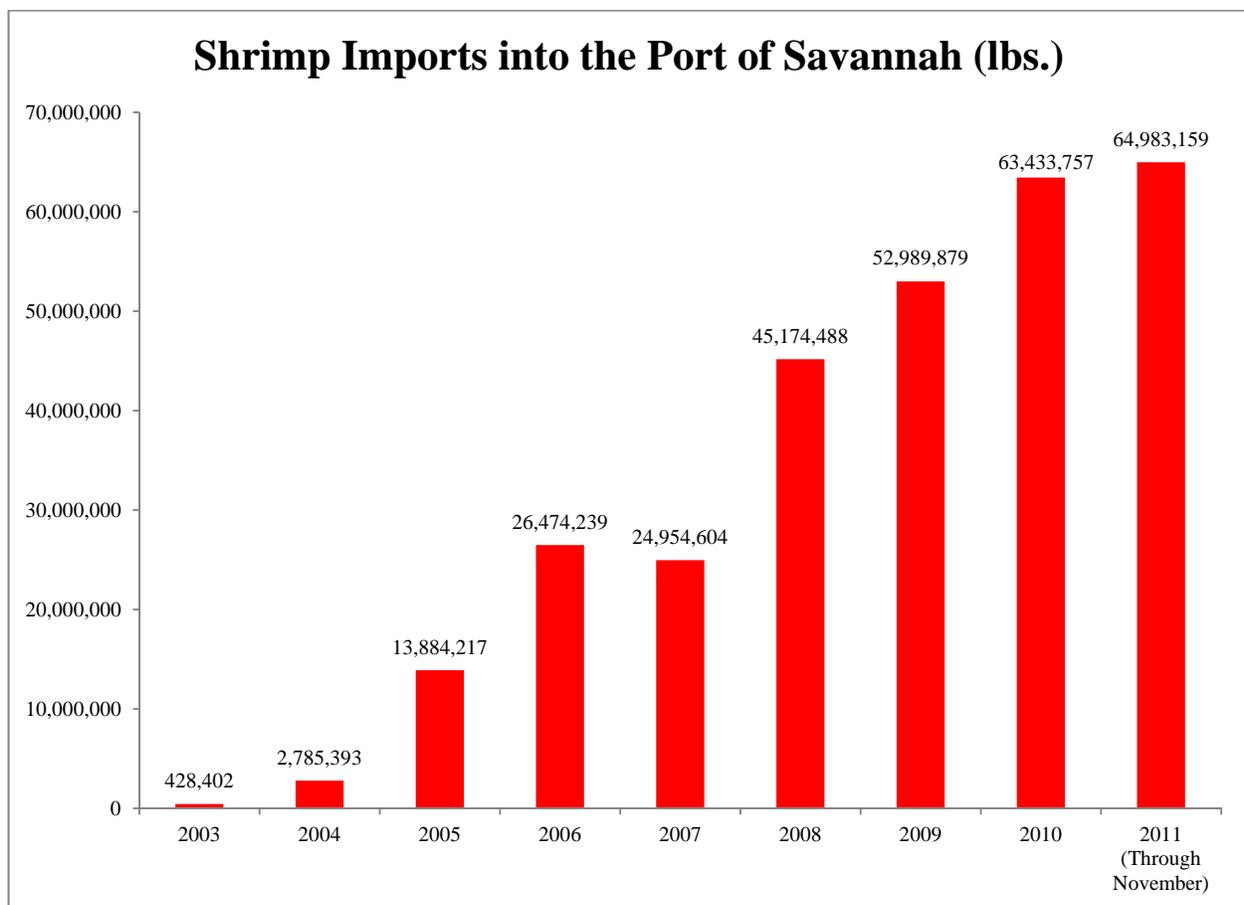
⁸ See List of Approved Drugs in Aquaculture," <http://www.fda.gov/AnimalVeterinary/DevelopmentApprovalProcess/Aquaculture/ucm132954.htm>.

