

HB

208

FISCAL NOTE

No. 1
 Bill Version: CSHB 208 (FSH)
 (H) Publish Date: 4/3/95

STATE OF ALASKA
1995 LEGISLATIVE SESSION

Revision Date: _____
 Title: Seafood Processing Standards
 Sponsor: Representative Moses
 Requestor: H(FSH)

Department Affected: Environmental Conservation
 BRU: Environmental Health
 Component: Seafood Sanitation Inspection

COMPONENT SERIAL NO. 1936

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	00	00	00	00	00	00
TRAVEL	00	00	00	00	00	00
CONTRACTUAL	00	00	00	00	00	00
SUPPLIES	00	00	00	00	00	00
EQUIPMENT	00	00	00	00	00	00
LAND & STRUCTURES	00	00	00	00	00	00
GRANTS/CLAIMS	00	00	00	00	00	00
MISCELLANEOUS	00	00	00	00	00	00
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	00	00	00	00	00	00
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CHANGE IN REVENUES	00	00	00	00	00	00
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FUND SOURCE

1002 Federal Receipts	00	00	00	00	00	00
1005 State Funds	00	00	00	00	00	00
1008 GF	00	00	00	00	00	00
1009 GF Program Receipts	00	00	00	00	00	00
1009 GF MDTA	00	00	00	00	00	00
Other	00	00	00	00	00	00
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY95) cost: \$ 0.0

POSITIONS

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS (Attach a separate page if necessary.)

The intent of the bill is to substitute a federally required Hazardous Analysis Critical Control Point (HACCP) plan for the statutorily required Plan of Operation so that processors need only develop a single plan which could be submitted to both the federal Food & Drug Administration and the State.

Prepared by: Larry Jones
 Division: Director, Division of Administrative Services

Phone: 465-1010
 Date: 3/21/95

Approved by Commissioner: Larry Jones
 Agency: Department of Environmental Conservation

Date: 3/21/95

PREPARED TO PROVIDE ALL DIS-
COMMITTEE COPY tribution

HIVE OFFICE
 office

STATE OF ALASKA

TONY KNOWLES, GOVERNOR

DEPARTMENT OF COMMERCE AND
ECONOMIC DEVELOPMENT

DIVISION OF ECONOMIC DEVELOPMENT

March 3, 1985

P.O. BOX 110804
JUNEAU, ALASKA 99811-0804
PHONE: (907) 485-3017

The Honorable Carl Moses
House of Representatives
State Capitol
Juneau, AK 99801-1182

Dear Representative Moses:

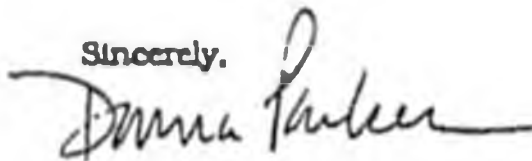
The Department of Commerce and Economic Development strongly supports your efforts to harmonize State and federal seafood safety regulations in your proposed House Bill 208.

This legislation seeks to have State regulations mirror new federally-mandated seafood inspection regulations as well as international regulations. This will improve the ability of the Alaska seafood industry to successfully compete in the domestic and international marketplace.

The bill requires that Alaska seafood inspection regulations be consistent with the Hazard Analysis at Critical Control Points (HAACP) inspection regulations recently promulgated by FDA. HAACP regulations were developed by FDA to standardize and improve seafood safety regulations. Similar regulatory development has occurred in the EU. By harmonizing Alaska seafood safety regulations with those in the global marketplace, Alaska seafood processors can better market products across state lines and international boundaries.

Please call on this office for any further assistance we can offer in support of this proposed legislation.

Sincerely,



Donna Parker
Fisheries Specialist



March 21, 1995

BY FAX COMMUNICATION TO:

Cheryl Sutton, Staff Fisheries Specialist
Office of Representative Carl E. Moses
Fax No. 907-465-3445

Dear Ms. Sutton,

We are writing to express our strong support for House Bill No. 208, now before the State of Alaska Legislature, House of Representatives.

We feel that this Bill is of vital importance to the seafood industry, not only to protect its integrity, but also to ensure that only the safest products produced by the Alaska seafood industry are offered for sale to the public. It is important that future quality assurance programs followed by the Alaska seafood industry be consistent with the Hazard Analysis Critical Control Points (HACCP) regulations being proposed by the federal Food and Drug Administration. House Bill No. 208 accomplishes this objective.

Sincerely,
UNISEA, INC.



Joe Frazier
Director of Quality Assurance

cc: Mr. Rick Lauber, Pacific Seafood Processors Assn.-Juneau
Mr. Roger DeCamp, Nation Food Processors Assn.-Seattle
Mr. L. John Iani-UniSea



Dutch Harbor Seafoods, Ltd.

15110 Northeast 90th Street
P.O. Box 97049
Redmond, Washington 98073-9749
(206) 881-8181 FAX (206) 882-1660

MAR 22 1995

March 22, 1995

BY FAX COMMUNICATION TO:

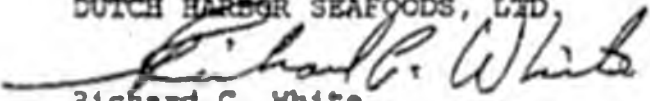
Cheryl Sutton, Staff Fisheries Specialist
Office of Representative Carl E. Moses
Fax No. 907-465-3445

Dear Ms. Sutton,

On behalf of Dutch Harbor Seafoods, Ltd., I want to express our full support for House Bill No. 208, which has been introduced in the State of Alaska House of Representatives.

