

Meat Inspection: Theory and Reality

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In October, 1904, a young man named Upton Sinclair arrived in Chicago with a \$500 stake from Fred S. Warren, editor of *The Appeal to Reason*. After seven weeks of interviews and observation in the stock yard area, Sinclair sent back stories to Warren on the working conditions, filth, and gore of the packing industry, and his novel *The Jungle* electrified the nation, spreading Sinclair's name far and wide and, finally, bringing the Beef Trust to its knees. The nation responded. Roosevelt and Congress acted by passing a meat inspection law, and the Beef Trust was vanquished. Or so reads the standard interpretation of the meat inspection scandal of 1906.

Unfortunately, the actual story is much more involved. But the meat inspection law of 1906 was perhaps the crowning example of the reform spirit and movement during the Roosevelt presidency, and the full story reveals much of the true nature of progressivism.

Alas, the movement for federal meat inspection did not begin with the visit of Sinclair to Chicago in 1904, but at least twenty years earlier, and it was initiated as much by the large meat packers themselves as by anyone. The most important catalyst in creating a demand for reform or innovation of meat inspection laws was the European export market and not, as has usually been supposed,

the moralistic urgings of reformers. And since the European export market was more vital to the major American meat packers than anything else, it was the large meat packers who were at the forefront of reform efforts.

Government meat inspection was, along with banking regulation and the crude state railroad regulatory apparatus, the oldest of the regulatory systems. In principle, at least, it was widely accepted. The major stimulus, as always, was the desire to satisfy the European export market. As early as December, 1865, Congress passed an act to prevent the importation of diseased cattle and pigs, and from 1877 on, agents of the Commissioner of Agriculture were stationed in various states to report on diseases.

In 1879 Italy restricted the importation of American pigs because of diseases, and in 1881 France followed suit. Throughout the 1880s the major European nations banned American meat, and the cost to the large American packers was enormous. These packers learned very early in the history of the industry that it was not to their profit to poison their customers, especially in a competitive market in which the consumer could go elsewhere. For the European nations this meant turning to Argentine meat, to the American consumer to another brand or company. The American meat industry was competitive throughout this period, mainly

because the level of investment required to enter packing was very small and because there were no decisive economies in large size. In 1879 there were 872 slaughtering and meat packing establishments, but there were 1,367 in 1889. Chicago in the late 1870s had established a municipal system of inspection, but it left much to be desired and was weakened over time. In 1880, after England banned the importation of cattle with pleuropneumonia, the livestock growers initiated a campaign for legislation designed to prevent the spread of the disease. The Grange and many state legislatures joined the movement, and in 1880 Rep. Andrew R. Kiefer of Minnesota introduced a bill to prohibit the transportation of diseased livestock from infected to clean areas. Similar bills designed to halt the spread of pleuropneumonia followed, but failed to gather sufficient support. In late 1882, however, exposés in the Chicago papers of diseased meat led to reforms in municipal inspection, and the major packers cooperated with the city health department to set up more examining stations to root out disease. Other cities also created inspection systems at this time, although they varied in quality.

Despite the failure of Congress to legislate on the matter, in 1881 the Secretary of the Treasury created an inspection organization to certify that cattle for export were free of pleuropneumonia. Such limited efforts and haphazard municipal inspection, despite packer support, were inadequate to meet exacting European standards. In March, 1883, Germany banned the importation of American pork, cutting off another major export market. Congress was forced to meet the threat to the American packers, and in May, 1884, established the Bureau of Animal Industry within the Department of Agriculture "to prevent the exportation of diseased cattle and to provide means for the suppression and extirpation of pleuropneumonia and other contagious diseases among domestic animals." Despite the research and regulatory activities of the bureau, which by 1888 cost one-half million dollars per year, the Department of Agriculture from 1885 on

began appealing for additional federal regulation to help improve exports to Europe. Its major impetus was to fight European restrictions, not to aid the American consumer, and in doing so it effectively represented the interests of the major American packers who had the most to gain from the Department's success.

