

DRAFT



Report to Congress

- ① Over all #'s
- ② age
- ③ death
- ④ peak in summer
- ⑤ separately last yr.

- Summer
- # cases
- give USDA what's
- peak in Sept
- age groups

Food Net: An Active Surveillance System for Bacterial Foodborne Diseases in the United States

Karen Warner
LDC

- multiplies -

not estimated
1-520

reported

→ men-sep
a bit later
for

- deaths

**Food Safety and Inspection Service
United States Department of Agriculture
Washington, DC**

April, 1998

Summary
→

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Preface

The U.S. Department of Agriculture has been directed by Congress to provide an annual report on the incidence of foodborne illness in the United States. This report is to be submitted to the House and Senate Committees on Appropriations.

This report includes a description of the Foodborne Diseases Active Surveillance Network (FoodNet) and foodborne illness data for calendar year 1997.

Questions about this report or about FSIS may be directed to the Food Safety and Inspection Service, U.S. Department of Agriculture, Washington, D.C. 20250.

Overview of FoodNet

The Food Safety and Inspection Service (FSIS) of the U. S. Department of Agriculture (USDA) administers a comprehensive system of inspection laws to ensure that meat, poultry, and egg products moving in interstate and foreign commerce for use as human food are safe, wholesome, and accurately labeled.

Over the past decade, foodborne illnesses caused by bacterial contamination have heightened concern about the safety of food. The Centers for Disease Control and Prevention (CDC) has identified bacterial pathogens as the most common cause of foodborne illnesses because they can be easily transmitted and multiply rapidly in food, thus making them difficult to control. CDC has targeted seven bacterial foodborne pathogens (*Campylobacter*, *E. coli* O157:H7, *Listeria*, *Salmonella*, *Shigella*, *Vibrio*, and *Yersinia*) as those of greatest concern to public health. Government economists have estimated that foodborne illnesses cost billions of dollars each year in lost productivity and medical care. However, an accurate picture of both the number and causes of foodborne illnesses in the United States is unknown.

In July 1995, as part of the federal government's campaign to improve the safety of the nation's food supply, FSIS began a collaborative project with CDC and the Food and Drug Administration, known originally as the Sentinel Site Study and more recently as the Foodborne Diseases Active Surveillance Network or FoodNet, to collect more precise information on the incidence of foodborne disease in the United States. This project includes direct working links with state and local health departments at seven selected sites nationwide as a means of obtaining the most complete and current foodborne illness data available. This study, which is expected to continue for several years, will provide much-needed baseline data regarding the incidence of foodborne illness in the United States which is attributable to consumption of meat, poultry, and other food products.

Background

Bacterial foodborne diseases are currently reported to local and state health departments and CDC through passive surveillance systems. As with all passive systems, cases are frequently unreported. In fact, only 1% to 5% of foodborne disease cases are believed to be reported to CDC.

In July 1994, the USDA Pathogen Reduction Task Force recommended that FSIS work with CDC on research and surveillance activities that will better characterize risks for foodborne pathogens. This recommendation echoed a National Academy of Sciences recommendation for more community-based surveillance of foodborne disease. To improve data on the incidence and causes of foodborne illness, FSIS and CDC have established seven foodborne illness sites to study the epidemiological links among outbreaks of foodborne illness and to explore what relationships may exist between outbreaks and the types of meat, poultry, and egg products consumed. The selected sites are Northern California, Oregon, the Minneapolis/St. Paul metropolitan area, the metropolitan Atlanta area, Connecticut, counties in Maryland and upstate New York.

Objectives

The major objectives of FoodNet are to:

- ▶ determine the yearly incidence of diarrheal illness due to bacterial foodborne pathogens (i.e., *Campylobacter*, *E. coli* O157:H7, *Listeria*, *Salmonella*, *Shigella*, *Vibrio*, and *Yersinia*);
- ▶ develop a network to collaboratively respond to emerging foodborne diseases;
- ▶ determine the proportion of foodborne disease cases attributed to specific commodities; and
- ▶ determine whether federal interventions are having a measurable effect on the incidence of foodborne illness attributable to consumption of meat, poultry, and other foods.

Scope and Duration of Study

FoodNet is a comprehensive effort to track major pathogens that cause foodborne illness, to examine the epidemiological links among outbreaks of foodborne illness, and to explore what relationships may exist between outbreaks and the types of food products consumed.

