# UNITED STATES
# DEPARTMENT OF AGRICULTURE

RESIDUE CONTROL IN A HACCP ENVIRONMENT

SUBCOMMITTEE 3

**HERITAGE REPORTING CORPORATION**
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Pages: 1 through 57

Place: Washington, D.C.

Date: October 31, 2000

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SUBCOMMITTEE 3

Lafayette Room
Loews L'Enfant Plaza Hotel
480 L'Enfant Plaza, S.W.
Washington, D.C. 20024

Tuesday,
October 31, 2000

The meeting on the above-entitled matter was convened at 7:20 p.m.

APPEARANCES:

CHAIRPERSON

MS. CAROL TUCKER FOREMAN

MEMBERS

MR. MAGDI ABADIR
MS. CHERYL HALL
MR. LEE JAN
MS. ROSEMARY MUCKLOW
MS. DONNA RICHARDSON
MS. PATRICIA STOLFA

P R O C E E D I N G S

(7:20 p.m.)

MR. ABADIR: To start this process, we need to narrow it down so that you have an objective that can be met beforetime. That means chemicals that we know that they have public health -- number one, and that we know that we can sample them and test them. Those are the objective -- . This is the first group to start the program so that we see the results and then people can see results and say, hey, let's put more money for research here, for the other chemicals, whatever. But to start too wide, you're not going to go anywhere. It's too wide of an objective.

One of the interesting things here that people can start with, as I said, is the methods -- are the methods developed to be done. And this is the first line of -- that we want to be looking at specifically, so just putting this in a comment --

MS. STOLFA: Yes. Well, and I think that when the Academy recommends bringing -- having a process that integrates the concept of risk assessment, that that's one of the things that they're talking about. And you know,

there are real issues to be thought about as to how we might do that. Now, we have in tried in recent years to make the selection of compounds that are in our annual testing plan more public-health risk based.

It's not clear to me that anybody knows that or that anybody agrees with the criteria we use, that people don't have some other ideas as to what should be the criteria. But I think that's part of what centers around the recommendation regarding incorporating risk assessment.

MS. FOREMAN: Does FSIS do the risk assessment? The tolerances are set elsewhere, so --

MS. STOLFA: FSIS has a group. And it doesn't -- it's one of the interagency groups that makes the annual testing plan. And that's the group that -- and that activity in recent years -- you know, they tell me, oh, we're risk based now. And I say, yeah, well, nobody can understand it.

And so, you know, how can anybody have confidence that it is truly risk based if they can't understand what you do. So there's probably room for transparency. There's probably room for consideration of whether or not people

really think it's risk based.

All the people, which includes some people from FDA and, I think, CDC who design that plan each year, think that they've made progress and -- but other people might have different views on that or might have better ideas about how --

MS. FOREMAN: But as Magdi asked, is there someplace that I can go and find a risk assessment that says we -- we're spending our resources to manage these risks because we know that these chemicals are very likely to occur and likely to cause harm or are less likely to occur because fatal harm -- you know, the typical risk assessment? Is there someplace where there is a risk --

MS. STOLFA: The blue book.

MS. FOREMAN: The blue book.

MS. STOLFA: The blue book has a description of that process which its designers characterize as being more risk based. We can certainly have somebody explain exactly what they do. I mean, but it is in the blue book.

MS. FOREMAN: Okay.

MS. STOLFA: And the most current version of the

blue book would have a little section on how they do that. I, myself, don't find it to be transparent. But I don't have an extensive technical background, so, you know --

MS. FOREMAN: Is it a formal risk assessment?

MS. STOLFA: No. It's a ranking system that considers several factors. And it's different from what we used to do. So that's, you know, that's a -- I think that's a topic area.

MS. FOREMAN: So the -- one of the things that we need to look at is having a ranking system that is logical and transparent.

MS. STOLFA: And risk based, according to the Academy.

MS. FOREMAN: Yes, and obviously risk based. Put the resources where they're from.

MS. STOLFA: Yes. I mean, I think that's important to discuss. As I say, I think sampling is an interesting and provocative topic. If the right people come to the meeting, I think methods development is potentially an interesting topic. Clearly, it's expensive. It takes a long time.

However, other parts of the world have developed live animal methods and used them more than we do. And I believe that the technical capability is not particularly retarded in the U.S. I don't think that anybody knows there might be a good market there, or that has not been added to what we convey.

So I think there is a methods development issue to be explored. We can't have methods that nobody but us and FDA can figure out how to do. We can't have methods that are so expensive that nobody else wants to do them. And we're not going to have methods tomorrow. We have to accept that it takes time to develop methods. And so, I mean, that's another thing that we --

MS. FOREMAN: Why don't we do this very informally? Let's -- don't look, let's just ask, just get into a discussion.

MS. HALL: Okay. I don't want to get off that subject that you're currently on, but I want to go back to the logical, transparent system of testing, to be sure that we address the risk by category of animal, too. There are some things that I think you have to test for in all

categories, that are so dangerous, you know, that you don't want them in anything. But there are certain categories, as Pat suggested, that have continuous problems. And those probably need to be monitored a little more closely --

MS. FOREMAN: Thank you.

MS. HALL: -- for that reason, for the history.

MS. MUCKLOW: Carol, having spent a lot of time working with my friend, Mark Dopp (phonetic), here, I'd like to ask if Mark may come and sit at the table with us because we have done the efforts we've done for the last year in partnership together. We've held many meetings on the subject of residues and how to go from where we've been to where maybe we need to be going for the future. And we don't always agree. But he brings a different perspective to this issue. And so I would ask that the committee allow him to come and sit at the table with us and participate as a live participant in this process.

Secondly, I think we have to recognize that the Agency in its traditional inspection role accepted responsibility for testing livestock that comes into the food supply that may be carrying violative residues, because

that particular act, the selling of an animal into the food supply for food if it contains violative residues, is a violation of the law that isn't under the authority of the Food Safety Inspection Service.

It's the violation of the Food, Drug and Cosmetic Act, FDCA. And a meatpacker or a poultry processor is simply that narrow space in the funnel of the distribution system where it is very convenient to test for this and get the best results in a distribution system to find out whether that -- whether those livestock are free or not free.

I think you need to give a lot of respect to the past practices of this Agency as it has struggled with this issue, whether we've gone from the fast test to the stop test to whatever test it is, the rapid tests, and thereafter the confirmation tests. So I think that any discussion of this issue without a good background of the fact that a lot has been done and there is a lot of success to talk about in terms of making the meat food supply different -- the challenge we are faced with now and the challenge, as I understand it, of this meeting is how to take it from that

traditional role where the government has taken that responsibility and convert it into a HACCP system where it is a company's responsibility when they have all the testing equipment and knowledge. And again, it's still a violation of FDCA, bringing that animal in. And to what extent does the packer accept some of that testing responsibility?

