UNITED STATES DEPARTMENT OF AGRICULTURE

+ + + + +

NATIONAL ADVISORY COMMITTEE ON MEAT AND POULTRY INSPECTION

+ + + + +

FALL MEETING

+ + + + +

WEDNESDAY,
NOVEMBER 16, 2005

The meeting was called to order at 9:00 a.m., in the South Building Cafeteria Conference Room, United States Department of Agriculture, 14th and Independence Ave., S.W., Washington, D.C., Barbara Masters, Chair, presiding.

PRESENT:

BARBARA MASTERS, Food Safety and Inspection Service
DAVID CARPENTER, Southern Illinois University School of Medicine
JAMES DENTON, University of Arkansas
KEVIN ELFERING, Minnesota Department of Agriculture
SANDRA ESKIN, Public Policy Consultant
MIKE FINNEGAN, Montana Department of Livestock
MICHAEL GOVRO, Oregon Department of Agriculture
ANDREA GRONDAHL, North Dakota Department of Agriculture
JOSEPH J. HARRIS, Southwest Meat Association
JILL HOLLINGSWORTH, Food Marketing Institute
MICHAEL KOWALCYK, Safe Tables Our Priority
IRENE LEECH, Virginia Polytechnic Institute and State
CHARLES LINK, Cargill Value Added Meats
MARK SCHADSchad Meats, Inc.

ALSO PRESENT:

MARY CUTSHALL, Director (SIPO)
PHIL DERFLER, Associate Administrator (OPED)
DAN ENGELJOHN, Assistant Administrator (OPED)
BRYCE QUICKDeputy Administrator (FSIS)
RICHARD RAYMOND, Undersecretary for Food Safety
ROBERT TYNAN, Deputy Director (SIPO)

A-G-E-N-D-A

P-R-O-C-E-E-D-I-N-G-S

9:00 a.m.

DEPUTY DIRECTOR TYNAN: We'd like to get started if we could.

I think this morning, I think both of the subcommittees worked diligently last night and into the morning, so we should have a couple of very good reports from the two subcommittees.

What we'd like to do for the agenda this morning is go back and look at question number five first, then we'll do Subcommittee 1, Subcommittee 2, and try to come to consensus on each one of those individually, and then last but not least we had a couple of three briefing papers from yesterday that we did not complete because of the time constraints we got into, and so we'll do those at the very end, so that in case anyone has flight arrangements or travel plans if you have to miss something it will be probably the lesser important of the topics, not that they aren't all important, those would be the lesser important.

So, with that I'm going to open it up to

Dr. Carpenter and Mr. Kowalcyk maybe to talk through number five.

DR. CARPENTER: Question: "If the Agency were to form an ongoing working group to look in the Risk Based Inspection System, RBIS, what recommendations would the Committee have on the following."

The discussion led to, I'll scroll down to get to the inspection criteria, third party suggestion -- I'm sorry, let's scroll back up, I should have read that, I'm sorry.

"Members offer several options with the second stage as to what type of group would facilitate addressing RBIS. Option to selecting a third party to facilitate the separate emerged as the preferred approach."

Is that pretty much a consensus of what our discussion encapsulated yesterday? Okay.

The third party suggestion is pursued in undertaking needs to occur in two phases. The first stage, third party, the Committee of stakeholder representatives to facilitate addressing these issues.

Third party could be the National Academy of Sciences, the University Consortium, or other appropriate group. Selected organization needs to be unbiased and charged with seeking out information from all stakeholders by a series of public meetings. Does that capture the major points of our discussion?

DR. HOLLINGSWORTH: Jill Hollingsworth, FMI. The only thing I would say on that is, and maybe it doesn't imply that that would be the only way to obtain information through public meetings, I think there will be other ways too, like they might want to do a survey or a questionnaire. They may actually want to have a small group go out and visit plants, and do observations.

So, I think that the organization, where it says, "needs to be unbiased and charged with seeking out information from all stakeholders ...," it might be better worded that including a series of public meetings, but not limited to that.

DR. CARPENTER: Sandra?

MS. ESKIN: I was just saying, Sandra Eskin, I'm not sure grammatically, the organization

needs to be -- it's information from all stakeholders, I would keep the language via a series of public meetings and other approaches.

Jill, is that okay?

DR. HOLLINGSWORTH: That's fine.

MS. ESKIN: Yes, grammatically.

DR. HOLLINGSWORTH: That's the only way to get it.

MS. ESKIN: I understand.

CHAIR MASTERS: This is Barb Masters.

Would the Committee recommend including such as adding the e.g., such as surveys, plant visits, just so that it is very clear to the Agency what approaches you are recommending there? I would include as, after the other approaches, put in parens, e.g., surveys, plant visits, just so it's very clear what the Committee had in mind with the other approaches.

DR. HOLLINGSWORTH: I'm sure that there's a lot of data that they would want to review, too, science data.

MR. LINK: This is Charles. I just want to

jump in up above that a little bit, the third party statement, it reads to me that we are, basically, endorsing the National Academy of Sciences and maybe some other things, it just reads to me that way, that that's the preferred method, just because of the way it is stated. It says National Academy of Sciences or other things.

So, just under the other appropriate groups, maybe other appropriate business consulting groups or something, I don't know. It's just the way it reads to me, that we are almost recommending NAS, maybe not.

DR. CARPENTER: Do you actually want the wording, other appropriate consulting groups?

MR. LINK: Yes, that's fine.

DR. CARPENTER: Committee members okay with that? In addition to other appropriate --

DR. HOLLINGSWORTH: And, it's National Academy of Sciences, plural.

DR. CARPENTER: Right.

DEPUTY DIRECTOR TYNAN: Do we have any other comments on number five?

DR. CARPENTER: Phase I.

DEPUTY DIRECTOR TYNAN: Phase I, thank you.

MS. ESKIN: IU just have one comment.

I know the way that it's written it says, inspection issues, and then further in the document it says of data issues. And, I think what we are saying up above, correct me if I'm wrong, is this third party process would address both inspection and data issues. The issues around data that are listed at the end of this document are just issue spotting. So, I would propose taking out the heading that says, "Inspection Issues," so it's clear it applies to everything.

DEPUTY DIRECTOR TYNAN: Okay, where is that, Sandra?

MS. ESKIN: Go up, please. See, "Inspection Criteria" I meant, the process is supposed to include both that and -- I think, unless --

MR. KOWALCYK: This is Michael Kowalcyk. I think to follow up on your point, Sandy, and I think Catherine mentioned it yesterday, you don't want to create another layer to this, where if we have this group would be assigned at looking at inspection

criteria and the data that would support that, because looking at risk based inspection the two are inseparable. So, if the inspection resources are going to be deployed based on data, it is critical that the data is appropriate and that it's evaluated. So, I would agree that this third party group should be charged with looking at the whole picture.

DEPUTY DIRECTOR TYNAN: Other comments on five, on the first phase?

DR. CARPENTER: You are commenting on the second phase.

DEPUTY DIRECTOR TYNAN: Yes, second phase.

Dr. Hollingsworth?

DR. HOLLINGSWORTH: I'm not sure whether the way it reads, if it sounds like this Committee will actually -- well, I haven't read the rest of it, maybe I should not -- but I was just commenting on the very first sentence, where I don't think the intent was that the Phase I report would then be given to this Committee, and this Committee would then determine how to implement it. I think the idea was that, again, there may be a process that's necessary,

it may just be -- we may just say, yes, we think this is a great report, and now we are requesting the Agency to go forward, and maybe it says that below, so I should read before I talk.

DEPUTY DIRECTOR TYNAN: Would you like us to scroll down a little bit?

DEPUTY DIRECTOR TYNAN: Sandra, you had a comment?

MS. ESKIN: Yeah, I think, Jill, if we added -- if you'd scroll back up, saying the Agency and the Committee, or the Agency consulting with the Committee, ultimately, the Agency is the entity that has to do something with those recommendations. So, you could either just say the Agency or you could also reference the Advisory Committee.

DR. HOLLINGSWORTH: I'm not sure what the bullets are, other suggestions that emerged, other suggestions for what, how to implement it?

MS. ESKIN: About the process. I think that's about the third party process.

MR. KOWALCYK: This is Michael Kowalcyk. Jill, I think the bullets really speak to the

Committee itself addressing what the Committee should be, you know, some more detail on the make-up of the Committee, and what input should be going into the Committee. So, I can see the confusion where the second phase is the report being passed on to either this Committee or the Agency. You know, I certainly think that the Agency would need to be heavily involved, as should committees that are looking at this and looking at inspection issues.

So, I think those are just really into the make-up of the Committee. Maybe we can move them around.

DEPUTY DIRECTOR TYNAN: Dr. Harris?

DR. HARRIS: Yes, kind of back to Jill's original point, I agree with Jill. I don't think we should reference the Committee right there. That report from the third party needs to come back to the Agency, for the Agency then to decide how best to move forward and whether or not they need to come back to this Committee for more advice.

DR. HOLLINGSWORTH: I would agree with that.

DR. HARRIS: This Committee won't be the entity that implements a risk-based inspection system, so I don't want to see things being directed to come back to this Committee unless the Agency wants to bring it back to this Committee.

DR. RAYMOND: Barbara, may I jump in on that?

DEPUTY DIRECTOR TYNAN: Yes, Dr. Raymond.

DR. RAYMOND: I think for clarity, perhaps, that should read that NACMPI will look at the findings and recommendations of the third party for recommendations to forward to FSIS. I mean, your job, you are the advisory committee, this is going to be a technical committee, and you are the advisory committee, you represent a lot of different walks of life. I would prefer that the report come to you for your sanitizing of it, your recommending, you can take parts and pieces of it, you can do with that report what you want and then you advise us. But, you don't implement it, you are exactly right there, we implement it, but I would like your advice.

And, as long as I've got the floor, I'd go

to the first bullet there, you need to, for clarification, where it says FSIS and other Federal agencies such as, the state agency is not a Federal agency. I think -- you just need to say and other state and Federal agencies, such as CDC, state inspectors, et cetera, remove the state agencies from that third line but put it up there state and Federal.

And then, yeah, remove state agencies there so it's not duplicative. That way I think it's inclusive.

DEPUTY DIRECTOR TYNAN: Mr. Link?

MR. LINK: Thank you.

Just above that, when we are talking about implementation and implementation strategies, would it be appropriate to charge this third party, whoever it ends up being, to review -- I guess to report on findings, recommendations, and implementation strategies, and then the Advisory Committee could review all that, and to your point, provide advice, I guess, to the FSIS, findings, recommendations and implementation strategies.

DEPUTY DIRECTOR TYNAN: Mr. Elfering?

MR. ELFERING: Kevin Elfering, if I remember our discussions yesterday, I think this Committee was supposed to be pretty involved in providing the guidance to this third party as well. I don't know if that's really captured in here, if that would in Phase I or Phase II, but we should be providing the initial guidance what this third party should actually be doing, so that they are not putting some report that ends up to be rather meaningless.

DEPUTY DIRECTOR TYNAN: Mr. Elfering, where do you see language being put?

MR. ELFERING: I'm almost wondering if it should go back in the first phase.

DR. HOLLINGSWORTH: It seems to me, and I know I'm going to jump right in, if we scroll down, the bullets that are there now under Phase II, actually, when I'm looking at them I think they were Phase I bullets. Those are things that belong up in Phase I, and maybe instead of -- under Phase II, maybe what we need to put -- well, let me go back, if we move those up, then maybe we need to have a little place under Phase I that says role of NACMPI, and we

can identify what our role is. And, our role might be to meet with the third party to discuss the charge and the expected outcomes, and then the other charge for this Committee would be and to review the final report and make recommendations to the Agency on how to use it and what to do with it, which is kind of different than a Phase I/Phase II, it's almost like these are the things that we are responsible for.

Does that address your concern, Kevin?

MR. ELFERING: Yes.

DEPUTY DIRECTOR TYNAN: Dr. Leech?

DR. LEECH: I wonder if we ought to address something related to the time line. I think this is reasonable, just knowing that we meet twice a year and so forth, I don't know how that could affect dragging the whole process out or not, but I think we want to try to be sure that we don't make this be something that makes things take forever and ever, years on end, and never really anything get done.

DEPUTY DIRECTOR TYNAN: Does the Committee want to add in some time lines as well, or some -- address that issue?

DR. LEECH: Maybe put something there related to time in the other suggestions, just a note that it will be important to schedule meetings so that there's timely use of the data or the reports, schedule meetings so there is -- well, you don't want to let months and months go in between when something is ready and when the Committee meets, and you don't want to give the Committee too much time, so that things are done in an appropriate time, would that -- because it's hard to put exact time lines on it at this stage.

DEPUTY DIRECTOR TYNAN: Sandra, do you have a comment?

MS. ESKIN: Sandra Eskin, you know, schedule meetings to make sure that a report is completed within, again, an appropriate reasonable, I'm not sure that's even more or as specific as we want to get.

