

the Gov

“Food Safety Modernization Act of 2011”
Social Studies Lesson Plan

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the News

A daily news broadcast for High School and Middle School students
now under development by MacNeil/Lehrer Productions



the Gov



Segment 6:
“The Food Safety Modernization Act of 2011”
Social Studies Curriculum

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the Gov



Winter, 2011

Dear Educator,

the.News online video reports for *the.Gov* provide middle and high school students with a valuable exercise in social studies and language arts with this **5:45 minute** segment on “ The Food Safety Modernization Act of 2011” at www.pbs.org/newshour/thenews/thegov . Congress has enacted a new law to further protect the food we eat. Correspondent Antonio Neves explores this impact on food safety and nutrition. Lessons for social studies and language arts are available to support this video in the “For Educators” section of the website. All videos and curricula have been informed by *the.News* instructional design that can be found on the website www.pbs.org/newshour/thenews. The curriculum includes content-based standards, discussion questions, student activities, vocabulary and primary reference sources. A complete transcript of each video report includes time codes to assist in isolating specific segments of the video and to augment the instruction of media literacy and multimedia production. All of this material is presented as options to fit teachers’ instructional needs.

References to Larry Bell’s “The 12 Powerful Words” are highlighted in **bold** in the lesson plans and in the “thought starter” questions on the home page and educator’s page, and in the transcript (to denote where they are used in the video segment).

We have also added general topics to correlate to the lessons and video as well as concept based standards with conceptual lens and enduring understanding.

We welcome our partners at the Omaha Public Schools who have joined *the.News* in the second year of a special pilot project. We have also developed a new authoring tool for students called *YOU.edit* which gives students an online tool to remix the content of *the.News* reports, so they can create their own multimedia presentations. This editing tool can be found by clicking on the *YOU.edit* button on the home page of the website. Currently used with our OPS teacher consultants it is password protected so that it can serve as a viable educational asset that allows classroom teachers to assign multimedia projects within the security and content safety of *the.News* website.

Answers to student “**thought starter**” questions listed below the video.

- #1. Gives the agency more power to order recalls and expand inspection of food production facilities, as well as new tools to **trace** origin of tainted food.
- #2. Salmonella poisoning from contaminated eggs thought to have come from two large farms in Iowa.
- #3. From the food industry, from consumers, and from Congress.

Sincerely,

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The Food Safety Modernization Act of 2011

This lesson was designed to support *the.News* video “The Food Safety Modernization Act of 2011”

The video can be found online at www.pbs.org/newshour/thenews/thegov

Omaha Public Schools Standards

<http://www.ops.org/District/LinkClick.aspx?fileticket=Hbqyrrg2ydM%3d&tabid=912&mid=2006>

U.S. History

Grade 8

Citizenship/Government: Describe the structure and function of government, the expanding role and responsibilities of the citizen in a representative democracy, and compare and contrast these elements to those in other countries.

Government

Grade 12

Standard 4: Describe the factors that influence government policy and decisions.

Conceptual Lens: Authority and governance

Enduring Understanding: As a society becomes more complex, the role of government can increase in the daily life of its citizens

Grade Level: 7-12

Content Areas: Social Studies, Government/Civics; Health classes; A/P classes



Key Concepts:

This lesson contains a series of activities that help students understand political ideology and rhetoric through the examination of the Food Safety Modernization Act of 2011. The topic of food safety is something most Americans can agree upon, but how that safety should be achieved and how much authority should be applied makes for great political drama. Questions arise over how much government regulation is effective and when does it become restrictive? Does government regulation infringe on people’s right to choice and make their own decisions? Is it even possible to make our food 100 percent safe?

Key Objectives:

Students will:

- **Analyze** examples of government regulation and determine their appropriateness

- **Compare and contrast** their evaluation of government regulation examples to politically ideological positions
- **Analyze** various opinions of the Food Safety Modernization Act of 2010 (FSMA)
- **Summarize** the opinions of others regarding the FSMA
- **Evaluate** the legitimacy of the FSMA and the effectiveness of opinions
- **Formulate** recommendations on how the FSMA could be implemented or improved.