There are some firms out there, some meatpackers who have taken much more responsibility for one reason or another in looking at the livestock that are coming through their door, having certifications, doing the followup with producers when they have a violative animal, and working with the Agency to make sure that they go back to that producer to see what education and corrective action he can take to make sure that he quits doing whatever it was that allowed an animal with a violation of a drug to enter the food supply.

In addition, we're trying to figure out, does the packer take absolute responsibility for this? Do we say, goodbye, FSIS lab, the packer's now going to be responsible? I don't think that anybody's going to be comfortable with that. I think there is a role for the government testing

scheme to work for the industry. I don't know the answers to that. But I think that's what we are here to talk about. And I think there's a tremendous success story about what the government has done. We are a hell of a lot better off in the year 2000 than we were in 1985. And that's because a lot of energy and initiative has been put into this process.

But as I told you all today about phenylbutazone, here is a drug that is not supposed to be given to a food-producing animal. If a veterinarian gives it to an -- gives it to a producer to give to a food-producing animal, that animal should wear a special mark for the rest of its life because neither its milk nor its meat ought to enter the food supply. And that's a violation of FDCA. It's not a violation of the Federal Meat Inspection Act.

MS. FOREMAN: Rosemary, I understand -- I can understand your concern and where you think we are supposed to go in this meeting. And if the group decides we will go there, then it will be over my objection. But we can go there. We have been asked to respond to -- or to deal with six specific questions that, instead of being oriented to the past and the concerns of producers, are at least in five

of those questions oriented to looking to the future and how the Department can design a system that addresses -- that is open and transparent and creates the greatest amount of public understanding.

I understand that in the public meeting the issues that you're talking about have to be addressed. I think I'd leave it to the subcommittee. I would at least ask that we spend part of our time this evening addressing the questions that we've been asked to address.

MS. HALL: Do other parts of the industry have the same memorandum of understanding about testing that some poultry companies have, where they, you know --

MS. STOLFA: That's -- the poultry industry, as I recall, decided a number of years ago that it didn't want to have any residues. And because of its organization and its integral -- that it's integrated -- its vertical integration, it was able to say, hey, we're not going to have this problem because we don't need it, and took certain steps including their own controls and their own testing programs in certain cases. I remember when some stuff was going on in Virginia with a laboratory that was just

developing there, that was going to test -- oh, I think they were going to test both feed and there was probably some tissue testing also. That was particularly facilitated by the organization of the poultry industry.

No, other people don't do the same things.

MS. FOREMAN: But let me understand. The poultry industry has in fact instituted a HACCP system for --

MS. MUCKLOW: No. Larger companies have a system where they test every house that processes, about ten days before it processes. They take tissue samples, kidneys and fat, and test for compounds, pesticides, PCBs, antibiotics, everything. So those birds have to pass the test before they're allowed to process.

MS. FOREMAN: Is that -- but it's only the larger companies that do that?

MS. MUCKLOW: That's my understanding. You see, you've got to support quite a bit of equipment.

MS. FOREMAN: Is it some MOU with --

MS. MUCKLOW: With the government. The government --

MS. FOREMAN: -- between those companies and the

government?

MS. MUCKLOW: Yes. And the government still does random sampling in the plants. That's not changed. But this is just a way to avoid residues for integrated companies.

MS. FOREMAN: As -- supposed to be with young animals, wouldn't it? You wouldn't want to spend --

MS. MUCKLOW: Yes. And we're talking about a lot of equipment and personnel to run these tests. So smaller poultry companies -- I mean, they couldn't support that lab.

MS. STOLFA: There may be cooperative labs some places. I don't know. But I do know that the practice -- it's been a long time since we've had residue problems with poultry, and they tend to be true, unforeseen hazards like the stuff that was in the clay.

And I think also that you need to -- we have some slightly different methods that we apply in situations where a flock is considered to be uniformly raised. And so we do composite residue sampling for poultry. You know, there are little things, and we can put a bunch of them together, and then only if you have a result that's -- that indicates

problems, do you go back to -- I guess there's some potential for that eventually in the swine industry, and we may do some things that we now --

MR. JAN: It could be done in feedlot situations.

MS. STOLFA: It could be done in feedlots. It certainly could.

MR. JAN: And in fact, now in FSIS's residue program, if there's a violator -- or they used to at least have the option of, if they're sending a bunch in, send, like, five or so out of a lot. If they're all the same, get those tested. If they're cleared, then they can do the rest without testing. But I'd like to just say one thing here, that the topic here or our title of our discussion should be residue control in a HACCP environment.

And I don't see how these six questions really relate to that directly. I know they relate to a meeting that's coming up that's supposed to address that. But I would like to say that with FSIS's past performance in testing and the residue-control programs, that the residue problem is very low.

We've got very low incidence. So that means that

if we are going to use testing to control it further, we're going to have to do those three thousand samples. So I think we need to look at HACCP and let's apply HACCP principles. And those things need to be somehow moved down to the producer and not -- you can't ask the packer, just as you can't ask FSIS or the taxpayer, to fund all these tests for all these things that could happen.

I think we are at a point where the testing is throwing good money -- I mean, just to test everything at the high level that we have to do is really throwing a lot of money. So I think we need to look about recommending that HACCP principles are applied down the chain -- or up the chain, I guess. That would be upstream to some kind of control.

Now, that could be done with some -- it would be easier to be done in, like, the chicken things where you have them all -- big operations. You can do it in the larger swine operations and the feedlots. But there are a lot of livestock and a lot of swine, and I don't think so many chickens, maybe some turkeys, that are produced by small producers. And they need I think to have some way --

and I am not in favor of more regulation. But maybe it's time to look at regulation outside of FSIS and in another USDA agency.

And one would be to take these drugs away from the feed stores that every small producer -- and he has the right by law to treat his own animals. And I think a new philosophy has to be looked at. These animals that are going to be food are not their animals. They are only the caretakers, and they are food.

And so to say they can practice veterinary medicine where they have no training, just because they saw grandpa use something in a white -- or gave a shot and it made things better, now they're -- we need to look at somebody having -- that is responsible, a veterinarian if it's a drug for treating an animal, where he's got the training or he or she has the training, the knowledge, the expertise. They know how to use the drugs, they know the deals and they have a license that they stand to lose if they abuse that. Where a farmer just can go down to a feed store and get what he wants.

And I know when I was in practice, there was a

feed store operator that would tell the farmers that he was the next best thing to a veterinarian because he applied for vet school. He didn't get accepted, but he applied for vet school. And so he said that he was nearly as good as a veterinarian. So he was prescribing, diagnosing, all those kind of things illegally.

I don't know how much that goes on. Another example is, we had a client that had a sick animal called out to have a look at. And I don't remember now whether it was pneumonia or coughing or whatever it was. And we asked him, you know, did you give it anything, you know, so we'd come prepared what to go for. He said, well, yeah, I gave it 30 cc of regular vaccine. Well, so why did you do that? Well, that's all I had.

So if you have that kind of small -- and you make all that available through the feed stores, then you're really not going to get there. So I think that maybe this committee -- or it ought to go to Dan Glickman and down to some of the other agencies, because I think USDA regulates all the animal drugs.

