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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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January 18, 2008

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GREGG A. ROTHSCHILD, CHIEF COUNSEL

Mr. Scott Lowe
President and CEO
Soma Beverage Company, LLC
P.O. Box 885462
San Francisco, CA 94188

Dear Mr. Lowe:

Under Rules X and XI of the Rules of the U.S. House of Representatives, the Committee on Energy and Commerce and its Subcommittee on Oversight and Investigations are investigating the safety of the Nation's food supply. The recent recall of Metromint bottled water produced by Soma Beverage Company due to the risk of potential *Bacillus cereus* poisoning is of particular interest in this investigation.

To assist us in this inquiry, we request that you provide the following information, along with all related documents:

1. How and when did Soma Beverage Company first become aware of the *Bacillus cereus* contamination of its Metromint bottled water?
2. Where and when was the *Bacillus cereus* contamination first detected?
3. When did Soma Beverage Company first notify, or when was Soma Beverage Company first notified by, Federal, State, and local officials of the contamination?
4. Please provide a list of all products that have been recalled due to potential *Bacillus cereus* contamination.
5. Please provide the names of all companies to which Soma Beverage Company has shipped Metromint bottled water in the last 18 months and the dates on which Soma Beverage Company notified those companies of any suspected contamination. Please provide copies of all correspondence with those companies pertaining to suspected contamination.

6. Please identify and describe the source of the contamination.
7. What steps has Soma Beverage Company taken to prevent further outbreaks of *Bacillus cereus* contamination in its products? We are especially interested in the answer to this question considering this is the second recall of Metromint bottled water due to *Bacillus cereus* contamination in a one-year period and that the most recent recall occurred after implementation of a "state of the art sanitizing system."
8. When was the last time that Soma Beverage Company's production facility was inspected by the U.S. Food and Drug Administration and State and local food safety officials? Please provide the dates of such inspections and the names of the officials, as well as all documents associated with past and ongoing inspections. Please also provide all records relating to such inspections of Soma Beverage Company's production facility for five years prior to December 4, 2007.
9. Please provide copies of all Soma Beverage Company's internal protocols and standards for monitoring and testing of its Metromint bottled water products, including the dates and copies of the results of such monitoring and testing that were positive for microbiological contamination for the five years prior to December 4, 2007.

Please supply all requested information no later than the close of business two weeks from the date of this letter. If you have any questions relating to this request, please contact David Nelson or Kevin Barstow with Committee 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 John Shimkus, Ranking Member
Subcommittee on Oversight and Investigations