

NATIONAL ADVISORY COMMITTEE ON MEAT AND POULTRY  
INSPECTION

UNITED STATES DEPARTMENT OF AGRICULTURE

IN RE: PROCEDURES FOR CONDUCTING INSPECTION IN  
TALMADGE-AIKEN PLANTS

Hearing held on the 5<sup>th</sup> day of November, 2003  
at 6:07 p.m.

10 Thomas Circle, NW  
Massachusetts and 14<sup>th</sup> Street  
Washington, D.C.

TRANSCRIPT OF PROCEEDINGS

BEFORE: MICHAEL GOVRO, Oregon Department of Agriculture

APPEARANCES:

Dr. Catherine Logue, North Dakota State University  
Dr. Jill Hollingsworth, Food Marketing Institute  
Dr. Lee C. Jan, Texas Department of Health  
Dr. Irene Leech, Virginia Citizens Consumer Council  
Dr. Barbara Masters  
Ms. Cheryl Hicks  
Dr. William Leese  
Bernie Shire  
Tony Corbo

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

November 5, 2003

MR. GOVRO: Can I just say a few words and kind of kick things off here and talk about how we're going to conduct the meeting? We're still missing Jill Hollingsworth. I'm hoping that she'll be here momentarily, but I think in the interest of all of our schedules let's go ahead and start. What I would like to do -- I'm not particularly familiar with this issue. Lee Jan is and he'll be able to steer us to some good answers on the questions, but what I'd like to do is maybe take a few minutes to ask and answer some questions about the Talmadge-Aiken Act and how it plays out in the field and get more clear on how we're going to -- what these questions are after and then take about 15 minutes to discuss each question and then at the -- that should take us to about an hour. And we'll take the last hour then to assign the questions to one or two of each of us and come up with answers and spend the last 20 minutes or so wordsmithing those so that we come to a consensus. Is everybody good with that? Okay.

All right, and with that I think I already expressed that I'm trying to get clear on what the questions are asking and what that means in terms of how

this all works. And Bernie why don't you go ahead and ask your question you had.

MR. SHIRE: Okay, first are there a list of questions or something?

DR. MASTERS: There are three.

MR. GOVRO: Yes. We have three questions and I'll go ahead and read them right now. Question number one, How would you define a role for Talmadge-Aiken in today's public health regulatory environment? Question number two is under what conditions would Talmadge-Aiken be appropriate in this environment? And question number three is what measures of effectiveness should FSIS use to determine the value of a given Talmadge-Aiken arrangement. Do you still have a question now or...

MR. SHIRE: Well yes but I guess -- I'll just say my question so you all know what it is. I guess the question I have is more maybe not exactly what you were headed toward but more toward what Barb is talking about. I guess my question is more I guess a question - or a request for an explanation of what exactly is this team inspection and what you're planning to do a couple years down the road possibly that's going to change the way inspections are done.

DR. MASTERS: I'm going to turn to Cheryl.

She's kind of summarized the points and we really need -  
- everyone is welcome in the room but it's a  
subcommittee that has to do the work and Cheryl actually  
went through that this morning. But she did...

MR. SHIRE: Well I was there for the...

DR. MASTERS: Yes she went through the team  
inspection and the idea that one frontline supervisor...

MR. SHIRE: Right, okay.

DR. MASTERS: ...would work from anti-mortem  
to administrative enforcements and that instead of  
having circuit 1, circuit 2, circuit 3 that we would  
break down those barriers of "my plant" and "my State"  
and "my district" and make better use from a public  
health perspective of getting "X" number of consumer  
safety inspectors, "X" number of veterinary/medical  
officers, "X" number of consumer safety officers under  
one frontline supervisor. And then they will be using a  
risk-based approach which one of the other groups is  
working for us to take that information and say based on  
that we know every plant needs to have Federal oversight  
at least once per shift per day from a processing  
perspective and every slaughter plant needs consumer  
safety inspectors and food inspectors assigned for the

purpose of anti-mortem and post-mortem inspection. But having said that then we want them to take the information, and a lot of that will be driven by what the risk-based group is doing because we don't have that picture completely defined yet, but to say in plants that are more inherently producing products that are more risky and have low compliance maybe a plant that requires more Federal resources than a plant that has low inherent risk products and a great level of compliance. They still all have once per day per shift but we need to look at how we're using our resources in a public health way to where people can make those kind of decisions and make them in a moving window. Not for the whole year we're going to have this, but as things change to be able to best use that team in a way to ensure that we're getting -- meeting our statutory requirements but also looking at things from a public health perspective. And so we're envisioning the frontline supervisor to have the flexibility to say, "Today Cheryl you're going to this plant because of something that's happening" or "Based on the new information that came out from headquarters on the increased concern on E.coli 157 coming in on cattle, the beef plants are going to get the CSOs for the next "X"

period of time that are on our team and they're going to go do their food safety assessments." So it's looking for that desirability for the flexibility of assigning our resources within a team by a supervisor that's going to have a more risk-based approach to doing inspections and will have the flexibility to move people on a daily basis more frequently if need be depending on what's happening. So that's our vision that we're looking for for team inspection.

MR. SHIRE: Okay well then I guess the question I had was very briefly is this going to involve then doing away with what we see as the physical limits of the present circuits?

DR. MASTERS: This will do away with what we see as the physical limits to the present circuits, yes. We want to break down that, "You can't let a CSO look at my plants because they're going to find something wrong." They're going to not be tied to a specific geographic barrier per se. It's going to be "X" number of teams that they'll work with and it's not -- you're not going to see the same lines drawn around plants. Today we would not have a person that's crossing State lines or district lines, and you will see those kinds of things in the future if that's the more efficient and

effective way to reach a public-health risk-based inspection approach.

DR. JAN: I think -- maybe I don't understand exactly where you're going, but when you have to have an inspector in a plant every day then that inspector doesn't have a whole lot of latitude on how many plants are available for him to inspect. So I don't know that you're going to get away from this "my plant" attitude that's around forever and also the assigned CSOs or EIAOs to frontline supervisors unless you're looking at having -- for example Texas I think has ten or 12 circuit supervisors. If you're planning to just change their names and still have ten or 12 but you're going to say I'm only going to have three or four, then I can see that team -- but why not move the team to the district and make it a district...

DR. MASTERS: The frontline supervisors will work from the district. They will not have "I'm responsible for Dallas" and "I'm responsible for Houston" and "I'm responsible for Amarillo." They will work for the district office and then...

DR. JAN: They do now. The circuit supervisors do now though, right?

DR. MASTERS: But they will work not to say "I

own this chunk of property." Your team is here and they're going to be working -- we're piloting it in Chicago which obviously we can't do quite as much as we want to since we're stuck with one geographic area there. But what that person is doing if you currently have six processing inspectors that rotate between say 20 plants, they no longer say, "These four are mine" and "These three are mine" and "These two are mine." On any given day they could be in any of those 20 plants. And the same with the circuit supervisor. You have Amarillo for this period of time but next week you may have Dallas or Ft. Worth. So we are not just changing their name, we're changing their entire responsibilities, we are getting new training and we're breaking down a lot of the structures that exist today.

DR. LEECH: But you're looking at working in a much larger geographic area.

DR. MASTERS: They may work in a large geographic area but more likely they will rotate the areas for which they are having oversight.

MS. HICKS: So I mean they'd have to be broken into some manageable...

DR. JAN: From a practical standpoint Chicago, if you have, like you said, 20 plants and six inspectors



and you say okay these six could work in any of those plants, but from a practical and an efficiency standpoint it seems to me that those inspectors that are physically headquartered and they -- I guess they'd get mileage from plant to plant are physically located in the North part of Chicago are going to spend most of their time unless there's some reason that they have to go somewhere else.

DR. MASTERS: No that's what we're saying is we're looking at plants that are closely clustered and that's why we were saying that you're going to look at things that may even cross State lines. You may find that there's six plants -- if you look at the panhandle of Texas and Oklahoma that come together, you may now draw your circle around those plants that are very close. And then you may have inspectors, and it's work in Chicago because there's well more than 20 plants in that area that are closely related -- in close association with each other geographically. You could throw stones in Chicago and hit the processing plants like you could throw stones in Atlanta and throw -- in the Atlanta district and hit poultry plants. And those individuals are currently working such that they get

together and they'll do it more when we get to risk-based inspection and say, "Okay here's the 20 plants. We need to spend two hours here, we need to spend three hours here" and they're going to divide that work up to make sure they get the coverage at all the different plants. It's not a matter of driving to South Chicago when you're currently in North Chicago. It's all the plants in North Chicago that are together and those inspectors will work as teams. They might go in together and look at something if they're trying to look at something differently. They might ask the CSO to go in there with them to look at it together as opposed to having that person come in behind them.

MR. GOVRO: Is the only issue that you think you need to address the crossing of State lines by State employees?

DR. MASTERS: No we have a couple. Why don't we let Cheryl kind of go through. She's summarized some of the thoughts that we think will be helpful to get this group going and then maybe that will help get things started.

MS. HICKS: A lot of this came up today but it was in a disjointed way because it was in the Q & A section, so I thought maybe just laying some of it out

might help. I think the question was asked what was the purpose of this Act and it really was efficiency and effectiveness and as Barb said to avoid -- efficiency and effectiveness of a Federal program and to avoid duplication in the functions and resources applied to the Federal program. And so the Act allowed the USDA to set up agreements with States and have State employees cover Federal inspection assignments where that was an efficient and cost-effective thing to do. And so what it's mainly been used for is in remote locations where there were State employees available and where you know assigning one Federal inspector to that one or two plants out in a remote area you know wasn't practical when State resources were available to cover it. So you know what it boils down to, as we said, it's done on a plant by plant -- the decisions are made on a plant-by-plant basis so it's the Federal side's call whether it's done or not. And our district managers say you know historically what's been happening, at least in recent years, is that they attempt to cover any new Federal plant with our FSIS resources if that can be done cost effectively. And then also they've said that in a situation where State plants apply for a Federal grant that there is some interest on the part of the States in

getting those to be T/A plants. But again the decision is can we cover it with our resources.

And then the other thing Barb was just talking about as far as in terms of where we're going with our workforce and the team inspection approach and what we think the issues are, they are that the State employees report to the T/A coordinator, and under this scenario we feel like you know as a Federal supervisor that would be managing and deploying the resources on the team, so the two management structure issue that we referred to earlier. And then again the State lines is another issue because we don't want to be tied to the geographic boundaries we currently are in our circuit setup. And then again these T/A inspectors are -- could be on a very widely dispersed pattern and -- but centrally coordinated by a T/A coordinator in the State. And then you'd have a situation where they'd be part -- the inspectors would be part of a team -- different teams reporting to different supervisors and they'd have all these supervisors dealing with the T/A coordinator on issues related to the employees and their assignments and stuff like that, so...

DR. MASTERS: When you all look at these questions I think what we're really grappling with as we

move forward, and as I was trying to explain earlier, we're looking at efficiency and not duplicating resources. And we believe there's going to -- always continue to be a need to have this type of a cooperative arrangement. But we don't want our Federal front to move here and not bring the ideas related to how we would effectively and efficiently use the T/A program along with it. And so we're trying to help people understand where we're going with team inspection to start thinking now what changes does that bring about. Can a State employee report to a Federal inspector? Could a State employee cross State lines? Could -- in some smaller States if the T/A coordinator had one team, are the plants geographically close enough that that could be an individual team? And would that be effective and efficient? So as we look at the questions again we're saying on a case-by-case basis, which is how we look at it now, we need to ensure we're efficient and not duplicating. And we're just trying to vision ahead for a rare change and say as we move to here we need to bring the T/A program along with us as opposed to moving here and then saying, "Wait a minute, help. What do we do now?" We need to think through these issues as we move forward and that's really where we're sitting right

now.

MS. HICKS: And the other thing that we said today during the morning session was that you know whatever comes out of your advice and whatever you know the Agency decides to do with it, it doesn't have to be an "all or nothing" decision you know. You could come up with criteria against which you could make a decision in which situations is it compatible with this team inspection approach and you know under which it might not be.

DR. MASTERS: Or even addressing the pros and cons with different ideas would be useful to us just to start getting some insight into some of the ideas.

DR. JAN: Now this -- you talked about bringing -- or not looking back and looking at T/A plants left behind, but those are Federal plants.

DR. MASTERS: We understand that, yes.

DR. JAN: But what about leaving the State programs behind? And that's been the issue and that's what keeps coming back is that somehow State programs are not equal to even though for 30 years they've been certified every year as equal to either by incompetent people or by -- or I don't know why we have to make the big change, but I don't think they're incompetent. So I

think that we have evidence that State programs are equal to. But now if you move and change the bar and don't include State programs and you're going to try to say you can't really -- you might not be able to work this T/A program anymore because you can't work as part of our team and by putting the CSOs under the frontline supervisor it does take it away or does put that other supervisor needing to work. But if those CSOs or EIAOs would stay at the higher level, the same level where the frontline supervisors report to, then those could be on any team, they wouldn't have to be stuck with this team.

We may have a team that has a lot of problem plants in one particular area whether it's a Federal team or a State team, and when we're talking about whether it's a T/A plant you know -- a group of T/A plants that need support from a consumer safety officer I think the State directed team should be able to go to that level and say we need to have some support here from a CSO or an EIAO.

But if you have to go to a circuit supervisor, and particularly like in Texas right now I think there's ten, and if you're going to reduce it under this FSIS scenario to even four that would be four different people I have to deal with. But if you leave the EIAOs a little higher then all I have to do is go to Alan Knox

(ph) or Marcy or whoever is running the show there and say, "We believe we have a need here in our team. Can you loan us or can you let a CSO work with us"?

