

Statement for the Record



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INTRODUCTION

Mr. Chairman and Members of the Subcommittee, thank you for this opportunity to talk with you about the safety, and in particular the post-harvest defense, of our food supply. The United States has not only the most bountiful food production capacity in the world, but it is among the safest as well. Safety is not an inherent quality of U.S. food production - it takes continual dedication to ensure the safety and security of the food supply. I appreciate the chance to highlight the contributions of the Department of Homeland Security (DHS) to Food, Agriculture and Veterinary (FAV) Defense. I will also discuss the role that DHS played in the recent pet food contamination incident as demonstration of the diversity of DHS programs. Finally, I will discuss the Office of Health Affairs' (OHA) strategic plan to further implement Homeland Security Presidential Directive 9 (HSPD-9) along with state and local governments and the private sector. Importantly, managing any event will not be a federal issue alone. Success in the realm of food safety and defense will depend upon coordination among states, local and private entities, and national programs that utilize our Nation's resources effectively.

DHS OFFICE OF HEALTH AFFAIRS (OHA)

Secretary Chertoff created the Office of Health Affairs as part of the departmental reorganization on January 18, 2007 in response to P.L. 109-295 §516. OHA was created to protect the health and security of the American people in coordination and collaboration with other DHS components, federal, state and local partners, and the private sector. Responsibilities and activities of OHA do not duplicate or supplant activities currently being provided by other components of DHS or the departments and agencies of the Executive Branch. The Chief Medical Officer (CMO) has the following responsibilities:

- To serve as the Secretary's principal medical and veterinary authority for DHS;
- To coordinate DHS biodefense activities, to include policy, planning, strategy, requirements, operational programs and metrics;
- To ensure internal/external coordination of DHS' medical [including veterinary] preparedness and response activities;
- To serve as the primary DHS point of contact for federal/state/local/tribal governments and the private sector on medical [including veterinary] and public health issues; and
- To discharge DHS' responsibilities under Project BioShield, in coordination with the Science and Technology (S&T) Directorate.

The Department serves as the integrator of federal, state and local resources that are needed to preserve the security of the Nation. With specific reference to agroterrorism preparedness, in a memo dated March 28, 2007, Secretary Chertoff designated OHA's Assistant Secretary and Chief Medical Officer as the DHS official accountable "for the implementation of the Department's responsibilities of veterinary, food and agriculture security...[who] will also coordinate the Department's responsibilities for

implementation of Homeland Security Presidential Directive 9, Defense of the United States Agriculture and Food.”

Within OHA, I serve as the Director of Food, Agriculture and Veterinary (FAV) Defense. FAV goals are to ensure that the food and agriculture sectors are actualized as Critical Infrastructure; understand and strengthen public confidence in food protection through assessment and enhancement; ensure critical stakeholders are functionally aligned; and assist all DHS Food, Agriculture and Veterinary programs in attaining operational capability. OHA/FAV Defense activities are working to foster efficiency and effectiveness across DHS regarding food, agricultural and veterinary defense.

HSPD-9, Defense of United States Agriculture and Food, was issued to establish a national policy to defend the nation’s agriculture and food systems against terrorist attacks, major disasters, and other emergencies. HSPD-7, *Critical Infrastructure Identification, Prioritization and Protection*, identifies DHS as “responsible for coordinating the overall national effort to enhance the protection of the critical infrastructure and key resources of the United States,” and recognizes the DHS Secretary as “the principal federal official to lead, integrate and coordinate implementation of efforts.” HSPD-9 assigns to the DHS Secretary tasks in this area that are specific to the defense of food and agriculture. These tasks include mitigation of vulnerabilities in food, agriculture and water systems, as well as developing robust biological threat awareness capacity. Of the 21 tasks for which DHS has been designated some degree of responsibility, we have the lead for 12. Those 12 activities fall under the following five pillars:

- 1) *Awareness and Warning* – Includes intelligence operations and biological threat assessment and analysis activities
- 2) *Vulnerability Assessments* – DHS, in coordination with USDA and HHS, is to conduct comprehensive studies to determine the nation’s vulnerability to a wide variety of foodborne pathogens and adulterants
- 3) *Mitigation Strategies* -- DHS will aid in prioritizing, developing and implementing, as appropriate, mitigation strategies and shall build upon existing efforts to expand development of screening and inspection procedures at the borders
- 4) *Response Planning & Recovery* – Includes activities involving local response capabilities and coordinated response planning
- 5) *Outreach and Development* – Includes information sharing and analysis mechanisms, specialized training in agriculture and food protection, continued development and research for countermeasures against introduction of animal/plant diseases, plans to provide biocontainment labs for researching capabilities and establishing university-based Centers of Excellence.

