

FOOD SAFETY AND INSPECTION SERVICE

Statement of  
Dr. Richard Raymond, Under Secretary for Food Safety  
Before the  
Subcommittee on Agriculture, Rural Development,  
Food and Drug Administration and Related Agencies

Madam Chairwoman, Ranking Member Kingston, and Members of the Subcommittee, I am pleased to appear before you today to discuss the status of the Food Safety and Inspection Service's (FSIS) programs and the fiscal year (FY) 2009 budget request for food safety within the U.S. Department of Agriculture (USDA). I am Dr. Richard Raymond, Under Secretary for Food Safety. With me today is Al Almanza, Administrator of FSIS.

I look forward to working with the Subcommittee on our common commitment to public health and food safety. I would like to thank you and the other members of the Subcommittee for your ongoing efforts to provide FSIS with the resources to protect meat, poultry, and processed egg products. These funds are helping to move our public health agenda forward.

## Who We Are

FSIS is the public health regulatory agency within the USDA. We are responsible for ensuring that the Nation's commercial supply of meat, poultry, and processed egg products is safe, secure, wholesome, and accurately labeled and packaged, whether those products are domestic or imported. FSIS is charged with administering and enforcing the Federal Meat Inspection Act, the Poultry Products Inspection Act, the Egg Products Inspection Act, portions of the Agricultural Marketing Act, the Humane Methods of Slaughter Act, and the regulations that implement these laws. The Humane Methods of Slaughter Act requires that all livestock be handled and slaughtered in a humane manner.

FSIS program personnel form the backbone of FSIS' public health infrastructure in establishments, laboratories, and import houses throughout the country. In FY 2007, the agency employed over 9,000 personnel, including approximately 7,800 full-time in-plant and other front-line personnel protecting the public health in approximately 6,200 Federally-inspected establishments nationwide. The high volume and the high-risk nature of the products that FSIS inspects demands an in-plant inspection presence, which is not only required by law, but is necessary to protect consumers.

During FY 2007, FSIS inspection program personnel performed antemortem and postmortem inspection procedures to ensure public health requirements were met in the processing of over 48 billion pounds of livestock carcasses, almost 57 billion pounds of poultry carcasses, and about 4.3 billion pounds of processed egg products. They also inspected at U.S. borders 3.9 billion pounds of imported meat and poultry products. In

addition, FSIS personnel conducted more than nine million procedures to verify that establishments met food safety and wholesomeness requirements. In addition, FSIS personnel conducted more than nine million procedures to verify that establishments met food safety and wholesomeness requirements.

In support of in-plant personnel in Federally-inspected establishments, FSIS employs a number of other field personnel, such as laboratory technicians and investigators. The program investigators conduct surveillance, investigations, and other oversight activities at food warehouses, distribution centers, retail stores, and other businesses operating in commerce that store, handle, distribute, transport, and sell meat, poultry, and egg products to the consuming public. These in-commerce businesses do not operate under grants of inspection and are not inspected on a daily basis by FSIS. However, the agency's oversight of FSIS-regulated products moving in consumer distribution channels is vital to the public health.

### Our Workforce

Our employees are our greatest asset. We are only as strong as that committed workforce. Just as they are committed to keeping the Nation's food supply safe, *we* are committed to them. When FSIS received its final appropriation from Congress last year, an aggressive effort was already underway to hire a significant number of new inspectors. As of October 19, 2007, FSIS had hired more than 600 new in-plant personnel and, as a result, achieved a net gain of approximately 160 in-plant personnel. On October 27, 2007, FSIS achieved a net gain of 194 in-plant personnel, surpassing the goal of 184 for

which the President had requested the budget increase. By December 22, 2007, we had achieved a net gain of more than 220 in-plant personnel, or food inspectors and consumer safety inspectors.

FSIS has employed the aggressive use of existing and new staffing authorities to fill mission-critical positions, especially for in-plant and other frontline positions, where 85 percent of FSIS employees are located. A comprehensive human capital strategy was developed to improve hiring and retention efforts, to better match resources to needs, and to develop new skills sets needed by the workforce. As a testament to those efforts, the agency received a Presidential Quality Award for Management Excellence for its dedication, hard work, and outstanding leadership in advancing the President's Management Agenda through the strategic management of human capital. FSIS received one of six awards given to Federal agencies for excellence in quality and productivity – the first for USDA.

#### Current Concerns Regarding Humane Handling of Livestock

Before I go any further, I would like to address the ongoing investigation of the Hallmark/Westland Meat Packing Company (Hallmark/Westland) in Chino, California. I want to assure you that I am deeply concerned about the inhumane handling of non-ambulatory disabled cattle in that facility.