MS. FOREMAN: No. FDA does.

MR. JAN: No, no, FDA does human drugs. USDA does --

MS. FOREMAN: The Center for Veterinary Medicine.

MR. JAN: Oh, the Center for Veterinary Medicine. That's right. That's right.

MS. FOREMAN: As a matter of fact, I think you've come up with something important. And I would ask if perhaps we could start by saying that we clearly need some sort of coherent system for handling a process that has grown like Topsy. And perhaps the President's Food Safety Council might address this.

They want to get into residues, I believe, and come up with a rationalized system so that you don't have this where FSIS -- you know, somebody else sets the tolerance. FDA sets tolerance. CVM approves the drugs. FSIS checks for them, but FDA has to go on the farm if you find the violation. FSIS has no authority to go back on the farm to get it, and it's -- you know, and APHIS has some responsibility for animal health. So you've got all these agencies crossing over. If FDA goes on somebody's property, it is to investigate a violation and a criminal action is

possible. So nobody wants FDA out there.

So is there any disagreement that we might suggest that a first step in this process would be for the -- all the involved agencies, the two departments -- I think EPA is involved here as well, isn't it?

MS. HALL: I think what we are talking about, sorry, is that the control of veterinary medicine should be in the hands of the veterinarian. And that's kind of what we're asking for.

MS. FOREMAN: Well, I was going to take it back one step and say -- I mean, that would clearly be one of them -- but that you have some issues here that can't be addressed by FSIS, as Rosemary has pointed out and Lee has pointed out, that we perhaps want to look at the President's Food Safety Council or even, maybe, have the National Academy of Sciences make some recommendations about how you rationalize the responsibilities in a process that has never been rational. Has anybody got problems with starting there?

MS. MUCKLOW: No, I haven't a problem with that. I'd like my esteemed friend to tell you about the request

that he drafted, and I agreed and signed on to the letter, to FSIS that we are still waiting for an answer on about how we deal -- the sample number. Do you want to tell us about that?

MS. FOREMAN: Wait a minute, is this about sampling? Is this --

MS. MUCKLOW: No, this is about finding violative residues.

MS. FOREMAN: Could we -- just before we go there, could we address under this general rubric here? We need to have some improved control over veterinary drugs. The MOU arrangement that the large poultry companies have might be one model to be examined. And now we could go --

MS. MUCKLOW: And an interagency model needs to be developed probably for the large animals.

MS. RICHARDSON: And they do have -- well, at least when I was at Labor, there was an interagency agreement between Labor, HHS and EPA on pesticides, because when I was looking at grapefruits and oranges, OSHA did part of it. EPA did the other part. And HHS was involved. So I mean, there is a model. And with blood-borne diseases, they

also have an interagency consult and regs.

MS. FOREMAN: One of the glories of the President's Food Safety Council is that it is one level higher than interagency groups which sometimes -- and this is one of those times -- where each agency sits on its jurisdiction and basically doesn't move.

MS. RICHARDSON: Or if it's something they don't want to do, everybody keeps --

MS. FOREMAN: Well, that's probably more common. Everybody bounces it around.

MS. STOLFA: We have a rather longstanding MOU that includes all of the agencies that have some jurisdiction.

MS. FOREMAN: But nobody wants to spend any money --

MS. STOLFA: Well, some people --

MS. FOREMAN: -- or give up any legislative --

MS. STOLFA: Well, nobody -- there have been no legislative changes as a result of the MOU. You can be sure of that. We are generally thought of as the enforcement arm or, you know, in more common terms, verification arm. See,

FDA doesn't have really independent authority that they apply to livestock which is brought to slaughter. We do that.

MS. MUCKLOW: But they go back to the producer.

MS. STOLFA: Oh, absolutely. And that is how we get our repeat violator list. They verify it.

MS. MUCKLOW: And they prosecute.

MS. FOREMAN: Which means everybody views them as the enemy and the cop. So it's -- that's why I think until we find some --

MS. HALL: There has to be an admitted cop. I mean, somebody has to be there.

MS. FOREMAN: Yes, but --

MR. JAN: The thing about the cop situation, if you rely on that alone, how many of us speed every day because of the benefits that we perceive on speeding and the risk of getting caught and then the penalty you pay for getting caught is, well, I don't like to pay for it. I -- got away from it.

So if you don't move it to a more proactive thing rather than to just a reaction to getting caught -- I think

we need to try to somehow get this focus on the proactive. And part of -- and we've got -- FSIS now has a food-animal production deal, that new area, and we've got APHIS and all these that we can -- we could try to get it. And there are programs out there that are voluntary programs that if we -- that need to get addressed, these issues, to get them in a HACCP mode.

MS. MUCKLOW: Well, Lee, this is the --

MS. FOREMAN: Would it be reasonable to say that the large grower producers have developed a model that's acted on through an MOU? Perhaps we could have some efforts to establish models for HACCP/proactive action that are more appropriate for smaller producers?

MR. JAN: There is a little difference, I think -- and I may be wrong, but I think the broader people, they're integrated. So they kind of own the poultry from start to finish. Cattle producers that go to a feedlot, they don't slaughter, so they can slip that over here.

They don't have quite the same incentive. And they want to -- they want to produce a uniform-sized animal to their slaughter facility that will purchase it at the

slaughter facility. And if it takes drugs to do that and if they can use it -- and they -- and I know that they can find drugs that we can't test for, or they know that FSIS can't afford to test for, or isn't testing for.

Spectam (phonetic) was a drug that a lot of producers used, and probably still do, that wouldn't be picked up on a stock test. And there are a lot of producers that say, I can use this drug and I know you'll never catch me. And they're wise to that.

So that's why if we can go to where the producer has to, or is encouraged to -- and I hate to get regulatory, but maybe pushed back down from the plant that they asked for this, they get some -- just have a -- maybe an MOU or a requirement, a specification that you have documentation of drug use and it's only used under approval of the veterinarian and withdrawal times are observed and all those things, and only using approved drugs, so that -- and I'm speaking of drugs. There are other things, too. The same thing would be for pesticides, application of pesticides or wormicides or whatever else they use.

And some of those, it wouldn't be done on the

veterinary deal, but pesticides, for example, a pesticide applicator's license be required -- something that people have at risk that if they sign off on and say, look, we follow the rules in this herd and if we get caught, we know we are going to lose our license and we can't do -- we'll lose a livelihood rather than losing, you know --

MS. FOREMAN: So you just want a flat statement that we've got to have a better way to, number one, regulate the veterinary drugs so they're not available.

MR. JAN: Veterinary drugs and other chemicals used on animals, I would say.

MS. FOREMAN: Okay. Can you get that, Mike, so we've got a specific about that.

MS. HALL: The poultry is fairly easy because all of the houses are on a ranch. You know exactly what you're going to process, what day you're going to process them, that kind of thing. And when you are talking about cattle, you know, you bring them all in from different places. It's not the same at all.