I'm not sure if there's an average length of time that it's taken a group in this kind of a process to complete a report. I assume it depends on the nature of the charge, but the report is completed

as expeditiously as possible?

DEPUTY DIRECTOR TYNAN: Dr. Logue?

DR. LOGUE: How about putting in some wording along the lines of that they would have progress reports every time that NACMPI meets, so that's every six months we would know something. You know, why not put in something along that line, and if it goes longer than a year well at least we'd know by 18 months where it stood.

DEPUTY DIRECTOR TYNAN: Dr. Denton?

DR. DENTON: Going back to the comments that Kevin and Jill made earlier, and some of the comments that were made yesterday, with regard to how we might approach providing the oversight and guidance that's given in the charge to that third party.

We talked a bit yesterday about whether or not it should be the Committee as a whole or whether it should be a subcommittee of the National Advisory Committee that would be charged with that.

Just an opinion, I think, perhaps, a subcommittee of this Committee working in very close collaboration with Barb and others within the Agency,

probably would be an appropriate vehicle to address some of these things with regard to what we expect that third party to do, what we expect the time line to be, so that that works within the context of what the Agency actually hopes to get done.

I think the guidance provided here in a general sense is appropriate, but I really think that it's going to fall back to that smaller group that provides the charge to the third party, and sets up the original project that would be a more effective way to deal with those particular issues. Just a thought.

DEPUTY DIRECTOR TYNAN: Does the Committee agree, or are there other comments on that?

Mr. Kowalcyk?

MR. KOWALCYK: To follow up that point, with defining the charge to this third party, being that this is such a big issue, and the scope is very broad, and we're looking at time lines now, I don't know if we are in a position right now to look at solid time lines. And, I think the idea of updates to this Committee allows for a public forum, so to speak,

for status reports on how this is proceeding.

One concern I have is in the charge of this third party. Will that be -- shouldn't that be the Agency with input from all stakeholders, as to how this would be approached? So, do we want to work some language into the recommendation on how this third party would be charged?

I'm assuming that FSIS would drive this process and giving this third party the responsibility of addressing these issues. However, I feel that FSIS should have input, either from this Committee, or through a series of roundtable discussions done in a public forum. That way, all stakeholders would have an opportunity to be heard, and provide recommendations as to how the process should go.

DEPUTY DIRECTOR TYNAN: Okay. Is that consistent with what Dr. Denton was suggesting, a smaller committee?

MR. KOWALCYK: Either that or a series of public meetings to address what this third party is going to be asked to do, not necessarily a formal subcommittee of this Committee. I don't know if there

is resources from this Committee that would be able to address that effectively.

DEPUTY DIRECTOR TYNAN: Okay.

Well, as I understand it then, I think Dr. Denton was suggesting a smaller subgroup of this Committee, to help with the specifications for what we ask the third party to do.

Mr. Kowalcyk, if I understand you correctly, you are talking about, perhaps, a series of a broader group of people --

MR. KOWALCYK: Yes.

DEPUTY DIRECTOR TYNAN: -- assisting in that process.

MR. KOWALCYK: Yes.

DEPUTY DIRECTOR TYNAN: So, we have two different options for approaching that.

Dr. Denton?

DR. DENTON: I guess implicit in what I was recommending is that the smaller subcommittee of this Committee help frame this with regard to what the expectations are of what the charge would be, then report back to the full Committee so that the full

Committee has some input into that, to make sure that it's consistent with what we talked about doing.

I'm not saying that the subcommittee would become the ultimate authority with that, before it goes to the Agency as a way to jump start this, because I really think that we are probably not going to be able to agree on all the details until we have something that we can react to.

DEPUTY DIRECTOR TYNAN: Okay.

Mr. Kowalcyk, is that still -- is that consistent? Yours sounded it was broader than the Advisory Committee as a whole, so you were suggesting, perhaps, even public meetings to get to some of the details of this?

MR. KOWALCYK: Yes. I still think at this stage it should receive input from all parties that would ultimately be affected, industry, consumers, people doing the research, and academics.

DEPUTY DIRECTOR TYNAN: Okay.

MR. KOWALCYK: I think that would be important.

DEPUTY DIRECTOR TYNAN: Ms. Eskin?

MS. ESKIN: I think that looking at Dr. Denton's approach, my concern with having a subcommittee and then coming back to the Committee of the whole is timing, and we only meet twice a year. So, it would be very unfortunate if we would have to wait that period of time.

And, I think in terms of determining what this third party process is going to look at, I think if there was a subcommittee that worked with FSIS, obviously, culling their ideas from lots of sources, that might be a more workable way to move forward.

DEPUTY DIRECTOR TYNAN: A subcommittee --

MS. ESKIN: A subcommittee from this Committee that works with FSIS in developing the charge and working with --

DEPUTY DIRECTOR TYNAN: Without Phase II of coming back to the full Committee?

MS. ESKIN: Phase II it would come back to the full Committee.

DEPUTY DIRECTOR TYNAN: Okay.

MS. ESKIN: This is just Phase I.

DEPUTY DIRECTOR TYNAN: No, but I used the

wrong term, but what Dr. Denton was suggesting, a smaller subcommittee, then it would come back to this full Advisory Committee, and you are suggesting?

MS. ESKIN: I'm saying I'm concerned that, just from --

DEPUTY DIRECTOR TYNAN: Timing question.

MS. ESKIN: -- yes, a timing issue, it's easier for a subcommittee to do the work and, basically, be delegated the responsibility, working with the Agency. You add that other layer, that other step of a full committee, we might run into timing issues.

DEPUTY DIRECTOR TYNAN: Okay.

We'll have to try and come to some consensus with this.

Dr. Denton?

DR. DENTON: I think that's okay, as long as the rest of the Committee is comfortable with the subcommittee having that responsibility. I think that would be fine.

DEPUTY DIRECTOR TYNAN: I saw another -- Mr. Link, you had a comment before and changed your

mind, did you want to revisit that? You are thinking it over, okay.

Mr. Schad?

MR. SCHAD: Yes, this is Mark Schad. I just want to say that I think the idea of a subcommittee is a good one. I think there's a lot to be gained by having a smaller group, and to me that does not mean you have to exclude anybody or any of the stakeholders. You can still get input from all the parties involved.

DEPUTY DIRECTOR TYNAN: Okay.

So, is there sort of a general agreement that a subcommittee -- oh, I'm sorry, I apologize, Dr. Leech?

DR. LEECH: I think you could do it through some communication, it doesn't have to happen just at the formal meetings, and there could be some work in between and some communication related to that.

And, I don't know whether it's appropriate, but I wondered if we'd like to say with the progress reports it may be in the scheduling of that we could make the reports due two months before

the Committee meets or whatever, but it would be nice if we knew what was coming and could look at things and have some time to work with it before we came to these meetings, not just see them when we arrive or a week before.

And so, maybe as we set this up, we schedule them to have something due with a time line that takes that in consideration, that would be helpful.

DEPUTY DIRECTOR TYNAN: You've revisited your thought, Mr. Link?

MR. LINK: Yes, I just want to say, I'm in favor of the subcommittee piece. I mean, one of the things we talked about yesterday was this ought to be a kind of small group or we'll never get anything done.

So, I like the subcommittee idea, to kind of come back to maybe to the full Committee, or just working with FSIS, to kind of come up with the charge for this third party.

But, I think, ultimately, back to Michael's point, I mean, we probably ought to have a

public meeting to talk about, hey, this is where we are going, this is what we think, before we charge them to go too far I guess, and make sure everybody has a chance to get their two cents worth in.

But, initially, I think a subcommittee would be a good way to go, and kind of get this thing off the ground and moving.

DEPUTY DIRECTOR TYNAN: You could be Mr. Govro if you like.

DR. HARRIS: We could attribute these comments to Michael instead of myself.

Sounds to me like we are about to put an extra layer in there, because as I read what we had -- the instructions to the third party was going to be to get that input from all stakeholders. So, it seems like we are sort of, I don't know, adding a layer if we have a series of public meetings, or, you know, solicit a lot of public input to even develop what the third party is going to be asked, then the third party will be instructed to go find all the stakeholders and ask them what they think again. And, it seems like we are adding an extra layer that's just going to slow

the process down unduly.

DEPUTY DIRECTOR TYNAN: Yes, Ms. Eskin?

MS. ESKIN: Sandra Eskin.

Perhaps one way to satisfy everyone here, we'd go with the subcommittee idea, and rather than have a public meeting to get input on whatever it is the subcommittee and FSIS come up with as the scope of the research, could even put it out for comment, I know it's done, it's not a regulation, all it is is simply public, this is what we are going to ask this third party to do, we'd appreciate your input logistically, and time-wise, and otherwise, using that method to communicate is probably more timely.

So again, it would be the subcommittee working with FSIS, and then whatever they come up with is put out for public comment for people to give their input.

DEPUTY DIRECTOR TYNAN: Is that agreeable to the Committee as a whole?

CHAIR MASTERS: Do you have some language for bullet one there, Ms. Eskin?

MS. ESKIN: Sure. An NACMPI subcommittee

would work with FSIS to define the scope of the third party report, and this proposal would be open to public comment.

DEPUTY DIRECTOR TYNAN: Mr. Kowalcyk, does that work for you? I think you had a somewhat different approach, but is that a workable compromise for you?

MR. KOWALCYK: Yeah, I think it does clearly state that, you know, the public comment component I think is very critical, because the scope is, like I said before, very broad.

I guess one question I would have to the agency, and I don't know if we need to address that here, is the frequency about which this committee would have to meet. I mean, being that this is a big issue, I'm not -- I'm seeing that one meeting every six months would not be sufficient. So, I don't know if we need to, at this time, put some definitions to that, how often should they meet, and the composition of the Committee. So, I'm still unclear as to how that would effectively work.

CHAIR MASTERS: This is Barb Masters, and

again, there is no -- while this Committee as a whole, by Charter, meets twice a year, there is nothing that precludes the Agency from hosting this Committee for meeting more than twice a year, and certainly a subcommittee can meet as frequently as deemed appropriate.

So, that's where I think we were looking for your suggestions on how frequently we would see a subcommittee meeting, whether that would be telephonically, in person, so that's the kind of suggestions we are looking for from this Committee.

MR. KOWALCYK: It would be the, actually, subcommittee of this Committee communicating, you know, developing then a proposal for the third party.

CHAIR MASTERS: And, please provide your suggestions on what you believe would be appropriate, because that is what we are looking for. And, I think I was hearing the Committee suggest, that's why a subcommittee would be more effective, because some of you have more flexibility on how frequently you can meet than others, since all of you, as I understand it, have real lives and real jobs.

And so, while we appreciate all the work that you do, the feasibility of getting all of you together on that frequency is less likely. And so, we are very open to as frequently as you are willing to come together, and so that's why we are looking for your suggestions on how frequently we would see this group meeting.

DEPUTY DIRECTOR TYNAN: Dr. Hollingsworth?

DR. HOLLINGSWORTH: That second bullet there about scheduling meetings and progress reports when we convene, what if we change that bullet to say, NACMPI, and it could be either -- I'm even thinking the subcommittee, working with FSIS will establish a time line which will include regularly scheduled updates or progress reports. They could even be done by conference call, if we couldn't get together.

So, I think -- and again, I don't know that we can set a time line until we know the scope of the work. We may give them a very narrow charge, we give them a very big charge, so I would almost prefer to have that subcommittee as part of their work with FSIS identify what will be the time line and what kind

of updates and progress reports would we expect, and just build that into the whole scope of the work.

DEPUTY DIRECTOR TYNAN: Ms. Eskin, I'm sorry.

MS. ESKIN: LaVonne is typing, it's both the subcommittee and FSIS together are going to identify the time line, right, and frequency of the meetings?

DEPUTY DIRECTOR TYNAN: Dr. Leech?

DR. LEECH: Would you want to say something to the fact of, and some meetings may take place by teleconference and be in between the regularly scheduled meetings, to actually say that we are expecting that there's going to be some work outside of our every six months meetings?

DEPUTY DIRECTOR TYNAN: Dr. Logue, you had a comment, I think?

DR. LOGUE: I don't think we need to get that detailed at this point. I think just that we would set some kind of a time frame.

DEPUTY DIRECTOR TYNAN: Okay.

Are there other comments on this first

part of the report?

CHAIR MASTERS: This is Barb Masters. I think you all had something for the role of NACMPI as far as the actual review of the report and providing advice and guidance back to the Agency, and I think we've lost that bullet somewhere.

MS. ESKIN: It's right there, it's Phase II.

CHAIR MASTERS: Okay, great. Okay. So, we could -- that stays under the role of NACMPI, great, okay. Don't want to lose that one.

DEPUTY DIRECTOR TYNAN: Dr. Hollingsworth, you had a comment?

