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Chairman—CARLTON CRAWFORD, *President, Crawford Packing Company, Palacios, Texas.*

Voluntary Federal Standards For Fishery Products

A. W. ANDERSON

Chief, Branch of Commercial Fisheries, U. S. Fish and Wildlife Service, Washington, D. C.

The adoption and use of voluntary standards for fishery products is one of the most important steps the United States fishing industry can take to place itself in a more favorable competitive position with other food products and with imported fishery products. Many segments of the domestic fishing industry are becoming aware that they no longer can afford to deny themselves the advantages of standards as a merchandising aid, particularly when they have been so widely adopted and so effectively used by competing food products.

Many agricultural food products, which are in direct competition with fishery products, have had the benefit of voluntary Federal standards for years. Standards have been developed for scores of poultry, dairy, meat, fruit, and vegetable products. For example, for such perishable products as frozen fruits and vegetables there were 35 standards on last July 1. One of the most recent to be developed was for frozen french-fried potatoes.

And, so far as imported fishery products are concerned, the more progressive foreign countries have learned the desirability of applying standards to their exports so that the United States market receives only the best of their production.

A standards program for fishery products, similar to that developed for domestic agricultural products or for foreign fishery products, is not available at present in the United States.

Standardization, or establishing a standard, simply means setting up some measure by which the producer, processor, distributor, and consumer can judge the product involved. Grades in a standard usually are considered as the positions of the product in any scale based on certain inherent and physical characteristics. A standard covers one grade or a composite of two or more grades for one product and may include inherent and related factors such as class, condition, and wholesomeness which affect the economic value or relative desirability of the product. A standard may be considered as a yardstick by which the quality of a product is measured, but standards may cover other things than quality, such as size, packaging, and so forth.

Some agricultural standards are mandatory but most are voluntary or permissive—that is, they may be used at the option of the buyer or seller. Although most standards are voluntary, the advantages usually are so obvious that the voluntary standards come into extensive use.

The arguments for voluntary standards, based on experience in the domestic agricultural field, are many. Generally, standards are said to stabilize production and to simplify processing. They promote orderly marketing and efficient trading. And they assure the buyer and consumer that purchased products are of a certain quality, type, and condition and, usually, save money for all concerned.

Specifically, standards provide a sound basis for contracts between buyers and sellers, even at great distances. The seller can offer his product—and the buyer can purchase it, sight unseen—with a minimum of discussion, since the standards constitute a universal and legal language in all parts of the country. Disputes as to quality or other factors are readily settled by an inspection on the basis of known and accepted provisions in the standards, rather than on varying trade practices or contract provisos susceptible of several interpretations.

Settlement of claims against transportation companies, likewise, is rendered much easier when certificates of inspection at the points of origin and destination can be submitted.

Standards are established with the aid of industry which, usually, leads to ready acceptance, makes techniques and trading more uniform and, thereby, eliminates sources of costly disputes. Standards usually result in the production of more uniform products which average higher in quality. Standards usually lead toward increased acceptability by the buyer or consumer because of less confusion as to quality and contents, assurance of the type and kind of product desired, and frequent savings in cost. Standards eliminate slight variations in products and containers which lead to efficiencies in production, savings in costs, and less confusion for the ultimate distributor and consumer. Standards permit easier collection, quotation, and interpretation of production, processing, and price statistics. Standards for a fishery product would permit it to be traded on a "futures" market if that were desirable. Standards make it easier for producers to pool their output for cooperative marketing. Standards make it simpler to distribute products according to varying demands for various types in different markets. Standards help to insure that advertising programs will be backed up by products meeting the advertised claims. Finally, standards are of special importance in establishing maximum values when product loans are sought.

The arguments usually quoted in opposition to standards do not seem applicable to the domestic fishing industry. It is said that in some industries standards have a tendency to make the industry rigid and inflexible because it is difficult to sacrifice large investments in equipment when new methods are discovered. This would not seem to apply to the fishing industry because of its small size and relatively small investments in equipment and its notable independence of operation. Then there is the effect of standardization on human beings—the stifling of originality and the development of a standardized race. The standardization of fishery products has so little bearing on this possibility—in contrast to our numerous and huge standardized industries—that its possible effect in this direction can be safely disregarded.