I want to further assure you that, as soon as we learned of the problems at Hallmark/Westland, we took immediate steps to determine if the allegations made public

by the Humane Society of the United States (HSUS) were accurate. Secretary Edward Schafer called on USDA's Office of Inspector General (OIG) to work with FSIS and USDA's Agricultural Marketing Service (AMS) to conduct a thorough investigation into this matter.

In addition, USDA's Food and Nutrition Service placed an administrative hold on all Hallmark/Westland Meat Packing Company products that were in or destined for Federal food and nutrition programs, pending further information from the investigation. An administrative hold prevents program operators from using the product until further notification from USDA.

As soon as FSIS determined that humane handling regulations were violated, FSIS issued a Notice of Suspension to Hallmark/Westland, although the establishment voluntarily stopped slaughter operations as soon as the investigation began. Additionally, immediately upon receiving conclusive evidence that non-ambulatory animals were allowed into the food supply, FSIS worked with the company to initiate a voluntary recall.

#### Timeline of USDA Actions

On January 30, 2008, USDA learned about the original HSUS video regarding violations through the media. On the same day, USDA indefinitely suspended Hallmark/Westland as a supplier to Federal nutrition programs. Hallmark/Westland was not permitted to produce or deliver any products under contract, and, under the suspension, no further

contracts could be awarded to the company. In addition, USDA placed an administrative hold on all Hallmark/Westland products we identified that were in, or destined for, Federal nutrition programs as of October 1, 2006. The October 1, 2006, date for the start of the initial hold period was chosen to capture the Hallmark/Westland product that was in the Federal nutrition program supply chain.

On February 1, 2008, Hallmark/Westland voluntarily stopped slaughter operations. As a result of FSIS findings, FSIS suspended inspection at the plant on February 4, 2008. This action was based on FSIS findings that the establishment failed to prevent the inhumane handling of animals intended for slaughter at the facility, as required by FSIS regulations and the Humane Methods of Slaughter Act.

Our evidence demonstrates that, over the past two years, this plant did not always notify the FSIS public health veterinarian when cattle became non-ambulatory after passing ante-mortem (prior to slaughter) inspection, as is required by FSIS regulations. It is important to note that certain cattle, while ambulatory when they pass ante-mortem inspection, later become non-ambulatory from an acute injury or another circumstance. If such a situation occurs, FSIS regulations require the public health veterinarian to inspect the animal again before the animal is permitted to go to slaughter. This failure by Hallmark/Westland led to the company's February 17, 2008, voluntary recall of 143 million pounds of fresh and frozen beef products produced at the establishment since February 1, 2006.

On February 17, 2008, FSIS amended the suspension to reflect the fact that Hallmark/Westland had allowed cattle that had become non-ambulatory after passing ante-mortem inspection to be slaughtered without further inspection by FSIS personnel. This suspension will remain in effect and the establishment will be unable to operate until corrective actions are submitted in writing and verified through a full review by FSIS. Slaughter operations will not resume at Hallmark/Westland until the company complies fully with FSIS regulations.

While it is extremely unlikely that these animals pose a risk to human health, the recall action was deemed necessary because the establishment did not comply with FSIS regulations. The recall was designated Class II because of the remote probability that the recalled beef products would cause adverse health effects, if consumed.

As is the case for all recalls, FSIS is conducting effectiveness checks to verify that customers have received notice of the Hallmark/Westland Meat Packing Company recall and are making every effort to retrieve and destroy the recalled product or return it to the establishment. FSIS personnel are in the process of verifying that Hallmark/Westland has been diligent and successful in notifying its consignees of the need to retrieve and control recalled product, and that the consignees have responded appropriately.

## Safeguarding Against BSE

I am aware that this situation has raised questions about the risk of bovine spongiform encephalopathy (BSE). I would like to take this opportunity to give you a brief summary of the safeguards against BSE that we have in place to protect our food supply.

Since the discovery of the first case of BSE in Great Britain in 1986, we have learned a tremendous amount about this disease. That knowledge has greatly informed USDA's regulatory systems and response efforts. It has also given us the opportunity to examine our own cattle herd, which is why we know that the risk of BSE in the United States is extremely low.

As noted earlier, non-ambulatory cattle are excluded from the food supply as part of the Federal government's interlocking system of controls to protect the food supply from BSE. These BSE security measures include the ban on non-ambulatory cattle, but that is simply one of the multiple measures in place.

We have learned that the single most important thing we can do to protect human health regarding BSE is the removal from the food supply of specified risk materials (SRMs)—those tissues that, according to the available scientific evidence, could be infective in a cow with BSE. FSIS requires that all specified risk materials (SRMs), including the brain and spinal cord, are removed from carcasses so that they do not enter the food supply. Slaughter facilities cannot operate without the continuous presence of FSIS inspection personnel to ensure safe and wholesome product, and the safeguards include the removal



and segregation of SRMs. FSIS line inspectors are stationed at key points along the production line where they are able to directly observe certain SRM removal activities. Other off-line inspection personnel verify additional plant SRM removal, segregation and disposal. According to the 2005 Harvard Risk Assessment, SRM removal alone reduces the risk to consumers of BSE by ninety-nine percent.

