



CENTER FOR
FOOD SAFETY



INSTITUTE FOR
AGRICULTURE AND TRADE POLICY

Contact

Center for Food Safety: Abigail Seiler, (202) 679-3370, pr@centerforfoodsafety.org

Institute for Agriculture and Trade Policy: Andrew Ranallo, (612) 870-3456, aranallo@iatp.org

FDA IGNORES TOXIC ARSENIC IN ANIMAL FEED

Lawsuit Filed to Force FDA to Protect Public Health and Ban Arsenic in Feed for Chicken, Turkey, and Hogs

Washington, D.C., May 1, 2013 – Today attorneys at Center for Food Safety (CFS) filed a [lawsuit](#) on behalf of CFS, the Institute for Agriculture and Trade Policy, and seven other U.S. food safety, agriculture, public health, and environmental groups to compel FDA to respond to the groups' three year-old petition which calls for immediate withdrawal of FDA's approval of arsenic-containing compounds as feed additives for food animals. Filed the same day Consumer Reports released an alarming study on antibiotic resistance in turkey, the lawsuit highlights yet another gaping hole in FDA oversight of animal feed additives.

Arsenic is commonly added to poultry feed for the FDA-approved purposes of inducing faster weight gain on less feed, and creating the perceived appearance of a healthy color in meat from chickens, turkeys, and hogs. Yet new studies increasingly link these practices to serious human health problems. Today's lawsuit seeks to force FDA to fulfill its mandate to better protect the public from arsenic. The 2009 Petition presented abundant science to FDA that organic arsenic compounds—like those added to animal feed—are directly toxic to animals and humans, but also that they convert to cancer-causing, inorganic arsenic inside of chickens, in manure-treated soil and in humans. Additional testing since submission of the 2009 Petition demonstrates even greater cause for public concern and therefore greater urgency meriting FDA's prompt attention.

"FDA could easily and immediately fix the problem," said Paige Tomaselli, senior staff attorney with Center for Food Safety, "but instead puts its head in the sand. We can only conclude the FDA is catering to the companies that continue to sell products containing arsenic that ends up in our food supply."

"FDA leadership is asleep at the switch, if not turning a blind eye to public health," said David Wallinga, MD, a physician with the Institute for Agriculture and Trade Policy. "Seven years ago, IATP [blew the whistle](#) on FDA's indifference to arsenic being needlessly fed to chickens and turkeys. More than a decade ago, we sounded the alarm on how FDA let the routine feeding of drugs to chickens and turkeys help ensure that Americans would eat meat often contaminated with bacteria resistant to multiple antibiotics. We are filing suit because nothing much has changed."

First approved as animal feed additives in the 1940s, arsenic-containing compounds remain legal for use in U.S. chicken, turkey, and swine production. They were never approved as safe for animal feed in the European Union, Japan, and many other countries.

Substantial evidence confirming the serious public health risks of using arsenic as a feed additive was provided as part of the [2009 Petition to the FDA](#).

Since 2009, this evidence has continued to grow, yet FDA still fails to respond to the 2009 Petition:

- In 2011, FDA reported its own study concluded that that organic arsenic could transform into the toxic carcinogen inorganic arsenic, and that levels of inorganic arsenic in chicken livers were substantially higher for chickens treated with the arsenical Roxarsone than for chickens not treated with Roxarsone.
- Also in 2011, Alpharma (a division of Pfizer) announced it would voluntarily suspend—not revoke—sale of Roxarsone within 30 days following the release of FDA’s study. At this time, FDA commented that Roxarsone raised concerns of “completely avoidable exposure to a carcinogen.”
- In 2012, Maryland’s Governor signed H.B. 167, banning use, sale, or distribution of Roxarsone or any other feed additive that contains arsenic, or histostat.

While these efforts are a step in the right direction, they are far from the comprehensive approach that is necessary under the law to protect public health. For example, without an FDA ban in place, Alpharma is free to begin marketing Roxarsone at any time.

Read IATP’s 2006 report, [Playing Chicken: Avoiding Arsenic in Your Meat](#).

A copy of the complaint can be found [HERE](#).

Organizations participating in the lawsuit include:

Center for Biological Diversity
Center for Environmental Health
Center for Food Safety
Food Animal Concerns Trust
Food and Water Watch
Health Care Without Harm
Institute for Agriculture and Trade Policy
Oregon Physicians for Social Responsibility
San Francisco Bay Area Physicians for Social Responsibility