On the other hand the opposition to the extension of standards and grade designations to the consumer level has been significant in the agricultural field. It would seem, however, that this problem could be left to the future for fishery products since standardization in the fisheries field must begin

with the producer and processor and, if it never extended beyond wholesale levels, it still would provide great benefits for all concerned, including the ultimate consumer.

To develop satisfactory voluntary Federal standards for a product may require a few weeks, a number of months, or several seasons according to the commodity. In any event, the ultimate standard incorporates the results of numerous meetings with industry representatives and the repeated review of preliminary drafts. Every effort is made to issue only a practicable and workable standard.

Although, as stated earlier, the fishing industry does not have access to a standards program, such as that available to agriculture, some mention should be made of the Federal agencies which are conducting work in this or related fields. Federal specifications, as approved by the Commissioner of the Federal Supply Service, for the use of all departments and establishments of the Federal Government in buying fishery products, represent an approach to Federal standards. Specifications exist for fresh and frozen fish, clams, crab meat, oysters and a variety of canned fishery products. They were developed and are periodically revised largely with the aid of the Fish and Wildlife Service. However, the Federal Supply Service is not in a position to develop voluntary standards or inspect fishery products, since it uses the services of specialized agencies to develop its specifications.

The Federal Trade Commission, in preventing unfair and deceptive advertising and sales practices, issues cease-and-desist orders against this form of restraint of trade. It, in effect, fixes some standards of identity by limiting the use of certain names to particular species in advertisements for products.

The Public Health Service develops and promulgates standards of sanitary practices and conducts inspection services relating to public health and sanitation. However, its primary interests are shellfish such as oysters, clams, and mussels. It appears probable that neither the Federal Trade Commission nor the Public Health Service has the authority necessary to establish a standards program for fishery products and to carry out an allied inspection service. They also lack personnel trained in these fields and a fishery research background.

The Food and Drug Administration promulgates and enforces mandatory standards for food, including fishery products, but only from the standpoint of such factors as reasonable standards of identity, fill of container, and quality, in accordance with the provisions of the Federal Food, Drug and Cosmetic Act. Under the so-called "Seafood Amendment" the Food and Drug Administration has the authority to carry out continuous inspection of raw fishery products, plant equipment and processes, and the finished product for compliance with these regulations. These continuous inspection services were used extensively by shrimp canneries some years ago and later by a few oyster canneries. Now, because of increased costs, only a few shrimp canneries utilize the inspection service.

The Food and Drug Administration inspection and standards services stop short of the development and promulgation of standards for grades and the identification, certification, and inspection of fishery products. Its regulations, in effect, represent only a minimum mandatory standard upon which voluntary standards for grades may be predicated.

When a standards program and an inspection service for fishery products

have been discussed by the fishing industry, opposition to the Food and Drug Administration as a participating agency usually has been expressed. It has been regarded primarily as a law enforcement agency, and without the advantages of having responsibility for conducting fishery research for, and supplying other technical services to, the fishing industry.

The Department of Agriculture has authority to develop and promulgate voluntary standards and to inspect fishery products. It has never exercised this authority in the usual sense, except during World War II when it set up specifications for the purchase of fishery products for the Lend Lease Administration and it inspected these products through its field agents.

For some years the Congress has specifically forbidden the use of Research and Marketing Act funds for these purposes, implying that fishery activities should be carried out in the Department of the Interior as the agency primarily responsible for research and services in this field. Because of the views of the Congress, as well as the lack of trained fisheries personnel and an extensive research background, the Department of Agriculture probably would have difficulty in establishing a standards program for fishery products. It does have a fairly widespread field inspection service, which possibly could be utilized to some advantage to identify, inspect, and certify fishery products according to standards developed, for example, by the Fish and Wildlife Service and promulgated by the Department of the Interior.