Rather than improving, the situation further deteriorated with a hog cholera epidemic in 1889 worsening the American export position. Congress acted to meet the challenge, and in August, 1890, responding to the pressure of the major packers, passed a law providing for the inspection of all meat intended for export. But since provision was not made for inspection of the live animal at the time of slaughter, the foreign bans remained in effect. Desperate, in March, 1891, Congress passed the first major meat inspection law in American history. Indeed, the 1891 Act was the most significant in this field, and the conclusion of the long series of efforts to protect the export interests of the major American packers. The Act provided that all live animals be inspected, and covered the larger part of the animals passing through interstate trade. Every establishment in any way involved in export was compelled to have a Department of Agriculture inspector, and violations of the law could be penalized by fines of \$1,000, one year in prison, or both. Hogs were required to have microscopic examinations as well as the usual pre- and post-mortem inspections. The law, in brief, was a rigid one, and had the desired effect. During 1891 and 1892, prohibitions on importing American pork were removed by Germany, Denmark, France, Spain, Italy, and Austria.

The Act of 1891 satisfied the health standards of European doctors, but greatly distressed the European packing industry. Slowly but surely the European nations began imposing new medical standards in order to protect their own meat industries. Major American packers failed to appreciate the retaliatory tactics of their foreign competitors, and protested to the Department of Agriculture, which pressured the

Department of State into helping it defend the vital interests of the American meat industry. The government's meat inspection organization, in the meantime, gradually extended control over the greater part of the interstate meat commerce, and in 1895 was aided by another act providing for even stronger enforcement. In 1892 the Bureau of Animal Industry gave 3.8 million animals ante- and post-mortem examinations; it examined 26.5 million animals in 1897. It maintained 28 abattoirs in 12 cities in 1892, 102 abattoirs in 26 cities in 1896. The inspection extended to packaged goods as well, despite the rumors that American soldiers during the Spanish-American War were being served "embalmed meat" that damaged their digestive systems—rumors strongly denied by Harvey W. Wiley, the leading American advocate of pure food legislation. By 1904, 84 percent of the beef slaughtered by the Big Four packers in Chicago, and 100 percent of the beef slaughtered in Ft. Worth, was being inspected by the government; 73 percent of the packers' entire U.S. kill was inspected. It was the smaller packers that the government inspection system failed to reach, and the major packers resented this competitive disadvantage. The way to solve this liability, most of them reasoned, was to enforce and extend the law, and to exploit it for their own advantage. They were particularly concerned about the shipment of condemned live stock to smaller, non-inspected houses, and applied pressure on the bureau to stop the traffic. When the Association of Official Agricultural Chemists created a committee in 1902 to determine food standards for meat products, the major meat companies cooperated with the effort and agreed with the final standards that were created.

When Sinclair arrived in Chicago in late 1904 to do a story for *The Appeal to Reason* he was primarily interested in writing a series on the life of Chicago's working class. His contact with the local socialists led him to Adolph Smith, a medically qualified writer for the English medical journal, *The Lancet*, and one of the founders of the Marxist Social Democratic Federation of England. Smith

proved to be of great aid to Sinclair, supplying him with much information. In January, 1904, Smith published a series of articles in *The Lancet* attacking sanitary and especially working conditions in the American packing houses. Smith's series was hardly noticed in the United States—certainly it provoked no public outcry. In April, 1905, *Success Magazine* published an attack on diseased meat and packer use of condemned animals. This article also failed to arouse the public, which was much more concerned with alleged monopoly within the meat industry than with sanitary conditions.

The inability of these exposés to capture the attention of the public was especially ironic in light of the unpopularity of the packers. Charles Edward Russell had just completed his series in *Everybody's Magazine* on "The Greatest Trust in the World," an exaggerated account that nevertheless did not raise the question of health conditions. The Bureau of Corporations' report on beef displeased the public, and made the Roosevelt Administration especially defensive about the packers. The Bureau of Animal Industry, at the same time, feared that attacks on the quality of inspection would reflect on the integrity of the bureau and damage the American export market—and advised against the publication of the *Success Magazine* article.