DR. MASTERS: I guess I have two comments Dr. Jan. The first is we don't feel we are leaving the State programs behind. That's why we paid for all the T/A coordinators to join us last week. You heard the same vision as our supervisors heard last week. Second I would say to you is we need to set that issue aside or we're going to get nothing out of this group to move forward on the idea of T/A plants. We may well ask this Committee to also address the same issues related to States at a future meeting, but we need to stay focused on the charge which is why I stated this morning first thing we know there's issues right now that people want to vent or to share their concerns about. But we'd ask you to use a different forum for that so we can move forward on this idea. And from my perspective what you need to recognize is all that stuff we talked about last week with our supervisors you have an advantage that you can share with this group on where we are heading because all of those things you heard it firsthand on where we're heading. But we need to bring this group back to focus on the T/A plants for the purposes of this



session.

DR. JAN: I understand, but we do need to understand that team concept and how -- or can State programs -- I mean we went in as program coordinators as thinking like circuit supervisors.

DR. MASTERS: Uh-huh.

DR. JAN: And we started hearing a new term "frontline supervisors" and that was -- and today actually is the first time that I heard the role of a frontline supervisor is different than the role of the circuit supervisor. All last week I thought that the circuit supervisors as I know them are now called frontline supervisors and had no clue that the EIAOs are working for these guys, so that...

DR. MASTERS: They're not working for them. That is when we get to team inspection.

DR. JAN: Okay.

DR. MASTERS: That's what we're saying, they currently are not working for them. We believe that the CSO or EIAO cannot report to a circuit supervisor until we break down those barriers. So as we move forward that's what we're saying is that the ultimate long-term goal -- the only place that it's different is in our

pilot in Chicago where we effectively have a frontline supervisor supervising "X" number of employees, including CSOs that function in almost this breadth of fashion, but they're not yet to the team inspection. We are just trying that when we started breaking down some barriers. We will not put our CSOs under our frontline supervisors until we get these barriers broken down. The first step to doing that, and Dr. Jan heard this last week, is a work assignment system. And we've had to go back and look at the procedures our inspectors do and more equitably assign our resources. We currently have some inspectors in processing that have one plant on their assignment. They do all their work that they get scheduled that day, they do it again, they might even do it again and then they're bored. Then we have processing assignments where one person might have six or seven plants and they're very fortunate to even get to all of them for the day and may do one or two procedures and that's it for the day. And so the first step in all of this is work assignment which we'll be implementing early next year to say if that one person is here and these six plants are right here that perhaps if this person took two of those plants they may be able to do all of their work in all three of the plants and

this person now has four and likely could get a lot more work done in those four plants. So that's step one that we're doing to more equitably assign our own resources.

And we don't feel we can get to team inspection until we at least know the amount of work that needs to occur in each establishment. The next step on top of that will be coming up with an ultimate concept on risk-based inspection and how we will assign some assessment of risk to the establishments either through the types of products they produce or through the compliance history that they have, and it will take that then to move towards team inspection. And when we get there, and we're optimistically saying that may be two years from now, then our frontline supervisor role will take place after all of that has taken place and we can form teams and break down some circuit barriers. But just to be clear that's not in place today.

DR. JAN: Okay well that's -- and that's what I thought I heard you saying. But we're looking -- actually for this answer we're looking two years down the road...

DR. MASTERS: Yes.

DR. JAN: ...or at that idea. So...

DR. MASTERS: Yes and that's why I'm saying we

may look at States as well, but we need to know with T/A...

DR. JAN: And to get there what I need to know to help me make in my mind and be able to answer these questions is when you do these work assignments is this system, and I think they've already did some in some States, are they taking the T/A plants into -- all the plants in this area?

DR. MASTERS: Yes.

DR. JAN: And I think they should because then we know now what we need to -- before we can even say how's that going to work we'll have to know whether or not there's going to be T/A plants or not and we won't know that until down the road.

DR. MASTERS: Right.

DR. JAN: But I think you know to answer this question you know I do believe there's a role for that but we won't know really what that role is until we find out what the current Federal resources are. And...

DR. MASTERS: We believe that there is a role for T/A. We just need to better understand what it is and where it's effective which is why Cheryl said many times we need to not look through the one stovepipe but we need to think of all the options. From the data that

I've seen they haven't implemented it in any districts but they've started running the mock data up and they'll be working to the actual data soon in the different districts. I don't believe you'll see a drastic change as far as the T/A plants are from a Federal perspective to the work assignment process. There's been -- I know we talked this morning about how much interest there was with that. The majority of the States have stayed exactly the same. Actually this particular year there was a little slight increase in North Carolina, which is our biggest T/A State, and a slight decrease in Texas, which is our second largest T/A program that we work with. But overall out of the States that are involved it has been pretty steady over the years, and if you go to raw numbers you see about a ten percent increase from 1999. So...

DR. LEECH: But now States are looking at backing off on some of that?

DR. MASTERS: Some States are doing less, some States are doing more. Some district managers when you talk to them indicate that as Federal employees -- or State employees are retiring, and I believe that's the case in Texas, they're actually replacing those with Federal inspectors at a mutual agreement between the

State and the...

DR. JAN: We have -- in Texas for example we have right now 12 full-time FTEs dedicated to FSIS work, and the State is paying 50 percent for that privilege -- or the cost of that service. So it doesn't make sense to hire someone even at 50 percent to do work that the Feds are supposed to be doing anyway. And so...

DR. MASTERS: That doesn't meet the definition of efficiency...

DR. JAN: Right.

DR. MASTERS: ...for the public citizen.

DR. JAN: And it all started out with the idea of efficiency, but over the years it -- and maybe we need to look and see maybe we need to consider that, and I think we should, but over the years these small plants that struggled through the regulatory waters but did it in a smaller pool...

DR. LEECH: Right.

DR. JAN: ...with the States...

DR. LEECH: Right.

DR. JAN: ...being there to help them along now they're moving -- they're ready to move on, but they're still small. Now you can throw them in with the sharks like IBP and Excel and Delmar and all those

biggies and let them drown and go under or you could keep them under a T/A arrangement, team approach or not, but allow them to grow to be a little bit bigger fish and then set a jurisdiction.

DR. LEECH: Right and that was my concern was whether we were going to make it so that those small plants couldn't operate. And that's kind of some of the stuff I've heard in my State that could happen.

DR. MASTERS: I want to make it clear though that the standards are the same, so it should be no different operating under a State inspector than it would be a Federal inspector. In fact...

DR. LEECH: But apparently there's a cost difference?

DR. MASTERS: No. In fact -- no it's free. The inspection service is free to these plants. They should have the same level inspection whether it's a State inspector or a Federal inspector. And in fact the Federal program has a lot of aggressive programs that we're doing for our very small plants to ensure that they understand how -- that that's their fees. We're working with cooperative agreements with different universities to ensure that we're getting that information to them. So a lot of small plants would

find it advantageous to have those resources to them, so I think we need to be very clear that there should be no advantage to a plant to have a State inspector if in fact they're equal to.

DR. JAN: I would agree with everything except I would say that they would have an advantage for being State -- of having a State inspector because they would have a State director that has at least kind of an ability to talk to the officials and FSIS can make a decision and they don't have to stand behind all these biggies that these little guys are going to have to compete with. That's the only advantage that I can see for these little guys. And also some of the attitudes they haven't changed for 20 or 30 years in the inspector levels. An example is we had a T/A plant that needed some documents so they could ship stuff overseas and they needed it signed. They rushed it through and when I talked to the district you know about moving it on they said, "Well I forwarded it but we're going to let them squirm on a hook awhile." Well we don't have that attitude. We have the attitude we're going to help you. We're not going to have you hanging out there and worrying about whether I can make that sale or not. So that's the difference. IBP can squirm on a hook and



they got the lawyers, but you get these little guys and they don't have the lawyers. So that's the only difference that I...

DR. MASTERS: I think that's the exception and not the rule however. I don't think most districts make those kinds of comments. And I also would say there are State coordinators in each State that can be available to offer the same kind of assistance to plants. So I think we need to focus moving forward here with the group. And I'll turn it back over to you.

MR. GOVRO: Yes, I'd like to go ahead and I think we have a better understanding now. Yes Jill?

DR. HOLLINGSWORTH: Oh I'm sorry, go ahead and finish.

MR. GOVRO: Well I was going to suggest that we start on question number one and we can have these -- continue to have these discussions in the context of question number one.

DR. LOGUE: Can I ask a question?

MR. GOVRO: Sure.

DR. LOGUE: If I understand you right then with these State versus Federal inspectors and you want to form this team, right now what happens if you form your team and say you pick your group and you've got so

many of your Federal guys on it and you've got so many of your State guys and you go, I don't know, you go from this region to this region and it turns out that these are in two different States. What happens when you walk into a plant with a team like that? Is it like half the team can work there and the other half is told to sit back and you're not allowed in our plant because you're from another State and you're not licensed? Or how do they treat them right now?

DR. MASTERS: No, no, no. What we're saying is that it wouldn't be the whole team going in as a group. What we're saying is the team would have to cover "X" number of plants.

DR. LOGUE: Okay, all right well then if these guys...

DR. MASTERS: What we're asking this group to answer really is to our knowledge a State would not allow their inspectors to go into another State, but we may be wrong. They may say, "Hey that's not a problem, it won't be a barrier." That's what we don't know. The plant doesn't get to pick who -- pick and choose who comes into their facilities.

DR. LOGUE: Okay.

DR. MASTERS: It's whether or not...

DR. LEECH: My guess is where States will have problems is worrying about whether they get equal resources back you know. It's a matter of whether it's being spent for the benefit of the State.

DR. MASTERS: Right.

DR. LEECH: And as you're looking at costs being tight and they're talking about pulling State inspectors out anyway going over a State line adds a problem.

DR. MASTERS: Right and so that's a con to that concept. And that's what we're saying...

DR. LEECH: Well but...

DR. MASTERS: FSIS are not concerned about that, it would be the States that would raise that concern.

DR. LOGUE: Okay, so if you kind of had these -- everybody on one kind of like a license or a certificate or something that said, okay, we know you can do this in your State but now we're giving you authority or a permit or qualification to do this in another State, is that the kind of thing you're looking at trying to do is create some kind of a group or -- qualified group?

DR. MASTERS: No.

DR. LOGUE: No?

DR. MASTERS: We're just trying to say that -- and I know there's not T/A plants in the panhandle likely but it's just as easy example for folks to understand.

DR. JAN: No we've got one.

DR. MASTERS: Okay. If you look at Oklahoma coming out here and then Texas, these plants -- there's a lot of -- a huge cluster of plants here...

DR. LOGUE: Yes.

DR. MASTERS: ...and there's also a large cluster of plants here.

DR. LOGUE: Okay.

DR. MASTERS: Currently whether they're State employees or whether they're Federal employees they all work within their own States, not because we license them or say you're perfect or anything else but because in reality if Oklahoma has State programs still and if Texas had one all of their employees are expected to be at the same level ours are at. And we're just going to assume that's the case for the purposes of this discussion. We have bad apples and they have bad apples, but for the purposes of understanding we'll

assume they're all at the same level. What we're suggesting is instead of saying you must have somebody drive from over here to get to these facilities it may make more sense to now group these plants together and say there's six people and say, "Today you're here, tomorrow you're here, Wednesday you're here, Thursday you're there, Friday you're here," but only one person.

So the Federal plants cannot say who can come into do the inspection. They're entitled to free inspection and we provide that for them and they don't get to pick and choose who it is. The States are the ones that are likely to raise some issues. So those are some of the cons we need to be aware of to see if we can work through them or if it's something that we need to say, okay, those are the times that we probably would have to say maybe T/A is not the most efficient way to do that.

But for these plants down here that don't cross State lines the question comes up, well, could they report to a Federal supervisor? That State likely would have concerns. I don't know that the Federal side would, the State likely would. Okay? So in a State like Texas where are they located? Are they far apart such that it would be ineffective to have them work as a team or for the T/A coordinator maybe they're close enough that the

T/A coordinator could have three teams. That would still be efficient for both parties. I mean I'm not trying to give you all the ideas, I'm just saying those are some of the things that we're not sure of what would work and what wouldn't work. The Agency itself is not opposed to saying you know that somebody from Texas can work at a plant in Oklahoma. But the State likely is going to...

DR. LOGUE: Are you're concerned with what the States say?

DR. MASTERS: No we're saying it wouldn't matter to us if you had a qualified State inspector to come over if the State said, "It's not a problem, this works for us." But the States are going to say, "Wait a minute. Are we still going to get our 50 percent?"

DR. LOGUE: So you need something to sell to the State guys. Is that what you're looking to do?

DR. JAN: Right, but that would be...

DR. MASTERS: No, we don't have -- what we're saying is we don't have the answers. We're looking to you all. What would the State say? Is there a way we can work through this? Give us some ideas on how we might make this work. And if you say, well, those are the few scenarios that are not going to fall into the

group that will be the efficient and duplication. So you know you as an Agency need to prepare that you are going to have to address those, but here's some ideas down here that will work and work better and give us some ideas on that.

MR. GOVRO: Well I would like to suggest then for question number one that the answer to question number one of how do we define the role for Talmadge-Aiken in you're calling it today's public health regulatory environment, but what I think we're really talking about is a management scheme that USDA has already made a decision to go forward with.

DR. MASTERS: Yes.

MR. GOVRO: And so I think what we need to do is to charge FSIS with a task of determining what the barriers are to continuing with Talmadge-Aiken plants in the management scheme that you've developed. And I think I know of different ways we can do that.

DR. JAN: One of the barriers that you brought up about crossing the State lines that's an easy fix. I think it would be difficult for one governor to pay for someone for someone to go into another governor's area.

