Congress of the United States
Washington, DC 20515

November 15, 2019

The Honorable George Ervin "Sonny" Perdue III
Secretary of Agriculture
U.S. Department of Agriculture
1400 Independence Avenue, SW
Washington, DC 20250

Dear Secretary Perdue:

We write to request information related to the ongoing multistate outbreak of *Salmonella* Dublin linked to ground beef, and to urge you to adopt a policy of greater transparency with respect to the microbiological testing data that USDA's Food Safety and Inspection Service (FSIS) collects from slaughter and processing establishments. By disclosing this data, USDA will foster market-based incentives for safer meat and poultry.

According to the Centers for Disease Control and Prevention (CDC), ground beef contaminated with a virulent strain of *Salmonella* Dublin has so far caused at least eight hospitalizations and one death.[1] Investigators have not identified a single, common supplier of ground beef, but FSIS has identified the outbreak strain in six samples of raw beef products from slaughter and processing establishments. FSIS collected the samples as part of its routine testing to measure compliance with *Salmonella* performance standards. FSIS regulations, however, do not require that the establishments take any remedial action to protect the public from product contaminated with the outbreak strain.

Greater transparency can help to bridge this regulatory gap, and facilitate appropriate responses to the spread of dangerous pathogens. Data on samples collected by FSIS, generated using whole genome sequencing (WGS) technology, would allow companies, government researchers and members of the scientific community to identify links between pathogenic strains found in samples from FSIS-regulated establishments, and those found in samples from patients with confirmed cases of foodborne illness. Those links provide actionable information for companies to reduce food safety risk. For example, a grinding establishment may take more aggressive steps to treat *Salmonella* contamination in beef manufacturing trimmings purchased from an establishment found to have harbored an outbreak *Salmonella* strain, or it may simply choose to find another supplier.

Unfortunately, the latest outbreak is not an isolated incident. Last year, two outbreaks—one linked to *Salmonella* Reading in raw turkey[2] and another linked to antibiotic resistant *Salmonella* Infantis in raw chicken[3]—involved outbreak strains that were found in dozens of

[1] https://www.cdc.gov/salmonella/dublin-11-19/index.html
[2] https://www.cdc.gov/salmonella/reading-07-18/index.html
[3] https://www.cdc.gov/salmonella/infantis-10-18/index.html

slaughter and processing establishments. In fact, CDC officials recently disclosed that the outbreak strain of *Salmonella* Infantis, which caused 129 reported cases and at least one death, has now been found in several turkey slaughter and processing establishments, a troubling development in light of the upcoming Thanksgiving holiday. Whether an infected breeder flock, a contaminated feed mill, or some other common source is to blame for spreading these outbreak strains so far and wide remains unclear. Regardless, the outbreaks demonstrate that food safety interventions are needed earlier in the production chain, before animals arrive at the slaughterhouse.

USDA has limited authority to require those interventions, but by sharing accurate information about what it's testing reveals, the agency has had success in creating incentives for improved food safety. For example, since the George W. Bush Administration, FSIS has web-posted the identities of poultry establishments failing to meet *Salmonella* performance standards.[4] USDA's Economic Research Service (ERS) has found a "strong correlation" between the availability of this information, and poultry processors' success in meeting food safety goals.[5] According to ERS, web-posting performance data provides a "tool for encouraging compliance with food safety" that does not "require costly regulatory oversight and labor devoted to compliance," but rather creates a market where "buyers determine the appropriate level of food safety and costs."[6] Disclosing WGS data on FSIS samples would similarly promote a better functioning market.

Already, FSIS shares information about its microbiological sampling with companies and the public, and the agency could add WGS data to those disclosures with minimal disruption. For years, FSIS has sent to establishments "Quarterly Establishment Information Letters," which provide information about microbiological and chemical residue testing results at a given facility. FSIS has recently publicly disclosed these letters in response to requests made under the Freedom of Information Act. These letters also reveal that product sampling at numerous establishments has repeatedly turned up dangerous pathogens, including *Salmonella* serotypes commonly associated with human illness, and *Salmonella* and *Campylobacter* that are resistant to multiple critically and highly important antibiotics. Recently, FSIS began posting much of this information—including the serotype, antibiotic resistance profile, and pulsed-field gel electrophoresis (PFGE) pattern of positive samples—on its website, in Microsoft Excel spreadsheets. However, these disclosures lack critical WGS data.

Specifically, they lack what the agency refers to as the "FSIS Number" for each pathogen isolate. Unlike the other data disclosed by FSIS, the "FSIS Number" can be used to search for genetically matching or highly similar pathogens in the National Center for Biotechnology Information (NCBI) Pathogen Browser tool. In that way, a user can identify links between a pathogen found in an establishment, and one that has made people sick. Before, PFGE data could be used to identify such linkages, although without the same degree of precision. However, FSIS

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[4] Salmonella Verification Sampling Program: Response to Comments and New Agency Policies. 73 Fed. Reg. 4,767 (Jan. 28, 2008), https://www.gpo.gov/fdsys/pkg/FR-2008-01-28/pdf/E8-1432.pdf.

[5] Michael Ollinger, James Wilkus, Megan Hrdlicka, and John Bovay. "Public Disclosure of Tests for Salmonella: The Effects on Food Safety Performance in Chicken Slaughter Establishments." Economic Research Report No. (ERR-231), (May 2017), https://www.ers.usda.gov/publications/pub-details/?pubid=83660

[6] *Id.* at 25.

completed its transition from PFGE to WGS characterization of *Salmonella*, *Campylobacter* and STECs in April of this year, and has stopped uploading PFGE data to the NCBI's database. This means that PFGE data is no longer relevant, and instead the "FSIS Number" is needed to determine whether an establishment harbors an outbreak strain of a bacteria like *Salmonella*.

FSIS officials have suggested that they have not disclosed this genetic data because doing so could cause public confusion, or require public health authorities to focus their attention on misleading claims. We are not convinced that any such ill effects would outweigh the benefits of giving industry relevant, accurate, and timely information about contamination in food processing facilities, and creating market-based incentives for better food safety control. Accordingly, we urge you to take prompt action to begin sharing this critical information with both regulated entities and the public. In the meantime, we request that you respond to the following questions by December 13, 2019:

1) For each sample collected by FSIS that has tested positive for the outbreak strain associated with the ongoing multistate outbreak of *Salmonella* Dublin infections linked to ground beef, what product was sampled, when, and at which establishment?

2) For each sample collected by FSIS that has tested positive for the outbreak strain, when and how did FSIS notify the establishment from which the positive sample was collected? If no notification has been given, why?

3) If the outbreak strain has been found in samples from more than one establishment, what is the root cause or common source of the contamination? If still not known, how is FSIS investigating to find the root cause or common source?

4) How many samples collected from turkey slaughter and processing establishments have tested positive for the outbreak strain associated with the multistate outbreak of antibiotic resistant *Salmonella* Infantis infections linked to raw chicken products? When, where, and from what products were these samples taken? Has FSIS notified the establishments producing these products? If not, why not? What is the root cause of this contamination, or if still not known, what is FSIS doing to find the root cause?

We look forward to your response, and to working with you to ensure that taxpayer funded microbiological sampling in meat and poultry establishments makes the maximum possible impact in improving food safety.

Sincerely,

Rosa L. DeLauro

ROSA L. DeLAURO
Member of Congress

Kirsten Gillibrand

KIRSTEN GILLIBRAND
United States Senator