DR. HOLLINGSWORTH: Yes, just kind of lots of recommendations in that sentence. I was just thinking maybe something like NACMPI will review the findings and recommendations in the third party report, and provide guidance to the Agency on how to proceed. I mean, the report may be we don't think this is a good idea, we don't want you to implement it. I mean, let's hope that's not it for all that money and effort, I hope we will have something great,

but I think it would just be that, you know, our role then would be to review that report and then give guidance back to FSIS on how we think they should use it.

DEPUTY DIRECTOR TYNAN: Okay.

DR. HOLLINGSWORTH: Next steps, what should be the Agency's next steps now that we have this report in our hand.

DEPUTY DIRECTOR TYNAN: Is there language that you would propose?

DR. HOLLINGSWORTH: Yes, NACMPI will review the findings and recommendations of the third party report and provide guidance to FSIS on next steps.

And, you know, because we've already said in Phase I, depending on who the third party is and what charge we give them, they may actually provide the implementation plan, and we like it so much we say, go for it.

DEPUTY DIRECTOR TYNAN: Mr. Link, you had a comment?

MR. LINK: No.

DEPUTY DIRECTOR TYNAN: We spoke about the

data issue earlier, how did you decide you wanted to portray that as part of the report? Was it just simply taking out the headings?

MR. KOWALCYK: I think the thought was that the data issues would be part of this.

DEPUTY DIRECTOR TYNAN: Okay.

MR. KOWALCYK: I mean, the bullet recalls have to be a significant source of assessment data, I mean, that's actually kind of -- that could be actually something that's looked at in the report. I don't know if that needs to be specifically stated here, but, you know, scrolling down some more general points as far as the make-up of the working group that would take on this task, we would certainly want to see experts in data systems and data analysis, statisticians so to speak, not only to protect the integrity of the data, because if the data -- if there's problems with the data that go into a system like this there will be problems in implementation, and to identify the limitations of the data, because part of their recommendation may be changes to how sampling is done. I don't know. But, I think that's

something that should be part of this recommendation, as to what this Committee should -- what this group should comprise of, not only people that are in the food safety world, or in academics, but from that arena that have expertise in data analysis and data management.

DEPUTY DIRECTOR TYNAN: So, these bullets would be part of what you would propose to be the charge to the third party, whoever that may be. So, our subcommittee that we've talked about would use these to help frame the --

MR. KOWALCYK: Yes.

DEPUTY DIRECTOR TYNAN: -- specifics. Okay.

Ms. Eskin?

MS. ESKIN: In terms of the language that's there, what I would propose is, actually, collapsing it into one bullet, because the first one is just -- let me just try some language, perhaps, the third party report would address all of the data issues in an RBIS. And then, we could do a list, including recall data, see if that works, and what was the

second bullet? I think that second bullet is really one that deals with work groups should be formed with experts, I think at the very top we do have a list of who that third party should be -- who should be involved in the process. I don't know if we can add to the list of state agencies, Federal agencies, consumer groups, something to capture that second bullet, perhaps. There we go, we have relevant experts, that may not be specific enough, Mike, including those.

And then back to the bottom, that third bullet under data, let's see if we can reference at the very bottom, scroll to what we are working on language-wise, all data issues including recall data and use of technology, is that what that third bullet said? Yeah.

DR. LOGUE: Go back up to the other part and put for assimilation and whatever the last part of that other sentence was, for assimilation on analysis of the crude data.

DEPUTY DIRECTOR TYNAN: Does that capture what you were looking for, Dr. Logue? Okay.

I'm sorry, Dr. Hollingsworth, how could I overlook you?

DR. HOLLINGSWORTH: How could you possibly think a sentence could go by without my commenting?

In that one I'm almost wondering, because we've specifically taken -- you know, put in recall, I'm wondering if we should make it more generic and just say all of the data issues in an RBIS including sources of the data, collection of the data, quality of the data, and the use of technology, in other words, just all the issues, even data management, you know, where is it all going to be housed and how is it going to be collated.

So, I would be very broad in the scope, and sources of the data quality, data management, and the use of technology, and then take out recall data.

DEPUTY DIRECTOR TYNAN: I just wanted to let Lyvonne catch up a little bit before we got too far. We don't want her to leave us right after this meeting.

Mr. Kowalcyk?

MR. KOWALCYK: I think another addition

that should be made, it came up quite a bit yesterday morning, is the legal and regulatory aspect of the risk-based inspection system, issues that have come up under assets, enforcement issues, and I would recommend that this third party also include people that are expert in regulatory issues that this would address.

My concern is, and I think it was raised several times yesterday, that this system could be established but not fall properly within the regulatory framework, and should be looked at.

So, maybe if we can add data risk and legal experts.

DEPUTY DIRECTOR TYNAN: Thank you, Michael.

Other comments? Are we to a point where we can reach consensus on number five, the report? Are there other issues that come to mind?

While Lyvonne is trying to figure out how bullets work, I always have the same problem, so I can appreciate the difficulty, could we come to some consensus, just a show of hands, or something that we are all in agreement, yes, on this report as is?

Okay.

Are there any nos?

MR. LINK: Is there any chance we could just go back to the top and go through it one time?

DEPUTY DIRECTOR TYNAN: Sure.

MR. LINK: I had a question. Back up on the front page, right there in the last sentence it says the Agency is going to define this charge, I thought we had discussed that this subcommittee would do that, in conjunction with the Agency.

DEPUTY DIRECTOR TYNAN: Mr. Link.

MR. LINK: In the interest of transparency and openness, whatever we come up with on the subcommittee I guess we need to make sure that everybody has had a chance to sit in, or listen, or whatever.

DEPUTY DIRECTOR TYNAN: On the --

MR. LINK: I don't know if we need to say that.

DEPUTY DIRECTOR TYNAN: -- on the NACMPI Committee as a whole?

MR. LINK: Yes.

DEPUTY DIRECTOR TYNAN: Okay.

Dr. Hollingsworth, you had another comment?

DR. HOLLINGSWORTH: Two places, could we go way back up to the top, to right there. I think it's a little confusing the way it says a third party will form a committee, I think we are not looking at setting up a third party and then another committee. I just think the way it's worded it's unclear there.

Well, the third party is the committee, right?

MS. ESKIN: Right.

DEPUTY DIRECTOR TYNAN: Ms. Eskin?

MS. ESKIN: How about just language saying, a third party will be selected to address these issues, or appointed, I don't really care.

DEPUTY DIRECTOR TYNAN: And then, we delete the rest of that sentence, is that correct? Okay.

MS. ESKIN: Or, a third party -- there's two issues, one is the make-up of that entity, that's the third party, right, and then the second issue, which is also included below, is who that third party

entity will hear from.

So, the question is, do we need that second part -- do we need the remainder of that original first sentence? I would propose that we just delete that remaining, form a committee of stakeholders, because we do address those issues in the rest of that section.

CHAIR MASTERS: This is Barb Masters.

Charles, Mr. Link, did you want to address how you want to form your subcommittee, or do you want to just assume that that will be a transparent process through the Committee?

MR. LINK: That's a real good question, how do we select a subcommittee? Volunteers?

I think it is appropriate that it talk about that, we need to, I guess, resolve that.

DR. HOLLINGSWORTH: Can I add one other thing for Lyvonne?

I'm still not, I don't understand that bullet that says a core group. What is that group? That's not the NACMPI subcommittee, it's not the third party, I don't think, I don't know what that is.

DEPUTY DIRECTOR TYNAN: What is the small core group.

DR. HOLLINGSWORTH: I would say it needs to come out then probably.

DEPUTY DIRECTOR TYNAN: It needs to come out.

DR. HOLLINGSWORTH: Because we've already identified the subcommittee, and that just looks like -- I don't know what that's hanging there for.

CHAIR MASTERS: This is Barb Masters again. I think it would be helpful to hear some ideas on how you all would propose getting your subcommittee while you are here.

MR. KOWALCYK: This is Michael Kowalcyk. I think to follow up with that point, along the line of Charles' comment, I think whatever the composition of this subcommittee is, I think it's important that that subcommittee report -- be required to report back to this Committee, members of this Committee are able to either, if it's a teleconference, to be able to sit in on these meetings, just so that, I mean, this Committee is representative of stakeholders, and I

think the Agency needs to put in place a way to assure that all parties involved are represented at some level in this subcommittee, so that way it's transparent to everybody involved.

I don't know if we need to put specific language around that now, or if the Agency would do that and then come back to this Committee for our approval. I don't know what would be the best way to approach it at this point.

DEPUTY DIRECTOR TYNAN: Dr. Denton, you had a comment?

DR. DENTON: I tend to agree with Mike, but I also want to flip that coin over on the other side and say that I would hope that whoever the subcommittee is has access to anyone else on the Committee to receive additional input as we work through this process.

I understand that the subcommittee is going to be charged with the bulk of the work, but I think that we should have that committee feeling very free to talk to everyone else on the committee as we move through this process, because it's going to take

all of us working together, I think, to get this done.

DEPUTY DIRECTOR TYNAN: Mr. Kowalcyk, does that respond to your comment?

MR. KOWALCYK: I think so. You know, I think that maybe we need to have language in here to say subcommittee will report to the full Committee. The full Committee can be included in the subcommittee meetings.

As far as the regularity of when they meet, I don't know, maybe I would look to the Agency to spell that out, to set some type of initial time line, and then to see if that would work for the subcommittee members, whoever they may be.

DEPUTY DIRECTOR TYNAN: I think that's the question we have on the table, is sort of the options for organizing that subcommittee.

Ms. Eskin, you had a comment?

MS. ESKIN: Or, maybe it's a proposed language to get to one issue, which is in terms of the make-up of the subcommittee, that first bullet, an NACMPI subcommittee representing all stakeholder groups, I mean, again, the way the full Committee is

organized it's supposed to represent all stakeholder groups.

DEPUTY DIRECTOR TYNAN: Yes.

MS. ESKIN: So, that is -- that captures at least the idea that it be representative. I don't know if we want to be more specific. I don't think we should be, should it be six people, should it be ten people? I mean, the group as a whole is 16, so but I think that may at least get us part of the way.

DEPUTY DIRECTOR TYNAN: Mr. Schad?

MR. SCHAD: Yeah, this doesn't get to actually naming names on the subcommittee, but in the opening remarks yesterday there was analogies as far as legs on a milk stool, or pillars of buildings, and those consisted of three stakeholder groups, consumers, and industry, and FSIS, and I think that would be a good starting point, as far as the make-up of the committee, and I believe it has to be definitely smaller than this Committee to get anything done.

DEPUTY DIRECTOR TYNAN: Dr. Leech?

DR. LEECH: I was going to suggest that you

could start with volunteers who are interested, but make sure that each of the major groups that compose this committee have a chance to -- are represented, and then that as the group works, you know, through e-mail, or regular updates, that people are aware of what's going on, so that not just the people who are on the subcommittee consult folks, but that people who have concerns have an idea of what's going on on an ongoing basis and can submit things if they want to do that to the group.

DEPUTY DIRECTOR TYNAN: Just asking a process question, if we had volunteers, and going back to the idea of having equal sort of a representative group, but a small group, if we had four volunteers from the academic side and no volunteers from other places, how would you propose the Agency --

DR. LEECH: I think what we'd need to do then is try to seek some others, but start with volunteers.

DEPUTY DIRECTOR TYNAN: Okay.

DR. LEECH: And then, go and seek to make sure, but do make sure that all the groups are.

DEPUTY DIRECTOR TYNAN: So, initially, it would be volunteers, and the Agency would be making its selections from the volunteers, is that agreeable? Is that what we are suggesting?

DR. LEECH: Or, we could suggest someone from this group to work with the Agency to help make sure, since we don't have a chair or anything like that, you know, maybe the two chairs of our subgroups for this time could do it or something, I don't know, but so that there was some input from this group.

DEPUTY DIRECTOR TYNAN: Dr. Hollingsworth?

DR. HOLLINGSWORTH: I think Mark had a good idea, as far as the three major kinds of groups we need to cover. However, since the subcommittee is working with FSIS, that piece of it is already taken care of.

So, I think what the subcommittee needs to have is representation of the consumer group and the industry.

The other thing I would throw out, just for a thought, is does the person who is on the subcommittee have to be a member of this Committee or

could they be a designate? In other words, people like, say, Charles and Mark, may not have the time and the wherewithal because of their real jobs to be the subcommittee representative of the industry, but, perhaps, they would want to designate someone, say, from their trade association or someone who represents them.

I don't know if that's going to create discomfort on the Committee, but I think we also have to be realistic that it's going to be a lot easier for somebody who is here in D.C., able to come over and meet with the Agency on a regular basis, and have the time to put into it to do a good job.

So, I fear that maybe if we limit ourselves we may end up having a committee that's somewhat dysfunctional, because of other commitments and distance.

Just a thought.

DEPUTY DIRECTOR TYNAN: Mr. Elfering, I saw you reaching for your card, and you changed your mind.

