

FDA Pushing Forward on Oyster Ban

*Ban on raw clams could be under consideration,
even as National Shellfish group rejects FDA plans for second time in six months
Bipartisan group of Senators and Congressman ask Government Accountability Office to Investigate*

MARCH 25– Despite reports to the contrary, the U.S. Food and Drug Administration is aggressively pushing ahead with plans to ban the sale of traditional, raw Gulf Coast oysters, essentially ignoring the concerns of tens of thousands of consumers, restaurant owners and seafood workers who spoke out against the plan last fall.

But the national shellfish rulemaking group refused to endorse the FDA plans for the second time in six months, at a meeting held in Denver in early March. At the meeting of the Interstate Shellfish Sanitation Conference (ISSC), FDA officials made clear they have no intention of backing off the plan, saying that the Oyster Ban “is still a reasonable step to take” despite the complaints tens of thousands of people made last October. The ISSC is an independent group which is dominated by public health and regulatory officials from around the nation. Representatives of the shellfish community from all three coasts also serve on the ISSC.

Many shellfish lovers are also concerned that FDA is not conducting a thorough and scientific cost/benefit analysis of the proposed Oyster Ban, and on Monday, March 15, a bipartisan group of six U.S. Senators and 12 Congressmen released a letter asking the U.S. Government Accountability Office (GAO) to do a detailed analysis of the proposed rule, which could eliminate thousands of jobs along the Gulf Coast. (*letter attached*) The Congressional request came after FDA failed to fully include ISSC members in an analysis of the proposed Oyster Ban.

At the Denver ISSC meeting, FDA officials also presented a report on nationwide illnesses from consumption of raw clams. Internal FDA memos show that the agency is considering expanding the Gulf Oyster Ban to include raw shellfish on the East and West Coasts.

“FDA appears to be intent on regulating all raw shellfish just to protect a small group of susceptible people who have unique health complications,” said Bob Rheault, director of the East Coast Shellfish Growers Association. “These immune compromised individuals should not be eating any raw foods.”

Mike Voisin with the Gulf Oyster Industry Council said that he’s frustrated by FDA’s unwillingness to modify its position after all of the outcry from consumers, restaurant owners, public health officials and members of Congress.

A key issue is consumer choice. Pacific Coast Shellfish Growers executive director Robin Downey noted that one FDA official at the meeting said that even if every immune compromised consumer was fully aware of the health risks but chose to eat their oysters raw regardless, the FDA would still seek to require processing of all oysters.

“While the FDA’s intent and mission to keep consumers safe is laudable, they must also weigh it against the consumers’ inalienable right to choose the kinds of foods they eat – especially something like a raw oyster that is one of Mother Nature’s most perfect foods,” Downey said.

Kevin Begos the Franklin County (FL) Oyster & Seafood Task Force noted that environmental groups have also begun raising concerns about the FDA plan. “The Gulf Coast oyster community provides more than 10,000 jobs in total, but it also has priceless cultural and environmental value,” Begos said. “Hurting this natural, sustainable fishery makes no scientific, environmental, or public policy sense.”

For more information visit the *Save Our Shellfish* web page, or contact:

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