I feel that this Bill is extremely important to the seafood industry. The public demands, and deserves, assurance that safe seafood products will be the only products coming from our industry. House Bill No. 208 ensures that all processors, large and small, will implement quality control/quality assurance programs that meet this demand. It is equally important that future quality assurance programs followed by the Alaska seafood industry be consistent with the Hazard Analysis Critical Control Points (HACCP) regulations being proposed by the federal Food and Drug Administration. House Bill No. 208 accomplishes this objective as well.

Sincerely,
DUTCH HARBOR SEAFOODS, LTD.


Richard C. White
President

cc: Mr. Rick Lauber, Pacific Seafood Processors Assn.-Juneau
Mr. Roger DeCamp, Nation Food Processors Assn.-Seattle
Mr. L. John Iani-UniSea



SEAFOOD PRODUCERS COLD STORAGE, INC.

PRODUCERS, PROCESSORS & MARKETERS OF PREMIUM QUALITY SEAFOODS

DATE: 3/22/95

TO: Carl Moses, Representative

ATTN:

FROM: Tim Northrop, Plant Manager

MESSAGE: Representative Moses,

We support House Bill 208. It is important to us that we not have to react to two different sets of regulations covering the same situation in our industry. If you need anything from us, please contact us.

OCEAN BEAUTY
SEAFOODS, INC.

March 21, 1995

VIA FAX

The Honorable Carl Moses
Alaska House of Representatives
Capital Building, Room 204
Juneau, Alaska

Re: HOUSE BILL 208

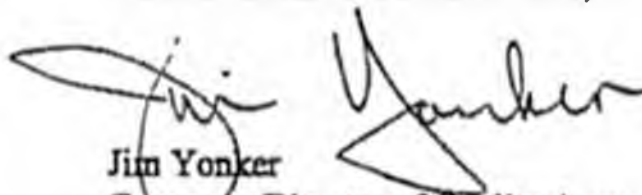
Dear Representative Moses:

Please be advised that Ocean Beauty Seafoods, Inc. supports your bill requesting a change in the current ADEC statutes to incorporate the Food and Drug Administration's "Seafood Safety" HACCP proposal.

You and your fellow representatives should be commended for your efforts to harmonize the regulations that affect Alaska's seafood products on an international, national, and state level. Your efforts in HB 208 will allow for a safe food product produced in Alaska to compete in all markets.

Very truly yours,

OCEAN BEAUTY SEAFOODS, INC.



Jim Yonker
Corporate Director of Quality Assurance
and Government Relations

JY:mal

cc: William Terhar, Executive V.P. & C.O.O.

Regional Specialties

Eyak

Select Provisions

Eyak Packing Company
 Cannery Direct Mail Order
 Smoked & Canned Alaska Salmon of Finest Quality

MAR 22 1995

MARCH 22, 1995

To/ Representative Moses

Eyak Packing was established in 1983 -
 We are 100% ALASKAN owned and we employ
 ALASKANS - we support House Bill NO. 208 100%
 and THANK you for your efforts.

Sincerely,

Gerald Masolini
 Gerald MASOLINI
 Owner/Manager
 Eyak Packing Co.



329-333 Katlian Street

Sitka, Alaska 99838



3/22/95

Representative Carl E. Moses
Alaska State Legislature

Dear Carl:

Unfortunately, we will be unable to attend or partake in the teleconference hearing today. The Sitka Sound Seine Sac Roe Herring Fishery is rapidly approaching.

We do however, want to go on record and state that Sitka Sound Seafoods, Inc. both endorses and supports House Bill No. 208. Please contact us if you need any additional support in writing.

Sincerely,

Harold K. Thompson
President, SSS

Gail B. Stromme
SSS Government Compliance

(907) 747-6662
TELEFAX (907) 747-6268
Telex 090-45-391 SEEAFOOD SICA

FRESH AND FROZEN SALMON, COD, BLACK COD, HALIBUT, ROCK FISH, CRAB, HERRING

4

MAR 22 1995



ALASKA PACIFIC SEAFOODS

DIVISION OF NORTH PACIFIC PROCESSORS, INC.
HOME OFFICE: 2200 EASTLAKE AVE. EAST • SEATTLE, WASHINGTON 98102 • (206) 726-9800

P.O. BOX 31178 • SEATTLE, WASHINGTON 98103-1178

PROCESSING PLANT 1877 DRUMMERS AVENUE • KODIAK, ALASKA 99581 • (907) 485-3234

March 22, 1995

Representative Carl E. Moses, Chair
House Rules Committee

State of Alaska

The seafood industry has been under inspection for many years, whereas the fish industry has not. Whether or not in the fishing industry have a perceptual or factual problem as it relates to our food items and disease, the consumer needs to have greater confidence in our products.

As your representative, it is my duty to see our state Representatives guiding the fishing industry on a path which will help market our fish in future times.

Sincerely,

John Saville
Plant Manager

JS/sjn

Processors of Quality Alaskan Seafoods



East Point
seafood company

420 MARINE WAY • P.O. BOX 1637
KODIAK, ALASKA 99615
TELEPHONE: (907) 486-5799
FACSIMILE: (907) 486-4079

March 22, 1995

MAR 22 1995

Cheryl Sutton c/o Carl Moses
House of Representatives, Alaska State Legislature
State Capitol
Juneau AK 99801-1182

Re: HB 208

Dear Ms. Sutton:

I would like you to know that East Point Seafoods fully supports the above-mentioned bill.

It will allow the seafood processors of Alaska to operate under one set of rules that will insure all seafood produced within the state will be safe and wholesome.

Sincerely

Charles L. Jensen
Manager, Gov't Relations/Quality Assurance



Ocean Beauty Seafoods, Inc.

