

Testimony before the
Congressional Executive Commission on China
Hearing on
“Food and Drug Safety, Public Health, and the Environment in China”

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Chairman Brown, Co-Chairman Smith and members of the Commission. My name is Tony Corbo, and I am the Sr. Lobbyist for the Food Program at Food & Water Watch, a nonprofit consumer advocacy organization. We were founded in November 2005 and our mission is to ensure that our food, water and fish are safe, accessible and sustainably produced. We currently represent some 500,000 members and supporters. Thank you for the opportunity to present testimony on this important topic.

Introduction

The United States is increasingly reliant on imported food. The U.S. Government Accountability Office (GAO) reports that from 2000 through 2011, the percentage of food consumed in the United States that was imported rose from 9 percent to over 16 percent, and food imports increased by an average of 10 percent each year for seven years.ⁱ According to the U.S. Department of Agriculture’s (USDA) Economic Research Service, the food groups with the highest share of imports are fresh fish and shellfish (85 percent in 2009) and fruits and nuts (38 percent in 2009).ⁱⁱ

China is a growing supplier of the United State’s food imports. China is the largest agricultural economy in the world and one of the biggest agricultural exporters.ⁱⁱⁱ It is the world’s leading producer of many foods Americans eat: apples, tomatoes, peaches, potatoes, garlic, sweet potatoes, pears, peas — the list goes on and on.^{iv} It is also a leading producer of many of the inputs used to make processed food, for example ascorbic acid, or vitamin C, producing about 80 percent of the world supply.^v

But the poorly controlled expansion of China’s economy has often been fueled by excess pollution, treacherous working conditions, and dangerous foods and products that pose significant risks to consumers in China and worldwide. China’s food manufacturers often found to cut corners and substitute dangerous ingredients to boost sales.

Food safety problems in China have been making headlines around the world for quite a while, especially after several rounds of publicity concerning contamination of foods with a chemical, normally used to make plastic, called melamine. The chemical has been intentionally added to

different food products in China, usually to try to artificially increase the nitrogen content in attempt to pass tests for protein levels.

In 2007, the U.S. Food and Drug Administration (FDA) received reports of 17,000 pet illnesses, including 4,000 dog and cat deaths, believed to be the result of melamine contamination in imported Chinese gluten used to make pet food.^{vi} Sixty million packages of pet food were recalled in the United States.^{vii} The potential health impacts were not necessarily limited to pet food, however, because some of the melamine-contaminated pet food was redirected to hog farms. Thousands of hogs that ate the contaminated food were put to death in an effort to keep melamine-contaminated meat from entering the food supply.^{viii} But the FDA and USDA still allowed 56,000 hogs that ate melamine-tainted pet food to be processed into pork, which was then sold at supermarkets.^{ix}

By 2008, the FDA had identified melamine in imported wheat gluten and rice protein from China (used in pet food), prompting rejections of 44 percent and 32 percent of these products, respectively.^x While the FDA stopped these shipments, pet food imports from China continued to rise and reached 79 million pounds in 2010.^{xi}

Pet food turned out to be only the tip of the melamine iceberg. Because melamine was widely used in China to adulterate dairy products such as milk powder, processed food products including candy, hot cocoa, flavored drinks and, most tragically, infant formula contained the chemical.^{xii} An infant formula scandal erupted just before the 2008 Beijing Olympics and ultimately an estimated 300,000 infants and children in China were sickened by melamine; more than 12,000 were hospitalized.^{xiii} At least six children died.^{xiv}

Melamine-tainted milk was also exported worldwide. The New Zealand-based food company Fonterra became caught up in the melamine scandal through a joint venture with the Chinese dairy company Sanlu that was implicated in the melamine crisis.^{xv} The scandal played out across the globe, ending up in the food supplies of companies including Mars, Unilever, Heinz, Cadbury and Yum! Brands, Inc. (which owns Pizza Hut, KFC, Taco Bell and other fast food chains).^{xvi}

While the melamine crisis may be the most widely covered Chinese food safety scandal, unfortunately it was not an isolated incident. International media sources routinely cover food safety problems originating in China, ranging from widespread smuggling of products like honey to avoid tariffs and food safety restrictions,^{xvii} mislabeled products “transshipped” through another country but produced in China,^{xviii} and importing countries discovering violations of pesticide or other food safety regulations.

A 2013 report by a food industry analyst found that among reported food violations in Chinese products, the most frequent cause was pesticides, followed by pathogen contamination. The report cited 32 pesticides found in laboratory testing of Chinese foods, mostly in produce, fruit and spices and noted that “economically motivated adulteration” is a persistent issue in food production in China.^{xix}

These food safety problems have not gone unnoticed by consumers in the United States or China. After more than a decade of increased food imports from China, U.S. consumers are extremely wary, with one 2011 poll revealing that participants picked China 81 percent of the time when asked to choose two countries they perceived as having the least food safety oversight.^{xx} Chinese consumers are not much more confident about their domestic food supply. A 2011 survey found that food safety is a major concern for almost 70 percent of Chinese consumers^{xxi} and there are regular reports of Chinese tourists emptying store shelves in other countries in search of infant formula not produced in China.

One tool that U.S. consumers do have is labeling. Thanks to federal labeling requirements, country of origin labeling is required for beef, pork, lamb, chicken, goat meat, wild and farm-raised fish and shellfish, perishable agricultural commodities (fruits and vegetables), peanuts, pecans, ginseng, and macadamia nuts. But these labeling rules do not apply to processed forms of these foods, and the USDA's definition of processing is far too broad, which excludes many foods from the labeling requirement. The U.S. rules for labeling meat have also been challenged at the World Trade Organization (WTO), resulting in a process of revising the rules that is ongoing.

U.S. Food Imports From China

After joining the World Trade Organization in 2001, China's food exports to the United States tripled to 4.1 billion pounds of food in 2012.^{xxii} In addition to Chinese firms exporting to the United States, U.S. food and agribusiness companies have capitalized on China's cheap labor costs and weak regulations, hoping to sell to a growing class of Chinese consumers and export to the United States.

