

Me importa un pepino

The expression 'me importa un pepino' ” (literally, I care a cucumber, metaphorically, I couldn't care less) used in colloquial speech is beginning to lose its meaning as something that is insignificant, that lacks importance and, as such, does not affect you. Instead it has acquired an unexpected and increasingly important new meaning since the last days of May[\[1\]](#) .

The cause is well known: hasty declarations by a German Senator that attribute imported Spanish cucumbers [\[2\]](#), as having detrimental effects to human health have unleashed a true crisis, one in which the real losers have been Spanish farmers whose exports, rejected immediately by Germany, have caused millions in losses while the Ministry of Agriculture has announced concessions [\[3\]](#).

At first glance, the cause of the deaths and hospitalizations of more than 1600 citizens, mostly in the north of Europe, is not the cucumber, but rather a strain of Escherichia Coli (E. coli) transmitted in the contaminated feces of ruminant animals (cows, sheep and goats, principally) and which produces effects described as hemolytic uremic syndrome (HUS). This is what seems to be the case as of today. If this is true and new research does not uncover new facts, then we would find ourselves once again in a human illness-epidemic caused by pathogenic agents proceeding from animals. In the last ten years, this situation has been present in invariable form in the swine flu, the avian flu, and blue tongue disease, among others, [\[4\]](#), which have caused important health problems and economic damages. They have alerted us to the fact that something is not working right and, on the grand scale of things, to the chain of risks in our current food supply.

It is clear that industrial animal production increases consumer risks in emerging and poor countries due to the inability of implementing the necessary sanitary controls in breeding establishments, in slaughterhouses and in their exports.

We cannot forget that the risks come from a form of animal mass-breeding, in artificial conditions throughout their life, in spite of the abundant regulations intending to free them from suffering and stress, in the same vein of the declaration of Article 13 of the Treaty of Lisbon which considers animals to be “sentient beings” [\[5\]](#). Australia recently offered an example of why regulations alone are not enough when they banned the exportation of cattle to Indonesia as the latter offered no guarantee for the welfare of the animals in transport and in sacrifice, areas where Australian laws are extremely strict [\[6\]](#).

It is true that control and inspection protocols have been created, but these are in the initial application phases in most of these countries. In Spain, law 32/2007, on the care of animals with regards to their exploitation, transportation, experimentation and sacrifice, [\[7\]](#), has determined the professional education and qualification for agents who have to handle animals during breeding, transport and sacrifice, and recently the Autonomous Communities have organized educational courses for these professionals without having registered any negative reaction so far. In France, on the other hand, with the experience which started in Brittany, where officials put into place an experimental control protocol in the slaughterhouses wherein the actual agents participate in the control of the “products”, there has been considerable resistance among the sanitation inspection corps, leading one to question the capacity that one can acquire in creating reliable controls after only a few weeks of training [\[8\]](#).

It is true that education is the key to avoid any type of risk that could affect public health and food security, but what is also important in the long run is education that affects our awareness of animal welfare and promotes the rejection of practices which include suffering and stress and ways of life which are incompatible with animal interests. These practices are nothing more than those with power developing rules based on their own idiosyncrasies.

Confronting these ethical demands emerging in many European juridical texts, we can no longer accept a disinterested reaction like that of Rhett Butler, who, when alluding to the future of Scarlett, said: “Frankly my dear, I don’t give a damn” (or a cucumber) [9].

THE EDITOR

Teresa Giménez-Candela

Professor of Roman Law

Director of the Animal Law and Society Master

Director of ICALP

Universitat Autònoma de Barcelona

Follow en Facebook: <https://www.facebook.com/editera.da>

[1] One reference in [RTVE](#) (Spanish Radio and Television) (link in Spanish)

[2] The notice still exists with its original tone on the official website for the city of [Hamburg](#) (link in German)

[3]The declaration of intent from the ministry can be found on the website for the [MARM](#) (Spanish Ministry of the Environment and Rural and Marine Affairs, link in Spanish).

[4]Complete information to be found on the [EC DG Health and Consumers](#) site

[5]In the sense as the [declaration of intent](#) of the EC ; search for “animal health” in the Database of this website, which shows 171 entries for legislation from the EU, state, autonomous and local levels.

[6] See the article on [ABC](#) (link in Spanish)

[7]See the [text](#) (link in Spanish) in the database

[8] Jean-Claude Nouët, Menaces alimentaires?, en Droit Animal, Éthique et Sciences (69) Avril 2011 p.4.

[9]The version in the novel “Gone with the Wind” was simply 'My dear I don’t give a damn', whereas this was changed in the movie to 'Frankly, my dear, I don’t give a damn'.