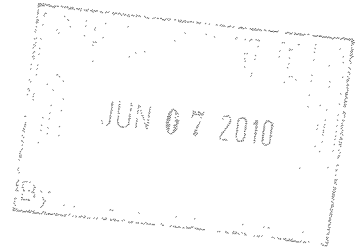




United States
Department of
Agriculture

Food Safety
and Inspection
Service

Washington, D.C.
20250



JUN - 2 2010

William Marler, ESQ.
Marler Clark, LLP, PS
6600 Columbia Center
701 Fifth Avenue
Seattle, WA 98104

Dear Mr. Marler:

Thank you for your letter dated May 7, 2010. The letter provides a supplemental statement of additional grounds for petition number 09-03, along with additional supporting documents. Petition number 09-03 requests that FSIS issue an interpretive rule declaring all enterohemorrhagic (EHEC) Shiga toxin-producing serotypes of *Escherichia coli* (*E. coli*), including non-O157 serotypes, to be adulterants.

The supplemental statement and supporting documents were forwarded to the FSIS scientists assigned to study the available data on *E. coli* non-O157 STEC. FSIS will consider these materials as it continues to evaluate how it should address the presence of non-O157 STEC in or on the products it regulates.

Thank you again for your letter. You may continue to submit materials on non-O157 STEC for consideration by FSIS to Mary Porretta, Petitions Manager, and she will provide them to the appropriate Agency scientists.

Sincerely,

Philip S. Derfler
Assistant Administrator
Office of Policy and Program Development