



Highlights of [GAO-09-258](#), a report to the Ranking Member, Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard, Committee on Commerce, Science, and Transportation, U.S. Senate

Why GAO Did This Study

In 2007, Americans consumed almost 5 billion pounds of seafood. Most seafood buyers, at many levels—importers, distributors, supermarkets, restaurants, and individual consumers—assume that the seafood they buy is what the seller claims it is. However, this is not always the case. Sometimes seafood products are mislabeled for financial gain—an activity called seafood fraud. Three federal agencies play key roles in detecting and preventing seafood fraud: the Department of Homeland Security's Customs and Border Protection (CBP), the Department of Commerce's National Marine Fisheries Service (NMFS), and the Department of Health and Human Services' Food and Drug Administration (FDA). GAO was asked to determine (1) the actions key federal agencies take to help detect and prevent seafood fraud and (2) the extent to which these key federal agencies collaborate with each other to help detect and prevent seafood fraud. GAO reviewed data and documents from each agency on actions to detect and prevent seafood fraud, and interviewed agency officials and other key stakeholders.

What GAO Recommends

GAO is making recommendations to CBP, NMFS, and FDA that are intended to help reduce the prevalence of seafood fraud, increase interagency collaboration, improve information sharing, and reduce overlaps. In commenting on a draft of this report, CBP, NMFS, and FDA generally agreed with the recommendations.

To view the full product, including the scope and methodology, click on [GAO-09-258](#). For more information, contact Lisa Shames at (202) 512-3841 or shamesl@gao.gov.

SEAFOOD FRAUD

FDA Program Changes and Better Collaboration among Key Federal Agencies Could Improve Detection and Prevention

What GAO Found

CBP and NMFS conduct several activities to help detect and prevent seafood fraud, but FDA told GAO that it focuses on food safety and undertakes few fraud-related activities. Nonetheless, fraud can result in food safety problems. For example, fish that was mislabeled as a different species for financial gain has caused illnesses due to the presence of a potentially deadly toxin.

- CBP reviews seafood import documentation to detect schemes to avoid paying the appropriate customs duties as seafood products enter the country, among other things.
- NMFS addresses seafood fraud through its voluntary, fee-for-service inspection program, which includes inspecting seafood that retailers, among others, are purchasing to verify its net weight and ensure the species is correctly identified. According to NMFS officials, NMFS inspects approximately one-third of the seafood consumed in the United States.
- FDA examines only about 2 percent of imported seafood annually, and its primary seafood oversight program does not address economic fraud risks, which limits its ability to detect fraud. An FDA seafood fraud-related activity is the maintenance of a publicly available list of seafood names that is intended to help the industry correctly label products. However, until 2009, FDA had not fully updated the list it created in 1993 to reflect over 400 name changes. Finally, FDA's guidance to help seafood processors comply with its seafood oversight program does not reflect the seafood labeling requirement of the Food Allergen Labeling and Consumer Protection Act of 2004 to include the species of fish or shellfish on product labels. Because of the limited scope of FDA's seafood oversight program, its mismanagement of the Seafood List, and its failure to update its guidance to reflect the allergen labeling requirement, consumers have less assurance that the seafood they purchase is correctly labeled.

The federal agencies that share responsibility for detecting and preventing seafood fraud—CBP, NMFS, and FDA—do not effectively collaborate with each other. Specifically, they have not identified a common goal, established joint strategies, or agreed on roles and responsibilities. As a result, the agencies have not taken advantage of opportunities to share information that could benefit each agency's efforts to detect and prevent seafood fraud, nor have they identified similar and sometimes overlapping activities that could be better coordinated to use limited resources more efficiently. For example, each agency has its own laboratory capability for determining seafood species and uses different methodologies for creating standards for species identification. The result is that neither the laboratories nor the data developed in them are shared.