

# The need for Traceback

and

**More focus on the source of the  
*E. coli* O157:H7 problem**

Felicia Nestor  
Senior Policy Analyst  
Food & Water Watch

# Food and Water Watch Perspective

- Consumers deserve effective government oversight of the food supply;
- An increasing number of consumers want locally-produced meat:
  - Massive recalls have raised concerns about the safety of food produced by large, multinational conglomerates;
  - They are becoming more increasingly concerned with the environment and sustainability.

# FSIS's *E. coli* testing policies

Have harmed both of those goals by failing to provide for adequate traceback and failing to focus on the sources of contamination.

## FSIS:

- ◆ focused most enforcement at the end of the line - at grinders and very small plants - More than 40% of very small grinders have stopped producing ground beef since 2003;
- ◆ avoided identification of plants that could have been the source of the problem, particularly large slaughter plants.

# FSIS's *E. coli* testing policies

## Result:

- ◆ Prolonged unnecessary danger for consumers
- ◆ Created undue hardships for many smaller plants that received contaminated supplies for making ground beef.

# FSIS's *E. coli* testing program

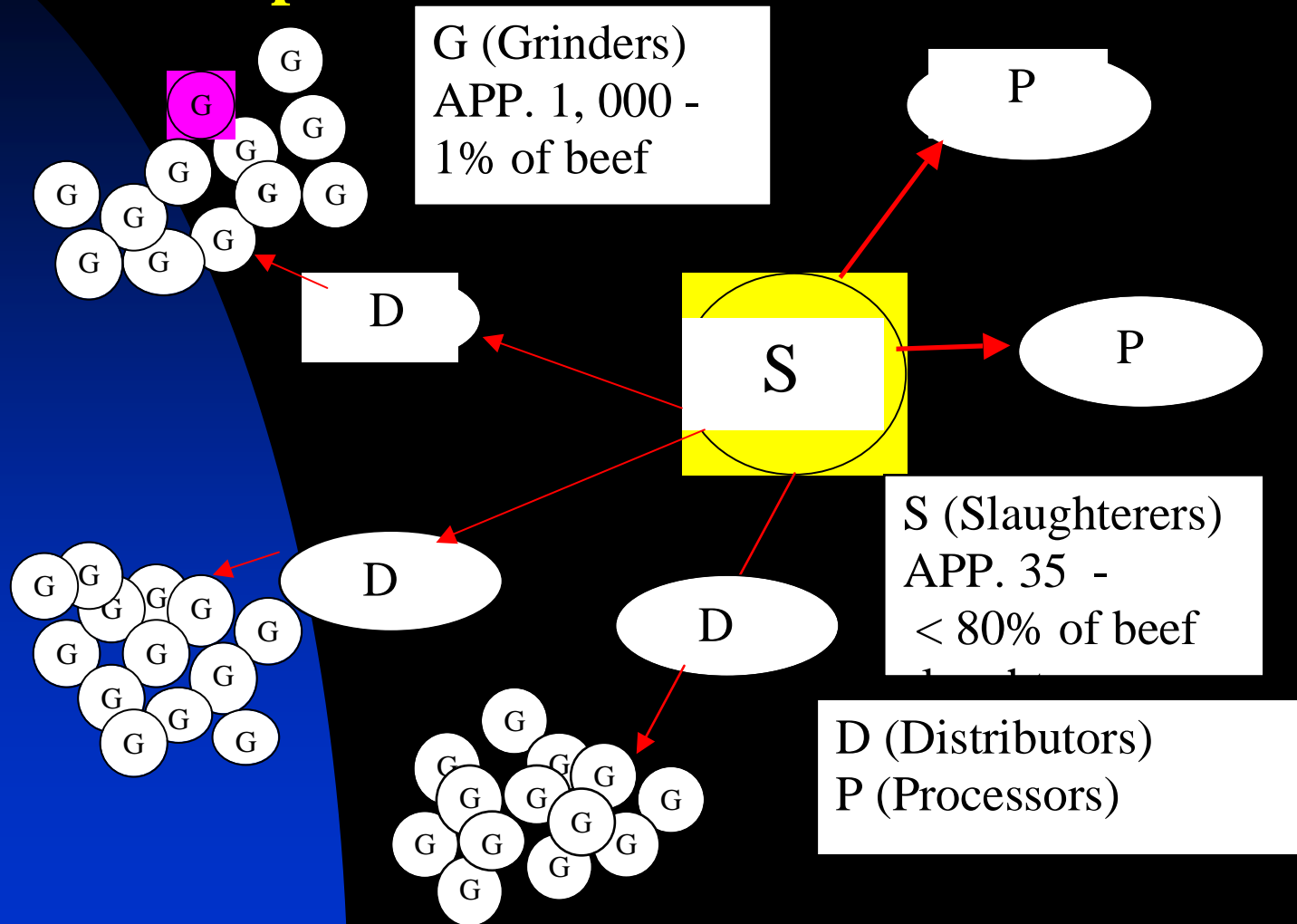
Each year, up to 70% of FSIS tests were taken at the smallest plants, which make approximately 1 % of the ground beef, while less than 5% of FSIS tests were taken at the largest beef slaughterhouses, which slaughter more than 80% of the beef.