But since these are Federal plants change how reimbursement for State inspectors -- make it a hundred

percent reimbursement and then there is no reason that a State inspector from one State can't go to the other State because they have the same credentials -- because they have the same credentials as Federal inspectors, so that wouldn't be an issue. But it does go back to funding. I mean that would be the only reason a State wouldn't be in favor of sending their inspector from one to the other. And I don't know how -- I know my State, I read the law, and we got there but that's not what the State -- they didn't -- they're not paying -- or they didn't think they were appropriating money for us to provide inspections in State -- in Federal plants to the benefit -- to no benefit for the States. And these 12 inspectors are strictly dedicated for Federal inspections. So that's the reason the State of Texas is giving up T/A plants is because we're moving -- trying to get closer to what the legislature said and the legislature State for intrastate commerce. And so as these 12 go through attrition unless that funding scheme is changed that's what's going to happen. So that one barrier, to take away that crossing State lines, would also allow Talmadge-Aiken -- utilization of that Act to continue. And I don't know how many other States have that same...



DR. MASTERS: Well the difficulty with that though is going to be if you went -- I mean it may work in some scenarios like if they were asked to cross the State line. But I mean if you look at the Act you really have to say that you're going to give the greatest effectiveness and efficiency in the administration of Federal and State laws. So you're correct it is for both parties. And it's difficult to help people understand why, but reimbursing the State a hundred percent is not the same as just hiring an employee. It often is more expensive because of having to get the pay processed and some other administrative type activities. So it's hard to put it down into figures but it's not just a matter of saying, okay, we'll give you a hundred percent and that's the same price as hiring one inspector. And because then that person works for the State and we don't have the flexibility of saying you're going here, you're going there, those kind of things. So it's hard to put that framework around it, but people do need to understand that one hundred percent doesn't mean that it's going to always end up being more efficient or cost effective for the Federal side. So both sides have to be looked at to make sure that we're meeting the intent of the Act,

which is efficiency and not duplication. That may work in some locations, it may not in others, but just to bring that back.

MR. SHIRE: Why was it only 50 percent to begin with when these employees were actually doing the Federal people's work? I mean I guess they'd have to look at the history and go back, but it seems to us that it should have been a hundred percent from the beginning.

DR. MASTERS: And I wasn't -- I certainly wasn't around -- well I was born in 1962...

MR. SHIRE: I didn't say you were but...

DR. MASTERS: ...but I wasn't -- it was the year I was born actually, but it is my understanding they went to the State laws which obviously reimbursed the 50 percent and used that as the prototype because these people don't just do Federal inspection in most cases. Dr. Jan had pointed out that there may be some things that have gone beyond the intent of the Act for both sides, but in most cases this person is not just doing Federal inspection but in fact does both types of inspection. So the 12 employees that work for Dr. Jan would be the exception, not what was intended by this Act is my understanding. You're talking about very

small plants that typically don't have a full-time person there eight hours a day. I won't argue about the 12, but the intent was not there.

DR. JAN: I think the whole thing needs to be looked at just because I think a lot of the States are operating the same as we are. We -- most of the T/A plants we've got are because they were State plants and it was just handy we had an inspector already on payroll, the Feds didn't have an inspector and they said -- we'd say, "Yes we've got an inspector, we can take this plant." And the Federal program would say, "Well that's good because we'd have to hire someone or we don't have someone." So it worked out good to both benefit but not really for the purpose of that Act...

DR. MASTERS: Of the Act, right.

DR. JAN: ...because it was more of a convenience and it ended up costing the State. So we ended up -- and in fact we gave away I think seven plants which was three inspectors that we've done this last year. And so we had 15, we're down to 12 and through attrition we're going to get down to 11.

DR. MASTERS: I guess you may -- you could choose as a group to make a recommendation that as far as defining the role is to go back to the Act and ensure

that that role is being accomplished even in today's environment.

DR. JAN: Right and I think that would be a good point.

DR. LEECH: Do we have a copy of that Act?

DR. MASTERS: I don't want to put words in your mouth, but as a sticking point that may be something helpful just to say that could be a recommendation.

DR. JAN: I think we need to look at it and say is it truly being done...

DR. LOGUE: Well from a straight point of view right now how do the State people feel about this idea?

MR. GOVRO: Well I think that's the answer to our question is that USDA needs to go back to all of the parties involved, the States as well as the people that are doing the work on the frontline, and say, "Okay here's our vision for a management structure. What are the barriers to making this happen in Talmadge-Aiken States?" And there's only nine of them. Ask them.

DR. LEECH: And they're going to know that pretty much off the bat. My experience is not in a regulatory situation but in extension education where we

went to getting agents to specialize and getting -- instead of having one in one locality that served all that locality we had three in say five localities that each had a specialty that they shared across them, and they were working in teams instead of working as just one. And what happened across the State we had 21 planning districts and the way that that sharing happened was different in lots of situations, and it wasn't necessarily all the same. We had six districts.

It wasn't even necessarily the same under each of the six districts. And a big portion of that was because the local governments paid a third of the salary and some local governments literally wanted the agents to count for every day and every hour that they were in each of the localities and prove that they were getting their portion. And others were very flexible and they -- how they reported back to them varied and -- I mean so I've seen a scheme that was sort of put out there on this level but that in reality it has not strengthened the program.

MR. GOVRO: Dr. Hollingsworth?

DR. HOLLINGSWORTH: A couple of things here. First I have a question and then I want to comment on this. Barb if a State -- if a plant is under a

Talmadge-Aiken program and the State inspector retires, resigns or leaves to attrition, does the State have the first right to replace that employee with another State inspector or is that the opportunity where a Federal person is hired and put in?

DR. MASTERS: Each time a State inspector retires it should be, and I don't want to say it always happens that way, but it should be the Federal's responsibility to verify whether or not they can fit that in with a Federal employee. And if not then they will ask the State if they can work cooperative to put somebody in there.

DR. HOLLINGSWORTH: Okay, if you'll all bear with me a little bit. I used to be -- before we had districts many years ago when I worked at USDA we had area supervisors. I was an area supervisor in the State of Georgia. Not only did we have Talmadge-Aiken plants but Senator Talmadge is from Georgia and that's why this Act exists. First of all it had nothing to do with remote locations. It had to do at that time, at least my understanding -- I wasn't there when the Act was enacted, Senator Talmadge is much older than me I might add -- but when we were in Georgia there were two reasons we had Talmadge-Aiken plants. One was that a

lot of State employees -- when the plant went from State to Federal, which they did and I'll get to this one later, but they did it because we wouldn't allow interstate shipment of meat, but because that plant wanted to ship their product. We had like a lot of plants up in North Georgia that were right along the Tennessee line and North Carolina and South Carolina all adjacent and they couldn't ship their products ten miles down the road because it was a different State. So they would ask for Federal inspection. The plants were fully in compliance. We had very little problem switching a plant from State to Federal. However there were two other issues that would always come up. One, the employees might have had a lot of retirement built up.

DR. LEECH: That was the other thing I wondered about.

DR. HOLLINGSWORTH: They were State employees. They had State benefits, State retirement.

DR. LEECH: Right.

DR. HOLLINGSWORTH: They had to give that up and then become Federal employees. All of their time and service as a State employee did not carry over. So they were starting over...

DR. LEECH: Right.

DR. HOLLINGSWORTH: ...guys who had 30 years of retirement funds built up and everything. And some of the States you basically lose that. You lost your pension and everything when you left. So the whole idea was, yes, we would offer these people a Federal job, but a lot of them said, "Thanks but no thanks. I've been a State inspector my whole career, I've got all this time vested in a job. I want my Federal benefits." That was one reason. The other thing was the State of Georgia wanted to maintain a State inspection program. They were afraid they would lose all of their State funding if they didn't have State employees doing inspection and more and more plants kept converting over because they wanted to ship interstate. Personally another subject here but I love to get this one in, if we allowed interstate shipment we probably wouldn't have half these problems. But we do have that problem, so there it is.

Now where I'm a little confused though is on this -- first of all on the work measurement. Every area, and I'm assuming now every district, must do a work measurement study. They have to identify the workload of every plant. You have to do this whole elaborative assessment of how complex is the facility, how many



square feet do they have, how many processes do they have. And I know in the area we had to identify how many man-hours it would take to provide inspection at every single facility. So the work measurements are done, unless they've stopped doing it, but...

DR. MASTERS: They have moved away from the 68-work measurement standard.

DR. HOLLINGSWORTH: Okay, so are you doing work measurements though? Do you know what kind of workloads you have?

DR. MASTERS: We are doing work measurements but we're doing it differently for this work assignment system, the number of processes and that sort of thing.

DR. HOLLINGSWORTH: Okay.

DR. MASTERS: We're not measuring pots and pans anymore.

DR. HOLLINGSWORTH: So there's some assessment though of the workload?

DR. MASTERS: Yes, there is an assessment.

DR. HOLLINGSWORTH: Okay. The other thing is the idea of having a team or a pool that you can send out is not totally unlike what happens now. I'll grant you there are some inspectors who were assigned to one

place and they go every day and that's where they work day in and day out. But I know at least in my experience in Georgia if you had an inspector here who called in and got sick that day you looked at your team of inspectors and you usually did like a 50-mile radius because the worst thing, and it happens and it still does, you have an inspector where to cover a plant they drive three hours, work for two, and drive back for three. So you get two hours of inspection in an eight-hour day. You can't help that, it's the best you can do. You have to have someone there or at least they have to show up. But when we would have an inspector say call in sick, we would look at the whole team and we'd shuffle. I mean we'd call you know, "Tom go cover base plant. Betty you go over to here to John's three facilities. Joe you pick up Larry's old plant." I mean you just -- you do it all the time and it's a constant juggling act to get continuous inspection. So although it's not a team per se, that sort of happens already at least down at the field level. So it doesn't seem to me that this is a whole lot of difference as far as looking at who is your pool of people, where do you put them. Now what we didn't do is we didn't assign them based on risk, and that would be a big improvement. Our thing

was you had to have a body in a plant every day. It didn't matter if they were there for five minutes or four hours, by God you had a body there and that was it, you covered it and you were legal.

DR. JAN: But that didn't go away.

DR. LOGUE: But now you're talking proximity as well so that they could actually cross that border which is five miles down the road and do them at the same time.

DR. HOLLINGSWORTH: Well -- and actually -- well I'll get to crossing States in a second because the other thing that we used to have, and I assume we still do, is -- you do, I don't, I'm not there anymore -- is relief inspectors, okay. And we had a pool of basically what we called floaters and they were inspectors not assigned to a plant. They were there to go at a moment's notice anywhere. Like in the State of Georgia we had like -- well we have tons and tons of poultry inspection in that State, but we had like maybe eight of them and four of them were concentrated in North Georgia because there was so much work and one in the Southwest and one in the Southeast. So you always had somebody who was at least within three, four, five, maybe even

eight hours of driving time but you always had someone you could send out if you needed them. As far as State lines now the area I was in at that time was one State, it was just the State of Georgia, but we knew all of the other areas. And like if Alabama called and said -- they had some plants right on the border -- and said, "We really need an inspector. We're short one and we can't cover it," if we had somebody in close enough proximity they'd drive over. It didn't matter whether they were doing Alabama or Georgia. They'd drive over, they'd do the work and they'd come back. Now for a Federal inspector that's not a problem. We would never, never ask a State inspector to cross the line. I mean it just never happened and you didn't do it. But we would at times call the State and ask the State, "Do you have an inspector you can send over to this city and then we can take our Federal guy and move him here?" So there was this -- I mean it was like the first two hours of every morning was juggling personnel. I mean that was what you did. So I think you know that's sort of the situation we're looking at here, but the reason for Talmadge-Aiken I think is very different then where it is now. As far as the questions, the only thing that I'm not sure I understand is that like the first

question talking about in today's public health regulatory environment. I'm having a hard time seeing what that has to do with Talmadge-Aiken. Talmadge-Aiken to me is strictly a manpower/resource issue.

MS. HICKS: I think that you asked that question this morning because he said it seemed overly broad for what we were really talking about. And that's true. What we meant by -- we were making the connection between where we're going with our workforce and how it fits into this public regulatory scheme. But the question...

DR. HOLLINGSWORTH: But it's not the caliber of the workforce, it's not their skills, it's not whether they're inspectors or CSOs that were asked -- being asked. It's how do we move people around to cover inspection assignments.

MS. HICKS: Right, but the way it's connected to this public health regulatory environment is by incorporating the CSOs and what they bring to the table into the frontline workforce you know to be a part of it rather than you know a resource that's assigned to the district office.

DR. HOLLINGSWORTH: But there are no State CSOs.

DR. JAN: Well there are now.

DR. HOLLINGSWORTH: Are there now?

DR. JAN: Yes, we've got our second one being trained. I think they're finishing up this week or something.

MS. HICKS: And also the risk-based assignment of inspectors.

DR. HOLLINGSWORTH: And I guess -- I don't want to sound like I don't want to tackle these three questions because given that I have a history of some Talmadge-Aiken plants and I sort of understand the problems in working with them, it almost seems to me like -- oh, I'm not being tactful here at all.

MS. HICKS: Just say it.

DR. HOLLINGSWORTH: Okay, but I think we're being recorded. I don't want to be recorded being untactful. I'm having a hard time understanding what it is, and this is what I talked to Robert about earlier, what kind of information you want given the expertise at this table to answer these questions when it seems to me if this is a manpower issue it's really an issue between FSIS and the States that have these people. I'm just -- I'm not sure what you want us to give you to help you resolve this if it's a matter of -- I mean we can't

answer the question of will the States be willing to share employees. We don't know, we can't answer that.

DR. LEECH: And we don't know what incentives might make them be more likely to or...

