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Food Safety Primer

When a meat packing plant discovers that it has shipped frozen ground beef patties contaminated with potentially deadly bacteria such as E. coli or listeria, is it required by law to notify grocery stores that received the products so that they can immediately pull them off store shelves and post notices warning consumers who've already purchased them that they may be dangerous to eat? Astoundingly, the answer is no.

The regulatory safety shield that is supposed to protect consumers from preventable food-borne health risks is full of gaping holes. As you'll see below, food safety problems range from lax oversight and enforcement of safety standards in food production facilities to attempts to water down standards for foods carrying the organic label, which offers an alternative for consumers aiming to reduce their exposure to contaminants associated with conventional food production:

LAX ENFORCEMENT OF SAFETY STANDARDS

Motorists caught speeding through school zones wouldn't be let off the hook time after time before being given a ticket. But meat producers are allowed to continue to distribute products carrying the USDA seal of approval even after repeated safety test failures indicate that their meat is contaminated with bacteria, or is visibly smeared with feces--a route for transmitting E. coli, which can kill a child as surely as a speeding car would. In fact, school lunch programs were among the customers receiving shipments from Supreme Beef Processing Co., which in 1999 failed safety tests for salmonella contamination three consecutive times. When the USDA made moves to withdraw its inspectors--which would effectively prevent the plant from distributing meat--Supreme Beef sued the agency, claiming it had overstepped its authority by creating such testing standards in the first place. The company won the landmark case.

[January 2002 Government Accountability Office \(GAO\) report: Mad Cow Disease: Improvements in the Animal Feed Ban and Other Regulatory Areas Would Strengthen U.S. Prevention Efforts](#)

[August 2002 GAO report: USDA Oversight and Enforcement of Safety Rules Needed to Reduce Risk of Foodborne Illnesses](#)

LACK OF RECALL AUTHORITY

Government agencies that oversee the safety of other products from automobiles to cigarette lighters have the authority to order recalls and penalize companies that do not

promptly notify regulators about potential product hazards and follow through with recalls. Amazingly, the FDA and USDA do not have any of these powers.

[October 2004 GAO report: Food Safety: USDA and FDA Need to Better Ensure Prompt and Complete Recalls of Potentially Unsafe Food](#)

KEEPING CONSUMERS IN THE DARK

Unsafe foods come to regulators' attention when the producer itself informs them of a problem, through government inspection results or when public health authorities alert them about disease outbreaks traced to bad food, as happened in August 20, 2004, when a recall of 406,000 pounds of frozen beef products was triggered by Colorado health officials, who traced an outbreak of E. coli to that meat.

USDA and FDA officials say they do not publicly identify retailers who have received food that is being recalled because that is considered confidential business information. The USDA does not even disclose to state health officials the names stores or restaurants that are selling potentially contaminated meat unless they have signed agreements promising that they will keep that information secret from consumers, who might be spared illness or death by having that knowledge.

Regulators consider it sufficient to warn consumers about recalls of unsafe food through government hotlines (USDA Meat and Poultry Hotline 888-674-6854), websites (www.recalls.gov) and press releases distributed to local media. They provide lot numbers or brand names for packaged foods, but never identify where the products have been sold, which would be the most useful information.

[California Governor vetoes bill to end secrecy over tainted meat recalls](#)

FAILURE TO GUARD AGAINST MAD COW DISEASE

Shortly after the first case of mad cow disease in the U.S. was discovered in December 2003, the FDA promised to protect consumers by quickly tightening rules on what ingredients can be included in feed given to cattle. Since feed containing animal parts is a suspected route for spreading the infection among cattle, the FDA said the cow's blood and poultry waste could no longer be included in animal feed. The agency still has not delivered on its promise and may never do so.

While the risk of exposure to mad cow disease in the U.S. is unknown, the disease is always fatal, so taking steps that would reduce even minimal risk is vital. But the beef industry opposes widespread testing, and the USDA plans to test only 200,000 cattle for mad cow each year— fewer than 1 percent of the total slaughtered annually. And when a small meatpacking company in Kansas announced its intention to voluntarily test all of its cattle for mad cow, USDA forbid it.

WEAKENING ORGANIC STANDARDS

Consumers increasingly are choosing organic food because of what's NOT in it. Animals on organic farms are given no antibiotics, growth hormones or feed made from animal byproducts, thereby reducing their risk of contracting mad cow disease. Also unlike

conventional foods, no genetic modification, synthetic pesticides or use of fertilizer made from sewage sludge is allowed in organic production.

With sales of organic food increasing sharply, conventional food producers are trying to get the USDA to weaken organic standards via loopholes that would allow them to label meat as organic even if cattle had been fed fishmeal laden with contaminants such as PCBs or to use synthetic pesticides on produce. Preserving the integrity of organic labeling is vital.

[Eco-Labels- A project of Consumers Union to help consumers evaluate environmental product labels](#)