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June 5, 2008

The Honorable John D. Dingell
U. S. House of Representatives
Chairman, Committee on Energy and Commerce
Washington, DC 20515-6115

The Honorable Bart Stupak
U.S House of Representatives
Chairman, Subcommittee on Oversight and Investigations
Washington, DC 20515-6115

Dear Chairman Dingell and Chairman Stupak:

I write in further response to your letter of May 8, 2008 to Joseph W. Luter, III, Chairman of the Board of Directors of Smithfield Foods, Inc. ("Smithfield Foods" or the Company)¹, seeking information about Smithfield Foods facilities.² Smithfield Foods initially responded to your inquiry by letter of May 28, 2008 from Dennis H. Treacy, Vice President of Environmental and Corporate Affairs. On May 28, following delivery of Mr. Treacy's letter to the Committee, a member of your staff contacted our Washington representative to request that Smithfield's Chief Executive Officer also reply, by separate letter, to your letter of May 8.

Accordingly, you will find the Company's response here similar to that set forth in Mr. Treacy's letter regarding domestic facilities, because it responds to the same inquiry. In addition, this letter and its enclosures include data regarding international facilities that were not included in Mr. Treacy's letter.³ I have been advised that the domestic and international data contained in this letter accurately reflect the data that was gathered at Mr. Treacy's request.

All Smithfield Foods processing facilities operate under proprietary HACCP (Hazard Analysis and Critical Control Point) systems. We apply the American Meat Institute Guidelines for Sanitary Equipment in cooperation with equipment manufacturers in designing and modifying equipment to produce safer products.⁴ In addition, the Company has established a

¹ For the purposes of this letter, "Smithfield Foods" or the "Company" means Smithfield Foods, Inc., a Virginia corporation and its wholly-owned subsidiaries.

² Your letter of May 8, 2008 was received by Mr. Luter's office and forwarded to Dennis Treacy. The data provided in Mr. Treacy response of May 28, 2008 was compiled by employees responsible for food safety matters at the Company.

³ The Committee request provided an earlier deadline for domestic data, with international data to follow by a later date.

⁴ For the purposes of this letter, consistent with the Committee's request, "products" refers to products produced by Smithfield Foods' independent operating companies for sale and consumption in the United States.

Food Safety Council comprised of senior food safety professionals from each of our major independent operating companies who stay current on food safety science.

Below you will find each request made in your May 8 letter, followed by our response.⁵ Also enclosed you will find the available data relevant to the requests made in your letter of May 8, 2008 with regard to the Company's domestic operations.

- 1. [Provide a] list of all food recalls and food safety alerts issued by your company. For each recall or safety alert, please provide the date of the recall or alert, the product and brand affected, and the reason for the recall or alert. If the food was affected by microbial or chemical contamination, please identify the contaminant.***

Information about product recalls, including the date of recall or alert, product and brand, reason for recall or alert and possible contaminants is attached as Schedule A.

- 2. For each brand or kind of product, please list all instances when internal microbiological testing was found to be positive for the presence of E. coli, Salmonella, Cyclospora cayetanensis, Cryptosporidium, hepatitis A, Clostridium botulinum, or Listeria in excess of the highest limit acceptable to the Food and Drug Administration (FDA) or any State regulatory authority.***

Information about microbiological testing is attached as Schedule B.

- 3. For each brand or kind of product, please list the instances when internal testing was found to be positive for the presence of a chemical contaminant at levels in excess of the highest limit acceptable to FDA or any State regulatory authority.***

Our facilities generally are not subject to FDA inspection regimes, nor are they typically subject to state regulatory authority with regard to testing for chemical contaminants.⁶ USDA maintains on-site inspection responsibility for our facilities in the United States. None of the internal tests for chemical contamination performed on our products during the past two years in foreign or domestic plants have found such contamination.

- 4. For products imported into the United States for handling or processing by any facility operated by your firm, please list the instances when internal or outside laboratory testing was positive for the presence of either a chemical or microbiological contaminant in excess of FDA or State regulatory limits.***

⁵ It is the Company's normal document retention practice, consistent with legal requirements, to maintain recall and test result information for 2 years. Recall data provided in Schedule A which is more than 2 years old was obtained from the USDA website. All microbiological and chemical testing records discussed herein are from January 1, 2006 to the present. The Company tests for Aerobic Bacteria, Coliform Bacteria, Listeria monocytogenes, Salmonella and E. coli O157:H7 (ground beef only). Recall data provided in Schedule A which is more than 2 years old was obtained from the USDA website.

⁶ While none of our facilities are registered with the FDA, our facilities may in some limited cases be subject to certain FDA and state regulations.

Information about testing for chemical and microbiological contaminants is attached as Schedule B.⁷

5. *For each of the above items, please specify whether FDA was notified, and if not, why not.*

As noted above, our facilities generally are not subject to FDA inspection regimes. It is our practice to notify the United States Department of Agriculture (USDA) and other regulatory agencies of test results whenever required by law. Moreover, Smithfield Foods maintains an ongoing dialogue with USDA beyond the requirements of the law.

6. *Please supply a list of all instances where FDA or any State regulatory authority was denied entrance to any facility, foreign or domestic, or denied access to any records regarding microbiological or chemical testing performed on products processed at the facility. This request encompasses denials of initial requests for entry or any such testing record regardless of whether the plant or its records were to be made available for inspection at a later date.*

USDA inspectors are on site at the Company's domestic processing plants. Moreover, it is our practice to cooperate fully with USDA inspectors as part of the operational process. We are not aware of any instance in which a representative of a federal or state regulatory agency with authority to inspect our facilities or records was denied access to a domestic or foreign facility or its records.

Please contact Dennis Treacy at 757-365-3010 if you have any questions about the Company's response.

Sincerely yours,



C. Larry Pope

Enclosures (2)

⁷ Consistent with applicable law, our independent operating companies test imported products on a case by case basis for microbiological and chemical contaminants.