MS. MUCKLOW: Yes, worse yet, the problem is not the feedlot cattle. You're going to find that feedlot

owners are really fairly responsible because they have a huge amount of dollars at risk if they have 25,000 or 50,000 head of cattle.

MS. HALL: And they have a veterinarian.

MS. MUCKLOW: And they have a veterinarian. And they have a hospital pen, and they have records. And they do a lot that they keep good records on. And it's probably more than their livelihood is worth to have unlawful drugs like phenylbutazone sitting on the shelf there because they shouldn't be using them.

The problem you have is the owner of a few animals, the owner of cows and they give birth to little boy calves called bob veals. And they need to move them out. And they're not standing up quite like they should. And let's give them a little help. Let's give them a shot of something. Who's ever going to know? And off they go to market. And if he really wants to hide the trail, he can sell them to a dealer who then peddles them around. And he knows where there's a soft veterinarian and how he's going to get them through the system without them being tested.

The problem livestock we have come in very small

numbers. They don't come in flocks or herds or feedlot cattle. They come in very small numbers, in -- they'll come through a market. And the guy that's going to move them is going to be somebody who's smart enough to know he's got to cover his track.

Dr. Schultz at Taylor Packing Company, has done a very interesting and helpful job in the last year. He has written a paper on it. He has said we need to look at different criteria for testing these livestock. We shouldn't just judge them on antemortem inspection. We should have other criteria that we look at to determine. And that would be injection sites and other things when the animal is already dead and hanging up in the slaughterhouse. Those thoughts have been incorporated and accepted by the Agency, and they have been significant in helping to improve the residue situation.

But then the packer becomes the bad guy. And the guy who sold that animal in and who did those things to that animal is lost somewhere out there in the system. There is a burden on that packer to make sure that he is not contributing to shielding the producer who has wrongfully

entered that animal into the food supply.

And Mark and I have spent a year working with an interagency group to which people from FSIS and CBM and other agencies have participated in trying to figure out some of the ways to resolve these issues. There is a lot of reluctance out there by -- especially by people who protect those who are wrongfully using this system to put an animal with drug residues into the system and think he can hide in the system.

We think we've made some progress. I would like you as part of what you're hearing tonight -- Mark is better at describing this than I am -- to talk about the proposal that we have made to FSIS to change the way in which they decide when somebody comes off the violator list.

Another piece of that puzzle is that we have asked that that violator list be made available to the packers, because if they, indeed, know the name and address, even if Joe Blow has his sister, Helen Blow, sell the animal instead of him, we can begin to identify those people, because Helen Blow's only going to do it once and she's going to be on the violator list, too.

It takes time to do this. But at least the first step should be the publication of that violator list by the Agency because these are people that have been clearly put on notice in a certified letter from the Food and Drug Administration that they have violated the Federal Food, Drug and Cosmetic Act.

MS. FOREMAN: Is there any reason not to do that, Pat?

MS. STOLFA: I don't think so.

MS. FOREMAN: Okay.

MS. STOLFA: Because, as I say --

MS. MUCKLOW: But it hasn't been done. We've been asking for it for a year.

MS. FOREMAN: We are willing to make some suggestions.

MS. MUCKLOW: Good.

MS. FOREMAN: Look, Mark, how long does it -- we are now one hour into our two-hour --

MS. MUCKLOW: Please come and sit here and tell us.

MS. FOREMAN: Now, wait a minute, Rosemary.

MR. DOPP: I'm waiting for an invitation.

MS. FOREMAN: Thank you. We have used one hour of a two-hour period. We have not ordinarily in these meetings, since I've been a member of the committee, had people who are not members of the committee come sit at the table and participate in the discussion. I'm prepared to have you make a short presentation of this.

I'm really -- you'd have to overcome my objection to have somebody who is not a member of the committee participate actively in a discussion in the subcommittee. I can be voted down on that, but I just want you to know we're setting a precedent if we do that. And it's a precedent you might not like the next time when I show up with GATT. Does anybody object to having Mark talk a few minutes about this?

MS. HALL: I object to it.

MS. FOREMAN: I beg your pardon?

MS. HALL: I object to it.

MS. FOREMAN: Okay. I just want you to understand that precedents are precedents. And if you're going to come have somebody participate as a member of the subcommittee, it's not something we've done before. It does have some

implications. When you do it, you might find the next time it's done in a way that you don't like.

MR. DOPP: Perhaps it would be preferable if I declined the invitation under the circumstances.

MS. FOREMAN: I would be more than happy to have you share in a brief -- and I really don't want to use up a lot of time talking about it. My concern is having you participate as a member of the subcommittee.

MR. DOPP: I understand your concern completely. And that's why I'm suggesting, perhaps it would be prudent that I decline the invitation so that the precedent not be established. Rosemary has done a very adequate job of explaining what our priorities are.

MS. HALL: Thank you for your consideration.

MS. FOREMAN: I didn't hear you, Cheryl.

MS. HALL: I told him, thank you -- thanked him for his consideration.

MS. FOREMAN: Thank you.

MS. RICHARDSON: And we also -- there is an opportunity for public comment tomorrow.

MS. FOREMAN: Yes.

MS. RICHARDSON: So certainly that would be a venue that he could share.

MS. FOREMAN: There is also a public meeting coming up where I assume most of these issues will get discussed.

MR. JAN: I would like to just say a couple of things. When you're talking about participating in our meeting, you're talking about committee members participating in the subcommittee, because last time, we had members that were not members of this committee participate in our committee.

MS. FOREMAN: All right. I'm talking about members of the Meat and Poultry Inspection Advisory Committee --

MR. JAN: Okay.

MS. FOREMAN: -- as opposed to people who aren't members.

MR. JAN: Okay. Let me go on then so we can -- I would like to kind of build on this.

MS. HALL: One point on this real quickly. I think it's admirable that people come from other

subcommittees when they're through with theirs, to our subcommittee. But I would appreciate their sitting in the audience and listening rather than --

MS. FOREMAN: I think we can take that up in the full committee.

MS. HALL: -- rather than strongly trying to run the meeting. There are times available during the full committee meeting when they can make any comment they'd like to. We have something to accomplish in our subcommittee and we don't need other people disrupting it. And I think that's the approach we should take from this point forward.

MR. JAN: If we can -- if I can build on -- before we got into this, on what she was talking about. And Rosemary is exactly right, that a majority of the residue problems are going to be from the minority of the producers -- I mean, just very small. They don't have the at-risk like the feedlots. They don't have the feedlot veterinarians. They feel that if they can salvage an animal without using -- paying for veterinary medical care and all that, they'll do that.

So I think that, you know, if we would urge the

HACCP approach overall, but then focus the sampling by FSIS on those that are the -- come from the small producers. They go through feed -- I mean, they go through auctions. And there may be a truckload of them. And you can't test that truckload. You have to -- but you view it then -- take that 3,000 -- or to get closer to that 99 percent, you might be able to pick up more of those violators and identify more of those producers that violate.