MR. ELFERING: I think that, really, FSIS should look at this group, and they should at least

identify who they would feel would be most appropriate first, and then offer that position, and you are going to have to just go through the process of elimination, to make sure that every group is represented.

I think you are going to have to identify who you think is going to be the most appropriate as well.

DR. HOLLINGSWORTH: Can I just --

DEPUTY DIRECTOR TYNAN: Yes, Dr. Hollingsworth.

DR. HOLLINGSWORTH: -- I just want to correct something I said, I made a big blunder, I just realized, when I said that the Committee only needs to contribute industry and consumers, that's not true. We also need the state. I guess what I was thinking is, we don't need to appoint Federal FSIS representatives, because we'll be working with FSIS, but I didn't mean to exclude the state representation.

DEPUTY DIRECTOR TYNAN: And, we also have the scientific and the academic community as well, so we need to not forget Dr. Denton. I can see him sort of fidgeting in his seat.

Dr. Leech?

DR. LEECH: I guess I would think that it doesn't have to be someone who could physically be in Washington, because with the technology we have today it may even be more useful for everybody to do teleconferencing instead of even traveling across town here.

So, I'm not sure that it needs to be someone who is physically located here, just someone who has the time and interest, and I would think we ought to start with this group anyway.

DEPUTY DIRECTOR TYNAN: Okay.

Mr. Elfering?

MR. ELFERING: I would just like to offer that we certainly could meet in Minneapolis in January. That surely will make it a small group.

DEPUTY DIRECTOR TYNAN: Dr. Carpenter?

DR. CARPENTER: Help me out, gang. If you look at the role of the Advisory Committee, as it's listed here, and then you talk about the subcommittee and FSIS, I'm wondering if we should have specific language that says there's a need for mutual assent

from the full Committee. Am I missing something that's already stated, because, you know, we talk about the subcommittee, and then FSIS, but I think the members of the Committee want to make sure that -- it's understood?

DEPUTY DIRECTOR TYNAN: Yeah, I got the impression from all the conversation that regardless of how we configure the subcommittee that the full Committee would have an opportunity to comment, to weigh in, as the subcommittee proceeds.

Mr. Kowalcyk?

MR. KOWALCYK: I initially wanted to follow up on Dr. Hollingsworth's comment about the idea of a designate to take a place on this subcommittee. Knowing from resources, time is limited, resources, people running small businesses, people in their careers, so it may be difficult to meet that commitment, whatever that is, and I think we should get that guidance from FSIS as to what your expectations would be of this subcommittee, and then possibly opening up the designates to maybe past committee members who would be eligible, because to

Jill's point, if the meetings were going to be on, say, Washington, D.C., that could become an issue for several Committee members to come here more than twice or three times a year.

And then to Kevin's point about FSIS selecting the initial make-up of the committee, maybe that should go to the full Committee, so that everybody here is comfortable with what the make-up of that membership is, so that we don't want to get too far down the road where a particular group feels that they are getting the short end of the stick in this process.

DEPUTY DIRECTOR TYNAN: Okay.

Could I propose this? I think I heard actually two options maybe that could work together. If we initially after the meeting sent out a note to everyone and suggested volunteers, then if we get an over abundance of academicians, perhaps, then we'll make those final selections.

If by good fortune we have one person volunteer from each group, then we are covered, so there won't be any further selection, but then,

ultimately, the Agency will make the final selections from the volunteers.

Is that satisfactory, and we will come back and let everybody know how we decide, is that satisfactory?

DR. HOLLINGSWORTH: Jill Hollingsworth. Will the volunteers have to be current members of this Committee, or will you be looking to the Committee to recommend other names of people who we think would be well to work on this project?

I mean, I'm also wondering if we are looking at NACMPI will designate or nominate a subcommittee versus actually becoming a subcommittee.

DEPUTY DIRECTOR TYNAN: My only -- oh, I'm sorry.

CHAIR MASTERS: This is Barb Masters.

Because of our Advisory Committee laws, I think that if we are dealing with a subcommittee we need to deal with a subcommittee of this Advisory Committee to keep from having to deal with the Advisory Committee laws.

And so, I think we'd like to start with a

subcommittee of this Advisory Committee to allow us to move forward very quickly.

To answer Mr. Kowalcyk's question, I believe Dr. Leech has got a good idea, and I think we can make a lot of progress working through the technology that we have, web casting, teleconferencing, those sorts of things, and only having to bring folks together when it's absolutely necessary.

You know, I think if we met in Minneapolis and did it in January, that would weed out who is really interested in the topic, but I think there's a lot of ways that we could move forward and have progress through E-meetings, teleconferences, those sorts of things, and only getting together when it's absolutely essential.

But, not that I'm opposed to having others involved, but you get into advisory committee laws and those sorts of things, when you've moved beyond this actual Committee.

DEPUTY DIRECTOR TYNAN: We have several people from that northern tier, so we may get

volunteers out of, you know, North Dakota, it snows in all those areas, as I recall.

Okay, so we'll -- just to clarify -- I'm sorry, Dr. Harris.

DR. HARRIS: Just one question about the process. How many are we anticipating on the subcommittee? We should probably define how big the subcommittee should be. And, it doesn't have to be a specific number, maybe a range even, you know.

DEPUTY DIRECTOR TYNAN: Dr. Raymond, you had a comment?

DR. HARRIS: I'll offer four to six as a suggestion, or four to eight. Eight would be more than half of the Committee at eight, and four is almost too small to do anything.

DEPUTY DIRECTOR TYNAN: Is that agreeable, four to six? Okay. Then we'll send a note out asking for four to six volunteers for the Committee, and then we'll make decisions based on the volunteers. Is that agreeable to everybody?

And then, as I say, we'll come back to the full Committee and let everybody know what the

decisions are.

So, do we need to include that in the recommendations that we have here in the report?

Fine, then I think let's go back to the report again, is there any last comments regarding -- are there any last comments regarding the report, or are we at a point where we have full consensus? Is there an agreement, yes? Okay, fine.

Number five is done.

I would propose, after all that hard work, that we take a break, and we'll make it, I have 11 after, could we come back by 25 after, promptly?

Thank you.

DR. RAYMOND: Robert, I have to leave at 10:30 to go give a talk, so in the two minutes before you adjourn I just want to thank the Committee for your hard work last night, this morning, it was really refreshing coming in early this morning and seeing a group out there working. I know you worked at the hotel.

I may or may not make it back, I probably won't make it back today, so not that I don't care,

but I've just got some other issues, but I do thank you. This was a very -- this helped me a lot, this conversation today helped me a lot, and it gives me a lot of good stuff.

And, Barb, I know, feels exactly the same way, it gives us some direction, and I think hopes bring it up front that we are going to be as inclusive and transparent as we can be. There's already an article that was written by a reporter yesterday that I would take some disagreement with, it says we are going to move towards a risk-based system, we have to have that done in three years. And, I tell you, we are already doing risk-based, we want -- as I said three times yesterday in my speech, a more robust risk-based system, and there is not an end point. It is a journey, I don't know where the end is. I'll be done some day, I'll be leaving, Barb, hopefully, will still be here, but there will be -- there will still be work for this Committee to do on risk-based. I don't think it ever ends, things change, and the issues change, and we are going to continue to need your help and advice.

So, for this two days thank you, I'm sorry I have to leave, but thank you for your work. It really has been helpful.

DR. HOLLINGSWORTH: I wonder if I could ask you a question, Dr. Raymond.

Yesterday you commented that you had some thoughts on the different kind of groups that we consider for who potentially should be the third party, including the NAS. I'm wondering if you would be interested in sharing any of your thoughts on that, so that this group has your input on how you see a third party, or what you would like to see a third party do.

DR. RAYMOND: Help me with the definition of the third party, I'm sorry.

DR. HOLLINGSWORTH: It would be the group that's either the NAS, the National Academy of Sciences --

DR. RAYMOND: Oh, I'm sorry, yes, okay, well, the NAS was something I had not thought about, quite frankly. I mean, that was another thing that just opened up a whole lot, so I don`t know. I'm

going to have to go home and digest all this.

NAS, seriously, I was in the back of the room most of that time listening, and NAS, historically, I think a lot of the comments that were made were right on, they are an excellent organization. They are almost beyond reproach, but they sometimes do not give you the stuff you need to move forward. It's a great fact-finding, scientifically-driven, and there are people who work with them a lot more than I have that I won't forget, I'll have to listen to some people, and I'm sure there are some private for profit entities out there that do wonderful work, and that the Agency has probably worked with in the past, maybe some of you. And again, I don't know who those entities are. A university consortium, I think, is a wonderful idea.

You know, there's some things that Barb mentioned, I think she explained it very clearly to you, there's some -- and I'm not sure the Federal Government as compared to the state government, but when I was working for the state if we did any intergovernmental transfer of funds we could do it in

a heart beat, but if we went to an outside entity it took three to six months because of the RFP process.

And so, that's, obviously, an issue also that I think we do need to look at as an agency, because I don't want to wait six months for an RFP, 18 months for a report, six months for this Advisory Committee, I'm back in Nebraska. I mean, so we will take all those things into consideration. I do not know what the third party will look like, and I'm not going to lean one way or the other today. I think it was a good conversation, and there's a lot of things we need to follow up, probably very quickly.

DEPUTY DIRECTOR TYNAN: I've changed my times, let's make it 10:30, and thank you, Dr. Raymond.

(Whereupon, at 10:13 a.m., a recess until 10:43 a.m.)

DEPUTY DIRECTOR TYNAN: Do we have a quorum? We are still missing a few.

Okay, we'll get started, they'll just miss the discussion.

We have Subcommittee 1, and we are going

to do that next, and I believe a couple of the Committee members have plane flights, so I'm going to, as Dr. Raymond did, thank everybody at this point, so in case anybody gets up and leaves in the middle at least I will have told them how much we appreciate the work and the effort for this meeting. So, I appreciate it very much, and with that, I'm going to turn it over to the Chairperson for Committee No. 1, which I believe is Mr. Kowalcyk.

MR. KOWALCYK: Yes, thank you.

This subcommittee, I feel, worked quite diligently addressing these issues, pertaining to the table and Mr. Derfler's presentation yesterday, and beginning to address the eight aspects of the inspection that were listed in the briefing papers, and how they specifically pertain to inspection.

We had a lively discussion, a lot of good ideas were shared. We were assisted by FSIS personnel, Casey recorded our minutes, and Bee took notes during our meeting. They did a great job.

Dr. Masters and Dr. Raymond also participated in this meeting, as did John Engeljohn

and Mary Cutshall, and their input was greatly appreciated.

The first aspect is the deployment of resources, and the questions we were given were, what do we think of the four factors that were highlighted in the using risk-based approach table, and I'm sure everybody has a copy of that. I'll go through those four aspects quickly, so that everybody can see where they are, and that it's on the record.

The hazards presented by type of product and production process, consideration of how likely it is that hazard will be manifested in a plant, significance of effects of hazard if realized, and ongoing assessment of establishments, food safety system, including interventions and testing.

In our report, and in looking over these aspects, the subcommittee agrees that these four issues are appropriate elements to consider in the deployment of resources in a risk-based system.

However, FSIS should evaluate each proposed element to specifically address how each would be incorporated in a resource deployment plan.

We felt that, generally, these were very good elements to include, but specifically how could they be applied to a risk-based system.

The primary focus of resource deployment should be on the reduction or elimination of public health threats that are most likely to occur. So, we felt that that should be the primary focus of resource deployment.

The second point led to our comments in the second paragraph, that consideration of the likelihood of various hazards to occur is an important factor in determining resource deployment. While this seems to capture the intent of a risk-based approach, this element appears to be too broad. FSIS should conduct analysis to specifically determine what data would best support the determination of the likelihood of a hazard to occur. In other words, we are asking the Agency to conduct analysis in order to determine what data, and I know this may step into the other subcommittee's turf, but what data would best support that determination.

Through that, gaps in data need to be

identified, as well as an evaluation of currently available data, and the appropriate use of this data in allocating resources.

Getting back to the stated elements, we felt that the Agency should undertake the following. The Agency should review the impact of various processes and technology have on risk. There was a discussion among us about different types of plants have different risks, and a good example was brought up is a very manually intensive plant, where it's a small operation where maybe they slaughter one animal and a week and it's all done by hand, versus a large, highly-automated plant. We felt that the Agency should keep an eye on those processes to determine what differences there are pertaining to hazards.

FSIS should evaluate current research regarding the likelihood of various hazards to occur, and how variables such as product, processing, species, historical plant performance, as well as seasonality, impact risk. An example would be higher prevalence of E. Coli 0157h7 during summer months.

And, we felt that an evaluation -- there

is quite a bit of research that has been done in those fields, so an evaluation of the current research would be useful.

Also, do evaluate which hazards would have the most significant impact on public health. Basically, put resources towards the hazards that are most detrimental to the public safety and health. Obviously, severity of effect should be considered.

