Dear Chairmen Pryor and Aderholt and Ranking Members Blunt and Farr,

It is because we are deeply concerned about the safety of the food served to the American people, especially our children, that we write to express our serious apprehension about the Food Safety and Inspection Service (FSIS) recent decision to allow China to process chicken raised in the United States, as well as Canada and Chile, to then export to the United States. Furthermore, we believe FSIS is likely to eventually allow China to export its own raw poultry to the United States.

We therefore urge you to include language in any final Fiscal Year 2014 Agriculture Appropriations Bill that: (1) ensures that Chinese-processed chicken is not included in the National School Lunch Program (NSLP), School Breakfast Program (SBP), Child and Adult Care Food Program (CACFP) and Summer Food Service Program (SFSP); and (2) prevents funds from being used to implement any rule that would allow poultry slaughtered in China to be exported to the United States.

Consider the impact of China’s weak enforcement of food safety laws and regulations: more than 300,000 Chinese children fell seriously ill, with some dying, from melamine-tainted milk powder; dangerously high levels of mercury found in Chinese baby formula; the sale of more than $1 million worth of rat and other small mammal meat passed off to consumers as lamb; and more than 16,000 diseased pig carcasses dumped in a river to rot.

Last year China Central Television revealed that a Chinese poultry supplier provided Kentucky Fried Chicken restaurants with chicken fattened by large quantities of illegal drugs. In addition, the U.S. Food and Drug Administration recently announced that, since 2007, pet treats imported from China containing contaminated chicken have killed 600 dogs and cats in the United States, and sickened 3,600 more. According to the World Health Organization, so far 45 of the 136 people who contracted the H7N9 bird flu in China this year have died.

We therefore find it deeply concerning that FSIS would allow chicken processed in China to soon arrive for consumption in the United States. While FSIS determined that such poultry is equivalent to poultry processed in this country, there will be no on-site inspectors in Chinese plants to verify continued equivalency or to prevent the inclusion of Chinese-slaughtered poultry (or any other adulterant) in products imported into the United States. Moreover, because processed chicken products do not require country-of-origin labeling, American consumers will not know if they are consuming chicken processed in China or be able to avoid such products if they so choose.
One deeply troubling ramification of FSIS’s decision is that American children may be
fed chicken processed in China through a number of federal nutrition programs. Under
the NSLP and SBP, for example, U.S. Department of Agriculture (USDA) commodities supplied to
school districts must be produced, raised, and processed in the United States. But the majority of
food used in the NSLP and SBP comes not from USDA commodities but instead from private
vendors. Under USDA regulations, these vendors must use only 51 percent domestic
ingredients, meaning that items like chicken burritos or chicken soup may contain Chinese-
processed chicken at up to 49 percent of the finished product. Moreover, under the NSLP and
SBP, the 51 percent rule may be waived entirely if bids reveal that a domestic product costs
significantly more than a foreign product, and there is no 51 percent requirement at all in the
CACFP or SFSP.

Children are our most vulnerable population with respect to foodborne illnesses and
sensitivity to potentially dangerous chemicals. Given China’s demonstrably poor food safety
record, we believe it is unacceptable to take unnecessary risks with the health of American
school children. We urge you to include language in any final bill affirming that chicken
processed in China shall not be used in the NSLP, SBP, CACFP and SFSP, as well as directing
USDA to ban private vendors from including Chinese-processed chicken in products offered in
these programs.

As noted above, we are also greatly concerned that raw poultry from China will soon be
authorized for export to the United States. In its reports to your subcommittee, FSIS made clear
that it is continuing to move toward completion of an audit of China’s slaughterer facilities, which
would allow USDA to file a proposed rule to grant equivalence to such facilities. We therefore
also urge you to include language in any final bill, similar to that previously carried in the bill,
ensuring that none of the funds made available may be used to implement a final rule allowing
poultry slaughtered in China to be exported to the United States.

Given China’s past lapses in enforcing its food safety laws, Chinese-processed and
Chinese-slaughtered poultry present a serious potential threat to public health in the United
States, and immediate action by the Congress is critical. Accordingly, we believe including
these provisions in any final Fiscal Year 2014 Agriculture Appropriations bill is of the utmost
importance.

Thank you for your consideration and we look forward to working with you on this issue.

Sincerely,

Rosa L. DeLauro
Member of Congress

Chellie Pingree
Member of Congress

Louise M. Slaughter
Member of Congress

Carol Shea-Porter
Member of Congress
Alcee L. Hastings  
Member of Congress

Charles Rangel  
Member of Congress

Mark Pocan  
Member of Congress

Peter A. DeFazio  
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Marcy Kaptur  
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John D. Dingell  
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Janice D. Schakowsky  
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Jeff Fortenberry  
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Dana Rohrabacher  
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Tony Cárdenas  
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