

**BART STUPAK**

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**Congress of the United States****House of Representatives****Washington, DC 20515-2201**

January 22, 2002

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DEPUTY WHIP**LYDIA E. BERRY****PROCESSED PRODUCTS BRANCH  
AMS FRUIT AND VEGETABLE PROGRAMS  
USDA STOP 0247  
1400 INDEPENDENCE AVE. S.W.  
WASHINGTON D.C. 20247**

Dear Ms. Berry:

I am writing concerning the proposed standards for grades of apple juice from concentrate, Federal Register, November 21, 2001, page 58431, in response to the federal register notice requesting comments on the proposed grade standards.

Apple growers in my district are a big part of the reason that Michigan is the third largest apple producing state in the country. Production ranges from 20-29 million bushels annually. Two-thirds of Michigan's apple crop goes into processing, with 30-50% of this amount processed into apple juice. In some years, more Michigan apples are processed into juice than are sold in the fresh market.

There are several reasons why the proposed grade standards would have extreme negative effects on the growers in Michigan, and other Midwest and Northeast states.

First, the proposed standards for apple juice from concentrate favor only one sector of production, namely growers in the Pacific Northwest. Currently the USDA purchases single strength, fresh squeezed juice for its food programs. That is what Michigan and most of the juice processors in the eastern United States produce, because fresh, single strength juice is far superior to juice reconstituted from concentrate. The proposed standard would, if put into effect, move the canned USDA juice business from the Eastern United States to the Pacific Northwest where concentrate is the primary production.

In Michigan and the eastern United States our production is of high quality, flavorful, high acid apples. Page 3 of the proposal states that the required minimum Brix-Acid ratio would be 21:1, a ratio clearly designed for low acid apples only produced in the Pacific Northwest. Under that ratio, 75% of Michigan's production would fail to meet the standards because of our production is mostly high acid apples.

## PLEASE REPLY TO:

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I am also extremely concerned that this proposal, if enacted, would create a loophole allowing low acid, cheap foreign apple juice concentrate of questionable quality to be used in USDA food programs. More than one-half of the apple juice manufactured in the U.S. is made from foreign apple juice concentrate. Much of this foreign concentrate is of such poor quality that a synthetic form of malic acid must be added in order to arrive at an acceptable flavor. The proposed standards would clearly lead to greater use of these cheap, inferior imports at the expense of higher quality juice from Michigan and eastern apples.

Other countries are currently circumventing our trade laws and dumping apple juice concentrate into this country to be used for juice production, at prices well below the cost of production for our growers and processors. A standard which encourages this kind of dumping will eliminate the ability of our processors and grower owned cooperatives to pay growers a competitive price for their superior product, and could wipe out much of the apple production in the eastern half of the United States.

In short, the proposed new standard will favor the use of low acid, apple juice concentrate from the Pacific Northwest and from foreign producers at the expense of high quality, flavorful, high acid juice apples grown in Michigan and other Eastern states. I strongly encourage USDA to continue its practice of providing the best quality and most nutritious form of pure apple juice to all consumers, especially to our school children and needy families. This will continue to demonstrate USDA's support of American agriculture and all of our nation's farmers.

I appreciate your careful consideration of these comments.

Sincerely,

A handwritten signature in black ink that reads "Bart Stupak". The signature is written in a cursive, flowing style.

BART STUPAK  
Member of Congress

BTS/lat