



THE US-CHINA BUSINESS COUNCIL
美中贸易全国委员会

**Eligibility of the People's Republic of China to Export
Siluriformes Fish and Fish Products to the United States
Docket No. FSIS-2018-0030 (83 Federal Register 47524),
US-China Business Council
October 19, 2018**

The US-China Business Council (USCBC) supports the Food Safety & Inspection Service (FSIS) proposal to allow China to export Siluriformes fish and fish products to the United States, based on a determination that China seafood inspection procedures are equivalent to those of the United States. USCBC offers these comments in support of the proposed rule applicable to China's General Administration of Customs (GACC).

USCBC is the premier American business group focused exclusively on opportunities and challenges US companies encounter as they do business with China. USCBC member companies represent all major sectors of the US economy. Our members value and support a bilateral regulatory environment that emphasizes transparency, adherence to law, and reliance on sound science.

On September 19, FSIS proposed making exporters from Vietnam, Thailand, and China eligible to ship Siluriformes fish and fish products to the United States.¹ The products covered by the agency's proposed rules, including Chinese *Ictaluridae* (Chinese catfish), together form one of the most popular categories of fish sold in the United States. In recent years, demand for these affordable products has increased. Because of this demand, the processing, distribution, and sale of Siluriformes fish such as Chinese catfish today helps sustain tens of thousands of US jobs.

With this in mind, USCBC supports the FSIS proposal to make China seafood producers eligible to export to the United States. Though expansion of FSIS authority to seafood was controversial, the FSIS equivalency process that culminated in the proposed rule is not. Longstanding FSIS regulations require agency staff and leadership to complete thorough audits and a comprehensive document review with each nation seeking equivalency, and to be satisfied as to the resolution of corrective actions those two facets of the process bring to light.

Those efforts have been successful. According to the proposed rule, the laws, regulations, and seafood inspection system as implemented by GACC are equivalent to the system established by FSIS under the Federal Meat Inspection Act.² During a May 2018 onsite audit, FSIS, "did not identify any deficiencies that represented an immediate threat to public health."³ Moreover, as the agency points out, *Ictaluridae* shipments continue to be subject to reinspection at US ports,

¹ The Vietnam proposed rule is found in Docket No. FSIS-2018-0029, and the Thailand proposed rule is found in Docket No. 2018-FSIS-0031.

² 83 Fed. Reg. 47524.

³ 83 Fed. Reg. at 47526.

and FSIS will continue to conduct a variety of other reinspection activities, such as product sampling at those ports. At the same time, the agency retains full authority to conduct follow-up audits in China.

Finalizing the FSIS proposal will provide multiple benefits. US companies that rely on global sourcing to obtain a variety of seafood, along with their employees, can have confidence that they will continue to be able to do so. American consumers can continue to access the seafood they want, a benefit that will, “help keep consumer prices for Siluriformes fish affordable and meet the large US demand for these products.”⁴ USDA and GACC regulators can point to a process that has helped each nation build its understanding of the other’s perspectives on shared food safety challenges – a salutary byproduct of cooperation between the world’s two largest economies.

In view of these benefits, USCBC supports the FSIS equivalency determination with respect to GACC and the September 19 proposed rule, and urges the agency to issue a final rule at the earliest practicable opportunity.

⁴ 83 Fed. Reg. at 47527.