And then when they start getting identified and enough of them get identified -- I mean, it's the same as the cop situation. If you have -- and you know there's a cop out there, people are going to start stopping or slowing down. But if you rarely pick up because you're testing the wrong animals, then it's going to be a rarity that you're going to catch that violator and you're not going to have very many on that list. So that's where I think we ought to focus.

MS. FOREMAN: If we've talked about risk assessment, we should have a risk management system that concentrates in those areas where the violations are most common. That seems like a no-brainer.

MR. JAN: And I guess I'd like to say one other thing, at least for the record -- that we don't get into a Supreme Beef situation with slaughterers by expecting the slaughter plants to be responsible if they find a residue violator or if FSIS has found a residue violator.

Now, someone -- right now -- and it makes -- it's absolutely correct if there's a residue, a violative residue in a tissue, that tissue is condemned and doesn't go anywhere. But to penalize the producer, and by saying, well, this animal that you slaughtered had a residue, then we're going to condemn the whole carcass -- and this carcass may already be owned by that slaughterer and you have no control. And so we need to, I think, be careful that the responsibility goes where the problem is being incurred. And that's at the producer level.

MS. FOREMAN: Well, let's tease that out a little bit because if the -- right now, if we do the testing and if it's an enforcement testing, it's a test and hold, right? But where they're just doing the sampling, by the time the sample --

MR. JAN: It's gone.

MS. FOREMAN: -- the sample comes back, it's gone, so -- and the action is taken back against the producer. Is that right, Pat?

MR. JAN: Yes. That's correct. That's what's happening now. I just didn't want to get into the situation where we move this and say, okay, so now it's the plant's responsibility. It's the plant's responsibility, I think, as far as, if there's a violation, they need to address it as either an unforeseen hazard or whatever in the HACCP plan and then do what it takes, but not necessarily to hold -- well, like, say, three strikes and you have to close or something.

MS. FOREMAN: I think it is the Agency's intention that some -- that slaughter houses should assume that residues are a hazard reasonably likely to occur. So --

MR. JAN: I would agree with that. And those that are taking those high-risk animals, I think they should address that situation. And then -- but what I'm saying is, I'm concerned -- or I want to be sure that we don't end up and say that even if you address it in your HACCP plan and you're doing the corrective action, you're doing whatever it

takes, we don't come in and say, okay, you can now slaughter three animals and there's residue -- either you found them or we found them -- so we're going to withdraw your license or withdraw your grant. I think we need to recognize that they need to do everything they can, but they're not raising those animals.

MS. FOREMAN: We can have that on the record. And we should have on the record that I disagree with you. So just --

MS. HALL: How close are we still -- I mean, we must be a long ways from having a trace-back system for these animals. Is that still a long ways --

MS. MUCKLOW: Yes, a long way. And that --

MS. FOREMAN: There is no legal authority. There is no legal authority. Is there anybody here who objects to having -- the Department having legal authority to trace animals back? I sent that bill to the Congress exactly 20 years ago next month.

MR. JAN: There's a guy by the name of, I think it's Weems that works for FSIS?

MS. STOLFA: Weems? I don't know about that.

MR. JAN: Something -- or Weimer, something of that nature, that said at a meeting last week that there will be a national identification system regulation within three years. Now --

MS. FOREMAN: The Department does not have the legal authority to do it. Do we want to say the Department ought to get the legal authority to do trace-back?

MR. JAN: Yes, they could do that.

MS. FOREMAN: We could tell Gary Webbers (phonetic). Actually, Gary's group has endorsed that effort, haven't they? Haven't the cattlemen endorsed that?

MR. JAN: See, you've got the Bird (phonetic) -- or the -- yes, the Bird system now, which is a brucellosis thing. And if they would just expand that, it's already in place. But brucellosis is going to be controlled. And actually, it's down to about -- Texas is about the only state. And so as that's gone away and the states don't have it, they're no longer able to trace that.

In Texas right now, we can trace. We can call the Texas Animal Health Commission. Most animals are going to have a tag for brucellosis, either for "vaccinate", or if

they were sold or tested. So -- but it won't be around very long. So I don't know where that authority is and if that could be -- you know, go to that authority rather than to FSIS.

MS. FOREMAN: But USDA does not have that authority nor does -- nobody has that authority at the federal level right now. And in fact, the last time the administration sent a bill to the Hill, it didn't include that although it had previously. I don't know why it got dropped out, but it did. So that's --

MR. ABADIR: The issue of tolerance is what we're talking about now, different agencies here. Is the tolerance area, clear tolerance levels being specified or would it be strictly going back afterwards to debate which tolerance would be taken?

MS. STOLFA: I think the responsibility on that is clear, that FDA sets the tolerances for animal drugs. EPA sets the tolerances for pesticides and other potential environmental contaminants. And both of them, more so FDA, have worked very hard over the past 15 years to sort of round out that picture so that there are clear tolerances.

And EPA is engaging in a process of reviewing its tolerances and action levels under F2PA or whatever the name of that statute is.

So although we actually have authority, we have never staffed our Agency to do that ourselves. We could do what we have never chosen to do, but we don't have the people that do the kind of risk assessments that are at the foundation of tolerance setting. And we would not see the need for us to do that as long as it's adequately done by others people.

MS. HALL: Are you seeking the -- you're talking about testing methods, et cetera -- are you seeking funding for ARS or some help with new testing methods for residues?

MS. STOLFA: We do that. A lot of the work that ARS does for us applies to methods development. We're actually hoping to stimulate the private sector to go ahead with some stuff that we think they can do. So it's kind of -- there really is -- I mean, you need to understand, there's not going to be enough federal money to do all the things that need to be done. You know, there simply isn't.

And so why not -- and I would say there never has

been. You know, you may be comfortable with what we've done, but we have never done as much as we could have, had we had more money. We're sort of specifically out of the methods development business ourselves. So we do our best to stimulate other people to do a good job with it and get on with it.

MS. FOREMAN: Is there a major area of ARS work that ought to be done that would --

MS. STOLFA: ARS can certainly contribute to that. But they do some methods development work. And I have not looked closely enough at their research in recent years to tell you sort of how it breaks out. And you know, it's certainly worth investigating to see what you all think about that.

MS. MUCKLOW: Pat, who is in the Office of Risk Assessment --

MS. FOREMAN: You ought to have some there that maybe -- going to -- exploring with ARS, more research into methods development. Did I say that right? Is that where we were going?

MS. MUCKLOW: Pat, isn't the Office of Risk

Assessment Cost Benefit Analysis within ERS or ARS?

MS. STOLFA: Neither. It's a separate office that reports to the chief economist.

MS. MUCKLOW: Okay. And he 's not within ERS then, Keith Collins? Okay. So he's in the Office of the Chief Economist.

MS. STOLFA: Yes. He is the chief economist. He has a small office. You know, he oversees, like, ERS, not ARS. But he oversees --

MS. MUCKLOW: ERS, yeah.

