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Superbug Suit: Groups Sue FDA Over Risky Use of Human Antibiotics in Animal Feed

FDA Decades Late in Curtailing Antibiotic Overuse Implicated in Rise of Drug-Resistant Bacteria

NEW YORK, N.Y. (May 25, 2011) — The rise of drug-resistant infections in humans has been linked to the overuse of antibiotics in animal feed since the early 1970s, but the U.S. Food and Drug Administration has failed to meet its legal responsibility to address the mounting health threat posed by the practice, according to a suit filed by a coalition of concerned health and consumer organizations today.

“More than a generation has passed since FDA first recognized the potential human health consequences of feeding large quantities of antibiotics to healthy animals,” said Peter Lehner, NRDC executive director.

“Accumulating evidence shows that antibiotics are becoming less effective, while our grocery store meat is increasingly laden with drug-resistant bacteria,” Lehner added. “The FDA needs to put the American people first by ensuring that antibiotics continue to serve their primary purpose -- saving human lives by combating disease.”

Approximately 70% of *all* antibiotics used in the United States are given to healthy farm animals at low doses to promote faster growth and compensate for unsanitary living conditions—a practice that has increased over the past 60 years despite evidence that it breeds antibiotic-resistant bacteria dangerous to humans. The antibiotics, mixed into feed or water for pigs, cows, chicken, and turkeys, are used at levels too low to treat disease, leaving surviving bacteria stronger and resistant to medical treatment.

FDA concluded in 1977 that feeding animals low-doses of certain antibiotics used in human medicine—namely, penicillin and tetracyclines—could promote antibiotic-resistant bacteria capable of infecting people. However, despite this conclusion and laws requiring that the agency act on its findings, FDA failed to take any action to protect human health.

The lawsuit filed today by the Natural Resources Defense Council, Center for Science in the Public Interest (CSPI), Food Animal Concerns Trust (FACT), Public Citizen, and Union of Concerned Scientists (UCS) was spurred by growing evidence that the spread of bacteria immune to antibiotics around the world has clear links to the overuse of antibiotics in the food industry. The coalition suit would compel FDA to take action on the agency’s own safety findings, withdrawing approval for most non-therapeutic uses of penicillin and tetracyclines in animal feed.

The suit would also compel the agency to respond to the citizen petitions filed by several of the plaintiffs in 1999 and 2005, to which FDA has never issued a final response, despite regulations requiring it to do so. The petitions requested that FDA take action to limit the use of antibiotics important to human medicine, such as those that doctors rely on to treat ailments like pneumonia, strep throat, childhood ear

infections and more serious conditions. The lawsuit filed today would not affect the use of antibiotics to treat sick animals.

“We’ve been fighting the non-therapeutic use of antibiotics in livestock for over thirty long years,” said Margaret Mellon, senior scientist and director of the Food and Environment Program at UCS. “And over those decades the problem has steadily worsened. We hope this lawsuit will finally compel the FDA to act with an urgency commensurate with magnitude of the problem.”

In recent years, the American Academy of Pediatrics, the Centers for Disease Control, the Institute of Medicine of the National Academy of Sciences, the United States Department of Agriculture (USDA), the World Health Organization and many other groups have identified the routine use of low-dose antibiotics for livestock growth promotion as a significant contributor to the rapid proliferation of antibiotic-resistant bacteria in both animals and humans.

As bacteria become resistant to the human antibiotics being overused on farms, the antibiotic-resistant “superbugs” can move from animals to humans through direct contact with livestock, environmental exposure, and through the consumption and handling of meat and poultry products—which have frequently been found to be contaminated with multi-drug-resistant bacteria ranging from *E. coli* to *Staph*. Once transferred to humans, the superbugs can cause infections that are difficult or impossible to treat, which are more likely to be fatal, and can require longer and more expensive hospital stays. One 2009 study estimated that antibiotic-resistant infections may cost Americans an additional \$26 billion per year.

