

110TH CONGRESS  
2D SESSION

# S. 2914

To ensure the safety of seafood and seafood products being imported into  
the United States.

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## IN THE SENATE OF THE UNITED STATES

APRIL 24, 2008

Mr. VITTER introduced the following bill; which was read twice and referred  
to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To ensure the safety of seafood and seafood products being  
imported into the United States.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Imported Seafood  
5       Safety Enhancement Act of 2008”.

6       **SEC. 2. REFUSAL OF ENTRY.**

7       The Secretary of Health and Human Services shall  
8       issue an order refusing admission into the United States  
9       of all imports of seafood or seafood products originating

1 from a country or exporter if the Secretary determines  
2 that shipments of such seafood or seafood products—

3 (1) do not meet the requirements regarding  
4 food safety under the Federal Food, Drug, and Cos-  
5 metic Act (21 U.S.C. 301 et seq.); or

6 (2) are not likely to meet the requirements of  
7 any other Federal law regarding food safety.

8 **SEC. 3. REJECTED SHIPMENTS.**

9 In the case in which a shipment of seafood or seafood  
10 products is refused admission into the United States pur-  
11 suant to section 2, then the following actions shall be  
12 taken:

13 (1) Such shipment shall be clearly marked “Re-  
14 fused Entry by the United States Government”.

15 (2) If such shipment is bound for its country of  
16 origin, the importer shall first notify the appropriate  
17 authority of the country of origin of the reasons and  
18 circumstances preventing the admission of the ship-  
19 ment into the United States before the rejected ship-  
20 ment may be released to the importer.

21 (3) If such shipment is bound for a third party  
22 country, the importer shall first notify the third  
23 party country’s appropriate authority of such refusal  
24 of admission into the United States. The third party  
25 country shall notify the Food and Drug Administra-

1       tion of the third party country's acceptance of the  
2       shipment before the rejected shipment may be re-  
3       leased to the importer. If such notification of accept-  
4       ance is not made by the date that is 45 days after  
5       the date of notification to the third party country of  
6       the rejection, then the shipment shall be destroyed.

7           (4) Not later than 5 days after the date of the  
8       refusal of admission into the United States, the Sec-  
9       retary of Health and Human Services shall issue a  
10      notice to all United States ports of entry that such  
11      shipment was refused admission into the United  
12      States.

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