

KIRSTEN E. GILLIBRAND

NEW YORK

SENATOR

RUSSELL SENATE OFFICE BUILDING
SUITE 478
WASHINGTON, DC 20510-3205
202-224-4451

COMMITTEES:
ENVIRONMENT AND PUBLIC WORKS
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SPECIAL COMMITTEE ON AGING

United States Senate

WASHINGTON, DC 20510-3205

December 14, 2009

The Honorable Tom Vilsack
Secretary
Department of Agriculture
1400 Independence Ave., S.W.
Washington, DC 20250

Dear Secretary Vilsack:

I write out of my strong concern for the health and safety of America's school children. I have read with dismay that Beef Packers, Inc. has had to recall tens of thousands of pounds of beef because of another recall this year. This company clearly had problems keeping their meat clean for years, yet they were allowed to supply meat to the school lunch program.

I applaud your undertaking an internal review of your meat purchasing policy, but in the meantime, I urge you to take immediate action to terminate contracts with any habitual violators of your food safety policies. I introduced a bill earlier this year that defined a habitual violator as a company with three consecutive days or ten instances a year of meat that tests positive for contaminants - a very generous definition for which Beef Packers clearly violates.

It is extremely fortunate that no children were sickened by the products that Beef Packers sent to schools. However, at this point we do not know if that is because the raw product was truly free of contamination or if the school cafeteria chefs followed proper handling and cooking procedures. The testing procedures are not in place to make that determination.

Therefore, I also urge the USDA to implement a strict testing program in order to test every single batch of beef that is destined for the school lunch program. It is simply not adequate to rely on the visual inspections of inspectors at meat packing facilities. I also strongly encourage you to adopt the testing program and higher standards for batch rejection used by industry leaders such as Jack in the Box and Costco. Our children deserve a testing program as least as good as the fast food chains.

I appreciate your attention to this issue and would appreciate a prompt response regarding my three suggestions.

Sincerely,



Kirsten Gillibrand
United States Senator