

Of Milk and Spacemen: The Paradox of Chinese Power in an Era of Risk

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INTERNATIONAL HEADLINES RECENTLY PRESENTED TWO very different narratives of Chinese power. One was the story of China's first spacewalk, epitomizing its significant economic and technological progress in the past thirty years of reform. The other was a sad tale of tainted milk, thousands of sickened children, and recalls of Chinese milk products in 30 countries. How is it that China can send astronauts to walk in space but is unable to produce a decent glass of milk?

This contrast was not lost on Chinese observers. After the spacewalk, Xinhua, the official Chinese news agency, commented that the space scientists should be held as a model of professionalism for all of society—not just for the high technology they used, but, more importantly, because of their rigorous adherence to high professional standards. “While tainted milk has cast the brand of China-made into international humiliation, another China-made product, the Shenzhou VII spacecraft, brought pride and glory to the country's 1.3 billion people,” said Xinhua reporter Chang Ai-ling.¹

Sanlu, the Chinese firm at the center of the September 2008 milk crisis, was the official dairy supplier to the Chinese space program.²

It may not be possible for dairy workers to model themselves on the space scientists, since a successful space program and a reliable milk industry require completely different strengths. The space program, like the Beijing Olympics, highlights China's ability to mobilize economic, technological, and human resources in support of a national goal that places China on the global stage.

Producing a glass of milk that meets health and safety standards, on the other

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hand, showcases all of the weaknesses of the Chinese political and economic system: poor enforcement of national standards at the local level, inadequate regulation, and a lack of accountability and transparency.³ At a time when Chinese leaders seek to enhance their country's soft power overseas, the Chinese brand has become tainted, leading countries like the United States to impose new import restrictions on Chinese food products.

For Chinese citizens, already outraged at the shoddy school construction that may have led to unnecessary child deaths during the Sichuan earthquake, the milk scandal highlighted the inadequate concern of the Chinese government and industry for the safety of their own people. In a similar fashion to how the ill-timed SARS crisis, which first appeared in the midst of leadership change in Beijing, created disincentives for prompt and transparent reporting, problems with Sanlu milk appeared in the months leading up to the Olympics, as Chinese authorities sought to guarantee the quality of food available to athletes and visitors. The vigilance taken on behalf of China's foreign guests contrasted poorly with the initial reluctance to take seriously questions about tainted milk for domestic consumption. Even at the Olympics, concerns about food safety, air pollution, and human rights served to expose the fault-lines in the Chinese, system despite efforts to accentuate its successes.⁴

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For the United States and other countries, the confluence of the milk scandal and the spacewalk highlights the paradox of Chinese power: China's weakness in food safety poses a different set of challenges than its military-economic strength and requires an entirely new set of policy responses. Accustomed to focusing on the consequences of China's rising economic and military power, U.S. policymakers also will need to manage the risks that Chinese regulatory weakness poses to a globalized food supply chain, as well as to the global environment and public health.

CHINA'S HIGH-TECH TAIKONAUTS

Unlike the milk industry, which has proven to be woefully deficient in quality control and raised alarms about Chinese food safety practices in general, the space sector displays China's economic and scientific strengths. In 1992, Jiang Zemin, China's former top political and military leader, launched Project 921, China's manned space program, at a time when China's economy was just taking off.⁵ For Chinese officials, the space program has particular symbolic value in that it highlights their country's comprehensive national power and prestige.

Although it is difficult to establish the cost of China's space program (estimates begin at \$2 billion annually), its benefits have been felt throughout the Chinese economy. The space program has served as a catalyst for training Chinese scientific and

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engineering personnel, encouraged technological innovation, and improved quality control standards to support manned missions.⁶ At the same time, the Chinese space program is centrally directed, reflecting the close integration of its military and civilian components.⁷

On the afternoon of 27 September 2008, the Shenzhou VII mission accomplished China's first spacewalk, forty-three years after the Soviet Union and the United States. China is now among only three countries to have the capacity to send people into space. Zhai Zhigang, one of the three taikonauts (the Chinese term for astronauts) wore a Feitian spacesuit believed to have cost \$4.4 million, not including the intellectual property transfer fees, which, by some estimates, would at a minimum be equal to the cost of the suit. Using Russia's state of the art Orlan spacesuit as a model, the Chinese Academy of Space Technology designed and produced the Feitian. In 2004 China purchased nine of the Russian suits, which, with some modifications, were also used in the September 2008 mission.⁸