The Fish and Wildlife Service of the Department of the Interior has authority to develop voluntary federal standards for fishery products. It has scientific personnel, skilled in technological and marketing problems, who are in close touch with the fishing industry. They are well acquainted with the industry's activities and have the best knowledge of, and access, to fishery literature in this field. And they have carried out research involved in the development of standards for years. For example, the Service's earlier blue crab meat studies now are being brought up to date to assist the National Fisheries Institute's work with the Atlantic Coast producers of blue crab meat.

Other technological work in the federal standards field includes research on haddock in connection with freezing-fish-at-sea studies at the Boston technological laboratory. In addition, similar research is being conducted on rockfish at the Seattle technological laboratory. The Service's work on federal specifications for fishery products has been mentioned earlier. The development of standards for canned Maine sardines has been a cooperative project with the industry's association since early this year and is making very good progress. Another cooperative project with industry is the development of standards for fillet blocks and fish sticks with the National Fisheries Institute's Committee on Fish Sticks.

An allotment of Public Law 466, 83rd Congress, (Saltonstall-Kennedy) funds has already been made to establish an industry liaison for Federal-Industry joint development and application of voluntary federal standards. And it is expected that a second allotment will be made for expanding this voluntary standards research to develop the basic data required to develop the tests which will make the standards function most effectively.

The need for voluntary standards for fishery products and an accompanying inspection service has become more acute in the last year, and industry requests for assistance in this matter have become more pressing. The more obvious reasons probably have to do with the following:

1. It has become apparent to those buyers who handle both fishery and agricultural products, that the standards and inspection service available for agricultural products have made marketing easier and encourage a better and more uniform product, which is easier to sell.

2. Most imported fishery products are subject to foreign standards and inspection which has made them, in many instances, more readily salable items than the competing domestic products.

3. Breaded shrimp, a new and most promising development, varied so widely as a product, that its market potential could not be fully realized and might even have been endangered.

4. The blue crab meat industry on the Atlantic Coast was confronted with marketing regulations, which required an assessment of current production practices.

5. Packers of canned Maine sardines, seeking to improve their products and increase and stabilize their markets, concluded that the establishment of standards was a first step.

6. Gulf and Mexican shrimp producers likewise concluded that the development of, and adherence to, standards was a necessary adjunct of a progressive shrimp industry.

7. The results of the "cuttings" of various fishery products at the annual conventions of the National Fisheries Institute demonstrated conclusively that product improvement and standardization were obvious needs.

8. And finally, Public Law 466, 83rd Congress, popularly referred to as the Saltonstall-Kennedy Bill, provides funds "to promote the free flow of domestically produced fishery products in commerce" and "to develop and increase markets for fishery products of domestic origin." Voluntary federal standards, by definition and by application, provide a way to achieve both these objectives by means of more orderly and more efficient buying and selling.

Before a voluntary federal standards program for fishery products can become available to the domestic fishing industry, three steps must be taken.

First, a set of voluntary standards must be developed with the aid of those in the industry who produce, process, and market the product in question. The Fish and Wildlife Service is already conducting research in this particular field and working with the segments of the industry interested in canned Maine sardines, blue crab meat and fish sticks and fish blocks.

Second, the standards developed must be promulgated in the Federal Register to make them of record, so that they will have legal sanction. The Fish and Wildlife Service has not yet had occasion to request the Department of the Interior to promulgate standards for fishery products, and a final decision on the Department's authority in this regard is not a matter of official record.

And third, after standards have been established and promulgated they can serve their objectives only if there is available to both buyers and sellers an inspection service in all important producing and marketing centers. The service must be capable of responding promptly to requests to examine the product in question to determine if it corresponds in quality, type, condition, class, etc., to the standards specified. Such an inspection service is usually made available to the person requesting it at a rate which represents, as nearly as may be, the actual cost to the Government.

