

Contaminated Eggs: A Policy for Health and Safety Improvement

In 2010, two Iowa-based, industrial egg-laying operations¹ issued a massive recall of eggs after people across the country were sickened by salmonella enteritidis², a bacterium that lives in the ovaries of the hens and is transmitted from the ovaries of infected hens to the inside of eggs. Laboratory testing is the only way that salmonella enteritidis can be detected. Once Food and Drug Administration inspectors issued their report, along with investigation by newspaper reporters, gaping holes in regulation of the egg-laying industry were exposed.

Because the problems in 2010 involved businesses affiliated with Jack DeCoster, the concerns were quickly dismissed. Mr. DeCoster has had a troubled history with respect to following the law concerning his animal operations both in Iowa and out of state and the egg recall was more of the same behavior. Federal authorities fined him for health and safety violations in Maine. Prior to the egg recall, he was named a habitual violator of environmental laws in Iowa, was fined \$150,000 and was banned from establishing additional livestock operations for several years.



However, the extent of the recall and the seriousness of the illness resulting from salmonella should have served as a wake-up call to other egg-laying operations. Even so, a *Des Moines Register* investigative report in 2011 showed that the problems found in the two egg-laying operations in 2010 continue across the industry.

The violations found in Iowa egg-producing operations in 2010 and 2011 are not merely technical violations. They are serious infractions, involving poorly managed operations, including:

1. Maggots observed in the manure pit.
2. Large quantities of flies found around egg belts and walkways.
3. Structural damage to a number of the buildings allowed birds to enter.
4. Water found standing in manure pits. Chicken manure is stored in a dry form and should not have standing water in the manure pits.
5. Operators failed to keep rodents out of the buildings and were not sealing rodent burrow holes.
6. Detection of poor disinfection of dead hen trailers and trucks used to move live chickens.
7. Employees not sanitizing equipment before they moved between poultry houses.

With limited inspections or no inspections, protection of the public health falls solely to the owners and managers to safely operate the egg-laying facilities in a manner that respects the health and well-being of the public.

¹ Wright County Egg and Hillandale Farms Inc supplied the contaminated eggs. The source of the salmonella was traced to a feed mill, Quality Egg LLC Feed Mill.

² Nineteen hundred people were sickened and half a billion eggs were recalled in the 2010 incident.

How chickens are raised

Today, egg-laying hens are raised in concentrated animal feeding operations (CAFO). The hens are placed in barns, often in battery cages, pens that are so small that the hens cannot move around. They never see sunshine. In some CAFOs, the hens are cage-free -- the hens are not caged all day long -- and have nesting boxes to lay their eggs. The manure is stored under the building in dry form. Thousands of hens are housed in one building.

Policy Recommendations

A long-discussed set of federal rules affecting the largest egg operations, those housing at least 3,000 hens, was implemented in the summer of 2010. However, a gap remains in the regulations affecting the egg operations of fewer than 3,000 hens, a gap that should be filled with state laws and regulations.

The Club suggests administrative rules changes and internal policy changes that can be made to ensure that the public health and safety are protected from infected eggs. These changes should be made at both the state and federal level. These policies include:

1. Require mandatory vaccinations of chickens raised in CAFOs against salmonella.
2. Mandatory recall of eggs and other food products when it is determined that they have become contaminated. When tainted food is identified, the government agency should be responsible for issuing the recall. This requirement is easily met if a government agency identifies the source of the contamination. Should a producer, instead of a government agency, identify that a product is tainted, it should be the responsibility of the producer to notify an inspector in order to initiate a recall; failure to do so should result in stiff penalties. Today the producer can either issue the recall or can decide that a recall is not necessary. Voluntary compliance in recalls does not work in a way that is consistent with protecting the public health.
3. Budgeting of regulatory staff to significantly support monitoring concentrated animal feeding operations so that problems like these egg producers have created are not allowed to worsen for years.
 - a. Launch an Iowa inspection program for egg producers housing fewer than 3,000 hens.
 - b. Adequate budgeting of state and federal inspection programs.
 - c. Annual inspection of each commercial egg-producing facility needs. For the largest facilities and those most likely to be sources of serious health-affecting tainting, on-site inspectors should be stationed at the processing plant. Regular inspections would detect problems like those found at the egg producers involved with the recall so they are not allowed to fester for years.
 - d. Inspections should not be announced prior to the inspector arriving at the facility.
 - e. Inspectors need to perform on-site testing for salmonella as part of their inspections.
 - f. Monitoring of the feed mills producing feed for concentrated animal feeding operations needs to be implemented and enforced. Industrial-sized feed mills should require extra inspection due to the large number of animals eating the food and the large number of people who can be seriously sickened after consuming meat, eggs and dairy products from those animals.
 - g. Penalties and fines resulting from civil and criminal prosecution need to be strong enough to discourage others from operating their egg-laying operations in a careless and reckless fashion, from ignoring basic health and safety protection procedures and from failing to report salmonella contamination in a timely manner.
 - h. When inspections show a pattern of filthy facilities, poorly maintained buildings and pest-infested facilities, the inspectors should have the ability to force a clean-up, to shut down the facility and

