

**SAFE FOOD COALITION**  
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January 26, 2010

The Honorable Tom Vilsack  
Secretary of Agriculture  
1400 Independence Avenue  
Washington, DC 20520

Dear Mr. Secretary:

The undersigned organizations are writing to repeat the request we made to you in an April 2009 letter to change the Food Safety and Inspection Service's *E. coli* O157:H7 traceback policy. We continue to believe "that it is critical for the agency to prevent human illness by tracing adulterated products back to the source and removing all affected product from commerce." While the agency did hold an informational meeting, there has been no policy response to our concerns.

FSIS officials have confirmed that the agency only conducts the full complement of steps to trace back to the source of raw materials when a foodborne illness outbreak indicates that *E. coli* O157:H7-adulterated product entered commerce. It does not take these same steps when its routine microbiological testing program for *E. coli* O157:H7 detects the pathogen in ground product at a federally-inspected facility or at retail. There is no scientific basis for following one policy when *E. coli* O157:H7 adulteration results in an illness and another when FSIS testing finds *E. coli* O157:H7 adulteration before it has had the opportunity to cause an illness. The difference in policy unnecessarily threatens public health. We believe that FSIS should follow the same procedure when it learns from its routine testing program that *E. coli* O157:H7-adulterated product entered the production or distribution chain as it does in response to *E. coli* O157:H7-related illness.

Further, under current policy, FSIS *will not* take all necessary steps even when the source of the problem is readily identifiable and officials know that additional product that must be assumed to be adulterated is in the production and distribution chain. For example, a small grinding facility may purchase and re-grind a small portion of a given slaughterhouse's production lot of beef while the rest is purchased by other facilities. FSIS testing may then reveal adulteration at the single grinding facility. Under current FSIS policy, the tested grinder is prohibited from selling any of the product. However, it must be assumed that the other meat from the same lot sold to other grinders is adulterated as well. Yet, FSIS makes no attempt to identify other firms that received portions of the original product or to inform those firms that they may have received adulterated product. With no notification from FSIS, the other grinding establishments will continue to use and sell ground beef made from the same production lot as the tested, adulterated material, needlessly exposing consumers to illness and death.

On average, FSIS' routine testing program for *E. coli* O157:H7-adulterated product in federally-inspected or retail facilities finds the pathogen 40 times every year. Current policy ensures the USDA is passing up 40 opportunities each year to try to prevent foodborne illness tragedies. This failure to act is not consistent with a preventive, public health-based program and threatens consumers on a daily basis.

We, therefore, believe that FSIS should follow the same procedure when it learns of adulterated product in the production or distribution chain from its routine *E. coli* O157:H7 testing program as it does in response to an illness. We strongly urge you to direct the Food Safety and Inspection Service to begin immediately to trace all parts of any lot of product when a portion of the lot is found to be adulterated with *E. coli* O157:H7, and take all other necessary tracing steps at source slaughterhouses to prevent future *E. coli* adulteration, as is routinely done in response to illnesses. We have attached a memo that provides the details and identifies specific problems with the policy.

We look forward to hearing from you about how the agency can address this important public health issue. If you have any questions about this issue or letter, please contact Felicia Nestor, Senior Policy Analyst for Food & Water Watch at (201) 330-1618.

Sincerely,

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Cc: Chief Medical Officer, Elisabeth Hagen  
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