The final element, which would be the ongoing assessment of establishment's good safety system could help FSIS focus resources where they are needed. Through testing and continuous evaluation of intervention processes, FSIS may be able to more effectively allocate resources to address food safety problems proactively.

The Agency should review its data and processes as they relate to resource allocation and current HACCP system.

Again, there was discussion among the subcommittee about industry adopting HACCP, and the Agency evaluating those processes, and how resource allocation with respect to an inspection can be best

adapted to monitor under the environment of HACCP.

I guess that's issue one, if the Committee has comments or other subcommittee members have comments they'd like to add, that would be great, and then we can address those and then move on to question 2.

Anybody from the subcommittee have anything to add?

Mark?

MR. SCHAD: Yeah, I just wanted to comment, we were talking about the small -- very small plants being manually, versus the large automated plants, that's not necessarily meant that manually intensive was a bad thing, it can in very many cases be a good thing, less chances of hazards occurring.

MR. KOWALCYK: Right, I think that comment is well taken. I don't think -- I think in the spirit of our meeting was, there's just different needs. I mean, your plant, versus a large plant in Indiana somewhere, I mean, your issues, your day-to-day issues are much different than theirs. You know your employees very well, you are almost like family,

whereas, some of the larger plants have higher turnover. So, there's different issues, so I think it's not more that one is riskier than the other, I would argue that it's just different needs.

Dr. Harris?

DR. HARRIS: I guess very similarly, I had sort of focused on a little different sentence, but it is almost a similar issue. Look in the last paragraph where it talked about continuous evaluation of intervention processes, I would be more interested, I think, in outcomes than processes. You know, is the product that comes out the other end safe or less safe or whatever, so I guess I was a little curious as to what was specifically meant by continuous evaluation of intervention processes, when you guys were talking about it, what were you referring to in that?

MR. KOWALCYK: Well, I think that we did focus pretty much on processes, as to where, looking at different plants, and their activities, and where the Agency may benefit from a reallocation of resources based on what interventions are there.

I would agree that maybe the addition of

also outcomes, based on testing, would be another thing that is important and should be looked at. So, I would have no problems with adding that to the language.

MR. LINK: I think -- this is Charles, just real quick, we also addressed in the work to be done, and actually talking about interventions and sharing best practices, the focus was really on the outcome, not so much the what are you doing, what's happening with it. So, maybe we do need to change some of the language there.

MR. FINNEGAN: Our thought process here was even FSIS actually use the HACCP analysis to determine the hazards, where plants are using HACCP hazard analysis, that we as an agency would use that same thought process to determine the true hazards, and keeping in mind the very small plants, like Michael had reiterated, that the hazards are different, not talking about that they are riskier, but it's just a different process.

We have small plants that make everything, I mean, they slaughter, they grind, they beef jerky,

they have to do it all.

MR. KOWALCYK: Is there a language change that we are proposing?

Mr. Govro?

MR. GOVRO: Would it suit both your needs to say through testing and continuous evaluation of the effectiveness of interventions, that gets to to outcome.

MR. FINNEGAN: Yeah, I would be comfortable with that.

DEPUTY DIRECTOR TYNAN: Does that work for the group?

MR. KOWALCYK: Are we comfortable with the last sentence?

MR. LINK: To get to -- I'm drawing a blank, I apologize, that last statement, maybe --

DEPUTY DIRECTOR TYNAN: Shall we go back around the room and introduce ourselves?

MR. LINK: -- just having a moment here. The Agency should review its data and processes as they relate to resource allocation, utilizing the HACCP approach. Is that what we are trying to get to?

MR. KOWALCYK: Mr. Elfering?

MR. ELFERING: Just to maybe add a little bit to that is, using the HACCP approach, we could actually conduct a hazard analysis, based on -- and that would be establishing the risk of the facilities, you would establish your critical control points, and then that would be intensified inspection. The critical limits would be making sure that those inspections are met on a higher frequency or on a higher priority. Providing corrective action is by reassigning inspection responsibilities, if you have to have corrective action. Record keeping you have already with PBIS, and validation could be reduction of food-borne illness.

So, in other words, we would have FSIS embrace HACCP, as they would want the industry to embrace it.

MR. KOWALCYK: Would you recommend that we add that to our recommendation? How did you want to word that in here, or do you think this is sufficient?

MR. ELFERING: I think it's sufficient, otherwise it will get rather wordy. I think just

using the HACCP approach to do risk analysis.

DEPUTY DIRECTOR TYNAN: You were simply explaining the implications of that statement.

MR. ELFERING: Yes.

DEPUTY DIRECTOR TYNAN: Dr. Harris?

DR. HARRIS: Just to nitpick a little bit, would you guys be opposed to using the word, the term HACCP-like approach? I mean, I don't usually think of HACCP for resource allocation. I mean, it's sort of semantic, but at the same time HACCP really is designed to control specific hazards, and I think the resource allocation, if we called it a HACCP-like approach, we would sort of convey the message, but it's really not HACCP.

MR. ELFERING: We could maybe even just put using the concepts of HACCP, something that we kind of do already with the livestock industry, they really can't apply HACCP, but they can apply those principles.

MR. KOWALCYK: So, we would want to change that to utilizing a HACCP-like approach.

DEPUTY DIRECTOR TYNAN: Or, concepts of

HACCP.

MR. KOWALCYK: HACCP concepts, okay.

DEPUTY DIRECTOR TYNAN: And, Mr. Finnegan, you had a comment?

MR. FINNEGAN: Yeah, just to back up what Kevin said, to me that's a fair way to do something, using the HACCP principles, HACCP approach, it would be more fair between the very small and the large plants.

DEPUTY DIRECTOR TYNAN: Dr. Hollingsworth?

DR. HOLLINGSWORTH: The only thing I was going to add there is that, actually, HACCP is a risk-based approach, and maybe taking HACCP out and going back to a risk approach is more inclusive. If it said that, you know, use the -- review data and process as they relate resource allocation, and use basic risk -- or, use risk principles, a risk-based approach.

I think that there are other risk-based approaches, particularly in areas like food defense and all, that are used that are not HACCP. So, maybe it's almost too confining to exclusively limit it to HACCP, as opposed to the whole spectrum of risk

approaches.

MR. KOWALCYK: So, that would lead us to changing the wording to utilizing a risk-based approach.

DR. HOLLINGSWORTH: Yes.

MR. KOWALCYK: Risk analysis.

Okay, any other comments on the first issue?

CHAIR MASTERS: This is Barb Masters.

If you go back up, I have a question for the subcommittee on at the top of your -- going back up, going down a little bit, on the data part. You say gaps in data need to be identified as well as the evaluation of currently available data and the appropriate use of this data, and allocating resources. Are you being all inclusive of data, including FSIS data, as well as industry data, as well as research data, or was that intended to be specific to a certain type of data?

MR. KOWALCYK: I would say initially it would be FSIS data, that, you know, what data does FSIS have that can guide this approach, and then by

identifying those gaps then the Agency could find, okay, well maybe there is some level of data outside of what the Agency is currently collecting, either another entity is collecting, or the Agency would make the case for collecting that data to fill in those gaps.

DR. CARPENTER: Dr. Masters, Subcommittee 2 is looking at data, we will elaborate on that further.

CHAIR MASTERS: Is there any changes we could make, I think it's important to identify that in your report so we understand what the intent of that bullet was. Does that capture what you are looking at, Michael, or is there anything you could say, say once we've identified our own gaps that we would look to other sources of data, or -- I just want to be really clear on what the recommendation is here.

MR. KOWALCYK: Well, basically, the second sentence to say, determine additional data needs to meet -- to fulfill the goal of a risk-based inspection system.

CHAIR MASTERS: Thank you.

MR. KOWALCYK: To determine additional data

needs that would enable the Agency to implement a risk-based inspection system.

Any other comments on issue one?

DEPUTY DIRECTOR TYNAN: Mr. Finnegan?

MR. FINNEGAN: Mike Finnegan.

Yeah, we had a lot of discussion, part of the data would be the plants' data too that Dr. Raymond was talking about collaborating with the plant on a positive attitude, that they are willing to share their data of sampling and so forth, that that would also be included in our data there. We had quite a discussion on that.

DEPUTY DIRECTOR TYNAN: There's no language change, though, does this capture the ideas that you have?

MR. FINNEGAN: I believe so. You know, there's a lot of Parts 2 data, but that's one of them that we discussed in detail.

DEPUTY DIRECTOR TYNAN: Okay.

MR. KOWALCYK: Okay, moving on to issue two, work to be done. In Mr. Derfler's presentation, work to be done under a risk-based approach, from the

presentation it states, "Work will vary based on evidence of risk. While there are basic procedures that will need to be done with some regularity, the system will be designed to be responsive to inspectional findings through the use of the decision criteria that will be designed to help inspectors."

The first question asked us by the Committee, or by the Agency was, do you believe that there are ways other than decision criteria to guide inspectors as they perform their activities?

Our recommendation is to establish an inspection system that is responsive to inspection findings. The Agency seeks to apply decision criteria, decision criteria for inspectors are currently in the field for the one directive we discussed with Dr. Engeljohn. The Agency states that this methodology has been well received by inspection personnel and believes it has been an effective tool. The Committee recommends additional evaluation regarding the effectiveness of the current decision criteria process.

One thing that was discussed in our

meetings was the flexibility, and we feel that this process also needs to be flexible enough to efficiently address changes in inspection procedures/best practices. Some example of how evaluation can be done through a review of the PBIS system, that was brought up among the subcommittee.

There was some questions about better ways to do so, and opportunities to investigate as part of our recommendation. One would be to evaluate basic inspection procedures and to define inspection in today's environment, what is currently being done is the essence of that.

To understand the industry's top food safety practices, to identify current standards and how inspection can improve upon those standards, and we talked in our meeting about the top things that a producer needs to do every day to assure that they are producing safe product. What do they see as the top priority, and we felt that the Agency needs to develop a very firm understanding of what those are, and then it could possibly help guide inspection activities to focus on those things where maybe some plants are

failing along those priorities.

Evaluation of current HACCP. HACCP work assignments split to determine if efficiencies can be gained in non-food safety procedures. This gets to the traditional approach of the presentation, where under HACCP assignments 70 percent of assigned procedures are devoted to food safety, while the other 30 percent to other procedures designed to protect consumers, OCP, other consumer protection.

We recommend evaluating that current split to see if efficiencies can be gained with respect to the non-food safety procedures.

Now, we talked about does it split 90/10, or 85/15, we don't -- it doesn't seem like we have enough information to make that determination, and maybe that's something the Agency, through its evaluations, could do.

Evaluate current practices to identify opportunities to improve plant and inspector collaboration, and that goes to the point discussions of looking at the big picture of what is the plant doing to assure safe product, and then some of the

minor procedural things, such as whether it's a signature on a document or initials on a document, you know, where should the inspectors prioritize their focus when in a plant.

And then finally, capture industry success regarding food safety intervention. This is to identify those in the Agency that are doing a good job at inroad processes to prevent food that can be contaminated from going into the food supply, and helping engage with them in the development of best practices aimed at improving public health.

Now, those were the two topics that we were able to address in our time yesterday. We were actually booted out of the room. So, the other issues stated in Mr. Derfler's presentation are, obviously, very important, and I'm not going to speak for the subcommittee, but for myself, you know, should probably come back in this forum or a forum like this to be addressed at a later date.

Does anybody on the subcommittee have anything to add?

Charles?

MR. LINK: Yeah, thanks.

We were kind of word smithing this thing at the very last minute, and a couple of the notes I've got didn't necessarily get transferred up here, so I want to go back up to the second bullet point. I think what we discussed there was to change that, to understand the industry's top food safety practices to identify current standards utilized to improve public health. The intent behind that I think was for the Agency to understand that we had discussions, what are the top ten or top 20 things that we do as an industry to ensure that we are producing safe food, that, you know, if we had to choose what are the five things we wouldn't do today, from the ten that we would do, to make sure we don't have a problem. So, that was the intent behind that, understanding what our top food safety practices are, but to brief public health.

Is that fair to say?

And then the other comment I had down was, in the next bullet point where we are talking about gained in non-food, was to really spell out, I guess, in food safety versus other consumer protection

concerns, issues, as opposed to non-food safety.

DEPUTY DIRECTOR TYNAN: Charles, how would you propose then to change that?

MR. LINK: Split determining efficiencies to be gained in Agency focus on food safety versus other consumer protection concerns, issues.

DEPUTY DIRECTOR TYNAN: You want it to say on food safety versus other consumer protection concerns?

MR. LINK: That's what we were talking about trying to identify that currently 70/30, should it be 90/10 or whatever, I guess that was what we were trying to get to. And right above that it says -- just take out that word other, just before food. No, the other other.

DEPUTY DIRECTOR TYNAN: Too many others.

Does that capture your thinking, Charles?

MR. LINK: I think so. I think it clarifies that bullet even more.