ST. ELIAS DIVISION

PO. BOX 548 • CORDOVA, ALASKA 99574 • (907) 424-7171 • FAX (907) 424-5514
PO. BOX 70739 • SEATTLE, WASHINGTON 98107 • (206) 285-6800 • FAX (206) 281-0820

March 30, 1995

Representative Carl Moses
State Capitol
Juneau, Alaska
99901-1132

Rep. Carl Moses:

This letter is an acknowledgment of support of H.B. 208 as it is currently written. This Bill will bring HACCP regulations in line for A.D.E.C., F.D.A., and the E.U.. It is good to see the state recognize the needs for more simple, rather than more complex regulations. This will help in keeping costs down, lead to less duplication of effort, and ensure that product will not be rejected based on technicalities. This Bill has wide support from the industry.

Hap Symmonds
CBSI- St. Elias Division

Ken Roennidt
North Pacific Processors

Bill Gilbert
Silverlining Seafoods

Sylvia Lange
Cannery Row

Gerald Masolini
Eyak Packing

Roger Stiles
Great Pacific Seafoods

**KODIAK FISH COMPANY**

F/V Alliance F/V Provider
P. O. Box 469
Kodiak, Alaska 99615-0469



April 23, 1995

The Honorable Loren Leman
Chairman
Senate Resources Committee
Alaska State Legislature

Subject: HB 208 - Relating to plans of operation for seafood processing facilities.

Dear Senator Leman:

I wish to urge the Senate Resources committee to expedite passage of this bill. Its purpose is to eliminate duplication of rulemaking between the State of Alaska and the Food and Drug Administration - both sets of rules are designed to produce the same result. Without this bill, all seafood processing businesses in the State - including small ones such as ours - will be faced with development of two different and highly complex plans. By placing HACCP regulations in State regulation, everyone's job is eased. State and federal regulators are using the same standard, industry has a single set of regulations and is producing one plan. In addition, HACCP regulations being finalized by FDA have undergone an exhaustive period of public comment, agency review and industry scrutiny.

HB 208 may be the only piece of legislation dealt with this session which is a no brainer. It costs nothing, saves industry money and results in no loss of consumer protection. It has received wide support from all segments of the industry and is also supported by the Department of Environmental Conservation.

Thank you for the opportunity to comment. I wished to testify at tomorrow's hearing but have a prior commitment. I hope these remarks which I am faxing to your office will be received and reviewed in a timely manner.

Sincerely,

TERESSA M. KANDIANIS
Vice President

DIVISION OF LEGAL SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

February 15, 1995

SUBJECT: Summary of certain statutes relating to the wholesomeness of food products (Work Order No. 9-LS01581C)

TO: Representative Carl Moses
Attn: Cheryl Sutton

FROM: George Utermohle *GU*
Legislative Counsel

This memorandum summarizes certain statutes governing the wholesomeness of food products.

AS 03.05.011 sets out the authority of the commissioner of environmental conservation to issue orders, regulations, permits, quarantines, and embargoes relating to labeling of meat, seafood, and poultry; examination and inspection of meat, fish, and poultry advertised for sale; enforcement of quality assurance plans; inspection for pests and infested food products; cooperation with federal and state agencies; regulation of fur farming; and monitoring of aquatic farms and aquatic farm products.

AS 03.05.020 sets out the duties of the commissioner of environmental conservation in regard to inspection of food animals, fish, and poultry; prohibiting the transportation and sale of food products that do not meet state standards; regulating the labeling and production of milk and milk products; establishing an inspection program for reindeer; designating points of entry for livestock and poultry into the state; and establishing a schedule of fees for services provided by the state veterinarian.

AS 03.05.025 provides that a person may not operate a seafood processing establishment or vessel without a seafood processing permit and an approved plan of operation.

AS 03.05.026 provides that the Alaska Seafood Marketing Institute may design an "inspection" seal and a "premium quality" seal. The commissioner of environmental conservation shall authorize the use of the seals by seafood processors who meet requirements established by the commissioner.

AS 03.05.035 prohibits the mislabeling of frozen foods. Meat, fish, or poultry that have been frozen must be labeled as frozen food and may not be sold or represented as fresh food. The commissioner of environmental conservation shall adopt regulations for the labeling of frozen

Representative Carl Moses
February 15, 1995
Page 2

meat, fish, and poultry and for the inspection of meat, fish, and poultry to determine whether they had been frozen.

AS 03.05.040 provides that the commissioner of natural resources and the commissioner of environmental conservation may, as appropriate, enter a storehouse, warehouse, cold storage plant, packing house, slaughterhouse, retail store, or other place to inspect agricultural, fisheries, or aquatic farm products.

AS 03.05.050 provides that the commissioner of natural resources or the commissioner of environmental conservation, as appropriate, may declare an agricultural or fisheries product that violates provisions of AS 03.05, or regulations adopted under AS 03.05, to be a public nuisance injurious to the public interest. Such products may not be moved and are subject to the directions of the appropriate commissioner.

AS 03.05.090 provides that a person who violates AS 03.05 or a regulation, order, quarantine, or permit issued under AS 03.05 is guilty of a class A misdemeanor.

AS 17.20.020 establishes what is adulterated food.

AS 17.20.040 establishes when food is mislabeled.

AS 17.20.050 provides that the commissioner of environmental conservation may issue permits governing the manufacture, processing, or packing of a class of food, if such permits are necessary to protect the public health from food contaminated with microorganisms that cannot be identified as a dangerous food product after the product enters commerce.

AS 17.20.060 provides that the commissioner of environmental conservation may suspend a permit issued under AS 17.20.050, if the commissioner finds that the terms of the permit are being violated. The commissioner may reinstate the permit if the terms of the permit have been satisfied.

AS 17.20.070 provides that the commissioner of environmental conservation may inspect a factory or establishment that holds a permit under AS 17.20.050.

AS 17.20.180 provides that the Department of Environmental Conservation and the Department of Health and Social Services may adopt regulations as necessary to enforce the Alaska Food, Drug and Cosmetic Act (AS 17.20).