MS. STOLFA: -- ERS. And he has those, you know, the -- reports.

MS. MUCKLOW: I see. So it's an administrative office that reports to him.

MS. STOLFA: Right.

MS. MUCKLOW: Okay.

MS. HALL: On one of the questions, question number 2 -- I have big concerns with that, the international residue testing, because of -- a lot of other countries have drugs cleared for use in their countries, which do produce residues and they are drugs that cannot be used in this

country. And there's not really an adequate system for testing, I don't believe, for testing those things that are imported under those other, foreign veterinary systems.

MS. STOLFA: It's certainly true that if we haven't approved it, we don't have the method for it.

MS. FOREMAN: Well, then maybe our recommendation about exploring with ARS, the methods development ought to be -- include the notion that we ought to have methods for drugs that are widely used in other countries and not permitted.

MS. HALL: You see, how it looks to the veterinary community here is that drugs that are not allowed to be used here can be used in other countries. And we're just supposed to accept that product as being fine and dandy. That should not be. And there's a reason that it's not approved for use here.

MS. FOREMAN: Yes. And I really -- actually, I was going to ask if we could look a little bit, since we're down to 45 minutes, at the questions that are asked here. And there are -- 1 and 3 have some public questions about them. And can we do it a little bit with number 2 and then

come back, maybe, and look at 1 and 3 for a few minutes, too? I think --

MS. MUCKLOW: Could we focus on number 2 where Codex is, on residues?

MS. STOLFA: Yes. And you could get more complete advice from people other than me. Codex has made some effort to sort of even out the playing field. The difference is -- and by all means, you know, explore that with Codex.

You know, what is the name of that committee that -- it's an expert committee that looks at minimum residue levels within the context of sanitary, phytosanitary agreement where you can't really do things to other countries -- take all this sort of with a grain of salt -- you're not supposed to do things to other countries that you're not doing to yourself.

And there are ways for trying to equalize this sort of thing that are specifically looking at residues. And someone other than me should give you an up-to-date report. There are efforts.

MS. FOREMAN: There are at least two issues here.

One is the use of drugs in other countries, that are not allowed here. But there is the other issue of most other countries not having residue control systems that are as good as ours. And not having -- I don't know if our import inspection is adequate to cover that. I just don't know.

MS. HALL: With as much regulation and control of licensing and everything as we have here and we still have problems with residues, you can imagine in other countries how much --

MS. FOREMAN: I'm sorry, Donna?

MS. RICHARDSON: Well, picking up on what you're talking about is looking at -- we want more control over the import process so that we aren't accepting animals with residue that would not be allowed here, much the same way that you have drugs that are used in England and France and that are approved there, but can't be used here because the FDA hasn't approved them.

The second part is -- which goes on all the time -- is that we send expired drugs and other things to other countries that are not allowed to be used here. And so, one, we should be looking at import to make sure that

the system here stays unadulterated, but then also doing the right thing and looking at how we can prevent the export of residue.

MS. FOREMAN: I think we're looking hard at addressing -- we've been talking about how we address the issues, making sure we are not getting residues in our -- how to improve the system that prevents domestic residues, which would affect our export products.

MS. RICHARDSON: Right.

MS. STOLFA: Which eventually also affects our -- that's a two-way street. Remember, we are both a big exporter and a big importer. And you know, that -- I can remember in -- about the time that this report came out, at the behest of the Congress we delisted six Central American countries for inadequate residue programs, and we threatened to delist more than half of the -- what was then still the EC. And don't think they don't remember that. So as I say, it cuts both ways on this. And you have to balance. You have to think about both sides of the equation when you get into the international stuff.

MS. FOREMAN: But no one objects to restrictions

if those are based on a risk assessment and it is being applied with an even hand in terms of the risk management, so that it's being applied domestically as well as internationally. In other words, you know, the treaties require evenhanded treatment. We can delist countries that don't have meat inspection systems that come anywhere close to meeting ours.

MS. MUCKLOW: Since Mr. Billy is the chairman of Codex at the moment, I would suggest that we ask him at what level or stage Codex is in rationalizing --

MS. FOREMAN: Good.

MS. MUCKLOW: -- this issue.

MS. FOREMAN: Why don't we, in fact, ask him if during our report tomorrow he'll take a few minutes to do that? Is that what you're suggesting?

MS. MUCKLOW: Uh-huh.

MS. FOREMAN: That we get a quick report from the Codex chairman.

MS. HALL: When the Russian Treasury was being worked on for poultry and a Russian veterinarian came and visited poultry plants, came with his interpreter, the first

question he asked when he came in was, "Do you use chloramphenicol?" Everybody went, wow.

MS. RICHARDSON: But this -- and this also relates back to the first question about public participation in designing the program, because getting back to pesticides, which I worked on when I was at OSHA and that I have dealt at FDA, is that when the public becomes educated about the possible health effects, then the public says, no, I'm not going to buy fruit that comes from a specific country, because of the concerns about what they'll be exposed to.

And it will be the same thing, doing the same kind of educational program when you talk about meat, that has been done with apples and grapes and fruit. So you can't get public participation until you educate the public about what the possible problems are.

And certainly, I think the public in Iowa and Texas and Arkansas that are also involved in the industry may know more about the problem than the public in New York City and Washington, D.C., and Baltimore. So I think you've got to have a public education campaign just like we did with fruits and like we've done now with apple juice and

other things.

MS. FOREMAN: Well, I would like to follow up on that. The Food Marketing Institute has now got, I think, 25 years of their supermarket shoppers survey. And it is shocking that the stress level about chemical residues and food additives continues to be substantially higher than public concern about pathogens. They didn't ask about pathogens until just a few years ago, and that question got subsumed under spoilage and other things. They started asking it and the level of concern has -- about pathogens has progressively gone up.

But the public's level of concern about residues is very high. And anytime there is any sort of hint of a scandal, there tends to be a very strong reaction because if you get into Peter Sandman's outrage factors, that, you know, the risk equals the hazard plus the outrage -- and people react strongly to those things where they feel they have no control. They can take the chicken home and cook it. But I can't cook the residue out. And cancer, the dread disease, gets raised in this context.

I've got to tell you, though, I think living in an

international -- living with the global marketplace and with information systems that make instantaneous communication, means that when there's a dioxin scare in Belgium, we will have fallout here, and that it would be beneficial if we can find some way to talk about residues in a way that over a period of time educates the public.

And that we might be able to do that in a positive way instead of in a response to some sort of contamination. So that -- you know, I went and made a speech last week to a couple of hundred women, all of them, as they like to describe themselves, overeducated mothers who are staying home to care for young children. And they were much less concerned about Salmonella than they were about dioxin, and less concerned about that than they were about stryoline (phonetic) corn.

So I don't how to do that. But it sure seems to me it would be worth pursuing. I agree.

MS. MUCKLOW: We have another problem, which was the Swiss problem we had a year or so ago. We didn't have any laboratories in this country, to the great embarrassment of the government, to even test for what they said they

found in Switzerland. And that was a great embarrassment to us internationally. They have to go to Canada to find a lab to do that.

