

United States Senate

WASHINGTON, DC 20510-3205

April 22, 2010

Dear Secretary Vilsack,

I am writing to you today to urge you to respond formally to two petitions to the USDA's Food Safety Inspection Services: 1) Petition for an Interpretive Rule Declaring all enterohemorrhagic Shiga Toxin-producing Serotypes of *Escherichia coli* (*E. coli*), including Non-O157 Serotypes, to be Adulterants Within the Meaning of 21 U.S.C. § 601(m)(1) - Petition #09-03; and, 2) S.T.O.P.-Safe Tables Our Priority's Call to Action and Public Petition.

These petitions detail the scientific and legal bases for listing non-0157 STECs as adulterants. Such listings will avoid the same kind of large-scale disaster that precipitated the 1994 declaration of *E. coli* O157:H7 as an adulterant. S.T.O.P.'s petition also calls for the expansion of the definition of adulterant to include *E. coli* O157:H7 and these six other STEC when they are in any type of beef, not just ground beef or beef intended for ground beef. With these actions, USDA will take a significant leap forward in ensuring the safety of American consumers.

In light of current scientific and medical research, the health hazards posed by STEC are undeniable. The CDC recognized these hazards in 2000 when the agency made all STEC nationally notifiable. Since reporting was implemented in 2001, instances of non-O157 STEC have steadily increased year by year. In 2005 alone, 501 cases of non-O157 STEC were reported through the National Notifiable Diseases Surveillance System. This has become an issue that is too important and too urgent to ignore any longer. Indeed, in a presentation given on September 14, 2009, L. Hannah Gould, MS, PhD from the CDC stated that non-O157 STEC causes an estimated 36,700 illnesses, 1,100 hospitalizations, and 30 deaths annually.

As the numbers of reported illnesses from non-O157 STEC steadily increase, immediate action on this issue is critical. Please respond formally to these petitions, and send me a copy of this response.

Sincerely,



Kirsten E. Gillibrand

United States Senator