DR. HOLLINGSWORTH: Nor do we have...

DR. LEECH: ...what their perceptions of concerns.

DR. HOLLINGSWORTH: And we don't have a map to show where problems might exist or not exist. I mean the Oklahoma/Texas drawing actually helps a little bit.

I guess I'm just sort of struggling with what kind of feedback we can add to this other than my one issue which is allow interstate shipment.

DR. JAN: I've been kind of thinking -- formulating an answer.

MR. GOVRO: Okay, let's focus everything we're going to do now on question number one. Is that where you're going?

DR. JAN: Yes, that's where I'm going.

MR. GOVRO: Okay, let's do that.

DR. JAN: I'm thinking that the question is the role -- define a role for T/A in today's public health and I'm taking that as tomorrow's public health regulatory environment is really what you meant.

DR. MASTERS: Yes.

DR. JAN: And I would say it would be the same, it was strictly to make the inspection most efficient. That would be my thing. And then as part of this we need to see where we go from there or how we use that definition then after FSIS has completed their work measurement -- this new work measurement thing that you talked about where we look at all the work out there and you look at your assets and then when you find out if there is a shortage then we use this same thing right here, this definition, to make the inspection efficient for State or Federal, whichever way it goes, which is the most efficient way to go. And I think that there will be a role for T/A because there are remote plants.

I think if there's a remote Federal plant and no State plant around, then FSIS is going to have to figure out a one-man team or something for that plant. But there are a lot of places where we have -- the State has two and three small plants and can pick up this extra, and that is now it would work. It might be difficult then to apply this public health team concept on one T/A plant.

But you know I'm thinking that -- I already was thinking about my own staff as being a team. I have a



supervisor who has a team and they do it as a team but they -- the traditional way that people are assigned plants pretty much stay the same except when there's an absence like you talked about. I mean so it is a team concept and that would be easy to change, but I don't think that FSIS would be satisfied with us saying we're going to take the team approach also, and they may be, that if we have a T/A plant and two or three Federal plants in an area kind of close together and we're providing that service that we would work that as a team. I guess it would work just as well whether we'd send a State inspector to the T/A plant today and another one tomorrow. The only thing we wouldn't have would be Federal EIAO officers. We'd have our own unless those officers can be moved up to be where they aren't left where they are now and be a resource for a team to pull down when they need it. And then we could pull from that same resource through the circuit supervisor and we wouldn't have to go through, you know, "This is my territory, this is your territory" kind of thing. I think we'd have a better relationship with one district manager as opposed to half a dozen or a dozen frontline supervisors. It would be more consistent. That would be -- I think the bottom line is make it more

efficient. I mean that's what T/A ought to be for. That's what we ought to look at and then we'd have to see after the work measures are done. They're supposed to be complete by the end of the year aren't they?

DR. MASTERS: Yes, uh-huh.

DR. JAN: So the first part of next year we should have a good idea on how many plants do we need to talk with FSIS about those States that have a program, how many do we need to talk about continuing to support.

MS. HICKS: Would it help you if -- do you want me to put some stuff up there as you're talking? I heard a lot of good ideas out of that right there.

DR. LEECH: What I guess...

DR. MASTERS: Those are the kinds of things we're looking for, could that one plant that's left not be part of a team and continue T/A? Or could the States form -- I mean I think those are the kind of ideas we're looking for from this group.

DR. JAN: And I like the team idea and I think it's a better way as long as travel funds allow you, you know, in Chicago or in Dallas or San Antonio you do. But when you're talking about Midland and El Paso it doesn't really work. And so where it works -- I think it would be good to -- and we would rotate our

inspectors like every six months, but we don't really do that every day and it might be a better way to look at it.

DR. HOLLINGSWORTH: I guess where I have a concern is in the preamble here to the question is where it says that when there are program issues that arise in a T/A plant the process of dealing with the issue is burdensome and complex because there's two management systems and there's undue time delays. I'm more concerned with that. I mean the personnel issues I think are really something between the States and FSIS to work out. My concern is is it in fact the experience of FSIS that if there is a program issue, particularly a program issue that could impact on food safety, the fact that there are two management structures and there is complex and burdensome inefficiencies and a time delay is it impacting and jeopardizing public health? I can't answer that, but it sounds to me like that's what's being identified here, that there is that problem. And if in fact that creates a public health -- or a safety issue, then I would say there is a problem with T/A plants. And I guess that's what I'm trying to sort out is the problem just a personnel issue which I -- if it's

just personnel, then the thing is T/A plants have a purpose and it can be worked out. If the problem is truly one of safety and public health where it's program or programmatic type of issues that are complex and not being resolved, then that's totally different. I mean if the Agency's experience has been that T/A plants cannot react as quickly because of two different management systems, then there is a serious problem. I -- my personal experience is I've never witnessed that but then again that was many years ago. So it appears now though that that's been raised as an issue.

DR. LOGUE: If that's the case, then surely FSIS needs to deal with that. They need to go back and negotiate and find a way to...

DR. MASTERS: I would say from my perspective -- I've only run across that twice and I've had many dealings with T/A plants and it was worked through in those two cases, but it was one that took more time because of the roundabout way of getting to it, and both of those did ultimately get resolved. I think what we were looking at here, and I think Cheryl alluded to that this morning, is that if you move towards a team concept and -- I don't want to focus on that. Out of about a thousand dealings I've had two incidences that maybe

could have been done a little quicker. So I don't want to focus on that. I think it was more if you move to the team and you reported to me and Dr. Jan reported to me but Cheryl reported to someone else and there was a program issue, would Cheryl have to go to her supervisor and then to the district office and then back down to the frontline supervisor which could clearly result in delays. I think we were looking more at that as a concern to that scenario because it's clearly been the exception -- the extreme exception and not the rule.

DR. LEECH: But they're all working -- to the same outcome.

DR. HOLLINGSWORTH: Or the same standard.

DR. LEECH: The standard.

DR. MASTERS: Right they work towards the same standard but to issue a higher level enforcement action for example the in-plant people can't do that. They have to go through their supervisor to say, "I believe the issues here are such that we need to notify this plant that we intend to take a suspension action." And so if that was the case and it was a team and the inspector said, "I feel that way" and they were working for a safe program, our concern is would it be such that they had to go to the T/A coordinator, the T/A

coordinator to go to the district, the district had to go to the frontline supervisor? So...

DR. JAN: And I think that's...

DR. MASTERS: ...that's what we're questioning here.

DR. JAN: And I think that can be avoided by not putting State inspectors in a T/A plant that's a part of another team. Make that -- just like the circuits now make that a team. They can still work as a team but make those -- where T/A plants come in make that team be working for the State and then the State-- just like now we go directly to the district if we need an NOIE or something like that and it still comes -- because it's a Federal plant and there's not a problem.

DR. MASTERS: Right.

DR. HOLLINGSWORTH: So Jan are you saying that maybe what there needs to be instead of this one team that includes Federal and State people with concerns about who they report to is maybe there needs to be two teams, the Federal team and the State team, and if they need to ask each other for support or staffing...

DR. JAN: Uh-huh.

DR. HOLLINGSWORTH: ...then it would go to a higher level and whoever is doing the assignments now of

who -- what inspector goes to what plant and covers what assignment, then it would be the State person who's in charge of that, the Federal person who's in charge of that and they could get together and say, "I need two people over in, you know, Oshkosh here. Do you have anyone available? But I have one person I can send to Timbuktu." But there would be two separate teams. Is that what I hear you saying rather than being a mixed -- a team with mixed Federal/State that there's a State team and a Federal team?

DR. JAN: Yes.

DR. MASTERS: I don't think we're opposed to that. I think that's what we're trying to do is get some of these ideas on the table.

DR. JAN: What I'm saying is the team approach is a good idea but I don't think mixing people from two supervisors to deal with the same project is going to work because when an inspector says, "I think we need this," he'll go to his supervisor and the other supervisor may not see it to be ready at that point and so there may be some problems here. So that's where I can see the problem. But if you keep this team separate and say, okay, we'll go through the work measure deal, we've identified there's a half a dozen plants that

still you know we can't cover as a Federal you know and they negotiate and we cover that, then we make a separate team to deal with that. Now that may be because maybe it's Texas, they may be scattered all over Texas and we may have to have a separate team combined with some Fed plants and include that Federal...

DR. HOLLINGSWORTH: Right you might have a North Texas team and the West Texas team and the South Texas team.

DR. JAN: Right.

DR. HOLLINGSWORTH: But they're all State employees.

DR. JAN: But they're all State and they all answer to me.

DR. HOLLINGSWORTH: Right.

DR. JAN: So then -- and I go directly to the district if it's a Federal issue.

DR. HOLLINGSWORTH: Right.

DR. JAN: If it's not a Federal issue, I handle it.

DR. HOLLINGSWORTH: Right, or if the Federal - - if the district needed a person to go to a plant, they could ask you. Likewise you could ask them.

DR. JAN: I don't see that -- I wouldn't be



opposed to that. I don't know that -- how well that would work like to cover, not necessarily like to -- like you said maybe I need an inspector or they need an inspector...

DR. HOLLINGSWORTH: Right, I'm talking about "Can you send one here? I'll send one here." That kind of thing.

DR. JAN: And not become a part of that team but help out in a pinch and then come back.

DR. HOLLINGSWORTH: Right.

DR. JAN: I think that would be handy to be able to do that.

MS. HICKS: I had put down as alternatives for how T/A fits may vary, a T/A team for lack of a better term versus a T/A employee with a Federal team.

DR. JAN: Yes.

DR. HOLLINGSWORTH: Maybe one of the things we could, I don't know if this may help or not and I may be getting way off, is if we kind of put up two alternatives. One is a mixed team for lack of a better word, a team with Federal and State people in the same pool reporting to two different supervisors or a system where you had a State team and a Federal team and the teams were only Federal or only State but their

supervisors could talk to each other and decide how best to get the most efficiencies out of their team.

DR. JAN: Well there's another way of looking at it too. You said the mixed team. Where there needs to be a mixed team we could change the rules because they're not -- as far as I know there are not any hard and fast rules. I didn't -- mine are not written in stone, they're on a piece of paper and that piece of paper is about faded. So right now it says there's a cross-utilization and there's a T/A program. If you use more than ten man-hours, you cannot participate in the cross-utilization. But the cross-utilization the inspector -- even though it's a State inspector answers directly to the Federal supervisor and the State program is out of it. They provide the person and answers directly. So if we have mixed teams we should do that, but under that circumstance what we need to do is get funded just like we do with cross-utilization which is a hundred percent.

DR. HOLLINGSWORTH: Okay, so that's State employees that report to the Federal supervisor...

DR. MASTERS: To eliminate the duplication.

DR. JAN: And then there's not a duplication of supervisors. They've got one supervisor and it's a

Federal supervisor.

DR. LEECH: Are they going to both get paid the same thing on the same scale? Are they going to both have the same benefits?

DR. JAN: They're State employees and they get -- and so their performance -- most of these are not going to be a hundred percent, they'll have other deals.

So their performance will be measured on their -- for the State will be measured on a performance with the -- their work in the State. And then the circuit supervisor if he has a performance issue then he would work you know with me to handle it if there's a performance or behavior or those kinds of things. But as long as it's performance of doing you know you need to write an NR or you should have written an NR, they treat those inspectors just like they were Federal inspectors but they're paid by the State, they have State benefits and all that. And that's under the cross-utilization. And there are few States, Bill might know how many, three States that have cross-utilization.

DR. LEESE: That are doing it right now.

DR. JAN: So those guys...

DR. LEESE: There's more contracts but there's three States doing it.

DR. MASTERS: So one option I think I heard under the mixed team was for a mixed team you could use a cross-utilization concept so that you wouldn't have duplication of supervisors.

DR. HOLLINGSWORTH: But now in that arrangement, and that's a new one on me, in that arrangement can the State employee who reports to the Federal supervisor be called on by the State to provide inspection service at a State plant?

DR. JAN: Yes, yes because they're generally providing the State service maybe for half a day and then the other half a day they're...

DR. HOLLINGSWORTH: So they have two supervisors.

DR. JAN: Yes, but when they're in the Federal they only have one supervisor and when they're in the State they only have one supervisor.

DR. HOLLINGSWORTH: Okay so that still splits supervision. It's just that...

DR. MASTERS: But for Federal plants which is the purpose of this particular work group. As we indicated earlier, we may do others for State programs at another time. But for purpose of this discussion we are looking only at what happens in the Federal plants

where there's State employees working. So...

DR. HOLLINGSWORTH: Right, but that employee may be called by the State to go off and do something else.

DR. JAN: But we have an agreement. We have a contract.

DR. MASTERS: Not at the expense of the other plant.

DR. JAN: Right.

DR. MASTERS: That would be worked through the...

DR. JAN: That's - right, we have an agreement.

DR. HOLLINGSWORTH: So covering the Federal plant comes first?

DR. MASTERS: Not necessarily. It depends on...

DR. JAN: On the needs but...

DR. MASTERS: They wouldn't be called away and leave their other duties behind under that circumstance. It would be a contractual agreement between the two programs.

DR. JAN: If we needed -- if we couldn't send the inspector to a T/A plant for a reason because we had

shortages, we'd talk to the district and say, "Do you have anybody you can send?" Or it could be the other way around. We may send somebody to cover the State side and stay in the Federal side. I mean -- so that's the issue. But the difference is that when they're in that T/A -- in that Federal plant doing -- and if we use a mixed team so that a T/A plant can be part of a Federal team, then that inspector when he's in that plant takes all his instructions regarding performance in that plant from the Federal supervisor. Under T/A the inspector gets all the instructions from the State supervisor and that's handed down, so then the State is making the calls...

DR. HOLLINGSWORTH: At the Federal plant.

