

August 18, 2005

Interstate Shellfish Sanitation Conference
Mr. Ken B. Moore, Executive Director
209-2 Dawson Road
Columbia, South Carolina 29223

Via fax: (251) 928-1149

RE: Control of *Vibrio vulnificus* in Gulf Coast Shellfish

Dear Mr. Moore:

The Center for Science in the Public Interest (CSPI) believes that the control of bacteria in the *Vibrio* family in Gulf Coast shellfish, especially oysters, is an important public health concern, but the Interstate Shellfish Sanitation Conference (ISSC) has failed to take action to protect consumers. The Centers for Disease Control (CDC) 2004 FoodNet data shows a 47% increase in overall *Vibrio* infection, the only pathogen that has increased significantly in the last FoodNet report. It is clear that the current approach taken by the ISSC is not effective in reducing *Vibrio* illnesses and deaths. Therefore, we urge the ISSC to take proactive steps to protect consumers.

CSPI understands that the ISSC is currently working under the *Vibrio vulnificus* Risk Management Plan for Oysters which it adopted in 2001. Under that plan, a 40% reduction in *Vibrio vulnificus* illnesses is to be achieved for the years 2005 and 2006 (average) and a 60% reduction is to be achieved for the years 2007 and 2008 (average). The plan states that should the 60 percent rate of illness reduction goal not be achieved by

2008, one or more of the controls listed in the plan *shall* be implemented. The controls listed include post-harvest treatment that reduces the *Vibrio vulnificus* levels to 3MPN/g or less.

Given the clear public health problem documented by the CDC, CSPI objects to the fact that the ISSC will not take any action regarding post-harvest treatments until 2008, after the expiration of the risk management plan. In addition, we are very concerned about how the illness reduction will be calculated under the current plan. The risk management plan states that the core reporting states are Florida, Texas, California, and Louisiana. Thus, under this plan, the reduction rates will be measured according to the number of illnesses in the core reporting states by using the baseline data from the period of 1995 through 1999. However, this plan does not take into account California's ban on the sale of untreated Gulf Coast oysters from April through October. This action has reduced the deaths associated with *Vibrio* contaminated Gulf Coast oysters by 100% in California. Therefore, if the ISSC continues to include California in its core reporting states, they will certainly meet their goal of a 40% reduction, but it would be a grossly inaccurate measure of the true incidence of illnesses and deaths associated with untreated Gulf Coast oysters. Because of this, the ISSC needs to amend the risk management plan so that California is not included in the core reporting states. We recommend adding two Gulf Coast states to replace California, as California represents a large shellfish-eating population.

If the ISSC continues to include California in the core reporting states, it would make the risk management plan meaningless. While the current data shows a 47% decrease in illnesses rate in the core states, it includes California which has seen no

illnesses since 2004 when it banned untreated Gulf Coast oysters during the warm months. However, the data shows that when looking at non-core states there has actually been a 75% increase in the illness rate since the baseline years. Thus, the oysters once sent to California are now being shipped to other states and causing death and illness. The reality is that since 2001, the risk management plan has done little to curb the death and illness rates nationwide caused by *Vibrio*-contaminated Gulf Coast oysters. To say otherwise would be sheer fabrication by the ISSC.

CSPI strongly urges the ISSC to take immediate risk management action to respond to the increase in *Vibrio* reported by the CDC. In addition, if the current Risk Management Plan is maintained, the ISSC should remove California as one of the core reporting states and replace it with two other Gulf Coast states that will more accurately track the true rate of illnesses and deaths. CSPI also urges the ISSC to ensure that if the reduction rate goals are not met under the stated timetable to immediately require mandatory post-harvest controls to control *Vibrio* species. Only by taking prompt action can the ISSC save many consumers from the devastating effects of *Vibrio vulnificus*.

Sincerely,

Caroline Smith DeWaal

Amy E. McDonnell