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Joan Claybrook, President

September 13, 2004

Ms. Cathie McCullough, Director
Food Distribution Division
Food and Nutrition Service
United States Department of Agriculture
3101 Park Center Drive
Room 504
Alexandria, VA 22302

Transmitted via facsimile: (703) 305-2420

Dear Ms. McCullough:

I am following up on the August 24, 2004 letter we received from Under Secretary Eric Bost regarding the food irradiation information that is on the Food and Nutrition Service (FNS) website. He recommended that we communicate with you directly regarding the content of the website.

As you know, we had sent him two letters – on July 2 and August 16 – asking to have input in the information that FNS issued on food irradiation as it impacted the National School Lunch Program. Since there seems to have been some sort of mix-up after we sent our July 2 letter, and your office proceeded to create a new food irradiation questions and answers website page on July 21, we sent Mr. Bost our second letter in which we pointed out some misleading information on your website.

I would like to reiterate some of the points we made in our August 16 letter to Under Secretary Bost.

- Some of the information on your document entitled, “Irradiated Commodity Beef – Frequently Asked Questions (revised July 21, 2004)” seems to be dated. Specifically, the document overstates the availability of irradiated meat products in the marketplace. Furthermore, the reference to two major restaurant chains in the Upper Midwest serving irradiated meat products is also not accurate based on information we were able to gather.
- We do not believe that the sources of information you make available on your website present a balanced view on the issue of food irradiation. For example, the Healthy School Meals website produced by the National Agricultural Library (NAL) contains a

page entitled, “Food Safety – Irradiation Resources” that only lists organizations – both governmental and non-governmental – that are advocates for the technology. Nowhere on that page are there sources of information that provide an alternative view of irradiation.

We believe that the NAL has already established a precedent for having material critical of irradiation made available to the public on its websites. One of the links on the NAL Healthy School Meals website is to a document entitled, “Food Safety Research: A Focus on Food Irradiation” that was authored by the Food Safety Research Information Office, which is also housed at NAL, and it lists website links of different organizations that are opposed to food irradiation, including Public Citizen. While pro-irradiation websites are readily accessible on the NAL Healthy School Meals website, it would take several steps to find information that was not favorable. We have suggested to NAL that they include the following link to its Healthy School Meals website under the category of non-governmental organizations so that another view is expressed on this issue: www.safelunch.org. We would appreciate your assistance in correcting this omission.

- We still do not believe that the Minnesota irradiation education pilot project materials are sufficient to meet the congressional intent under Section 118 of the Child Nutrition and WIC Reauthorization Act of 2004 in providing model procedures for the dissemination of materials on irradiation. While the Minnesota project leaders seemed to deem the project to be a success, it was very telling when reading the comments in the Assessment and Evaluation Report from key district staff and school board members who felt that the project was slanted in favor of the technology and not enough information was offered to present an alternative view.¹ It should be pointed out that the proposal approved by the FNS for the Minnesota project stated the following: “A successful outcome of the educational campaign will be the acceptance and introduction of irradiated ground beef by select school districts.”² None of the three school districts originally selected to participate in the Minnesota project opted to serve irradiated ground beef products either immediately after the conclusion of the education project³ or for the 2004-2005 school year.⁴ This remains a very controversial technology and it seems that the one-sided approach taken in the Minnesota project prevented it from achieving its stated objectives.

We also do not believe that the information in the education materials from the Minnesota project is sufficiently up-to-date to present an accurate picture of USDA’s activities to offer irradiate ground beef products for the National School Lunch Program. As we pointed out in our August 16, 2004 to Under Secretary Bost, the Minnesota education project materials repeatedly make the statement that the most common

¹ Minnesota Department of Education. “Minnesota School Food Safety and Irradiation Education Project: Final Report, December 2003,” Appendix B, pp. 10-11.

² Minnesota Department of Children, Families and Learning. “Proposal for Food Safety Educational Campaign in Minnesota Schools: Acceptance of Irradiated Ground Beef,” September 30, 2002, p. 6.

³ “Minnesota School Food Safety and Irradiation Education Project: Final Report,” p. 5.