The ruminant-to-ruminant feed ban is another significant step that the Federal government has taken to prevent the spread of BSE and bring about its eradication in the animal population. In 1997, the Food and Drug Administration (FDA) implemented a mandatory feed ban that prohibits feeding ruminant protein to other ruminants. The feed ban is a vital measure to prevent the transmission of BSE to cattle.

Moreover, BSE testing is best used as a surveillance tool. By testing animals that show possible clinical signs of the disease, we can document the effectiveness of our security measures.

USDA's Animal and Plant Health Inspection Service has conducted targeted BSE surveillance testing since 1990, including an enhanced surveillance effort that was initiated after an imported cow tested positive for the disease in December 2003. The goal of the enhanced effort, which began in June 2004, was to test as many animals in the targeted population as possible over a 24-month period. This intensive effort detected only two animals with the disease, out of over 759,000 animals tested. Both of those animals were born prior to initiation of the FDA feed ban and neither entered the food

supply. This testing confirms an extremely low prevalence of the disease in the United States.

Because of the strong systems the United States has put in place, we can be confident of the safety of our beef supply and that the spread of BSE has been prevented in this nation.

#### Further Actions

The investigation led by OIG with support from FSIS and USDA's AMS is ongoing.

Once the investigation has concluded, we will have additional information to determine the actions for FSIS oversight, inspection and enforcement that may be required.

However, we are not waiting for the completion of the investigation to act. USDA is already taking a number of steps to strengthen our inspection system.

USDA will continue to provide the public with an update of our actions at

[www.usda.gov/actions](http://www.usda.gov/actions).

#### Enhancing Our Use of Data

As most of you know, FSIS has been actively strengthening its public health data infrastructure as part of its ongoing effort to improve food safety and food defense. The agency has been building its data infrastructure for the last few years based on internal FSIS assessments. More recently, several audits by USDA's OIG identified a number of areas within the agency's data system and infrastructure that required strengthening. We have been using the results of these audits to strengthen our efforts and bolster our

infrastructure. We were pleased that OIG agreed that our responses to all 35 of its recommendations from the December 2007 OIG audit address their concerns. Your active involvement and commitment to public health, Madam Chairwoman, made this possible.

We acknowledge the need identified by OIG in this audit for FSIS to have an integrated system and infrastructure in place to support a comprehensive, timely, and reliable data-driven inspection system. FSIS has already initiated or completed a number of actions, and we have milestones to measure our success.

An integrated strategic approach is needed to build a reliable infrastructure that can evolve as the agency's needs change. FSIS is finalizing its strategic plan for fiscal years 2008 through 2013 and once completed will release it publicly and share it with the Subcommittee. Our plan emphasizes the importance of the agency's work to continue to build its infrastructure over the next five years. The other key element to building a quality public health infrastructure is data that is readily accessible to key decision-makers and front-line personnel. Of course, the quality of public health data is only as good as the infrastructure that surrounds it. By using tools that regularly mine and aggregate the data, the agency will be able to better use its resources to interpret and act on indicators to better protect public health.

FSIS has made numerous efforts to improve the agency's collection and analysis of data, such as AssuranceNet, a web-based system of management controls that pull inspection

and laboratory data from the agency's data warehouse. More recently, our improvements include forming the Data Analysis and Integration Group (DAIG) and the Data Coordinating Committee (DCC). The DAIG is a staff dedicated to conducting data analysis and ensuring that agency data analyses are consistent, of high quality, and relevant to the agency's mission and business processes, and fully integrated into ongoing decision-making. The DCC has members from each agency program office who serve as liaisons between the DAIG and the program offices. More specifically, DCC members coordinate the analysis of data that goes on around the agency to ensure that data is not duplicated, that data is used efficiently, and that analysis done in one part of the agency is available to inform the work done in other parts of the agency. We are also creating analysis plans for directives and notices, conducting peer reviews and soliciting input from stakeholders, and developing a consistent set of tools for conducting data analysis.

We have also provided broadband computer connections in the field so that most inspection personnel are linked to a near real-time data communications infrastructure. This improved access is vital for agency personnel who are collecting data in the field, because it will allow them to spend more of their time on inspection activities.

To be successful, public health decisions must be based on data. The agency has made great progress in the collection, analysis and response to data, including using data to predict problems before they occur. All of this effort is directed to better protect public health. Based on a case study of the Topps recall and the multi-State outbreak of *E. coli* O157:H7 presented to the National Advisory Committee on Meat and Poultry Inspection

on February 5, 2008, we know that our planned system based on public health and risk could provide: 1) improved inspector understanding of *E. coli* O157:H7 hazards and controls; 2) automated monitoring of inspection results and built-in alerts of anomalies (e.g., changes in establishments' HACCP plans and lack of inspection activity); and 3) identification of vulnerabilities in the overall food safety system (e.g., new verification questions for inspectors would better verify plants' implementation of process controls). By examining our approach and ensuring that we have a strong system and infrastructure in place to make best use of and assess the data, we will be even better at what we do.