Key Vocabulary:

- **insurrection:** an act or instance of rising in revolt, rebellion, or resistance against civil authority or an established government.
- **food borne:** anything related to food or coming from food.
- **pathogens:** any disease-producing agent, especially a virus, bacterium, or other microorganism.
- **E. coli:** bacteria inhabiting the gut of man and animals, short for *Escherichia coli*.



- **salmonella:** any of several rod-shaped, facultative anaerobic bacteria of the genus Salmonella, as S. typhosa, that may enter the digestive tract of humans and other mammals in contaminated food and cause abdominal pains and violent diarrhea.
- **social contract:** an agreement, entered into by individuals, that results in the formation of the state or of organized society, the prime motive being the desire for protection, which entails the surrender of some or all personal liberties
- **lame duck:** an elected official or group of officials, as a legislator, continuing in office during the period between an election defeat and a successor's assumption of office.
- **pre-emptive:** designed to reduce or destroy an enemy's attacking strength before it can use it.
- **bipartisan:** representing, characterized by, or including members from two parties or factions.
- **coalition:** a combination or alliance, especially a temporary one between persons, factions, states, etc.
- **cogent:** convincing or believable by virtue of forcible, clear, or incisive presentation.

Omaha Public Schools Standards

<http://www.ops.org/District/LinkClick.aspx?fileticket=Hbqyrrg2ydM%3d&tabid=912&mid=2006>

Language Arts

Grade 12

Standard 1: Students will read a variety of grade level texts fluently with accuracy, appropriate pace, phrasing and expression.

Standard 3: Students will extract and construct meaning using prior knowledge, applying text information, and monitoring comprehension while reading grade level text.

Source: Dictionary.com

FOOD SAFETY MODERNIZATION ACT

Requires food processors to keep records, report contamination

Gives agency power to recall suspected contaminated food

FDA

2011



Time Frame:

- Opening Activity: one class period
- Viewing Activity: 15-20 minutes
- Main Activity: one to two class periods

Materials:

- *the.News* video:
<http://www.pbs.org/newshour/thenews/thegov>
- Internet access
- Student Handouts:
 - Article Analysis Graphic Organizer

Lesson Topic:

- Food borne illness
- Federal Legislation
- Political Ideology
- Government Regulation
- Public Policy
- Bipartisan Legislation
- Social Contract





Background:

One of the responsibilities of government is to protect its people from all enemies foreign and domestic. This usually means protection from foreign invasion or against domestic **insurrection**. But this can also extend to protecting citizens from harm caused by imported food and food produced domestically. In 1999, the Center for Disease Control (CDC) published a report estimating **food borne** disease caused 76 million illnesses, 325,000 hospitalizations, and 5,000 deaths in the United States each year.¹ Since then, public health officials have strengthened detection, surveillance, and investigation of illnesses on the local, state, and federal levels. In June 2010, the CDC's *Food borne Disease Active Surveillance Network* published preliminary surveillance data for 2009 showing 74 deaths were caused by 10 food borne **pathogens**. In 2010, the Food and Drug Administration (FDA) reported that food borne illnesses cost the United States \$152 billion a year in medical services, death, lost work, and disability.²



In spite of the improvements, it seems America has been assaulted by “food borne enemies” in recent years. In 2006, the FDA announced a nationwide outbreak of **E. coli** bacteria in bagged spinach from California. Before all the spinach could be recalled, 205 people fell ill, 104 had to be hospitalized, and four people died. In 2008, more than 1300 Americans were infected with **salmonella** bacteria after consuming tainted peppers from Mexico. In 2009, Minnesota health officials found salmonella in peanut butter containers produced in the United States. Before it was over, the outbreak had spread to 43 states, killed nine and sickened 700 others. In January, 2011, there was a multistate outbreak of salmonella poisoning of alfalfa sprouts that sickened more than 100 people. Though food safety had improved since 1999, the government needed a better “early warning system” to detect the tainted food before it got to the population.