AS 17.20.200 provides that the commissioner of environmental conservation shall have free access to a factory, warehouse, or establishment where foods are manufactured, processed, packed, or held for introduction into commerce in order to inspect the facility for compliance with AS 17.20 and to collect samples for examination.

Representative Carl Moses
February 15, 1995
Page 3

AS 17.20.230 provides that the commissioner of environmental conservation may place an embargo on food that the commissioner has probable cause to believe is adulterated or so misbranded as to be fraudulent or dangerous.

AS 17.20.240 provides that the commissioner of environmental conservation shall petition the superior court for a libel for condemnation of food embargoed under AS 17.20.230.

AS 17.20.250 provides that the commissioner of environmental conservation shall destroy an embargoed food product after the superior court enters a decree under AS 17.20.240.

AS 17.20.260 provides that food subject to an embargo and to a decree of the superior court may be returned to a person for relabeling or further processing if the adulteration or the mislabeling can be cured by relabeling or further processing. The person who claims the food for relabeling or further processing shall pay the costs of the commissioner of environmental conservation to supervise the relabeling or further processing and shall post sufficient bond to assure that the food is brought into compliance with AS 17.20.

AS 17.20.270 provides that commissioner of environmental conservation shall immediately destroy, condemn, or render unsalable as human food any meat, seafood, poultry, vegetable, fruit, or other perishable article in any room, building, vehicle, or other structure that is unsound or contains a filthy, decomposed, or putrid substance or a substance that may be poisonous or hazardous to the public health.

AS 17.20.280 provides that the commissioner of environmental conservation may apply to the superior court for an injunction to prevent certain acts prohibited under AS 17.20.290.

AS 44.46.020 sets out the duties of the Department of Environmental Conservation including the adoption of regulations for the prevention and control of public nuisances, regulation of sanitation and sanitary practices in the interest of public health, and standards of cleanliness and sanitation in connection with the construction, operation, and maintenance of a camp, cannery, food handling establishment, food manufacturing establishment, and other establishments where lack of sanitation may create a condition that causes disease.

AS 46.03.100 - 46.03.120 provides for the issuance, modification, or termination of a permit for the disposal of waste material or waste water.

If I may be of further assistance, please advise.

GU:glc
95-145.glc

**DIVISION OF LEGAL SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA**

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

April 6, 1995

SUBJECT: Sectional Summary of CSHB 208(FSH); An Act relating to seafood processing permits and hazard analysis critical control point plans; and relating to seafood processing plans of operation and quality assurance plans.

TO: Representative Carl Moses
Attn: Cheryl Sutton

FROM: George Utermohle *GU*
Legislative Counsel

This memorandum is a sectional summary of CSHB 208(FSH), an Act relating to seafood processing permits and hazard analysis critical control point plans, and relating to seafood processing plans of operation and quality assurance plans.

As a preliminary matter, note that a sectional summary of a bill is not an authoritative interpretation of the bill. The bill itself is the best statement of its contents.

Section 1 of the bill amends AS 03.05.011(a)(8) to allow the commissioner of environmental conservation to enforce hazard analysis critical control point programs for seafood processing.

Section 2 of the bill amends AS 03.25.025(a) to eliminate the requirement that a seafood processing plan of operation be incorporated into the seafood processing permit and be renewed annually.

Section 3 of the bill repeals and reenacts AS 03.05.025(b) in order to provide that a seafood processing establishment or vessel must have a plan of operation that has been approved by the Department of Environmental Conservation, unless the establishment or vessel is engaged in the production of a fresh or frozen seafood product. Once the plan of operation is approved by the department, the plan does not need to be reviewed again until there is a change in the operation of the establishment or vessel or the product produced or the process conducted at the establishment or vessel that necessitates a change in the plan.

Sectional Analysis

Representative Carl Moses

April 6, 1995

Page 2

Section 4 of the bill repeals and reenacts AS 03.05.025(b) in order to provide that a seafood processing establishment or vessel must have an written hazard analysis critical control point control plan

Section 5 of the bill grants a temporary exemption from the provisions added by secs. 2 and 3 of this bill in order to provide a smooth transition for the implementation of this bill.

Section 6 of the bill provides that secs. 1 and 4 of the bill take effect on the effective date of regulations adopted by the federal Food and Drug Administration that establish procedures for processing of fish and fishery products in accordance with hazard analysis critical control point principles.

GU:imb:klb

95-158.lmb

SENATE COMMITTEE REPORT

DATE: 4/11/95

FURTHER:

DATE TURNED INTO OFFICE: 4-24-95

Resources Committee considered CS FOR HOUSE BILL NO. 208(FSH)

Seafood processing permits and hazard analysis critical control point plans; relating to seafood processing plans of operation and quality assurance plans; efd.

and recommends:

- be replaced with _____ CS _____ (_____)
- adopt previous _____ CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to the _____ Committee

Senate Bill:

- same title
 - new title
- House Bill:
- same title
 - technical change
 - new: SCR° _____

SIGNING DO/PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>Rick Halford</i>	✓				
<i>Dave</i>	✓				
<i>Miss L. Taylor</i>	✓				
CHAIR: <i>Laura A. Huran</i>	✓				

NEW FISCAL NOTE(S):

Department Date Zero Fiscal

Department	Date	Zero	Fiscal

PREVIOUS FISCAL NOTE(S):*

Department Date Zero Fiscal

Department	Date	Zero	Fiscal
DEC	4/3	✓	

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

Alaska State Legislature

Representative Carl E. Moses

CHAIRMAN
HOUSE RULES COMMITTEE

VICE CHAIRMAN
HOUSE SPECIAL COMMITTEE ON FISHERIES

MEMBER
HOUSE SPECIAL COMMITTEE ON
ECONOMIC DEVELOPMENT

COMMITTEE ON COMMITTEES

FINANCE SUBCOMMITTEES
TRANSPORTATION AND PUBLIC FACILITIES
FISH & GAME



SESSION:
STATE CAPITOL BUILDING #204
JUPITER, ALASKA 99501-1182
PHONE (907) 485-4451
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718 W 6TH AVE #830
ANCHORAGE, ALASKA 99501-2133
PHONE (907) 258-8187
FAX (907) 258-3488

TESTIMONY

House Bill 208

Senate Resources - April 24, 1995

Mr. Chairman and members of the committee, my name is Cheryl Sutton, aide to Representative Carl Moses and I will be testifying on his behalf today.