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Although the Chinese government claims it is committed to the peaceful exploration of outer space and has proposed signing an international agreement on the issue, Beijing's accomplishments in the space sector have military consequences for the United States and other countries. As the U.S. Department of Defense reported to Congress this year, the Chinese military is working to improve its space-based C4ISR (command, control, communications, computers, intelligence, and reconnaissance), which are essential for the joint operations needed in modern warfare.⁹

China is also developing the capability to deny C4ISR capabilities to potential enemies during a crisis or conflict. For the DoD, China's successful test of an anti-satellite weapon in January 2007 against one of its own weather satellites showed that the Chinese military's "interest in counterspace systems is more than theoretical..." by highlighting that China already knows how to disable and impair satellite systems in a low-earth orbit.¹⁰

Shenzhou VII, which also launched a small BX-1 companion satellite to take pictures of the mission, is part of a larger program to develop a space lab by 2011 and achieve a manned space station by 2020. A special base is being built on Hainan Island for launching rockets to service the space station. China also is competing with India to achieve a lunar landing and is developing a commercial satellite industry. Because the Shenzhou VII and BX-1 passed in close proximity to the international space station, some experts speculate that China is seeking to improve its space surveillance capability.¹¹

In contrast with the space sector, which benefits from high-level political and military support and attracts both the best personnel and the most advanced technology, the Chinese dairy industry is decentralized, involving millions of individual farmers who sell their product to largely unregulated middlemen. The latter collect and trade the milk, which then is sold to large, mostly state-owned brand-name firms. China is now the world's third largest milk producer, though many of its dairy firms saw profits decline in 2007, as more and more small companies entered the market producing low-quality milk—mostly in the form of milk powder.¹²

To increase volume, unscrupulous middlemen diluted the milk they sold and then added melamine to mask the dilution and satisfy minimum government requirements for protein content. Melamine, a nitrogen-based compound, normally is used in making plastic tableware and surfaces and also can be found in fertilizers in some countries. When added to milk, it provides the appearance of boosted protein content because protein is usually the only source of nitrogen in food. Melamine is not normally toxic for adults who ingest it accidentally, but children may develop kidney stones or experience kidney failure.

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On 10 September, Xinhua first reported that Gansu province health officials were investigating Sanlu milk powder for melamine contamination because of reports of kidney stones in infants who drank the product.¹³ At first, Sanlu officials denied producing the tainted milk, but then decided to recall 8,210 tons of milk powder produced before 6 August. On 13 September, the Chinese Ministry of Health recalled all Sanlu milk powder, and two days later Sanlu apologized.¹⁴ Ironically, Sanlu, a state-owned enterprise, had been exempt from required quality control inspections because of its status as a major name brand. As recently as 2 September, a Chinese Central Television (CCTV) program, *Weekly Quality Report*, sponsored by China's Administration of Quality Supervision, Inspection, and Quarantine, had praised Sanlu for its high quality products.¹⁵

Within days of the first official Chinese reports of the scandal, it became clear that evidence of the tainted milk had been suppressed for some time. A Nanjing newspaper, *Yangzi Evening News*, reported in March that medical researchers in Nanjing had seen samples of kidney stones from infants.¹⁶ At that time, Sanlu also received complaints from consumers about “red urine” and kidney stones in babies who drank the milk. A Wenzhou man claimed on various blogs to have returned some packs of Sanlu milk powder to the company, fearing they were fake, due to his daughter's reaction to them. The company insisted they were genuine but refused to provide test results. When the man kept complaining, the company reportedly offered him 2,500 yuan (\$364) in milk

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powder to stop talking about the case, which he accepted.¹⁷ At the very least, Sanlu must have known by 2 August, since at that time the company asked the Hebei city authorities for help in managing the negative news about melamine and in cracking down on illegal dairy farmers who they claimed were responsible.¹⁸

