

PRESS RELEASE

**QUÉBEC OMBUDSMAN'S SPECIAL INVESTIGATION REPORT:  
ALTHOUGH JUSTIFIED, THE MAPAQ'S INTERVENTION WAS INADEQUATE IN SEVERAL RESPECTS**

Québec City, June 2, 2009 – This morning, Québec Ombudsperson Raymonde Saint-Germain presented her institution's investigation report on the management of the listeriosis outbreak in the Québec cheese industry. She addressed the following aspects:

***Was the intervention by the Ministère de la Santé et des Services sociaux adequate from the standpoint of public health?***

Listeriosis is a disease caused by the *Listeria monocytogenes* bacterium. The bacterium does not cause serious problems for adults in good health, but for certain other people it can have serious consequences, including blood infections, meningitis, miscarriage and even death. It is particularly dangerous for people at risk: pregnant women, people with weak immune systems, and the elderly. Because of the potentially serious consequences for public health, it is therefore important to act quickly when the number of cases rises quickly, suggesting an outbreak of the disease. The MSSS was therefore justified in declaring a listeriosis outbreak on August 19, 2008.

***Was the MAPAQ correct in destroying the recalled cheeses and any products likely to have come into contact with them?***

The massive destruction of cut cheeses at retail outlets was justified because of:

- The increase in the number of listeriosis cases;
- The fact that the *Listeria* bacterium was found in uncut wheels of cheese from two Québec factories dealing with more than 300 retailers via the same distributor;
- The fact that analysis revealed cross-contamination at several retail outlets. As a result, pasteurised cheese, raw milk cheese and cooked meats were all likely to have been contaminated.

***Were there no other options?***

Following our investigation, we were able to conclude that the option chosen by the MAPAQ was appropriate, given the information at its disposal. The other option considered, namely seizure of the cheese until tests could be performed, was not viable because:

- For a sampling program to be representative, it would have been necessary to analyze at least 15 cheese and environmental samples from each of the 300 retail outlets. This would have required simultaneous laboratory testing of approximately 4,500 samples in all, a task that proved to be impossible.
- Even after sampling, the *Listeria* bacterium may still have been present on sales counters or in specific cheeses. A single contaminated cheese could contaminate the retail outlet's physical environment and other cheeses, and the outbreak would have lasted much longer as a result.

### ***Were there any deficiencies in the way the crisis was handled?***

We observed a number of deficiencies, including the following:

- **Deficiencies in the methods used to investigate** foodborne illnesses (e.g. sampling only cut cheeses and not uncut wheels). These deficiencies resulted in **premature recalls**, before the source of contamination was properly identified.
- **Deficiencies in the crisis management procedure, in particular with regard to risk assessment.**
- **Failure by the MAPAQ to comply with its own intervention standards** (no distinction between types of cheeses, and no risk assessment).
- **Non-standard, non-systematic intervention and sampling procedure.** Interventions were decided on a case-by-case basis, and varied from one company to the next.
- **Absence of a communications plan adjusted to the situation.**
- **The economic aspects** were not considered or managed in a timely manner.

### ***Were the regular pre-crisis inspections adequate?***

- Cheese processing factories using raw milk and heated milk were not inspected on a sufficiently regular basis.
- In the case of companies that performed their own tests, only the registers were checked during inspections.
- The MAPAQ inspectors responsible for follow-up did not have specialized training.
- With regard to the retailers, the MAPAQ did not, in its recommended good practices, take into account the risk of cross-contamination between ready-to-eat food products.

### ***Should the manufacturers be compensated?***

Specifically, the Québec Ombudsman recommends compensation, for the sake of fairness, for two companies that were particularly affected by the MAPAQ's actions, namely the "Société coopérative agricole de l'Île-aux-Grues" and the "Fromagerie Blackburn". The products of both these companies were recalled on the basis of a partial investigation and incomplete data. In addition, some of their products were wrongly associated with the listeriosis outbreak, since they had been contaminated at the retail outlet and not at the factor. These companies were therefore placed in an unfair situation.

The Québec Ombudsman also recommends that one-time financial support should be given to the raw milk and heated milk cheese processing factories under the MAPAQ's responsibility, to allow them to adjust their production processes as quickly as possible in light of the new microbiological control requirements now in force. Some of the smaller factories may find it difficult to finance the upgrades required as a result of the significant increase in MAPAQ controls since the crisis.

***Should the retailers be compensated?***

The Plan for the Development and Growth of Québec's Fine Cheese Sector, announced on October 3, 2008, provides for assistance to help retailers deal with the consequences of the listeriosis outbreak. To measure the Plan's adequacy for the sector's crisis-related needs, the Québec Ombudsman believes the MAPAQ should assess the proposed program for retailers to make sure it satisfies the goals and mission set out in its constituting Act.

***If a similar outbreak occurred today, should different steps be taken?***

The Québec Ombudsman's report includes 13 recommendations designed to improve the MAPAQ's management of foodborne illness outbreaks. The recommendations focus in particular on target prevention strategies for groups at risk, sampling procedures, investigation methods, the application of intervention standards, the emergency and food crisis intervention plan, the self-control measures implemented by dairy processing factories, communications in emergencies and crises, training for dairy factory inspectors, and the inspection of cheese processing factories.

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**Source:** Québec Ombudsman

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