

HENRY A. WAXMAN, CALIFORNIA  
EDWARD J. MARKEY, MASSACHUSETTS  
RICK BOUCHER, VIRGINIA  
EDOLPHUS TOWNS, NEW YORK  
FRANK PALLONE, JR., NEW JERSEY  
BART GORDON, TENNESSEE  
BOBBY L. RUSH, ILLINOIS  
ANNA G. ESHOO, CALIFORNIA  
BART STUPAK, MICHIGAN  
ELIOT L. ENGEL, NEW YORK  
ALBERT R. WYNN, MARYLAND  
GENE GREEN, TEXAS  
DIANA DEGETTE, COLORADO  
VICE CHAIRMAN  
LOIS CAPPS, CALIFORNIA  
MIKE DOYLE, PENNSYLVANIA  
JANE HARMAN, CALIFORNIA  
TOM ALLEN, MAINE  
JAN SCHAKOWSKY, ILLINOIS  
HILDA L. SOLIS, CALIFORNIA  
CHARLES A. GONZALEZ, TEXAS  
JAY INSLEE, WASHINGTON  
TAMMY BALDWIN, WISCONSIN  
MIKE ROSS, ARKANSAS  
DARLENE HOOLEY, OREGON  
ANTHONY D. WEINER, NEW YORK  
JIM MATHESON, UTAH  
G.K. BUTTERFIELD, NORTH CAROLINA  
CHARLIE MELANCON, LOUISIANA  
JOHN BARROW, GEORGIA  
BARON P. HILL, INDIANA

DENNIS B. FITZGIBBONS, CHIEF OF STAFF  
GREGG A. ROTHSCCHILD, CHIEF COUNSEL

ONE HUNDRED TENTH CONGRESS

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

JOHN D. DINGELL, MICHIGAN  
CHAIRMAN

February 15, 2007

JOE BARTON, TEXAS  
RANKING MEMBER  
RALPH M. HALL, TEXAS  
J. DENNIS HASTERT, ILLINOIS  
FRED UPTON, MICHIGAN  
CLIFF STEARNS, FLORIDA  
NATHAN DEAL, GEORGIA  
ED WHITFIELD, KENTUCKY  
CHARLIE NORWOOD, GEORGIA  
BARBARA CUBIN, WYOMING  
JOHN SHIMKUS, ILLINOIS  
HEATHER WILSON, NEW MEXICO  
JOHN B. SHADEGG, ARIZONA  
CHARLES W. "CHIP" PICKERING, MISSISSIPPI  
VITO FOSSSELLA, NEW YORK  
STEVE BUYER, INDIANA  
GEORGE RADANOVICH, CALIFORNIA  
JOSEPH R. PITTS, PENNSYLVANIA  
MARY BONO, CALIFORNIA  
GREG WALDEN, OREGON  
LEE TERRY, NEBRASKA  
MIKE FERGUSON, NEW JERSEY  
MIKE ROGERS, MICHIGAN  
SUE MYRICK, NORTH CAROLINA  
JOHN SULLIVAN, OKLAHOMA  
TIM MURPHY, PENNSYLVANIA  
MICHAEL C. BURGESS, TEXAS

The Honorable Andrew C. von Eschenbach, M.D.  
Commissioner  
U.S. Food and Drug Administration  
5600 Fishers Lane  
Rockville, MD 20857-0001

Dear Dr. von Eschenbach:

Reference is made to our letter of January 29, 2007, (attached) opening the inquiry by the Committee on Energy and Commerce's Subcommittee on Oversight and Investigations into the adequacy of the efforts of the Food and Drug Administration (FDA) to protect the Nation's food supply. In that letter, as the initial step in our investigation, we requested that you arrange a briefing for the Subcommittee by Dr. David Acheson and other officials of the Center for Food Safety and Applied Nutrition, the Office of Regulatory Affairs. That briefing is currently scheduled for Friday, February 23, 2007. At that time our attention was drawn to the Agency's efforts regarding the E. coli found in vegetables. Today we learn that there is a major outbreak of salmonella in peanut butter.

We specifically request that all information available to the FDA regarding this latest threat to our food supply be included in the briefing. Specifically, the Subcommittee is interested in answers to the following questions:

- How did it happen?
- Who was responsible?
- When was the last FDA inspection of the processing facility(ies)?
- What were the results of that inspection(s)?

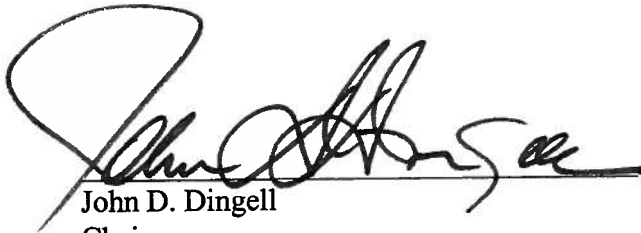
The Honorable Andrew C. von Eschenbach, M.D.

Page 2

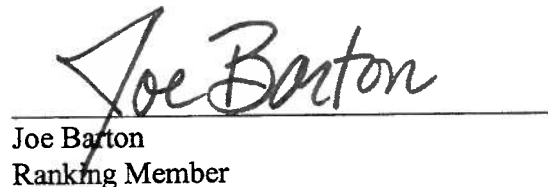
- What are the dimensions of the public health risk? and
- What is being done to rectify the situation and ensure similar outbreaks do not occur at other facilities?

After the briefing the staff will inform you of any documentation or further interviews that may be needed. Should you have any questions regarding this request, please contact David Nelson with the Committee majority staff at (202) 225-2927 or Alan Slobodin with the minority Committee staff at (202) 225-3641. Your assistance with these requests is appreciated.

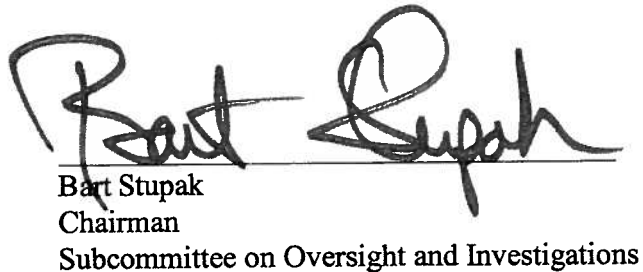
Sincerely,



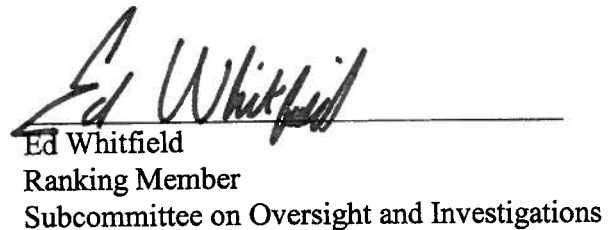
John D. Dingell  
Chairman



Joe Barton  
Ranking Member



Bart Stupak  
Chairman  
Subcommittee on Oversight and Investigations



Ed Whitfield  
Ranking Member  
Subcommittee on Oversight and Investigations

Attachment