

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

UNITED STATES OF AMERICA

v.

TIANJIN FURUNTONGDA TECH CO. LTD, and
WENXING GAO

Case No.: 8:24 cr10 wfj - AEP
21 U.S.C. § 963
(Attempt to Import
Listed Chemical)

INDICTMENT

The Grand Jury charges:

INTRODUCTION

JAN 4 2024 PM 4:55
FILED - USDC - FLMD - TPA

A. The Fentanyl Epidemic in America

1. Fentanyl is the deadliest drug threat facing the United States in its 247-year history. Not only is fentanyl 50 times more potent than heroin and 100 times more potent than morphine, a dose of as little as two milligrams can kill a grown adult. Fentanyl analogues are similar in chemical structure and effects as fentanyl.
2. Fentanyl is the leading cause of death for Americans ages 18 to 49. From February 2022 to January 2023, at least 105,263 Americans died of drug overdoses, the majority of which involved synthetic opioids such as fentanyl and fentanyl analogues. In Florida in 2021, fentanyl was present in approximately 6,417 deaths, an average of 17 fentanyl-related deaths per day.

B. The Role of Fentanyl Precursors

3. Fentanyl is not a naturally occurring chemical. It and its analogues therefore need to be synthesized through raw materials known as precursor chemicals.

4. The International Narcotics Control Board (“INCB”) is an independent, quasi-judicial expert body established by the Single Convention on Narcotic Drugs of 1961. INCB has 13 members, each elected for a period of five years. Ten of the members are elected from a list of persons nominated by participating Governments. The remaining three members are elected from a list of persons that the World Health Organization (“WHO”) nominated for their medical, pharmacological, or pharmaceutical experience. In or around 2018, the INCB established a list of fentanyl-related substances with no known legitimate uses. This list is continually updated.

5. Chemicals used in interstate and foreign commerce are often identified through a Chemical Abstracts Service (“CAS”) Registry Number. The CAS is a division of the American Chemical Society and it maintains the CAS Registry, a list of all CAS numbered chemicals and their chemical associations. A CAS Registry Number is a unique and unambiguous identifier for a specific substance.

6. CAS: 79099-07-3 is the CAS Registry Number for tert-butyl-4-(4-fluoroanilino) piperidine-1-carboxylate. CAS: 125541-22-2 is the Registry Number for 1-N-Boc-4-phenylaminopiperidine. These chemical compounds are commonly used in the production of fentanyl.

7. The amount of fentanyl that can be generated from a particular chemical is called a yield. Each yield is dependent upon a variety of factors, including the purities of the associated precursors, reagents, and solvents, as well as the expertise and experience of the laboratory operator. A theoretical yield is the maximum amount of fentanyl or fentanyl analogue a precursor could theoretically produce.

8. One kilogram of CAS: 79099-07-03 would theoretically yield up to 1.83 kilograms of fentanyl. One kilogram of CAS: 125541-22-2 would theoretically yield up to 1.3 kilograms of fentanyl.

C. Chinese Chemical Companies Supply Fentanyl Precursors to the United States and Mexican Drug Cartels

7. The primary distributors of fentanyl and fentanyl analogues in North America are the Sinaloa Cartel and the Cartel Jalisco Nueva Generacion. These two transnational criminal organizations have significant presences throughout Mexico, maintain distribution hubs in various cities across the United States, and control smuggling corridors into the United States.

8. Organizations such as the Sinaloa Cartel and Cartel Jalisco Nueva Generación receive synthetic opioids and fentanyl precursors from China that are then synthesized within clandestine laboratories into finished fentanyl at scale. China-based precursor chemical manufacturers ship synthetic opioids and precursors from mainland China directly to Mexico or through intermediaries in the United States. Among the methods used to smuggle such synthetic opioids and precursors is

to mislabel the products being shipped and use containers and other packaging to avoid detection.