#### Public Health Information System

FSIS is currently making improvements to focus inspection time on public health risks, which will be one key component of the Public Health Information System (PHIS). This web-based system will make it easier for inspectors in the field to report on the results of their inspection activities, and will allow the agency to analyze the data more quickly and identify trends or problems sooner. This will, in turn, decrease the time needed to respond to incidents. Better use of technology will improve our ability to collect, analyze, and predict likely outcomes, allowing agency employees to better protect public health, address humane handling concerns, and ensure food defense. Moreover, PHIS will affect all parts of the agency, including import, export, in-commerce, and laboratory activities. Deployment of this system is scheduled for late FY 2009.

As part of the continued evolution of our inspection program, FSIS is currently planning a public health-based slaughter inspection system for young chickens and is discussing

how a similar approach could be used for inspection in processing and other slaughter establishments. On February 5-6, 2008, FSIS hosted a meeting for the National Advisory Committee on Meat and Poultry Inspection to seek the Committee's input on public health-based slaughter inspection. The goal of this approach to inspection, which is science-based and data-driven, is to focus our resources where they can best ensure that establishment controls protect the public health.

### Food Safety Assessments

In response to recommendations in the 2003 and 2004 OIG audits, FSIS implemented a more comprehensive system to verify establishments' Hazard Analysis and Critical Control Point (HACCP) plans using food safety assessments. During these food safety assessments, specially trained personnel conduct in-depth reviews of the designs of establishments' HACCP or food safety plans. OIG agrees with FSIS that food safety assessments are a fundamental building block for assessing establishment risk. Food safety assessments are also a key component in building FSIS' public health data infrastructure.

One significant recommendation from the more recent December 2007 OIG audit directed FSIS to complete food safety assessments in all plants using an objective scoring mechanism to help determine the level of inspection needed. Our effort to do this for all plants is well underway.

## Efforts to Fight Foodborne Pathogens

Based on Centers for Disease Control and Prevention's (CDC) annual FoodNet data report, we are making some progress toward meeting the Healthy People 2010 goals regarding the incidence of foodborne illness. However, we know we still have work to do to further reduce foodborne illness.

FSIS' verification sampling is a critical method the agency uses to collect data and is a good example of how we have taken a more risk-based approach. Under the agency's verification sampling program, FSIS samples meat, poultry and processed egg products and analyzes them for the presence of microbial pathogens. However, the agency has paid particular attention to *E. coli* O157:H7 in raw ground beef and *Salmonella* in raw meat and poultry products through the *E. coli* initiative announced last fall and its ongoing *Salmonella* strategy.

The new, ongoing actions we have undertaken to protect the public against the risk of *E. coli* O157:H7 include expanded testing. By March 2007, FSIS had already begun testing trim, the primary component in ground beef, in addition to ground beef itself. However, as a result of an increase in *E. coli* O157:H7-positive samples, the subsequent increase in the number of *E. coli* O157:H7-related recalls, and the increase in human illnesses linked to these recalls, FSIS implemented a number of initiatives to combat *E. coli* O157:H7.

In July 2007, after an unusual number of *E. coli* O157:H7 positives the month before, FSIS substantially increased the number of raw ground beef samples scheduled for July

from 1,100 to 1,943 – an increase greater than 75 percent. After seeing nothing unusual in the positive sample rate in July, FSIS began scheduling samples for every raw ground beef establishment once per month (i.e., approximately 1,350 samples per month).

On October 26, 2007, FSIS inspection program personnel began testing additional components of ground beef. By testing earlier in the production chain, FSIS minimizes the likelihood that this contaminated source material will be used in ground beef that is available to consumers. FSIS began requiring countries whose beef is imported to the United States to conduct the same trim and beef component sampling or an equivalent measure, and the agency has begun verification sampling of trim at ports of entry to supplement the agency's sampling of ground product at ports of entry. We will be analyzing imported and domestic product test results to determine whether we need to make further changes to FSIS policies and programs.

Other key initiatives targeted to Federally-inspected plants that produce raw beef products include verifying control of *E. coli* O157:H7, the creation and use of a new checklist for verifying control, targeted sampling for *E. coli* O157:H7 at slaughter and grinding facilities based on production volume and pathogen controls, follow up sampling of 16 samples and conducting food safety assessments for plants with a Federal or State positive *E. coli* O157:H7 test result, and refinement of the agency's *E. coli* O157:H7 test method to provide a more sensitive test that will detect *E. coli* O157:H7 at even lower concentrations. All of these policy changes mean that FSIS will be better able



to identify an emerging problem as early as possible and will be able to prevent contaminated product from entering commerce.