Fourteen cases of babies with kidney stones appeared in No. 1 PLA Hospital in Lanzhou, Gansu beginning on 28 June. Three other hospitals in the city reported receiving similar cases. Cases then emerged in Jiangsu, Ningxia, Shaanxi, Shandong, Anhui, and Hunan provinces.¹⁹ *Nanfang Daily* reported that an inquiry about the Sanlu milk had been posted on the China's Administration of Quality Supervision, Inspection, and Quarantine website on June 30th, but the agency claimed an investigation required more information.²⁰ Gansu health authorities acknowledged they were informed about the milk contamination on 16 July, but only told the quality control agency on 9 September, which then began investigating. Hunan cable television, *Legal Weekly*, and *Southern Weekly* also covered the issue in July, but then editors abandoned the story during the Olympics, as the Communist Party propaganda department urged the media to focus on the positive.²¹

Meanwhile, back in Shijiazhuang, Hebei province, where Sanlu is headquartered, Fonterra, the New Zealand company that owns 43 percent of Sanlu, told local authorities on 2 August that they suspected contamination. These officials failed to inform the Hebei provincial government until 8 September. This lag coincided with the Beijing Olympics, from 8 August to 24 August, a time when Chinese Communist Party propaganda department cautioned against reporting on food safety issues.²² Sanlu's chairwoman, Tian Wenhua, also a local communist party secretary, faced double incentives not to report any possible concerns about the milk powder.²³ The company was the largest seller of baby milk powder in China (18.3 percent of sales in 2007) and the second biggest in world. Sanlu also was the biggest employer in Shijiazhuang, with a workforce of 10,000.

Concerned by the lack of response by their Chinese partner, Fonterra then advised New Zealand Embassy officials on 14 August. After some additional investigation by New Zealand authorities, then-Prime Minister Helen Clark was briefed on 5 September. Circumventing Hebei provincial authorities, she directly notified central authorities in Beijing on 9 September.²⁴ Prime Minister Clark later criticized Fonterra for its mishandling of crisis.²⁵ The New Zealand company argued that it was following established procedures by turning to their Chinese partners to handle the contamination through their own channels.²⁶ In the end, this decision

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cost Fonterra \$139 million, as the value of Sanlu shares plummeted.²⁷ Fearing damage to its brand's reputation, Fonterra donated \$8.4 million to a Chinese charity to set up clinics in rural areas for maternal and infant care.²⁸

After initially attributing four deaths and 53,000 children hospitalized to kidney problems related to the milk, the Chinese Ministry of Health later acknowledged a more widespread problem. An official statement issued on 1 December 2008, revealed that a total of 294,000 children had been treated for symptoms and six had died.²⁹ Ultimately, 22 companies were found to have been involved in the scandal, including three other major brand-name dairy companies: Mengniu, Yili, and Bright Dairy. Melamine also was found in animal feed and eggs in several Chinese provinces.

Two men were sentenced to death for selling melamine to the dairy firms, but Tian Wenhua, Sanlu's chairwoman, received life in prison, a discrepancy that led some Chinese netizens to accuse China's courts of treating her excessively leniently because of her prominent position.³⁰ During her trial, Tian admitted that consumers had complained to the company about the milk since 2007 and that she knew about the melamine contamination by May 2008, nearly three months before reporting it.³¹

Although lawyers filed a class action suit on behalf of the melamine victims against Sanlu and 21 other dairy companies, it remains unclear whether or not the case will move forward, since Chinese courts have rejected two other similar lawsuits.³² The firms pledged to compensate victims who agreed not to sue—up to \$4,000 for medical expenses and \$29,500 for families that lost a child.³³ Most accepted the funds, though a group of 550 parents signed a petition to the Health Ministry demanding longer terms of treatment for their children and more research on the potential long-term effects of melamine contamination.³⁴ One man who attempted to hold a news conference to ask for greater compensation was detained by police.³⁵ Facing enormous debts due to compensation claims from thousands of victims of the contaminated milk, Sanlu filed for bankruptcy in December 2008.³⁶ A Beijing dairy company, not implicated in the melamine scandal, later purchased Sanlu for \$90 million.³⁷

CRISIS CONTROL?

