April 27, 2009

Representative Bobby G. Badon  
Natural Resources and Environment Committee  
203 East St. Peters Street  
Carencro, LA 70520

Dear Representative Badon:

The Center for Science in the Public Interest¹ (CSPI) is writing to urge you to vote “no” on House Bill 390, which would allow for dangerous exemptions to the Louisiana shellfish sanitation program. These exemptions could expose Louisiana consumers—and consumers in other states importing Louisiana oysters—to deadly *Vibrio vulnificus* (Vv) bacteria.

This bacterium poses a serious risk of fatal septicemia in persons with liver disease or whose immune systems are compromised by AIDS, stomach or blood disorders, cancer, diabetes, or kidney disease. Among these at-risk populations, *Vv* kills approximately half of its victims. In the last 8 years, more than 117 people suffered serious illnesses and more than 112 died agonizing deaths from contaminated oysters.

Virtually all shellfish harvested from the Gulf of Mexico in the warmer months carry *Vv* bacteria. Yet House Bill 390 would create a deadly loophole in the shellfish sanitation program tasked with controlling this pathogen, by allowing the Department of Health and Hospitals to issue broad exemptions to oyster harvesters and dealers if they have not been epidemiologically linked to an illness. *The absence of a definitive link does not mean that the oysters are safe, however. If they are eaten by a vulnerable consumer, these oysters could still cause severe illness and death.*

Illnesses and deaths from *Vv* keep occurring in spite of readily available post-harvest processing technology that could prevent them. The Food and Drug Administration (FDA) has allowed the Interstate Shellfish Sanitation Commission (ISSC) to avoid implementing effective steps to protect the public’s health. House Bill 390 would continue this trend. Its passage would do nothing to protect Louisiana’s consumers from *Vv*, and would in fact heighten the risk by allowing harvesters to escape even the minimal controls now required of them.

CSPI strongly urges you to demonstrate your commitment to public health by voting “no” on House Bill 390. Louisiana consumers deserve protection from this dangerous pathogen—not more exemptions to a shellfish sanitation program that is their only protection from this potentially deadly pathogen.

Sincerely,

Sarah A. Klein, J.D., M.A.  
Staff Attorney, Food Safety Program

¹ CSPI is a nonprofit health advocacy and education organization focused on food safety, nutrition, and alcohol issues. CSPI is supported principally by the 950,000 subscribers to its *Nutrition Action HealthLetter* and by foundation grants. We accept no government or industry funding.