All five pillars, in fact, are being undertaken across all sectors, in collaboration with all Federal agencies.

THE PET FOOD CONTAMINATION INCIDENT

Approximately sixty percent of American households contain pets. Early this year, the U.S. government became aware that high levels of low-grade melamine, which contained not just pure melamine, but additional melamine analogues, were intentionally added to products labeled as “wheat gluten” and “rice protein concentrate.” These products were imported from China into the U.S. and subsequently incorporated into many pet food products. In addition, certain salvaged pet food products that were melamine contaminated were unknowingly fed to some food producing animals. This combination of contaminants was not detected until it was learned that certain pet foods were sickening and killing cats and dogs. In addition to the illness and death burden, many lessons observed were highlighted by this incident are also being addressed.

Contaminated “wheat gluten” and “rice protein concentrate” were imported into the United States in the fall of 2006. Menu Foods, the producer and distributor of many brands of pet foods nationally and internationally, became aware of reports of illness and death in pets and began recalling certain brands of pet food in March 2007. Chinese sources admitted to intentionally adding melamine to increase nitrogen content in rice products and wheat gluten, which falsely elevated protein measurements. In addition to pet food products, melamine-laced feedstuffs were also fed to production animals in the U.S. These animals could have entered the human food chain. Compounds fed to food-producing animals may, through tissue adulterant residues, make it into the human food chain. An interagency risk assessment considered the risk to humans from melamine-contaminated products fed to food producing animals and concluded that this was very unlikely to cause harm to humans.

. While more research is needed on the exact cause of the illnesses in cats and dogs, this melamine event demonstrated a potentially significant vulnerability to the human food supply due to the global nature of our food and agricultural systems.

COLLABORATION AMONG DHS ENTITIES

OHA worked to organize the Department’s various components soon after the pet food contamination incident began. Initial meetings generated a comprehensive list of capabilities that each component could leverage to respond to this incident. It also identified methods of sharing timely information. As the situation evolved and the true scope emerged, an Interagency Working Group (IAG) met at the DHS National Operations Center. The IAG established the process for a national-level Situational Report (SITREP), as well as the corresponding flow of information. OHA took the lead in forming the IAG and worked with the Operations Directorate to produce and disseminate the SITREP.

Heretofore, DHS had not established a formalized process for reporting on issues such as a food contamination event. The National Biosurveillance Group (NBSG), composed of the National Biosurveillance Integration System (NBIS) member Federal agencies, developed and implemented a formalized process. This was accomplished by

coordinating information flow among DHS, the components and headquarters of Department of Health and Human Services (DHHS), and USDA, as well as other affected DHS entities. The efforts of other DHS offices assisted in the coordinated response. These efforts are summarized below:

Customs and Border Protection (CBP) – CBP used its FDA-coordinated, automated systems and laboratory analytic capabilities to identify, target, sample and test additional incoming shipments of wheat, corn, and rice glutens for the presence of melamine. During the enforcement operation, CBP tested samples of products from 23 countries shipped by suppliers and producers that account for over 59 percent of the imported volume of the merchandise in the previous 12-month period. That contributed to a greater degree of assurance that products coming into the U.S. were free of the contamination and that the melamine issue was isolated to a few Chinese producers.

National Protection & Programs Directorate (NPPD) – The Homeland Infrastructure Threat & Risk Analysis Center (HITRAC) is a shared program between NPPD and the Office of Intelligence and Analysis. HITRAC monitored intelligence and related infrastructure information from open sources and classified reporting. HITRAC shared this information with the members of the IAG for use in their analysis.

Science and Technology (S&T) – The S&T National Science, Technology and Threat Awareness Reachback (NSTTAR) service provided real time, technical information and analysis reachback capability. This was provided to the homeland security community for anticipating, evaluating and responding to foodborne threats. NSTTAR, the Biodefense Knowledge Center, the Chemical Security Analysis Center located at the US Army facility in Edgewood, MD and the Department Of Energy Field Intelligence Establishment (intelligence division) were all called upon for technical and threat support relating to melamine toxicity, contamination paths, effects in food chains, production sites and the potential for intentional misuse. The National Center for Food Protection & Defense, one of the DHS Centers of Excellence, prepared and provided a continuous assessment of the situation. The assessment included potential impact on the domestic food chain, international trade, and public confidence. It also addressed the incident relative to the overall trade situation with China and an on-going timeline of events.