The U.S. Constitution sets up a **social contract** between the government and the people. Among the provisions in the Preamble, government promises to protect its people by insuring domestic tranquility, providing for the common defense, and promoting the general welfare. Government establishes regulations and the people agree to follow them for the public good. In December, 2010, during the “**lame duck**” session, Congress passed the Food Safety Modernization Act (FSMA) by large bi-partisan majorities in both houses. On January 4, 2011, President Barack Obama signed the bill into law. The law changes the strategy of combating foodborne illness from *reacting* to an outbreak to *preventing* one.

The law provides:

- Authorizes the FDA to increase the number of inspections of food manufacturing and processing facilities.
- Authorizes the FDA to require companies to recall contaminated food. (Before all the FDA could do was ask food producers to pull the stock.)

¹ Mead, Paul S. et al; *Emerging Infectious Diseases*, Center for Disease Control Vol. 5. No. 5, 1999

² Elizabeth Weise, “USA pays price for food-borne illness” USA Today, March 4, 2010



- Requires food production facilities to take **pre-emptive** measures to prevent contamination through an electronic tracking system following food from “farm to fork.” The system identifies potential hazards linked to their products and puts controls in place to make sure the hazards don’t arise during production.
- Requires food producers to develop written food safety plans accessible to the government in the case of an emergency including hazard analysis and plans to correct problem.
- Requires importers to verify the safety of all imported foods to make sure they follow U.S. food safety standards.

Approximately, 80 percent of the nation’s food supply will be covered by the law. Meat and poultry are not included here as they are regulated by the U.S. Department of Agriculture. In the past, the FDA was only able to do inspections of food production facilities about once every five to ten years. Now they will be able to inspect once every three years. Also, the law exempts food producers who earn less than \$500,000 (home gardeners and small farms) from certain requirements, which is estimated to be a small percentage of the food supply.

Despite the **bipartisan** support and the backing from a diverse **coalition** of major businesses and consumer groups, the bill wasn’t immune from politics. For over a year during the legislative process, people from all political persuasions debated the merits of the bill. Allegations were made that the law would destroy the farmers’ markets and seed producers all to the benefit of the mega-farms and Wall Street. Proponents countered with claims that the bill would protect the United States from “food terrorism.” There was a concern that the bill



was unconstitutional because it contained a tax increase in its original version from the Senate rather than the House. According to the Constitution, all tax bills have to originate in the House. Talk show host Glenn Beck suggested the law was a government ploy to raise the price of meat to convert more consumers to vegetarianism.³

But out of the super-heated rhetorical debates came several **cogent** arguments that examined the effectiveness of the bill and the effects of government regulation on personal freedom. Some critics saw the bill as an attempt to create a one-size-fits-all remedy to the widely different operations of small farmers and mega-farms. Related to this was the concern over how to monitor the globalized food supply that allows Americans to enjoy food choices from all over the world. And then there were the concerns of government over-regulation that would stifle competition and the increased size and cost of a government bureaucracy needed for the more frequent inspections.

The strength of any democracy is not just in its freedom of speech, but in its citizens’ ability to soberly understand *that* speech and take action based reason instead of emotion. Effective citizenship in a democracy depends on people’s passion for a cause, but also their imagination and intellect to construct public policy that benefits the many at the expense of the few.

³ Layton, Lyndsey, “Senate passes sweeping food safety bill.” Washington Post; November 30, 2010



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<http://www.mcrel.org/>

Level III (Grades 6-8)

Civics

Standard 1: Understands ideas about civic life, politics, and government

- Distinguishes between private life and civic life
- Understands competing ideas about the purposes government should serve

Standard 8: Understands the central ideas of American constitutional government and how this form of government has shaped the character of American society

- Knows the essential ideas of American constitutional government that are expressed in the Declaration of Independence, the Constitution, and other writings
- Knows how certain provisions of the United States Constitution give government the necessary power to fulfill its purposes

Standard 19: Understands what is meant by "the public agenda," how it is set, and how it is influenced by public opinion and the media

- Understands the importance of freedom of the press to informed participation in the political system; and understands the influence of television, radio, the press, newsletters, and emerging means of electronic communication on American politics
- Understands how citizens can evaluate information and arguments received from various sources so that they can make reasonable choices on public issues and among candidates for political office