Active surveillance data will be collected on reported illnesses associated with the seven bacterial pathogens targeted by CDC. Collected data will be used to identify emerging

pathogens and monitor illness incidence. The results will be used to help monitor the effectiveness of new food safety programs aimed at reducing the levels of these pathogens in meat, poultry, and other foods.

For the project to be successful, data must be collected over a number of years to chart national trends and consider the effectiveness of control strategies. It is hoped that the success of FoodNet will prompt the future collection of such data in state health departments all over the country so that a truly accurate picture of the extent and causes of foodborne illness will be achieved.

Components of FoodNet

- ▶ **Active Surveillance:** The purpose of this survey is to determine in each site the actual number of laboratory-confirmed cases of illness caused by the seven targeted bacteria and, as of 1997, two targeted parasites.

- **Bacterial:** In 1997, the total population under surveillance was 15.9 million persons. Culture-confirmed cases for the five sites total 7933. The Tables in the last section provide detailed information about these cases.

- **Parasitic:** In 1997, data collection began in four sites for illnesses caused by the parasites *Cryptosporidium* and *Cyclospora*. A total of 464 cases were found. Beginning in January 1998, all sites will survey for these parasites.

- ▶ **Laboratory Survey:** The primary purpose of this survey is to determine whether or not laboratories within the site boundaries are performing cultures for foodborne pathogens. A baseline survey of 230 clinical labs which perform stool cultures in the sites was completed in late 1995. This survey demonstrated that all 230 labs in the five sites routinely culture for *Salmonella* and *Shigella*, 95% for *Campylobacter*, 48% for *E. coli* O157, 30% for *Yersinia*, and 19% for *Vibrio*. The survey was repeated in 1997 to determine the total number of bacterial stool cultures performed, including those that did and did not yield a pathogen, to collect specific information on *Campylobacter* isolation techniques, and to collect information regarding testing for *Cryptosporidium* and *Cyclospora*. Analysis is being conducted by CDC.

- ▶ **Physician Survey:** The primary purpose of this survey is to determine whether or not physicians who see patients for diarrheal complaints are referring them for laboratory analysis. A total of 5074 surveys were mailed to physicians in non-surgical specialties in five sites in 1996; 2939 (58%) were returned. In 1997, the survey was conducted in Maryland and New York, the two newest sites. Analysis is being conducted by CDC.
- ▶ **Population Survey:** An outside contractor, Macro International, performs this survey for FoodNet. Both adult and pediatric surveys are being used. The primary purpose of this survey is to determine population behavior in the site areas, particularly regarding what foods are consumed and how food is handled and prepared. The first full year of data collection was completed in June 1997. A total of 12,209 interviews were conducted. Preliminary analysis at CDC indicates 11% of persons interviewed had a diarrheal illness in the previous 4 weeks, which represents 1.3 diarrheal episodes per person per year. The second year of data collection began in February 1998.
- ▶ **Case-Control Studies:** The primary purpose of these studies is to determine patient behavior and food consumption just prior to becoming ill.

- *E. coli* O157:H7

The first year of the *E. coli* O157:H7 study was completed in May, 1997. It has not resumed. Data is being analyzed at CDC and the Minnesota Department of Health.

According to
CDC,

Preliminary analysis indicates that consumption of pink hamburgers or pink ground beef and living on or visiting a farm are risk factors for sporadic infection. Ref. CDC

- *Salmonella*

The *Salmonella* serogroup B & D study began in April 1996 in three sites and in August 1996 in two sites and ended 12 months later in all sites. It has not resumed. Data is being analyzed at CDC.

- *Campylobacter*

In 1997, it was decided to add a case-control study for *Campylobacter* which was found to be the most frequent cause of illness in all sites. The questionnaire was developed in 1997 and the study began in January 1998 in four sites, February 1998 in one site, and March 1998 in two sites.

Future Plans

Plan for 1998:

Counties in New York (Genesee, Livingston, Monroe, Ontario, Orleans, Wayne, and Yates) and Maryland (Ann Arundel, Baltimore, Carroll, Harford, Howard, and Baltimore City) will join FoodNet as fully participating sites. An invitation will be presented to all remaining state public health departments to join as the eighth site. Selection of this eighth site will be made in the fall of 1998, and participation will begin in 1999.