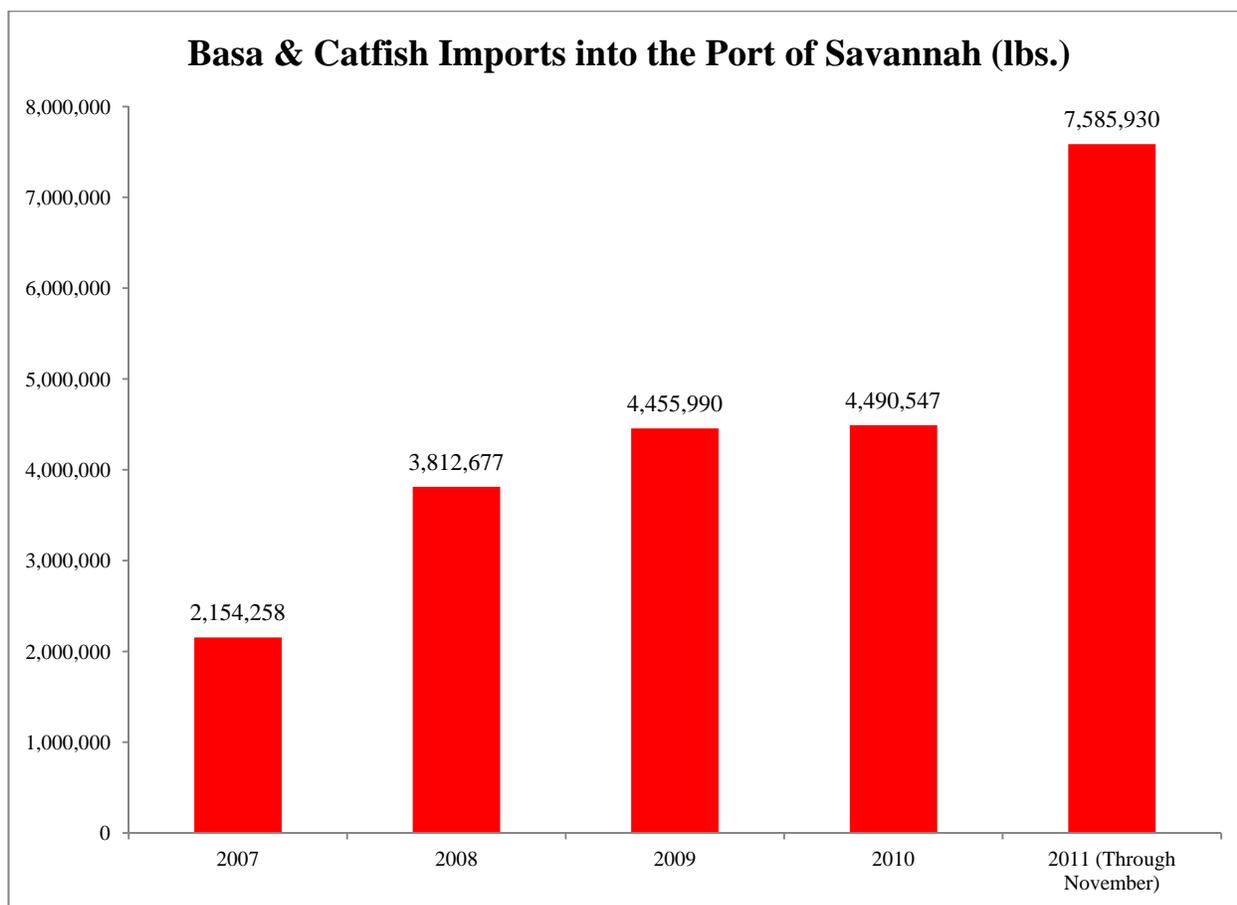
⁹ These companies are: Afifex Seafood Industry (basa); Investment Commerce Fisheries Corporation (INCOMFISH) (vannamei shrimp); Nhanh Hoa Co., Ltd. (frozen eel, listed at two different addresses); Saigon Aquatic Products Trading Joint-Stock Company (mud fish); Tan Thanh Loi Frozen Food Co., Ltd. (basa); and Vinh Long Aqua Product

the quote attributed to the Vietnamese government official appears to indicate that the Vietnamese government countenances the export of seafood products contaminated with enrofloxacin to the United States.

Seafood exports to the port of Savannah have exploded over the last few years. In 2003, less than half a million pounds of shrimp entered the port of Savannah. In 2011, through November, nearly **65.0 million pounds** entered the port – a record high. Imports of basa and catfish fillets into the port of Savannah totalled less than 2.2 million pounds in 2007. This year, again through November, a record high of nearly **7.6 million pounds** entered the port.

In 2011, over **10.3 million pounds** of shrimp, catfish, and basa from Vietnam alone entered the United States through the port of Savannah.





Clearly not all of the shrimp, catfish, and basa imported into the port of Savannah will end up in a Georgia restaurant or retail establishment. Yet, the volume of seafood imports entering through this state's ports is staggering and unprecedented.

We appreciate that the state government's budget is under intense pressure and that the environment that led to difficult cuts in programs and operations in 2011 remains in 2012. Nevertheless, the Department's sampling and testing program is even more important today than it was four years ago. A targeted approach of sampling seafood products that pose the greatest risk of contamination would immediately demonstrate the effectiveness of the program. The Southern Shrimp Alliance's web-site¹⁰ contains a series of links to information regarding the regulatory action taken by the governments of Canada, Japan, Switzerland, the European Union, and Australia – making information regarding heightened risks readily available to the public. These resources and databases provide considerable amounts of objective data regarding the proliferation of harmful antibiotic and fungicide use in aquaculture sectors throughout the world.