⁴ Food and Nutrition Service, United States Department of Agriculture. Response to Freedom of Information Act request, August 17, 2004.

irradiation procedure used today involves electronic beams, not radioactive materials.⁵ As you know, USDA's Agricultural Marketing Service (AMS) has designated Qualipaq Meats to supply the National School Lunch Program with irradiated ground beef products and Qualipaq is using CFC Logistics to irradiate its meat products. CFC Logistics uses the radioactive isotope cobalt-60 to irradiate the meat it treats.⁶

Since the intent of Section 118 is to provide timely and accurate information on irradiation to key stakeholders and policymakers, we do not believe that the information gleaned from the Minnesota project satisfies the letter or the spirit of the law.

Since sending our letter to Under Secretary Bost, we discovered that some other statements on your website that are not entirely accurate.

- On the issue of cost of irradiated ground beef (Question 13 of your July 21, 2004 Questions and Answers), there is some contradictory information offered on your website. The response that you offer on your Questions and Answers states: "Generally, the price of irradiated product ranges from \$.13 to \$.20 (per pound) more than the equivalent non-irradiated product."⁷ Several of the documents referred on the NAL website state that the cost of irradiated food ranges from \$.02 to \$.05 per pound more.⁸

When irradiated ground beef products were available in local supermarkets in the Washington, DC metropolitan area in 2002 and 2003, the price ranged from \$.20 to \$.50 per pound more than comparable non-irradiated products. Moreover, as you know, the AMS has thus far rejected three sets of bids for irradiated ground beef products for the 2004-2005 school year because the bids for irradiated ground beef products ranged from \$.29 to \$.80 per pound more than comparable non-irradiated product.⁹ Therefore, we believe that the information provided on your website does not reflect real marketplace conditions.

- Your website refers to "studies" conducted by the Agricultural Research Service (ARS) regarding the palatability of irradiated ground beef products (Question 20). In response to Freedom of Information Act requests,¹⁰ we have received two copies of the same paper entitled, "Sensory Evaluation of Irradiated Ground Beef Patties for the National School Lunch Program," authored by Xuetong Fan, Brendan A. Niemira, Kathleen T. Rajkowski, John Phillips, and Christopher Sommers who work at the Food Safety Intervention Technologies Research Unit, Eastern Regional Research Center,

⁵ Letter from Wenonah Hauter, Public Citizen to Under Secretary Eric Bost, United States Department of Agriculture, August 16, 2004.

⁶ Bentman, Hilary. "Irradiator Goes About its Work," The Intelligencer, July 8, 2004.

⁷ See http://www.fns.usda.gov/fdd/foodsafety/rpts/FAQs_Irradiation.pdf.

⁸ See <http://www.fda.gov/opacom/catalog/irradbro.html> ; <http://ublib.buffalo.edu/libraries/e-resources/ebooks/records/eev9878.html> ; http://www.fsis.usda.gov/OA/pubs/qa_irrad.htm

⁹ See <http://www.ams.usda.gov/lscp/beef/10i501FPR.txt> ; <http://www.ams.usda.gov/lscp/beef/10i502FPR.txt> and <http://www.ams.usda.gov/lscp/beef/10i503fpr-rejects.txt>

¹⁰ Responses to Freedom of Information Act requests, Research, Education and Economics, USDA – August 18, 2004; Agricultural Marketing Service, USDA – September 8, 2004.

Agricultural Research Service in Wyndmoor, Pennsylvania. In essence, there was only one study conducted – although there were two parts to it.

We have been in contact with Dr. Fan regarding this paper and we realize that it is in press, so we are not going to quote directly from the paper, but we would like to point out some general concerns with how this study was conducted.

First, none of the participants in the study was young enough to participate in the National School Lunch Program. Second, all of the participants were employees at the Eastern Research Center of ARS and were told in advance why the taste-test study was being conducted which could have affected their responses. Third, there was a disproportionate number of male participants in the study.

Consequently, we believe that your website needs to reflect the true nature of the taste-test study conducted by ARS.

We would like to work with you so that Section 118 of the Child Nutrition and WIC Reauthorization Act of 2004 is implemented properly. We stand ready to meet with you or any member of your staff to discuss this matter further.

Should you have any questions regarding this letter, please feel free to contact me at (202) 454-5131.

Sincerely,

Wenonah Hauter, Director
Public Citizen's Food Program

Cc: Eric Bost, Under Secretary for Food, Nutrition and Consumer Services
Peter Young, Director, National Agricultural Library