Although early warnings of a problem in the milk industry went unheeded and then were downplayed in the interest of the Olympics, immediately after the scandal broke in September, the Chinese leadership took action. President Hu Jintao visited a dairy production center in Anhui province and called for diligence about food safety, while Prime Minister Wen Jiabao apologized for the scandal on national television and claimed that the government would do everything possible to resolve food safety issues within the next two years.³⁸

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The State Council convened a leading group, including officials from the Health Ministry, the quality control agency, and local government officials. They launched a national investigation of milk products and informed the World Health Organization.³⁹ The quality control agency eliminated all inspection exemptions for food producers. Li Changjiang, the director of this agency, resigned on 21 September and was replaced by Wang Yong, a former Deputy Secretary General of the State Council, who reportedly is close to Vice Premier Li Keqiang. More than 36 party and local officials were fired in Shijiazhuang, including Sanlu chairwoman Tian Wenhua and a State Council report reprimanded Sanlu for lying.⁴⁰

The State Council then tightened milk quality standards, limiting melamine to 1mg per kg for infant formula and 2.5 mg per kg of other dairy products, the current standard in the United States.⁴¹ These amounts are allowed because melamine may be contained in the plastic packaging used in food containers. Criticizing dairy production as “chaotic,” the State Council called for an overhaul of the industry in the wake of the melamine crisis, which had tarnished the reputation of the food sector as a whole.⁴² Hospitals were urged to provide free checkups to affected children, and provincial authorities were instructed to set up hotlines to provide information to citizens. The Standing Committee of the National People’s Congress held an emergency session to pass a draft law on food safety. On 19 November, the Chinese government announced a new initiative to overhaul the dairy industry by introducing new safety standards for milk and animal feed.⁴³

Despite all of these actions, old habits quickly returned. Within a few days of the scandal breaking, the Communist Party Propaganda department reportedly instructed news outlets to stick to the official line and limit their coverage of the melamine scandal.⁴⁴ As preparations for the spacewalk began, the media shifted their reporting to the space story.

The September 2008 melamine scandal is but one in a series of food and product safety crises in China in recent years.⁴⁵ In April 2004, several months after Chinese health officials had pledged to improve transparency and accountability in the aftermath of the SARS crisis, 12 babies died and hundreds of others suffered serious symptoms of malnutrition in Anhui province after consuming substandard milk powder marketed falsely under major name brands, including Sanlu. As in the 2008 melamine scandal, complaints about milk powder began to trickle in months before action was taken.

Melamine supposedly was banned from food and feed in China in 2007 after melamine-tainted wheat gluten in pet food poisoned cats and dogs in the United States, but a year later Chinese media reported that the substance continued to be used in animal feed and was still openly sold and advertised as “crystallized protein.”⁴⁶ In March 2008, a Guangdong factory was shut down briefly due to bacterial contamination, and

during that same month the United States attributed 81 deaths to Chinese production of substandard heparin, a blood-thinning drug made from pig intestines. In February 2009, seventy Guangzhou residents became ill after eating pork containing a banned performance-enhancing drug, clenbuterol, likely added to the meat to give it a leaner appearance.⁴⁷

In recent years, as a December 2007 State Council White Paper on Food Safety documented, the Chinese government has made a concerted effort to demonstrate that it was addressing its food safety problems, by, for example, reorganizing its State Food and Drug Administration (SFDA) as an independent agency, modeled on the United States

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FDA.⁴⁸ Nonetheless, the Chinese agency proved inept due to bureaucratic infighting with agencies with related portfolios, such as the Ministries of Health and Agriculture, and was plagued by endemic corruption. Vested interests in localities have also stymied efforts at improving food and drug regulation, which

they saw as potentially restricting local employment and, accordingly, reducing local government revenue.⁴⁹ The SFDA's founding director, Zheng Xiaoyu, was executed in 2007 for taking bribes from pharmaceutical companies and dereliction of duty. Just a week before the 2008 melamine scandal broke, the SFDA was reintegrated into the Ministry of Health.

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On 28 February 2009, China's legislature finally passed a new food safety law, which will take effect on 1 June.⁵⁰ The legislation had been under discussion for several years and received more than 11,000 comments. In an effort to improve supervision of food safety, the law creates a new commission under the State Council that will monitor food safety information, evaluate food safety risks and warnings, and provide information on major accidents. The law also increases penalties for food safety violations and bans additives that are not proven to be safe. New national standards will be established for food quality, food additives, and acceptable levels of contaminants. While an improvement over past practices, questions remain about how effectively the new legislation will be enforced because it provides few details about resources, timelines, and benchmarks for implementation.⁵¹ In its press release announcing the new law, even the Ministry of Health acknowledged that "China's food safety situation remains grim, with high risks and contradictions," and requires continuing efforts at supervision.⁵²

