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March 31, 2009

The Honorable Eric H. Holder, Jr.
Attorney General
United States Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530-0001

Dear Attorney General Holder:

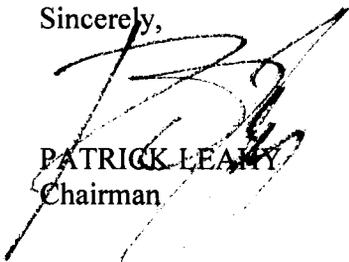
I am writing you in response to the announcement that more than two million pounds of pistachios produced by California-based Setton Pistachio of Terra Bella Inc. must be recalled due to possible salmonella contamination. While there are few reports of illness at this point, I fear that further investigation will lead to the recall of significantly more pistachio products and the discovery of additional illnesses.

This case could ultimately raise concerns similar to those uncovered by the ongoing criminal investigation into contaminated peanuts produced by the Peanut Corporation of America ("PCA") at plants in Georgia and Texas. Six weeks ago, the president of PCA, Stewart Parnell, invoked his right against self-incrimination before Congress and refused to answer questions about his conduct in distributing contaminated peanut products that have been linked to the deaths of nine people and have sickened more than 700 others. Based on documents disclosed at the hearing, it appears that Parnell knew that peanut products from his company had tested positive for deadly salmonella. It appears that rather than immediately disposing of the products, as is standard practice in the industry, he sought ways to sell the contaminated products. This evidence suggests that he knowingly put profit above the public's safety.

While I understand that Setton Pistachio has voluntarily agreed to certain recalls, and I applaud them for doing so, I expect the Justice Department and other federal agencies to follow the facts wherever they lead in this latest case of salmonella contaminated products, just as they did in the case of PCA, and to investigate all the circumstances as warranted.

Given the seriousness of these most recent nationwide recalls, I would also ask that you, as the Attorney General, review the existing legal structure for addressing the distribution of contaminated food products and then advise me if the Justice Department needs any additional legal authorities to protect the American people more effectively from the distribution of contaminated food products. In particular, I would like to know your views on whether current statutes provide sufficient criminal sanctions for those who knowingly violate our food safety laws.

Sincerely,



PATRICK LEAHY
Chairman