

# Ottawa Washes Its Hands of Food Safety Duties



**M**ore and more Canadians are being poisoned by the food they eat. According to Health Canada, the number of reported cases doubled between 1981 and 1996 (from 9,000 to 18,000). The World Health Organization says that for every report of food poisoning, 350 go unreported. Food safety stories in the news recently include:

- risk of Mad Cow disease spreading to Canada;
- cancer-causing hormones in beef;
- major recall of pork laced with a dangerous antibiotic;
- 800 children poisoned with Salmonella;
- outbreaks of deadly E. coli O157:H7 in hamburger and in Walkerton's water supply; and
- untested, genetically modified organisms in 75% of processed foods.

The abdication of duty to protect the public from hazardous food and health products is a central feature of the federal government's regulatory policy and food safety legislation.

According to the current Auditor General's Report (December 2000): *"The policy of shifting from regulatory regimes to reliance on industry has been controversial. Some have expressed general concerns that public health and safety could be compromised because industry would place profit ahead of public health and safety and there would be inadequate accountability, credibility and effectiveness."* (Chapter 24, par. 26)

## Safety Laws a Barrier to Business

In 1995, the Chrétien government issued a *Regulatory Reform Agenda* which states: *"Canada has a regulation problem.. As a result, economic innovation, efficiency and competitiveness are often sacrificed. Six sectors of the economy are selected to 'improve the efficiency of regulation.'" Biotechnology is the first priority because "The industry has pinpointed regulatory uncertainty and lengthy approval processes as key impediments to investments and jobs."*

The second priority is health, food and therapeutic products. The Regulatory Reform Agenda of the Chrétien government is a total repudiation of Justice Krever's recommendations following the tainted-blood disaster.

Krever said the regulator must never lose sight of the principle that it regulates only in the public interest and not in the interest of the regulated. (*Commission of Inquiry on the Blood System in Canada*, 1999, Vol. 3, p.995)

What this means in practice is that untested biotechnology products are approved without any long-term testing for health and environmental impacts. The speedy approval of genetically engineered foods means that Canadians are being used as human guinea pigs. According to evidence at the Senate Agriculture Committee in 1999, scientists at Health Canada who raised questions about potential adverse effects for human health of a genetically modified growth hormone, BGH, have been removed from the files, disciplined and placed under gag orders.

Damage from the release of GMO's may be large scale, long-term and irreversible. According to geneticist Dr. David Suzuki, the premature application of biotechnology is downright dangerous. *"Any politician or scientist who tells you these products are safe is either stupid or lying."*

## From Precaution to Risk

Canada's *Food and Drugs Act* is a charter of safety rights. It requires proof of product safety before being sold in Canada. It's based inherently on the precautionary principle.

**Action must be taken to protect health or the environment before there is conclusive, scientific evidence that harm is occurring.**

The policy of the Chrétien government is to reverse the burden of proof. Products are approved without any health data demonstrating safety. Critics of this policy are told to prove that products are 'injurious to health.' The shift from precaution to risk means that health and safety aren't paramount goals but just another trade-off. The federal regulatory agencies have adopted a "risk management" framework in the interests of priority industries like biotech at the expense of human health and the environment.

Health Canada is working on scrapping all of its health protection legislation and will replace the *Food and Drugs Act* because it has, according to an internal government document obtained by the Canadian Health Coalition, "too narrow a focus on safety" and does not allow for economic considerations. Other changes at Health Canada include:

- dismantling of the entire bureau of drug research;
- eliminating key food safety laboratories and food safety research projects; and
- changing the name of the 'Health Protection Branch' to the 'Health Products and Food Branch.'

### New 'Food Safety' Agency

The first phase of food deregulation in Canada was the creation of the Canadian Food Inspection Agency (CFIA) in 1997. The CFIA was established quietly following intensive lobbying from the food industry and agribusiness. According to its own documents, the goal was not to improve food safety standards but to reduce costs, harmonize standards, shift liability, promote biotechnology, privatize delivery through "alternative service delivery," and introduce a market-driven food inspection system to serve industry competitiveness. Because the CFIA is not primarily concerned with food safety but instead trade and promotion, it reports to the Minister of Agriculture, not to the Minister of Health.

### New 'Food Safety' Legislation

The second phase of food deregulation will take the form of new legislation called the *Canada Food Safety and Inspection Act*.

The new food bill (Bill C-80) died on the order paper following an intense campaign by the Canadian Health Coalition and over 200 Health Canada scientists warning that the new food bill puts public safety at risk. The new legislation will provide a legislative base for the policy of reversing the burden of proof from the producer demonstrating the safety of its product to the consumer demonstrating harm.

C-80 exacerbates the conflict of interest at the CFIA with its dual mandate of industry promotion and food safety. The new food bill all but eliminates the Minister of Health's ability to protect food safety and increases the power and influence of the food industry.

### Auditor General Exposes Problems at CFIA

The Auditor General of Canada (AG) has criticized the CFIA since its creation. In a 1999 report, the AG investigated the CFIA handling of one of the largest food-poisoning incidents in Canadian history in 1998 when 800 people, mostly young children, suffered severe poisoning from Salmonella in a processed food. To this day, the CFIA has never issued a report on this major incident and never provided key documents requested by the auditors.

In the current report, the AG found that the CFIA "is lacking important information on the incidence of food-borne illness in humans and the prevalence of pathogens in the food supply." For example, the CFIA does not even test for the presence of *E. coli* O157:H7 in meat, unlike the US which does test for these and other deadly pathogens. When asked by CBC Radio in Halifax; 'why is the CFIA not testing meat for *E. coli* O157:H7?', a CFIA spokesperson said they didn't want to give Canadians "a false sense

of security in the safety of our meat."

The AG also found that the CFIA has not demonstrated that it is capable of conducting proper risk assessments and deploying resources according to level of risk. In some areas, there are more human resources deployed in facilitating market access to the lucrative European pet food market than there is for protecting human food for domestic consumption.

### What Is to Be Done

To deal with the crisis in food safety and the failure of the CFIA, the Canadian Health Coalition is making the following recommendations to the Chrétien government:

1. Maintain the *Food and Drugs Act* and abandon the proposed *Canada Food Inspection Act*;
2. Conduct a special Senate committee investigation into Canada's food safety system;
3. Restore and expand in-house food safety research capacities and laboratories;
4. Declare an immediate moratorium on all genetically manipulated food and crops; and
5. Prosecute all government officials for failing to uphold the *Food and Drugs Act*.

For further information: [www.healthcoalition.ca](http://www.healthcoalition.ca)