NOTE: Charts are *not* directly comparable.

PLANT SIZE	1998-2002
Large	0.97%
Small	39.26%
Very Small	59.77%

2007	2008	Volume of Production
2.65%	6.24%	>= 250,000
4.24%	8.07%	50,000-250,000
23.57%	27.17%	1,000-50,000
69.54%	58.52%	0-1,000

# FSIS testing focuses on the perimeter of the beef production system and fails to identify all contaminated product



# Failure to Traceback

- **FSIS has publicly committed to traceback in seeking support for its HACCP program and policies:**
- The 1996 HACCP Final Rule says records enabling traceback are “an essential part of the HACCP system.”
- 1998 FSIS’s Recall Policy Working Group publicly reported that the Agency routinely traced back to the source, particularly when pathogens were involved, to meet consumer expectations;
- 1998 Guidance for Beef Grinders emphasized the importance of traceback, 10 times in the 14 page document;
- 2000 - FSIS responded to a question by a consumer representative at a National Advisory Committee meeting that during a recall, “We make every attempt to traceback to the source of the problem”

# Failure to Traceback

**The agency has not been transparent about its use of traceback when routine FSIS finds contamination but the available evidence suggests that it has been relatively rare.**

**FSIS testing data shows approximately 200 cases when traceback should have been considered.**



# Failure to Traceback

- FSIS testing discovered *E. coli* O157:H7 contamination at ground beef in 207 plants between 1998 and 2007.
- In over 160 of these plants, contamination must have come in on USDA inspected and passed product from another plant because the tested plant did no slaughter. In the other 40, another slaughter plant could have been the source if the tested plant commingled product.

**FSIS has the responsibility to traceback to the source of the problem when either FSIS or plant testing indicates that the FSIS inspection program has failed to prevent contamination from leaving a plant.**

