



# ANIMAL PARENTS AGAINST PET TREATS MADE IN CHINA

*working proactively to keep our pets safe*

Testimony Submitted by

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Before the Congressional-Executive Commission on China

“Pet Treats and Processed Chicken From China: Concerns for American Consumers and Pets”

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Chairman Brown, Co-Chairman Smith, and Members of the Commission. My name is Terry Safranek and I live in Brooklyn Heights, Ohio. I represent a group that I helped found called Animal Parents Against Pet Treats Made In China. We welcome this opportunity to make this statement today. We commend your leadership for holding this very important and timely hearing. I want to specifically thank Senator Brown for his dedication to this issue. I am so proud that he is my senator when I share with the group all of his actions, and how he has never given up or given in. They all call Senator Brown “Our Senator”.

One month ago Petco and PetSmart – the nation’s two largest specialty pet stores - announced that they would stop selling pet treats made in China. The announcement came on the heels of the FDA’s latest report on victims of jerky from China. Unfortunately, this announcement came two and half years too late for my buddy Sampson.

In December Of 2011, my little Sampson, a healthy, lively and hilarious fox terrier mutt was showing signs that he was not well. He seemed withdrawn, and his appetite was decreasing, and all he wanted was to drink water and urinate. His health rapidly decreased. We took him to the veterinarian 3 times in the next two weeks. Finally, blood tests revealed horrible results. Sampson was in acute renal failure. The Doc gave him intravenous fluids for 6 long, tormenting days. And then, the agonizing decision, the hardest, most heartbreaking decision. With my husband and children around us, I held my little buddy in my arms for the last time, as he was euthanized.

One day during this time, I saw a local family on the news, holding up a bag of Waggin’ Train Chicken Jerky Treats! Their dog had eaten them died of renal failure a few weeks earlier, and their new little puppy was fed leftovers from the same bag – and became ill right away. As soon as they stopped the treats, he recovered. I was floored. It was the exact same treat that Sam had eaten; it had been his new favorite, and I was giving him them as a treat for about a month. I’m sure that was the only major change in his diet.

I went to the Waggin’ Train comment boards, and there were hundreds of people furiously recounting their experience, begging for answers. Each of us was shocked to find we weren’t alone, and the stories unmistakably similar. Shocked to find that the companies would accept no responsibility, even blamed US for overfeeding the treats! AS IF it’s okay for a dog to be killed – by a treat!?

It was there that I met the pet parents of Bella, Ginger, Sophie, Heidi, Sarge, Shelbie and Annie, who would become my colleagues in this fight to protect other pets from this danger. Together we formed Animal Parents Against Pet Treats Made In China (APAPTMIC), a Facebook group, and a place for victims to gather, to share their stories, investigate the issue and make change.

Meeting all of these grieving pet parents made us realize how widespread the problem was. Each of these little ones suffered terribly, and we are devoted to being there to support their families, and help them to deal with the tragedy – and the overwhelming guilt at being a part of their senseless poisoning.

Together our little group began a journey that would lead us down many paths – in which we were complete novices. What we thought would be simple, turned into a herculean task. In our naivety we thought that the FDA would see all of these victims, with a clear connection to jerky from China and issue a recall. Nothing could be further from what actually happened.

Most disheartening of all, we learned that the warnings were there. Although the FDA has issued numerous cautions and alerts, they were unable to force a recall as they had not – still have not – identified the exact toxin. But is there a single toxin? Or is the issue a systemic one that is based in China? After all this time, and after ALL of the rigorous research, it is our conclusion that it is a systemic issue.

During these last two and a half years, we have watched the deaths associated with imported jerky treats climb to the current number of over 1000. 1000 deaths! More than one beloved pet was dying a horrible, painful death every single day in this country. Official figures indicate that 5,600 dogs, 24 cats, and 3 humans have become sick from contaminated jerky treats made in China. And how many thousands, tens of thousands, or more have gone unreported. How many have never made the connection?

We needed to raise awareness. We needed to figure out what we could do to STOP the senseless pet deaths caused by Chinese jerky. Not only has my group committed countless hours to research, we have rallied and lobbied for change that would bring about an end to the deaths and illnesses our pets have suffered because of these imported treats. Some of the actions we have taken include:

- Petitions targeting Nestle Purina, retailers and the FDA.
- Letter writing campaigns to manufacturers, retailers, veterinarians, media outlets and the FDA
- Became named plaintiffs in the nationwide Class Action lawsuits
- Attended and presented at Congresswoman DeLauro's Congressional Briefing on Chicken From China.
- Met with FDA representatives Tracey Forfa, Deputy Director of the Center for Veterinary Medicine and Sharon Natanblut, Senior Advisor for Strategic Communications and Public Engagement, FDA Office of Foods and Veterinary Medicine.