Total U.S. food imports from China fell during the economic recession, but over the past four years, imports have increased by about 250 million pounds, a 7 percent increase from 2009 to 2012.^{xxiii} Fruits and vegetables (primarily frozen and processed) make up most of the U.S. imports from China, amounting to 1.6 billion pounds and 41 percent of imported food products. 1.2 billion pounds of fresh, frozen and processed fish and seafood products made up about a third of imports (30 percent.)^{xxiv}

Most Chinese exports to the United States are fruits and vegetables that can be harvested and processed with lower labor costs in China than elsewhere,^{xxv} undercutting U.S. farmers. As the world's largest apple producer, for example, China's apple juice concentrate exports supply a growing share of American's apple juice. By 2007, half the garlic Americans ate was grown in China, although that figure fell to 31 percent in 2011 as the recession and falling dollar dampened import demand.^{xxvi} Before China entered the WTO, the United States produced about 70 percent of the garlic Americans consumed.^{xxvii} Over the past decade, imports of Chinese garlic more than quadrupled, while U.S. garlic cultivation dropped by a third.^{xxviii}

The millions of pounds of imports from China represent a considerable portion of the food eaten by U.S. consumers. For example, in 2011:

- Eighty percent of the tilapia Americans ate came from the 382.2 million pounds of imports from China.
- The United States imported 367 million gallons of apple juice from China, amounting to almost half (49.6 percent) of U.S. consumption.
- The 70.7 million pounds of cod imported from China amounted to just more than half (51 percent) of U.S. consumption.
- The 217.5 million pounds of imported garlic was 31.3 percent of U.S. consumption.
- The 39.3 million pounds of frozen spinach represented 11 percent of U.S. consumption. (For more import quantities, see chart in Appendix I.)

Other Chinese exports include processed foods and food ingredients, products which most consumers purchase without considering where they came from. China is a leading supplier to the United States of ingredients like xylitol, used as a sweetener in candy, and sorbic acid, a preservative.^{xxxix} China supplies around 85 percent of U.S. imports of artificial vanilla, as well as many vitamins that are frequently added to food products, like folic acid and thiamine.^{xxx} By 2007, 90 percent of America's vitamin C supplements came from China, and by 2010, China supplied the United States with 88 million pounds of candy.^{xxxi} The United States also imported 102 million pounds of sauces, including soy sauce; 81 million pounds of spices; 79 million pounds of dog and cat food; and 41 million pounds of pasta and baked goods from China in 2010.^{xxxii}

U.S. Regulation of Chinese Food Imports

U.S. oversight of Chinese food processors has not remotely kept pace with the growth in imports. Though the Food and Drug Administration prevented 9,000 unsafe Chinese products from entering the country between 2006 and 2010,^{xxxiii} it is not because of vigilant inspection at U.S. borders and ports. The agency's low inspection rate — less than 2 percent of imported produce, processed food and seafood^{xxxiv} — almost guarantees that unsafe Chinese products are making their way into American grocery stores.

Other importers of food from China have instituted more intensive testing regimes for Chinese imports. From 2004 to 2009, Japan tested between 15 and 18 percent of food products from China, and up to 38 percent of frozen vegetables.^{xxxv}

In 2007, the FDA's director of the Center for Food Safety and Applied Nutrition stated that the growing Chinese food exports have "outstretched and outgrown the regulatory system for imports in the U.S."^{xxxvi} During the melamine-tainted pet food crisis, it took the FDA one month to even identify their regulatory counterparts in China.^{xxxvii}

In 2007, China consented to allow FDA inspectors to be stationed in China, and the FDA opened its first office in 2008.^{xxxviii} However, the few FDA inspectors in China were overwhelmed by the sheer size of the nation's food production, including an estimated 1 million food-processing companies.^{xxxix} Between 2001 and 2008, the FDA inspected 46 food firms in China — less than

six a year.^{xi} After the spate of import scandals, the FDA increased inspections, but still only conducted 13 food inspections in China from June 2009 to June 2010.^{xii} In fiscal year 2012, FDA conducted 10 inspections of food facilities in China.^{xiii} Recently, the agency instituted a sampling program for *Salmonella* for pet food, pet treats and pet nutritional supplements, but only for domestic products.^{xiiii} The new testing program does not cover imports, despite the large volume and troubled safety record of pet food and treats imported from China.

Meat and poultry imports are the responsibility of the U.S. Department of Agriculture. Until 2009, FSIS conducted in-depth annual on-site audits of countries eligible to export meat, poultry and egg products to the United States. The department recently announced that in 2009 it made a major change to this system by ending annual visits to exporting countries, and instead starting to rely on a “Self-Reporting Tool” for countries as a substitute to annual audit visits. With this change, USDA began conducting audit visits every three years instead of annually and the agency stopped the practice of publishing the audit results of individual foreign meat, poultry, egg plants that exported products to the United States. This weakening of oversight of foreign meat and poultry producers does not yet impact products from China, because the country has not yet been approved to ship these products to the United States. But China is in the process of being certified “equivalent” to U.S. meat inspection standards and therefore eligible to export products.

Poultry

The USDA’s actions with regard to China’s interest in exporting poultry products to the United States offers a telling example of how the pressure to increase trade can leave food safety concerns as a lower priority. Currently, the United States does not permit poultry imports from China. U.S. agribusinesses have invested heavily in Chinese chicken production and processing – both to feed Chinese consumers and as a future export platform to U.S. consumers – and they have been working to get USDA approval for Chinese poultry exports to the United States.