DEPUTY DIRECTOR TYNAN: Mr. Finnegan?

MR. FINNEGAN: I wonder if we should even clarify it farther, so somebody that is reading this

knows that we are talking about the word safety split, what we are talking there is the 70 percent food safety and 30 percent other procedures.

MR. KOWALCYK: Do you want to put that in parentheses after split?

MR. FINNEGAN: In parentheses after split, just to define so that anybody who reads this knows what we are talking about, after split, 30 percent -- or, 70 percent food safety, 30 percent other procedures.

MR. KOWALCYK: Okay.

Dr. Harris?

DR. HARRIS: A couple of questions. One of them is already on the screen so I'll start with that one, back to that second bullet point again. What do we know about the linkage between food safety practices and improvement in public health? That's one we got into, talking about in our data session last night, is the difficulty we have in tying a specific practice to a specific improvement in public health. So, I guess my question there is, how do we get to where we understand how those particular food

safety practices are impacting public health. I don't really have a suggested improved language, or, you know, change in the language here, I just question if that's really, you know, how we get there.

And, the other one I had, and we can talk about that one first if you want and then I'll point out the other one, or just -- we need to look at another section, since I don't have a copy of that in front of me, but as we went over it I wanted to look back.

DEPUTY DIRECTOR TYNAN: Your issue there is, is there a linkage between best practices and food safety gains, is that -- do I understand?

DR. HARRIS: Well, my point is, I'm not sure that we know the linkage between any particular food safety practices and how they impact public health. Intuitively, obviously, we think they do, and believe they do. My question there is, how is the Agency going to understand that? We are recommending that the Agency try to understand it, how would they go about that?

DEPUTY DIRECTOR TYNAN: All right.

MR. KOWALCYK: I think that gets to the heart of the matter, actually, is being able to identify, through food attribution and data of the like, to identify, these interventions are ultimately effective, and that is a gigantic data issue.

DR. HARRIS: I guess the point is, I don't want to just imply that because a particular entity, a particular company, has a lot of cool practices that automatically that's an improvement in public health.

MR. KOWALCYK: Sure.

DR. HARRIS: Without data to support that.

MR. LINK: Can we -- this is Charles -- can we change it to say something along the lines of, current standards utilized to ensure the production of safe food?

DR. HARRIS: That I think would be a more direct approach.

DEPUTY DIRECTOR TYNAN: Could you say that again, Charles?

MR. LINK: To ensure the production of safe food, safe food.

DEPUTY DIRECTOR TYNAN: Is that consistent

with your thinking, Michael?

MR. KOWALCYK: I believe so.

DR. HARRIS: The other one I just wanted to look at again, because I may have a question about it, scroll up to the little section where it made reference to PBIS -- there it is, evaluation, I just want to reread that sentence.

Is the subcommittee suggesting that the Agency evaluate their PBIS system and how it could be improved, or is it suggesting that it should mine the current system for data? When I see the word review, I'm curious as to whether you meant review whether or not the PBIS system should be changed on what data it collects, or are you just suggesting that the data be pulled out of the PBIS system?

MR. KOWALCYK: I think we were suggesting the second, where utilizing that information to determine if the decision criteria process was effective, put some structure around, okay, the decision criteria process has been received well so far, is there other evidence to support that? So, it was more of like mining into that data, rather than

changing that system.

DR. HARRIS: Is that -- when we get into the data discussion, we did have some discussion about what data are available through the PBIS system, and are those data capable of providing the kind of information that would be useful.

DEPUTY DIRECTOR TYNAN: Is there a language change, though, am I hearing the group say that there is a language change for this particular sentence to clarify that?

DR. HARRIS: I don't have any direct -- I mean, I was just trying to get clarification on the bullet.

MR. LINK: I'll recommend one, since I've got to choose the word smithing.

DEPUTY DIRECTOR TYNAN: Mr. Link, would you recommend one?

MR. LINK: Because we actually did use the exact term "mining data," but maybe we should say evaluation could be done to thoroughly understand the data provided by the PBIS system, or should be done.

DEPUTY DIRECTOR TYNAN: Could you repeat

that again for us?

MR. LINK: Evaluation could be done to thoroughly understand the data provided through the PBIS system, or a thorough review of the data, maybe that's a better way to say it.

DEPUTY DIRECTOR TYNAN: Thorough review of the data?

MR. LINK: Provided by or through the PBIS system.

DEPUTY DIRECTOR TYNAN: Okay, thorough review of the data, okay.

MR. LINK: Provided by the PBIS system.

DEPUTY DIRECTOR TYNAN: Of the data, provided by the PBIS system.

MR. LINK: Just say, the evaluation could include a thorough review of data, I would say, could include.

DEPUTY DIRECTOR TYNAN: Mr. Kowalcyk, that works for you?

MR. KOWALCYK: Yes.

DEPUTY DIRECTOR TYNAN: Okay.

MR. KOWALCYK: Any other comments from the

subcommittee?

Mike?

MR. FINNEGAN: Mike Finnegan.

I'm just throwing you a saw here. I wonder if we should clarify what we mean by data. You know, data, you know, could include NRs, positive samples, negative samples, the PBIS, the establishment's records that they are willing to share with us on a good faith basis. I'm just throwing that out, if we need to clarify what we mean by data. It's a long list.

DEPUTY DIRECTOR TYNAN: Perhaps we could hold that thought until Dr. Carpenter's report. Would that be something you'd want to address there? Okay. Okay, so hold the thought. Good thought, just timing. Timing is everything.

Any other questions?

Mr. Link, are you -- you know how we respond to those things.

Are there other questions or thoughts? So, we have consensus on the report as it is written? Yes? Cool. Okay.

CHAIR MASTERS: This is Barb Masters. I do want to ask one question.

Mr. Kowalcyk raised the point that the subcommittee felt it important for the rest of the subcategories to be addressed, and does the subcommittee want to capture that thought in their report?

DEPUTY DIRECTOR TYNAN: Could you repeat that?

CHAIR MASTERS: Mr. Kowalcyk raised the point that the rest of the categories in the chart should be addressed in some format. Does the subcommittee want to address at lease re bullets at the bottom of the report that they would like the opportunity in some format that the rest of those questions should be addressed? Would they like that in their report?

MR. KOWALCYK: I think it could be added. I think we could also add that added with some more specific examples and questions behind them. These are very general questions.

So, I think if we had a little more

structure we could tackle more of these within a meeting, say the subcommittee feels that the additional aspects should be addressed at a future date -- feels the additional aspects of an inspection need to be addressed at a later date, and that -- well, and that additional background information should be provided by the Agency.

DEPUTY DIRECTOR TYNAN: So, will the Committee put that to a vote? I think we still have consensus, even with that addition. Okay.

Could I suggest before we begin Subcommittee 2, in the interest -- I know it's warm in here, seriously, we'll take no more than a ten-minute break, that would put us at 25 til, and that will allow some of the folks that may have to get to the airport to successfully do that, and we'll come back, that will give us time to get the next report up and be ready for the Committee.

So, ten minutes max, please.

(Whereupon, at 11:25 a.m., a recess until 11:37 a.m.)

DEPUTY DIRECTOR TYNAN: We're going to

address Subcommittee 2, and we are going to try and get a copy for you so you'll have something before you leave.

So, we are going to have Subcommittee No. 2, and I'm going to let Dr. Carpenter lead the discussion now.

DR. CARPENTER: Thank you, Robert.

At the outset, I want to point out the diligent efforts of the Committee members, which included Andrea, Jill and Sandra, Gladys, Joe and Michael. You notice first names aren't repeated much until we get to Michael, and we have three on the Committee, three Michaels. You know, we definitely have our leader Barbara, only one Barbara, and, of course, we have Robert, who is sure to implement and enforce the FSIS addition of Robert's Rules of Order. Thank you, Robert.

I think at the very outset, as we initiated our discussion of risk-based data, and we are going to have it on the screen eventually, right, okay -- well, I should also point out that our technical consultants included Philip Derfler and

Bobby Palesano, I'm sorry, I'm going to crucify his name, and also Dr. Arrington and Bryce Quick, and members of the public also had comment.

At the outset, the committee concluded, not with consensus, but unanimity, that the scope of the challenge was well beyond our capabilities in the time frame allocated to deal with it. The issues of data for feeding into risk-based inspections is, obviously, critical, very large, very complex, and rather than addressing each of the issues that Mr. Derfler outlined in the table we decided to address the data universe, if you will, in a very concise, succinct manner. Okay?

So, if we look at what is on the screen, the subcommittee was charged with addressing a three-part question, questions and answers are as follows.

Will data be appropriate for designing and implementing RBIS? The asterisk is there at the insistence of Jill, who made some significant inputs just a little while ago to the edition that you see before you, and so it's for the Committee members to either embrace or to reject as we look at this

expanded version.

Data needs cannot be identified exclusive from the development of the RBIS. The design of the RBIS will define data needs.

Going on with the three-part question, part A, how should the Agency obtain the data? Agency needs to consult with the relevant experts in order to identify from within the universe of possible data the data needed for a risk-based inspection system that would improve public health. Emphasis on public health data.

Once necessary data is identified through the process set out in No. 1, the Agency then needs to determine if any of the data that it already collects falls within the identified data need. Agency should consider posing questions, are there ways to make the data collected by in plant inspectors more specific? And, this particular one we are looking at reports from inspectors that are codes associated with NRs et cetera, and there just isn't enough specificity associated with that.

The second bullet point, are there ways to

correlate the various data sets that already exist? In the discussion we talked about Dr. Masters' referral to stove pipes, this being agriculture. Some suggested really silos, but, you know, you know what I mean, we need to integrate those data.

Point No. 3 under Part A, the Agency should work with the industry to determine what data is needed, what data is already available, and the ways to collect and share the data. Proper assessment should be done to ensure accuracy, consistency, reliability.

Let's address just A, suggestions, consensus, improvements. Silence is golden or what?

Michael?

MR. KOWALCYK: Michael Kowalcyk. Was there any discussion regarding public health data? I think one of the problems is, is that in a lot of cases the food-borne illness victims don't know what made them sick. There's really no good way to trace that to its source. I mean, personally, I have a case where I fall in one of those, and my family falls in one of those, where we have evidence but we don't ultimately

know.

As to discussion, was there any discussion within the subcommittee about public health data, also trace back, animal ID, things like that, was that discussed in the subcommittee as a possible means for developing data that would guide a risk-based system?

DR. CARPENTER: We discussed attribution and the data -- go ahead, Sandy.

MS. ESKIN: I was going to say the same thing, we discussed attribution and talked about different types of data, but I think we intentionally kept the description very general, in fear of, perhaps, by specifically mentioning something, perhaps, making people think other things weren't there. I mean, if you think we need to be more specific, then we can certainly look at more specific language.

DR. CARPENTER: I think we didn't use the word attribution, when you coin the phrase, the universe of possible data, which would include public health data that we would have to go to in order to generate that which would answer those questions.

MR. KOWALCYK: If we could add that language, call that out public health data as an example, including public health data.

MS. ESKIN: I think what Mike is saying, under one it says, again, the Agency needs to consult with the relevant experts in order to identify from within the universe of possible data, we could put in parentheses, including public health data.

MR. KOWALCYK: I think that's fine. I think it should be in there just because it's a separate source of data, so, I mean, ultimately, since improving public health is the goal, okay, it's different than actual data about public health.

DEPUTY DIRECTOR TYNAN: Other comments?

Michael, you had some comments on data earlier that we asked you to sort of hold.

MR. FINNEGAN: Right, and I think Mike and Sandra covered it, I just wonder if we should be more specific what data is. You know, it is, it's the universe of data, so that's satisfied.

DEPUTY DIRECTOR TYNAN: Okay, so you are satisfied.

DR. CARPENTER: All right, moving on to -- you are okay with No. 2, and 3 as stated here.

All right, scroll up to -- demonstrate all of B -- thank you, is the Committee aware of the type of data the establishments or other customers use to identify emerging problems in an operation? How can FSIS get access to this data, if it does not presently have it?

The subcommittee is not familiar with data used by establishments and other customers, and their customers, to identify emerging food safety problems. We urge the Agency to communicate directly with industry representatives to learn about this data. The Agency and industry should collaborate on identifying data needs, data gaps, and best methods for collecting and analyzing the data.

Response to B.

Mr. Elfering?

MR. ELFERING: I'm just wondering if you would even want to consider putting something in there encouraging FSIS to reach out to the state agencies that have data, that they are not already getting. We

do sampling all the time in retail establishments that may or may not have -- most of them are going to have some association with meat and poultry, and I think that we would be very willing to share that data, even with the PFGEs that we are doing Listeria and E. Coli that may be of some value to the Agency.

DR. CARPENTER: So, the recommendation is to insert to urge the Agency to communicate directly with industry representatives and state representatives? Oh, okay, thank you, and state agencies, okay. Should stage agencies be repeated in the next sentence? Is there a need there for that?

