

# SENATE JOINT RESOLUTION 3

M2

0lr1613  
CF HJ 3

---

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.