MS. FOREMAN: Was that the BDS?

MS. MUCKLOW: We're the greatest country in the world and we had to go to our poor little neighbor to the north, to get the tests run.

MR. JAN: That's why we're so good; we know where to go.

MS. FOREMAN: I was thinking that it meant that they were sending some money up there so they could afford to buy some American feed.

MS. MUCKLOW: They don't buy a lot of our beef.

MS. FOREMAN: I don't know any way, though, to -- that starts off with how you encourage public participation, and maybe instead of having just public meetings, that the Department engage in some seminars among public health people, APHA, nurses, other people who have at least some basic information about science, and see if you can start with a core that builds out.

MS. RICHARDSON: And I think one of the --

MS. FOREMAN: Excuse me. Science writers.

MS. RICHARDSON: But I also think one of the untapped resources, because I'm looking at the number of nutritionists that are working on women's health and working on the cancer aspects now of, you know, is it fat, you know, is it fiber, whatever, is using this growing group of nutritionists --

MS. FOREMAN: A great idea.

MS. RICHARDSON: And a number of whom are -- you know, they're working with diet groups, and some of the physicians' practices now have them on, you know, their own staff -- is tapping the nutritionists and using them for that education as well. The educational system -- I don't know. I don't know if they make people take home ec --

MS. FOREMAN: No.

MS. RICHARDSON: -- like they used to. When I was in school, all the girls had to take home ec, all the boys had to take shop. We couldn't take shop, they couldn't take home ec. My godson in the seventh grade -- the boys had to take home ec.

So in looking at whether or not the educational

system can also do some of this teaching -- you know, the only reason people talk about Salmonella and stuff now is because now you've got Clorox wipes versus Lysol saying, you know, when you spill that chicken, just wipe it right up. So they make it a marketing issue in doing the education.

MS. FOREMAN: Oh, the American way.

MS. RICHARDSON: Yes. And so I don't know if there's a marketing factor that will help you with the education.

MS. FOREMAN: Yes. But maybe somebody would like to market little litmus strips that would turn red if you've got a residue.

MS. RICHARDSON: I mean, the other -- the only other thing --

MS. FOREMAN: You can use them first.

MS. RICHARDSON: -- is looking at, you know, what Dr. Koop did when, in '84 or '85 when we were first talking about HIV disease, and then it's like every household got a little pamphlet that said, this is what HIV disease is, this is what it isn't; this is how you protect yourself, this is what you need to do. But it also means that you have to

have that commitment in order to spend that money and to do that kind of educational campaign.

MS. FOREMAN: Yes. And I'm not sure that kind of educational campaign will happen until there's some terrible scandal about a residue, which we hope will never happen. But I think the notion about nutritionists, because they're -- the American Dietetic Association now has this corps of people who are out talking about policy issues. And they have lots of continuing education efforts, so -- seminars for them and for public health people, state government public health. Have they still got public health educators that --

MS. RICHARDSON: FAHA.

MR. JAN: Yes. Another thing was the Food Safety -- National Food Safety Month here in September is a different focus.

MS. FOREMAN: Oh, that's a good idea.

MR. JAN: And so that could be -- and you know, you have to be careful that people don't perceive this as another big government scare thing.

MS. FOREMAN: Absolutely.

MR. JAN: And you know, there's going to be a certain number of people just, like, they still smoke, that says, you know, it's just a plot or something. And so you have to be careful -- maybe target who this public is, like you mentioned about the Public Health Association or public health officials or nutrition people or people that -- but if you just kind of go out and there's a whole big campaign, I'm afraid that it might backfire and they'd say, oh, you're just trying to scare us.

MS. FOREMAN: That's a good point.

MS. RICHARDSON: And you also have to have the industry to buy into it because you don't want the industry reacting to it like they did to Oprah and mad cow disease, you know, them saying that we're trying to persuade people not to eat meat.

MS. FOREMAN: Yes.

MR. JAN: Yes, it would have to be credible.

MS. FOREMAN: Yes. Well, I think we have the advantage here with residues, is that we do have a pretty good system that has kept them under control. And the time to start that kind of process which you recognize here is

when you don't have a panic and you can develop rapport with the people who have some training that makes them inclined to accept and understand the issues here, so that if and when the day comes, there are people out there who understand, because once again, the fright factors with residues are so much higher than they are with pathogens. And people do -- all you have to do is remember Alar.

And the best line I ever read about that was in *The Washington Post*, where the guy went and interviewed people who had driven across town to the organic market to buy organic apples so they could be sure to avoid getting Alar apples. And about 40 percent of them confessed that they'd driven across town without hooking their seat belts.

MS. MUCKLOW: Well, in my view, the veterinary drug issue needs to be framed very much like the human drug issue -- and that when you're sick, you go to the doctor and the doctor checks your vital signs. And he decides you've got some illness that he's got a medication that's going to be able to help. And that's also what happens in the animal business except that it isn't the doctor, a medical doctor. It's a DVM who prescribes certain drugs to treat an animal

to make it better again.

And just about every family has a pet in this country. They understand something about treating a sick animal and they certainly understand about treating sick children. And I think it can be put in that kind of frame of reference.

Part of the responsibility is that just like you know you've got to eat all the antibiotic pills if you have an infection and you get treated with it, so there has to be responsible use of veterinary drugs in this way, to make sure that the livestock that we slaughter for food do not contain them. We have got laws that say that those animals should not enter the food supply. And everybody needs to play their role, including the veterinarians who prescribe those drugs.

I think it's a very plausible story to be told to the American public if it's told in the right way.

MS. FOREMAN: And that way, you have a little bit better control over the availability of some of those veterinary drugs.

Are there other -- we haven't gotten down into

some of these, and we've got about 20 minutes.

MR. JAN: Well, I think number 5 could be answered very quickly, just to kind of put that off on -- let's continue -- or encourage the Food Safety Committee where we really have interagency --

MS. FOREMAN: Or the President's Food Safety Council. Kick this up to a level where there might be some --

MR. JAN: Yes, get them involved --

MS. FOREMAN: -- some clout behind it.

MR. JAN: -- to -- right.

MS. RICHARDSON: And we made some of those points when we first started.

MS. FOREMAN: Yes, yes. And I think we probably addressed the small producer, packer and the contest --

MR. JAN: Yes, and maybe just for the opposite of the way this question is asked, because this is talking about how it impacts, well, we might say that it actually impacts -- they have the biggest impact on the residue problem. At least we have to keep that in mind, that they -- how they impact residue product.

MS. FOREMAN: And to the extent that we want to institute a HACCP system, that you want to be sure you have a risk management system that focuses on those people who are the problem, as opposed to just --

MR. JAN: Higher risk rather than problem, maybe.

MS. FOREMAN: Okay, higher risk. Yes.

MR. JAN: But the small producer would be higher risk, the individual producer, mixed loads, all those --

MS. MUCKLOW: The dealers and --

MR. JAN: The dealers, yes, the livestock markets.