Roosevelt had been sent a copy of *The Jungle* before its publication, but took no action after it was released. The controversy over it was carried on for several months by J. Ogden Armour, Sinclair, and the press, and Roosevelt was dragged into the matter only after Senator Albert J. Beveridge presented inspection bill in May, 1906. In February, shortly before *The Jungle* received wide attention, the Department of Agriculture ordered the packers to clean up their toilet and sanitary conditions for workers, even though it had no legal power to do so. J. Ogden Armour, in early March, took to the *Saturday Evening Post* to defend government meat inspection. He pointed out that the Chicago packing houses had always been open to the public, and that the stockyards, for the past

six years, had been in the process of total reconstruction. The large packers, Armour insisted, strongly favored inspection.

Attempt to evade it would be, from the purely commercial viewpoint, suicidal. No packer can do an interstate or export business without Government inspection. Self-interest forces him to make use of it. Self-interest likewise demands that he shall not receive meats or byproducts from any small packer, either for export or other use, unless that small packer's plant is also "official"—that is, under United States Government inspection.

This government inspection thus becomes an important adjunct of the packer's business from two viewpoints. It puts the stamp of legitimacy and honesty upon the packer's product and so is to him a necessity. To the public it is insurance against the sale of diseased meats.

Armour's reference to the small packers reflected his genuine concern with the increasing growth of competitors, the number of companies in the field increasing by 52 percent from 1899 to 1909. And since the six largest packers slaughtered and sold less than 50 percent of the cattle, and could not regulate the health conditions of the industry, government inspection was their only means of breaking down European barriers to the growth of American exports.

In March, at least, Roosevelt was not thinking of legislative reform in beef. Although he favored "radical" action, he told Sinclair in a discussion over socialism, "I am more than ever convinced that the real factor in the election of any man or any mass of men must be the development within his or their hearts and heads of the qualities which alone can make either the individual, the class or the nation permanently useful to themselves and to others." Roosevelt was ready to allow the triumph of personal conversion rather than legislation in March, but in April his alienation with the packers went

somewhat further. In March, 1906, a District Court dismissed the Justice Department's case against the Big Four packers on the grounds that their voluntary production of evidence to the Bureau of Corporations in 1904, on which evidence the suit was heavily based, gave them immunity under the Fifth Amendment. On April 18, Roosevelt sent Congress a message denying the packers' contention that Garfield had promised them immunity—which he had—and calling for legislation denying immunity to voluntary witnesses or evidence. By May, when Beveridge brought in his proposed meat legislation, the unpopular and grossly misunderstood major packers were ready to welcome the retaliatory legislation against them.

Historians, unfortunately, have ignored Upton Sinclair's important contemporary appraisal of the entire crisis. Sinclair was primarily moved by the plight of the workers, not the condition of the meat. "I aimed at the public's heart," he wrote, "and by accident I hit it in the stomach." Although he favored a more rigid law, Sinclair pointed out that "the Federal inspection of meat was, historically, established at the packers' request; . . . it is maintained and paid for by the people of the United States for the benefit of the packers; . . . men wearing the blue uniforms and brass buttons of the United States service are employed for the purpose of certifying to the nations of the civilized world that all the diseased and tainted meat which happens to come into existence in the United States of America is carefully sifted out and consumed by the American people." Sinclair was correct in appreciating the role of the big packers in the origins of regulation, and the place of the export trade. What he ignored was the extent to which the big packers were already being regulated, and their desire to extend regulation to their smaller competitors.

In March, 1906, sensing the possibility of a major public attack on its efficiency, the Department of Agriculture authorized an investigation of the Chicago office of the Bureau of Animal Industry. Although the report of the inquiry admitted that the inspection laws were not being fully applied

because of a lack of funds, it largely absolved its bureau. Soon after, realizing that the Department of Agriculture report was too defensive, Roosevelt sent Charles P. Neill, the Commissioner of Labor, and James B. Reynolds to Chicago to make a special report. Neill, an economist with no technical knowledge of the packing industry, and Reynolds, a civil service lawyer, had never been exposed to the mass slaughtering of a packing house, and like Sinclair were sensitive, middle-class individuals. Roosevelt regarded the Department of Agriculture report as critical, but he hoped the Neill-Reynolds report would vindicate the worst.