The agency is completing a more in-depth analysis of the data captured in responses to questions, filled out by FSIS inspection program personnel, about reassessment of HACCP plans related to *E. coli* O157:H7. Our preliminary data, completed in November 2007, shows that almost 96 percent of all beef slaughter and processing establishments reassessed their HACCP plans. We are analyzing these responses, and we anticipate that the analysis will lead to new policies, directives, or possibly rules and regulations.

In the wake of these progressive *E. coli* O157:H7-related policy changes, FSIS determined that steps were also needed to ensure that inspection program personnel and the industry fully understand the nature of the challenge presented by *E. coli* O157:H7. We are developing a strong, ongoing strategy to evaluate the success of our training program. Through the In-Plant Performance System, AssuranceNet management controls, and reports from district analysts, the agency is ensuring that inspection program personnel are doing their jobs correctly, are held accountable, and have appropriate workloads and supervision.

As with any policy or program change, FSIS is making sure that we educate and receive feedback from our public health partners and stakeholders regarding our *E. coli* initiatives. For example, on October 17, 2007, FSIS, FDA, and CDC hosted a public meeting regarding *E. coli* serotypes other than O157:H7 that are related to foodborne

illness. In October and November, 2007, FSIS targeted outreach and training sessions around the country for small and very small raw beef processors. On January 23, 2008, FSIS participated in a meeting with the American Meat Institute Foundation and the National Meat Association about *E. coli* O157:H7 surveillance and prevention.

We will continue to work to identify the cause of the recent increase in *E. coli* O157:H7 illnesses and recalls, and to find a permanent, workable solution to the issue. Thus, we are planning a public meeting for April 2008, focused on a discussion with representatives from science, academia, industry, consumer groups and government, about the increase in illnesses and recalls attributed to *E. coli* O157:H7. This meeting will provide updates on FSIS initiatives and build a foundation for establishing solutions to address the challenges posed by this pathogen.

In mid-May, FSIS will hold a meeting with its State and local public health partners, including FDA, CDC, industry and consumer groups, about how to improve the effectiveness and efficiency of outbreak investigations and recalls conducted by FSIS in collaboration with these partners. Every *E. coli* O157:H7-related recall last year showed me something that we can improve, and I hope that these meetings will get everyone to start thinking about how to improve the coordination, accuracy, and timeliness of communication and food safety activities, specifically outbreak investigations and recalls.

Another important step in that direction is USDA's announcement on February 5, 2008, that the Department agreed to grant a conditional license to Bioniche for its *E. coli*

O157:H7 Cattle Vaccine. This is the world's first vaccine that may be used as an on-farm intervention to reduce the amount of *E. coli* O157:H7 shed by cattle.

It is important to keep things in perspective. Although last year we observed a rise in *E. coli* O157:H7-positive samples and recalls, because of new policy implementation and closer oversight and by working with industry, USDA has made tremendous progress in controlling *E. coli* O157:H7 overall. In fact, between 2002 and 2006, FSIS testing shows the percentage of samples testing positive for *E. coli* O157:H7 declined by 78.3 percent. During this time there was also a reduction in illnesses attributed to *E. coli* O157:H7. There was a slight increase in 2006, but several of those illnesses were attributed to food outbreaks that were not related to meat products.

FSIS instructed plants to reassess their food safety plans in 2002. As a result of industry's hard work and commitment to making safer products, we saw the rates of positive samples decrease in 2002, 2003 and 2004, remaining at 0.17 percent for 2005 and 2006. To put that percentage into perspective, out of 12,000 samples taken in 2006, only 20 were positive for *E. coli* O157:H7.

Although we ended 2007 with 21 recalls due to *E. coli* O157:H7, the percentage of *E. coli* O157:H7 positive samples for 2007 – 0.23 – was still well below the percentage of positives during the 2000 – 2003 timeframe.

At the same time as we have been searching for the cause of the observed rise in *E. coli* O157:H7-positive samples and related recalls, we have also been exploring how we can improve the recall process to better protect the public. FSIS published a proposed rule on March 7, 2006, which would allow FSIS to make available to the public lists of retail establishments, such as grocery stores, that have likely received products that are subject to a recall. The rule is in the final stages of the rulemaking process. This is something that I strongly believe in and have been pushing for since I arrived at USDA. Making retail information available to the public will help consumers to better identify recalled product that may already be in their pantry or freezer, thus preventing foodborne illness and saving lives. Making retail information available to the public may further increase the effectiveness of our recalls as it may prompt consumers that shop at the listed retail outlets to examine the labels of those products stored in their pantry or freezer sooner. It is important that recalled products are returned or destroyed as quickly as possible to minimize potential foodborne illness.

