

United States Senate

December 9, 2024

The Honorable Thea Lee
Deputy Undersecretary
Bureau of International Labor Affairs
200 Constitution Avenue NW
Washington, DC 20210

Dear Deputy Undersecretary Lee:

Throughout my time in the U.S. Senate, I have been committed to ensuring that the principles of human rights and fair labor practices are upheld in all aspects of international trade. In accordance with the requirements of the Trafficking Victims Protection Reauthorization Act (TVPRA), I respectfully request that the Bureau of International Labor Affairs (ILAB) include garlic produced in Communist China in its next update to the List of Goods Produced by Child Labor or Forced Labor.

Recent reports and allegations¹ suggest that garlic production in certain regions of Communist China may involve exploitative practices, including forced labor and child labor, in violation of international standards. These claims are deeply concerning and, if verified, represent a significant ethical and legal issue that must be addressed. In ILAB's most recently published list,² Communist China is listed for five forced and child labor cases involving agricultural goods.

The United States has a responsibility to combat forced labor and protect vulnerable populations from exploitation, particularly in global supply chains that have market access in the United States. By investigating these allegations and, if warranted, including Chinese garlic on the TVPRA list, ILAB can play a pivotal role in promoting transparency, accountability, and adherence to fundamental labor rights.

I urge ILAB to use its authority to thoroughly investigate garlic and its derivative or related products in all forms produced in Communist China and provide Congress and the American people with accurate and timely information. Addressing this issue will help ensure that the goods imported into our country align with the values we hold

¹ <https://www.netflix.com/title/80146284>

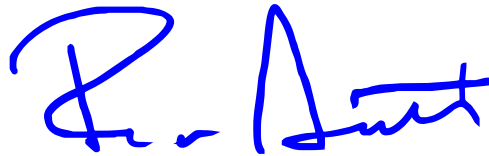
² https://www.dol.gov/agencies/ilab/reports/child-labor/list-of-goods-print?tid=5531&field_exp_good_target_id=All&field_exp_exploitation_type_target_id_1=All&items_per_page=10

The Honorable Thea Lee
December 9, 2024
Page Two

dear – freedom, justice, and human dignity.

Thank you for your attention to this critical matter. I stand ready to support ILAB in its mission to uphold fair labor standards worldwide and look forward to your findings.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rick Scott". The signature is stylized with a large initial "R" and a prominent "S".

Rick Scott
United States Senator

United States Senate

December 9, 2024

The Honorable Tom Vilsack
Secretary
U.S. Department of Agriculture
1400 Independence Avenue SW
Washington, DC 20250

Dear Secretary Vilsack:

I am writing to express concerns regarding the continued importation of garlic from Communist China and the significant risks it poses to the American food supply and consumer safety. As you are aware, Communist China has a clear and disturbing history of failing to meet basic standards of food safety and transparency, as well as a well-documented record of using slave labor in its supply chains, which raises red flags about the labor practices and safety of its agricultural products, particularly garlic.

Communist China's agricultural practices often fall short of acceptable standards, with soil contamination and the use of untreated human waste ("night soil") as fertilizer being just a few of the serious concerns. A study¹ published by the NIH highlights the alarming prevalence of these dangerous practices, which pose significant health risks to American consumers and is a practice outlawed by the EPA². Despite these well-documented issues, Chinese sewage garlic³ continues to flood⁴ our markets, often at prices that undermine domestic producers who adhere to far more stringent health and labor regulations.

Furthermore, Communist China has repeatedly violated international agreements designed to ensure the safety and quality of food exports. It has consistently refused to allow U.S. inspectors access to its facilities, particularly since the onset of the COVID-19 pandemic. Prior to COVID-19, the U.S. Department of Agriculture (USDA) had more robust inspection processes in place, allowing U.S. inspectors to verify the safety of Chinese exports. However, those critical inspections have either ceased or significantly diminished, leaving the U.S. in a precarious position when it comes to food safety oversight. The Food Safety Inspection Service (FSIS) 2023 foreign audit report⁵ on

¹ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4295866/>

² <https://www.epa.gov/hw/land-disposal-restrictions-hazardous-waste>

³ <https://thehill.com/homenews/4349424-florida-senator-urges-probe-into-alleged-sewage-garlic-from-china/>

⁴ https://www.usitc.gov/press_room/news_release/2023/er0504_63867.htm

⁵ <https://www.fsis.usda.gov/news-events/publications/china-foreign-audit-report>

The Honorable Tim Vilsack

December 9, 2024

Page Two

Communist China confirms these growing gaps in our inspection processes. Without the ability to conduct on-site inspections consistently, how can we trust the safety of the food coming into our country?

We have already seen numerous instances of Chinese food products, such as fish⁶, chicken⁷, and even baby formula⁸, causing harm to consumers in the U.S. Just last year, the FSIS issued a public health alert about frozen fish from Communist China that was ineligible for import into the U.S. due to safety violations. Communist China's troubling history of food safety lapses – from milk scandals to tainted poultry – demonstrates a pattern of blatant disregard for public health that must be addressed.

Given these persistent food safety issues, I am deeply concerned about the USDA's current approach. The USDA's most recent report on "Imports from China and Food Safety Issues"⁹ was last released in 2009. Why have these critical reports and inspections related to Chinese agricultural imports been allowed to lapse? Congress needs updated and consistent reports on the safety of food products entering the U.S. from Communist China. Without these, we are effectively operating in the dark, unable to assess the risks to the American public.