Although the Fish and Wildlife Service has not had occasion to request the Department of the Interior to consider establishment of such an inspection service, it would appear that legislation would be required to provide it the necessary authority. As a possible or preliminary alternative it would appear desirable to investigate the inspection services in the Department of Agriculture to determine whether it would be feasible to train the inspectors in its field offices to inspect fishery products in accordance with standards established by the Fish and Wildlife Service.

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Standards Voluntarios del Gobierno para Productos Pesqueros

A. W. ANDERSON

U. S. Fish and Wildlife Service, Washington, D. C.

Abstracto

Los productos alimenticios agrícolas que están en competencia directa con los productos pesqueros, han sido beneficiados por los standards voluntarios federales por varios años. No existen standards similares para la industria pesquera. Un standard es simplemente una medida de calidad establecida y otras características por las cuales el procesador, el distribuidor y el consumidor pueden juzgar el producto mencionado. Un grado es la posición del producto en la escala establecida por el standard. Los standards voluntarios pueden ser usados a discreción.

Standards voluntarios en los campos agrícolas se han comprobado ser estabilisadores de la producción; simplifican el proceso y ahorran dinero en todo sentido. Se argumenta contra los standards el que tiene una tendencia a hacer una industria rígida e inflexible porque se dificulta sacrificar grandes inversiones cuando se descubren nuevos métodos. Estos argumentos no parecen ser aplicables a los standards voluntarios para productos pesqueros. Antes de que los standards voluntarios federales puedan ser usados en la industria pesquera, se debea de tomar tres medidas necesarias. En primer lugar standards voluntarios aceptables deben ser desarrollados con la ayuda de la industria. Segundo, los standards desarrollados deben ser promulgados en el registro federal para darles sanción legal. Y tercero, debe de haber una

provisión para la inspección y certificación de productos pesqueros en las ciudades de grandes centros productores y grandes mercados, de acuerdo con los standards promulgados.

Diferentes departmentos del Ministerio del Interior y Agricultura se encuentran ya trabajando en pasos preliminares.

Voluntary Industry Standards for Fishery Products

MAL XAVIER

National Fisheries Institute, Inc., Washington, D. C.

The question of standards for fishery products has developed much discussion, if not controversy, for many years. The lack of adequate standards has, no doubt, been responsible for many of the unethical practices existing in the industry today. In addition, the lack of uniform standards and a comprehensive program of quality development and control has resulted, in many cases, in the distribution of inferior fishery products to the consuming public.

Like any other industry, the fisheries must progress in order to survive. Some segments of the industry have been progressive, others have not. New production methods and techniques and some new products have been developed, but we must also develop standards—standards of quality and standards of sanitation.

About four years ago, while the breaded shrimp industry was in its infancy, it was discovered that many packers were producing a product containing more breading than shrimp. Subsequent developments, particularly discussions with the Food and Drug Administration, convinced us that something had to be done by industry. Otherwise the Government would act, and perhaps in a manner not to the industry's liking. As a result we were authorized to conduct a laboratory test of frozen breaded shrimp. Samples were purchased in the open market at the retail level by Fish and Wildlife Service personnel, tests were made at the Massachusetts Institute of Technology, and the report of the laboratory's findings was made at a special meeting during the National Fisheries Institute's Convention at Boston in 1951. I quote a short summary of M.I.T.'s report: "The proportion of breading on commercial breaded shrimp samples varied between 21.9 and 62.3 per cent and averaged 41.0 per cent. In the case of 18 of the 26 samples, the breading was in excess of 35 per cent. The ammonia content of 12 of the 26 breaded shrimp samples was sufficiently high to indicate that the quality was questionable or bad. Ammonia content appeared not to be correlated with bacterial count but 11 of the 12 samples which were high in ammonia were among the 12 samples of lowest quality as determined by organoleptic tests. As a matter of fact, in seven of the 26 samples, the breading content was 50 per cent or over.

Subsequent tests have indicated little or no general improvement in bacteria count, while the average percentage of breading has gradually gone up, so that the 1954 tests showed an average of 48.8 per cent breading. Ten