

PolicyPennings by Dr. Daryll E. Ray

## New beef E. coli O157:H7 regulations- Just kick the can further down the road?

In response to the principles developed by the White House Food Safety Working Group, the United States Department of Agriculture (USDA) and the Department of Health and Human Services (DHHS) jointly announced on July 31, 2009 that they were taking steps to increase the security of the US food supply (USDA News Release 0359-09).

DHHS announced that its Food and Drug Administration had issued draft guidelines "aimed at minimizing or eliminating contamination of leafy greens, tomatoes, and melons that can cause foodborne illnesses."

"Agriculture Secretary Vilsack announced that the USDA's Food Safety Inspection Service (FSIS) is issuing guidelines for inspectors to begin conducting routine sampling of bench trim for E. Coli. Bench trim is pieces left over from steaks and other cuts that are then used to make ground beef." In this column we will be focusing on the new sampling of bench trim.

According to the USDA, "FSIS has not routinely tested bench trim, and [the July 31, 2009] announcement builds on previous measures FSIS has taken to ensure meat is safe. FSIS started E. coli O157:H7 testing with ground beef and has expanded testing to other beef components that are used in ground beef. FSIS' streamlined instructions to its personnel for inspection will mean inspectors now have a clear, simplified procedure to find and eliminate E. coli before it reaches consumers.

"E. coli O157:H7 is a potentially deadly bacterium that can cause bloody diarrhea, dehydration and in the most severe cases, kidney failure. The very young, seniors, and persons with weak immune systems are the most susceptible to foodborne illness."

To begin the implementation of the testing of bench trim, the FSIS released Notice 51-09 to inform inspection program personnel of the details of the testing program. The 6-page notice, which expires on August 1, 2010, gives a general outline of the procedures to be followed by USDA personnel with detailed sampling procedures included in a separate 80-page FSIS Directive.

According to a New York Times article, "2 Agencies Take Steps to Improve Food Safety," by William Neuman, "The new rules apply to about 600 meat processing plants where government inspectors perform a variety of tests every day the plant operates." But to our surprise, the article re-

ported that the regular testing announced by Secretary Vilsack would "total...1,500 samplings nationwide over 12 months."

Neuman quotes USDA Deputy Undersecretary for food safety Jerold R. Mande as saying, "If it turns out in the course of doing 1,500 samples in a year we see that there is contamination coming from this then we've got to go back further up the stream and find out how they're handling this bench trim and treat it differently."

What that seems to mean is that the "regular sampling of bench trim" will not be a regular ongoing testing program. Instead, it will be a study in which bench trim, derived from cattle not slaughtered in the establishment, will be tested to determine if there is a problem "further up the stream."

While Mande does not define "up the stream," standard use of the term would imply he meant trace-back to the slaughterhouse that supplied the material that was turned into bench trim in the process of cutting steaks and roasts.

Under closer inspection it seems that what they have announced is not a new food safety program with regard to E. coli O157:H7, but rather a year-long experiment to see if a new program is needed.

The E. coli problem is complicated because FSIS Notice 51-09 says the establishment to be sampled "can identify the sampled lot for bench trim as limited to the production lot of bench trim only, and not the primal cuts or intact steaks and roasts because the latter products would not be adulterated if positive for E. coli O157:H7."

Instead of doing a study of downstream plants to determine if there is a problem at the upstream slaughterhouse, why not just test the primals at the slaughterhouse and save a year's time and a significant portion of the estimated 73,000 illnesses, 2,000 hospitalizations, and 60 deaths that the Centers for Disease Control says are caused by E. coli O157:H7?

Isn't it time that the USDA decrees that slaughtering plants no longer send out primals under the illusion (formalized with labeling) that none of it will end up in hamburger? Clearly, downstream processing plants will typically do further bench trimming of the sent-out primals, and those trimmings will typically be ground into hamburger.

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With such a USDA directive, E. coli O157:H7 would be an adulterant of meat, period, from the get go. And it would have to be dealt with at the most logical first detection point.

At least initially, the latest government "steps to improve food safety" are really no improvement at all in the case of E. coli O157:H7 contamination of beef. For all practical purposes, it maintains the status quo. It gives

the appearance that something is being done, but actually it just kicks the can further down the road.

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