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Call To Action: Mad Cow Crisis Exposes Systemic Flaws in Food Safety

Some 31 countries closed beef export markets worth \$3 billion annually to the US. cattle and beef industry following the U.S. Department of Agriculture's (USDA) December 23 announcement that a cow slaughtered two weeks earlier in Washington state had tested positive for BSE (otherwise known as Mad Cow Disease). The beef industry suffered daily losses estimated at \$27 million from dropping meat prices immediately and cattle growers lost nearly \$20 billion in the market value of the U.S. beef herd. These losses continue.¹

Shortly after the announcement, USDA proposed new food safety rules that both it and industry have long resisted. The changes announced amount to an admission that USDA was wrong almost three years ago in rejecting proposals from a coalition of groups to address the weaknesses in their BSE prevention program. Two of the recommendations in the 2001 letter – to remove from the human food supply all cattle too sick or injured to walk to slaughter, commonly referred to as “downer” cattle, as well as a ban on the use of brains, spinal cord and other nervous system tissues for human consumption – were addressed only recently by the agency, as they scrambled to reassure the public after the discovery of the infected cow in Washington.

There are several other vital measures necessary to protect the U.S. against BSE, which are not being addressed by the USDA.

- The Department is wrong to continue to reject proposals to expand testing for mad cow disease to all cattle over 20 months of age which are slaughtered for food.
- USDA is wrong when it refuses to ban for use as human food the substances derived from mechanical deboning and advanced meat recovery.
- USDA is wrong in not reversing its opposition to mandatory traceability systems for cattle, a position that now impedes the location of 69 of the 81 cattle in the infected herd.²
- USDA is wrong in continuing its opposition to country of origin labeling for meat products.

The detection of thus far one infected cow has focused attention on systemic food safety breakdowns in other agencies. The Food and Drug Administration continues to allow calves to be fed cattle blood as a protein supplement and milk replacer, although the feeding of ruminant tissues to ruminants is a source of BSE transmission. Other potential sources of BSE transmission also should be banned. Rendered cattle tissue now can be fed to hogs and chickens that, in turn, can be fed back to cattle as a feed supplement. Transmission between species, as the experience with mad cow disease demonstrates, cannot be excluded in building a public health firewall.³

Public confidence among Americans and citizens of other nations in the U.S. government's food safety policies has been eroded by many past practices, but the discovery of mad cow disease is the straw that broke the camel's back. The record shows that USDA policy on food safety is not based on "sound science," as the agency claims, but on "sound deceptions." Public trust is the first casualty of deception.

*USDA rejected proposals to remove downer cattle from the food supply, but instead bought a study from Harvard University's risk analysis center to inoculate itself from criticism. The public was left to assume two years ago that Harvard University said the steps adopted by USDA and FDA were sufficient to eliminate the threat of mad cow disease. The Harvard center carefully noted that its study could not be validated "because there are no controlled experiments in which the introduction and consequences of BSE introduction to a country has been monitored and measured." The absence of "sound science" was not mentioned by USDA.⁴

*As the discovery of mad cow disease occurred in country after country following its initial appearance in Great Britain in 1985, the U.S. slammed shut the door to beef exports from each country, regardless of steps the country said it was taking to prevent the spread of the disease. The U.S. now protests to its trading partners that the Department is employing "sound science" to prevent contamination of meat products, claiming the bans on U.S. beef are unfair. The countries banning U.S. meat reject the "Do as I say not as I do" U.S. policy, as they should. Japan is setting the example by indicating its consumers will not buy a U.S. "pig in a poke" but will continue the ban until Japan can evaluate the implementation of the new rules.

*In 1997 the Department adopted a new inspection policy for meat and poultry that it claimed would replace what it called "poke and sniff" procedures for federal inspectors. The new policy, called Hazard Analysis Critical Control Point (HACCP), did not include new technologies to equip inspectors with the electronic and scientific capabilities to detect harmful organisms. Dismissing criticism, USDA said HACCP was based on "sound science." The intent of HACCP was not to make food safer, however, but to replace federal inspectors, the first line of public defense of food safety, with company employees. USDA turned over inspection responsibilities to the meat industry, carefully instructing federal inspectors not to interfere with company HACCP policies. The consequence of this deception was predictable. Record levels of contaminated meat and poultry cascaded into the American food supply following HACCP.

*USDA regularly announces recalls for contaminated meat and poultry. Recalls are a farce, however. The recall of meat from the cow infected with mad cow disease is a case in point. The meat was approved as safe for human consumption, but the recall is announced weeks after the contaminated product enters the food supply. USDA neither orders a recall nor monitors the return of contaminated product but only announces the product is being "voluntarily" recalled by the food company. Little if any contaminated product is ever recovered. Industry makes a profit from the bulk of contaminated food that is consumed, raising the risk of illness and death among consumers. Even today USDA does

not know how much mad cow beef was distributed, how much has been recovered, or how much was mixed with beef from other cattle to be ground as hamburger.

