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SPECIAL EDITION

An Opportunity Missed: 'Ten Riskiest Foods' List Highly Deceptive, Worse Than Useless to Consumers – CSPI's Quest For The Headlines Means America Misses Out On a Rational Discussion About Risk

Jim Prevor's Perishable Pundit, October 8, 2009

The [Center for Science in the Public Interest](#), a self-proclaimed consumer advocacy group, came out with a list of the "[The Ten Riskiest Foods Regulated By the U.S. Food And Drug Administration](#)," and frankly, [Caroline Smith DeWaal](#), who is the Director of Food Safety for the group and who serves on the [Board of Advisors](#) of the [Center for Produce Safety](#) and thus knows better, should be ashamed of herself.

We served as faculty along with Caroline when Bill Marler did his big Continuing Legal Education course, [Who's Minding the Store: The Current State of Food Safety and How It Can Be Improved](#), so we know her to be highly intelligent and well informed, which makes her willingness to publish this list, in this form, extremely disappointing.

Here is the list:

- Leafy greens:** 363 outbreaks involving 13,568 reported cases of illness.
- Eggs:** 352 outbreaks with 11,163 reported cases of illness.
- Tuna:** 268 outbreaks with 2,341 reported cases of illness.
- Oysters:** 132 outbreaks with 3,409 reported cases of illness.
- Potatoes:** 108 outbreaks with 3,659 reported cases of illness.
- Cheese:** 83 outbreaks with 2,761 reported cases of illness.
- Ice Cream:** 74 outbreaks with 2,594 reported cases of illness.
- Tomatoes:** 31 outbreaks with 3,292 reported cases of illness.
- Sprouts:** 31 outbreaks with 2,022 reported cases of illness.
- Berries:** 25 outbreaks with 3,397 reported cases of illness.

Here are just some of the problems with the list:

1) The decision to rank by number of outbreaks or even number of illnesses makes no sense. A product like oysters is ranked as fourth most risky — but per capita US consumption of oysters is [less than a fifth of a pound per year](#). In contrast, the [last big study in 2002](#) of leafy green consumption showed Americans ate 8.8 lbs. per person, per year of lettuce, cabbage at 9 lbs., and broccoli at 5.7 lbs. per capita. With the boom in fresh-cuts and the bagged salad category, the number has surely blossomed since 2002. Although which specific products should be included is often disputed, the point is clear: People eat a lot more servings of leafy greens than they do oysters, so to simply count the number of outbreaks would be like counting the number of mechanical breakdowns on Ferraris and Chevys and declaring Chevrolets less reliable rather than looking at mechanical breakdowns per thousand cars out there or per thousand miles driven.

If the purpose is to help consumers know where the risks are, these numbers, unadjusted for consumption, are worthless. In fact, by any reasonable standard, a product such as oysters is far more risky than leafy greens. If oysters were consumed as often as leafy greens and the ratio of illness-to-consumption remained constant, there would be over 400,000 cases of known illnesses per year from oysters! That is more than this whole list of 10 items combined. To look at frequency of outbreaks and numbers of illnesses without considering consumption is obviously deceptive.

2) The list was released in the context of CSPI [pushing](#) the Senate to pass the Food Safety Modernization Act. A big part of this act would require the FDA to visit facilities more frequently. So the decision to include only FDA-regulated foods rather than both USDA and FDA regulated foods is designed to prevent clear analysis. After all, as [The New York Times](#) just indicated:

"Meat companies and grocers have been barred from selling ground beef tainted by the virulent strain of E. coli known as O157:H7 since 1994, after an outbreak at Jack in the Box restaurants left four children dead. Yet tens of thousands of people are still sickened annually by this pathogen..."

This information was not included because it would be inconvenient for CSPI as its preferred solutions — things like more inspectors — have not worked to eliminate pathogens in the meat industry, despite requirements that meat plants cannot operate without a government inspector present.

3) The list conflates minor problems with major problems. As The American Society of Microbiology [confirms](#), about 60% of the foodborne illness outbreaks on leafy greens are related to [norovirus](#) and less than 20% to either E. coli or salmonella. How serious is norovirus? The CDC puts it [this way](#):

People may feel very sick and vomit many times a day, but most people get better within 1 or 2 days, and they have no long-term health effects related to their illness. However, sometimes people are unable to drink enough liquids to replace the liquids they lost because of vomiting and diarrhea.

These persons can become dehydrated (lose too much water from their body) and may need special medical attention. During norovirus infection, this problem with dehydration is usually only seen among the very young, the elderly, and people with other illness.

Obviously the industry would rather not give anyone a stomach ache but to conflate norovirus with E. coli O157:H7 which people can die from is deceptive. No person could make a prudent decision on what to eat based on these composite numbers.