House Bill 208 seeks to harmonize the state regulations for plans of operation of seafood processing facilities with federally mandated FDA regulations. The new program involves state-of-the-art inspection technology called Hazard Analysis Critical Control Point or HACCP. The HACCP program was first developed by Pillsbury for use by the NASA space program. At present, FDA is moving forward in consultation with the seafood industry in their rule-making process.

HACCP takes a proactive approach to food safety by adopting preventive measures to avoid food safety hazards. The program establishes critical control points throughout the process where a hazard could occur. It then monitors these control points to provide for safe product development. Other systems respond *after the fact*. They generally examine or test product *after* they are finished. It becomes much more difficult to correct a problem *after the fact* rather than by monitoring the process through each control point and responding to make corrections before the product is completed.

House Bill 208 will replace the current plan of operation required by DEC with a HACCP plan which will mirror the federal rule. The current requirements for a plan of operation will remain in place until the federal rule is adopted. In addition to providing a better program for food safety, the HACCP program will provide a single standard utilized worldwide for commerce.

House Bill 208 is supported by the Alaska seafood industry and the Department of Environmental Conservation. It has a zero fiscal note.

Janice Adair, DEC Director of Environmental Health, is on line in Anchorage. Also, Kit Ballentine, Program Coordinator for Environmental Health is here in Juneau. In addition, we have several seafood industry members who would like to lend their support to the bill.

I have been contacted by seafood industry folks ranging from fishermen to moms and pops to large processors of Alaska seafood and have had unanimous support for this bill. Representative Moses would respectfully request your support and passage from committee. This bill provides a forward look for the seafood industry and the state. It will improve the quality of seafood safety in production resulting in safe Alaska seafood products in the world market. Thank you.

April 23, 1995

Honorable Leman
Senate Resources
State Capitol
Juneau, Alaska 99801-1182

RE: HB 208

Dear Senator Leman:

This letter is an acknowledgment of support of H.B. 208 as it is currently written. This Bill will bring HACCP regulations in line for A.D.E.C., F.D.A., and the E.U.. It is good to see the state recognize the needs for more simple, rather than more complex regulations. This will help in keeping costs down, lead to less duplication of effort, and ensure that product will not be rejected based on technicalities. This Bill has wide support from the industry.

Hap Symmonds
Ocean Beauty Seafoods
St Elias/Cordova Facility
424-7171

Ken Roemboldt
North Pacific Processors
424-7111

Bill Gilbert
Silverlining Seafoods
424-3390

Sylvia Lange
Cannery Row
424-3920

Gerald Masolima
Eyak Packing
424-3300

Robert Stiles
Great Pacific Seafoods
472-1400

HS/lc

bb 208

Alaska State Legislature

Representative Carl E. Moses

CHAIRMAN
HOUSE RULES COMMITTEE

CHAIRMAN
HOUSE SPECIAL COMMITTEE FISHERIES

MEMBER FINANCE SUBCOMMITTEES ON
DEPT. OF FISH AND GAME
DEPT. OF PUBLIC SAFETY



SESSION
CAPITAL BUILDING ROOM 304
JUNEAU ALASKA 99801-1102
PHONE 907-463-0451
FAX 907-463-1445

INTERIM
115 W. 17th AVE. #200
ANCHORAGE AK 99501-2123
PHONE 907-264-1077
FAX 907-264-8868

SPONSOR STATEMENT

House Bill 208

"An Act relating to seafood processing plans of operation and seafood processing standard operating procedures; relating to quality assurance plans; and providing for an effective date."

House Bill 208 is designed to assist Alaska's seafood processing industry in the worldwide adaptation to global trade policies, such as the General Agreement on Trade and Tariffs (GATT) and the North American Free Trade Agreement (NAFTA), which seek to eliminate barriers to trade and make possible improved commerce among the nations of the world. At the same time these global trade policies are being enacted, ongoing efforts to "harmonize" or "equilibrate" food safety regulations that could otherwise impede the flow of commerce and intent of these policies is occurring.

For almost three years, long-standing international organizations like Codex Alimentarius and the European Community through its "Food Directives," have been holding negotiations with U.S. counterparts in the federal Food and Drug Administration (FDA), the National Marine Fisheries Service (NMFS) and the United States Department of Agriculture (USDA) on the topic of the science-based system of food safety known as Hazard Analysis Critical Control Point (HACCP). All parties agree this system of ensuring a safe food supply around the world is the standard of the future. Talks aimed at regulation equivalency continue - the ultimate goal being a secure, safe trade in food products around the world. Later this summer, on the national level, the FDA will announce its HACCP based mandatory seafood safety program for American seafood processors and importers.

Sponsor Statement

House Bill 208 is intended to bring the seafood inspection program in Alaska into equivalency with regulations coming about both internationally and in the U.S. domestic market. Language in this proposed bill will require that all plans of operation be consistent with the HACCP procedures for seafood production established by regulations of the federal FDA. Other changes are intended to eliminate duplication in the language of the statute that go beyond the goal of safety as covered under a mandatory HACCP program.