In 2006, the USDA rapidly finalized China’s request to begin exporting processed chicken to the United States the very same day as a visit from China’s president.^{xliv} This action apparently prompted China to resume negotiations over lifting its ban on American beef, instituted in 2003 after the discovery of mad cow disease in the state of Washington.^{xlv}

Despite the Bush Administration’s public blessing of Chinese chicken, the USDA’s internal inspection reports of Chinese poultry facilities showed egregious food safety problems, including mishandling raw chicken throughout the processing areas, failing to perform *E. coli* and *Salmonella* testing, and routinely using dirty tools and equipment.^{xlvi} As these internal reports emerged, Congress refused to implement the Bush Administration proposal, effectively maintaining a ban on Chinese poultry imports.^{xlvii}

China contended the U.S. prohibition against chicken, produced in unsafe plants with insufficient inspection, was an illegal trade barrier. The World Trade Organization agreed in

September 2010.^{xlviii} The same month, China announced it would impose high tariffs on American chicken products for allegedly being priced too cheaply.^{xlix}

In January 2011, Chinese President Hu Jintao again visited the United States, cementing tens of billion of dollars in trade deals with the Obama Administration.^l Shortly after this visit, the USDA announced new steps it had taken to honor China's request to export chicken to the United States.^{li}

Currently, the USDA's Food Safety and Inspection Service is working through the steps to approve China as an exporter of poultry products to the United States, with the next step in the approval process expected to be completed in the fall. This process continues to proceed, even as the poultry sector in China is suffering mounting economic damage from a growing avian influenza outbreak.^{lii}

The processed poultry products being considered for approval are supposed to be made in Chinese plants from birds that have been sent from "approved" sources, including the United States or Canada, but not China. But without stationing USDA inspectors in Chinese processing plants, it will be virtually impossible to verify that these products are made from birds from approved sources rather than Chinese producers.

Organic and Third Party Certification

Organic products from China have not been immune from food safety concerns. Organic beans and berries imported from China have been rejected by the FDA for high pesticide levels, despite the fact that synthetic pesticides are not allowed under the USDA organic label.^{liii} More recently, testing conducted by U.S. media outlets found pesticide contamination of an organic ginger product sold in the United States.^{liv}

According to USDA's National Organic Program, from 1995 to 2006, the value of organic food exported from China rose from \$300,000 to \$350 million and vegetables, field crops and tea were China's largest organic exports.^{lv} In 2006, there were 496 operations in China certified as meeting U.S. organic standards and by 2010 that number had risen to 649 operations.^{lvi}

In the United States, the USDA sets organic standards and third party certifiers are responsible for inspecting farms and food processors to ensure they are meeting the standards. In 2010, the USDA visited China to conduct an audit of four of the ten certifiers operating there. The agency reported that conditions "pose challenging oversight duties and responsibilities for certifying agents operating in China. Additionally, the size of China's land mass and higher financial margins in the organic industry could pose potential for fraud, especially by those outside of the organic certification system."^{lvii}

In 2010, USDA banned one of the third party certifiers operating in China because the organization used Chinese government employees to inspect state-controlled farms.^{lviii} But the

challenge of operating truly independent third party auditing or inspection operations in China is not isolated to organic certification.

The FDA Food Safety Modernization Act, which became law in January 2011, instructs the FDA to establish a reliable system of audits conducted by foreign governments or other third parties for imported foods. A 2012 GAO report outlines the significant obstacles to doing this.^{lix} FDA has struggled in the past to oversee inspection activities conducted on contract to the agency by state governments,^{lx} a task that should be much simpler than coordinating with third parties and foreign governments around the world. To build the infrastructure and IT system necessary to oversee third party certifiers in countries such as China, where third parties and even government agencies must be accredited by another government agency,^{lxi} seems like it will be an extraordinarily challenging project for the agency.

China's Food Safety System

Chinese officials have readily acknowledged the country's food system as "grim."^{lxii} The country's decentralized and overlapping regulatory system has not been able to address China's sprawling food-processing industry. Repeated government efforts to reform food safety rules have so far failed to stem the tide of adulterated food. After a major food safety law from 2009 went into effect, a professor at the Chinese Academy of Governance stated that poor coordination between agencies, lackluster enforcement and inadequate government oversight hindered the enforcement of food safety laws.^{lxiii} It remains to be seen if an overhaul of the food safety system, announced in 2012, will manage to coordinate efforts government-wide and tighten food safety standards.^{lxiv}

The situation for Chinese consumers can be more dire than what U.S. and other export customers face. China usually exports the highest-quality food the country produces, leaving Chinese consumers vulnerable to the lower-quality products that remain.^{lxv}

Reports on food safety problems since 2009 yield a long list of problems in both the domestic food supply and exported products. One persistent trend is "economically motivated adulteration," or what has been described as a culture of adulteration in China's agricultural sector.^{lxvi} Melamine contamination in Chinese food continues to be a problem, with a crackdown on melamine in milk powder in 2010 resulting in 96 arrests and 26 public officials being fired^{lxvii} and U.S. regulators finding high levels of melamine in a dog food shipment in January 2011.^{lxviii} After increased attention to the problem of melamine, some Chinese dairy producers appear to have switched to a new protein adulterant that is even more difficult to detect — hydrolyzed leather protein made from scraps of animal skin.^{lxix}

Even veterinary drugs banned in China — such as clenbuterol, administered to animals to give them leaner meat and pinker skin — remain widely used in China despite years of documented consumer illnesses from residues in meat and organs,^{lxx} and controversies over athletes avoiding meat for fear of testing positive for the performance enhancing drug.

Honey from China has continued to be a source of controversy. Illegal antibiotics are commonly found in Chinese honey imports. China dominates the international honey market and became the largest U.S. honey source after joining the WTO, supplying more than 70 million pounds by 2006.^{lxxi} For years, regulators had closely scrutinized Chinese honey for drug residues, including one that can be fatal.^{lxxii} In 2010, the FDA seized large amounts of Chinese honey after finding illegal antibiotics.^{lxxiii}

Another trend is pesticide residues that remain on fruit, vegetables and processed foods when they enter the food supply. China is the world's largest pesticide producer and exporter.^{lxxiv} In 2010, Chinese authorities found a banned, highly toxic pesticide in cowpeas, a legume similar to black-eyed peas.^{lxxv} China has largely failed to address illegal or dangerous chemical residues on food, evident in its weak maximum residue levels. The United States has established maximum residue levels (MRLs) for 77 pesticides used in garlic production and 112 pesticides used in apples orchards; of these, China has only 2 and 23 MRLs, respectively.^{lxxvi}

Since 2009, the Chinese government has made a point of making public displays of enforcing food safety rules, inspecting food facilities and punishing people connected with tainted food. News reports frequently reference millions of inspections of facilities and frequent "crackdowns" on particular products. A search of news reports reveals a variety of enforcement efforts:

- The scandal over melamine-contaminated infant formula led to the execution of two people and prison terms for dairy company executives.^{lxxvii}
- In 2011, industry and commerce authorities reported 62,000 cases of substandard food, leading to 43,000 unlicensed operations being shut down and 251 cases being sent to the judicial system.^{lxxviii}
- A 2011 crackdown on food safety violations resulted in 2,000 arrests and 4,900 businesses being closed.^{lxxix}
- The Chinese news agency Xinhua reported in June 2012 that authorities shut down 5,700 unlicensed food businesses and discovered 15,000 cases of "substandard food" so far that year.^{lxxx}
- In early May 2013, news reports described a Chinese government campaign to break up a fake meat operation, leading to arrests of more than 900 people accused of passing off more than \$1 million of rat meat as mutton.^{lxxxi}

Ironically, the recent discovery of more than 7,000 dead pigs in the Huangpu River was actually described in some media reports as "an encouraging step forward in Chinese public health," because it indicated that rather than sell diseased animals into the food supply, producers dumped them into the river instead.^{lxxxii}

But despite the concerted effort to show that the government is tough on food safety violators, problems persist. A small sample of recent food safety problems:

- In 2010, a scandal erupted over the use of food coloring and bleach to plump up shriveled old peas so they would appear fresh.^{lxxxiii}
- Authorities detected plasticizers, chemicals linked to immune and reproductive system damage, in samples of a leading brand of a common distilled white liquor.^{lxxxiv}
- Testing by Greenpeace of 18 varieties of tea found that every sample contained at least three different kinds of pesticides. 12 of the samples showed traces of banned pesticides.^{lxxxv}
- In September 2012, FDA refused 10 shipments of canned mushrooms from China due to pesticide contamination, resulting in the Chinese government halting exports of canned mushrooms to the United States.^{lxxxvi}
- China Central Television reported in 2012 that testing of preserved fruit from 16 different companies found excessive pigments, bleaching agents and preservatives, as well as incorrect expiration dates.^{lxxxvii}
- The Xinhua News Agency reported in 2012 that wholesale vegetable dealers in Shandong province were found spraying cabbages with formaldehyde, presumably to preserve them during transport without refrigeration.^{lxxxviii}
- A 2012 report noted that fish vendors in Beijing were using a chemical used for temporary dental fillings to tranquilize fish during transport.^{lxxxix}

Another recurring theme is lack of transparency. China's food safety enforcement system lacks the transparency necessary to warn the public about dangerous products or deter dangerous food-processing practices. The USDA reports that the Chinese government zealously guards the food safety data it collects, making it difficult to impartially evaluate China's food safety performance.^{xc} In 2010, some officials criticized regional authorities that publicized a widespread case of pesticide adulteration rather than obeying the "unspoken rule" of keeping food safety problems hidden from the public.^{xcii} The father of one child sickened by melamine-tainted milk powder was jailed, and eventually paroled, for his activism on the issue.^{xcii}

Lack of transparency is also evident in an ongoing problem with imported pet treats from China. Since 2007, thousands of American dogs have fallen ill or died after eating chicken jerky treats made in China. The FDA reports "from 2003, when China first approached the USDA about poultry exports, to 2011, the volume of pet food exports (regulated by the FDA) to the United States from China has grown 85-fold."^{xciii} In August 2012, four months after visiting Chinese processing plants that export pet treats to the United States, the FDA published inspection reports that revealed that the factories refused to allow U.S. inspectors to collect samples for independent analysis.^{xciv} Ultimately, testing done by the New York Department of Agriculture and Markets found contamination of some of the treats with residues of an undisclosed antibiotic, triggering voluntary recalls of the products by the manufacturer.^{xcv}

Imported Pharmaceuticals from China

While Food & Water Watch does not work on the safety of pharmaceuticals, we have been following some of the problems that have surfaced with the safety of imported drugs,

particularly from China. In 2011 testimony before the Senate Health, Education, Labor and Pensions Committee, the Government Accountability Office noted that the number of imported pharmaceuticals has more than doubled since 2002, with China and India leading that growth. FDA was only able to conduct inspections of a very small number of foreign drug facilities that export to the U.S.^{xcvi} In 2007 and 2008, the FDA discovered that there was a large spike in the number of deaths of consumers who took the blood thinner heparin. Heparin is made from the intestines of pigs and because of the abundant supply of swine in China, it is the primary source for crude heparin for U.S. drug manufacturers.^{xcvii} As a result of investigations conducted by the FDA and the Centers for Disease Control, it was discovered that some of the Chinese crude heparin was actually oversulfated chondroitin sulfate (OSCS). OSCS can easily be confused for heparin in routine product testing. OSCS does not confer the same medicinal benefits as heparin to patients who have to take the drug and it is a cheaper substance. The FDA estimates that as many as 149 U.S. consumers died from the intentional economic adulteration of this drug.^{xcviii} The Chinese government has never accepted responsibility for the contaminated heparin reaching our shores.

U.S. Policies to Address Unsafe Food Imports

The WTO's Agreement on Agriculture has been a failure for farmers in the United States and has encouraged the growth of export platforms in places like China that benefit from low wages and weak regulatory standards, putting consumers around the world at risk. Congress and the Obama administration must revisit the current trade agenda to make public health, environmental standards and consumer safety the highest priorities when making decisions about trade policy. Specifically:

- The USDA should restart the process of determining if China's poultry inspection system is equivalent to the U.S. system and conduct an entirely new investigation before allowing Chinese poultry products to be exported to the United States.
- The USDA needs the resources to increase current levels of inspection of imported meat and poultry. If Chinese poultry products are approved for export to the United States, the USDA should permanently assign inspection personnel to China so that the exporting plants receive regular visits by USDA inspectors.
- The FDA needs the resources to effectively inspect the growing volume of food imports from China and other countries. Congress and the Obama Administration must provide adequate funding to the FDA to increase import inspections, and to increase the rigor of those inspections to include testing for pathogens and chemical, pesticide and drug residues, and to increase inspection of processed food ingredients.
- The FDA needs the resources to conduct inspections in food facilities in China, rather than relying on third-party certifications of the safety practices used by exporting firms. The use of third-party certifications in China has already been shown to be questionable

in the certification used for organic products and in pilot projects on aquaculture conducted by the FDA. This type of system should not be used as a substitute for safety inspection by U.S. government inspectors.