Although there had been no recall, we know that the FDA WAS making an effort. They weren't just publishing obscure warnings on their website. They enlisted the Veterinary Laboratory Investigation and Response Network ([Vet-LIRN](#)), the CVM, a network of veterinary labs and even NASA, but have yet to find a specific problem. We understand that many FDA officials were also genuinely frustrated. Bernadette Dunham, FDA's Director of the Center for Veterinary Medicine, refers to the investigation as "One of the most elusive and mysterious outbreaks we've encountered".

In January 2013, the [New York State Department of Agriculture & Markets](#) (NYSDAM) found illegal antibiotic residue on the treats. This caused a "voluntary withdrawal" of three of the most consumed and most complained about brands: Nestle Purina's Waggin' Train and Canyon Creek Ranch (all varieties) and Del Monte's Milo's Kitchen (2 varieties). We were cheered to know that, at long last the deaths and illnesses being reported to the FDA would decrease substantially. But it was still hard to understand why the FDA wasn't more aggressive, when there is clearly a link of jerky treats to pet illnesses. The anecdotal evidence seems overwhelming.

We decided to tackle the problem that each and every victim we knew had faced: if only I had known what the FDA knew! Our dogs were dead or suffering chronic illness because we didn't know there was a problem.

Perhaps the most important of our actions is the petition asking the FDA to implement Section 211 of the Food Safety Modernization Act (FSMA), called FDA: POST CONSUMER NOTICES WHERE WE CAN SEE THEM. The FDA has always claimed their hands are tied when it comes to warning consumers about reported products at the point of sale, but this is no longer true. In 2011, Congress finally enacted the Food Safety Modernization Act (FSMA) which explicitly gives the FDA this authority. But of course, it is never that simple. Ever since that time, the law – which encompasses all food, for pets or humans - was sitting in the Office of Management and Budget waiting for review.

With just a simple piece of paper posted on store shelves, millions of American families can be spared the consequences of purchasing potentially dangerous products. We believe that the FDA has the responsibility to inform consumers of possible risks and we have the RIGHT to make informed decisions. A trip to the grocery store should not be deadly!

We strongly believe that Section 211 of the FSMA needs to be implemented as quickly as possible. If only we would have been warned at point of sale, we might have been spared the many, many tears we have shed, grieving our lost dogs.

Imagine our devastation when it was announced in March of 2014 that Nestle Purina was returning Waggin' Train – the most reported brand associated with complaints of illness and death, to the market. The product is STILL MADE IN CHINA. From the Waggin' Train website Q & A: “As we said back in January 2013, we planned to re-introduce products once we determined the best way to address the regulatory inconsistencies between countries that led to the voluntary withdrawal.” What does that even mean? Did they simply get the rules changed? This is truly frightening.

If we have learned anything, it is that consumers desperately need the protection of the US government against these multi-national mega-corporations, whose ultimate loyalty is to profit. As consumers, we don't stand a chance without the weight of the government behind us.

Since April of 2012, several nationwide class action lawsuits have been working their way through the courts. The first, largest and most visible is Adkins v. Nestle Purina PetCare Co. Two years later, an agreement was reached. Nestle Purina PetCare Co. agreed to create a \$6.5 million settlement fund to compensate dog owners who claim that their animals were harmed by their jerky treats from China. As of this writing, this agreement has not yet been finalized, awaiting approval of the Court.

The Quality Assurance and Quality Control stipulations in the agreement are a crucial part of the agreement. Enhanced labeling and testing, and holding these companies accountable for the health and safety of their customers is the goal. But all of this is just a small piece of a huge puzzle.

In our stores and across the country, people are waking up to the risks of chicken from China. But not enough have the knowledge that they require to make an educated choice. This is why we are so passionate about strengthening the FDA and the FSMA. There are too many loopholes that allow hazards to reach our homes and families. This is our last line of defense!

It seems that government rules and regulations are endless, so we are concentrating on the few that we feel would have avoided such needless suffering:

- IMPLEMENT FSMA SECTION 211 requiring warnings to be prominently displayed in stores;
- AMEND FSMA SECTION 211 to include all retailers, not just major chains;
- SPECIFY THAT WRITTEN WARNINGS must be displayed with the affected product, not just at the cash register;
- EMPOWER the FDA to force a recall if there is a reasonable probability that an article of food is adulterated;
- INCLUDE classes of products that have been identified by the FDA to be injurious to human and/or animal health. If the FDA is issuing advisories, cautions and warnings to customers on their website, then we strongly believe that such information should be broadcast as widely as possible. The Chinese pet treats are a perfect example of such a class of product.

For myself, and on behalf of Animal Parents against Pet Treats Made in China, I want to sincerely thank The Congressional-Executive Commission on China for the important work you are doing, and allowing us to submit this statement. As a regular consumer, it's easy to get discouraged and start to feel hopeless and helpless. Then my spirit is renewed to know that we do have great representatives who are just as dedicated, and are ceaselessly working behind the scenes on our behalf.

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