Although the law seeks to improve coordination on food safety issues by granting the Ministry of Health a leading role, bureaucratic impediments are likely to remain a major challenge considering that four other national agencies (including the

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Ministry of Industry and Information Technology, the Ministry of Agriculture, the State Administration for Industry and Commerce, and the General Administration of Quality Supervision), as well as their local government offices, will continue to share responsibilities. Interestingly, the law calls on social organizations and the media to help focus attention on food safety and urges prompt reporting of violations of the law, though it remains unclear how this will happen in the absence of a free press, NGOs committed to food safety, and a judicial system that is responsive to liability claims from private citizens.⁵³

GLOBALIZATION AND FOOD SAFETY RISK

As a series of product and food safety scandals have unfolded in China in the past few years, Americans have been very surprised to find out that the quality of their name-brand medicines and food products depends on the safety practices of often unregulated Chinese farmers and producers. Since Chinese milk powder is an ingredient in an increasingly global food supply chain, the 2008 melamine crisis led major brands such as Cadbury, Lipton, Kraft, and Mars to recall contaminated candy, cookies, and beverages in certain markets.

Because economic and technological decisions in a globalized economy have unforeseen but potentially wide-ranging transnational consequences, the German sociologist Ulrich Beck has characterized the current era as a world risk society. He called food safety crises textbook cases of risk in that they feature unclear consequences for public health due to uncertainties of transmission and the ease with which crises can spill over national boundaries. Moreover, food safety crises involve multiple policy areas—public health, trade, agriculture, and foreign policy. In Beck's view, such crises will lead to societal counter-pressure to address underlying problems.⁵⁴ In China, however, efforts by the media and consumers to call attention to problems with the milk proved a poor match for the mutually supporting efforts by central government propagandists, dairy industry executives, and their local political supporters to suppress negative coverage of food safety during the Olympics.

Moreover, low profit margins, widespread counterfeiting, inadequately trained auditors, and corrupt management all reinforce a culture of inattention to product (as well as workplace) safety.⁵⁵ As a result, the decision by unscrupulous and inadequately regulated Chinese milk producers to boost their profits by masking their low-quality milk with melamine created health risks for millions of consumers worldwide. Chinese parents rushed their children to the hospitals for medical tests, major firms recalled products with Chinese-made dairy ingredients, and food safety once again became a topic for diplomacy with China. The challenge for the United States and other mem-

bers of global society is how to manage the risk from China's food safety practices and weak governance.

China has been working with international organizations such as the World Health Organization (WHO), the Food and Agriculture Organization (FAO), and the World Trade Organization (WTO) to address global food safety concerns in the wake of the 2008 melamine crisis, though the Chinese government at times has reacted defensively. After it was originally reported on 9 October that a Chinese official told a WTO Committee on Sanitary and Phytosanitary Measures that the melamine introduced in milk products was an accident, the Chinese delegation later claimed to have been misquoted in discussing the "incident." Chinese officials urged WTO members to base their countermeasures on science, risk assessment, and WHO guidance, "to avoid escalating the restrictions."⁵⁶

Problems with food safety in the United States only encourage Chinese officials to engage in tit-for-tat exchanges on food safety.⁵⁷ The United States has attracted its own share of criticism over its use of genetically modified foods, its standards for certifying beef free of mad cow disease (witness massive protests in South Korea in June 2008 against its imports of U.S. beef), and even a finding of trace elements of melamine in two leading brands of infant formula this fall.

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Domestically, the 2009 scandal over salmonella contamination in products made by the Peanut Corporation of America, infecting 666 people and possibly contributing to 9 deaths,⁵⁸ showed that U.S. domestic food safety oversight also has significant shortcomings that need to be addressed. In response to growing concern among the public and members of Congress, in March 2009, President Barack Obama created a Food Safety Working Group to improve regulation, coordination, and oversight.⁵⁹

Where the United States differs fundamentally from China however, is in the strength and number of consumer groups focusing on food safety, the role of industry associations in promoting best practices, the availability of unimpeded media coverage of problems with the food supply, the accountability of the American political and legal system, and the availability of legal remedies for victims of tainted products.⁶⁰ Nonetheless, it will be all the more important for the United States to get its own food protection framework both for the benefit of American consumers and for greater leverage in discussions with China on the issue.

