

ONE HUNDRED TWELFTH CONGRESS  
**Congress of the United States**  
**House of Representatives**  
COMMITTEE ON ENERGY AND COMMERCE  
2125 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-6115

Majority (202) 225-2927  
Minority (202) 225-3641

June 6, 2011

The Honorable Fred Upton  
Chairman  
Committee on Energy and Commerce  
2125 Rayburn House Office Building  
Washington, DC 20515

The Honorable Joseph R. Pitts  
Chairman  
Subcommittee on Health  
2125 Rayburn House Office Building  
Washington, DC 20515

The Honorable Cliff Stearns  
Chairman  
Subcommittee on Oversight and Investigations  
2125 Rayburn House Office Building  
Washington, DC 20515

Dear Chairman Upton, Chairman Pitts, and Chairman Stearns:

We are writing to request a hearing on the recent outbreak of a very rare strain of *E. coli* in Germany, thought to be associated with food. The outbreak has serious implications for matters under the jurisdiction of this Committee, including food safety, the threats of emerging microbial pathogens and of emerging antibiotic resistant pathogens, and the adequacy of current efforts at the Food and Drug Administration (FDA) and the Centers for Disease Control and Prevention (CDC) to address these threats.

CDC describes the bacteria as a Shiga toxin-producing *E. coli* O104, or STEC O104:H4. CDC describes the strain as very rare and is aware of no cases in the United States and of only

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scattered case reports internationally prior to this outbreak.<sup>1</sup> The toxins produced by this strain can lead to hemolytic-uremic syndrome, a disorder which can lead to permanent kidney damage and death. As of June 3, the central German institution responsible for disease control and prevention reports that this outbreak has led to 520 cases of hemolytic-uremic syndrome and 11 deaths, and they advise against eating raw tomatoes, cucumbers, and lettuce.<sup>2</sup> According to the World Health Organization, cases have also been reported in Austria, Denmark, France, Netherlands, Norway, Spain, Sweden, Switzerland, and the U.K.<sup>3</sup>

This outbreak raises serious questions:

1. What are the implications for the United States of a significant outbreak of what was previously an uncommon pathogenic strain? A better understanding of what sparked this major outbreak in the European Union will help us to determine the prospect for an outbreak of this pathogen in the United States.
2. What are the advantages and disadvantages of the European surveillance system as compared to that of the United States? Our Committee held a number of hearings on food safety and food-borne illness over the past two sessions of Congress in both the Subcommittee on Health and the Subcommittee on Oversight and Investigations. Just as the U.S. authorities had trouble identifying the source of the outbreaks we examined, the European authorities are having difficulty identifying the source of this pathogen.
3. Will the new authorities provided in the Food Safety Modernization Act of 2010 and the resources provided to implement these authorities help the United States address this issue? This law, which was the result of the legislative work of the Subcommittee on

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<sup>1</sup> CDC, *Investigation Update: Outbreak of Shiga toxin-producing E. coli O104 (STEC O104:H4) Infections Associated with Travel to Germany* (accessed June 6, 2011, online at <http://www.cdc.gov/ecoli/2011/ecoliO104/>).

<sup>2</sup> Robert Koch-Institut, *Outbreak of life-threatening haemolytic uremic syndrome (HUS) caused by bacterial infection* (accessed June 6, 2011, online at [http://www.rki.de/EN/Home/homepage\\_\\_node.html](http://www.rki.de/EN/Home/homepage__node.html)). Other reports have suggested that sprouts may be the source, but these are not confirmed. (*Deadly E. Coli Outbreak Linked to Sprouts From a German Farm*, New York Times (June 6, 2011); *Sprouts not apparently cause of E. coli outbreak*, Associated Press (June 6, 2011) (online at [http://hosted.ap.org/dynamic/stories/E/EU\\_CONTAMINATED\\_VEGETABLES\\_EUROPE?SITE=VABRM&SECTION=HOME&TEMPLATE=DEFAULT](http://hosted.ap.org/dynamic/stories/E/EU_CONTAMINATED_VEGETABLES_EUROPE?SITE=VABRM&SECTION=HOME&TEMPLATE=DEFAULT))).

<sup>3</sup> World Health Organization, *EHEC outbreak: Increase in cases in Germany* (June 2, 2011) (online at [http://www.who.int/csr/don/2011\\_06\\_02/en/index.html](http://www.who.int/csr/don/2011_06_02/en/index.html)).

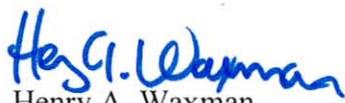
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Health and the investigations of the Subcommittee on Oversight and Investigations, gives FDA new tools to help ensure the safety of the food supply. These tools include the authority to set science-based standards for the safe production, harvesting, and processing of fruits and vegetables, to require manufacturers and processors to develop and follow food safety plans, to require importers to verify that their suppliers adhere to FDA requirements, and to block imports of foods from facilities or countries that refuse or delay FDA inspection.

4. How did this strain of bacteria become resistant to multiple antibiotics, and what are the policy implications of this resistance? The deputy director of the division of food-borne, bacterial and mycotic diseases at the CDC suggested that resistance developed because the strain originated in a geographic region with high levels of antibiotic use, possibly an area with domestic farm animals or in a developing country.<sup>4</sup>

Our Committee has a long history of bipartisan work on food safety, antibiotic resistance, and other issues raised by this outbreak. We hope the Committee will continue this record by holding a prompt hearing on the public health threat posed by the new outbreak of food poisoning in Europe.

Sincerely,

  
Henry A. Waxman  
Ranking Member

  
Frank Pallone  
Ranking Member  
Subcommittee on Health

  
Diana DeGette  
Ranking Member  
Subcommittee on Oversight  
and Investigations

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<sup>4</sup> *E. Coli Outbreak Reaches Deadliest on Record as Kidneys Fail*, Bloomberg Businessweek (June 3, 2011) (online at <http://www.businessweek.com/news/2011-06-03/e-coli-outbreak-reaches-deadliest-on-record-as-kidneys-fail.html>).