- The USDA should close the loopholes in the current country of origin labeling rules and expand them to processed meats, fruits and vegetables. Congress should also require mandatory country of origin labeling for foods not currently covered by existing law, to require basic manufacturing information about where, and by what company, processed foods were produced.

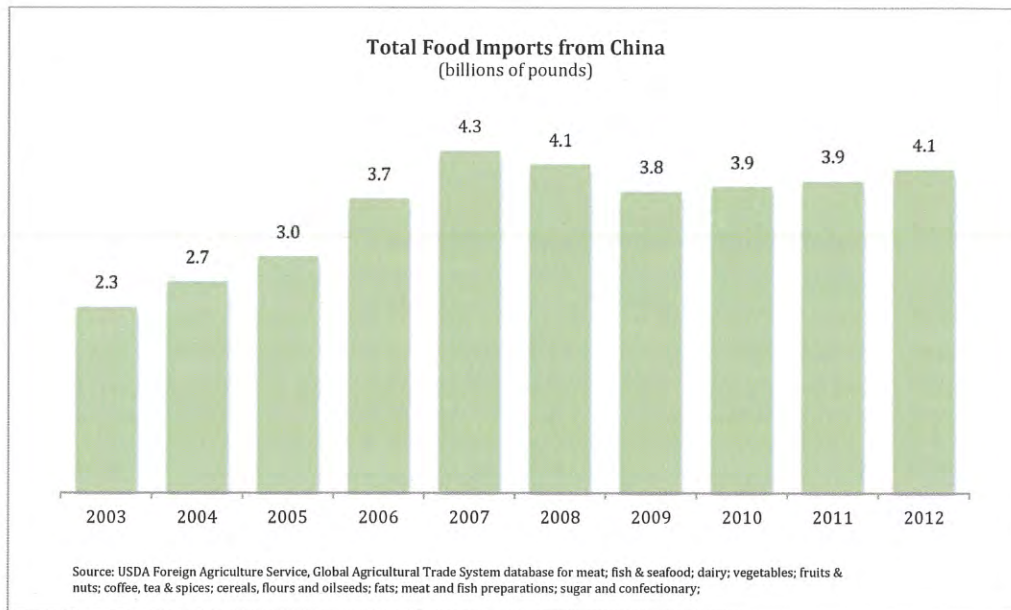
I would happy to answer any questions that you might have. Thank you, again, for inviting Food & Water Watch to contribute to this discussion.

APPENDIX 1

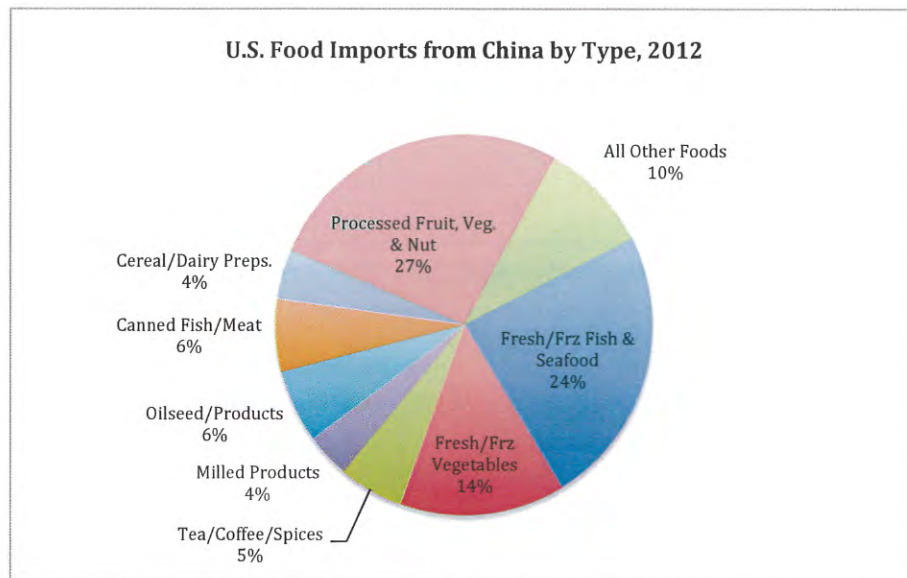
Food Product	U.S. Imports from China (Millions of Pounds)				Share of U.S. Consumption				
	2009	2010	2011	2012	2008	2009	2010	2011	4-Year Average
Tilapia	288.3	349.5	318.5	382.2	73.2%	77.8%	78.7%	80.2%	77.5%
Apple Juice (Mil. Gall.)	451.4	463.7	342.0	367.0	69.0%	70.0%	72.3%	49.6%	65.2%
Cod	63.2	71.4	78.9	70.7	59.4%	50.0%	50.4%	51.0%	52.7%
Mushrooms, Processing	78.1	78.6	68.2	68.4	53.7%	42.7%	22.4%	17.8%	34.1%
Garlic, All Uses	245.4	234.3	226.9	217.5	23.1%	22.8%	32.4%	31.3%	27.4%
Clams	17.0	19.8	24.1	27.4	9.0%	12.7%	19.0%	23.5%	16.1%
Spinach, Frozen	32.2	32.5	36.2	39.3	16.0%	21.5%	15.3%	11.0%	16.0%
Crab	18.9	23.7	22.9	22.9	15.0%	10.4%	13.5%	14.3%	13.3%
Salmon	71.4	88.1	86.4	72.7	10.8%	11.1%	14.4%	14.3%	12.7%
Peaches, Canned	91.8	109.8	92.0	98.5	11.8%	9.1%	9.0%	8.1%	9.5%
Cauliflower, Processing	11.1	8.9	1.3	8.1	12.0%	14.6%	7.8%	0.9%	8.8%
Shrimp	97.1	106.0	94.7	78.6	8.6%	7.8%	8.7%	7.3%	8.1%
Pineapples, Canned	65.2	52.7	40.6	26.2	9.7%	8.7%	7.1%	5.8%	7.8%
Pears, Canned	53.0	57.2	49.4	50.7	7.3%	7.0%	7.6%	8.1%	7.5%
Asparagus, Frozen	1.4	1.1	0.8	0.2	10.7%	12.2%	3.4%	1.9%	7.1%
Catfish/Pangasius	22.8	17.9	10.8	7.9	2.7%	1.6%	14.4%	5.6%	6.1%
Broccoli, Processed	29.4	25.7	30.4	25.9	3.7%	4.9%	3.4%	3.7%	3.9%
Green Peas, Frozen	16.6	20.4	10.3	5.7	4.2%	3.5%	4.2%	2.3%	3.5%
Cherries, Sweet, Canned	0.1	0.6	0.0	0.3	0.0%	1.9%	8.4%		3.4%
Onions, Dried	5.5	4.3	2.8	3.1	5.9%	5.1%	0.9%	0.6%	3.1%
Apples, Canned	32.4	18.7	17.4	31.9	2.5%	3.0%	1.8%	1.8%	2.3%
Canned Tuna	18.6	17.6	40.7	52.5	0.0%	1.9%	2.1%	5.1%	2.3%
Pears, Fresh	24.3	11.6	13.8	12.4	2.8%	2.5%	1.2%	1.5%	2.0%
Strawberries, Frozen	7.1	10.8	9.1	5.7	1.2%	1.3%	0.0%	0.0%	0.6%
Mushroom, Fresh	10.6	10.6	11.4	13.0	1.3%	1.4%	1.4%	1.4%	1.4%
Artichoke, All Uses	3.5	2.1	2.4	1.4	1.6%	1.9%	0.5%	0.5%	1.1%