LESSON PLAN

***TEACHER NOTE:** This lesson provides an opportunity for students to understand the Food Safety Modernization Act and the political and ideological controversy that surrounds it. Students might have strong views on some of the examples of ideological positions presented in the lesson and students should be encouraged to express their opinions in a safe and accepting environment.*

Opening Activity:

The purpose of this activity is to give students an opportunity to analyze government regulations, identify their intent, and any ideological influence. Each of these regulations is an actual law or proposed bill (identified in parentheses). Students will first review definitions of "liberal" and "conservative" then position themselves on this ideological spectrum. They will then review each of the laws and make an assessment on its costs and benefits and whether it should be enacted into law. Then students will be asked to explain how their ideological beliefs might have played a part in their decision.



Background for students: In the Preamble of the U.S. Constitution, the framers established that one of the primary purposes of government was to protect the people. In order to do this, government establishes regulations to provide guidelines and impose consequences to prevent undesirable outcomes. Most regulations benefit the many at the expense of the few. However, sometimes this protection can have unintended consequences that restrict the rights of individuals or the ability of businesses to operate.

1. **Explain** to students that besides the intent to protect people, many governmental regulations are based on a political ideology, either liberal or conservative. Review the following definitions⁴ with students to make sure they understand their meaning:

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Level IV (Grades 9-12)

Civics

Standard 1: Understands ideas about civic life, politics, and government

- Knows formal institutions that have the authority to make and implement binding decisions

- Understands the sources of political authority

- Understands some of the major competing ideas about the purposes of politics and government

- Understands how the purposes served by a government affect relationships between the individual and government and between government and society as a whole

Standard 12: Understands the relationships among liberalism, republicanism, and American constitutional democracy

- Knows the difference between the use of the term "liberal" in referring to the American form of government and the use of the terms "liberal" and "conservative" in referring to positions on the spectrum of American politics

- Understands reasons why classical republicanism and liberalism are potentially in conflict

LIBERALS - believe in government action to achieve equal opportunity and equality for all. It is the duty of the government to alleviate social ills and to protect civil liberties and individual and human rights. Believe the role of the government should be to guarantee that no one is in need.

Liberal policies generally emphasize the need for the government to solve problems.

CONSERVATIVES - believe in personal responsibility, limited government, free markets, individual liberty, traditional American values and a strong national defense. Believe the role of government should be to provide people the freedom necessary to pursue their own goals.

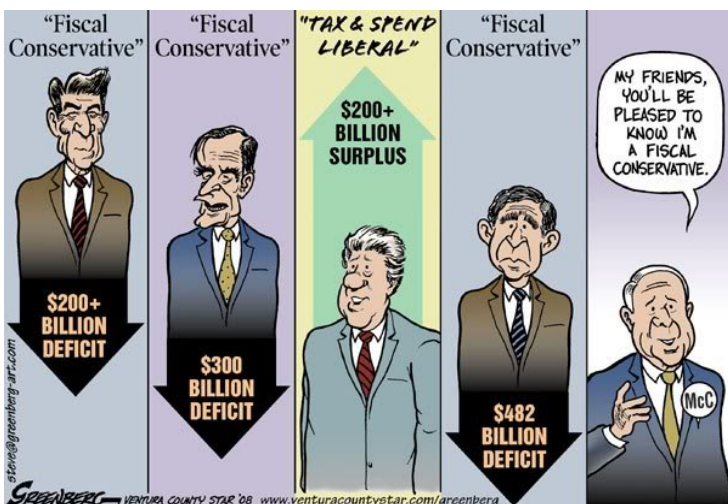
Conservative policies generally emphasize empowerment of the individual to solve problems.

2. Either assign or ask students to identify their ideological position as either liberal, conservative or somewhere in between, based on these definitions.