Senator Albert J. Beveridge, in the meantime, began drafting a meat inspection bill at the beginning of May. Drafts passed back and forth between Beveridge and Secretary of Agriculture James Wilson, and Reynolds was frequently consulted as well. Wilson wished to have poultry excluded from the law, and diseased but edible animals passed. By the end of May, when a final bill had been agreed upon, Wilson strongly defended the Beveridge proposal. The measure was submitted as an amendment to the Agriculture Appropriation Bill, and the big packers indicated at once that they favored the bill save in two particulars. They wanted the government to pay for the entire cost of inspection, as in the past, and they did not want canning dates placed on meat products for fear of discouraging the sales of perfectly edible but dated products. Save for these contingencies, the Beveridge Amendment received the support of their American Meat Packers' Association and many major firms. The packers' objections were embodied in the amendments to the Beveridge proposal made in the House by James W. Wadsworth, chairman of the Committee on Agriculture.

Roosevelt immediately opposed the Wadsworth amendments, and threatened to release the Neill-Reynolds report if the House failed to support his position. The House supported Wadsworth, and Roosevelt sent the report along with a special message to Congress on June 4. He must have had qualms as to what it would prove, for he

hedged its findings by asserting that "this report is preliminary," and that it did not discuss the entire issue of the chemical treatment of meats. The report, the packers immediately claimed, reluctantly but definitely absolved them, but also "put weapons into the hands of foreign competitors."

The Beveridge Amendment passed the Senate on May 25 without opposition. To strengthen his position, Wadsworth called hearings of the Committee of Agriculture for June 6 through June 11. Two significant facts emerge from the testimony, both of which Wadsworth intended making. Charles P. Neill's testimony revealed that the sight of blood and offal, and the odors of systematic death, had deeply shocked the two investigators, and that they had often confused the inevitable horrors of slaughtering with sanitary conditions. Roosevelt had erred in sending to the slaughterhouses two inexperienced Washington bureaucrats who freely admitted they knew nothing of canning. The major result of the hearings was to reveal that the big Chicago packers wanted more meat inspection, both to bring the small packers under control and to aid their position in the export trade. Formally representing the large Chicago packers, Thomas E. Wilson publicly announced "We are now and have always been in favor of the extension of the inspection, also to the adoption of the sanitary regulations that will insure the very best possible conditions," including nearly all the recommendations of the Neill-Reynolds report. "We have always felt that Government inspection, under proper regulations, was an advantage to the live stock and agricultural interests and to the consumer," but the packers strongly opposed paying for the costs of their advantage. The packers opposed dating canned food because of its effects on sales, but had no objection to reinspection of older cans or the banning of any chemical preservatives save saltpeter.

Although segments of the press immediately assumed that the packing industry opposed regulation that presumably damaged their interests—and historians have accepted their version—most contemporaries, includ-

ing Beveridge, knew better. Upton Sinclair was critical of the bill from the start, and called for municipal slaughter houses. On June 29, as the packers and livestock growers were urging passage of the Beveridge amendment with the government footing the expenses, Beveridge announced that "an industry which is infinitely benefited by the Government inspection ought to pay for that inspection instead of the people paying for it." The value of meat inspection for the export trade, Senator Henry C. Hansbrough of North Dakota declared, is obvious. What was wrong with the entire measure, Senator Knute Nelson pointed out, was that "the American consumers and the ordinary American farmer have been left out of the question. Three objects have been sought to be accomplished—first, to placate the packers; next, to placate the men who raise the range cattle, and, third, to get a good market for the packers abroad."