DR. JAN: ...at the Federal plant under the traditional T/A. Under cross-utilization the only thing I would say is if we go cross-utilization we stay with the hundred percent funding.

DR. MASTERS: Right.

DR. JAN: Because I wouldn't want to...

DR. HOLLINGSWORTH: Well, yes, but you're paying the employee's benefits and salaries.

DR. JAN: But we're paying -- right we're paying all that. The thing right now is you can't have

both cross-utilization and T/A in one State. But again those are the rules that I never saw written in stone and saw them on faded paper, so do away with that that they can have both.

DR. HOLLINGSWORTH: You can have both?

DR. JAN: That we -- yes I'm saying that we should make -- our recommendation should be that a State if it serves for efficiency should have the opportunity to not be limited to either cross-utilization or T/A, but it depends on the situation. Have ability to operate under both systems because if there's an area where there is a group of plants that are close together and they won't fit into a Federal team then they should stay under T/A and work as a State team. If there's a single plant or two that would fit into a Federal team, then let that inspector while he's in there be -- answer directly to the Feds so that he can function as part of that team while he's in that plant.

DR. MASTERS: Okay, I think if I understand Dr. Jan correctly, in my lovely States that we drew earlier, if these are a mixture of State and Federal plants it may be such that one of these plants...

MR. GOVRO: Excuse me, T/A plants are Federal plants or State?

DR. MASTERS: I haven't clarified yet. I'm just saying there's a mixture of plants that have a grant for Federal inspection and plants that have a grant for State inspection.

MR. GOVRO: Okay.

DR. MASTERS: In this scenario there's a mixture of a lot of both. And he's suggesting here it may be easier to use cross-utilization where they report directly to the Federal where they're doing Federal. Whereas down here these are all State plants and this one Federal plant is here and there's not another Federal plant for 600 miles in Texas, and that happens, but there is several other State plants that this plant that chose to apply for Federal inspection may well be done under the T/A concept because in that case that particular person would only be clustered with other State employees. And he's suggesting to -- I hear the recommendation, or I think I hear it say, that a State should not be limited. Where it's most efficient to use the T/A approach, use the T/A approach. Where it's most efficient to use the cross-utilization approach, use the cross-utilization approach. Is that what I'm hearing you say?

DR. JAN: That's exactly right. And the key



difference between those, besides the funding, but the key difference is who the supervisor...

DR. MASTERS: Who they report to.

DR. JAN: Who they report to when they're working in that Federal plant.

DR. MASTERS: In this scenario there's State and Federal plants and this is a team and there happens to be a lot of State plants around and a lot of Federal plants around.

DR. HOLLINGSWORTH: I understand that.

DR. MASTERS: And in this case the one plant is kind of on the fringes, so that there have been T/A services prior to that.

DR. HOLLINGSWORTH: Right.

DR. MASTERS: But in that scenario if you pulled that into the team -- when we do our reshuffling we pull that into the team, that person would be reporting through Dr. Jan, through the district back to the frontline supervisor.

DR. HOLLINGSWORTH: Why?

DR. MASTERS: Because under T/A they are reporting to the State program.

DR. HOLLINGSWORTH: Okay, I'm sorry...

DR. MASTERS: But under cross-utilization...

DR. HOLLINGSWORTH: Right.

DR. MASTERS: ...they would get reimbursed a hundred percent up here in this little corner...

DR. HOLLINGSWORTH: Uh-huh.

DR. MASTERS: ...and that person while they did their State stuff would report to the State. And when they came over and put their Federal hat on they would report directly to the frontline supervisor.

DR. HOLLINGSWORTH: But if you -- if one of the goals would be to try to avoid a State employee reporting to the State hierarchy or chain of command, I won't say hierarchy, because they're in a Federal plant why would you -- I'm not sure now I understand what is the value in having a T/A arrangement if you can have a cross-utilization arrangement? Even if they're part of the State team and there's five State plants and one Federal, when they walk into the Federal plant why would they not for that facility report to the Federal chain of command?

DR. MASTERS: Because you'd lose the efficiency side.

DR. JAN: And like she said 600 miles -- that frontline supervisor would have to drive 600 miles to supervise that one...

DR. MASTERS: 600 miles to pick up that.  
That's where the additional costs come in.

DR. JAN: So where we already have...

DR. HOLLINGSWORTH: When you say frontline supervisor you mean like the circuit supervisor?

DR. MASTERS: That's the circuit supervisor today.

DR. JAN: Well that's what they call them now.

DR. MASTERS: It's the closest analogy. And that's what we're saying, it's not a direct cost exchange. People don't understand that, but that's a good analogy that this frontline supervisor that had this team may be the closest. It's not just paying a hundred percent and saying, "It's the same, the same as hiring a Federal employee." No, now you've got to pay the expenses for this frontline supervisor to come and provide the oversight and that obviously would add up to being more than a hundred percent so you lose the efficiency. So you've got to deal both with the efficiency and the duplication. That was a good analogy of why it's not just an exact. It's always hard to say to folks, "It's not exactly a hundred percent, it ends up -- can be more." Some cases it could be less depending on the actual...

DR. HOLLINGSWORTH: So it's not just where the inspector -- it's not just dealing with the efficiencies of the inspector, it's the efficiencies of the management team.

DR. MASTERS: The Agency's program and the implementation of the Federal law and the State's program and the implementation of the State law is how I would interpret the Act. Both should benefit through efficiencies and through lack of duplication and maintain the same level of public health.

DR. HOLLINGSWORTH: Well there's not any duplication now is there? Duplication to me would be the issue.

DR. MASTERS: When you move to teams that's our concern is the duplication. That's what we're saying.

DR. JAN: Today it's not.

DR. MASTERS: Right, today it's not.

DR. LEECH: It's really a matter of how the individuals who are dealing with it put the rules down on a daily basis.

DR. MASTERS: And I think we're asking for suggestions on the rules and I think we're getting some of what we were looking for I think.

DR. HOLLINGSWORTH: And it would seem to me that if in fact what is really going to be the driver -- if we have even these three different scenarios, it seems to me the driver is going to be the location of the facility and what else is in proximity than there may not be any one solution. It may be on a case-by-case basis you have to choose which of the multiple options works best. I mean in some areas where you have a total mix of Federal and State plants and employees, which is like what we had really for a time anyway when they had State poultry inspection, but in Georgia we had such a mish-mash of people and plants that having two separate teams would have worked fine, the State team and Federal team. It wouldn't have been a problem. We each had 30 inspectors in four cities. I mean it was just really employee dense. But in these remote areas then you'd have these other two options, but I think you'd have to look at each one and say which one is going to work best in this case.

DR. MASTERS: And I think that was a given going in. I think the two givens that the group can look at is "A," we're saying that you can think of a State inspector as being equal to a Federal inspector because we're not going to look at individuals and say

sometimes one is better and the other is not.

DR. JAN: Right.

DR. MASTERS: They're equal. And the second was we already recognized that it was not going to be a one size fits all solution. And we're looking for ideas that we can foster across all of the plain to say -- because today it's not a one size fits all. So it's certainly going to be even more so when we move to our vision of team inspection I would think, and I think what's what I heard Dr. Jan saying is break down the paradigm of you can only have one or the other.

DR. JAN: Right.

DR. MASTERS: Perhaps you should look at the option that you can have both. So I heard that as a recommendation that Dr. Jan was making.

DR. JAN: I'd like to make that as a recommendation.

MR. GOVRO: And it seems like we have already gotten a little bit into question number two of under what conditions would Talmadge-Aiken be appropriate. The answer I'm hearing is where it can be made to be most efficient and you can work through the management issues.

DR. LEECH: And it may be a matter of counting

those tasks and that kind of thing.

MR. GOVRO: Right, and I guess part of the answer to question number two of under what conditions sort of depends on the solution we come up with for how it's going to work.

DR. JAN: And what they do come up with with their new work measurement program.

DR. MASTERS: Right.

DR. JAN: Because that will probably tell us now okay under -- that will -- I think that will dictate the conditions that it's appropriate to use T/ as long as we go back to number one where we said efficiency is the role for the T/A and break down that barrier so that we can have the teams and we can do a mixed team or we can do just a State team you know. I think all those things, and where they fall under these, you know, I think they all kind of blend together but I think those are recommendations that we should make and just you know get away from -- it's always -- and I know my people and I'm sure a lot of -- when I proposed giving up T/A plants I had lot of resistance from my staff because "this is mine." Well, they need to get away from "this is mine" and I agree that team thing. But we have to partnered -- the State programs have to

partnered with FSIS and FSIS has to look at us as State partners and we can do these things. Otherwise if we don't then they're not going to ever happen, but I think some of these ideas will make it happen.

DR. MASTERS: And I don't think we'd be sitting if we weren't trying to look from that perspective.

DR. LEECH: It may be that your way of measuring your work, those work units or whatever you call them, may be a way to keep track of what -- so that when people do cross State lines or whatever that there is some measure of what's being traded so that you can kind of document that things are fair or whatever you know in the end. And that may help get over the barrier of people not wanting to send folks into the other State when there's the reciprocity.

DR. JAN: Well make those the cross-utilization for sure along the border because then the issue -- because at the point that they're getting a hundred percent funding by the Feds then it's not -- I mean their reciprocity is getting them money.

DR. LEECH: Right.

DR. JAN: They're getting the money so their time that they're using outside the State is paid...



DR. LEECH: Paid for.

DR. JAN: ...paid for.

DR. MASTERS: It's five States out of nine that have touching borders. It's Alabama, Georgia, Mississippi, Oklahoma, and Texas. So you're dealing with five out of the nine that have touching borders and obviously we're not dealing with -- the only plants that we're talking about are on the borders. We just need to be open to the idea that that was something that could occur.

DR. LEECH: Right.

DR. HOLLINGSWORTH: How are the States funded? Is that -- the hundred percent funding is that based on a set fee per hour of work per person, per what?

DR. JAN: It's -- every time an inspector works in a plant they have a code that they have to put on their timesheet of how much time they spent. So most of our inspectors the code is 485 because they're working for the State and that tells the budget folks to bill the Feds 50 percent. But if a -- right now the only time we get a hundred percent funding for a T/A -- because it doesn't matter on that 50/50 whether it's a Federal plant or a State plant because the deal is it's 50/50 either way -- but if they're in a Federal plant or

a T/A plant and that T/A plants works overtime, then the deal is the Feds charge the plant for the overtime, so they pay our inspectors a fee for a hundred percent. So they code a different code like 482. So what they would do on cross-utilization whenever they're working under cross-utilization if they went and did two hours worth of work in a plant -- a Federal plant under cross-utilization, they'd just bill that whole time to 482 which would then tell the budget people that handle the money to bill the Feds 100 percent for this. And they'd do the same thing. When we have our inspectors work in a State plant for premium time, like overtime, we don't charge the Feds for that because the agreement is it's only for the mandatory inspection and overtime is not mandatory, so we charge the plant and we have a different code that tells our budget people don't charge the Feds for this time. It's all a coding issue.

DR. HOLLINGSWORTH: But let's take -- take overtime out of it. We're just talking about base eight hours.

DR. JAN: Uh-huh.

DR. HOLLINGSWORTH: When a State inspector is -- whether they're under cross-utilization or under T/A arrangement and the State inspector is in a Federal

plant, how do you get reimbursed for that, because you get reimbursed 100 percent for that person?

DR. JAN: No not now, not under T/A. Under cross-utilization you do and you would code it just like you would code...

DR. HOLLINGSWORTH: Like overtime?

DR. JAN: ...like overtime. You just code it and that code tells them -- tell the budget people when -- I mean the check comes to the employee. He doesn't -- it doesn't make any difference whether he -- where he works but the behind the scenes on where the money -- which pile they take the money to put into that check. And basically they pay the employee and then they bill the Feds.

DR. HOLLINGSWORTH: I'm not I understand why that is. Why do you get a hundred percent reimbursement if they're under cross-utilization but 50 percent if they're under T/A?

DR. JAN: Well there's no rhyme or reason, that's just the way it is.

DR. HOLLINGSWORTH: Oh okay, good. I thought I was trying to make a reason here.

DR. JAN: No there's a reason. It's just that whoever...

DR. MASTERS: That's just the rules.

DR. JAN: That's the rules we're operating under today and those...

DR. HOLLINGSWORTH: Well, gee, if I was a State I'd want all my people under cross-utilization because I don't have to supervise them and I get a hundred percent reimbursed.

DR. JAN: But in '82 I think...

MS. HICKS: But then you lose the efficiency.

DR. JAN: Or in '92 I think when this last directive was written I know that at that point they said if you aren't doing cross-utilization now it's not available to you and you can't be in cross-utilization if you have more than ten man hours dedicated -- or man years or whatever to providing -- that you have to go cross-utilization. So back then it was now or never; you decide if you want T/A or you want cross-utilization, you can't have both, and you can only have cross-utilization if you have a small enough amount. If you want T/A you can have your choice, but you couldn't have your choice the other way. So -- but once you made your choice at that time we were told that's it, you know, and that's what we operated under.

DR. MASTERS: The people that made those

decisions are no longer here.

DR. JAN: Right they're gone.

DR. MASTERS: So I don't know that any of us know the exact process that it went through. Back to the T/A you know we have to remember that person does not work exclusively for the Federal and so that's the way that came through. So...

MR. SHIRE: Yes, there actually have been some situations where the T/A -- in T/A States where the State governments got kind of upset about it and everything because of the fact that they had to put out 50 percent. And so in those cases the -- there were -- there had to be efforts made to make sure that the T/A continued there because the States weren't sure they wanted to continue paying that -- their share of it.

DR. HOLLINGSWORTH: I'm not sure I understand why the State would either.