⁴ From StudentNewsDaily.com <http://www.studentnewsdaily.com/other/conservative-vs-liberal-beliefs/>



3. Organize students into small groups of 3-5 to discuss the following examples of government regulation using the discussion guide below.
 - The federal government is proposing a one cent per ounce tax on soft drink beverages that contain sugar. *(Proposed soda tax is now being considered by the federal government and several states.)*
 - Several state governments have imposed a \$1.50 tax on a package of cigarettes. *(Several states impose cigarette taxes of varying amounts.)*
 - The federal government has passed a law that requires all people have to purchase health insurance. *(One of the provisions of the Patient Protection and Affordable Care Act passed in 2010.)*
 - Several state legislatures have passed laws that prohibit people under 18 from purchasing energy drinks. *(In November, 2010, the FDA ordered manufacturers to stop adding caffeine to their alcoholic products. Several states are considering similar bans.)*
 - Congress recently passed a law that exempts natural gas exploration from the Safe Drinking Water Act allowing companies to explore in ground water areas and not be liable for damages. *(2005 energy bill exempted natural gas exploration companies from the Safe Drinking Water Act.)*



Credit: Steve Greenberg, Ventura County Star (CA), August 2008



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Discussion Guide:

- Why might some people feel such a law is needed? Who might benefit from this law?
- How might the law restrict some people's rights? Who might be negatively affected by this law?
- Do you feel this law benefits the many at the expense of the few, or the other way around? Explain why.
- Identify if this is a "conservative" or "liberal" inspired law.
- Do you feel this law should stay as it is, be amended, or repealed? Explain how and if your ideological position influenced your answer.

After the groups have finished their review of the government regulations, have a spokesperson from each report the group's findings to the class.

Main Activity:

Part 1

Have students view *the.News* segment [<http://www.pbs.org/newshour/thenews/thegov>]

Part 2

Before conducting this activity, put together reading packets or provide the links for student to read various articles covering the Food Safety Modernization Act (FSMA). This can be done as homework before conducting the activity.

1. All students will view and/or read the transcript to the NewsHour's news segment "Food Safety Bill Focuses on Prevention, Creates Recall Power." Divide the class into two large groups. One group will read articles in support of FSMA and the other group will read articles in opposition. Each large group will be composed of several smaller subgroups. Each subgroup will read one of articles either in support of or in opposition to the law.
 - General news coverage of the law from the NewsHour's news segment "Food Safety Bill Focuses on Prevention, Creates Recall Power."
http://www.pbs.org/newshour/bb/health/july-dec10/foodsafety_12-22.html.
 - Articles that support the FSMA:

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<http://www.mcrel.org/>

Level IV (Grades 9-12)

Civics

Standard 19: Understands what is meant by "the public agenda," how it is set, and how it is influenced by public opinion and the media

- Knows how to use criteria such as logical validity, factual accuracy, emotional appeal, distorted evidence, and appeals to bias or prejudice in order to evaluate various forms of historical and contemporary political communication

Standard 20: Understands the formation and implementation of public policy

- Knows a public policy issue at the local, state, or national level well enough to identify the major groups interested in that issue and explain their respective positions



- Food and Drug Administration: <http://www.fda.gov/NewsEvents/PublicHealthFocus/ucm237934.htm>
 - Food Safety News: <http://www.foodsafetynews.com/2011/01/report-defines-new-mandates-for-food-companies/>
 - Center for Food Safety: <http://truefoodnow.org/campaigns/food-safety/food-safety-modernization-bill-qa/>
 - Articles that oppose the FSMA:
 - Natural News: http://www.naturalnews.com/030986_food_safety_farmers.html
 - RedState: <http://www.redstate.com/mattkibbe/2010/11/19/overreaching-food-safety-modernization-act-would-destroy-family-farmers/>
 - Forbes: http://www.forbes.com/2010/12/02/fda-regulation-food-safety-opinions-contributors-gregory-conko_print.html
2. When assigning the article, distribute Student 1: Article Analysis Graphic Organizer for students to take notes on the articles in support of or opposition to the FSMA.
 3. After students have read their respective articles, provide some time for each small group to **analyze** the article by discussing the asterisked questions (1 – 5) and **formulating** a small presentation.
 4. Now organize the class into a “modified fishbowl” activity: Arrange students’ seats in a large half circle facing the front of the classroom. Place enough seats in the front of the room to accommodate the largest subgroup.
 5. Have each subgroup come up to the front to present their article analysis following the asterisked questions (each student in the subgroup can present one or more of these questions.) Stress to the class that they are to listen carefully to the presentations because they will be asked to comment on what they’ve heard.
 6. Have students in the large group comment on the following questions for each article:
 - a. What ideological position is expressed by the article’s author? Support your answer with examples.
 - b. What alternatives or solutions does the author present?
 - c. What are your thoughts on the views expressed in the article?

