



DEFENSE COMMISSARY AGENCY
HEADQUARTERS AND SUPPORT CENTER
1300 EISENHOWER AVENUE
FORT LEE, VIRGINIA 23801-1800

MSN

October 13, 2026

NOTICE TO THE TRADE – DeCA NOTICE 26-187

SUBJECT: National Defense Authorization Act (NDAA), Seafood Procurement

The purpose of this notice is to emphasize to Industry that Section 831 of the 2026 National Defense Authorization Act (NDAA), Public Law 119-60, amended 10 U.S.C. § 4862, commonly known as the “Berry Amendment,” prohibits the Defense Commissary Agency (DeCA) from procuring seafood originating in the “covered foreign countries” of the People’s Republic of China, the Russian Federation, the Islamic Republic of Iran, and the Democratic People’s Republic of Korea (North Korea). See 10 U.S.C. § 4862(g).

It is mandatory that seafood supplied to DeCA complies with the requirements of the 2026 NDAA. Suppliers/Contractors/Manufacturers, or anyone else that conducts business with DeCA, shall not supply any fish, shellfish, or other seafood which originates in any of the four covered foreign countries of the People’s Republic of China, the Russian Federation, the Islamic Republic of Iran, and North Korea. Likewise, suppliers/contractors/manufacturers or anyone else that conducts business with DeCA, shall not supply any food containing fish, shellfish, or other seafood, if the fish, shellfish, or other seafood contained in it originates in any of the covered foreign country. DeCA will not be able to accept such product.

“Originating” in the context of 10 U.S.C. § 4862(g) encompasses the entire supply, harvest, capture, processing, and manufacturing process. DeCA cannot procure fish, shellfish, or other seafood (or any food containing fish, shellfish, or other seafood) in which any part of the above process occurred in a covered foreign country.

In this context, “originating” includes, but is not limited, to the following actions:

- 1) Catching, harvesting, or taking from the sea in a vessel flagged by a covered foreign country.
- 2) Catching, harvesting, or taking in a covered foreign country or its waters.
- 3) Aquaculture in a covered foreign country.
- 4) Any processing or manufacturing done in a covered foreign country or on a vessel flagged by a covered foreign country.

If you have any questions or concerns, please contact the corresponding Category Team that may have oversight:

Food Division - deca.lee.hq.list.mpsj@mail.mil

Chill/Freeze Division - deca.lee.hq.list.mpsw@mail.mil

CSB - deca.lee.hq.list.mpse@mail.mil

Meat/Seafood Division - deca.lee.hq.list.mpsfms@mail.mil

Robert
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Robert B. Culbreth
Director of Sales, Non-Fresh
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