COLLABORATION AMONG FEDERAL ENTITIES

As a result of the pet food contamination incident, DHS/OHA fostered senior level engagement to enhance partnerships in homeland security. DHS brought unique and complementary tools and expertise to bear, such as tools for national security risk assessment and investment. Other agencies, such as the Department of Agriculture and the Food and Drug Administration, provided tools and expertise regarding the Food and Agriculture Critical Infrastructure. The Food and Drug Administration also worked closely with CBP on a day-to-day basis in food inspections and laboratory analysis. In addition, OMB and the relevant food safety agencies are collaborating on ways to most

effectively address issues raised in GAO's designation of Federal Oversight of Food Safety as a high-risk item in February 2007.

Another point of synergy was the overall public communication effort. The huge volume of information requests generated by governmental and private sources was handled through interagency press conferences. During one such call, nearly 200 members of the press participated. The government presented a common access point for information—questions, concerns, and suggestions.

AREAS OF FUTURE ENGAGEMENT

In a recent report by the DHS Office of the Inspector General (OIG), four main limitations in the Department's food defense and security efforts were identified. First, DHS must improve internal coordination. Second, DHS needs to engage its public and private food sector partners more effectively. Third, DHS could do more to prioritize resources and activities based on risk. Finally, DHS must fully discharge its food sector responsibilities.

In response to the OIG report, our Chief Medical Officer has the responsibility for food and agriculture efforts including:

- Working to ensure collaboration with the Food Information Sharing and Analysis Center (ISAC)
- Seeking improvement in DHS' relationship with food sector partners
- Expanding national infrastructure coordinating center outreach efforts
- Evaluating the feasibility of providing financial support and/or facilitating the detailing of state or local government and private sector representatives to OHA and NPPD
- Developing and maintaining a DHS report on sector research and development initiatives
- Expediting the review of existing food sector assessments
- Expanding food sector modeling
- Evaluating the integration of additional federal foodborne illness reporting, surveillance and detection systems
- Continuing to develop and disseminate information about food subsystem specific operational protective measures and best practices with FDA and USDA

Areas the OIG identified that are still in need of attention include:

- Developing a grant process to support non-urban, multi-jurisdictional preparedness
- Working with DHHS and USDA to prepare integrated food defense budget for FY09
- Considering collaboration of food-specific criteria and guidelines for Customs – Trade Partnership Against Terrorism with food industry with USDA/FDA

- Studying the integration of food defense awareness into transportation security and considering additional research to improve the security of food in transit
- Expanding efforts to sponsor food contamination event exercises with an emphasis on exercises spanning multiple state and local jurisdictions

COLLABORATION WITH THE PUBLIC AND PRIVATE SECTORS

The landscape of food safety and defense is changing. Evolving risks include the tremendous growth of imported food markets from countries that have limited regulatory oversight. Federal and state regulatory programs and laboratories are currently the backbone of the nation's food safety network. However, threats to the food supply typically cross state borders and have national implications.

A concerted communication strategy for these types of operations is essential, and falls within the purview of DHS. Additionally, information flow is typically much faster than anticipated, frequently outpaces the ability to analyze and interpret, and comes in from various sources. Frequently, information is made available to the private sector before the government is informed. DHS is building the mechanism through its National Operations Center (NOC), the National Biosurveillance Integration Center (NBIC) and the National Infrastructure Coordination Center (NICC) to gather and analyze such information in real time. DHS is forming partnerships with members of the food sector and its academic centers of excellence to improve information sharing and mutual awareness.

CONCLUSION

The food chain infrastructure is rapidly globalizing, which demands a commensurate improvement in our preparedness posture. This globalization, manifested by both the vertical integration of certain commodity groups such as poultry and grain, and the seemingly opposite phenomenon of 'subcontracting' various pieces of common production processes (as in the pet food contamination incident), outlines why it is so important that our planning efforts be comprehensive and all-inclusive of intelligence, disciplined information sharing with states and local governments and the private sector, coordinated incident management, and maintenance of public confidence.

Mr. Chairman, thank you for the opportunity to address the Subcommittee. I look forward to continuing my working relationship with you, and I am happy to address any questions or concerns that may arise regarding this topic.