



FOODLAW

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Major Recall for Minimal Risk

It is quite remarkable how many large recalls we have seen in recent years where there was minimal risk to public health.

The latest is the worldwide recall resulting from Sudan I dye getting into some food products. The Canadian Food Inspection Agency (CFIA) put out three Health Hazard Alerts in the last week of February warning the public not to consume a large number of food products that contain non-permitted colours Sudan I and/or IV, considered to be carcinogenic. Most of the products are associated with the ongoing recall of products that were made from a batch of chilli powder used to manufacture Worcestershire sauce that was then used as an ingredient in over 400 food products in the U.K. The Health Hazard Alert cites the U.K. Food Standards Agency that at the levels present, “the risk is likely to be very small and there is no risk of immediate ill health.” Yet it was widely covered in all the Canadian media, and in the U.K. it was described as “the biggest food scare since BSE.”

The evidence that the dye is even carcinogenic is not strong. The study that links Sudan I to cancerous tumours has never been replicated and was done many years ago with rats and mice that were fed 30 mg of Sudan I for each kilogram of their body weight every day for two years. To replicate this in humans, the average size man would have to drink 800 litres of Worcestershire sauce every day for two years. As *The Economist* has commented, “That’s an awful lot of Bloody Marys.”

There was no real health risk for the earlier worldwide recall that had its origins in Europe either: the famous Belgian dioxin recall that led to ministerial resignations and the defeat of the government (and arguably, the creation of the EU Food Safety Authority), but we were only dealing with very trace amounts of a chemical that is ubiquitous in the environment. The CFIA spent months trying to recall all the chocolates that were made from a single imported shipment of chocolate flavouring.

The largest recall in North American history involved food that contained trace amounts of a genetically engineered corn that hadn’t yet been approved for human consumption in the United States. I remember turning back a ship in the



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Port of Montreal that might have been cross-contaminated with an infinitesimal amount of the bulk corn. Of course, the seed was soon approved for human consumption and no one even got a stomachache. Even though there was no public health risk, this recall, like the others, cost hundreds of millions of dollars. Aren’t there better uses for this money? Why are we doing this? Three factors combine to explain this expensive phenomenon:

The growing failure of the regulatory system to keep up with the pace of technological change. For example, the technology to detect trace amounts now means that we can find things in parts per trillion. When the legal tolerance is zero, even if zero keeps getting smaller, regulatory agencies require recalls even if the amounts are well below where scientists can say anything meaningful about safety. Remember, one part per trillion is the equivalent of one second in 31,000 years.

Regulatory agencies are forced to deal with the perception risk, even if the science risk is minimal. They do this to protect the credibility of the regulatory system as much as to protect

the consumer. If they don’t act aggressively, they will be criticized for covering up for industry.

More often than people realize, we are dealing with very uncertain science and that triggers the precautionary approach so regulators often make “science-based” decisions regardless of their economic cost.

Maybe this is just a phase we have to go through until we get better at explaining uncertainty. Or maybe it’s just the price we have to pay to maintain confidence in the safety of our food supply. For all the talk and concern about food safety these days, Canadians still go shopping every week and buy a billion dollars worth of groceries with hardly a thought about food safety; it’s way down on their list of concerns, well below price, quality and convenience. Or, if consumers knew how much they ultimately pay for these recalls, maybe they would want us to be re-thinking our approach.

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