

**Questions & Answers:  
Food Safety and the Hallmark/Westland Recall**

**Q: What steps were taken to communicate information to schools during the Hallmark/Westland Meat Packing Company Recall and what is being done to improve communication with schools in the event that another national hold or recall takes place?**

A: USDA communicates information, such as hold or recall announcements, to School Food Authorities (SFAs) through State Distributing Agencies (SDAs). The USDA's Food and Nutrition Service (FNS) notified affected SDAs of the Hallmark/Westland hold/recall through its Rapid Alert System (RAS) on three occasions: January 30, 2008, immediately after the initial hold was announced; February 8, 2008, when the hold was extended; and on February 17, 2008, when the recall was announced. RAS is an automated, web-based tool which allows SDAs to immediately receive information by several means, including cell phone, email, or fax. The system communicates via these means sequentially until the recipient acknowledges receipt of the message. FNS then sent general notifications through email to all SDAs within 24 hours of the hold and recall actions.

Once USDA notified SDAs of the hold and recall announcements, SDAs were responsible for contacting and conveying this information to SFAs. However, in order to further ensure that schools received prompt notification, FNS partnered with the U.S. Department of Education to disseminate recall information to school officials in every school district across the country through the Department's Crisis Communication System. FNS also reached out to the School Nutrition Association, the American Commodity Distribution Association, the National Association of Elementary and Secondary School Principals, and the National School Boards Association for their assistance in disseminating information.

FNS recognizes that we can improve communications between the Agency and SFAs in order to insure prompt notification should future commodity holds or recalls occur. We are committed to making positive changes based on lessons learned from the Hallmark/Westland experience and look forward to receiving ideas from our program partners.

**Q: What can USDA do to help prevent food safety incidences, such as the Hallmark/Westland incident, from occurring?**

A: We believe that the Hallmark/Westland incident is an isolated occurrence. USDA Food Safety and Inspection Service (FSIS) inspection program personnel are trained to act immediately if they witness animals being handled in an inhumane manner and to prevent non-ambulatory disabled cattle being moved to slaughter and entering the food supply.

Once the Inspector General's investigation has concluded, we will have additional information to determine the actions for FSIS oversight, inspection, and enforcement that may be required. Furthermore, until that investigation is completed and reviewed, we are

taking a number of steps to strengthen our inspection system and we expect to announce those steps in the near future.

**Q: Information about the Hallmark/Westland recall was disseminated through so many sources about the multiple stages of the recall to the point that it was all very confusing and some information seemed to conflict. Why didn't the USDA just issue one recall encompassing all the affected beef?**

A: The recall took place in multiple stages for very practical reasons. When we first learned about the possibility of non-ambulatory cattle entering the food supply, FNS/AMS issued an immediate administrative hold on the ground beef which we believed to be affected. The recall announced by FSIS covered most, but not all, of the dates captured by the FNS/AMS administrative hold, which was October 1, 2006 through February 2008. However, an Office of Inspector General investigation of Hallmark/Westland, revealed that ground beef processed from February 1, 2006 to September 30, 2006 might also be affected. The second stage of the FNS/AMS recall covered this extended time period beyond the original hold. Soon thereafter, as the commercial recall trace forward and trace backward process took place, FNS learned that some of the ground beef may have been further processed into other food products ultimately purchased by USDA. The third stage of the recall was issued in response to this new information. In other words, it was prudent for FNS to act upon information as it became available.

**Q: When will States be reimbursed for costs associated with the recall?**

A: USDA will reimburse commodity costs, storage, transportation, and destruction expenses incurred by SFAs as a result of the recall. Instructions have been provided to schools through their SDAs on how their costs should be recorded in order to facilitate reimbursement. USDA will reimburse SDAs while seeking restitution from Hallmark/Westland.

Timely reimbursement is wholly dependent on how quickly SDAs can compile a well-documented public voucher to support claims for reimbursement. The deadline for submission of these voucher packages to FNS is April 22. Voucher packages will be reviewed for completeness within 4 business days. If FNS determines that the package is incomplete, it will be returned to the appropriate SDA for corrections. If FNS determines that the package is complete, it will be forwarded to AMS for review.

AMS will further review voucher packages in order to assess their completeness and to verify whether the supporting documentation provided complies with acceptable recall charges. If AMS determines that the package is incomplete, it will be sent back to FNS in order to be returned to the appropriate SDA for corrections. Voucher packages which are complete will be submitted for disbursement. For SDAs which have established a vendor express account, disbursement will occur within 10 business days. Otherwise, disbursement will take place within 20 business days.

