

PolicyPennings by Dr. Daryll E. Ray

Current system puts meat processors in charge of determining and addressing food safety risks

In 2007, the USDA (United States Department of Agriculture) issued 58 recall orders for meat products including 21 for *E. coli* contamination of beef and beef products. These recalls total more than 35 million pounds of product. As of March 4, 2008, the USDA has issued 9 recall orders including a 143 million pounds of beef processed by the Westland/Hallmark Meat Company.

To start with, it is important to understand that the USDA lacks the legal authority to directly force a recall. As the USDA Food Safety and Inspection Service (FSIS) notes on its website, “A food recall is a voluntary action by a manufacturer or distributor to protect the public from products that may cause health problems or possible death.”

If a hazard exists, the FSIS can force the issue by withdrawing inspectors and/or by using its “legal authority to detain and seize those products in commerce.” This may sound like doublespeak, but the lack of direct authority to issue a recall order complicates the process.

This gray area is a far cry from the USDA inspection system that was in place in the early 1980s when one of the authors visited a turkey processing plant. At that time inspectors were on the floor of the plant observing the process from kill to chill. When something went wrong that potentially affected the safety of the meat, the inspector had the authority to immediately shut down the affected line until the problem was corrected. That in turn meant that workers in other departments were also idled to avoid the backup of product in the plant.

The system that was in place was a command and control system designed to assure that the plant’s equipment and processes conformed to USDA requirements. Before the days of rapid microbial tests, the USDA used an organoleptic (sensory—smell, touch, sight) meat inspection system combined with standardized requirements for temperature and sanitation.

During the tour, the plant owner expressed his dislike of the system because a shut down for one item meant a plant full of people, whose salaries he had to pay, standing around waiting until they could go back to work.

The 1993 Jack In The Box outbreak made it clear that, by itself, the organoleptic command and control system was not adequate to protect the public health. The system needed to include microbial tests as well.

Building on work by Pillsbury and NASA (National Aeronautic and Space Administration), the USDA decided to move to the HACCP (Hazard

Analysis Critical Control Point) system of inspection. Based on the idea that the plant operator knows the plant better than the USDA, the responsibility for designing an inspection system was turned over to each individual plant.

The plant operator was required to identify potential hazards and the critical points in the process where those hazards could come into play. The plan would then identify procedures that would be used to minimize the hazard risk at those control points. The plant would be responsible for the implementation of the plan.

The inspector was no longer responsible for what was happening on the plant floor, that was left to company personnel. The role of the inspector was to make sure that plant personnel were carrying out their duties in a manner consistent with the HACCP plan. In many cases this amounted to making sure that all of the paper work was in the proper order.

To us this seems a little like allowing the fox to guard the hen house. There is a potential conflict of interest between the employee’s responsibility to food safety and to the employer—any shutdown costs the employer money.

The employer/employee are not the only ones with a potential conflict of interest. On the one hand, the USDA is responsible for the promotion of various agricultural products. To carry out those responsibilities the USDA depends on the cooperation of the growers and processors. In the case of beef, five processors handle the bulk of the US slaughter. On the other hand, the USDA has to inspect the plants of those on whose cooperation it depends in its role as a promoter.

The *E. coli* problems last year and the downer cattle problems at Westland/Hallmark this year have led to calls for rethinking the current inspection. It has been suggested that the inspection role needs to be taken out of USDA and put in a new agency whose primary concern is the safety of our food system.

Given the seriousness of the recalls and the potential conflicts of interest, it would seem that it is even in the long-term best interest of beef producers to revisit the inspection system.

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Originally published in *MidAmerica Farmer Grower*, Vol. 25, No. 11, March 14, 2008
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