Sources: USDA FAS GATS database; USDA Economic Research Service. Vegetable and Melon Yearbook 2011 and Fruit and Tree Nut Outlook 2012; U.S. National Fisheries Institute. "Top 10 Consumed Seafoods." 2012.

APPENDIX 2



Total food imports from China fell during the economic recession, but over the past four years, imports have increased by about 250 million pounds, a 7 percent increase from 2009 to 2012.



Source: USDA FAS GATS.

Fruits and vegetables (primarily frozen and processed) made up the plurality of imports from China, amounting to 1.6 billion pounds and 41 percent of the imported food products. The 1.2 billion in fresh, frozen and processed fish and seafood products made up about a third of the imports (30 perc

- ⁱ U.S. Government Accountability Office. "Food Safety: FDA Can Better Oversee Food Imports by Assessing and Leveraging Other Countries' Oversight Resources." GAO-12-933. September 2012 at 1 and 5.
- ⁱⁱ U.S. Department of Agriculture Economic Research Service (USDA ERS). Table 1 – Import Shares of US food consumption using the volume method. May 30, 2012. Available at <http://www.ers.usda.gov/topics/international-markets-trade/us-agricultural-trade/import-share-of-consumption.aspx#import>. Accessed April 22, 2013.
- ⁱⁱⁱ Lohmar, Bryan et al. USDA ERS. "China's Ongoing Agricultural Modernization." EIB-51. April 2009 at 1.
- ^{iv} United Nations Food and Agriculture Organization (UN FAO). FAOStat. Country rank in the world, by commodity (quantity): China. Based on most recent data available, 2008. Available at <http://faostat.fao.org/>. Accessed December 14, 2010.
- ^v Barboza, David. "U.S. Court Fines Chinese Vitamin C Makers." *New York Times*. March 15, 2013.
- ^{vi} "Mix of chemicals may be key to pet-food deaths." *CNN*. May 1, 2007; U.S. Government Accountability Office. "Food and Drug Administration Overseas Offices have Taken Steps to Help Ensure Import Safety, but More Long-Term Planning is Needed." GAO-10-960. September 2010 at 1.
- ^{vii} Barboza, David and Alexei Barrionuevo. "Filler in Animal Feed is Open Secret in China." *New York Times*. April 30, 2007; Barboza, David. "Discovery of Melamine-Tainted Milk Shuts Shanghai Dairy." *New York Times*. January 2, 2010.
- ^{viii} "Mix of chemicals may be key to pet-food deaths." *CNN*. May 1, 2007.
- ^{ix} Barboza, David. "An Export Boom Suddenly Facing a Quality Crisis." *New York Times*. May 18, 2007; USDA. Press release. "Joint Update: FDA/USDA Update on Tainted Animal Feed." Release No. 0121.07. March 2, 2007.
- ^x Gale, Fred and Jean Buzby. USDA ERS. "Imports from China and food safety issues." Economic Information Bulletin No. 52. July 2009 at 10.
- ^{xi} U.S. Department of Agriculture Foreign Agricultural Service (USDA FAS). Global Agricultural Trade System (HS-10: 230100090, 2309100010.)
- ^{xii} Food and Drug Administration. Public Health Focus: Melamine Contamination in China. January 5, 2009. Available at <http://www.fda.gov/NewsEvents/PublicHealthFocus/ucm179005.htm>.
- ^{xiii} Ee Lyn, Tan. "China eyes milk test after melamine deaths scandal." *Reuters*. June 15, 2010; Peterkin, Tom. "China milk scandal: 53,000 children fall ill from contaminated milk powder." *The (London) Telegraph*. September 22, 2008.
- ^{xiv} Ee Lyn. June 15, 2010.
- ^{xv} Spears, Lee and Helen Yuan. "China withdraws milk as Fonterra decries Sanlu delay." *Bloomberg News*. September 24, 2008.
- ^{xvi} Spencer, Richard. "China tainted milk scandal: Heinz and Mars drawn in." *The (London) Telegraph*. September 30, 2008; "Melamine found in Cadbury goods." *BBC*. September 29, 2008; "Melamine found in more Chinese-made food products." *New York Times*. September 26, 2008; Koo, Heejin. "South Korea orders Mars, Nestle to recall products." *Bloomberg News*. October 4, 2008; YUM! Brands. U.S. Securities and Exchange Commission. SEC filings 10-k. 2007 at 3.Spencer. *The (London) Telegraph*.
- ^{xvii} US Honey Makers Take a Swat at Chinese Smugglers. Andrew Schneider. AOL News. May 6 2010.
- ^{xviii} Murphy, Joan. "Anti-dumping probe links large China shrimp exporter to transshipment." *Food Chemical News*. September 28, 2012.
- ^{xix} Food Sentry. Preliminary Analysis of International Food Safety Violations. Available at <http://www.foodsentry.org/preliminary-analysis-of-international-food-safety-violations/>. Accessed April 22, 2013.
- ^{xx} Baertlein, Lisa. "U.S. Shoppers Wary About China Food Safety: Survey" *Reuters*. January 19, 2011.
- ^{xxi} "Nearly 70% of Chinese Consumers Do Not Trust Food Safety." *Arirang News*. January 3, 2011.
- ^{xxii} USDA FAS. Global Agricultural Trade System. Available at www.fas.usda.gov/gats/. (Food includes consumption imports of meat; fish & seafood; dairy; vegetables, fruits & nuts, coffee, tea & spices; cereals, oil seeds; fats; meat & fish preparations; sugar & confectionery; cocoa; cereal & dairy preparations; vegetable & fruit preparations; and miscellaneous edible preparations contained in two-digit harmonized codes: HS-2: 02, 03, 04, 07, 08, 09, 10, 11, 12, 15, 16, 17, 18, 19, 20, 21, 22.)
- ^{xxiii} USDA FAS. Global Agricultural Trade System database for meat; fish & seafood; dairy; vegetables; fruits & nuts; coffee, tea & spices; cereals, flours and oilseeds; fats; meat and fish preparations; sugar and confectionery.
- ^{xxiv} USDA FAS. Global Agricultural Trade System.