Sandra, yes, no? Is this satisfactory?

Mr. Elfering, does that capture the essence?

DR. LOGUE: Just so I can clarify Kevin's point, what kind of state data are you thinking of, because I'm concerned about if you say something like retail establishment meats, but how do you know that contamination of whatever the hazard is didn't occur there, as opposed to something back to a plant. So, we have to be careful how we define that, I think.

MR. ELFERING: I think one of the things that we've really found valuable is, using molecular subtyping, so that even if we would find a particular species -- well, let's use Listeria monocytogenes, if we find a particular subtype with that molecular subtype in a delicatessen doing environmental samples, and FSIS has the same molecular subtype that they have obtained in a sample of product that they've maybe sampled at a facility, it might be of some value to just, what is actually what we are finding out there as far as the different types of subtypes of Listeria, similar to what's already being done on pulsenet.

DR. CARPENTER: And, to the question, should greater specificity be outlined in this response, recommendation?

DR. LOGUE: That's up to you, but I just needed -- I just needed to clarify the type of data, be careful how we use it, because maybe we end up tracing something that didn't come from a plant, that came from at the retail level. So, we just need to be careful that we do that.

If we are trying to build an RBIS at the

production level, my logic here, I'm just trying to figure a way that we make sure that we don't end up building it the wrong way.

MR. ELFERING: And, I think whenever we do the surveys like this, if we are taking product samples, we are always making, you know, we are identifying whether they are considered to be an in-tact or a non-in-tact sample, but let's just say that we're finding persistent in an environment in a deli a particular molecular subtype of Listeria, and they have products that are coming from 20 different facilities, and all of a sudden they have the same molecular subtype on a particular product that they've sampled, we might be able to correlate where that contamination actually occurred. Did it come in from a product into the retail establishment, or is it something that's persistent in their environment?

MR. ELFERING: Well, as the characteristics of the risk-based inspection process evolves, won't that direct the kinds of data that would enhance the development of that, so it will probably fall out as we get more specificity in that process. Okay.

Jill?

DR. HOLLINGSWORTH: I think, though, in this particular section, Part B, the question was specific to accessing industry data. I think, though, Kevin's point is a good one, and maybe above it at the end of point number -- where we had No. 3 right above this.

DR. CARPENTER: It's part of A.

DR. HOLLINGSWORTH: Yeah, maybe there, where No. 3 is there, we should add a 4 and say, other sources of data including state agencies, federal agencies, because that will capture the CDC thing, and research data, published research data, should all be taken into consideration, and then that sort of covers everything.

DEPUTY DIRECTOR TYNAN: Dr. Denton?

DR. DENTON: Jill just stole my thunder.

DR. HOLLINGSWORTH: Thanks for the idea.

DR. DENTON: Include research institutions, including academic, as well as other types of research laboratories, there's a wealth of information out there in the published literature.

DR. CARPENTER: Okay, please give us assurances that No. 4 captures all of those items.

Okay, members concur, that's No. 4, part of A, that's appropriate?

MS. ESKIN: Sorry, if we put it up there, are we going to take it out of the question?

DR. CARPENTER: We have to take it out of the --

MS. ESKIN: We just put it -- state agencies is in that recommendation in two places.

DR. CARPENTER: In the line above right there.

MR. ELFERING: Just a point. You may want to keep it in there, I mean, not exclusive to FSIS, but state agencies are doing those work as well, and they should be collaborating with the industry too, to be getting information. So, I would say leave it in there.

DEPUTY DIRECTOR TYNAN: On LaVonne's behalf, how do we want to do that? Is the Committee comfortable putting it back in? Okay. WE have a winner on that one? All right. Moving right along.

DR. CARPENTER: Moving on to C. If the industry data is used, how does FSIS ensure data quality? Recommendation, how to ensure the quality of data will vary depending upon the type of data that is at issue. The Agency can begin by looking at how it ensures the quality of industry data that it currently reviews.

Does it need to expand beyond this? Is there a need to be more specific, prior data?

DEPUTY DIRECTOR TYNAN: Dr. Leech, you had a comment?

DR. LEECH: Are there any ways to set some standards for what needs to be done, left to the scientists to make data be considered reliable, and that you could say that you are looking at those? I mean, I don't -- I know that you are saying look at what you are doing now, but it sounds like we don't have any idea of what encompasses what we would call quality data. So, is there a way to -- and I don't mean today, because I don't think there's any way to do that at this point, but because that's something that needs to be done in order to deal with this.

We've sort of tried before, I think.

DEPUTY DIRECTOR TYNAN: Let me understand, to give --

DR. LEECH: Maybe set some criteria for what we'd like to know something is quality, in terms of data.

DEPUTY DIRECTOR TYNAN: I'm sorry, comments on that comment?

DR. LEECH: Yes.

DEPUTY DIRECTOR TYNAN: Okay, we'll start with Mr. Govro.

MR. GOVRO: My feeling is that our answer to the question is that we really can't answer the question unless it's made more specifically. So, to go into that subject now I think is premature.

DEPUTY DIRECTOR TYNAN: Ms. Eskin?

MS. ESKIN: And, building on what Mike just said, again, I think the threshold response of the subcommittee was, we are not the right people to be able to set these criteria, but here's how we think this should go. So, I think the intention down the road is that certainly will be part of this whole

process.

DEPUTY DIRECTOR TYNAN: Mr. Kowalcyk?

MR. KOWALCYK: Just to pile on that issue. It was addressed in question 5 also, is people that are data experts should be part of that group to address that specific question.

DEPUTY DIRECTOR TYNAN: Mr. Link, you've decided not to pile on?

MR. LINK: I think Michael covered it. I guess the question is, who is really qualified, and we ought to make sure we've got experts in the field to make those calls.

DR. CARPENTER: All right, consensus on C and its recommendations? Thank you.

That concludes Subcommittee 2's reports.

DEPUTY DIRECTOR TYNAN: Final chance for comments before we go to the vote?

MR. LINK: I do have a question.

DEPUTY DIRECTOR TYNAN: Oh, I'm sorry.

MR. LINK: If we are going to go down the road of maybe we ought to be relying on expert data -- experts, should we make that statement in here, that

instead of the Agency needs to look at it, maybe the Agency ought to defer to data analysis experts, potentially, this third party that we talked about in the Question 5.

DR. CARPENTER: Charles, how do you want to word smith it?

MR. LINK: I don't know, I was just asking the question, should we. So, if you agree that we should review it, then we'll come up with language for it.

DR. LOGUE: I'm inclined to agree with Charles that we should say something here.

DEPUTY DIRECTOR TYNAN: Dr. Logue, I'm sorry, I'm having trouble hearing.

DR. LOGUE: I'm inclined to agree that we should say something here, because we've got to have a criteria on what do we call quality data, and are you anymore qualified as the Agency to select it versus somebody else? So, we need to set that standard up, if that's what you want.

DEPUTY DIRECTOR TYNAN: So, the recommendation then would be to have someone develop

that criteria that's qualified?

MS. ESKIN: Maybe we can answer that by scrolling up maybe to the top of the second -- maybe in that recommendation, the subcommittee is not familiar with the data used, and if we scroll down, maybe we could include some reference to that third party study as being part of the process.

Again, I think our understanding is that this third party process would give us recommendation as far as designing a risk-based inspection system and the data that's necessary. So, maybe we can say that in fewer words right where the cursor is now. We could say the subcommittee assumes that the third party report would identify this data, and then maybe add based on the report recommendations we would urge, and then continue with it the way it is. Does that capture what you are looking for?

MR. LINK: And then, maybe the very last one would just refer back to the third party report to help clarify the validity of the data, industry data, quality of the data.

MS. ESKIN: So, the next recommendation,

and you could just add at the end there, and can consider the recommendations in the third party report that address data quality issues or data assurance. I don't know what the proper terminology is for the quality.

DEPUTY DIRECTOR TYNAN: I'm sorry, Mr. Kowalcyk, do you have another comment?

MR. KOWALCYK: Yeah, maybe a possible addition to No. 4 up above, looking at sources of data. Other countries that have implemented risk-based systems, should we advise the Agency to look into what data those countries utilized to facilitate their risk-based system? I think New Zealand and Canada come to mind. Maybe that data would be of some use.

Now applying what they do versus how our system works may be difficult, but just as another source of information.

DR. CARPENTER: International.

MS. ESKIN: I don't think I'd use the international, it really is comparative, in other words, you are not looking at some international body,

you are looking at other countries' systems. So, rather than using that, and maybe data collected by food safety agencies in other countries.

DEPUTY DIRECTOR TYNAN: Does that get to your issue?

MR. KOWALCYK: Yeah, I think that's a good addition.

DEPUTY DIRECTOR TYNAN: Dr. Leech, does that sort of get to your issue as well? Okay.

MR. Finnegan?

MR. FINNEGAN: I just wanted to make one comment. I like the word state agencies, because it's all encompassing, because the local health departments are also sampling, and I know they have available data, and I just wanted to make that comment.

DEPUTY DIRECTOR TYNAN: Is there some change that we need to make?

MR. FINNEGAN: No, no, I want to leave state agencies, which includes also the local health departments and they are sampling more and more of the retail, which was Question 5 on our list.

DEPUTY DIRECTOR TYNAN: Okay.

MR. FINNEGAN: So, I wanted to leave state agencies.

DEPUTY DIRECTOR TYNAN: We want to be sure that we get all your comments on the record. So, we have a winner on No. 2, consensus yes?

Oh, I'm sorry.

CHAIR MASTERS: This is Barb Masters. Do we want to put a comment at the bottom of this report about being inclusive to the other sections of the chart that are not considered, as we did with the other reports? That would be a question to the subcommittee chair.

DR. CARPENTER: Excellent suggestion. I think we definitely have to address it to a base inspection, cut and paste.

DEPUTY DIRECTOR TYNAN: We'll do that.

DR. CARPENTER: Okay.

DEPUTY DIRECTOR TYNAN: So, with that addition, we have a winner, is that correct? Okay, perfect. Okay.

I think we are done with the reports. What I will propose to do is, we'll take these back,

maybe do just a touch of editing, in terms of grammatical, spelling, all that good stuff, no changes in content or substance, and then I'll send that back out to you when I send out the note regarding volunteers, so that you can take one more look so if there's any issues that we somehow may -- I don't think we did, but if we put something in the wrong place you can speak now or forever hold your peace. So, I'll do that as well, give you one more opportunity to take a look at it.

And, with that, I think I'll turn it back over to Dr. Masters, maybe for the closing. We have a couple of briefing papers.

CHAIR MASTERS: Okay, we have a couple briefing papers and public comment.

So, as more of you make planes, I want to thank everyone for their hard work. I think we've got a lot of input. I know, particularly, we had a lot of interest around Question 5, and I think we got a great -- lot of substantive input there, and I think you made a lot of progress on even the questions. So, I appreciate all the work of the subcommittees and the

Committee.

So, we will move to the updates and the public comment, so we want to make sure we get to those.

MS. ESKIN: May I ask that we do the public comment first, because, obviously, I think it is between the two people that need to be here.

CHAIR MASTERS: Absolutely, we will do that, and then we'll get to the final briefings. So, we will do that.

I just wanted to make sure I got the thank you in for those of you that are running for the door so I don't chase each of you to the door.

We will do that.

DEPUTY DIRECTOR TYNAN: So, should we do the public comment?

CHAIR MASTERS: Yes.

DEPUTY DIRECTOR TYNAN: I don't have the sign-up sheet with me, did anyone sign up for public comment this morning?

Can I ask you to come up to the microphone here, and please identify yourself and your

organization. You can use that microphone right there.

MS. NESTOR: Hi, I'm Felicia Nestor, and I'm with Food and Water Watch. I just wanted to make a comment about, there's been a lot of talk about approaching a third party to assist with the work of the Committee, and I wanted to talk about this report, "Scientific Criteria To Ensure Safe Food," which is the most recent report by NAS on these issues, and point out, you know, there's quite a significant mistake in this report, which I think provides a cautionary note to how the procedure is going to continue here.

In a chapter on FSIS, USDA inspection, and in a section called, "Review of Current Standards for Meat and Poultry," the section is talking about the sampling frequency under the Agency's two cornerstone scientific programs, generic E. coli sampling, and the pathogen reduction salmonella sampling. Those two programs are extremely different.

The generic E. coli is based on the volume of production, the salmonella sampling is based on

sample sets that are randomly assigned. Possibly a plant will have a sample set each year.

So, in the report it says the sampling frequency for the pathogen reduction standard for salmonella is identical to that for the process control indicator, which would be generic E. coli.

If you were in a large young cattle kill, they would probably be doing about 80 generic E. coli tests per week, whereas, if that plant was selected for a random sampling on salmonella, it would get 80 salmonella tests per year.

So, as I said yesterday, I'm not a scientist, but to me 80 per year is a lot different frequency than 80 per week, and I think that, you know, that discrepancy calls into question the comments, the evaluations that were made, the recommendations that were made by this Committee.