DR. MASTERS: Yes.

DR. HOLLINGSWORTH: Why would you only want 50 percent reimbursement when you're having to pay that employee all their benefits and pay for their supervisory/management chain of command? Why would you do that?

DR. MASTERS: I can only answer that the

States continued to -- if a State plant goes Federal, it is the rare exception that the State would say, "We don't want any part of it." So I can tell you that for whatever reason in most scenarios, not in all, but in most scenarios, I want to take the 12 people that you have out of the scenario when they have an employee doing multiple tasks, it appears to be at least a non-burdensome State. I don't want to say it's an advantage to the State but it's a non -- it works out in the wash even to get the 50 percent reimbursement.

DR. HOLLINGSWORTH: Because they're going to be paying for that employee anyway.

DR. MASTERS: Right.

DR. HOLLINGSWORTH: But they lose part of that employee's time.

DR. MASTERS: Well that's what we're saying, in most cases that employee would have nothing else to do with their time because there's nothing else to meet the true efficiency that's here. That's why I'm taking these 12 employees off the table. That person would only have "X" amount of work to do and the State would be paying for them regardless.

DR. JAN: Right.

DR. MASTERS: Here they can pick up 50 percent

and that person can fill their full day.

DR. HOLLINGSWORTH: Well maybe then...

DR. LEECH: Or they'd spend more time driving and so forth and not using anything...

DR. MASTERS: Right, that's why I'm saying it's really a wash for the States. It gives that person full activities and they do pick up some for that.

DR. HOLLINGSWORTH: Well should the decision then whether a person is considered T/A or cross-utilization be based on how many -- how much of their time is spent in the Federal plants versus in State plants? Because in the case -- if we look at the 12, and my understanding is the 12 are State inspectors who are full-time in T/A plants.

DR. JAN: Right.

DR. HOLLINGSWORTH: They should be under cross-utilization.

DR. MASTERS: They should be Federal inspectors.

DR. JAN: They should -- we should...

DR. HOLLINGSWORTH: They should be Federal.

DR. JAN: We should give back to the Feds and that's our plan. I mean initially our plan was have the Feds pay a hundred percent for their time.

DR. HOLLINGSWORTH: Right.

DR. JAN: And then we would provide the retirement and we would provide the supervision and we'd provide everything else which would be a savings to the Feds.

DR. MASTERS: If you go back -- in reality it's not a savings in most cases. And that's why I'm saying if you go back to the Act in most of those cases I'm guessing if we sit down dollar for dollar there probably would not be a savings and it would be more advantageous to go back to a Federal.

DR. HOLLINGSWORTH: If they're working full-time in a Federal plant anyway.

DR. MASTERS: Right, and I think what's why I was trying to focus people to say we're looking at those that we truly do need to go back to what the Act says and say efficiency for both programs and not duplication.

MR. GOVRO: Well I suggest that we at this point since it is 7:30 and we have a half an hour to write these answers...

DR. JAN: You get to do that after nine.

MR. GOVRO: We can go as long as the USDA employees are willing to stay with us and I'm betting



that they would like to leave at eight.

DR. HOLLINGSWORTH: Well we could always type.

MR. GOVRO: I don't really see that happening.

Is there someone who would like to tackle question number one and draft an answer to that? Lee?

DR. JAN: Yes I can.

MR. GOVRO: Okay, how about question number two of under what conditions would Talmadge-Aiken be appropriate? Does anybody have anything to say on that?

DR. JAN: You know my feeling is that we answer all three questions at the same time because...

DR. LEECH: Yes me too.

MR. GOVRO: They're too closely related to...

DR. JAN: To compartmentalize them we'll break another paradigm.

MR. GOVRO: Yes we'll play Donald Armstrong, "I don't like that question. I'll answer this question instead."

DR. MASTERS: I think that was really where Dr. McKee was coming from though was we were trying to give something to the group and he didn't want people to feel like we've got to stay here just to answer these questions one, two, three. He wants ideas put on the table.

DR. JAN: And I think what we've been talking about, and if you can reduce that to writing, that's my feeling. Those are the recommendations of this committee and those are -- that's the way I think.

MR. GOVRO: Well I'm a good writer but I don't think I understand the issue well enough to take the lead on this. So Lee if you'd like to start and I guess we'll all chip in and we'll just kind of go through here point by point.

DR. LOGUE: How about we write it as a bulleted text? It would be quicker.

MR. GOVRO: Bullets?

DR. JAN: Yes, yes, right.

MR. GOVRO: These are some thoughts the group came up with.

DR. JAN: And we'll just take these bullets.

DR. MASTERS: Do you want to wordsmith those?

DR. JAN: Yes I think that's what we need to do is just wordsmith those bullets unless anybody has anything else. But I think we...

DR. LOGUE: Did we figure out the measurements of effectiveness? How do we measure them?

DR. MASTERS: I thought Dr. Jan said he would measure effectiveness as provided efficiency and non-

duplication for both programs.

DR. JAN: Yes, because that kind of rolls back to number one. I mean it just goes kind of full circle.

DR. LEECH: And we're using the same words to define the things.

DR. HOLLINGSWORTH: I think we need to define even what we mean by efficiencies. I mean we're talking about utilization of people, people resources, and monetary savings.

DR. LOGUE: Time savings.

DR. HOLLINGSWORTH: Time savings. Getting -- I don't know a better way to say this...

DR. LEECH: Meeting all of the...

DR. LOGUE: Meeting the criterion.

DR. LEECH: Meeting the needs?

DR. HOLLINGSWORTH: Meeting the needs. In other words having people in the plant more than on the road.

DR. LEECH: Right.

DR. HOLLINGSWORTH: Or the maximum use of time doing inspection duties versus traveling duty.

DR. MASTERS: She's answering question number three. Giving some ideas to question number three I would say.

MR. GOVRO: Maximizing inspection time.

MS. HICKS: I jotted she said what is efficiency.

DR. LOGUE: You indicated it would, how did we say it, optimizing time or maximizing time?

DR. HOLLINGSWORTH: Maximize inspection, minimize travel to meet the inspection need of both programs?

DR. LOGUE: Would you say people needs or personnel needs?

DR. HOLLINGSWORTH: Right, the most effective use of people.

DR. MASTERS: People resources, time savings, money savings, meeting the needs, and in the plant and not on the road is what I jotted down. People resources, time savings. I just put a dollar sign there. I don't know Jill's exact words but I did a dollar sign to say that it should be the most cost effective for both programs.

DR. HOLLINGSWORTH: Yes cost effective. Kind of a cost benefit type thing. You need a cost benefit approach.

DR. MASTERS: Instead of folks saying just a dollar sign I hear you saying there may be other

measures of efficiency.

DR. LEECH: Right because time matters.

DR. HOLLINGSWORTH: Right, whether you pay 50 percent or a hundred percent may not be the only driving factor. And then the other thing -- before -- I mean before you can even answer the questions I think first if you define efficiency then I think you'll also have to say what are the outcomes you're looking for, which is going to make some duplication, but one outcome is more risk-based inspection? Or...

DR. LOGUE: More work done for the time -- for the period of time in the plant.

DR. HOLLINGSWORTH: Yes.

DR. LOGUE: Looking for a greater output of...

DR. LEECH: Better use -- the optimal use of the resources.

DR. HOLLINGSWORTH: Right optimal use of resources.

DR. JAN: Yes under today's -- I don't hear any indication that it's ever going to change in our near future, so under that you still have to have the inspector in the plant every day. So risk-based...

DR. HOLLINGSWORTH: Oh meeting the law -- the letter of the law or the...

DR. JAN: Well, the interpretation of the letter of the law. So the only way you...

DR. HOLLINGSWORTH: Meeting regulatory requirements.

DR. JAN: The only way you can do risk based is...

DR. HOLLINGSWORTH: Statutory requirements.

DR. JAN: ...once you've met that basic and then put you know extra effort into some that may have a need but...

DR. HOLLINGSWORTH: Right so you have to...

DR. LOGUE: Well for something like risk based do you have to at the end of the day have gathered information or have proof of something?

DR. JAN: Well through PBIS we do. We have...

DR. LOGUE: Well that's some kind of a measure then. You've actually gathered that much information at the end of the day, yes?

DR. JAN: Yes.

DR. HOLLINGSWORTH: And there are also some plants where I remember we sent -- we used to send an inspector I mean on a really long trip to watch literally what they did was put sugar on the ham and burn it with a torch and we sent an inspector to go see

that every day.

DR. JAN: They don't have to do that now because that's a honey-baked rule.

DR. HOLLINGSWORTH: I know it but we used to do it and every day he'd go and go, "Yeah they're burning them. The sugar still melts with that flame, it happens every time." Talk about risk based. In the meantime we've got you know an old cow kill and no one is there. Makes you feel good.

MR. GOVRO: Let's take that first bullet there. Since there is a rule for T/A where it is most efficient. Do we want to make any changes to that?

DR. HOLLINGSWORTH: I think on this one here I think the other thing we need to talk about is there is more than one way...

DR. LEECH: Right.

DR. HOLLINGSWORTH: ...to apply the Talmadge-Aiken concept and then we could maybe even list what would be the factors to deciding -- and we could say we came up with at least three options; the mixed team, the separate State/Federal team or the cross-utilization concept. And then maybe we could identify what are the kinds of things you would have to look at and consider when deciding which would be the best choice. And we

talked about location....

DR. JAN: Yes.

DR. HOLLINGSWORTH: ...of costs. What else? What would you use...

DR. LOGUE: We talked about the way you built the team.

DR. HOLLINGSWORTH: What kind of decision-making process would you go through to decide in this scenario, in this State, or in this -- even this part of the State? Should we go with a mixed team, two separate teams or cross-utilization?

DR. JAN: Well, cross utilization is going to be -- I think the only role that that will have, except in cross-utilization States, it would have is in the mixed team. And the mixed team would be when you have State inspectors and Federal inspectors on the same team, so those have to be cross-utilization so when those State inspectors are part of that team they answer to the Federal supervisor...

DR. HOLLINGSWORTH: Okay.

DR. JAN: ...who then directs that whole team, and it doesn't have to go through anybody else. It doesn't have to go through the State or anything. That would be where your cross utilization comes in and those



mixed teams would be best when there's a plant on a border and an inspector may need to go into you know across the State line to do it or there is a plant where this -- the Feds may not have the staffing, personnel to staff this plant, so they're using the State but they have other Federal plants that can -- that this T/A plant can fall under the jurisdiction of this team. So that would be cross utilization. Then the other separate team, a State team overseeing a Federal plant, would be when there's not a Federal -- another Federal plant that's close and this Federal plant is a part of a patrol with other States -- other State-inspected plants. So now the...

DR. HOLLINGSWORTH: And then you go to a true T/A.

DR. JAN: And that's a true T/A because that inspector answers directly to the State supervisor who then -- and that's a separate team.

DR. HOLLINGSWORTH: But then you have a State team.

DR. JAN: That would be the State team. So actually you have two teams. The State team would be the T/A -- traditional T/A 50/50 funding, and then the mixed team would be the cross utilization.

DR. LEECH: Just as a curiosity and perhaps I should ask Dr. Jan to hold off on answering this. Let me get this from FSIS.

DR. HOLLINGSWORTH: Is there a belief or a theory or even a working notion that somewhere in the future there will be no State inspection anymore?

MS. HICKS: Not to my knowledge.

DR. HOLLINGSWORTH: Okay, so it's believed the States will continue to fund and maintain State inspection programs.

MS. HICKS: Uh-huh, yes.

DR. HOLLINGSWORTH: Okay, now I'd like to ask you the same question. Is that your understanding and belief that that will be maintained and continue?

DR. JAN: Yes. Now every State is going to consider that question from time to time. They're going to ask that question.

DR. HOLLINGSWORTH: That's why I wanted several perspectives.

DR. JAN: Some States are kind of rocky. Alabama right now is having -- and it's based on funding you know. They think if they can save a million dollars in a program it looks good to the taxpayers that, "Look I cut this program." But you know so those are --

politics are always going to figure in, but there's enough -- I think there's enough evidence, and AMP has some of it and we're collecting data as we go, that having a State program allows an environment for new plants to come on better than not having a State program.

DR. HOLLINGSWORTH: Okay.

DR. JAN: And I think that's going to always be a value of having State programs. Now once those plants are on and they grow up and they can go Federal, but sometimes they've got to start somewhere. We're kind of like -- I guess we're the nursery.

MR. SHIRE: It's helpful to small plants and I know you bring -- whenever you bring that issue up, and it happened again here tonight, right away the charge from the Federal side is you're looking for easier inspections somehow. But that's not true. It's that the relationship, that the atmosphere is better for small plants. I mean we get all kinds of calls in -- I get all kinds of calls and I get as many calls from plants having problems that are State plants and that are T/A plants as are Federal plants. So that's not -- that issue is not true. But as Lee said there's -- where these small plants start out and are able to grow

and have a relationship that's sometimes more supportive from the State than the Federal it's helpful. The other problem you have at times too is that you have unfortunately sometimes there are instances where Federal inspectors who have spent their whole lives inspecting the ConAgra's and the IBP's and those kinds of people get sent into small plants and they don't work very well there.

DR. HOLLINGSWORTH: Okay, I just didn't know if there was a trend toward just getting away from this whole thing.

DR. JAN: In fact we've got more State plants -- more States now than we had a few years ago.

DR. HOLLINGSWORTH: Okay.

DR. MASTERS: Yes we actually took on new states just recently and...

MR. SHIRE: Yes it's growing.

DR. JAN: It's growing.

DR. HOLLINGSWORTH: Fewer States but more plants?

DR. JAN: No, no.

DR. MASTER: No, no additional States.

DR. HOLLINGSWORTH: More States.

