# Massachusetts Lobstermen's Association

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Food and Drug Administration
5630 Fishers Lane, Room 1061
Rockville, MD 20852

Submitted: www.regulations.gov

**Re:** Docket No. FDA-2026-D-6729, U.S.-Origin Statements on Seafood

Food and Drug Administration:

On behalf of the Massachusetts Lobstermen's Association (MLA), I submit these comments on the Food and Drug Administration's (FDA) draft guidance, U.S.-Origin Statements on Seafood. The MLA supports FDA's effort to define truthful U.S.-origin claims. Clear origin information matters to consumers and to the commercial fishermen whose livelihoods depend on an honest marketplace.

Founded in 1963, the MLA is a member-driven organization representing approximately 1,800 fishermen and industry supporters throughout the Northeast, with members and stakeholders extending from Cape May, New Jersey, to Atlantic Canada. Our membership represents a broad range of commercial fishing interests and includes commercial lobstermen, charter and tuna fishermen, groundfishermen, aquaculture participants, and shoreside businesses.

The draft is a useful start, but voluntary claims do not solve the larger problem. A consumer should not have to guess where seafood came from, whether it was wild-caught or farm-raised, or where it was processed. The MLA urges FDA to strengthen the final guidance and to use its available authority, in coordination with the United States Department of Agriculture (USDA) and other federal agencies, to establish clear, consistent, and mandatory disclosures for all seafood sold to consumers in the United States.

**The current system leaves major gaps**

USDA's Country of Origin Labeling program requires covered fresh and frozen fish and shellfish sold by covered retailers to disclose country of origin and whether the seafood is wild harvested or farm-raised. Those protections are important, but they do not reach the entire market. Processed seafood is excluded, food-service establishments are exempt, and many specialty fish markets fall outside the statutory retailer's definition. As a result, origin and production-method information can disappear when seafood is cooked, smoked, canned, breaded, mixed with another substantive ingredient, served in a restaurant, or sold through an exempt outlet.

These gaps prevent consumers from making a consistent choice. A package of raw frozen seafood in a covered supermarket may carry country-of-origin and wild-or-farmed information, while the same seafood in a prepared meal, restaurant entree, chowder, seafood salad, or other processed

product may not. The label should follow the seafood, not vanish because of the form in which it is sold.

**What FDA should require and recommend**

**1. Apply a core disclosure to every seafood product**

Every seafood product offered to a U.S. consumer should disclose, in plain language: the seafood's common market name; the country where it was harvested or farm-raised; whether it was wild-caught or farm-raised; and the country where it was processed when that country differs from the harvest or farming country. For a multi-ingredient food, the disclosure should identify the origin and production method of each seafood component. These requirements should apply to packaged products, fresh counters, prepared foods, online listings, direct-to-consumer sales, fish markets, and food-service menus or menu boards.

**2. Make the information prominent and standardized**

The disclosure should appear on the principal display panel, retail sign, menu, or online product page where a consumer makes the purchase decision. It should be easy to read and should not be hidden in an ingredient list, fine print, a secondary webpage, or a QR code. Standard terms such as Wild-Caught in the United States, Farm-Raised in [Country], and Processed in [Country] would allow consumers to compare products quickly. Any flag, map, vessel image, or other U.S. imagery should be treated as an origin claim and accompanied by the same clear qualification.

**3. Protect the meaning of U.S. seafood claims**

The MLA supports the draft's use of USA Seafood only when the seafood is U.S.-caught or U.S.-spawned and farm-raised, harvested, processed entirely, and offered for sale in the United States. That standard gives the phrase real meaning and recognizes the full domestic supply chain.

The final guidance should be more protective when U.S.-caught seafood is sent abroad for processing and then returned to the U.S. market. A stand-alone U.S.-Caught claim may be literally true, but without an adjacent processing disclosure it can leave a broader and misleading impression that the product remained in the United States. FDA should state that such a product must say, with equal prominence, U.S.-Caught; Processed in [Country]. Likewise, processed in the United States should never substitute for, obscure, or visually dominate the country of harvest or farming.

**4. Close the processed food and food service gaps**

FDA appropriately states that its draft applies to the seafood components of multi-ingredient foods, but the proposed statements remain voluntary. FDA should initiate any necessary rulemaking within its authority and work with USDA, the Federal Trade Commission, U.S. Customs and Border Protection, NOAA Fisheries, and Congress where additional authority is needed. The goal should be one understandable national system that covers seafood regardless of whether it is sold raw, processed, packaged, prepared, or served.

**5. Require substantiation and meaningful enforcement**

Origin, production method, and processing claims should be supported by records that travel through the supply chain and are available for audit. Existing harvest, dealer, customs, traceability, and ordinary business records should be used where practical so that the system does not create unnecessary paperwork for fishermen. FDA should also establish a clear process for complaints, corrections, and enforcement when labels are missing, inaccurate, or misleading.

**Why this matters to commercial fishermen**

U.S. commercial fishermen operate under federal and state licensing, reporting, conservation, gear, and safety requirements. Those obligations are part of the cost and value of domestic seafood. Imported seafood may be produced under different management, labor, environmental, and enforcement systems. The point is not to make an unsupported claim that every imported product is unsafe or inferior. The point is that consumers deserve to know what they are buying and should be able to choose U.S. seafood with confidence.

Imported farm-raised seafood should be labeled plainly for what it is, just as U.S. wild-caught seafood should be labeled plainly for what it is. When those facts are hidden or difficult to find, domestic fishermen lose the market recognition they have earned, and consumers lose the ability to support American fishing families, coastal communities, and working waterfronts.

**Requested Action**

The MLA respectfully asks FDA to state clearly in the final guidance that an unqualified U.S. claim may be misleading when any material production or processing step occurs abroad; to preserve a strong, whole-supply-chain meaning for USA Seafood; and to treat U.S. imagery as an origin representation. FDA should also begin the regulatory and interagency work needed to ensure that all seafood sold to U.S. consumers carries a clear country-of-harvest or country-of-farming disclosure, a wild-caught or farm-raised disclosure, and a processing-country disclosure when applicable.

A reasonable transition period can align new disclosures with normal label changes and reduce costs. The result, however, must be comprehensive. Consumers should receive the same essential facts no matter where or in what form they buy seafood.

Thank you for considering the views of the Massachusetts commercial fishing industry.

Respectfully submitted,

*Beth Casoni*

Executive Director

**References**


1. Food and Drug Administration, Draft Guidance for Industry U.S.-Origin Statements on Seafood (October 2026), especially pages 3-6.
2. Food and Drug Administration, U.S.-Origin Statements on Seafood Draft Guidance for Industry Availability, 91 Fed. Reg. 67588 (October 27, 2026). Comments requested by December 28, 2026.
3. U.S. Department of Agriculture, Agricultural Marketing Service, Country of Origin Labeling Common Questions and Answers (country-of-origin and production-method requirements; retailer, processed-food, and food-service limitations).
4. 7 C.F.R. sections 60.105, 60.119, 60.128, 60.200, and 60.300 (mandatory country-of-origin labeling for covered fish and shellfish).