MS. FOREMAN: I want to tell you, when I was at USDA, we were in the height of the sulfur residue issue. And it was overwhelmingly people who bought their hogs at auction. And part of the reason the hogs were at those auctions was --

MS. HALL: They were hiding them.

MS. FOREMAN: -- they were hiding them. You're exactly right. And because then FSQS couldn't go on the farm and no one would let FDA go on the farm because they assumed that they'd found a residue that would be subject to legal action, we made a deal and everybody agreed that APHIS

would go and try to find why it was that people said, I'm withdrawing, I'm following all the rules and I'm still getting residues.

And we knew there was a problem, but we couldn't find somebody to go to the farm that they would let come on the farm. And interestingly, what we found was exactly consistent with what you said earlier. We had a lot of people who would run medicated feed through a feed mill, you know, they'd do the mixing.

MS. MUCKLOW: They never cleaned the feed mill.

MS. FOREMAN: So then they'd take another batch of feed they felt wasn't medicated. Well, it's sure medicated enough to show up in the residue samples. So I'm assuming that all these years later now, you know, that that isn't this kind of problem. But it was a regular problem then.

MR. JAN: And also another risk -- and it depends on how big the operation is -- particularly swine, if you set a sick pen up and you have a trench drain where you flush manure down, then you'll start medicating these pigs down here because they recycle the food one more time, you know, particularly if they don't have enough in their food -

- .

So those things can happen. I mean, I think the big, sophisticated operations have figured that out. But a lot of the smaller ones just don't have the scientific background. You know, there are just a lot of reasons. So that makes them higher risk, not necessarily a problem, but a higher risk which, I guess, becomes the problem then.

MS. FOREMAN: Well, Pat, have you got -- has this been helpful to you in planning your meeting and --

MS. STOLFA: Yes, very helpful.

MR. ABADIR: I have a comment I would like to say here, which I have experience with , is countries that produce an item or export it, they have the know-how of what -- go into this product. So by going to the information that you get from other countries, you would find a lot of answers to some of the residues that are mostly coming, especially something that was very clear to us when we were dealing with seafood like salmon.

I'm talking about Iceland, Norway or Chile. They have been through a lot of work here in testing. It seems like that they have references to a lot of residues that

they know specifically where to go and what to find. Lamb, for example, in New Zealand, I've done a lot of research on that. So that's why I was telling you information that can be utilized rather than working from New Zealand on it.

MS. FOREMAN: Who besides Canada ships live cattle into -- live animals into the U.S. for food?

MS. STOLFA: Mexico.

MS. FOREMAN: Mexico? I thought we shut them down.

MS. STOLFA: No. We let some relatively young cattle come in and are finished on feedlots here.

MS. FOREMAN: Okay.

MS. MUCKLOW: They don't come in direct for slaughter, do they?

MS. STOLFA: No.

MS. MUCKLOW: No?

MS. STOLFA: They're too young and they are finished on feedlots. That's quite what the trade is at this point.

MS. FOREMAN: So we do have a concern about trace-back to a producer that does extend in a couple of cases

across international borders.

MS. STOLFA: Absolutely. We regularly get some -- both -- cows and, I think, calves from Canada. And there's a couple of issues. They're producing compounds for use in, for instance, veal calves that we don't. And now we're kind of looking at a problem with veal calves that FDA has asked us to look into. And a definite aspect of it is the -- what about the Canadian trade and how are we going to handle that. The same kind of letter that goes to a U.S. producer we send to a Canadian producer if we find residue violation.

MS. FOREMAN: Can we trace back? If it goes across the border, can we trace them there?

MS. MUCKLOW: Yes, because --

MS. FOREMAN: Hopeful, but --

MS. MUCKLOW: -- those animals that come in, if they come direct from slaughter --

MS. FOREMAN: Right.

MS. MUCKLOW: -- are excluded from certain inspections at the border.

MS. FOREMAN: Yes.

MS. MUCKLOW: They come direct to a slaughterhouse

and they're known exactly where they come from.

MS. FOREMAN: That might be a nontariff barrier.

MS. STOLFA: But many other countries have more extensive and more consistent animal identification systems than we do.

MS. HALL: What about something like Argentinean corn beef? The animals are from Argentina, they're slaughtered there. And it's canned and sent here. That's a big import product, it's my understanding.

MS. STOLFA: It's only an import product, I think. We don't make that here.

MS. HALL: No.

MS. MUCKLOW: The animals that come from Canada --

MS. HALL: So those are not the best animals --

MS. MUCKLOW: -- into our feedlots have to undergo animal health inspection in this country --

MS. STOLFA: Oh, yes.

MS. MUCKLOW: -- but if they come direct to a slaughter plant to be slaughtered within X number of days, they are exempt from that because they're going through federal inspection in the slaughter plant.

MS. STOLFA: In the case of countries that are eligible to export to the U.S., the requirement is that they have residue control systems that are equivalent to ours. We do a rather -- I don't exactly know what they do in any of their programs now, but I'm sure that the programs are not less intensive than what we did do 15 years ago. We do an extensive review of their residue control programs, including their laws and regulations, their laboratories, the methods they use, the results they get.

In the case of Argentina, we used to go around the world 15 years ago and say, look, nobody can test for everything. They tested every animal in Argentina that went into corn beef. They just said that we're going to test everything because it was essentially an American company that owned -- or a couple of American companies that run that operation. At the time, it was certainly big companies --

MS. MUCKLOW: Another wrinkle that you might be interested in too on that one is that is if an American company is slaughtering those animals that are direct shipped from Canada but is also producing for the school

lunch program, he has to have a totally segregated program to make sure that only domestic animals go to school lunch.

MS. FOREMAN: Unless it's strawberries.

MS. HALL: And they have a veterinary health certificate.

MS. FOREMAN: Yeah. Has anybody else got anything to add?

MR. JAN: No other thing that I know.

MS. FOREMAN: Well, Pat says we've helped her a little bit, so --

MS. STOLFA: Yes, thank you very much. I hope some of you might be available on the 11th, either to participate in the meeting or maybe to help us and facilitate in some of the groups.

(Whereupon, at 8:45 a.m. on Tuesday, October 31, 2000, the meeting was concluded.)

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Residue Control in a HACCP Environment - Subcommittee 3
Name of Hearing or Event

Washington, D.C.
Place of Hearing

October 31, 2000
Date of Hearing

We, the undersigned, do hereby certify that the foregoing pages, numbers 1 through 56, inclusive, constitute the true, accurate and complete transcript prepared from the tapes and notes prepared and reported by Muriel Barclay, who was in attendance at the above-identified hearing, in accordance with the applicable provisions of the current USDA contract, and have verified the accuracy of the transcript (1) by preparing the typewritten transcript from the reporting or recording accomplished at the hearing and (2) by comparing the final proofed typewritten transcript against the recording tapes and/or notes accomplished at the hearing.

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