D. The Defendants

9. TIANJIN FURUNTONGDA TECH CO. LTD. (TIANJIN FURUNTONGDA) is a chemical manufacturing company located in Tianjin, China and established in 2023. The company has previously shipped chemical products to Mexico and the United States.



10. TIANJIN FURUNTONGDA offers to ship CAS: 79099-07-3 and CAS: 125541-22-2 to the United States in containers that are not labelled and do not have hazardous chemical markings that would attract attention from customs and border officials.

11. WENXING GAO is a national of China, the listed registered agent of TIANJIN FURUNTONGDA and the owner of a cryptocurrency account used in the sale of chemicals on behalf of TIANJIN FURUNTONGDA. During the course of negotiations for the sale of listed chemicals, TIANJIN FURUNTONGDA used a fictitious sales representative name to conceal the identity of the speaker.

E. Contact with Undercover Law Enforcement Agent and Attempt

12. In an or around August 2023, TIANJIN FURUNTONGDA, acting on behalf of TIANJIN FURUNTONGDA, began negotiating the sale of CAS: 79099-07-3 and CAS: 125541-22-2 to an undercover DEA Special Agent (“UC-1”) posing as a drug trafficker in the United States.

13. In a series of communications on WhatsApp, TIANJIN FURUNTONGDA represented that it sold and shipped controlled substances to the United States. On or about September 20, 2023, TIANJIN FURUNTONGDA TECH CO. LTD. engaged in the following conversation with UC-1 and stated that the company previously shipped chemicals to the United States and Mexico.

	Party	Text Message
	TIANJIN FURUNTONGDA	125541-22-2 Price: 650/KG 79099-07-3 Price: \$120/kg
	UC-1	Those are good prices. Shipping is secure, do you have previous shipments to USA or Mexico?
	TIANJIN FURUNTONGDA	Yes, we have delivered to the United States and Mexico

14. On or about September 21, 2023, TIANJIN FURUNTONGDA stated that cryptocurrency was an acceptable form of payment.

	Party	Text Message
	UC-1	

	You accept Bitcoin?
TIANJIN FURUNTONGDA	Yes. Bitcoin and Western Union are fine
UC-1	Ok my customers prefer Bitcoin there has been problems with western union sending from US and receiving in China, especially with larger amounts of currency.


15. Between on or about September 29, 2023, and on or about October 3, 2023, TIANJIN FURUNTONGDA finalized the price and quantity for the purchase of CAS: 125541-22-2:

Party	Text Message
TIANJIN FURUNTONGDA	Dear, how many kilos are two barrels? 50kg ?
UC-1	Yes
TIANJIN FURUNTONGDA	Dear, the packing is in 25 kg drums, and the special price for 50 kg is \$100 per kg, including shipping charges
UC-1	Ok my client can pay Bitcoin.125541-22-2 10 kgs the quote includes shipping?
TIANJIN FURUNTONGDA	Just a moment, let me make sure. 125541-22-2

Party	Text Message
	Price: 6000 USD Quantity: 10 kgs Includes shipping

16. On or about October 11, 2023, after providing UC-1 with a business license for TIANJIN FURUNTONGDA, TIANJIN FURUNTONGDA assured UC-1 there would be no problems with custom officials and agreed not to label the chemicals or include hazardous material warnings.

Party	Text Message
UC-1	I have assured the customer that you are a reliable business and have made delivery to us and Mexico in the past. They would like the packaging to be discreet, no labels
TIANJIN FURUNTONGDA	No problem. I'll pack it according to your requirement Tianjin Furuntongda Technology Co., Ltd..pdf

Party	Text Message
	
UC-1	Ok they will be happy. They have had problems with customs in the past and do not want the packages labeled hazardous
TIANJIN FURUNTONGDA	This is no problem. We will do it according to the customer's request. There won't be anything on the package

17. On or about October 24, 2023, after providing a cryptocurrency address for TIANJIN FURUNTONGDA, which was registered in the name of WENXING GAO, TIANJIN FURUNTONGDA offered to pay UC-1 a commission for establishing an account with TIANJIN FURUNTONGDA.