DR. JAN: More States.

DR. HOLLINGSWORTH: Okay.

DR. LEECH: I think you got all of that except for we starting talking about things to consider to make the decision about what to do and we said...

DR. MASTERS: That's what I was trying to do.

DR. LEECH: Oh, you were trying to put that in there?

DR. MASTERS: Border plants across the state lines, an individual plant covered by a State but Federal employees in the area. Then you would say you might recommend a cross-utilization concept where it's a hundred percent reimbursed and a Federal supervisor.

DR. LEECH: Okay.

DR. MASTERS: And over here it was separate teams no other Fed plants in the area becomes part of a State team...

DR. LEECH: Uh-huh.

DR. MASTERS: ...then that would fall under the T/A concept.

DR. LEECH: Okay.

DR. HOLLINGSWORTH: Okay.

DR. MASTERS: I'm trying to listen and write.

DR. JAN: That's good.

DR. MASTERS: Certainly I will make whatever changes so Mila can make them.

MR. GOVRO: Do you see both of these concepts existing as opposed to just going to one or the other? I guess that is what we're saying is that we could have both depending on which one makes sense?

DR. MASTERS: Well if you're asking me I would say we're open to any suggestion and we have made it clear that there would be different things that would fit in other places.

DR. JAN: Yes, you might need to make it somewhere clear that a single State could have both...

DR. MASTERS: Oh okay.

DR. JAN: ...I think because that's a definite issue.

DR. HOLLINGSWORTH: And Barb am I correct in understanding that under the mixed team you have two options, one is the T/A approach or the cross-utilization approach? We have two options but three things and that's where I'm confused. Are you saying the mixed option is the cross-utilization...

DR. JAN: Right.

DR. HOLLINGSWORTH: ...and the separate teams is T/A?

DR. MASTERS: That's what I was hearing from Dr. Jan. Certainly your group could change that. I was just hearing that from Dr. Jan.

DR. HOLLINGSWORTH: Okay I keep thinking there's three within two but, okay, there's just two.

DR. MASTERS: There may be. I was trying to listen to Dr. Jan.

DR. JAN: I don't see them as a third way.

DR. HOLLINGSWORTH: You don't see them as a third way?

DR. JAN: That's all I see.

DR. HOLLINGSWORTH: Okay, well actually I did envision a third as a proposal. I guess the -- what we came up with though is that that wouldn't work. The third one was when you had a mixed team but they reported to two separate supervisors all of the time. In other words you had...

DR. LOGUE: But that was the problem because you end up with an extra step for one team.

DR. JAN: And that's what we're trying to avoid I think.

DR. HOLLINGSWORTH: Right, right.

DR. LEECH: I think we are.

DR. HOLLINGSWORTH: Okay.

DR. LOGUE: And that's what we don't want unless you're going to find a way to drop the supervisor.

DR. HOLLINGSWORTH: Right that's when you start duplicating supervision.

DR. JAN: Right.

DR. HOLLINGSWORTH: That's fine.

DR. JAN: That was what we're trying to avoid is that duplicate supervision.

DR. HOLLINGSWORTH: Yes. So a mixed team without cross utilization becomes less efficient and more duplicative.

DR. JAN: Right, and then you've got to go through that chain. You've got to go through the State program, up the district and back down.

DR. MASTERS: Right, and you don't want to do that.

DR. LOGUE: And there's no way around that.

DR. JAN: No, there wouldn't be any way around that. These two would fix it I think.

DR. LEECH: All right, Mike is checking to see if we've done everything.

MR. GOVRO: Yes, I'm looking at these bullets here and I'm not comfortable. I'm fine with the first



one, there is a role for T/A where it's most efficient.

The second bullet says making -- and I think we need to fix this a little bit -- making decisions on where most efficient development on outcome of new work assignment system.

MS. HICKS: Is dependent on the outcome of the new work assignments.

MR. GOVRO: Okay, making decisions on where most efficient is dependent?

DR. HOLLINGSWORTH: Uh-huh, yes.

DR. MASTERS: Is dependent on the outcome of the new work assignment system.

DR. JAN: Making a decision on where -- you might want to say making a decision on where it would be most efficient will be dependent on the outcome of that.

MR. GOVRO: Let me rewrite this. Making...

DR. LEECH: I think we'll have to consider both of those.

DR. HOLLINGSWORTH: Yes.

DR. LEECH: Because you're going to have to make your decisions in light of the risk I think.

DR. HOLLINGSWORTH: So yes I think we need to address this thing about this new work -- you don't call it a work measurement study anymore, I'm sorry. I'm

dating myself here. What do you call it now?

DR. MASTERS: Work assignment system.

DR. HOLLINGSWORTH: Work assignment system? Okay. So within the work assignment system the -- and that's -- when is that to be done, in the next couple years?

DR. MASTERS: No we will have the new work assignment system implemented by February of 2004. And that's the first step which is to get our workforce more equally distributed so that everyone is able to accomplish the work that they need to accomplish, and that's why I added I agree with what you were saying is the next step is the risk-based concept. And that's the next level, and as you know we have a group working on that so we don't have all that to find yet.

DR. HOLLINGSWORTH: But I'm not understanding the first step then.

DR. MASTERS: Okay.

DR. HOLLINGSWORTH: Having your inspection workforce more equitably assigned?

DR. MASTERS: Yes.

DR. HOLLINGSWORTH: Based on what though?

DR. MASTERS: Based on the amount of work to do today under PBIS. We're doing a...

DR. LEECH: The number of tasks?

DR. MASTERS: Yes.

DR. LEECH: Okay so that is the old work measurement, how many tasks are there.

DR. JAN: Except that you don't have the times like you used to have. There's no times associated with the...

DR. HOLLINGSWORTH: With the task?

DR. MASTERS: There's no time. So what we have today is we have one inspector here and within a two or three mile -- within 25 miles...

DR. HOLLINGSWORTH: Uh-huh.

DR. MASTERS: ...this inspector has these four plants.

DR. HOLLINGSWORTH: Okay.

DR. MASTERS: This inspector gets 200 percent of their scheduled work done. This person gets ten percent here, 20 percent here, 20 percent here, maybe they get lucky and get 40 percent here. And we're saying that this person could possibly pick up these and maybe get you know 80 plus percent done at all three, and this person would just have these two left and would get you know, maybe close to a hundred percent of both of these.

DR. HOLLINGSWORTH: Okay so it's how many PBIS tasks can be completed.

DR. MASTERS: Stepping to ISP.

DR. HOLLINGSWORTH: Okay, okay, got it.

DR. MASTERS: Put it in Jill terms.

DR. HOLLINGSWORTH: Thank you, thank you.

DR. MASTERS: But that's the first step.

DR. JAN: And it uses a computer program, a mapping program that also helps. So I guess you just enter addresses or something.

DR. MASTERS: They're using a mapping program as well as the number of HAACP procedures and the number of -- they have a work assignment in the computer...

DR. HOLLINGSWORTH: Okay.

DR. MASTERS: ...that they are -- they want to have -- the goal would be at least 75 -- between 75 and 125 percent work...

DR. HOLLINGSWORTH: Okay.

DR. MASTERS: ...is the goal, similar to what it's always been. And then also looking at drive time/windshield time. So that's step one for us.

DR. HOLLINGSWORTH: Okay.

DR. MASTERS: And yes we are pulling T/A plants in the fold where appropriate. I mean

unfortunately, or fortunately I guess, a lot of times a T/A plant is way over here, so they may or may not get impacted by this. I think the understanding is we need to figure out what the impact is.

DR. HOLLINGSWORTH: Uh-huh.

DR. JAN: And I think -- yes I think it's time and they need to emotions aside or ownership and all that aside and just do it strictly through the ISP, and I'm in favor of that. Now I do have a question. Have you all considered or does it matter -- particularly like North Carolina they have like 80 plants. I can't imagine that they got 80 plants in remote locations, and so I would think if you're going to really do it and not consider personalities or whether or not somebody is going to lose a job how you're going to break that to the States. Are you just going to say, "Here we're taking these back?"

DR. MASTERS: I don't think they've made that determination yet. I think they're looking -- running the measurements first and then are going to have to make some decisions on how to approach that.

DR. LEECH: How often are these measurements going to be run?

DR. MASTERS: At this point the first step is

just getting plants where they are and then as plants make changes, adding a process or taking away a process, then the district will just have to do it at that time.

DR. LEECH: Okay so it's not that we're reevaluating every so often, it's just that...

DR. MASTERS: No.

DR. HOLLINGSWORTH: ...that they'll know that it has to be done on that kind of a basis?

DR. MASTERS: Right. What our current vision is for risk based is to do that on a frequent basis. We don't have all the answers on that yet but where we're heading for that -- from the 10,000 mile level anyway is that you would want to continue to do it over time because if a plant starts having problems that would you know may well make them a higher risk. So that we see being on a moving window. The other window we see as fairly static for the most part unless a plant takes on...

DR. LEECH: Well I would think that as certain things come along that we can hardly predict I mean you know when something like, heaven forbid, mad cow showed up somewhere and all of a sudden you'd have to do some real adjustments.

DR. MASTERS: Yes.

DR. LEECH: And who knows what those might be.

DR. HOLLINGSWORTH: Lee I didn't understand your comment about some inspectors may lose their jobs under this scenario. Is that...

DR. JAN: Some State inspectors might.

DR. HOLLINGSWORTH: Because they're overstaffed?

DR. MASTERS: Some Federal inspectors are going to be finding themselves in different...

DR. JAN: Well unless we find out that there's just not -- but in this team concept it's like she showed here, this is still using two inspectors. But it may be with this breakout where this guy is doing 200 percent and this guy may be getting a good -- out of those four it may really be like 80, 80, 80, 80 so you don't really need that guy to help there but that guy could pick up some of the current T/A plants...

DR. MASTERS: Current T/A plants right.

DR. JAN: ...to fill out that assignment.

DR. HOLLINGSWORTH: Oh I see. So you're saying a Federal inspector may end up bumping the State guy?

DR. JAN: Yes that's what I'm thinking.

DR. MASTERS: Right, and in some cases Federal

inspectors are bumping other Federal inspectors. We're at impasse with the union so we can't get into a lot of detail.

DR. HOLLINGSWORTH: Are you so well staffed right now that you're actually going to have people without work to do or is it because you have to relocate them?

DR. MASTERS: Relocate them.

DR. HOLLINGSWORTH: Okay, there's plenty of work I would assume.

DR. MASTERS: It's a minimal impact really.

DR. HOLLINGSWORTH: Do you still have vacancies?

DR. MASTERS: We do still have vacancies but it's been a year of contraction in the industry last year, so we did not feel as much of a stretch as we have in previous years last year.

DR. HOLLINGSWORTH: Okay.

DR. MASTERS: It's not a huge -- we're not talking hundreds of people here.

DR. JAN: But I would urge you that as soon as you know the outcome at least to let the States know what the plans are because it -- so we can make a long-term objection on what we need to do rather than say



tomorrow we don't have one.

DR. MASTERS: Oh absolutely, I agree.

MR. GOVRO: Okay, so what we have written down here I think we've pretty much have decided that we're just going to answer all three questions at once. So I think I'm going to strike out...

DR. LEECH: Yes, I think we've decided that.

MR. GOVRO: ...strike out this first -- well actually I think I'll have her answer all three questions...

DR. LEECH: I was going to say list all three at the beginning and then put the answers all under it.

MR. GOVRO: ...at once and then just put bullets here.

DR. LEECH: Right.

MR. GOVRO: And what we have is there's a role for T/A where it's most efficient. Making decisions, and I think I'd like to change this sentence to the decision on which -- well actually what I'd like to say after that is we need to throw out the present paradigm and that this subcommittee is suggesting that there may be two systems that would work. One is the mixed team concept where it would particularly work well near borders where the employees would be able to cross State

lines. Individual plants...

DR. MASTERS: Individual plants covered by State and Federal employees in the area.

MR. GOVRO: Okay, and that would be a cross utilization concept with just Federal supervision.

DR. JAN: Right, just Federal supervision.

MR. GOVRO: Okay, and then the other concept would be to have separate teams, where there are no other Federal plants in the area becomes a part of the State team. Let's see I'm trying to figure out how to express that one.

DR. JAN: Well, that the Federal plant becomes a part of the State team.

MR. GOVRO: Okay.

DR. MASTERS: Right and the only reason I put that in quotes is because some States may go with the concept of team inspections and others may say this is our State inspection team, and I was trying not to drive that through what I was hearing.

DR. JAN: And that would be State supervision. That would be the difference. Where there is not -- where that plant will not fit into a Federal team, then that's where it would fall under the T/A concept under State supervision.

MR. GOVRO: Okay, because there are not other...

DR. MASTERS: So it could be the State team or it could be State team in the real team concept and that's why I felt it important to put it in quotes not to mandate what a State needs to do with that person but to say however if the State chose to implement team whether it be just by saying we're a team or whether it be by implementing what we're looking towards. I don't think -- if the outcome is the same, we're not going to say to States, "You must use team inspection."

DR. HOLLINGSWORTH: Right and so the State can define what their team is...

DR. MASTERS: Right.

DR. HOLLINGSWORTH: ...anyway they want. It may be the entire State workforce is their team. It may be they have five teams geographically located, so...

DR. MASTERS: Right, and I was just being sensitive to not driving what that would look like.

DR. JAN: The Feds would be the driver on...

DR. HOLLINGSWORTH: The mixed teams.

DR. MASTERS: On the mixed teams.

DR. JAN: Well or even whether it would fit under a separate team or a mixed team. I mean they

would be the driver there.

DR. HOLLINGSWORTH: Oh, yes.

DR. MASTERS: Yes.

