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# Congress of the United States

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February 18, 2004

HENRY A. WAXMAN, CALIFORNIA,  
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The Honorable Arnold Schwarzenegger  
Governor of California  
State Capitol Building  
Sacramento, CA 95814

Dear Governor Schwarzenegger:

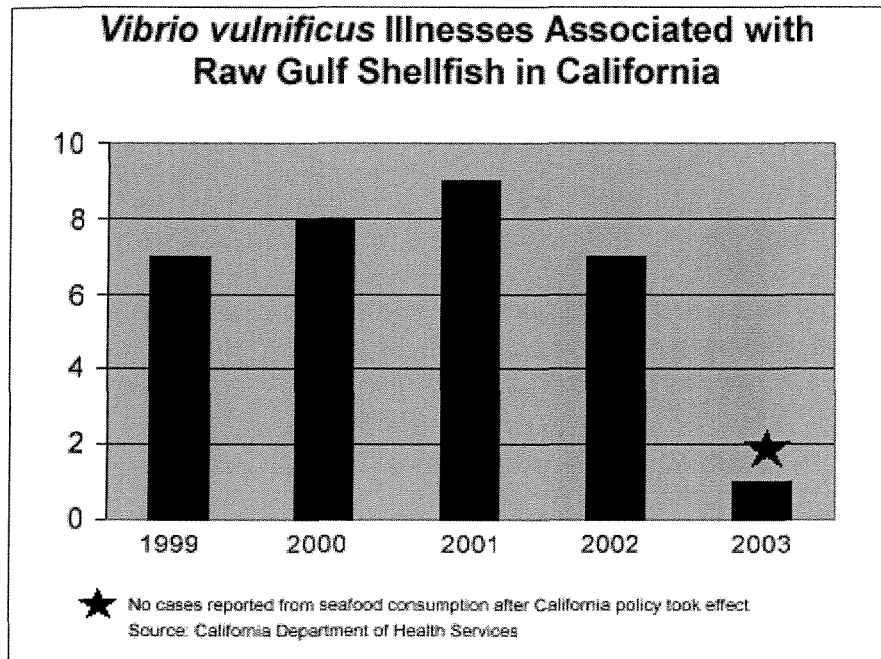
According to press accounts, you are considering revising California's policy banning the sale of raw, untreated Gulf Coast oysters during the summer months.<sup>1</sup> I urge you not to do so. The reason is simple: this policy saves lives.

Prior to last summer, several Californians became critically ill or died annually from the devastating effects of *Vibrio vulnificus*, a bacteria that contaminates Gulf Coast oysters and can cause overwhelming infection. Last summer, however, not a single Californian became ill from consuming Gulf Coast oysters after the ban took effect, as shown by the chart below. By contrast, outside of California, 21 people became ill and 9 people died from *Vibrio vulnificus* infections in 2003.<sup>2</sup>

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<sup>1</sup>Associated Press, *Oystermen Cite Mad Cow Cases as Evidence of Unfair Treatment* (Feb. 11, 2004).

<sup>2</sup>U.S. Food and Drug Administration, *Shellfish-Related Vibrio vulnificus Cases/Deaths*, 2003 (Jan. 29, 2004).



California's current policy requires post-harvest treatment to reduce bacterial contamination in Gulf Coast oysters sold in the summer months. As Sen. Barbara Boxer and I wrote last summer in a letter to the Interstate Shellfish Sanitation Conference, California's policy not only protects public health, it also makes economic sense.<sup>3</sup> An economic analysis by the Research Triangle Institute found that this post-harvest treatment can be expected to increase consumer confidence and generate more revenues than costs for oyster producers.<sup>4</sup>

It makes no sense to go backwards on California's policy and put lives at risk. I urge you to maintain California's current policy.

Sincerely,

Henry A. Waxman  
Ranking Minority Member

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<sup>3</sup>Letter from Rep. Henry A. Waxman and Sen. Barbara Boxer to Mr. Ken B. Moore, Executive Director, Interstate Shellfish Sanitation Conference (July 31, 2003).

<sup>4</sup>Research Triangle Institute, Center for Economics Research, *Economic Impacts of Requiring Post-Harvest Treatment of Oysters* (Mar. 2000).