**Q: USDA has stated that there is no safety issue with regard to the Hallmark/Westland ground beef that was recalled. If so, why did the USDA press release announcing the recall say that the beef was “unfit for human consumption”?**

A: FSIS requires beef processors to contact FSIS public health veterinarians in situations in which cattle became non-ambulatory after passing ante-mortem inspection. Hallmark/Westland did not do this on a consistent basis. Because the cattle did not receive complete and proper inspection, FSIS determined them to be unfit for human consumption and conducted the recall.

The prohibition of downer cattle from entering the food supply is only one measure in an interlocking system of controls the federal government has in place to protect the food supply. Other BSE measures include the feed ban that prohibits feeding ruminant protein to other ruminants, an ongoing BSE surveillance program and the required removal of specified risk materials. According to scientific evidence, the tissues containing the infectious agent that causes bovine spongiform encephalopathy (BSE) are the brain, spinal cord, and distal ileum (small intestine), which are removed from the rest of the carcass at slaughter. FSIS requires the removal of specified risk materials (SRM) from entering the food supply. Therefore, the meat products are not expected to be infected or have an adverse public health impact. FSIS line inspectors are stationed at designated points along the production line where they are able to directly observe SRM removal activities.

**Q: The Hallmark/Westland safety violations date back to 2006. Why did it take so long for the USDA react?**

A: A little over two years ago, USDA’s FSIS conducted a humane handling audit of Hallmark/Westland. The Humane Handling Expert who conducted the audit had a few non-egregious concerns regarding the facility, including the overly aggressive use of electrical prods to move cattle and some basic maintenance housekeeping issues. FSIS issued a noncompliance record (NR), which is a written communication to the plant conveying these findings. The plant was required to respond to the NR and did so promptly. Their response included the corrective measures that they agreed to take. The findings in the Hallmark/Westland NR dated two years ago are unrelated to the most recent incident which is the subject of our recall.

Hallmark/Westland failed to consistently contact the FSIS public health veterinarian in situations in which cattle became non-ambulatory after passing ante-mortem inspection. This was a violation of FSIS regulations. Although the recall extends back to February 1, 2006, USDA was not made aware of the mistreatment cattle at Hallmark/Westland, or the possibility of downer cattle entering the food supply, until being notified of these improprieties on January 30. FNS reacted immediately when it learned of what had apparently taken place at the facility.

**Q: The Hallmark/Westland hold was first reported in newspapers on January 30. Seven days later some schools heard about the hold from beef processors, not from USDA. Why did it take so long to hear about the hold from USDA?**

A: FNS communicates information, such as hold and recall announcements, to SFAs through SDAs. FNS immediately activated RAS to notify affected SDAs of the hold on January 30, 2008. A follow-up notice was sent to all SDAs and to beef processors on January 31, 2008. Since RAS operates through State information distribution networks, affected States were notified within hours of the AMS hold action. In addition to information provided to SFAs by their respective SDAs, schools had access to USDA and FSIS press releases and website announcements that were set up to keep the general public informed.

Although the FSIS website did not post information regarding the Hallmark/Westland incident until February 4, 2008, when the Agency suspended Hallmark/Westland operations, the FNS/AMS hold was already in place. Because SDAs had previously received notification and instructions through RAS, they were already actively working with school districts and schools to sequester product from other inventory and remove it from menus.

FNS initiated constant communication with SDAs from the time of the first hold announcement, but SFAs which had received affected Hallmark/Westland ground beef only as part of finished processed food products may have first heard about the hold from processors. This is because beef processors commingle USDA commodity beef with other beef that they have on hand. Since only processors can trace which SDAs and SFAs received this commingled beef, SDAs had to rely on processors to identify which SFAs received affected product.

**Q: Why didn't the FSIS website show information regarding the Hallmark/Westland suspension before February 4?**

A: FNS placed an administrative hold on all Hallmark/Westland supplied commodity purchases within a few hours after being notified of apparent improprieties at the company's slaughter facility. Immediately, USDA indefinitely suspended the eligibility of the Hallmark/Westland Meat Packing Company to participate as a supplier to Federal food and nutrition programs, including the National School Lunch Program. FSIS suspended inspection several days later, on February 4, 2008.

When allegations of inhumane handling of non-ambulatory disabled cattle at Hallmark/Westland Meat Packing Company were revealed on January 30, 2008, Agriculture Secretary Ed Schafer called upon the Office of the Inspector General to work with FSIS and the USDA's Agricultural Marketing Service (AMS) to conduct an investigation. The company voluntarily stopped operations on February 1, 2008. As a result of the investigation, FSIS then suspended Hallmark/Westland's inspections on February 4, 2008.

While FNS followed proper protocols, we acknowledge the perceived lack of consistent information from all USDA sources. Consequently, FSIS will explore the possibility of posting information on its website for future AMS administrative hold actions. FNS will also work to improve its methods of communication with SFAs.