We have already made great strides in improving the recall process. For example, FSIS now takes into account a broader, more complete range of evidence when evaluating whether to seek a recall or take regulatory action. In other words, we now look to epidemiological evidence, as well as test results, to identify the source of human illnesses related to foodborne pathogens. Two recalls in the fall of 2007 resulted from this new policy. In these cases, FSIS acted upon epidemiological evidence that linked illness to opened, FSIS-inspected product found in consumers' freezers, where previously, we believed the agency needed a test result from an intact or unopened package because of

the possibility of cross-contamination. Also in the fall of 2007, through an extensive epidemiological and traceback investigation, we were able to pinpoint the source of the multi-state outbreak of *E. coli* O157:H7 infections linked to the Topps Meat Company, which led to the second largest beef recall ever.

As another part of the agency's verification sampling program, FSIS collects and analyzes samples of raw meat and poultry product for *Salmonella*. In response to this continued foodborne threat, in February 2006, FSIS announced an 11-point, risk-based strategy for *Salmonella* reduction in raw products. The initiative included targeting resources at establishments with higher levels of *Salmonella* and changed the reporting and utilization of FSIS' *Salmonella* verification data test results.

We can easily see the positive results of this risk-based strategy. If we compare the plant categories based on broiler carcasses analyzed for *Salmonella* in 2006 to 2007, we see that the percentage of plants in Category 1, or those with sampling results amounting to half or less than half of the current standards, increased dramatically, from 49 percent to 74 percent. Likewise, the percentage of plants in Category 3 decreased significantly from 10 percent to two percent. Essentially, the percentage of young broiler carcasses that tested positive for *Salmonella* decreased by 50 percent – from 16 percent to 8 percent.

Earlier this year, FSIS announced further changes in its *Salmonella* policy to continue driving down the incidence of *Salmonella* in poultry. On March 28, 2008, the agency will begin posting on its Web site completed verification test results from establishments

performing in Category 2 or 3, beginning with young chicken slaughter establishments. The agency will also offer specific waivers to Category 1 establishments. With these waivers, those establishments with the lowest *Salmonella* rates will be able to test new procedures, equipment, or processing techniques that will facilitate improvements in the ongoing control of *Salmonella*.

#### Coordination with Public Health Partners

In conjunction with CDC, FDA, and epidemiologists and public health laboratories in several States, FSIS continues to build upon existing data in the Foodborne Diseases Active Surveillance Network, or FoodNet, which conducts active surveillance of foodborne diseases, case-control studies to identify risk factors for acquiring foodborne illness, and surveys to assess medical and laboratory practices related to foodborne illness diagnoses. FoodNet data are also used to evaluate progress toward meeting CDC's Healthy People 2010 national objectives for foodborne infections.

A sister system of FoodNet is PulseNet, a collaborative national computer network of public health laboratories that link seemingly sporadic illnesses together and enable public health officials to more quickly identify and respond to multi-State illness outbreaks. In fact, through the use of PulseNet, we are able to identify seemingly unrelated foodborne illnesses as actual outbreaks more quickly. Prior to PulseNet, many of these outbreaks would not have been recognized as outbreaks. These two systems allow agencies to collaborate and bring their specialized knowledge together to better protect public health.

FSIS also takes every opportunity to diversify and improve the data submitted to CDC's PulseNet. On August 30, 2007, FSIS and the Agricultural Research Service (ARS) signed a memorandum of agreement in order to share data on *Salmonella*. Specifically, the cooperative agreement served to set requirements related to the submission of *Salmonella* strains and carcasses from the FSIS/Pathogen Reduction, HACCP Verification, Baseline, and other programs to ARS for testing. ARS tests include Pulsed-Field Gel Electrophoresis, which helps to determine the so-called DNA fingerprint of a pathogen; antimicrobial susceptibility tests; and other laboratory sub-typing procedures.

We rely on the efforts of our partners to help us in our mission to protect public health. FSIS works in collaboration with its sister agencies on multi-jurisdictional food safety issues, whether those agencies are Federal, State, or local entities.

#### Small and Very Small Plant Outreach

We are committed to making the foods we regulate the safest they can be, wherever they are produced, whether in large or very small plants, or in urban or rural plants. We are also committed to providing the owners and operators of small and very small plants access to the information and tools they need in order to meet our regulatory requirements. I have taken this charge very seriously in my tenure at USDA.

We have increased the type and amount of resources, technical assistance, and guidance documents available to this important segment of industry. We have taken new

directions in communicating with these plant owners and operators, through a Web page dedicated to small and very small plants, a monthly newsletter, information sessions, Net meetings, and a new feature on the FSIS Web site called “askFSIS,” designed to answer technical and policy questions regarding inspection and public health regulations 24 hours per day, seven days per week. Visitors can also ask new questions, which are reviewed and answered quickly, then categorized and posted on the agency’s Web site.