Compounding their danger, drug-resistant bacteria can also share the traits that give them the ability to resist antibiotics with other species of bacteria, including species more dangerous to human health.

“Antibiotics are vital lifesaving drugs that have the unique ability to kill bacteria without harming the patient,” said Richard Wood, FACT executive director. “When they work they truly are miracle drugs but when they fail the results can be catastrophic. Reducing antibiotic overuse is essential for making sure antibiotics will keep working for years to come. We can’t let these precious medicines be wasted so we can save—literally—a few pennies per pig.”

The American Medical Association, the World Health Organization, the Institute of Medicine of the National Academy of Sciences, and hundreds of other organizations have recommended that livestock producers be prohibited from using antibiotics for growth promotion if those antibiotics are also used in human medicine. Many nations, including all 27 member states of the European Union, have already taken action on these recommendations.

Denmark—the world’s largest pork exporter—banned the use of antibiotics for growth promotion in broiler chickens and adult swine in 1998, and in young swine in 1999. Danish government and industry data collected since then show a sustained decrease both in overall antibiotic use and in the amount of antibiotic-resistant bacteria found in livestock and meat products, while livestock production has increased.

The American National Academy of Sciences estimated in 1999 that if similar steps were taken in the U.S. to eliminate *all* non-therapeutic use of antibiotics in livestock, it would cost grocery shoppers less than \$10 annually. That’s less than \$1.25 per month in today’s dollars.

"FDA and Congress need to preserve these crown jewels of medicine and ensure that both current and future generations have working antibiotics when they need them," said Michael F. Jacobson, CSPI executive director. "Simply improving farm practices would be an effective way of reducing farmers' need for these precious drugs, thus protecting their effectiveness."

Additional Resources:

- The complaint filed in court today is available here:
http://docs.nrdc.org/health/hea_11052501.asp
- 1999 citizen petition:
http://www.ucsusa.org/assets/documents/food_and_agriculture/1999-FDA-Petition.pdf
- 2005 citizen petition:
http://www.ucsusa.org/assets/documents/food_and_agriculture/2005-FDA-Petition.pdf
- NRDC factsheet on antibiotic resistance is available here:
www.nrdc.org/health/raisingresistance.asp

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The Natural Resources Defense Council (NRDC) is an international nonprofit environmental organization with more than 1.3 million members and online activists. Since 1970, our lawyers, scientists, and other environmental specialists have worked to protect the world's natural resources, public health, and the environment. NRDC has offices in New York City, Washington, D.C., Los Angeles, San Francisco, Chicago, Livingston, Montana, and Beijing. Visit us at www.nrdc.org

The Center for Science in the Public Interest (CSPI) is a nonprofit health-advocacy group based in Washington, D.C., that focuses on nutrition and food safety. CSPI is supported largely by the 850,000 U.S. and Canadian subscribers to its *Nutrition Action Healthletter* and by foundation grants. Learn more at <http://www.cspinet.org/>

Food Animal Concerns Trust (FACT) is a Chicago based non-profit dedicated to making farms healthier and more humane places to raise food animals through research, advocacy and education. FACT advocates for farming practices that can reduce public health problems associated with the production of meat, milk, and eggs. More information at <http://www.foodanimalconcerns.org/>

Public Citizen is a national, nonprofit consumer advocacy organization that champions the public interest in the halls of power. We work for reduced corporate influence over government; clean, safe and sustainable energy; a strong regulatory system; safe drugs and affordable health care; citizen access to the courts; and a socially and environmentally just trade policy. Visit us at <http://www.citizen.org/>

The Union of Concerned Scientists is the leading U.S. science-based nonprofit organization working for a healthy environment and a safer world. Founded in 1969, UCS is headquartered in Cambridge, Massachusetts, and also has offices in Berkeley, Chicago and Washington, D.C. For more information, go to www.ucsusa.org.