July 1, 2009

Governor M. Jodi Rell
210 Capitol Avenue
Hartford, CT 06106

Dear Governor Rell:

The Center for Science in the Public Interest\(^1\) (CSPI) urges you to protect the citizens of Connecticut from serious illness or death due to *Vibrio vulnificus*-induced septicemia by banning the sale of unprocessed oysters from the Gulf Coast.

Virtually all shellfish harvested from the Gulf of Mexico in the warmer months carry *Vibrio vulnificus* 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, *Vibrio vulnificus* kills approximately half of its victims.

In 2003, the state of California moved to protect its citizens from contaminated oysters, and we urge you to adopt this approach as well. Since banning all unprocessed Gulf Coast oysters harvested during the summer months, California’s cases of *Vibrio vulnificus* declined from an average of 6 per year to zero in the five years since. California’s experience has shown that a ban on unprocessed oysters is effective, and consumers in your state should enjoy the same level of protection.

Unfortunately, the Food and Drug Administration (FDA) has abdicated its responsibility to protect consumers, and has allowed the oyster industry to avoid meaningful action to control *Vibrio vulnificus*. For the last eight years, FDA has allowed the Interstate Shellfish Sanitation Conference (ISSC) to experiment with minimal, ineffective controls, rather than implementing stronger safety regulations. As a result, since 2001, more than 125 people have died agonizing deaths from contaminated oysters, and another 125 people suffered serious illnesses. Those illnesses and deaths occurred in spite of readily available post-harvest processing technology that could have prevented them.

Despite the resounding failure of this eight-year experiment, FDA recently granted Gulf Coast states another three years to try alternative methods of restricting *Vibrio vulnificus*. None of these methods—including modest changes to harvest and refrigeration procedures—has been effective. A more effective approach, post-harvest processing, could reduce *Vibrio vulnificus* to undetectable levels by killing the bacteria. Unfortunately, your citizens may serve as the unwitting victims of yet another failed experiment. The Gulf Coast oyster industry has

\(^{1}\) 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.
privately acknowledged that they have the capacity to perform post-harvest processing on 100% of their oysters, but refuse to do so until demand for treated product is clear. We urge you to require that only safe oysters be sold in your communities, an approach that will reduce medical costs and save lives.

FDA’s continued unwillingness to ensure the safety of Gulf Coast oysters makes it imperative for individual states to take action to protect their citizens. To this end, CSPI respectfully urges you to ban the sale or distribution of raw Gulf Coast oysters harvested during the months of April to October, unless those oysters have been processed to eliminate *Vibrio vulnificus* bacteria.

We look forward to working with you to protect Connecticut’s consumers from contaminated oysters.

Sincerely,

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