

# US agencies delayed action on tainted eggs for weeks

**Kate Randall**  
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United States federal agencies delayed action for weeks after becoming aware of a salmonella outbreak that has thus far infected thousands of people, while the companies involved were allowed to continue operations.

The revelation comes as the US egg recall has expanded to include two new brand names connected to Wright County Egg, the Iowa-based company responsible for 380 million of the 550 million eggs recalled to date. More information continues to come to light as well of Wright County's long record of violations of food and workplace safety and animal cruelty.

In a press release Wednesday night, Wright County Egg announced that it had confirmed cases of salmonella enteritidis illnesses related to shell eggs bearing the Cardenas Market brand and that Cardenas was beginning a voluntary recall. The Wright County-supplied eggs were distributed in California and Nevada. Another Wright County-supplied company, Trafficanda Egg Ranch, also announced a recall of eggs distributed to grocery stores and food service companies in California.

The mass egg recall, which also includes 170 million shell eggs from Iowa-based Hillandale Farms, expanded Tuesday to eggs sold and distributed in Michigan. The recall now encompasses 23 of 50 US states.

In a conference call on Thursday, officials from the US Food and Drug Administration (FDA) said that feed given to hens at both Wright County and Hillandale is the likely source of the salmonella. Chicken feed and some feed ingredients are believed to have been contaminated, possibly after heat treatment of the feed to kill off the bacteria.

Federal officials investigating the two egg producers said they had found samples of the bacteria in barns and chicken feed at some of the facilities that were a genetic match for the bacteria that has caused people to become sick. The FDA said that testing at Wright County Egg has so far found six samples of salmonella matching the outbreak strain.

The US Centers for Disease Control and Prevention (CDC) says the salmonella outbreak has sickened about 2,430 people in the US between May 1 and August 25 of this year,

although the government agency admits that the extent of illness is likely underreported by a factor of as much as 40.

Salmonella can cause fever, severe vomiting, diarrhea and abdominal pain. It can also be fatal if the bacterial infection enters the bloodstream. Those with compromised immune systems as well as the elderly and infants are at higher risk for severe illness and death.

The egg recall demonstrates how the government agencies supposedly ensuring the safety of the food supply are both woefully ineffective and beholden to the profits of the companies they are tasked to regulate.

The state of California was most likely the first to identify salmonella illnesses linked to the two Iowa egg producers. The Santa Clara County Public Health Department states that on May 28 and 29 several people became sick after attending two catered events. A common link among those who fell ill was consumption of a custard filling made with shell eggs.

Throughout June and early July, the Santa Clara county officials reported 42 people testing positive for salmonella, including six who ended up in the hospital. After interviews with food preparers and others, local investigators traced a link back to Wright County Egg.

On July 29, the California Department of Health sent a notice to the CDC and the US Department of Agriculture (USDA) warning of their suspicion of a connection between the salmonella and Wright County Egg. CNN reports that Michael Sicilia, a spokesman for the state health department, "said the alert helped confirm the suspicions of officials in other states who were also investigating a surge in salmonella cases."

However, although the Iowa egg company had been identified as the likely source of the salmonella outbreak, it was not until more than two weeks later—August 13—that Wright County enacted a partial recall of eggs from three of its five farms. The company was compelled to conduct a company-wide recall following exposure by federal epidemiologists of links to its other two farms.

Hillandale Farms, the other Iowa egg producer, announced

its 170 million egg recall on August 20.

In late July, in light of the growing evidence against Wright County, the CDC reportedly considered issuing a general reminder to the public about the dangers of eating undercooked eggs. But, according to *USA Today*, “The CDC decided it would be more effective to wait until the Food and Drug Administration (FDA) completed its investigation of the company.”

According to Wright County Egg spokeswoman Hinda Mitchell, the FDA did not contact the company until August 10, and did not provide detailed information on the outbreak until August 12.

Tellingly, the *New York Times* reports that the FDA has said it has “no inspectional history” with the two Iowa egg companies linked to the salmonella-tainted eggs—i.e., FDA inspectors have apparently never set foot on their property.

The FDA will likely defend its slow response on the basis that the agency does not have the power to compel companies to launch recalls. Such recalls are entirely voluntary, and with tens of millions of dollars in profits at stake, companies are unwilling to take action in the public interest unless overwhelming evidence is brought to bear.

While new FDA regulations going into effect in 2012 will presumably require regular testing of egg companies for contamination and cleanliness, they will not include mandatory vaccination of hens against salmonella. Such vaccinations have been credited with a 95 percent drop in human salmonella illnesses in Britain over the past 10 years.

Large-scale producers of eggs and other foodstuffs are subject to minimal regulation and are able to continue their profitable operations, often despite overwhelming evidence that their products pose a widespread danger to public health.

Austin “Jack” DeCoster, now owner of Wright County Eggs, was charged in the early 1990s with violating a quarantine at two massive egg-producing facilities in Maryland by selling contaminated eggs.

DeCoster set up shop in Maryland in 1980, and by 1988 his operations in the state had been implicated in several outbreaks of salmonella. Contaminated eggs shipped from his facilities in Maryland to a New York City hospital resulted in 11 deaths.

But because DeCoster’s eggs were being shipped across state lines, officials in Maryland were unable to stop him or hold his company criminally responsible. Ruling in favor of DeCoster, a federal judge in 1992 wrote that despite the evidence of salmonella contamination in DeCoster’s poultry products approaching “epidemic proportions,” Maryland had no power to protect citizens of another state from the tainted eggs.

The FDA, the agency responsible for ensuring the safety of

eggs shipped across state lines, took no action against DeCoster’s operations. For its part, the USDA, which is responsible for the health of hens, failed to get involved because the salmonella reportedly did not make the hens sick, despite the risk their infected eggs can pose to the humans that eat them.

DeCoster was eventually found guilty in Maryland District Court of only one charge of selling eggs from one of his quarantined henhouses in-state, to a market in Maryland in 1991. He received a suspended fine of \$500.

A 1997 investigation by the Occupational Safety and Health Administration found violations at facilities owned by DeCoster that included workers being forced to handle animal feces and dead chickens bare-handed and to live in rat-infested trailers. And in 2001, a complaint brought by the Equal Employment Opportunity Commission charged that undocumented Mexican women workers had been subject to rape and sexual assault by their supervisors. DeCoster settled for \$1.5 million.

In response to the current recall, the US House Energy and Commerce subcommittee announced Thursday that it would be holding a hearing September 14 and would be inviting the owners of the two Iowa companies to testify. The House panel has also requested that the FDA and USDA submit records of inspections and past communications with the two farms.

Such hearings—in which executives from BP, or the auto or banking industry are paraded before Congress for questioning and public chastisement—serve the purpose of damage control. If Jack DeCoster chooses to appear at the hearing (his spokesperson has not indicated that he will) it will do nothing to alter the relations between giant food producers like Wright County Eggs and the government agencies that endorse their criminal operations while endangering public health.



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