THE CHALLENGE OF RISK MANAGEMENT

Although U.S. exports of food products to China are much greater than Chinese imports to the United States, Chinese products are increasingly appearing in American stores. China is now the third largest source of agricultural and seafood imports to

the United States, after Canada and Mexico. Dairy products, though, make up only a small proportion of Chinese imports and mostly involve ingredients derived from milk, such as casein substances, which are used in coffee creamers, sports drinks, and power bars.

The Food and Drug Administration (FDA) is responsible for monitoring 80 percent of U.S. food imports, although just 1 percent is inspected.⁶¹ According to a June 2008 study by the U.S. General Accountability Office (GAO), from 2001 to 2007, just 33 Chinese food producers were inspected in that time period, out of a total of 1,034 inspections worldwide.⁶² Expanding the number of inspections would be very costly. The FDA estimates that more than \$3 billion (approximately \$16,700 per inspection) would be necessary for the agency to inspect the 189,900 overseas facilities that produce and process foods destined for the U.S. market.⁶³ This would far exceed the agency's budget of \$620 million for food protection in FY2008.

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On 13 November 2008, the FDA took action to halt all imports of Chinese products containing milk, pending documentation certifying that they are free from melamine contamination.⁶⁴ The FDA has the right to refuse foreign shipments of foods that violate American safety standards. In the Chinese case, the refusal rate for FY2006 was just 0.15 percent. Seafood products constituted half of the 700 shipments refused during that time period. The relatively low refusal rate has enabled Chinese authorities to claim that 99 percent of their products are safe, though this does not take into account the extremely small proportion of inspected goods.⁶⁵

Congressional oversight committees and the GAO have been critical of the FDA's performance domestically and overseas. In response to such criticism, the FDA issued a food protection plan in December 2008 to improve food safety and food defense.⁶⁶ As a part of this effort, the FDA opened three new offices in China staffed by thirteen employees. The agency is also exploring a program to allow accredited third parties to certify food safety on a voluntary basis. Adding staff on the ground and introducing voluntary inspections will help, but the scale of the challenge in China is great, considering that the country has more than 400,000 food-producing companies (compared to 150,000 in the US), only two-thirds of which are officially registered.

For importers who seek low-priced Chinese food products, a more intrusive inspection system would increase safety but also raise costs. After pesticides were found in frozen spinach exported to Japan in 2002, for example, China and Japan agreed to specify 27 firms to be used for this export and a stringent inspection regime, all of which have increased the cost of the export, which has yet to return to its pre-2002 volume.⁶⁷

Consumers in the United States, though much better-informed and organized than Chinese citizens, have little opportunity to balance safety with price, since the 2008 U.S. Farm Bill only requires country of origin labeling for meat, seafood, produce, ginseng, and certain nuts.

Recent food safety crises have created momentum for U.S.-China bilateral cooperation in food safety.⁶⁸ Dialogue on food safety has proceeded through the Strategic Economic Dialogue framework, as well as through bilateral initiatives by the FDA and the Department of Agriculture.

According to a memorandum of understanding signed between China and the United States on 11 December 2007, Chinese companies that export products with a high refusal rate (seafood, wheat gluten, rice protein, low-acid canned goods, and pet foods) must register with the Chinese quality control agency and undergo annual inspections. While a promising start, only a limited number of products are covered and implementation depends on the Chinese central government's ability to achieve local compliance with regulations, an especially weak link in China's food safety chain.

Ironically, it is China's weakness, and not its strength, that will pose the greater challenge to other countries. While China's emergence as a space power is of increasing concern to American military planners, the United States is better able to address this issue than it is to address Chinese food safety risk. A leader in space, the United States must renew its own commitment to exploration and space technology in order to maintain its edge. The Obama Administration will also need to develop a comprehensive response to China's growing capabilities, involving a mixture of deterrence and diplomacy.⁶⁹

To manage the increasing food safety risk stemming from a globalized supply chain, however, the United States will have to manage much less straightforward governance issues both at home and in China. This will involve reexamining American food safety practices from the farm to the table, committing significant new resources to import controls, and providing greater technical aid to China to bolster its food safety governance, especially at the local level. 

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