Additionally, I would like to understand how the USDA is currently working with other agencies like U.S. Customs and Border Protection (CBP) and the Consumer Product Safety Commission (CPSC) to monitor and protect our food supply from potentially hazardous imports. Are you lacking the necessary authority or resources to take stronger action?

The American people deserve to know that their food is safe and free from harmful substances, especially from foreign actors. We must take immediate and decisive action to protect consumers from the dangers posed by Chinese agricultural imports, particularly garlic. I look forward to your response and to working together to address these urgent issues.

⁶ <https://www.fsis.usda.gov/recalls-alerts/fsis-issues-public-health-alert-ineligible-frozen-siluriformes-products-imported>

⁷ https://www.yahoo.com/news/china-chickens-contaminating-america-plates-183629550.html?guccounter=1&guce_referrer=aHR0cHM6Ly93d3cucGVycGxleGl0eS5haS8&guce_referrer_sig=AQAAACjgu4rmMF11HVHlhbZcfVISv00yTT7D6SkimQdPhjTNCOW4QUkbr3mEGoqnBYISSR5VvAGNI96hvMOizF_pw03EWQX4pAn5oNnPu0DoQ7_ErWb3xrK5GIC2AY5Y4Drqe5EtuDgxJLEICDFIk8_YGBzDFI7KObWaX2LwW0Fy03j

⁸ <https://time.com/archive/6944410/tainted-baby-milk-scandal-in-china/>

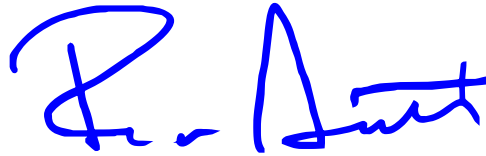
⁹ <https://www.ers.usda.gov/webdocs/publications/44390/eib-52.pdf?v=15.6>

The Honorable Tim Vilsack

December 9, 2024

Page Three

Sincerely,

A handwritten signature in blue ink, appearing to read "Rick Scott". The signature is stylized with a large initial "R" and a prominent "S".

Rick Scott

United States Senator

cc: The Honorable Troy Miller, Commissioner, U.S. Customs and Border Protection
The Honorable Alexander Hoehn-Saric, Chair, U.S. Consumer Product Safety
Commission
The Honorable Monica Bertagnolli, Director, National Institutes of Health
The Honorable Robert M. Califf, M.D., Commissioner of Food and Drugs

United States Senate

December 9, 2024

The Honorable Katherine Tai
United States Trade Representative
600 17th Street NW
Washington, DC 20508

Dear Ambassador Tai:

I am writing to express urgent concerns about the influx of imported garlic from the People's Republic of China (PRC). These imports, which are supported by forced labor and other unfair and unethical trade practices, are flooding the U.S. market and causing significant harm to American garlic farmers, other domestic agricultural industries and American consumers. In light of these unconscionable practices aforementioned, I urge you to conduct a thorough investigation under Section 301 of the Trade Act of 1974 into this critical issue.

For years, PRC-grown garlic has been pseudo-subsidized through state-backed forced labor programs and tariff evasion practices¹ that give Chinese producers an unfair and unethical competitive advantage. These pseudo-subsidies not only undercut U.S. farmers but also undermine the integrity of our agricultural supply chains. The flood of PRC garlic jeopardizes the long-term viability of America's domestic garlic industry, threatens our nation's food security and places undue economic strain on hardworking American growers. It also portrays an abhorrent message that the PRC can get away with breaking the rules, not disclosing any of the human and labor rights abuses involved in their production, all while American garlic farmers continue to lose market share.

The Biden administration has repeatedly emphasized its commitment to rebuilding critical domestic supply chains and acknowledged that food is a critical and sensitive supply chain. However, these words have not been matched with action and the unchecked expansion of Chinese garlic imports directly contradicts this goal. By displacing U.S.-grown garlic from the marketplace, PRC producers now dominate the global supply chain, leaving American farmers and consumers at their mercy with little accountability from their government in combatting trade and human rights abuses from foreign actors.

¹ https://www.usitc.gov/press_room/news_release/2023/er0504_63867.htm

The Honorable Katherine Tai
December 9, 2024
Page Two

The provisions of Section 301 of the Trade Act of 1974 provide a vital pathway to investigate and address these unreasonable trade practices. I respectfully call on you to use the broad authority granted under the Act to launch an investigation into this matter, hold China accountable for its trade-distorting behaviors and take decisive action to protect the interests of American growers and the broader agricultural sector.

I also raise the following key questions for your consideration:

- Do you support any product coming into the United States that contains any trace of forced or child labor?
- Do you believe that garlic produced and processed in Communist China contains any trace of forced or child labor?
- Do you believe that labor standards in countries that the United States is an importer of should play a significant role in determining if foreign trade practices are unfair or harmful to American businesses?

Ambassador Tai, the American people depend on us to stand firm against unfair trade practices that threaten our economic security and the livelihoods of American citizens. I urge you to prioritize this investigation and ensure that U.S. farmers receive the relief and support they desperately need. The hypocrisy of accepting products from foreign countries that do not share the United States' standards for human rights and labor for the production of the same or similar products has to be stopped immediately.

Thank you for your attention to this pressing issue. I look forward to your swift action in defense of America's agricultural industry and the principles of fair trade.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rick Scott". The signature is stylized and cursive.

Rick Scott
United States Senator