- ^{xxv} Gale, Fred et al. USDA Economic Research Service (ERS). "Investment in Processing Industry Turns Chinese Apples Into Juice Exports." FTS-344-01. October 2010 at 3.
- ^{xxvi} Gale and Buzby. USDA ERS. (2009) at iii; USDA FAS. Global Agricultural Trade System. USDA FAS GATS database; USDA ERS. Vegetable and Melon Yearbook 2011 and Fruit and Tree Nut Outlook 2012.
- ^{xxvii} USDA ERS. Fruit and Tree Nut Outlook Yearbook. 2010 at Table 16.
- ^{xxviii} USDA FAS. Global Agricultural Trade System. (Garlic, HS-10: 0703200020, 0703200010, 0712904040, 0712904020); USDA ERS. Vegetables and Melons Yearbook Data. 2009 (Updated May 20, 2010) at Table 5.
- ^{xxix} Lee, Don. "China's additives on menu in U.S." *Los Angeles Times*. May 18, 2007.
- ^{xxx} USDA FAS. Global Agricultural Trade System. (HS-10: 2912410000); Lee (2007).
- ^{xxxi} USDA FAS. Global Agricultural Trade System. (HS-6, 170490); Johnson, Tim. "China corners vitamin market." *Seattle Times*. June 3, 2007.
- ^{xxxii} USDA FAS. (HS-4, 1902 and 1905; HS-4, 2103; HS-10, 2309100090, 2039100010.)
- ^{xxxiii} FDA. Import Refusal Database. Available at www.accessdata.fda.gov/scripts/importrefusals/. Accessed January-February 2011.
- ^{xxxiv} FDA. Combined Field Activities – ORA. Program Activity Data. Field Foods Program Activity Data.
- ^{xxxv} Matsuda, Akane. "Food Safety Issues in the Vegetable Trade Between China and Japan: What Is Required to Establish Effective Food Safety Systems in the Bilateral Food Trade?" MPP Essay. Oregon State University, June 14, 2010.
- ^{xxxvi} MacLeod, Calum. "China details new food-quality measures." *USA Today*. September 13, 2007.
- ^{xxxvii} GAO (2010) at 12.
- ^{xxxviii} Weisman, Steven. "China agrees to post U.S. safety officials in its food factories." *New York Times*. December 12, 2007; Zhe, Zhu. "U.S. food, drug agency opens Beijing office." *China Daily*. November 20, 2008.
- ^{xxxix} Lohmar, Bryan et al. USDA ERS. "China's Ongoing Agricultural Modernization." EIB-51. April 2009 at 24.
- ^{xl} Shames, Lisa. "Food Safety: FDA Could Strengthen Oversight of Imported Food by Improving Enforcement and Seeking Additional Authorities." GAO-10-699T. Testimony before the Subcommittee on Oversight and Investigations, U.S. House of Representatives Committee on Energy and Commerce. May 20, 2010 at 5.
- ^{xli} GAO. (2010) at 17.
- ^{xlii} FDA. Combined Field Activities – ORA. Program Activity Data. Field Foods Program Activity Data.
- ^{xliii} Food and Drug Administration. "CVM Issues Assignment to Collect and Analyze Samples of Pet Foods, Pet Treats, and Pet Nutritional Supplements in Interstate Commerce in the United States for *Salmonella*." March 22, 2013.
- ^{xliv} Quaid, Libby. "U.S. to allow processed poultry shipments from China." *Associated Press*. April 20, 2006; 71 Fed. Reg. 20867–20871.
- ^{xlv} Quaid. April 20, 2006; "U.S. tries to sell beef to China amid food disputes." *Reuters*. June 29, 2007.
- ^{xlvi} USDA Food Safety and Inspection Service. "Final report of an initial equivalence audit carried out in China covering China's poultry inspection system." May 17 2005 at 9-11.
- ^{xlvii} Pub. L. 110-161. Title VII. §733.
- ^{xlviii} World Trade Organization. "United States—Certain Measures Affecting Imports of Poultry from China: Report of the Panel." WT/DS392/R. September 29, 2010 at 183-184.
- ^{xlix} "China to levy anti-dumping duty on U.S. Poultry." *Bloomberg News*. September 26, 2010.
- ⁱ Oliphant, James. "Obama and Hu Jintao pledge cooperation, downplay differences." *Los Angeles Times*. January 19, 2011
- ⁱⁱ Bottemiller, Helena. "USDA Petitioned to Block Chinese Poultry." *Food Safety News*. January 31, 2011.
- ⁱⁱⁱ UPI. "China avian flu hits poultry sector, losses mount." April 16, 2013.
- ⁱⁱⁱⁱ Gale and Buzby (2009) at 17.
- ^{lv} Clapp, Stephen. "USDA bans organic certification agency from operating in China." *Food Chemical News*. June 21, 2010.
- ^{lv} U.S. Department of Agriculture National Organic Program (USDA NOP). "2010 Organic Assessment of China." July 2011 at 3.
- ^{lvi} USDA NOP (2011) at 4.
- ^{lvii} USDA NOP (2011) at 9.

