



NEWS RELEASE

For Immediate Release

October 6, 2011

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Public Justice and Center for Food Safety Join Texas Legal Battle to Protect Consumers from Salmonella Outbreaks

AUSTIN, Texas -- Some Texas egg producers have created breeding grounds for human health risks and state officials are letting them get away with it, according to a lawsuit joined today by Public Justice and the Center for Food Safety (CFS), two national public interest organizations.

The action puts the two groups in partnership with the Animal Legal Defense Fund (www.ALDF.org), which filed suit late last year in Travis County District Court, charging the Texas Department of State Health Services and Department of Agriculture with failing to enforce state health and safety laws governing the operation of Texas egg factories.

ALDF filed the suit after a Humane Society of the United States investigation uncovered unsanitary, inhumane, and illegal conditions at the Cal-Maine egg-producing plant in Waelder, Texas, the nation's largest egg producer. The plaintiffs include residents who live near the plant, where more than one million chickens are crammed into cages so small that the hens cannot even spread their wings. The Cal-Maine facility was packed full of live birds in various stages of illness and disease, covered in feces, and caged alongside dead, decaying corpses.

Those conditions dramatically increase the likelihood that eggs will be infected with Salmonella, a bacteria that can cause serious illness or even death in unsuspecting consumers.

Texas law forbids birds from being confined in a way that restricts movement or access to food and water and requires egg producers to keep sanitary conditions and ensure the prompt removal of dead and diseased hens from their facilities. While the requirements seem basic, the illegal conditions discovered at Cal-Maine prove that little is being done to ensure these laws are being enforced.

"Texas agencies have been giving egg producers like Cal-Maine an unfair free pass by allowing them to operate in violation of state health and safety laws," said ALDF Director of Litigation Carter Dillard, co-counsel for the Texas residents. "The government can no longer give these operators what amounts to economic subsidies at the cost of public health and safety."

The lawsuit reflects a growing nationwide awareness of the dangers that come from overcrowding and inhumane conditions at large-scale conventional egg factories, which can cause disease to spread like wildfire.

“Even in the face of several recent outbreaks, Texas officials have taken no action to curb conditions that dramatically increase the chance of a salmonella outbreak or other disease epidemic,” said Public Justice Food Safety and Health Attorney Jessica Culpepper. “It’s bad enough that egg producers like Cal-Maine—and many others—are not following the law and are jeopardizing human health. It’s inexcusable that the people who are supposed to safeguard the public health won’t make them obey.”

Every year, about 142,000 Americans contract salmonella from eating eggs. Texas has seen a major increase in salmonella outbreaks in recent years and millions of eggs have been recalled from facilities with conditions similar to those found at Cal-Maine.

“The public is unwittingly consuming food from sickly, diseased animals,” said Kateryna Rakowsky, Staff Attorney with the Center for Food Safety. “They are feeding potentially contaminated eggs to their children, trusting that their tax dollars have ensured compliance with the most basic food safety standards. Keeping egg facilities clean and safe should not be controversial – it’s the law.”

In addition to Dillard, Culpepper, and Rakowsky, the plaintiffs are represented by Public Justice Senior Attorney Leslie Brueckner, who leads the Food Safety and Health Project; Kazan-Budd Attorney Matt Wessler; Dawn Reveley of Blanco, Tex.; Steve Baughman Jensen of Allen Stewart, PC in Dallas, Tex.; Roshan Bala Keen of Loevy & Loevy in Chicago; and Paige Tomaselli of CFS in San Francisco.

Read the petition in *Center for Food Safety et al v. Lakey et al.* at www.publicjustice.net/repository/files/152426_1.pdf

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ALDF was founded in 1979 with the unique mission of protecting the lives and advancing the interests of animals through the legal system. For more information, please visit <http://www.aldf.org>.

Public Justice’s Food Safety and Health Project uses litigation to hold corporations accountable for – and educate the public about – the manufacture, distribution, and deceptive marketing of food and other products that endanger consumers’ safety, health, and nutrition. Visit the website at <http://www.publicjustice.net>.

The **Center for Food Safety** is national, non-profit, membership organization, founded in 1997, that works to protect human health and the environment by curbing the use of harmful food production technologies and by promoting organic and other forms of sustainable agriculture. CFS has nearly 200,000 members across the country. On the web at: <http://www.centerforfoodsafety.org>.