
**United States House of Representatives
House Energy and Commerce Committee
The Hon. John D. Dingell (MI) - Chairman
Washington, DC**

Subcommittee on Oversight and Investigation
Public Hearing: "Diminished Capacity: Can the FDA Assure the Safety and
Security of Our Nation's Food Supply"

Gary and MaryAnn Pruden
425 Lori Ann Court
Lebanon PA 17042

Victim Impact Testimony
Tuesday, April 24th 2007

Summary Points:

- Difficulty in diagnosing food borne illnesses
 - Symptom's and treatment of E-Coli
 - Effect on Family
 - Public Trust and Oversight
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To: Distinguished Representatives – Subcommittee on Oversight and
Investigations of the Committee on Energy and Commerce

Thank you for allowing my son and me to participate in this hearing.

My name is Gary Pruden. I am the father of Sean Pruden who is here with me this morning. I would like to outline for you the sequence of events that led to a serious sickness my son endured after eating contaminated food at a Taco Bell restaurant and the subsequent impact this has had on Sean as well as our family.

On Wednesday, November 22nd, 2006, my wife MaryAnn, along with me and our three children, Sean (11), Emily (8) and Matthew (6) stopped at a Taco Bell restaurant in Brenigsville PA on our way to Upstate New York to spend time with family for the Thanksgiving holiday. The meal was finished quickly and we were back on the road to the Hudson NY area.

On Sunday morning, November 26th, we prepared to leave to go back to our home in Pennsylvania after attending mass at the local Catholic Church. Sean had indicated that he did not feel well and complained of stomach cramping and nausea and could not attend mass. We thought that he may have simply been over-tired but did note that he appeared very lethargic and unresponsive. It was unusual for Sean to miss Sunday mass. As an altar boy and an active member of our Church and school, missing mass for Sean was a serious episode. We assumed that he had a stomach bug of some sort and would probably be okay in another day or so.

The next morning Sean was feeling a little better but still had some stomach cramping. He attended school on Tuesday (there was no school on Monday) but was still not feeling 100%. Tuesday night he started waking up with frequent diarrhea and missed school the rest of the week. On Friday, December 1st my wife took Sean to our family doctor who concluded that he had a virus and ordered a bland diet. By Sunday December 3rd, Sean was feeling somewhat better and the diarrhea was less frequent. However the next morning, (December 4th) Sean's condition

dramatically worsened as he began vomiting frequently. My wife took Sean back to the family doctor on Tuesday, December 5th as our concern began to grow that he was becoming increasingly dehydrated. The Doctor examined him again and still concluded that it must be a virus. Sean was given a shot to control the vomiting. That evening, Sean's grandmother called and asked if we had eaten at a Taco Bell. She had heard some news reports of an E-coli outbreak in NJ and NY related to food eaten at the restaurant chain, and as a retired nurse familiar with the effects of e-coli, she was concerned about the symptom's her grandson was displaying, particularly the color of Sean's urine which was noticeably brown. My wife began to be suspicious thinking back to our trip to Upstate NY and our short stop to the Taco Bell in Brenigsville PA. We decided to take Sean to the local emergency room that night around 8:00 pm as Sean's condition continued to worsen. I stayed at home with our two other children anxiously awaiting word from my wife.

At the emergency room, the triage nurse took one look at Sean and had him stay within eyesight of her until she could get him admitted. She knew he was very sick just by looking at him and that his condition was deteriorating quickly. Finally he was examined by the ER Doctor and blood

was drawn and other tests were taken. He was placed on an I.V. When the test results came back, the Dr. explained that Sean was very sick and that his kidneys were shutting down. He wasn't sure of how to treat this and decided immediately to transfer him to a pediatric nephrology specialist at the Penn State Hershey Medical Center in Hershey PA about a half hour away. Sean was transferred via ambulance to the Hershey Medical Center at about 4:00 a.m. Wednesday morning where he was admitted to the Intermediate Care Unit.