- ^{lviii} Clapp, Stephen. (2010).
- ^{lix} GAO (2012).
- ^{lx} GAO (2012) at 25.
- ^{lxi} GAO (2012) at 19.
- ^{lxii} "Food safety situation still grim in China." *Associated Press*. March 3, 2009.
- ^{lxiii} "Chinese lawmakers call for enhancing supervision of food safety." *Xinhua*. February 25, 2010.
- ^{lxiv} "China Releases Five Year Food Safety Plan." *Food Safety News*. June 18, 2012.
- ^{lxv} Bodeen, Christopher. "Here we go again: China denies food safety issues." *Associated Press*. May 23, 2007.
- ^{lxvi} Barboza and Barrionuevo (2007).
- ^{lxvii} "96 arrested in China for selling adulterated milk powder." IANS. January 13 2011.
- ^{lxviii} FDA. Import Refusal Report Database. Refusal Actions by FDA as Recorded in OASIS for China. January 2011. Accessed March 2, 2011 with code 72BCT99.
- ^{lxix} Olesen, Alexa. "China warns dairy producers inspectors watching for toxic melamine and leather protein in milk." *Associated Press*. February 17, 2011.
- ^{lxx} Olesen, Alexa. "Skinny pigs, poison pork: China battles farm drugs." *Associated Press*. January 24, 2011.
- ^{lxxi} USDA FAS. (HS-10: 04090000); FAO STAT. Country rank in the world, by commodity (quantity): China. Based on most recent data available, 2008. Accessed December 14, 2010.
- ^{lxxii} Schneider, Andrew. "Country of Origin no Guarantee on Cheap Imports." *Seattle Post-Intelligencer*. June 5, 2009.
- ^{lxxiii} Fulton, April. "FDA seizes tainted Chinese honey after Sen. Schumer raises fuss." *National Public Radio*. June 11, 2010.
- ^{lxxiv} Zhang, WenJun, FuBin Jiang, and JiangFeng Ou. "Global pesticide consumption and pollution: with China as a focus." *Proceedings of the International Academy of Ecology and Environmental Sciences*. 2011. 1(2): 125-144.
- ^{lxxv} Wong, Edward. "Officials in China at odds over food scandal." *New York Times*. March 2, 2010.
- ^{lxxvi} USDA FAS. International Maximum Residue Levels Database. Available at www.mrlidatabase.com/. Accessed March 2011.
- ^{lxxvii} "China vows harsh penalties for food safety crimes." *Associated Press*. September 16, 2010.
- ^{lxxviii} "62,000 illegal food cases in 11 months of 2011." *Xinhua*. January 10, 2012.
- ^{lxxix} Ramzy, Austin. "China Food Safety: Big Crackdown, but Big Concerns Remain." *Time*. August 5, 2011.
- ^{lxxx} McDonald, Mark. "From Milk to Peas, A Chinese Food-Safety Mess." *International Herald Tribune*. June 21, 2012.
- ^{lxxxi} Martina, Michael and Sally Huang. "Chinese police bust million-dollar rat-meat ring." *Reuters*. May 3, 2013.
- ^{lxxxii} Barboza, David. "A Tide of Death, but This Time Food Supply Is Safe." *New York Times*. March 14, 2013.
- ^{lxxxiii} Yan, Wang. "Fake green peas latest food scandal." *China Daily*, China. March 31, 2010.
- ^{lxxxiv} "China media: Chinese liquor scandal." *BBC News*. November 22, 2012.
- ^{lxxxv} Greenpeace. "Pesticides: Hidden Ingredients in Chinese Tea." 2012 at 1-2.
- ^{lxxxvi} Booth, Amy. "Residue concerns keep Chinese canned mushrooms off U.S. market." *Food Chemical News*. November 23, 2012.
- ^{lxxxvii} "Preserved fruit in China Tainted." *The New Paper*. April 30, 2012.
- ^{lxxxviii} "Chinese sellers accused of spraying cabbage with formaldehyde." *Associated Press*. May 7, 2012.
- ^{lxxxix} Zuo, Mandy. "Dental cement used to calm fish" *South China Morning Post*. March 22, 2012.
- ^{xc} Gale and Buzby (2009) at 4.
- ^{xci} Wong. March 2, 2010.
- ^{xcii} MacLeod, Calum. "China's organic farms rooted in food safety concerns." *USDA Today*. January 24, 2011.
- ^{xciii} FDA. "FDA Investigates Animal Illnesses Linked to Jerky Pet Treats." September 14, 2012. <http://www.fda.gov/AnimalVeterinary/SafetyHealth/ProductSafetyInformation/ucm319463.htm>
- ^{xciv} Aleccia, JoNel. "China stiff-arms FDA on jerky pet treat testing, reports show." *NBCnews.com*. August 22, 2012.
- ^{xcv} FDA. Recall—Firm Press Release. "Milo's Kitchen® Voluntarily Recalls Chicken Jerky and Chicken Grillers Home-style Dog Treats." January 9, 2013.

^{xcvi} Crosse, Marcia. Testimony before the Senate Health, Education, Labor, and Pensions Committee. "Drug Safety: FDA Faces Challenges Overseeing the Drug Manufacturing Supply Chain." September 14, 2011. GAO-11-936T.

^{xcvii} U. S. Government Accountability Office. "Report to the Ranking Member, House Energy and Commerce Committee, Food and Drug Administration: Response to Heparin Contamination Helped Protect Public Health; Controls That Were Needed for Working with External Entities Were Recently Added,," October 2010. GAO-11-95.

^{xcviii} U.S. Food and Drug Administration. "Information on Adverse Event Reports and Heparin." Available at <http://www.fda.gov/Drugs/DrugSafety/PostmarketDrugSafetyInformationforPatientsandProviders/ucm112669.htm>