Ensuring that industry, particularly small and very small plant owners and operators, have access to the same training provided to our inspection program personnel is another important feature of our outreach and training strategy.

I will be announcing an organizational change later this week, which will strengthen the Agency’s approach and ensure that outreach to small and very small plants continues to be a top Agency priority for the future Under Secretaries for Food Safety.

#### Outreach to At-Risk and Underserved Populations

Many of the agency’s ongoing education efforts continue to focus on at-risk and underserved populations. Infants and young children, pregnant women, older adults, and people with weakened immune systems caused by cancer treatment, diabetes, AIDS, and bone marrow and organ transplants are at greatest risk for foodborne illness. That is why FSIS is following up on the conference we held in fall 2006 on reaching more vulnerable at-risk populations.



We are reaching out to at-risk populations through brochures and fact sheets written with this audience in mind. We are also planning more formal efforts to follow up on the findings from the conference and to translate those findings into concrete actions that we and our public health partners can take to better reach and serve the at risk population. In addition, FSIS is dedicated to reaching the emergent Spanish-speaking population in the United States. The *En Español* section of FSIS' Web site includes news releases, fact sheets, and food defense and emergency response materials that have been translated into Spanish.

Through the Partnership for Food Safety Education, FSIS continues to reach out to consumers. The Partnership for Food Safety Education was formed in 1997 as a public-private coalition dedicated to educating the public about safe food handling to reduce foodborne illness. Through its Fight BAC!<sup>TM</sup> Campaign, FSIS educates consumers about four simple steps they can take to fight foodborne bacteria and reduce the risk of foodborne illness: CLEAN, SEPARATE, COOK, AND CHILL. In addition, we launched a *Be Food Safe* Campaign, an updated public education effort based on those important food safety messages, in cooperation with the Partnership for Food Safety Education, FDA, and CDC, because research shows that Americans are aware of food safety, but they need more information to achieve and maintain safe food handling behaviors. As a measure of our success, FSIS recently celebrated the 10th anniversary of the Partnership for Food Safety Education, which included a salute to the role that State and community organizations play in creating and disseminating unique programs based on the four core safe food handling messages.

## Food Defense

To further ensure the safety of domestic, imported, and exported products, the agency engages in active surveillance through a series of food defense verification procedures performed daily in all FSIS-regulated facilities. With a strong food safety verification system in place, FSIS has been focusing on fortifying existing programs with a greater emphasis on food defense and improving internal and external lines of communication, including the integration of food defense data into the larger public health data infrastructure.

FSIS conducts food defense activities both in-plant and in commerce to ensure the safety of domestic, imported and exported product. A field force of approximately 100 investigators conduct food safety and food defense surveillance at food warehouses, distribution centers, retail stores and other types of facilities throughout the United States to determine whether meat, poultry, or egg products distributed in interstate commerce are safe, secure, wholesome, and not adulterated or misbranded.

## How FSIS Ensures the Safety of Imports

FSIS uses a comprehensive system to ensure that imported meat, poultry, and processed egg products are safe and secure. The three-part system includes a thorough analysis of each country's food laws and inspection systems to determine initial equivalence; on-site audits of each country's food safety system to verify that the system is implemented in accordance with what is in writing, and then to ensure equivalence is maintained; and port-of-entry inspection on all FSIS-regulated meat, poultry, and processed egg products coming into the United States, with a few exceptions. The amount of FSIS-regulated

meat and poultry imports has remained approximately the same over the past five years, hovering around four billion pounds of meat and poultry from 29 of the now 34 eligible countries, approved through rulemaking.

In addition to the initial re-inspection of product entering the United States, FSIS performs intensive random re-inspection on approximately 10 percent of the shipments of meat and poultry products. These re-inspection tasks include product examinations, microbiological analysis for pathogens, and/or a test for chemical residues.

Approximately five percent of shipments of imported meat and poultry products receive microbiological and chemical verification testing. This system is enhanced by FSIS' Import Surveillance Liaison Officers, who conduct a broad range of surveillance activities at import facilities and in commerce, and serve as liaisons to improve coordination with other agencies like U.S. Customs and Border Protection.

Access to the U.S. Customs and Border Protection's Automated Commercial Environment (ACE) database has provided FSIS a more targeted approach to identifying and controlling ineligible entries of FSIS-regulated product closer to the entry point, rather than after its release into commerce. In FY 2005, prior to FSIS' use of the ACE system, the amount of ineligible product removed from commerce that did not pass through import houses was a little over 36,000 pounds. In FY 2006, this amount increased to 1.6 million pounds, and in FY 2007, 2.1 million pounds was identified, destroyed, or redirected to FSIS for re-inspection.