*USDA is unable today to verify whether any measure or procedure it requires or any process it authorizes for use in treating meat and poultry to control harmful organisms is effective in an operational environment. USDA cannot immediately identify, for example, the presence of spinal cord fragments or nervous tissue, nor can the presence of hazardous organisms be identified immediately to allow faulty systems to be corrected and contaminated product removed. As a result USDA allows contaminated product to be marketed as safe for human consumption, relying instead on American consumers whose illness or death informs the Department when the system has failed, which it does routinely. Technologies exist today that would enable federal inspectors to obtain this information in minutes, in time to condemn contaminated product, but USDA has no procedures to develop these technologies nor any apparent intention to adopt their use.

These are only a few of the deceptive practices at the heart of the loss of public trust in the commitment of the federal government to food safety in America. Restoring that trust is essential and involves both short and long term actions.

We plan to establish an Accountability Center operated by a coalition of non-government organizations to monitor implementation of programs and policies to address Mad Cow disease over the next 12 months. Regular reports will be made to explain progress, examine problems, identify delays, highlight hypocrisies and describe deceptions.

Recognizing that the Mad Cow debacle will require immediate action over the next six to 10 months, we propose these steps:

1. Congress should immediately fund the provision in the 2002 Farm Bill authorizing a commission on food safety. The funding authority should include specific instructions to examine all relevant recommendations offered by the public and to bring to the new Congress in 2005 a legislative proposal for long term solutions that will insure food safety is recognized as the top public health priority in the legislative and executive branches of the U.S. government. Care should be taken to insure that no proposals can be used, as was HACCP, as a vehicle to destroy federal inspection. We are especially concerned that any measure would be excluded which prohibits federal inspectors from organizing to protect working conditions, or silences federal personnel who resist inspection procedures that raise public health risks, or otherwise prevents collective bargaining negotiations that insure open and transparent federal inspection procedures that strengthen the food safety shield.
2. The Congress should direct the General Accounting Office and request USDA's Inspector General to promptly begin a thorough and intensive investigation of the Mad Cow incident, particularly to identify all relevant details that would enlighten the Congress and the public as to how the situation occurred and what steps USDA and FDA should have taken to avoid the outbreak and financial disaster that

followed.

3. The USDA must expand its BSE surveillance program dramatically.

The program must test all animals over 20 months of age presented for slaughter. In addition, downer animals, those with central nervous system problems, and others rejected for human consumption must be tested. The USDA should immediately begin a rigorous research program to investigate the possibility of BSE detection in younger animals.

The USDA must incorporate rapid testing technology into its surveillance program.

The surveillance program must be more transparent, with the results made publicly available in a timely manner.

¹ The Organization for Competitive Markets, Lincoln, NE, estimated a \$27 million loss in daily revenues based on a daily slaughter rate of 110,000 cattle, each an average 1,246 pounds. The pre-BSE cash market price was \$98 per hundredweight (cwt). A week later cash market prices had fallen to \$78 per cwt, or a 20.4 percent drop of \$20. Total cattle inventory as of July 1, 2003, was 105.2 million head. Assuming each animal is worth \$700 pre-BSE, a 20 percent drop in the \$73.6 billion value of the cattle herd is a \$15 billion loss in net worth for producers alone. The drop in the market price of cattle has continued, but at a declining rate, leading to an estimate of another \$5 billion loss in net worth.

² USDA claims it has been working on a new tracking system for two years. The delay can be tracked to opposition to mandatory rules by industry groups that want a voluntary system. Even if this roadblock is resolved, the new system is not scheduled for adoption until 2005. Any acceleration in the timetable will be strongly opposed by industry.

³ Dr. George Gray of the Harvard Center for Risk Analysis sought to reassure both consumers and the cattle industry by stating “With the measures that are in place — and most important is the feed ban — the disease cannot spread from animal to animal sufficiently to become established in the U.S.” (“BSE Efforts in the US have Long Focused on Reducing Risk,” *Feedstuffs*, Dec 29, 2003) However, the General Accounting Office (GAO) report on the FDA feed ban is hardly reassuring: “Concerning the feed ban, FDA has not acted promptly to confirm that firms keep prohibited proteins out of cattle feed and label animal feed that cannot be fed to cattle....FDA data on inspections are severely flawed and, as a result, FDA does not know the full extent of industry compliance.” (“Results in Brief,” GAO-02-183, February 26, 2002.)

⁴ “Evaluation of the Potential for Bovine Spongiform Encephalopathy in the United States” Joshua T. Cohen, Keith Duggar, George M. Gray, Silvia Kreindel, Harvard Center for Risk Analysis, Harvard School of Public Health; Hatim Abdelrahman, Tsegaye HabteMariam, David Oryang, Berhanu Tameru, Center for Computational Epidemiology, College of Veterinary Medicine, Tuskegee University; November 26, 2001, Revised October, 2003, http://www.hcra.harvard.edu/pdf/madcow_exec.pdf