I'm not sure how many of those evaluations or recommendations were based on that miscalculation, but to the extent that they were, they might be affected by it.

I think it also points out, this report

was reviewed by -- it was contributed to by people in this Agency, it was reviewed by, I think, at least former members of this Agency, by many university professors, by members of the industry, and nobody caught that. This is not an obscure topic. These were the two, the only two, routine, scientific testing programs under HACCP, and they got it wrong, very wrong.

So, I hope that as you are thinking about how to set up this procedure, you factor in a lot of review and accountability. Had FSIS put this report out itself, it would have gotten dinged, very strongly by the public, but the fact that it was NAS, you know, I don`t know, maybe people figure, you know, good enough for government work, what do they know?

But, you know, had I put this out, I'm sure I would have -- you know, it would have been criticized very strongly by the Agency. It's substandard work. It's not good enough. You know, public health depends on this.

Thank you.

DEPUTY DIRECTOR TYNAN: Thank you.

Do we have any other public comment?

Yes, ma'am, if you'd come up to the microphone, please identify yourself and your organization.

MS. HEBEBRAND: Good afternoon.

My name is Charlotte Hebebrand, and I'm here from the European Commission Delegation of the European Union.

Thank you for the opportunity to provide comment. First of all, I would like to commend you for all your hard work, and also for the transparency with which you have undertaken these discussions. I think that's very commendable.

The EU is very much in favor of a risk-based inspection approach. We have been, and continue to move in that direction. And, this is clearly an important issue for the U.S. It necessitates a lot of domestic discussion.

I would like to maybe just remind you that it could be useful also to think of this from an international perspective, and I was very glad to see that in the last subcommittee you referred to data

collected by food safety agencies of foreign countries.

It might be helpful to think also about what criteria foreign countries, the U.S. trading partners, including the EU, are using.

And lastly, I would like to just highlight a related issue, which is the question of inspections abroad, and that the EU, for one, would also be very much in favor of a risk-based approach there to FSIS inspections abroad.

And, on that note, I will be happy to leave some more detailed comments with you for your consideration.

Thank you.

DEPUTY DIRECTOR TYNAN: Okay, thank you.

Any other commenters?

Okay, we have one item -- well, two small items left on the agenda, which relates to going through our briefing papers.

And, yesterday we abbreviated that discussion in order to get into the substance of the meeting. So, we thought we might just spend one

moment to go back to the briefing papers for a moment.

And, I think where we ended up, under Tab 11 I think was the next briefing paper that we provided to you in your notebooks. We wanted to be sure if there were any comments that we got those, and for the members that have left we'll try and get some e-mails and see if there is any comments from them as well.

Mr. Link, you had a comment on this one, and I'm going to ask Dr. Thaler to come up.

MR. LINK: I guess I have a question, and then maybe I need some clarification, but in the background, you talk about salmonella in 2002 and 2003 rolled or ground turkey and ground chicken. Is there 2004 data to go along with this?

DR. THALER: We are working to get up the more current data up on the web. For this meeting we used the most current data that we had publicly available.

MR. LINK: All right.

And, the other point is on the second page where you are talking about promising interventions

identified. Down, I guess, in bullet point No. 4, undefined competitive exclusion products. I'm not a veterinarian, and I don't really get involved in that so much, but it is my understanding that there is some real difficulty in getting these things approved for use, because they are considered as feed additives. Is that -- I mean, it may be out there, but we can't use it?

DR. THALER: Right, they are not as feed additives, but FDA is looking at them as a new animal drug, and they have had difficulties working through that process. So, we weren't saying promising as if they are really out there and available for you to use, for what's currently being developed and what's currently trying to be produced. So, keep an eye on what might be available in the future.

MR. LINK: Well, I guess then that taken, the next one, the autogenous vaccines, which we also apparently can't use because of some APHIS regulatory requirements or prohibitions, so while they may be promising we can't use them, so I just want to be clear so nobody goes away thinking, hey, there's all

these things out there that they don't know why we are not using them.

DR. THALER: Right, and at the public meeting that point was brought up very clearly to our Undersecretary for Food Safety, and I think there will be discussions to look further into that issue.

DEPUTY DIRECTOR TYNAN: Mr. Kowalcyk?

MR. KOWALCYK: Yes, thank you.

In the research gaps identified, there are some studies that are listed, namely, the studies to identify best management practices to reduce salmonella. Does the Agency have a time line for when those studies would be initiated and then completed?

DR. THALER: You have to recall that FSIS is not the research agency and we have to work through Agricultural Research Service and whatever we can finagle out of academia and other research partners. So, we don't have really a time line for that.

DEPUTY DIRECTOR TYNAN: Are we done with pre-harvest? Other comments? Okay.

Thank you, Ellen.

CHAIR MASTERS: This is Barb Masters, and I

would just add to that, to bring it to a little bit more closure, as we hoped by having a pre-harvest meeting that it would be a robust discussion with the researchers at the table, as well as the processors and those in academia, to put on the table some of the good ideas that might be available and to at least generate interest in the research community on some of the needs that were there for the processors. And, I think there was a very good discussion to help the researchers understand what the needs were of the processors. So, we were hoping to at least generate that interest in the research community, and I think there was a great interest and a good showing, we had over 200 participants in that meeting.

DEPUTY DIRECTOR TYNAN: I think under Tab No. 12 we were supposed to have our legislative update, and that was passed out at the beginning of the meeting yesterday.

Keith, I saw Keith her earlier, and Lisa, and they must have had a conflict because they are not here now.

If there are any questions regarding --

I'm sorry -- oh, I'm sorry, I apologize, if there was any questions regarding that then maybe we can ask Terry to field those for you.

No questions I guess. Perfect.

Okay, last but not least is the National Advisory Committee on Microbiological Criteria for Foods, and that's under Tab 13 in your book, number one in your hearts, I'm sure.

And, we have Gerry Ransom with us who could respond to any questions you have regarding the NACMF.

DR. RANSOM: No questions for NACMF?

Dr. Elfering?

MR. ELFERING: I was going to ask about the safe cooking of poultry products. Will that report be available to us as well?

DR. RANSOM: Yes, it will. As I understand, that project, the consumer guidelines for the safe cooking of poultry products, they have pretty much finished their work, and at our next meeting in March, we anticipate it to be March, 2006 in Washington, D.C., we expect that that document will be

brought to the full Committee for deliberation, and we hope that it will be adopted at that time.

And, I wanted to thank Dr. Elfering also for coming to present to that subcommittee, for bringing us data from a couple of -- from an outbreak related to a poultry product in Minnesota and Michigan. That was very helpful to the committee. This was a product that appeared cooked but wasn't, and had caused some problems, and it really gave the subcommittee some good data to work with. So, that was greatly appreciated and greatly helped the work of the subcommittee. So, we thank you.

DEPUTY DIRECTOR TYNAN: Dr. Logue, you had a comment?

DR. LOGUE: I had one quick question for you.

The methods that you are proposing for a broiler rinsing, what about turkeys, because they are bigger birds?

DR. RANSOM: Okay. The focus of the camplovacter subcommittee was to get recommendations for FSIS on a method to be used for an upcoming

broiler baseline, which we anticipate to start in early 2006. The NACMF did make a reference to turkeys and that additional work would have to be done, particularly, because there are sampling difficulties due to the size of those birds. So, they do make mention of turkey in particular, but there was no focus at that time.

DEPUTY DIRECTOR TYNAN: Ms. Eskin?

MS. ESKIN: Just a quick question.

Again, you note there's a subcommittee that's working on the safe cooking of poultry products, and then there's one on cooking parameters for seafood. I just thought that was interesting, because isn't NACMF an FSIS -- is it an Agriculture Department thing, is there some sort of -- because -- I'm asking the question because FDA is the agency that regulates seafood.

DR. RANSOM: Okay, right.

NACMF is sponsored by FDA, FSIS and FDA, they are co-sponsors.

MS. ESKIN: Oh, okay.

DR. RANSOM: We also have sponsorship by

the Department of Commerce, and also the Department of Defense, and CDC also sponsors NACMF.

MS. ESKIN: That answers my question, thank you.

DEPUTY DIRECTOR TYNAN: Any other questions on the other Advisory Committee, or colleagues on the other committee? No.

Okay, well, thank you, Gerry, very much.

I have an apology to make. I misspoke. I went to the wrong tab, I think we have one other briefing paper that related to the Technical Service Center, which is our group in Omaha, Nebraska, and it's under Tab 8. I don't think we did that yesterday, and the only reason that it occurred to me is because I looked out and saw Lynvel sitting out there and he's been patiently waiting to answer any questions you have.

Ms. Eskin?

Come on up, Lynvel.

MS. ESKIN: Again, the Technical Service Center, the clients, so to speak, are inspectors, right? It's FSIS staff, or is there a large pool that

uses the services of the Technical Service Center?

MR. JOHNSON: Our predominant client is probably going to be Infection in Industry, but we get some calls from consumers, state directors for state inspection programs, so anybody that really wants to call us they can.

MS. ESKIN: Do you have a process whereby you periodically, as part of your self-assessment and improvements, do you get feedback in any sort of formal survey kind of way from the inspectors and other people who use your service to help improve it? In other words, is there anything sort of systematic?

MR. JOHNSON: Yes, we are working with OPEER right now to do a survey of the inspectors, also they are going to do an evaluation of some of our management controls, we call them, within the Tech Center, just for our consistency.

So, we are working with OPEER right now to do some of that.

MS. ESKIN: Thank you.

DEPUTY DIRECTOR TYNAN: Mr. Kowalcyk?

MR. KOWALCYK: With respect to the Agency

town hall meetings, will feedback from those meetings be made available to this Committee? I know several subcommittees over the past few meetings have discussed using the Technical Service Center as a form of outreach, and just to give us a sense for how that is working. Are these public meetings also, these town hall meetings, from the Technical Service Center?

MR. JOHNSON: I'm not familiar with what town hall meetings you are specifically talking about. The Tech Center hasn't had any public or any town hall meetings.

CHAIR MASTERS: The Agency is hosting town hall meetings, and we do that both with our inspection personnel and with the industry, and they are open meetings. They are considered public meetings. They are not opposed to bringing feedback to this Committee, and I guess I would ask, when you are asking for feedback, what specific sort of feedback would you be interested in, because we are certainly not opposed to bringing you that feedback, but I'd be interested in what sort of feedback you'd want, so I'd know and be prepared to know what sort of feedback

you'd be interested in receiving.

MR. KOWALCYK: I guess regarding the eight field personnel perception of what's expected of them, and consistency. I know a few meetings ago, consistency was a big issue, consistency of message from Headquarters.

DEPUTY DIRECTOR TYNAN: Other questions regarding the Tech Service Center?

Did I miss any other briefing papers? I don't think we've missed anything in the past day and a half, so I think we are done, and I'm going to turn it back to Dr. Masters again.

CHAIR MASTERS: Again, I want to thank you for your outstanding work. I'm always impressed with the work that you do. You work all day. You work well into the evening.

I often get teased about the work habits that I keep, and so they tell me that I rub off on folks, so I appreciate your work ethics and the work that you brought to this Committee, and I want to thank the public that came, and the comments. I think we got some good feedback from the public as well, and

I think it's useful to hear your perspectives, and I think we heard some very good perspectives, and some different perspectives. And so, I want to thank the public and your input that you provided to the Committee as well. And so, I think it was a very useful meeting from that perspective as well.

And, I hope that everyone felt like they had the opportunity to be heard, because I think that is something that is very useful as we move through this. And so, I'm very optimistic that we got input, again, I think that we spent a lot of time on Question 5, and I think that was what we had hoped to gain from this, because Dr. Raymond and myself both said in the very beginning that the transparency is going to be what makes this a valuable effort as we move forward. And again, we are moving forward, we recognize that we've taken some steps, and we need to continue to take steps, ands to take those steps we need input from all of our stakeholders. And, we identified three large groups, which is our employees, including our state employees, we think of you as some of our own, our consumers, and the industry.

And so, to do that we needed some means to continue to have a sounding board to move forward. So, I think that was the most important process that we went through.

And, the feedback you gave us, even in the form of answering a couple of the questions, I think is useful to us, and it gives us some ideas of whether or not some of the initial work that we are doing is heading in the right direction or not the right direction.

And, as we move toward getting toward a sounding board, I think it gains us the input that we needed to at least continue down some of that initial work that we are doing.

And so again, I appreciate the work of this Committee, as well as the public. There's a large group of you that stuck with us the entire two days, so thanks to all of you, and we'll look forward to ongoing opportunities, not only in putting the infrastructure together, but ultimately on putting all the steps in place.

So again, thanks to all of you for your

hard work over the last couple of days.

Thank you.

DEPUTY DIRECTOR TYNAN: Thank you very much.

(Whereupon, the above-entitled matter was concluded at 12:29 p.m.)