Party	Text Message
TIANJIN FURUNTONGDA	<p>If you give me an account, we will send you the commission as soon as we receive the payment.</p> <p>Sir, I can apply for a commission of \$500 for the shipment of \$6,000, and we can sign a confidentiality agreement for your consideration</p>
UC-1	<p>Friend I will receive my commission directly from the client. The customer is going to send \$6,000 in Bitcoin. I just want to make sure they do not know our agreed price. Also, the package will not have any problems with customs officials</p>
TIANJIN FURUNTONGDA	<p>Sir, the customer will never know the price, we can sign a confidentiality agreement, I personally, business integrity first, is not to harm your interests</p>

COUNT ONE

(Attempt to Import Fentanyl Precursor Into the United States with Intent to Manufacture Fentanyl)

Paragraphs 1 to 17 are realleged and incorporated by reference as though fully set forth herein.

In and around August through November 2023, in the Middle District of Florida, the People’s Republic of China, and elsewhere, the defendants,

**TIANJIN FURUNTONGDA TECH CO. LTD, and
WENXING GAO**

did knowingly and willfully attempt to manufacture and distribute a listed chemical, 1-N-Boc-4-phenylaminopiperidine, intending, knowing, and having reasonable cause to believe that the listed chemical would be used to manufacture a controlled substance, to wit, fentanyl, and knowingly and intentionally attempted to import, knowing and having reasonable cause to believe that such listed chemical would be used to manufacture a controlled substance, to wit, fentanyl, contrary to the provisions of 21 U.S.C. §§ 841(a)(1), 959(b)(1)-(2), 960(d)(1) and (3), and 21 C.F.R. Part 1310.02(a)(39)

All in violation of 21 U.S.C. §§ 963 and 960(d)(3), (7).

FORFEITURE

1. The allegations contained in Count One of this Indictment is hereby realleged and incorporated by reference for the purpose of alleging forfeitures, pursuant to the provisions of 21 U.S.C. §§ 853 and 970.

2. Upon conviction of a violation of Counts One of this Indictment, in violation of 21 U.S.C. §§ 959 and 963, punishable by imprisonment for more than one year, the defendants,

**TIANJIN FURUNTONGDA TECH CO. LTD, and
WENXING GAO**

shall forfeit to the United States, pursuant to 21 U.S.C. §§ 853 and 970, any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offense and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the offense.

3. Upon conviction of a violation of Count Two of this Indictment, in violation of 18 U.S.C. § 1956, punishable by imprisonment for more than one year, the defendants,

TIANJIN FURUNTONGDA TECH CO. LTD, and
WENXING GAO

shall forfeit to the United States, pursuant to 18 U.S.C. § 982(a)(1), any property, real or personal, involved in such offense, and any property traceable to such property.


4. The assets to be forfeited include, but are not limited to, an order of forfeiture in the amount of proceeds obtained from the offense.

5. If any of the property described above as being subject to forfeiture as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred, sold to, or deposited with a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or,
- e. has been commingled with other property which cannot be subdivided without difficulty,

the United States shall be entitled to forfeiture of substitute property under the provisions of 21 U.S.C. § 853(p), directly and as incorporated by 18 U.S.C. § 982(b)(1).

A TRUE BILL,



Foreperson

ROGER B. HANDBERG
United States Attorney

By:



David W.A. Chee
Assistant United States Attorney

By:



Daniel Baeza
Assistant United States Attorney
Chief, Transnational Organized Crime Section

UNITED STATES DISTRICT COURT
Middle District of Florida
Tampa Division

THE UNITED STATES OF AMERICA


vs.

TIANJIN FURUNTONGDA TECH CO. LTD, and
WENXING GAO

INDICTMENT

Violations: 21 U.S.C. § 963

A true bill,



Foreperson

Filed in open court this 4th day of

of January 2024.

Shameeka Olden

Clerk

Bail \$ _____
