



## Consumer Federation of America

### Report – Taking *Salmonella* Seriously: Policies to Protect Health under Current Law

#### Summary

In a new report, the Consumer Federation of America examines the legal and scientific foundations for USDA policy on *Salmonella* in raw meat and poultry. The report explains why the law authorizes federal regulators to treat *Salmonella* as an adulterant in raw meat and poultry, and it describes five policy options for harnessing new research and technology to protect public health.

#### Findings

The report shows that reforms to reduce *Salmonella* in raw meat and poultry are not only long overdue, but also legally and economically feasible. In particular, the report finds that:

- Lack of enforcement has led to widespread noncompliance with *Salmonella* standards introduced in response to recent outbreaks.
- Progress on reducing *Salmonella* infections in the U.S. has stagnated for over a decade, with five large outbreaks associated with meat and poultry occurring in just the last year.
- Many *Salmonella* reduction strategies with proven effectiveness, particularly on-farm, are not applied by major U.S. companies.
- Federal regulators have refused to adopt common sense policies on the basis of legal precedent that is woefully outdated and scientifically wrong.

#### Conclusion and recommendations

The report urges USDA's Food Safety and Inspection Service to announce an interpretive rule under which the agency will consider raw meat and poultry "adulterated" if it is contaminated with *Salmonella*. The report describes the pros and cons associated with five policy options for implementing such a rule, namely:

- A zero tolerance approach to all *Salmonella*
- Prohibiting particular *Salmonella* serotypes associated with human illness on raw foods
- Prohibiting *Salmonella* strains associated with an ongoing outbreak
- Prohibiting *Salmonella* resistant to certain medically important antibiotics

- Prohibiting high loads of *Salmonella* bacteria

The report explains why any of these policies would protect public health better than the status quo.

### **Foodborne Illness Statistics**

Each year 48 million Americans are sickened, 128,000 are hospitalized and 3,000 die from foodborne disease. (CDC, 2011)

Between 2009 and 2015, 35% of outbreak associated illnesses were attributable to meat and poultry products. ([CDC, 2018](#))

The medical costs of treating *Salmonella* infection in the U.S. is estimated to exceed \$3.7 billion each year. ([USDA ERS 2014](#))

### **Timeline**

#### **1905**

Upton Sinclair publishes *The Jungle*. Six months later, Congress passes the **Federal Meat Inspection Act (FMIA)**.

#### **1974**

The D.C. Circuit rules in *American Public Health Association v. Butz* that ***Salmonella* is not an adulterant under the FMIA or PPIA** because “American housewives and cooks normally are not ignorant or stupid and their methods of preparing and cooking of food do not ordinarily result in salmonellosis.”

#### **1993**

*E. coli* O157:H7 outbreak in the Pacific Northwest linked to Jack-in-the-Box **causes 400 illnesses and four deaths**. A year later, Administrator Michael Taylor announces that FSIS considers “**raw ground beef that is contaminated with *E. coli* O157:H7 to be adulterated**” under the FMIA.

#### **July 25, 1996**

FSIS issues landmark **Pathogen Reduction/HACCP Systems rule**.

#### **December 6, 2001**

Fifth Circuit Court of Appeals rules in *Supreme Beef Processors, Inc. v. USDA* that **FSIS cannot take enforcement action against meat processors** on the basis of *Salmonella* testing results alone.

#### **November 17, 2003**

**European Commission issues *Salmonella* control rule** that targets certain serotypes in livestock.

**August 3, 2011**

Cargill Meat Solutions, Inc. **recalls 36 million pounds of turkey** for suspected contamination with *Salmonella* Heidelberg **implicated in 136 illnesses and one death.**

**July 12, 2014**

Foster Farms **recalls an “undetermined amount” of chicken products** for suspected contamination with *Salmonella* Heidelberg **implicated in 634 illnesses.**

**February 11, 2016**

**FSIS finalizes updated standards** for *Salmonella* and *Campylobacter* in ground poultry and poultry parts.

**November 23, 2018**

FSIS publishes data indicating **nearly all major poultry companies** are operating plants that **fail to comply with the new rules.**