To understand why these changes are necessary, HACCP must be discussed. HACCP identifies product/process hazards to determine critical control points which can be controlled, monitored and recorded. HACCP is designed to prevent problems before they start. Under these regulations, seafood processors and importers must develop HACCP plans appropriate to their business, monitor those plans, and keep records that FDA can review as part of its inspection and surveillance activities.

HACCP plans would need to be designed to prevent only those hazards that affect human safety, and, only those safety hazards that are "reasonably likely" to occur. FDA is requiring, with the seafood industry in agreement, HACCP be safety focused in order to minimize the unnecessarily large number of non-safety related critical control points which are covered by a multitude of other regulations.

House Bill 208 seeks to harmonize the state regulations with the federally mandated regulations as well as international regulations (i.e. European Union); improve the ability of the seafood industry to have a competitive edge in the world market through its HACCP compliance; compete cost-effectively; contribute to Alaska's economy; and, last, but most importantly, place safe seafood products in the world market.

International Trade

International trade is also a major consideration in determining the advisability and benefits of a new system of seafood regulation.

A nationally mandated HACCP-type system of controls appears to be a prerequisite for continued access to world markets.

It is estimated that close to 40 percent of the fish and shellfish harvested from the world's oceans, lakes, and other bodies of water entered international trade in 1991.

The United States is the world's largest exporter of fishery products. In 1991, the United States exported more than \$3 billion worth of seafood.

Both Canada and the European Community (EU) have implemented or are in the process of implementing mandatory HACCP based seafood inspection programs.

Failure by the United States to adopt a mandatory HACCP-based inspection system may ultimately undermine its export success with considerable economic consequences.



NFI INFO-FACTS . . .

1826 Wilson Boulevard • Suite 500 • Arlington, VA 22209 • 703/524-8881

1) Question: What is HACCP, is it a new concept?

Answer: HACCP stands for Hazard Analysis Critical Control Point (pronounced HASS-IP). It is a state-of-the-art inspection technology that has been around since 1959. It was developed by the Pillsbury Company for use by the NASA space program. It has been successfully used in sections of the private industry, and the seafood industry will be the first to use it on an industry-wide basis.

2) Question: What is so different about HACCP from the other inspection programs that are currently used?

Answer: HACCP takes a proactive approach to food safety by adopting preventive measures to avoid food safety hazards, rather than inspecting the product after it has gone through the process and then correcting problems. These preventive measures are applied at control points throughout the process where problems could occur (i.e. point of receipt, cook and post-cook stages of preparation, storage conditions, shipping/transportation).

HACCP also gives inspectors a historical perspective on inspection at a particular facility because they can review the daily HACCP records kept by the company back to the time of the last inspection. This contrasts with current procedures where inspectors can only verify what is being done at the plant at the time of the inspection.

3) Question: Has anyone ever studied the effectiveness of HACCP?

Answer: The prestigious National Academy of Sciences took a close look at HACCP-based inspection in a 1985 report and recommended that HACCP be implemented by the food industry and incorporated into federal food inspection programs.

The low-acid canned food industry, such as companies canning tuna and salmon, is currently using HACCP. Many of the private companies using HACCP report that it helps in producing a higher quality product and it is cost-effective.

(over)

4) question: What can consumers expect from HACCP?

Answer: The commercial seafood industry believes that HACCP will enable companies to provide consumers with even safer and more wholesome seafood products. Regulators of the beef and poultry industries are looking closely at HACCP-based inspection.

5) question: Is the seafood supply safe?

Answer: There have been a number of studies and reports conducted on seafood safety. A 1991 report by the National Academy of Sciences indicated that seafoods generally available to consumers are wholesome and unlikely to cause illness. Only two percent of foodborne illness cases reported to the Centers for Disease Control are attributable to seafood.

In a speech last spring, FDA Commissioner Kessler stated that the "vast preponderance of seafood that reaches the consumer is safe, clean, and free of contaminants and chemicals."

HACCP will help to further insure that the seafood available to U.S. consumers will be even safer.

HOUSE SPECIAL COMMITTEE ON FISHERIES
March 29, 1995
5:05 p.m.

MEMBERS PRESENT

Representative Alan Austerman, Chairman
Representative Carl Moses, Vice Chairman
Representative Gary Davis
Representative Kim Elton
Representative Scott Ogan

MEMBERS ABSENT

None

COMMITTEE CALENDAR

HB 208: "An Act relating to seafood processing plant of operation and seafood processing standard operating procedures; relating to quality assurance plans; and providing for an effective date."

PASSED OUT OF COMMITTEE

*HB 175: "An Act relating to sport fish guides; and providing for an effective date."

HEARD AND HELD

(* First public hearing)

WITNESS REGISTER

CHERYL SUTTON, Administrative Assistant
Representative Carl Moses
State Capitol, Room 204
Juneau, Alaska 99801-1182
Telephone: 465-4451

POSITION STATEMENT: Provided additional information on HB 208

HERB ECKMANN, Owner/Operator
Alaska Sausage Company
2914 Arctic Boulevard
Anchorage, Alaska 99503
Telephone: 562-3636

POSITION STATEMENT: Supported HB 208

GREG FAVRETTO
Favco, Inc.
Post Office Box 190968

Anchorage, Alaska 99579
Telephone: 278-1525
POSITION STATEMENT: Supported HB 208

JANICE ADAIR, Director,
Environmental Health
Department of Environmental Conservation
3601 C Street, Suite 1334
Anchorage, Alaska 99503
Telephone: 563-6529
POSITION STATEMENT: Supported HB 208

CHUCK JENSEN
East Point Seafoods
Post Office Box 1637
Kodiak, Alaska 99615
Telephone: 486-5799
POSITION STATEMENT: Supported HB 208