### Interagency Working Group on Import Safety

Recently, I represented USDA in the Interagency Working Group on Import Safety, helping to determine which aspects of the U.S. food safety system can be strengthened. The President formed this Working Group to conduct an across-the-board review of import safety by U.S. importers, and by Federal, State, and local governments. It was also given the task of providing recommendations to the President that will help to further improve the safety of imported products.

In September 2007, the Working Group issued a strategic framework for doing more to ensure the safety of imported products. This framework outlines a risk-based approach that includes the principles of prevention, intervention, and response. The framework supports USDA's long-standing approach to evaluating and verifying the ability of foreign food safety systems to meet food safety requirements for meat, poultry, and processed egg products exported to the United States.

On November 6, 2007, the Working Group released an implementation action plan containing 14 recommendations and 50 action steps. The Working Group provided specific short- and long-term recommendations for import safety improvements and reflected stakeholder input received through several outreach activities, as well as from a public meeting that was held on October 1, 2007, at USDA headquarters here in Washington. The Administration is working toward implementation of the Working Group's recommendations. Progress is being measured by each action step.

## FY 2009 Budget Request

I appreciate having the opportunity to share many of accomplishments and priorities with you. Now, I would like to offer an overview of the FY 2009 budget request for FSIS.

In FY 2009, FSIS is requesting \$952 million, an increase of \$22 million above the FY 2008 level.

FSIS has a statutory obligation to provide inspection of meat, poultry and egg products. An increase for the FSIS inspection program is requested to maintain our high standards for the safety and wholesomeness of meat, poultry and egg products and our continued efforts to ensure effective inspection and policy implementation. This appropriation request includes funding for an increase in pay and benefit costs, which make up approximately 80 percent of FSIS' budget; an increase for costs of the State Meat and Poultry Inspection Programs; and an increase to support Federal responsibilities added due to the takeover of the New Mexico State program. The appropriation of the full amount requested is paramount because of the importance of FSIS' mission: public health.

The Administration's budget submission assumes that the cost of inspection services for Federal meat, poultry, and processed egg products will continue to be paid with Federal funds in FY 2009. The Administration also proposes legislation to provide USDA with the authority to collect new user fees, including a licensing fee and a performance fee. The collection of these new user fees, which we estimate would amount to \$96 million

during FY 2009, would be available for spending in FY 2010. A total of about \$92 million in licensing fees would be collected from establishments based on their inspection services. An additional \$4 million in performance fees would be collected from establishments that require additional inspection activities for performance failures such as retesting, recalls, or inspection activities linked to an outbreak.

### Continued Evolution of Inspection and Use of Risk

As you know, because of my medical background and passion for public health, I have pursued the issue of how best to use risk in inspection. It has been a healthy debate. I believe this open and frank debate on risk needs to be expanded to include all foods.

We need to continue to pursue these looming questions: Where is the risk greatest and where do inspection and other resources belong? Not all food products are equal from a risk standpoint. I am encouraging all food safety partners to join together and assess all foods and ensure that we are getting the best return for the Federal investment in food safety for the American public.

Higher risk products and processes would appear to warrant a higher level of effort to ensure measures are in place and put into action to control pathogens, lowering the likelihood of foodborne illness. While inspection may be critical for some plants and products, a system of audits may be acceptable for products with less inherent risk, or processes with less risk or hazards, where established methods have proven effective to control pathogens.

We need to develop a uniform, consistent process to determine when and where inspection is warranted, based on the inherent risk of the product and a plant's demonstrated control of that risk, and when and where audits are sufficient. I hope that we will collectively ask the tough questions and come up with answers for a new approach to inspection based on public health and risk.

### Conclusion

FSIS is committed to improving its approach to inspection to focus on public health and risk. By relying on data and determining the most effective use of our resources, we will have an ever stronger food safety inspection system that protects public health. We thank Congress and the OIG for assuring that this system will be the very best that it can be. We can all be proud to have a part in its creation and refinement.

We are committed to continuing open and transparent communications with our public health and food safety partners. FSIS will continue to engage the scientific community, public health experts, our food safety partners, Congress, industry, consumer groups, and all interested parties in our efforts to identify science-based solutions to public health issues to ensure positive public health outcomes. Our continued progress in reducing the incidence of foodborne pathogens and human illnesses demonstrates that we can save lives with sensible science-based policies. Communication is a two-way process, and the agency demonstrates flexibility by responding to stakeholder input, which includes the very important oversight role of our food safety partners here on Capitol Hill.

As a medical doctor and a public health professional, I believe that what all of us with a stake in food safety must accomplish is protecting people, especially those most vulnerable to a foodborne illness – the very young, the elderly, the immune-compromised and pregnant women.

Madam Chairwoman, Ranking Member Kingston, and Members of the Subcommittee, thank you for the opportunity to testify before you today. I am happy to respond to any of your questions.