4) The ranking is done by number of outbreaks, not the number of illnesses or serious illnesses. This is bizarre; the number of outbreaks tends to speak more to the centralization or decentralization of the industry than anything else. Why would it be "better" to have 100 outbreaks with 10,000 people getting sick than 200 outbreaks with 5,000 people getting sick? This is another useless ranking. No consumer could get any value from it.

5) The list conflates cooking issues with product issues. The poor egg guys get socked at being Number Two on this list. Once again, consumption is ignored and at over [32 lbs per capita](#) per year consumption, the oysters would be up at about 650,000 illnesses each year if they had this kind of consumption. In fact, many items that don't appear on this top ten list would be on the list if adjusted for consumption. But the biggest issue on eggs is that many cook them inadequately. The American Egg Board is [clear on this matter](#):

- *Cook thoroughly until firm throughout and there is no visible liquid egg remaining.*

Put another way, almost everyone who gets sick from eggs does so because they either personally chose to eat undercooked eggs, say because they enjoy fried eggs cooked only on one side, or raw eggs in a salad dressing or shake — all [specifically not recommended](#) by the Egg Board — or

eggs in a salad dressing or shake — all **specifically not recommended** by the Egg Board — or because a restaurant didn't follow recommended practices:

- *Never leave egg dishes at room temperature more than 1 hour (includes preparation and service time).*
- *Do not combine eggs that have been held in a steam table pan with a fresh batch of eggs. Always use a fresh steam table pan.*

In effect these outbreaks have nothing to do with the food item itself. This has to do with decisions people make about what to eat and where to eat. Some people are willing to risk it and eat a rare hamburger or a loose egg. This is called freedom. It is also important, just like foods safety is, though nothing in the CSPI brief would indicate it places any value on such liberty.

6) Many of the "risky" items are not risky at all. For example, potatoes show up inexplicably on this list as once potatoes are cooked there is virtually never a problem — and potatoes are only eaten cooked. So what is this about? Not potatoes at all but, mostly, potato salad. In most cases, this has nothing to do with the raw material — the potato. In fact, it doesn't have much to do with commercial potato salad either, which is typically fine. It mostly has to do with customer abuse of the product, bringing it to a picnic to sit outside for hours or utilizing the same spoon to pick up raw chicken or hamburgers and then scooping the potato salad.

Yes, much of this detail is mentioned in the 12-page slideshow CSPI gave out, but CSPI knew full well that this level of detail would never make it to the typical consumer media outlet which would **give it a mention**, yet CSPI didn't hesitate to throw the potato farmers under the bus and leave consumers looking to needlessly avoid healthy food..

7) The list is highly deceptive because it does not account for changes in production processes. Since, as we mentioned above, Caroline Smith DeWaal serves on the advisory board for the Center for Produce Safety, she is very familiar with the **California Leafy Greens Marketing Agreement** and its sister organization in **Arizona**. These organizations were set up after the great **spinach crisis** of 2006 and represent a change in kind, not merely degree from the food safety regime that was common before these organizations were established. Covering virtually all of the California and Arizona leafy greens industry, the agreements include a tough set of metrics and mandatory inspection by government inspectors.

This all counts for nothing to the CSPI as it merrily goes along publishing data that was compiled over a 19-year period, some of it including periods when good safety systems were not yet in effect. Yet the CLGMA includes many of the attributes CSPI claims to value in a food safety program, so publishing data based mostly on years before current food safety programs exist gives consumers a false impression of the current state of food safety. In other words, consumers are given bum information that is not relevant to the choices they have to make today.

8) The CSPI narrative assumes things that are not true. For example, the slideshow includes a mention that "In 1997, over 2.6 million pounds of contaminated strawberries were recalled" but it fails to mention that there is no evidence of more than a tiny fraction of that 2.6 million pounds of strawberries being "contaminated." It might also be worth noting, since CSPI seems to think a new law solves everything, that the company implicated in the outbreak was **breaking the law** by supplying Mexican product to the school lunch program. The outbreak was also a matter of frozen strawberries, not the fresh product, which a consumer might assume to be risky from the general "Berries" heading.

The bottom line is that this list is a fund-raising and publicity-getting tool for CSPI. It is almost useless as a guide to assist consumer behavior. By not delving into reasonable issues, such as the risk of illness per million servings and distinctions between serious illnesses and mild illnesses, plus the changes that food safety standards have undergone over the years, the list is highly deceptive.

Beyond the harm it will do to people who will choose not to eat healthy foods but will eat things not on this list — Twinkies, Candy Bars, Ring-Dings, etc. — and beyond the damage it will do to innocent farmers, the publication of this list in this form impoverishes our public discourse as it implies that risk assessment is a simple task.

CSPI could have used this moment to elevate our public policy discussions by helping to educate consumers about the many different criteria that come into rationally assessing risk. To the everlasting shame of CSPI and the disgrace of Caroline Smith DeWaal, the organization elected to go for the quick headline rather than contribute to consumer understanding. Is there no sense of decency at the Center for Science in the Public Interest?