TERESSA KANDIANIS
Kodiak Fish Company
Post Office Box 469
Kodiak, Alaska 99615
Telephone: 486-6002
POSITION STATEMENT: Supported HB 208

JOHN JOYNER
Post Office Box 5451
Ketchikan, Alaska 99901
Telephone: 247-8458
POSITION STATEMENT: Concerned with HB 175

KEN DOLE, Managing Partner
Waterfall Resort
Post Office Box 6440
Ketchikan, Alaska 99901
Telephone: 225-9461
POSITION STATEMENT: Opposed HB 175

BILL STEFFEN, Chairman
Cordova Charter Boat Owners Association
Post Office Box 422
Cordova, Alaska 99574
Telephone: 424-5488
POSITION STATEMENT: Opposed HB 175

BILL FOSTER, President
Sitka Charters Members Association
2810 Sawmill Creek Road
Sitka, Alaska 99835
Telephone: 747-6157
POSITION STATEMENT: Concerned with HB 175

DAVID BENTON, Acting Deputy Commissioner
Alaska Department of Fish and Game
Post Office Box 25526
Juneau, Alaska 99811
Telephone: 465-4100
POSITION STATEMENT: Supported HB 175

JOHN BURKE, Acting Director
Sport Fish Division
Alaska Department of Fish and Game
Post Office Box 25526
Juneau, Alaska 99811
Telephone: 465-4100
POSITION STATEMENT: Commented on HB 175

PREVIOUS ACTION

BILL: HB 208

SHORT TITLE: SEAFOOD PROCESSING STANDARDS
SPONSOR(S): REPRESENTATIVE(S) MOSES, Austerman, Williams, Mackie,
Grussendorf, Elton, Kubina

JRN-DATE	JRN-PG		ACTION
02/27/95	502	(H)	READ THE FIRST TIME - REFERRAL(S)
02/27/95	503	(H)	FISHERIES
03/22/95		(H)	FSH AT 05:00 PM CAPITOL 124
03/22/95		(H)	MINUTE(FSH)
03/29/95		(H)	FSH AT 05:00 PM CAPITOL 124

BILL: HB 175

SHORT TITLE: SPORT FISH GUIDE LICENSING
SPONSOR(S): REPRESENTATIVE(S) AUSTERMAN, Ivan

JRN-DATE	JRN-PG		ACTION
02/10/95	303	(H)	READ THE FIRST TIME - REFERRAL(S)
02/10/95	303	(H)	FSH, RESOURCES, FINANCE
02/27/95	511	(H)	COSPONSOR(S): IVAN
03/13/95		(H)	FSH AT 05:00 PM CAPITOL 124
03/29/95		(H)	FSH AT 05:00 PM CAPITOL 124

ACTION NARRATIVE

TAPE 95-20, SIDE A
Number 000

The House Special Committee on Fisheries was called to order by Chairman Alan Austerman at 5:05 p.m. Members present at the call to order were Representatives Davis and Elton. The meeting was on teleconference with Anchorage, Cordova, Ketchikan, Kodiak and Sitka.

HFSH - 03/29/95

HB 208 - SEAFOOD PROCESSING STANDARDS

Number 013

CHERYL SUTTON, Administrative Assistant to Representative Carl Moses, indicated that committee members should have a committee substitute for HB 208, Version U, in their packets. She also stressed that she had contacted everyone who testified previously on HB 208 and each participant supported this committee substitute.

Number 054

GARY DAVIS moved to adopt work draft CS for HB 208, Version U.

CHAIRMAN AUSTERMAN objected for the purpose of discussion.

Number 064

REPRESENTATIVES CARL MOSES and SCOTT OGAN arrived at 5:09 p.m.

Number 065

MS. SUTTON stated, "The Federal Food and Drug Administration (FDA) is developing Hazard Analysis Critical Control Point (HACCP) regulations. When they are developed and adopted by federal rule, the state will adopt, in lieu of the current plans of operation for seafood processing, the same regulations that are adopted by federal rule from FDA for HACCP. The bill speaks to that, specifically in Section 2, where we separated out the permitting process from the plan of operation. In the past, the permit and the plan of operation were tied together. Section 2 now separates that out, but the permit is still renewed annually. The plan of operation is not renewed annually unless there is some change that requires renewal. She went on to stipulate, "The top of page 3 reflects the separation out of the plan of operation and who is required to have a plan of operation. Then Section 4 will be the section that will repeal Section 2, when the FDA HACCP regulations are adopted by federal rule. They will repeal the plan of operation as required and replace it with a HACCP plan."

Number 121

HERB ECKMANN, Owner/Operator, Alaska Sausage Company, testified via teleconference from Anchorage, that he has looked at the different drafts and is very happy with this draft.

Number 129

GREG FAVRETTO, Favco Inc., testified via teleconference from Anchorage, in support of HB 208.

Number 143

JANICE ADAIR, Director, Environmental Health, Alaska Department of Environmental Conservation, testified via teleconference from Anchorage, in support of HB 208.

Number 150

CHUCK JENSEN, East Point Seafoods, testified via teleconference from Kodiak, in support of the committee substitute for HB 208.

Number 158

TERESSA KANDIANIS, Kodiak Fish Company, testified via teleconference from Kodiak, in support of the committee substitute for HB 208.

Number 176

CHAIRMAN AUSTERMAN lifted his objections to the committee substitute for HB 208.

Number 178

REPRESENTATIVE SCOTT OGAN asked Ms. Sutton for a clarification as to what HACCP programs are.

