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January 31, 2008

Dr. Eric J. Smith, Commissioner
Florida Department of Education
Turlington Building, Suite 1514
325 West Gaines Street
Tallahassee, FL 32399-0400
Fax number: (850) 245-9667

Dear Dr. Smith:

Yesterday, the shocking results of an investigation into humane handling and food safety practices at a slaughter plant supplying beef to schools in 36 states, including Florida, were released. Evidence was presented that “downed” cattle—animals too sick or disabled to stand—were processed for human consumption in violation of federal food protection safeguards and National School Lunch Program procurement policy, which specifically prohibits the use of meat from downed animals.

The investigation found that non-ambulatory animals were kicked, beaten, dragged with chains, shocked with electric prods, and pushed by forklifts in efforts to get them to their feet to pass U.S. Department of Agriculture (USDA) inspection. Within hours of the release of these findings, yesterday, the USDA indefinitely suspended shipments from Westland Meat Company, the supplier in question, and launched an official investigation through the Office of the Inspector General. Noting that this firm was our nation’s second-largest provider of beef to USDA’s Commodity Procurement Branch, which supplies more than 100,000 schools across America, Senator Akaka on the floor of the Senate said: “The actions of this slaughterhouse, and possibly countless others, in violation of established laws, have put our most vulnerable and important assets in danger our—children.”

USDA researchers have found that non-ambulatory cattle at slaughter are at significantly higher risk of harboring foodborne pathogens such as *E. coli* O157:H7 to which children are especially vulnerable. USDA regulations specifically target downed cattle because of their increased risk of infection with bovine spongiform encephalopathy, or “mad cow disease.” Of the 15 known cases of BSE-infected animals so far discovered in North America, at least 12 reportedly involved downed animals. Though extremely rare, this disease is especially concerning not only because consumption of contaminated beef can cause an invariably fatal neurodegenerative disease, but also because the causal pathogen is not destroyed by proper cooking.

According to the USDA’s Agricultural Marketing Service “Food Purchase Reports,” in 2007, the USDA purchased 80,000 pounds of beef products destined for Florida from Westland. We urge Florida Department of Education to follow the example already set by Minnesota, Oregon, and Utah to order state school districts to stop using beef delivered from this company.

Sincerely,

Wayne Pacelle
President and CEO

Celebrating Animals, Confronting Cruelty