



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Division of Advertising Practices

February 13, 2002

Wenonah Hauter
Director
Critical Mass Energy and Environment Program
Public Citizen
215 Pennsylvania Ave., SE
Washington, D.C. 20003

Andrew Kimbrell
Executive Director
Center for Food Safety
660 Pennsylvania Avenue, S.E.
Suite 302
Washington, D.C. 20003

**Re: SureBeam Corporation
FTC Matter No. 012 3156**

Dear Ms. Hauter and Mr. Kimbrell:

Following your inquiry dated August 21, 2001, the staff of the Federal Trade Commission's Division of Advertising Practices conducted an inquiry into whether the SureBeam Corporation's use of the terms "electronic pasteurization" or "cold pasteurization" to describe the irradiation of meat violated Section 5 of the FTC Act.¹

The staff has concluded that no enforcement action against SureBeam is warranted at this time, and the investigation is now closed. Among other factors, SureBeam has modified its

¹ Federal and private health organizations have concluded that food irradiation is a safe and effective means of reducing food-borne illnesses. *E.g.*, Centers for Disease Control and Prevention, Frequently Asked Questions about Food Irradiation, available online at <http://www.cdc.gov/ncidod/dbmd/diseaseinfo/foodirradiation.htm>.

Wenonah Hauter
Andrew Kimbrell
February 13, 2001

advertising. This action is not to be construed as a determination that a violation may not have occurred, just as the pendency of an investigation should not be construed as a determination that a violation has occurred. This Commission reserves the right to take such further action as the public interest may require.

Thank you for your interest in this matter.

Very truly yours,



Mary K. Engle
Acting Associate Director
Division of Advertising Practices

cc: SureBeam Corporation