MS. SUTTON replied that a fact sheet of HACCP was provided in the committee members packets. She cited, "The FDA is proposing regulations that will basically ensure the safe processing and importing of fish and fishery products." She went on to say, "The HACCP program is a preventative system of hazardous control that can be used by food processors and importers. What they do is evaluate the kinds of hazards that could affect the product, they institute controls necessary to keep these hazards from occurring, monitor the performance of these controls and maintain records of this monitoring." She added that this is based on scientific principles.

Number 223

REPRESENTATIVE DAVIS moved committee substitute for HB 208, Version U out of committee, with individual recommendations and accompanying fiscal notes.

Number 230

CHAIRMAN AUSTERMAN upon hearing no objections, moved CSHB 208 (FSH) out of the House Special Committee on Fisheries, with individual recommendations and accompanying fiscal notes.

HOUSE SPECIAL COMMITTEE ON FISHERIES

March 22, 1995

5:02 p.m.

HFSH - 03/22/95

HB 208 - SEAFOOD PROCESSING STANDARDS

Number 269

CHERYL SUTTON, Administrative Assistant to Representative Moses, testified on his behalf as the prime sponsor of this bill. She specified, "HB 208 addresses one area of a changing seafood industry. This is the area of seafood inspection through Hazard Analysis Critical Control Point (HACCP) planning. Currently, the federal government, through the Food and Drug Administration (FDA) is proposing to adopt regulations to ensure the safe processing and monitoring of fish and fishery products. HB 208 will mirror the requirements adopted by the FDA in state statute and will replace the current plans of operation with a HACCP plan. The HACCP system will produce a more efficient system for ensuring the safety of seafood products than currently exist. The effective date of the Act will also mirror the adoption of the federal rule. International trade is also a major consideration in determining the advisability and benefits of a new system of seafood regulation. Both Canada and the European community have implemented or are in the process of implementing mandatory HACCP based seafood inspection programs. Failure by the United States to adopt a mandatory HACCP based inspection system and failure by Alaska, may ultimately undermine its export success with considerable economic consequence."

Number 318

JANICE ADAIR, Regional Director, Department of Environmental Conservation, testified via teleconference from Anchorage, in support of the concept behind this legislation and is working with Ms. Sutton on the committee substitute.

Number 325

DAVE CHCQUETTE, President, Alaska Choice Seafoods, testified via teleconference from Anchorage, in wholehearted support of HB 208. He stated, "We feel that the bill will go a long way towards strengthening the relationship between the industry and the regulatory agency. We also feel the harmonizing effect this bill will have in bringing a universal understanding of the regulation through the HACCP program."

Number 372

DOUG DONEGAN, Vice President, Trident Seafoods Corporation, testified via teleconference from Anchorage, in strong support of HB 208. He stated, "We believe it will reduce duplication of efforts for industry in the state and it will continue to protect the safety of the consumers in Alaska seafood products."

Number 388

JIM YONKER, Director, Ocean Beauty Seafoods, testified via teleconference from Seattle, Washington, in support of HB 208. He also thanked ADEC's efforts and the legislature in working together to bring this special program on line.

Number 400

KEN ROEHMILDT, Superintendent, North Pacific Processors, testified via teleconference from Cordova, in support of this bill. He stated, "HB 208 provides a level of inspection that is acceptable to me as a processor and demanded by consumers worldwide." He went on to say, "We Alaskan processors currently operate at higher costs than outside processors and to remain in business we must not increase our costs beyond what is absolutely necessary."

Number 417

HAP SYMONDS, Plant Manager, St. Elias Seafood Products, testified via teleconference from Cordova, in support of HB 208. He commented, "This bill will bring HACCP regulations under one roof with ADEC, FDA and the European union regulations being the same. It will make it more streamlined for plant managers and for plant quality control people to follow the regulations. This will ensure that products produced in an approved plant would not be denied their place in the market, due to a minor technicality."

Number 427

GERALD MASOLINI, Owner/Operator, Eyak Packing, testified via teleconference from Cordova, in support of HB 208. He thanked both Representative Moses and his wife, Cheryl Sutton, for all the work they have done.

Number 439

CHUCK JENSON, East Point Seafoods, testified via teleconference from Kodiak, in full support of HB 208. He stated, "Harmonizing these state regulations with the federal regulations does nothing but make sense."

Number 461

RICK LAUBER, Lobbyist, Pacific Seafoods Processor Association, testified in support of HB 208. He remarked, "Not only is this a good bill for processors and fishermen, but it's also a very good bill for the public." He added, "We won't have to conform to a multitude of regulations. One of our big problems has been conforming with foreign nations and the various treaties and trade agreements."

Number 494

REPRESENTATIVE DAVIS commented that he likes this bill.

REPRESENTATIVE MOSES commented in jest, that we should just go ahead and move the committee substitute out now.

REPRESENTATIVE OGAN made referrals to the General Agreement on

Trade and Tariffs (GATT) and the North American Free Trade Agreement (NAFTA) and how these policies relate to this bill.

Number 507

→ CHAIRMAN AUSTERMAN again indicated that HB 208 would be held.

HOUSE COMMITTEE REPORT

(5)

Date Referred: February 27, 1995

FURTHER REFERRALS:

Date of Committee Action: 3/29/95

The HOUSE SPECIAL COMMITTEE ON FISHERIES Committee considered: HB 208

HOUSE BILL NO. 208 SEAFOOD PROCESSING STANDARDS

"An Act relating to seafood processing plans of operation and seafood processing standard operating procedures; relating to quality assurance plans; and providing for an effective date."

recommends it be replaced with the following committee substitute CSHB 208(FSH) the same title a new title

additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dep) _____ APPROVES PREVIOUS: (Dep/Date) _____
 fiscal note(s) _____ fiscal note(s) _____

zero fiscal note(s) DEC zero fiscal note(s) _____

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			

CHAIR'S SIGNATURE *[Signature]*

3/29/95