The battle that followed was not on the basic principle of a meat inspection law, but on the issue of who should pay for the cost of administering it and on the problem of placing dates on processed meat. During the committee hearings, Wadsworth asked Samuel H. Cowan, the lawyer of the National Live Stock Association, to prepare a bill with the modifications acceptable to the big packers. This he did, and it was rumored in the press that Roosevelt had given Cowan's efforts his tacit approval. If an agreement between Roosevelt and Wadsworth was, in fact, reached, it was surely secret, although the two men had at least two private discussions between June 1 and 15. On June 15 the President dashed off an attack on Wadsworth's bill that was intended for the press. Wadsworth, Roosevelt claimed, was working for the packers. "I told you on Wednesday night," Wadsworth answered, referring to their private conversation, "when I submitted the bill to you, that the packers insisted before our committee on having a rigid inspection law passed. Their life depends on it, and the committee will bear me out in the statement that they placed no obstacle whatever in our way. . . ."

The House stood firm on its bill, and there was a stalemate for a week. Since an efficient inspection bill was to the interests of the packers, the *New York Journal of Commerce* announced on June 18, they should be willing to pay its costs. But the House conferees could not be made to budge on the issues of the government assuming the cost of inspection and the dating of cans and processed meats. Beveridge abdicated, and on June 30 the bill was signed by the President. The bill, George Perkins wrote J.P. Morgan, "will certainly be of very great advantage when the thing once gets into operation and they are able to use it all over the world, as it will practically give them a government certificate for their goods. . . ."

The most significant aspect of the new law was the size of the appropriation—3 million as compared to the previous peak of \$800,000—for implementing it. The law provided for the post-mortem inspection of all meat passing through interstate commerce. In this respect, the law was a systematic and uniform application of the basic 1891 Act, but it still excluded intrastate meat. Indeed, even in 1944 only 68 per cent of the meat output was covered by federal laws. The new law was unique insofar as it extended inspection to meat products and preservatives, and determined standards for sanitation within the plants. The basic purpose of Sinclair's exposé, to improve the conditions of the working class in the packing houses, could have been achieved either through better wages or socialism. Although they now had cleaner uniforms at work, their homes and living conditions were no better than before, and if they became diseased they were now thrown out of the packing houses to fend for themselves. "I am supposed to have helped clean up the yards and improve the country's meat supply—though this is mostly delusion," Sinclair later wrote. "But nobody even pretends to believe that I improved the condition of the stockyard workers."

Yet historians have always suggested that Sinclair brought the packers to their knees, or that "The Greatest Trust in the World" collapsed before the publication of the Neill-

Reynolds report. Given the near unanimity with which the measure passed Congress, and the common agreement on basic principles shared by all at the time, there is an inconsistency in the writing of historians on this problem. If the packers were really all-powerful, or actually opposed the bill, it is difficult to explain the magnitude of the vote for it. The reality of the matter, of course, is that the big packers were warm friends of regulation, especially when it primarily affected their innumerable small competitors.

In late August the packers met with officials of the Department of Agriculture to discuss the problem of complying with the law. ". . . the great asset that you gentlemen are going to have," Secretary Wilson told them, "when we get this thing to going will be the most rigid and severe inspection on the face of the earth." According to the minutes of the meeting, the packers responded to this proposition with "loud applause" and not with a shudder. The purpose of the law "is to assure the public that only sound and whole-

some meat and meat food products may be offered for sale," Swift & Co. and other giant packers told the public in large ads. "It is a wise law. Its enforcement must be universal and uniform."

Meat inspection ceased to be a significant issue during the remainder of the Progressive Era. Beveridge, for several years after the passage of the 1906 Act, tried to restore his defeated amendments, but he had no support from either Roosevelt or other important politicians. Secretary of Agriculture Wilson, among others, opposed Beveridge's efforts to have the packers pay for the expenses of inspection. The packers naturally resisted all attempts to saddle them with the costs, but strongly defended the institution of meat inspection and "the integrity and efficiency of the Bureau's meat inspection service." Despite the urging of the American Meat Packers' Association, which wanted action to eradicate tuberculosis and other diseases in livestock, the issue of meat inspection died.