to increase inspections until the facility proves it can be trusted to continue operations. Voluntary compliance does not work for business entities that flagrantly violate the laws. If the operation's staff is too low to adequately tend to all of the animals, then the inspector needs the ability to force a reduction in the number of animals.

- i. The roles of the Food and Drug Administration (FDA) and the Department of Agriculture (USDA) need to be better defined with respect to food inspection. One agency needs to be responsible for all food inspection, once it enters a processing or storage facility. The same agency should be responsible for inspecting the food, regardless of whether it is meat, vegetable or grain. The role for state inspections likewise needs to be very clearly defined and coordinated with the federal inspection process.
4. Licensing or accrediting laboratories that perform the testing for salmonella.
5. Protecting whistleblowers that have information about egg-laying facilities and the risk they pose to public health and safety.
6. Banning non-therapeutic use of antibiotics.

Consumer choices

As a consumer, you can change how you purchase eggs. You can buy organic eggs. Consider purchasing eggs from a local farmer who raises chickens in a more-sustainable manner, including letting the hens outdoors (free-range) and raising smaller quantities. Finally, you can support efforts to change local ordinances to allow backyard chickens in towns.

Conclusion

Given that thousands to millions of chickens are living in a single, concentrated animal feeding building, when a disease such as salmonella runs through the population, literally thousands of people can become infected. A disease like salmonella can cause serious health problems to humans, including death. The people who eat the eggs are victims of the owners and operators of the egg production businesses; the consumers are innocent of any malfeasance.

Failure to inspect the egg-laying operations leaves all Americans at risk of contacting serious food-borne illnesses. Those who do not remember history are doomed to repeat it. Although there have been no recalls connected with the egg-laying operations reviewed by *The Des Moines Register* in 2011, the public is not free from risk.

Iowa has been the largest egg-producing state in the nation for the last ten years.³ The next state is Ohio, which produces half the number of eggs that Iowa does.

Iowans need to send a strong message that Iowa is not open to businesses who flaunt the health, safety and environmental laws of the state and the nation. By enforcing our existing laws and regulations and by strengthening the ones that currently are in effect, Iowa will not be in a race to the bottom with the most polluting, most unhealthy, least protecting of human health companies in the country.

References

<http://www.fda.gov/Food/NewsEvents/WhatsNewinFood/ucm222684.htm> - The Food and Drug Administration web site has numerous pages concerning the inspection reports and the egg recall. The 483 reports can be found on the FDA web pages.

³ Iowa egg producers raise 57 million hens, which produce 14 billion eggs annually.

Elizabeth Weise and Phil Brasher, "Filth found at 2 Iowa egg farms", *USA Today*, August 31, 2010

"Rodents, filth found at Iowa egg farms," *Cedar Rapids Gazette*, August 31, 2010

"Answers about the giant egg recall", *DesMoinesRegister.com*, August 24, 2010

Perry Beeman, "DeCoster took control of egg operation after state ban," *DesMoinesRegister.com*, August 28, 2010

Jim Larew, Memorandum to Governor Chet Culver, "Review of state egg law and proposed changes"

Clark Kauffman, "What FDA inspectors found at 6 Iowa egg farms," *The Des Moines Register*, August 28, 2011

Clark Kauffman, "Register investigation: egg farms rack up violations," *The Des Moines Register*, August 27, 2011

Daniel Imhoff, Editor, *CAFO (Concentrated Animal Feeding Operation) – The Tragedy of Industrial Animal Factories*, Foundation for Deep Ecology, 2010.