



UNITED STATES
HOUSE OF REPRESENTATIVES

ROSA L. DELAURO
3RD DISTRICT, CONNECTICUT

April 19, 2018

The Honorable Scott Gottlieb, M.D.
Commissioner
Food and Drug Administration
10903 New Hampshire Avenue
Silver Spring, MD 20993

Dear Commissioner Gottlieb:

I write to request additional and clarifying information regarding the Food and Drug Administration's (FDA) investigation and response to the recent *Salmonella* Braenderup outbreak related to shell eggs.

Last week, Rose Acre Farms voluntarily recalled 206,749,248 eggs because of possible contamination with *Salmonella* Braenderup. According to the Centers of Disease Control and Prevention, this outbreak has resulted in at least 23 infections across nine different states. Thus far, six of these infections have required hospitalization.

FDA records reveal that the company's Hyde County location was inspected in the weeks leading up to the recall – from March 26 to April 11, 2018. The reports¹ show serious violations of food safety standards that are designed to safeguard public health. Specifically, these inspection reports document the following observations:

- *"Pest control records from September 2017 to present indicate an ongoing rodent infestation."*
- *"Insanitary conditions and poor employee practices observed in the egg processing facility create an environment that allows for the harborage, proliferation and spread of filth and pathogens throughout the facility that could cause the contamination of egg processing equipment and eggs."*
- *"Equipment with accumulated food debris and grime, post sanitation. The same areas of accumulated food debris were observed uncleaned on multiple days during the inspection pre-and post-sanitation."*

The above observations were made on March 26, 27 and 28 – more than two weeks prior to the company's voluntary recall. Consumers and their families deserve a safe food supply, and that

¹ <https://www.fda.gov/ucm/groups/fdagov-public/@fdagov-afda-orgs/documents/document/ucm604794.pdf>

requires that FDA act adequately and timely to address problems that may lead to product contamination and foodborne illnesses.

In order to better understand FDA's response to the observations that arose from the Rose Acre Farms inspections, I seek written responses to the following questions by May 9, 2018.

1. Prior to the March FDA inspections, what was FDA's involvement with state food safety inspectors regarding the Hyde County facility? When was the last time the facility was inspected by state regulators?
2. What actions did FDA take immediately following the March 26, 27 and 28 inspections? Why did FDA not take enforcement action following the observations of unsanitary conditions and food safety violations at the facility?
3. What was the timeline of FDA's laboratory testing of the facility? When did the Agency decide to obtain samples? When did collection of these samples occur?
4. After receiving positive test results on April 11 from the Hyde County facility, when did FDA notify the company? Why did it take two additional days, after the positive test results, for the company to initiate a voluntary recall? Initially, was the company hesitant to recall its product?
5. After receiving positive test results on April 11, were appropriate officials at the U.S. Department of Agriculture (USDA) notified? If so, who was notified and when?
6. What steps has FDA taken to ensure that all eggs affected by the recall have been removed from the marketplace?
7. With respect to the Hyde County facility, were other federal employees working in the facility, i.e. USDA egg graders? If so, were there ever any reports of unsanitary conditions from these employees?
8. Have eggs from other suppliers tested positive for *Salmonella*? If so, what are the statuses of other investigations?

The size of this recall makes it the largest since a similar, egg-related *Salmonella* outbreak in 2010. The 2010 outbreak shed light on deficiencies with federal oversight of egg production and prompted FDA and USDA to address such shortfalls. This most recent outbreak gives us an opportunity to evaluate if those actions were sufficient, or whether additional steps need to be taken.

Should you have any questions regarding this letter, please contact Christian Lovell on my staff at (202) 225-3661 or at christian.lovell@mail.house.gov. Thank you for your attention to this important matter.

Sincerely,



Rosa L. DeLauro
Member of Congress