MR. GOVRO: Okay, and then I think I'd like to move this bullet on the decision on which is most efficient will depend on the outcome of the new work assignment system. Put that after we've put forth these two concepts.

DR. JAN: That would be good.

DR. MASTERS: And then there was something added Mike.

DR. HOLLINGSWORTH: And the risk.

MR. GOVRO: Oh, and risk. I'm sorry, I have that on here.

DR. LEECH: Now where are you going to put the thing about that we considered the mixed team with two separate supervisors but duplication? Because we're going to need to -- at some point that goes in.

DR. HOLLINGSWORTH: You would probably need to say we considered three options and one of them we disregarded as not being efficient based on our definition of efficiency. The other two we felt both had a purpose but it depends on these different bullets here, and so what we were proposing is that you consider

either one of those based on the situation and the circumstances because both of them can work, and a single State could have both.

MR. GOVRO: Okay.

DR. MASTERS: Got that, right Mila?

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[Recess from 8:02 p.m. until 8:20 p.m.]

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MR. GOVRO: I tried to consolidate some of these notes and put it in an arrangement because some of them are duplicate. So maybe you can look at this and see if the flow makes sense and if we've captured everything.

DR. MASTERS: This is your guys report, so we're just trying to help facilitate it.

DR. HOLLINGSWORTH: Is it right that the -- how does what we're proposing differ from the current paradigm? When we say the current paradigm should be discarded, isn't part of the current paradigm what we've proposed?

DR. MASTERS: I think the current paradigm that I heard you all talk about that needed to be discarded is under the current -- and it really is a paradigm to my knowledge unless you can correct me --

the current paradigm is that you can't have both cross utilization and T/A in the same State. So we probably need to add that.

DR. HOLLINGSWORTH: Okay, so that is part of the paradigm we're changing. Okay.

DR. MASTERS: You might want to add that there.

DR. HOLLINGSWORTH: So the current paradigm that only one system can work in a State is what needs to be changed.

DR. JAN: Right, and we could move that bullet down here.

DR. LEECH: And isn't a part of what's happening is that we're changing the definition -- we're moving toward teams from...

DR. JAN: Well that's not the T/A issue.

DR. LEECH: Okay, but I'm assuming that affects this.

DR. JAN: That's the reason for bringing it to the Committee, right?

DR. MASTERS: Yes.

MR. GOVRO: Okay, so how could we...

DR. HOLLINGSWORTH: Can we write edits on this?

MR. SHIRE: Are you explaining why you're doing this whole thing? I mean somewhere in there are you saying why we're doing this, why?

DR. LEECH: I think that was under the definition of efficiencies that those are the things we're trying to achieve.

MR. SHIRE: Yes, but it wasn't just efficiencies. There were things that the Agency brought that basically in terms of what they're changing and how they're going to do everything that is the impetus for doing this whole thing.

DR. LEECH: Oh the long-term goals and that kind of thing?

DR. JAN: Yes that was presented...

DR. MASTERS: Bernie in his previous editorial life I think is going back to that as saying you might want to put something that would say the group was charged to look at this because of the Agency's future vision of moving to team inspection just to put that in context so this could become a stand-alone paper if someone saw it.

DR. JAN: Yes that's a good idea.

MR. SHIRE: So people understand what...

DR. HOLLINGSWORTH: Say it again Barb. The

Agency...

DR. MASTERS: I'm not trying to write your report. I think what Bernie is trying to ask you guys is is...

DR. HOLLINGSWORTH: No, no, no. I want to be sure I understand what it was the Agency asked.

DR. MASTERS: ...to help look at these three questions in context of where we're heading in the future with team based -- team and risk based inspections. I mean it's somewhat there in the question but if you want to be very specific since it doesn't say team or risk-based in those questions, you could go and lay that out.

DR. LEECH: One of the things that I wondered was what we could do to help cut the front-end of discussion off that we went through tonight that -- so that the whole group doesn't have to go through that tomorrow, but I don't know if that will work or not.

DR. JAN: I really don't see any value for this statement, "Considered mixed team with two separate supervisors but duplication was an issue."

DR. LEECH: I think we felt like we needed to say that we had considered that because otherwise somebody is going to want to know...



DR. LOGUE: That line then should move.

DR. LEECH: I mean I think it could move.

It's not a part of the recommendation.

DR. MASTERS: It may be something you put at the very end just to say we considered this...

DR. LEECH: Somewhere, yes.

DR. MASTERS: ...but as a team we are not moving that forth as a recommendation because of the duplication -- not meeting the definition as listed in the Act.

DR. LEECH: Or a space so it's not -- so it's not -- that it isn't the recommendation. Somehow make it...

MR. GOVRO: The Committee considered mixed teams with two separate supervisors but this idea was discarded because there were problems with duplication or something like that. Okay and then I think I'll move that down to right here.

DR. JAN: Are you expanding on what paradigm we're talking about?

MR. GOVRO: Yes I wanted to add to that too.

DR. JAN: You could say the current paradigm of either cross utilization or T/A should be discarded.

MR. GOVRO: Okay, the current paradigm of allowing only one approach within a State should be discarded -- one approach being either cross utilization or the T/A.

DR. JAN: Which is kind of a misuse of the term, but that's the way we'll use it.

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[Whereupon a discussion took place off the record]

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MR. GOVRO: I've redone this. I added after the three questions and -- we have the three questions and then where it says, "The Committee decided to offer some ideas," just prior to that sentence I wrote the sentence that Jill wrote for us, "The Agency asked the subcommittee to look at this issue based on the," and I did some wordsmithing here a little bit, "the FSIS decision to move to a team-inspection approach" followed by "The Committee decided to offer some ideas..."

DR. LEECH: Do you need to in the future or as a long-term goal so that somebody doesn't look at that and think we mean...

MR. GOVRO: Tomorrow.

DR. LEECH: ...tomorrow.

DR. MASTERS: It may be appropriate since we

even heard last week that maybe some of these changes are taking place.

MR. GOVRO: Team inspection approach within...

DR. LEECH: Within the next two years or at some point?

MR. GOVRO: Or do we know? At some point in the future, would that be vague enough?

DR. LEECH: Is that too vague?

MR. GOVRO: Or do you know when you're going to be doing it?

DR. MASTERS: I mean our goal is to accomplish it within two years.

MR. GOVRO: Okay. All right well then let's say that, within the next two years, and add that to this sentence. And then I changed this sentence, "The current paradigm of allowing only cross utilization of T/A within a state should be discarded."

DR. HOLLINGSWORTH: Good.

MR. GOVRO: And then I took the sentence that says, "Considered mixed team with two separate supervisors but duplication was an issue" and put it down after the discussion of the mixed teams and separate teams. Let's see, after it says state supervisor then I moved that sentence and said, "The

subcommittee considered mixed teams with two separate supervisors but rejected the idea because duplication was an issue."

DR. LEECH: All right.

MR. GOVRO: Okay. And...

DR. HOLLINGSWORTH: Are you comfortable Mike? Have we given you enough that you're comfortable explaining the two options?

MR. GOVRO: Well if I get stuck I'm going to probably ask Lee to dive in and help me out. I have -- I'm a little concerned about how this issue was brought to the Committee and I'd like to editorialize a little bit if you don't mind tomorrow. I sort of feel like this is a very complex issue that was brought to us without a lot of preparation. And I'm sure we're going to experience this tomorrow because we needed a lot of explanation about how things work in order to provide some intelligent input on this, and I think the full Committee is going to be in the same boat. And I would have preferred to see this issue brought to us as an issue of FSIS is planning to move to a teams approach, here's how we intend to do it. What problems do you see? What input do you have to offer on that subject? And probably T/A would have come up in that discussion

and maybe just brought to us as a briefing at some point and then allow us to ruminate on that a little bit.

DR. LEECH: Well I would have liked to have kind of known several weeks in advance...

MR. GOVRO: At least, yes.

DR. LEECH: ...that I was particularly going to deal with it. I mean what I was frantically -- I didn't bring phone numbers and I was frantically trying to call people at home and actually I got no one. But I spent that time between when we finished and when we came in here you know trying -- well I didn't even get to talk to anybody -- trying to find somebody. And I feel like I could be so much more effective if I'd you know had warning, because I know there are folks at home who have opinions about this but I can't -- I couldn't get to them. And you know it's not that I'm a representative as such but I really would have been more comfortable dealing with this if I could have talked to them first.

DR. HOLLINGSWORTH: Well and that actually was part of my point in bringing that issue up this morning with Robert was that the thing I got on the email I was not on this group.

MR. GOVRO: I wasn't either.

DR. HOLLINGSWORTH: I prepared for another question and it was almost like a letdown, not that I don't know -- I mean I have some old, old background in T/A but I had really taken the time to prepare for something else. And I was just like...

DR. LEECH: I couldn't figure out from the stuff where I was supposed to be.

DR. HOLLINGSWORTH: Well and if you don't know T/A -- I really feel bad for those of you who have no background on it. I mean certainly Lee understands it.

I have an old history on it but I least I even kind of knew basically but it was about. But my whole point with Robert was that what was odd was that we have a person from a state plant, a state-inspected plant on the Committee, who probably would have understood this a whole lot more. I know Joe was telling me that he has an association that represents plants that are both under T/A inspection and state, and so he had a whole lot of input and background and that was the one he wanted to be on. So that my point to Robert was that there's expertise and knowledge out there and we sometimes end up maybe in a place where we could have been more effective with one issue. And then the other one is -- to be told you're going to do something and

then move you just -- especially if you -- I spent a lot of time preparing for the wrong thing.

DR. LOGUE: I would have been better off on one of the other two Committees, especially the risk one because that's what I work on.

DR. LEECH: I didn't have time because it came so late. I couldn't do anything by the time it got to me because I had other meetings this week before I got here and I was up the creek.

DR. HOLLINGSWORTH: I would appreciate any support for the idea that we're allowed to sort of at least prioritize one, two, three which one we prefer based on our background and expertise because...

DR. LOGUE: I would prefer to do and then vote -- email vote and say, "I'd like first choice at this Committee."

DR. HOLLINGSWORTH: And I see -- I know sometimes there's one maybe sexier or everybody would want to be on and they'd have to use some discretion and say, "No, come on we have to have a balance."

DR. LOGUE: Well again you would have chosen it based on your background though.

DR. HOLLINGSWORTH: Right, but the fact that there was - like even Joe had said, "I'll switch with

you" because he wanted to do this one and I thought, well, we're both trade associations. I'm doing grocery stores. You know my whole point to Robert was that I'm here...

DR. LOGUE: Well we have had people do that before with these Committees. In previous years we've had people switch. In previous times that I've done this, yes, we've had people move around.

DR. HOLLINGSWORTH: Really? I was told I couldn't.

DR. LEECH: That's true, we have. The first time I came we did.

DR. LOGUE: I know that we haven't done it this time in the last two meetings, but we've done it before that.

DR. LEECH: Before that we did, right.

DR. JAN: Particularly the consumer groups, they go to where they want to. They'd ignore that and they just go where they...

DR. LOGUE: Yes they want to go where they would have a voice.

DR. HOLLINGSWORTH: That's what I heard.

DR. LEECH: Well the first meeting I came to...



DR. JAN: I think that was because they would -- if they'd go to the emotional one they'd all be at the same one.

DR. MASTERS: Yes that's what I had heard had happened in the past. But again if they're...

DR. LEECH: Well they didn't let us do that with my first meeting. They said we've got to split up but we're going to put our best resources here, you know. That's what they were trying to do at that point.

DR. JAN: Well I cheated. I sent an email to Robert and said can I be on this Committee.

DR. LEECH: Well I guess you know in retrospect maybe when we see what the issues are we should be doing that. But it would seem to me that it would be better to have a formal process.

DR. HOLLINGSWORTH: But didn't we get the issues Friday afternoon?

DR. JAN: Yes I think it was Friday. That was enough time for an email, it didn't take very long.

DR. LEECH: I got something Friday but I got it late Friday. I had people with me the whole time. I knew there was an email there but I didn't have time to read it and...

MR. GOVRO: We had the agenda but again it was

wrong.

DR. JAN: We didn't know who the team was. I just sent him an email and he sent me one back that said I already thought of that and put you on, so he already had me on this one.

DR. HOLLINGSWORTH: But you know like I had even talked to retail, the Committee I was on. I had gotten feedback from the retail industry and thought well that's why I'm here, to bring that retail perspective and now I've got to go tell them I wasn't even on that Committee.

DR. MASTERS: Well I would encourage you all to bring that feedback back to Rob. I mean Cheryl and I weren't part of that process and it sounds like there are legitimate concerns.

DR. LEECH: We've sort of said it the last several meetings and we have not been getting anywhere.

DR. LOGUE: You know what? A good time to bring it up is again tomorrow morning that some of the group here felt that they would have been better served in another room or -- that's probably a cruel way to put it, but you know what I mean?

DR. LEECH: Well but we would be providing our expertise more effectively.

MR. GOVRO: I think we are done.

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[End of Hearing]

## CERTIFICATE OF REPORTER, TRANSCRIBER AND PROOFREADER

IN RE: PROCEDURES FOR CONDUCTING INSPECTION IN  
TALMADGE-AIKEN PLANTS

HELD AT: WASHINGTON, D.C.

DATE: November 5, 2003

We, the undersigned, do hereby certify that the foregoing pages, numbered 1 through 118, inclusive, are the true, accurate and complete transcript prepared from the reporting by the reporter in attendance at the above identified hearing, in accordance with applicable provisions of the current USDA contract, and have verified the accuracy of the transcript by (1) comparing the typewritten transcript against the reporting or recording accomplished at the hearings, and (2) comparing the final proofed typewritten transcript against the reporting or recording accomplished at the hearing.

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