

Congress of the United States

Washington, DC 20515

October 21, 2009

Dr. Margaret "Peggy" Hamburg
Food Drug Administration
10903 New Hampshire Avenue
Silver Spring, MD 20993

Dear Dr. Hamburg,

We are writing to you in regard to the recent notice of intention by the Food and Drug Administration to put additional controls in place to prevent *Vibrio vulnificus* (V.v.) infections via oyster ingestion. We are deeply concerned by the actions the FDA has proposed, and urge you to reconsider these mandatory actions that would harm the oyster farmers, harvesters and processors in Florida and the greater Gulf Coast.

In the past the oyster industry and the FDA have worked together to take steps to reduce disease and death as a result of V.v. Reducing the spread of V.v. is in the interest of oyster producers and the public health, that is why the industry has voluntarily adopted standards in the past to reduce the number of illnesses. The action the FDA has taken unilaterally without input from industry and other stakeholders is drastic especially considering the facts. Based on the FDA's own analysis, only 30 illnesses and 15 deaths per year result from V.v., which is largely from populations susceptible to this bacterium. All stakeholders agree that any death or illness must be prevented to the best extent possible. However, the FDA's decision to impose new draconian standards that threaten the very existence of an oyster industry along the Gulf Coast is unprecedented and unwarranted.

Furthermore, the FDA relayed this information via a notice that has not allowed any time for public comment. The oyster industry has shown its willingness to work with the FDA to protect public health. Making such a far reaching decision without the proper consultation and consensus building is troubling. We urge the FDA to reconsider its tactics.

As you may know, hundreds of jobs in Florida are tied directly to the oyster industry and such regulations as proposed by the FDA would put an undue burden on oyster farmers and the Gulf economy of Florida. Oyster farmers, harvesters and processors are hard working people and nobody understands more the importance of making sure their product is safe to eat. It is imperative to understand the economic impact and possible job losses this decision will have on the Florida Gulf oyster industry.

We urge the FDA to retract the recent notice and continue to work with the stakeholders to reduce V.v. infections.

Sincerely,


Representative F. Allen Boyd, Jr.


Senator Bill Nelson