DECLARATION OF JOHN ROBBINS KEELER, SR.

1. My name is John Robbins Keeler, Sr. I received a B.S. degree in industrial engineering in 1965 and a M.S. degree in chemical engineering in 1997.

2. I am the director of Blue Star Food Products responsible for the quality of the products sold by our company. I travel regularly to our suppliers' facilities, supervising the process and performing quality audits.

3. I have been involved in the pasteurized crabmeat industry since January of 1992 and have concentrated my activities on production and quality control. I have worked closely with crabmeat packing operations in Venezuela, Panama, Ecuador, Mexico, Thailand, Vietnam, Indonesia, Burma, China, Pakistan, and the Philippines. I have evaluated the process of crabmeat production from the capture of the crabs in the wild to the final distribution of the finished product in the United States.

4. Throughout the sites noted above, crabs caught for crabmeat are from open waters. Crabs are not subject to aquaculture. Thus, chloramphenicol is not and cannot be added by fishermen or crabbers to open waters to "treat" crabs.

5. While shrimp are subject to aquaculture, and there have been reports of the use of chloramphenicol in shrimp aquaculture in China, Chinese crabs are not harvested within proximity to any shrimp farms and thus crabs cannot be "accidentally" contaminated with chloramphenicol from use in shrimp fisheries. Crab harvest in China occurs in deep open waters approximately 200 kilometers from Dong Shan. This location is, at the closest, approximately 1,000 kilometers south of the nearest shrimp fisheries. Thus, it is simply not possible for any chloramphenicol added to shrimp fisheries to find its way into wild-harvested Chinese crab.

6. When caught, Chinese crabs are covered in ice as soon as possible. I have personally supervised the testing of water used to make ice for crab fishermen using the ELISA test method to identify chloramphenicol. Chloramphenicol was not and has not been present in the ice water.

7. On arrival for processing after storage on ice in ship holds, crabs are debacked, cleaned, and placed on a tray that was previously washed with 150 – 200 ppm chlorine solution. This water also has been tested and does not contain chloramphenicol. Crab pieces (claws and bodies) are then washed with a sanitizing solution containing chlorine at 3 ppm.

8. Claws and crab bodies are steamed, cooled, and refrigerated before being picked by workers. Workers are thoroughly covered with head and mouth covers, uniforms, and boots. They enter the floor through a boot bath with 250-300 ppm chlorine water. Before entering, they wash their hands with a common dishwasher liquid, rinse and dip hands in 50-ppm chlorine water, rinse again, and dry with a one-use hand towel. I have supervised the testing of the dishwater liquid and chlorine rinses for chloramphenicol with the ELISA test method. Chloramphenicol is not present in these washes. Workers wear new surgical gloves that are dipped in 50-ppm chlorine and rinsed to remove any residue of talcum powder. The gloves are disposed of and replaced every time they fill one 2 kilogram container with crab parts, or about 15 times a day per operator.

9. All the tools and trays, baskets and containers of any kind used in the process are washed using the same dishwasher liquid noted above and disinfected after each use. The disinfectant contains chlorine in the form of sodium hypochlorite (NaOCl) and is also used for disinfecting food contact surfaces. Chlorinated lime (a mixture of $Ca(OH)_2$, $CaCl_2$, and mainly $Ca(OCl)_2$) is used to disinfect the floors.

10. After the crabmeat is processed it is packed in one-pound metal cans. These cans were previously washed using steam only. Sodium acid pyrophosphate or SAPP (Ashland Chemicals) is commonly added to prevent discoloration. The cans are finally sealed, pasteurized, and stored.

11. In sum, I can personally attest that there is no exposure of crabmeat to chloramphenicol at any stage in harvesting, processing, or packing. Feeds, water, ice, sanitizing solutions, and food contact surfaces are free of chloramphenicol. Workers do not use chloramphenicol hand creams or washes and, if they did, their hands are continuously covered by latex or other impermeable gloves. This is true not only for China but for the other locations that I have personally visited and where I supervise the quality and production of crabmeat.

12. However, there are numerous exposures to FDA-approved chlorine based sanitizers throughout the process. We have recently shown, through testing conducted in Vietnam, that the ELISA test method (r-Biopharm) produces false positive results for chloramphenicol when crabmeat is exposed to chlorine solutions (50 ppm), liquid soap containing chlorine, or after handling by gloved workers, notwithstanding that no chloramphenicol was present in or on any of these items themselves. Similarly, false positives are found by ELISA on equipment that has been washed with chlorine containing sanitizers that are themselves free of chloramphenicol. Thus, I have personal experience with the unreliability of supposedly accurate tests for chloramphenicol when used in environments that are cleaned or have chlorine containing sanitizers.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on February 13, 2003.

John Robbins Keeler, Sr.