Have the small subgroup respond to the comments of the large group by either agreeing or disagreeing with their assessment. Encourage students to challenge or agree with each other’s thinking when appropriate.

Assessment:

- Cooperation and participation in group activities.
- Individual student completion of the Graphic Organizer.



- Have students write an essay or **formulate** a presentation that summarizes the elements of the law, supporters and opponents comments on the bill, and their own assessment of the bill with reasons they support it or recommendations on how to improve it.

Partnership for 21st Century Skills

<http://www.21stcenturyskills.org>

Civic Literacy

- Participating effectively in civic life through knowing how to stay informed and understanding governmental processes

Think Creatively

- Elaborate, refine, analyze and evaluate their own ideas in order to improve and maximize creative efforts
- Develop, implement and communicate new ideas to others effectively
- Be open and responsive to new and diverse perspectives; incorporate group input and feedback into the work

Reason Effectively:

- Use various types of reasoning (inductive, deductive, etc.) as appropriate to the situation

Make Judgments and Decisions:

- Effectively analyze and evaluate evidence, arguments, claims and beliefs
- Analyze and evaluate major alternative points of view
- Interpret information and draw conclusions based on the best analysis

Communication and Collaboration

- Articulating thoughts and ideas clearly and effectively through speaking and writing
- Listen effectively to decipher meaning, including knowledge, values, attitudes and intentions.

Extension Activities:

Have students examine other controversial topics following the same procedure as above. These might include the President's budget, any of the laws mentioned in the opening activity, or other regulations. Information on these can be found on the Internet. Specific laws can be accessed at Govtrack <http://www.govtrack.us> OR OpenCongress <http://www.opencongress.org>.

Resources:

National Sources

- **the.News** <http://www.pbs.org/newshour/thenews/>
- **Food and Drug Administration**
<http://www.fda.gov/ForConsumers/ConsumerUpdates/ucm237758.htm>



- Center for Disease Control “Food Related Illness and Death in the U.S.” <http://www.cdc.gov/ncidod/eid/vol5no5/mead.htm>
- FoodSafety.gov <http://www.foodsafety.gov/>
- Food Safety News <http://www.foodsafetynews.com>
- Food Liability Law <http://www.foodliabilitylaw.com>
- OpenMarket.org <http://www.openmarket.org/>

State Agencies:

- List of State Departments of Health <http://www.foodsafety.gov/about/state/>
- Rhode Island Food Safety Lessons http://www.foodsafeschools.org/FSAG_CD/Resources/RI/RILessonPlans/index.htm
- Food Safety Workshops in Nebraska <http://www.journaledemocrat.com/news/x1868081896/Farm-Food-Safety-Workshops-Offered-Across-Nebraska-in-February-and-March>

Activity Designer:

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Student Handout 1: Article Analysis Graphic Organizer

1. Basic information on the article*

Article Title: _____

Author: _____

Publication's Name: _____

Publication's Political Inclination: _____

Review the article and identify the 5 Ws and H	
Who?	
What?	
When?	
Where?	
Why?	
How?	

Analysis Questions

2. For what audience was the article written? * _____

3. Does the article reflect the writer's opinion or the opinions of others or is it purely objective reporting on the Food Safety Modernization Act? (opinionated/objective)*

*Present your answers to the asterisked questions during the full class discussion. Be prepared to comment questions 6, 7, and 8.



4. What is the impact of the Food Safety Modernization Act according to the author? * _____

5. List three points the author states to explain this impact.*

A. _____

B. _____

C. _____

6. What facts or sources of information are presented to support this position? _____

7. If an ideological position is evident, which position does the author's opinion express? _____

Explain why you conclude this? _____

8. What alternatives or other solutions does the author present? _____

9. What are your thoughts on the views expressed in this article? _____