# **FSIS's *E. coli* testing program**

**How many traceback investigations did FSIS conduct after the routine FSIS testing program found contamination?**

**There were 11 recalls between 1998-2007 because of traceback after routine FSIS testing.**

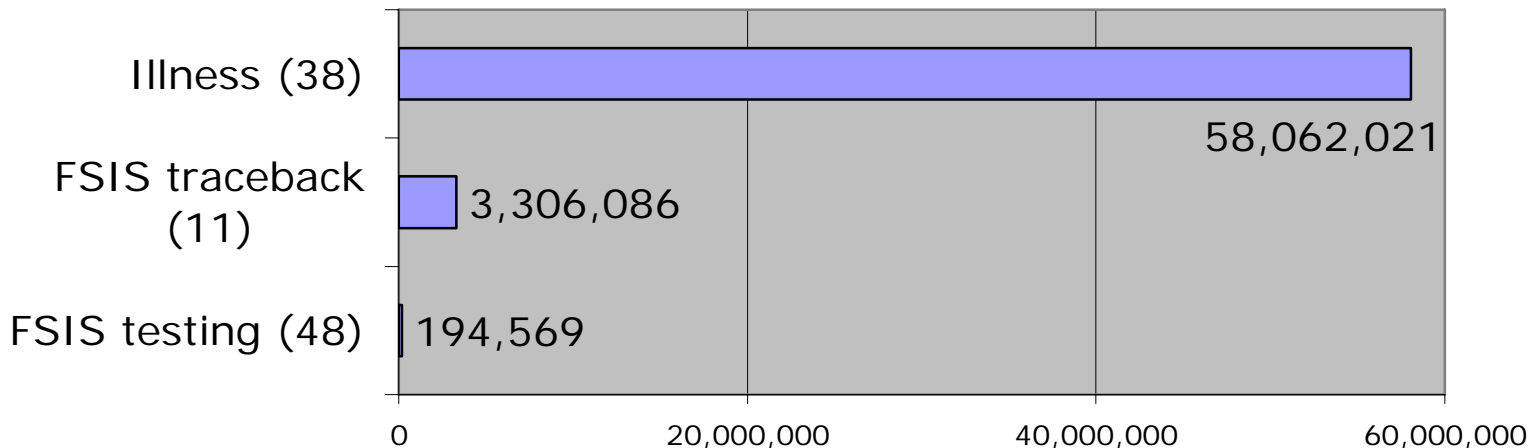
**Between 2004 and 2007, FSIS data shows 3 plants tested as part of a traceback investigation.**

**Current FSIS traceback policies are generally NOT realtime and DO NOT have removal of all contaminated product from the market as a goal.**

**FSIS conducted 38 traceback investigations after consumers were injured by *E. coli* O157:H7 contamination in beef.**

**FSIS conducted 38 traceback investigations after consumers were injured by *E. coli* O157:H7 contamination in beef and recalled much more potentially contaminated product than after FSIS testing, but again, didn't identify the source slaughterhouse in the vast majority of cases.**

**Amount of Product Recalled, Three Causes, 1998-2007**



# Failing to focus at the source

## Trusting interventions

1998-2002 ConAgra recall. FSIS exempted most large plants from FSIS testing based on interventions and industry testing.

- ◆ Most large, corporate slaughter plants went 3 - 4 years without an FSIS *E. coli* test, despite evidence that interventions were not working:
- ◆ 9 salmonella sets failed,
- ◆ 5 recalls because of an indicator other than FSIS testing (including illness or company testing);
- ◆ Failed FSIS tests at closely associated processing plants;
- ◆ Numerous failures of company tests;
- ◆ Repeated fecal NRs;

# Failing to focus at the source

## Trusting interventions

2008 Risk-based *E. coli* testing proposal continues to recommend less testing at plants that use interventions and/or do their own testing.

# Failing to focus at the source

## 2004-2007

**FSIS** allowed plants to use a sampling scheme that was not well founded and effectively created a regulatory standard other than *zero tolerance* for *E. coli* O157:H7 without public input, and:

- **FSIS tested only *pre-tested* product, making it less likely FSIS would find evidence of contamination,**
- **Failed to have inspectors scrutinizing the plant's use of sampling despite the fact that testing was a fundamental part of the plant's HACCP plan,**
- **Kept no records of how many thousands of pounds were diverted to cooking**

# Failing to focus at the source

## Lack of adequate inspector control at large slaughter establishments

Inspectors at high-speed plants don't have enough time to do an adequate check for fecal contamination at the final rail.

Fecal NRs from slaughter and processing floors confirm that fecal is getting into the coolers. At very small plants, the carcass cannot leave the floor until the inspector releases it.

Inspectors also complain about the new, limiting definition of fecal contamination, which requires texture.



# Failing to focus at the source

**Expecting small plants to negotiate with large suppliers for safer food is a bad policy:**

- **Small plants have been threatened with blacklisting if they test,**
- **Smallest plants (over 1,000) do not have the market power to negotiate for safer supplies, including safe primal and subprimal cuts,**
- **Sale of unadulterated food is not a matter of private contract.**

## **RECOMMENDATION:**

**FSIS must get more involved by strengthening its traceback program and increasing scrutiny and oversight at slaughter plants, particularly the large plants at which FSIS has decreased oversight since the beginning of HACCP.**