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## **Thomas McGarity: Only an independent agency can safeguard beef**

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By **THOMAS McGARITY**

The discovery of a Washington state cow infected with mad cow disease has consumers and the beef industry on edge – and for good reason. Nobody wants a mad cow outbreak – not consumers who eat beef and not the farmers who raise cattle.

Memories of the British beef industry's severe hit from its mad cow fiasco a couple of years ago are all too fresh. A number of countries already have responded to the latest news by banning imports of U.S. beef, and it is reasonable to imagine that the news will dampen beef sales in supermarkets across the land.

Reacting to this economic threat to an important domestic industry, the Bush administration has proposed new requirements for slaughtering cattle and processing meat. Consumers should welcome those actions, but they shouldn't take at face value the administration's assurances that the proposals will ensure a safe supply of beef.



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First, we haven't seen the fine print yet. The new restrictions, for example, will require establishments to implement unspecified "process controls" and "verification testing" to ensure that nerve tissue doesn't get into processed meat. We won't know how effective the restrictions will be until we see the loopholes.

Second, the requirements are subject to legal challenge, and the U.S. meat industry has an impressive record of persuading courts to throw out Agriculture Department rules.

Third, the proposals don't get to the heart of the problem, which is the absence of an independent regulatory authority to constrain a modern meat manufacturing industry that puts a huge premium on the efficient use of every part of every cow that enters the manufacturing process.

The pressures to extract the last possible scrap of protein from every slaughtered animal result in a secondary market in which protein from cattle is fed to animals to supplement their diets. That also is an avenue for the spread of mad cow disease because the disease is transmitted when a cow eats material from the brain or nerve tissue of an infected cow.

In 1997, the Agriculture Department attempted to cut off that avenue of infection at the front end of the meat production process by prohibiting feeding protein from cows to cattle. But the department and its sister agency, the Food and Drug Administration, depend upon the good faith of ranchers and feed producers to ensure that the rule isn't violated.

Four years after the ban went into effect, the General Accounting Office concluded that many of the companies subject to the ban never had been inspected. Of those that were inspected, 364 were noncompliant, but only one received so much as a warning letter.

The FDA says that it recently has improved its inspection procedures and that compliance has improved. But that assessment is based solely upon records prepared by the companies and not upon actual tests of the feed itself.

The Agriculture Department's recent restrictions focus on the back end of the process and are aimed at ensuring that meat from infected cattle isn't consumed by humans. But even after

the restrictions go into effect, a feed producer, rancher or meat processor in the extremely competitive meat market might cut corners, just as some Enron executives cut corners under similar market pressures.

Of course, we could rely upon the good faith of the feed producers, ranchers and meat manufacturers, but consumers probably would sleep better if they knew that a vigorous federal regulator was sending a strong message that any cheaters will be caught and prosecuted.

Unfortunately, consumers can't rest comfortably because both the Agriculture Department and FDA report directly to the White House and therefore are subject to political pressures from one of the Bush administration's favorite constituencies – the meat industry.

Congress should lodge the rule-making and enforcement functions of the meat safety laws in an independent agency whose primary responsibility isn't ensuring the economic well-being of agribusiness. The new agency shouldn't be subject to the political control of the White House, and it shouldn't be overseen by the House and Senate agriculture committees.

Stringent food safety laws are critical to consumer confidence in the food supply, and they must be implemented and enforced by a strong federal regulator, not a cheerleader for the regulated industry.

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