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ONE HUNDRED TENTH CONGRESS

U.S. House of Representatives
Committee on Energy and Commerce
Washington, DC 20515-6115

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October 30, 2007

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The Honorable Andrew C. von Eschenbach, M.D.
Commissioner
Food and Drug Administration
Department of Health and Human Services
5600 Fishers Lane
Rockville, MD 20857

Dear Dr. von Eschenbach:

Under Rules X and XI of the Rules of the United States House of Representatives, the Committee on Energy and Commerce and the Subcommittee on Oversight and Investigations are investigating the adequacy of the efforts of the Food and Drug Administration (FDA) to protect the safety of the Nation's food supply.

On July 18, 2007, Castleberry's Food Company announced a recall of canned food products due to a potential risk of botulism poisoning if the products were consumed. The recall was announced after FDA notified Castleberry's of four cases of potential botulism poisoning involving individuals who ate Castleberry's products. These products were produced at Castleberry's August, Georgia, plant.

In order to assist the Committee in its investigation of the safety of the Nation's food supply, we request that you provide the Committee with all records relating to FDA inspections of the August, Georgia, facility for five years prior to the date of this letter. Because a very timely response is required before a proposed hearing to be held in the near future, you may provide only the Establishment Inspection Reports and 483s at this time. Committee staff will inform you if additional documents or interviews are required.

The Honorable Andrew C. von Eschenbach, M.D.

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We request that you supply the requested information by no later than the close of business one week from the date of this letter. If you have any questions about this request, please contact us, or have your staff contact David Nelson, Senior Investigator, or Kevin Barstow, Investigative Counsel, with the Committee on Energy and Commerce staff at (202) 226-2424.

Sincerely,



John D. Dingell
Chairman



Bart Stupak
Chairman
Subcommittee on Oversight and Investigations

cc: The Honorable Joe Barton, Ranking Member
Committee on Energy and Commerce

The Honorable Ed Whitfield, Ranking Member
Subcommittee on Oversight and Investigations