

U.S. Not Doing Enough to Fight Mad Cow

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On July 13, the U.S. Department of Agriculture Inspector General released a draft report criticizing the agency's Animal Plant and Health Inspection Service (APHIS) for its measures to reduce mad cow disease (bovine spongiform encephalopathy, or BSE) in the United States. The report outlined six significant complaints: the APHIS testing plan is not random, its statistical projections are unreliable, its surveillance plan is geographically unrepresentative, its assumptions about what constitutes high-risk cattle are incorrect, its results will project a false assurance about BSE incidence, and most crucially, APHIS cannot easily identify the so-called high-risk cattle, reducing the chances of diagnosing BSE.

These findings are important because APHIS is the lead agency charged with identifying and preventing mad cow in the United States. Since a cow with BSE was found in Washington State in December 2003, APHIS has taken a number of steps it claimed would increase the safety of beef in the United States. It will increase the number of cows tested from 20,000 in 2003 to 268,000 in 2004 (the increase brings the percentage of cattle tested to a little more than 1/2 of 1 percent of the 45 million cattle in the U.S.), propose feed restrictions on high risk materials such as meat removed from spinal tissue, and establish rules prohibiting downer cows (cattle that are no longer able to walk) from entering the food supply. However, the increase in surveillance began only in June, and the proposed feed restrictions have only in July entered into the Federal Register for public comment (delaying the regulations even further; the USDA promises to issue a final rule in January). Furthermore, APHIS itself violated the downer rule by failing to test a downed cow suspected of having BSE in Texas in May (this incident is also being investigated by the USDA Inspector General).

The problems hardly end there. In February, Creekstone Farms, a beef processor in Kansas with a significant market in Japan, asked APHIS for permission to test its own cattle for BSE in order to meet Japan's demand for 100% cattle testing for BSE (Japan banned U.S. beef after BSE was discovered in Washington). The USDA refused to allow them to test their own cattle, claiming it was unnecessary and "scientifically unjustified" to test cattle under 30 months of age and because the USDA solely controlled the license for the test. Japan, meanwhile, has been under pressure from the U.S. simply to lift its ban on American cattle, and recent news reports suggest the U.S. pressure is working. Another round of talks in late July resulted in the USDA predicting that Japan would lift its ban. If Japan caves in, there will have been no change in the safety of U.S. beef, but there will be a perception that there has been.

BSE is a wasting disease that affects the central nervous system of cattle. The principle feature of the APHIS surveillance plan is to test high-risk cattle—cattle that have difficulty walking or standing, or cattle that have died from unknown causes. But according to the USDA Inspector General, BSE affects healthy-appearing cattle as well, which would remain untested in the current surveillance program. Further, the testing

program is voluntary, essentially allowing producers to choose which cattle the USDA sees and tests. Because the presence of BSE would adversely affect a beef producer's income, the USDA's voluntary policy could have the perverse effect of preventing the discovery of BSE. APHIS has the authority to mandate testing, but chooses not to exercise it, continuing a disturbing trend of self-regulation seen in meat safety testing. In June, a coalition of ten organizations, including IATP, issued the "Mad Cow Report Card," criticizing the Bush administration for the USDA's actions and inactions in the face of the BSE crisis. Giving an overall grade of D, the report card evaluated the testing issues detailed above, feed restrictions, downer cattle, a national cattle ID/tracking system, mandatory recall authority, and country of origin labeling. The USDA attacked the report, claiming they had been addressing those issues for a decade and that they were committed to protecting public health.

The USDA has many high-ranking members with alarmingly recent economic ties to the very industries the USDA is supposed to be regulating*. How can a USDA official who once directed the National Cattlemen's Beef Association, which opposes mandatory BSE testing, objectively evaluate the call for mandatory BSE testing? Yet this is exactly the situation presently occurring in the USDA.

There are several immediate steps that could be taken to markedly improve protections against the spread of mad cow disease in the U.S.:

- Allow beef producers to have their cattle tested for mad cow disease;
- Ensure that feed restrictions prevent mad cow disease;
- Ban all downer animals out of food and feed;
- Implement an independent national animal identification and tracking system;
- Increase surveillance for brain-wasting disease in humans and require mandatory reporting of Creutzfeldt-Jakob Disease;
- Establish USDA mandatory recall authority for contaminated meat;
- Implement Country Of Origin Labeling as required by the 2002 Farm Bill;

* For example, the Secretary of Agriculture Anne Veneman's chief of staff Dale Moore was executive director for legislative affairs of the National Cattlemen's Beef Association (NCBA), a trade association heavily supported by and aligned with the interests of the big meatpacking companies, such as Tyson and Cargill. Deputy Secretary James Moseley was a co-owner of a large factory farm in Indiana. Floyd Gaibler, a Deputy Under Secretary, used to be executive director of the dairy industry's National Cheese Institute. Assistant Secretary for Congressional Relations Mary Waters was a senior director and legislative counsel for ConAgra Foods, one of the country's largest food processors. (Taken from USDA Inc: How Agribusiness has Hijacked Regulatory Policy at the U.S. Department of Agriculture, by Philip Mattera, available at <http://www.competitivemarkets.com>.)

- Provide opportunities for public input on mad cow prevention.

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