



# State of Utah

## DEPARTMENT OF AGRICULTURE & FOOD

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FSIS PROJECT ROOM  
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September 5, 2000

FSIS DOCKET CLERK  
DOCKET #00-027N  
USDA-FSIS ROOM 102 COTTON ANNEX BLDG  
300 12<sup>TH</sup> STREET SW  
Washington, DC 20250-3700

Dear Sirs:

**Re: *Comments on In-distribution Project***

Thank you for the opportunity to comment on the In-distribution Project, the proposed redeployment of FSIS personnel outside of traditional in-plant settings.

The Utah Department of Agriculture and Food (UDAF) shares USDA-FSIS and other agencies concern for the health and safety of the citizens of Utah and the United States. We have committed significant resources to exercise reasonable controls on the food industry, in the form of inspection and oversight. In addition, we are constantly upgrading our knowledge of food protection, emerging pathogens and current processing methods. We make every effort to share this knowledge with industry and other interested parties. This translates into an efficient and effective program for the regulation of all foods, including meat and poultry products. Currently, facilities that use meat and poultry products are subject to city, county, state and federal inspections. The Utah Department of Agriculture and Food conducts approximately 7,000 inspection per year covering all, non-"food service" establishments. In addition, it conducts approximately 2000 reviews of firms, which handle meat and poultry products, as part of its ongoing meat compliance program. These reviews check for adulterated and misbranded meat food products and implements appropriate enforcement when violations are identified. The State Health Department and corresponding county and district health departments conduct many thousand more inspections of food service facilities. This, coupled with oversight by FDA, gives several levels of food safety protection. The current food code, which has been adopted by UDAF and these agencies, addresses very well, the food safety issues of meat and poultry products.

Renee Matsuura  
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Michael R. Marshall  
Animal Industry

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Marketing/Conservation

G. Richard Wilson  
Plant Industry

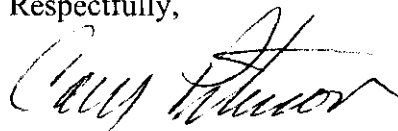
Kyle Stephens  
Regulatory Services

It is our opinion the redeployment of FSIS personnel as “in-distribution inspectors” would be a significant waste of resources. This plan would result in redundancy of service, causing additional frustration on the part of our partners in food safety, the food industry. In addition, it would appear the personnel targeted for these positions are ill equipped to function in this arena. This would require additional training, which is costly and will result in an additional waste of resources. It would also require a change in the method of regulation. The proposed facilities are not permitted or granted inspection by the federal government. Regulations of private entities require a different culture and climate. The liberties enjoyed by in-plant inspectors would not be feasible in private entities. This alone would require a significant amount of training and change of attitude on the part of the FSIS personnel. Individuals who conduct food safety inspections in the retail food industry in the State of Utah are required by state statute to be licensed as Environmental Health Scientists. It would appear to us that anyone under the USDA umbrella, conducting those types of inspections within the State of Utah, would also be required to meet these licensing requirements.

We understand the pressure that the Agency is under to provide employment for displaced inspectors, should the HACCP plans cause such displacement. It is hard to change after one hundred years of doing business a certain way. Therefore, attrition of existing employees and re-definition of current positions may best address this issue. Not the creations of another group to stumble over the many agencies which are currently performing admirably in this arena. One solution could be to increase and improve the number of inspections conducted on imported foods at the U.S. ports of entry locations. It has been reported that less than one-tenth of all imported food is actually inspected at ports of entry. This lack of inspection creates an un-level playing field for our domestically produced products. In our opinion, this would be a much better and more productive use of the inspection personnel.

If you have question concerning our position on this matter please feel free to contact our office.

Respectfully,



Cary Peterson, Commissioner  
Utah Department of Agriculture and Food

Cc: The Honorable Senator Orrin Hatch  
The Honorable Senator Robert Bennett  
The Honorable Representative James Hansen  
The Honorable Representative Chris Cannon  
The Honorable Representative Merrill Cook  
National Association of State Departments of Agriculture