

SAFE FOOD COALITION

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March 10, 2026

Senator Bill Cassidy, MD,
Chairman,
U.S. Senate Committee on Health,
Education, Labor, and Pensions

Senator Bernie Sanders
Ranking Member,
U.S. Senate Committee on Health,
Education, Labor, and Pensions

Representative Brett Guthrie,
Chairman,
House Committee on Energy
and Commerce

Representative Frank Pallone
Ranking Member,
House Committee on Energy
and Commerce

Re: The *Destruction of Hazardous Imports Act*, H.R. 2715 and S.3213

Dear Chairman Cassidy, Chairman Guthrie, Ranking Member Sanders, and Ranking Member Pallone:

The undersigned members of the Safe Food Coalition write to urge Congress to enact the *Destruction of Hazardous Imports Act* (H.R. 2715 / S. 3213). Introduced by Representative Clay Higgins (R-LA) and Representative Troy Carter (D-LA) in the House, and by Senator Rick Scott (R-FL) in the Senate, this common sense legislation would provide the U.S. Food and Drug Administration (FDA) with essential authority to require destruction of FDA-regulated products refused entry into the United States when those products present a significant public health concern. The bill will prevent unscrupulous importers from attempting to circumvent food safety protections, and provide a much needed deterrent to purveyors of unsafe food.

The legislation addresses FDA's request for additional authority in its FY 2026 legislative proposals. Specifically, FDA has asked for "the authority to require an importer to destroy any FDA-regulated product(s) refused entry into the United States that presents a significant public health concern, thus removing their option to export such product(s)."¹ Under current law, an importer caught trafficking adulterated products, such as seafood contaminated with banned antibiotics, is free to peddle its wares to some unlucky people elsewhere. The lack of enforcement creates the potential for an importer to make a second attempt to smuggle adulterated food into the U.S. after it is refused entry.

Such was the case of Kevin Sheng Hsiang Fang, owner of the food wholesale company Yong Chang Trading Co., Ltd. FDA inspectors sampled a shipment of frozen roasted eels that Fang sought to import from China, and rejected it as unsafe after testing revealed Gentian Violet,

¹ "Summary of FY 2026 Legislative Proposals." (2026). U.S. Food and Drug Administration. <https://www.fda.gov/media/187068/download?attachment>.

Leucogentian Violet and Malachite Green, unsafe new animal drugs. Yet Fang was allowed to head back out to sea with his tainted seafood, and later pled guilty to knowingly re-importing the previously refused merchandise, “using new entry information and comingled with other eel to evade detection.”²

Crimes like Mr. Fang’s should not be possible. FDA and U.S. Customs and Border Protection inspectors face enormous challenges detecting and protecting consumers from adulterated food imports. In 2024, importers from 184 countries and territories brought in \$213 billion in agricultural products.³ An estimated 94 percent of American seafood is imported.⁴ The law should not force food safety authorities to operate with one hand tied behind their back as they hunt for the proverbial “needle in a haystack.” Providing FDA with destruction authority will strengthen food safety oversight, reduce incentives for food fraud, and better protect American consumers from preventable exposure to contaminated imports.

We respectfully request swift consideration and passage of the *Destruction of Hazardous Imports Act*. We would welcome the opportunity to discuss this issue further and to work with you to ensure that the nation’s food safety framework adequately addresses the risks posed by hazardous imported products.

Sincerely,

Center for Science in the Public Interest
Consumer Federation of America
Consumer Reports
Farm Forward
Food & Water Watch
Government Accountability Project
Institute for Food Safety & Nutrition Security
Stop Foodborne Illness

² “Food Wholesaler Pleads Guilty to Smuggling Tainted Chinese Eel.” (June 5, 2023). U.S. Department of Justice. <https://www.fda.gov/inspections-compliance-enforcement-and-criminal-investigations/doj-press-releases-involving-fda-oci/food-wholesaler-pleads-guilty-smuggling-tainted-chinese-eel>

³ Munich, Daniel. “Agricultural Imports 101.” (May 6, 2025). American Farm Bureau Federation. <https://www.fb.org/market-intel/agricultural-imports-101>

⁴ Prater, D., Bloodgood, S., and Solis, D. “How FDA’s Strategy Helps Ensure the Safety of Imported Seafood.” (March 21, 2023). U.S. Food and Drug Administration. <https://www.fda.gov/news-events/fda-voices/how-fdas-strategy-helps-ensure-safety-imported-seafood>