Once admitted to the hospital, Sean had all kinds of tests and exams. When Dr. Wassner, the pediatric nephrology specialist, came in to see us he explained that Sean had acute hemolytic uremic syndrome (referred to as H.U.S.). H.U.S. is basically the body's reaction to being overloaded by toxins often following an E-coli infection. It was determined that Sean's kidneys were only about 20% operational and he was extremely anemic due to red blood cell destruction. There was very little that could be done at that point except to keep Sean in the hospital while waiting to see if his kidneys would recover. Blood transfusions and dialysis were likely and it would be a long road to recovery. If the kidneys did not recover, he would need a transplant. The average hospital stay for H.U.S. patients is

between 4 and 6 weeks. It was December 6th and Dr. Wassner warned that it could be a long road. At that point, we were hoping that Sean would be well enough to get a day pass to at least be home for part of Christmas. We tried to keep other thoughts out of our minds.

Sean was hooked up to an I.V. as well as a heart / blood pressure / oxygen monitor during his hospital stay. He had blood drawn on a regular schedule day and night. He was too sick to do anything and seemed very distant and helpless. Thursday, Sean had to be scheduled for dialysis the following morning to give his kidneys a break. He wasn't allowed to eat or drink after 10pm that evening. This proved to be very difficult as Sean was very thirsty due to being dehydrated after five days of not keeping any food or liquid down. Amazingly on Friday morning Sean's bloodwork showed signs of kidney stabilization and dialysis was postponed for a possible Saturday treatment. If his tests showed improvement on Saturday, there was a chance he could come home that day. Once again, it was a long night without being able to drink anything, but we were hopeful about the next day. On Saturday his labs showed stabilization and the dialysis was canceled but his red blood cell count had continued to deteriorate and a blood transfusion was necessary. He would have to remain in the hospital

at least one more night. After the transfusion Sean did feel somewhat better. By Sunday afternoon, his blood count had stabilized and his kidney function had increased to 50% so he was allowed to come home. Follow up care was scheduled with both a pediatrician and his nephrologist. Sean's doctors and nurses were amazed by his quick recovery considering the severity of his condition when he was admitted.

Sean has continued to improve and as of his last nephrology appointment in March, he was not required to return unless complications develop. He is to continue to have his blood pressure monitored yearly for at least the next five years. It is imperative that Sean always indicate on his medical records that he had H.U.S.

The local hospital where the initial tests were taken confirmed that Sean had tested positive for the E-coli virus. E-coli has about a four day incubation period in the human body before the painful effects begin to surface. We had eaten at the Taco Bell restaurant on a Wednesday, and by Sunday morning, the symptoms began. There was no question in my mind, with all the news reports of the breakout in the NY and NJ areas that this was the cause of Sean's illness.

This incident has most definitely affected our family. My wife often lamented how helpless she felt watching Sean lay in the hospital so sick. We were aware that he could actually die from H.U.S. and this was too much to handle. My wife would later comment of the guilt that she felt for not getting him to the emergency room sooner. During the long stay in the emergency room with Sean, she recalled being upset and in tears while they waited. Sean, as sick as he was, looked at his mother and asked if she was alright (emphasis added). There are many other poignant moments that are too lengthy to include in this testimony.

Since this entire episode, we have been very reluctant to eat out anywhere. I used to think that food poisoning was a problem of undercooked meat. But now, I am more concerned about non cooked food (ie, salad, fruit, etc.) at any restaurant or even our local grocery store.

A key element of successful commerce and trade is trust. We trust that the accountant hired to do our taxes is following the laws in preparing a tax return. We trust that pilots are adequately trained to fly commercial jets. We trust that the auto mechanic is competent and will return our car in

better and safer condition. And we trust that the food we order at a public restaurant is edible and safe. Without this assumption of trust, commerce cannot work. And where failure occurs, oversight is required.

We are fortunate that Sean has recovered and is back to a normal life of school activities, baseball, friends and constant activities. We are fortunate that he is young and resilient but others may not be as lucky. It is my hope that this testimony here this morning will help compel action to provide better controls and oversight of our government officials and agencies responsible for public food safety. As consumers and citizens, we should expect and demand this.

Thank you for allowing me to testify before you this morning.