

# Food Safety Alert – 3/12/07

An article on [ecoliblog.com](http://ecoliblog.com) (Marler Clark website) taken from CNS News, Bill Marler says the location of the farm in the lawsuit really doesn't matter to the lawsuit. "There are steps all parties could have taken to prevent the contamination from getting in the spinach," Marler said. "It's not really very significant. This is a strict product liability case and the target is Dole. How a product becomes contaminated is not something I care about."

He qualified that statement by saying, "*How a product becomes contaminated is not something I care about.*" What I meant to say is that in a strict product liability lawsuit how the product became contaminated does not matter a great deal in the legal context - the issue is that it should not be in a finished product in the first place."

<http://www.ecoliblog.com/2007/03/articles/-e-coli-legal-cases/e-coli-find-sparks-new-criticism-of-organic-foods/>

The *Salinas Californian* is reporting that Sen. Dean Florez sent a letter to the CDHS on Friday demanding the release of their report on the E. coli outbreak in spinach last fall. He wants the report by today when the Senate Select Committee on Food-Borne Illness meets. He says the state and industry officials are now working together on a food safety plan. "However," his letter says, "these guidelines are being created without information regarding the most recent outbreaks, because DHS refuses to release the information." Late last month, health officials refused to say anything more than the field in question was a 50-acre plot of land that was transitioning from conventional to organic farming in San Benito County.

Responding to his letter, DHS director Sandy Shewry, said the report would come out in the coming weeks. "This joint FDA/CDHS report is nearing completion," Shewry wrote, "and it would be premature to release the requested documents at this time or discuss its contents in the public hearing on Monday, March 12, 2007." Florez is expected to seek CDHS recommendations Monday on the best way to prevent outbreaks. "They're the scientists," Florez said. "They're the state's representative on such issues, the experts. Let's see what they would recommend and how would that work."

<http://www.californianonline.com/apps/pbcs.dll/article?AID=2007703100331>

To read the entire response from Shewry to Florez and Florez's response to Shewry, follow this link:

[http://www.californiaprogressreport.com/2007/03/california\\_heal\\_1.html](http://www.californiaprogressreport.com/2007/03/california_heal_1.html)

The *Pinnacle News* is reporting that experts are not sure how long it will take for spinach to make a recovery from last fall's E. coli outbreak. San Benito County Agriculture Commissioner Paul Matulich said, "[As to whether the findings will have a lasting affect,] it's hard to tell. People forget as time passes. This year could be bad, but by next year maybe it could be back to normal. There are no guarantees." He also said that people are doing everything they possibly can to ensure food safety. However, because crops are grown in fields, there are too many unknowns to protect against. According to Matulich, "[The government] claimed with this type of E. coli it didn't matter how well the spinach was washed, because washing it didn't have an effect."

While some still shy away from spinach, many have been waiting for the return of spinach and spring mixes. "Local community-supported agriculture advocate and businesswoman Becky Herbert was worried about whether there would be a backlash resulting from the E. coli scares last year. Right before the outbreak her CSA, Eating with the Seasons, was selling spinach every week they had it available. Last week was the first time she offered spring mixes and spinach to her clients again and the customers went crazy for it, she said."

<http://www.pinnaclenews.com/news/contentview.asp?c=208662>

Apparently E. coli O157:H7 likes iron. According to *Medical News Today*, scientists at the University of Reading (UK) have determined that the O157 strain possesses an iron transporter which is "mutated and non-functional in the closely related but harmless K-12 strain" found in each of us. "The presence of the

active form of this transporter in E. coli O157 appears to give the bacterium a special advantage when operating in low-iron, acid conditions - conditions that may reflect those experienced inside the human host', says Jieni Cao from the School of Biological Sciences at the University of Reading, who made the discovery. 'This could allow the food poisoning strain of E. coli to grow and multiply quickly during infection.'"

<http://www.medicalnewstoday.com/medicalnews.php?newsid=64925>