We also appreciate that the utilization of a wide-variety of unapproved, dangerous chemicals in overseas aquaculture limits the efficacy of sampling and testing programs. For example, our review of Japan's refusals of Vietnamese shrimp imports indicates that Japanese

¹⁰ http://www.shrim palliance.com/new/?page_id=1048.

regulatory officials found various shipments alternatively contaminated with chloramphenicol, nitrofurans, Trifluralin, and enrofloxacin. For this reason, we are optimistic that further development of multiresidue methods and the adoption of such methods for the purposes of regulatory analysis will augment efforts to eliminate the use of harmful compounds in aquaculture.

Currently, available data indicates that shrimp, basa, tra, and swai imports from Vietnam present a high likelihood of contamination with enrofloxacin. We note that last year, officials at the U.S. Food and Drug Administration published a paper setting out a HPLC/MS/MS method for multiresidue detection in shrimp products that “can be used to quantify drug residues at levels of interest for the U.S. FDA.”¹¹ The quantitative method developed and described “includes six sulphonamides, six fluoroquinolones [including enrofloxacin], two quinolones, three tetracyclines, and two dyes in both cationic and leuco forms.”¹² The officials observed that “additional work is under way to include more incurred shrimp with other drugs . . .” and that when used in concert with the screening/confirmatory method, this new quantitative method “can form a rugged system to determine the concentration of a drug residue in shrimp and confirm the identity of the compound.”¹³ Although we cannot claim to understand the science behind these analytical processes, we fully agree that the availability of multiresidue methods “are especially valuable in drug residue analysis, as resources for both drug development and regulatory surveillance are finite; and the wide variety of animal-derived food products present challenges for designing regulatory programs,”¹⁴ and we believe that the reporting of a multiclass/multiresidue method for quantifying drugs in shrimp is an important step forward.

Given the sharp increases of seafood imports into the Port of Savannah, the repeated and consistent detection of harmful contaminants in farmed seafood imports in other major seafood importing markets, and the advancement in analytical instrumentation and methods over the last few years, we hope and request that the Department’s sampling and testing program be expanded in the near term. Georgia’s consumers should be able to purchase and consume shrimp – whether farm-raised or wild-caught – free from any concern that it is tainted with banned antibiotics or herbicides. This is all the more important in the absence of country of origin labelling laws for seafood served at restaurants, where customers are unsure of whether the shrimp they are ordering is imported or domestic.

Because we are domestic industry organizations, we appreciate that our comments may be criticized as thinly-veiled appeals for protectionism. We would note, however, that although domestic seafood has been subjected to rigorous testing to ensure its safety and wholesomeness, we continue to see imported products in our marketplace that do not comply with our food safety

¹¹ Li, Hui, & Kijak, Philip J., *Development of a Quantitative Multiclass/Multiresidue Method for 21 Veterinary Drugs in Shrimp*, (2011) *Journal of AOAC International* Vo. 94, No. 2, 394, 406.

¹² Id. at 394.

¹³ Id. at 406.

¹⁴ Id. at 394.

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laws and regulations. In direct result, this seafood is available for sale at substantially lower prices.

It is no coincidence that the shrimp industry in Georgia continues to struggle. The Coastal Resources Division of the Department of Natural Resources reports that resident and non-resident shrimp trawler licenses were at a historic low in 2011 – 233 trawler licenses were issued last year compared to 1,471 in 1979, 534 in 2000, and 306 in 2010.¹⁵ Thus, shrimp trawler licenses declined by 24% last year, at the same time as shrimp imports into the port of Savannah continued to grow and the Department appears to have temporarily suspended its sampling and testing program.

The findings of the Japanese and Canadian governments regarding the continued presence of antibiotics in Vietnamese seafood exports cannot be dismissed as protectionist measures. There is no domestic shrimp industry to protect in Japan. There is no domestic catfish industry to protect in Canada. The governments in these countries have taken aggressive action to protect their citizens from harm caused by the indefensible continuing use of harmful antibiotics and fungicides in foreign aquaculture. A similar regard for the welfare of Georgia consumers powerfully argues for the continuation and expansion of the Department's program.

Thank you for your consideration. Please contact either of the undersigned with any questions regarding this correspondence.

Sincerely,



John Williams
Executive Director
Southern Shrimp Alliance



Pat Mathews
President
Georgia Shrimp Association

cc: Oscar Garrison, Division Director, Consumer Protection Division
(Oscar.Garrison@agr.georgia.gov)
Mark R. Norton, Agriculture Manager, Consumer Protection Division
(mark.norton@agr.georgia.gov)
Sandy Shepherd, Seafood Safety Officer (Sidney.Shepherd@agr.georgia.gov)

¹⁵ <http://coastalgadnr.org/sites/uploads/crd/pdf/marfish/traulers.pdf>.