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Joan Claybrook, President

June 17, 2003

William Donaldson, Chairman
U.S. Securities and Exchange Commission
450 Fifth St., N.W.
Washington, D.C. 20549

Dear Mr. Donaldson:

We are writing to file a complaint concerning public statements made by the SureBeam Corporation (NASDAQ: SURE), located at 3033 Science Park Road, San Diego, California, 92121. This complaint is submitted pursuant to SEC Rule 10b-5 and Section 10(b) of the Securities Exchange Act of 1934.

On February 20, 2003, SureBeam officers held a conference call with stockholders, stock analysts and stock brokers. During the conference call, then-President/CEO Lawrence Oberkfell stated that a food company that was planning to introduce a line of irradiated poultry had filed a petition with the U.S. Department of Agriculture to include on its label a claim that irradiation eliminates a certain percentage of food-borne pathogens. Mr. Oberkfell stated that a strong food safety claim would be included on the label.

Our organization sent a letter of inquiry regarding this matter to the USDA's Food Safety and Inspection Service on February 24. (Attachment 1) In a response of May 9, an FSIS official stated that "we are not aware of a petition" of this nature, and, "At this time, FSIS has no policy on including the level of pathogen reduction from any intervention method on the labeling of meat or poultry products." (Attachment 2)

Thus, Mr. Oberkfell's statement is fundamentally and materially false and misleading. Based on this statement, current or prospective investors in SureBeam, and the investment community at large, would be led to believe that a positive development related to the sale of irradiated foods had occurred, and that this development would be advantageous to SureBeam.

SEC Rule 10b-5, Employment of Manipulative and Deceptive Devices, states:

It shall be unlawful for any person, directly or indirectly, by the use of any means or instrumentality of interstate commerce ... [t]o make any untrue statement of a material fact or to omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading.

Ralph Nader, Founder

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Section 10(b) of the Securities Exchange Act of 1934, Regulation of the Use of Manipulative and Deceptive Devices, states:

It shall be unlawful for any person, directly or indirectly, by the use of any means or instrumentality of interstate commerce ... [t]o use or employ, in connection with the purchase or sale of any security registered on a national securities exchange ... any manipulative or deceptive device or contrivance in contravention of such rules and regulations as the Commission may prescribe as necessary or appropriate in the public interest or for the protection of investors.

Pursuant to these provisions, SureBeam's statement is materially false and misleading statement is unlawful. We therefore urge the SEC to investigate this matter and take appropriate steps to enjoin and, where appropriate, penalize the SureBeam Corporation.

Allow us to remind you that our organization filed a complaint against SureBeam on Nov. 13, 2001, regarding the company's issuance of numerous press releases that used the phrases "electronic pasteurization" or "electronic pasteurizing" to describe its process. SureBeam's process is, in fact, irradiation, which has nothing in common with pasteurization. (Attachment 3)

Sincerely,



Wenonah Hauter
Director,
Critical Mass Energy and Environment Program

Enclosures