Plan for 1999:

The eighth site will begin to participate in FoodNet. Case-control studies for additional pathogens such as *Listeria* and *Cryptosporidium* will begin. Validation studies for the Physician survey and Laboratory survey will be performed to validate collected data. The Laboratory survey will be repeated. The FoodNet population under surveillance will increase to 24,979,368 with the addition of statewide surveillance in Georgia and the Albany, NY metropolitan area. The addition of the eighth site will increase the population as well.

Foodborne Illness Data

The following information represents findings from the second year of data collection. It is important to note, however, that the tables and charts that follow are based solely on the number of laboratory-confirmed actual cases in the sites. No analysis of the probable causes of the illnesses is presented; only the pathogen found in each patient.

Population in sites (based on 1996 Census data):

	1996	1997
California:	2,063,454	2,063,454
Connecticut:	1,626,366	2,460,127
Georgia	2,729,783	3,541,230
Minnesota	4,657,758	4,657,758
Oregon	<u>3,203,735</u>	<u>3,203,735</u>
TOTAL	14,281,096	15,926,304

The total United States population is 263,552,678.

These population totals are based on 1996 Census data. Connecticut includes the addition of Fairfield county. Georgia includes the addition of 12 counties.

Active Cases:

There were 7,933 laboratory-confirmed diarrheal cases in 1997 that were attributable to the seven targeted bacterial pathogens (i.e., *Campylobacter*, *E. coli O157:H7*, *Listeria*, *Salmonella*, *Shigella*, *Vibrio*, and *Yersinia*). This represents an increase of 611 cases (8%) over the 7,322 final case figure for 1996. However, the population figure also increased by 1,645,208 (11%). A comparison of cases per 100,000 population for 1996 and 1997 shows that the prevalence of cases decreased from 51.3% to 49.7% (Table 3)

Most frequently isolated pathogen:

For the second year, *Campylobacter* is the most frequently isolated bacterium from persons with diarrhea (45.8%); *Salmonella* is second (26.9%); *Shigella* is third (14.7%); *E. coli O157:H7* is fourth (4.1%); *Yersinia* is fifth (1.6%); *Listeria* is sixth (.8%); *Vibrio* is last (.6%).

Table 1: Percent Pathogen by Site
From January 1, 1997 to December 31, 1997

Site		Pathogen							Total
		<i>Campylobacter</i>	<i>E. coli</i> O157	<i>Listeria</i>	<i>Salmonella</i>	<i>Shigella</i>	<i>Vibrio</i>	<i>Yersinia</i>	
California	Cases	1,001	19	13	380	291	30	33	1,767
	Percent	56.6%	1.1%	0.7%	21.5%	16.5%	1.7%	1.9%	100%
Connecticut	Cases	477	34	7	430	77	4	12	1,041
	Percent	45.8%	3.3%	0.7%	41.3%	7.4%	0.4%	1.2%	100%
Georgia	Cases	469	8	20	457	549	1	44	1,548
	Percent	30.3%	0.5%	1.3%	29.5%	35.5%	0.1%	2.8%	100%
Minnesota	Cases	1,179	202	18	636	138	2	31	2,206
	Percent	53.4%	9.2%	0.8%	28.8%	6.3%	0.1%	1.4%	100%
Oregon	Cases	719	80	11	356	178	12	15	1,371
	Percent	52.4%	5.8%	0.8%	26.0%	13.0%	0.9%	1.1%	100%
Total	Cases	3,845	343	69	2,259	1,233	49	135	7,933
	Percent	48.5%	4.3%	0.9%	28.5%	15.5%	0.6%	1.7%	100%

This table shows the number of actual cases of illness caused by each pathogen in each site. Note ~~the~~ *Campylobacter* is the most frequently found pathogen.

that

Table 2: Percent Site by Pathogen
From January 1, 1997 to December 31, 1997

Pathogen		CA	CT	GA	MN	OR	Total
<i>Campylobacter</i>	Cases	1,001	477	469	1,179	719	3,845
	Percent	26.0%	12.4%	12.2%	30.7%	18.7%	100.0%
<i>E. coli O157</i>	Cases	19	34	8	202	80	343
	Percent	5.5%	9.9%	2.3%	58.9%	23.3%	100.0%
<i>Listeria</i>	Cases	13	7	20	18	11	69
	Percent	18.8%	10.1%	29.0%	26.1%	15.9%	100.0%
<i>Salmonella</i>	Cases	380	430	457	636	356	2,259
	Percent	16.8%	19.0%	20.2%	28.2%	15.8%	100.0%
<i>Shigella</i>	Cases	291	77	549	138	178	1,233
	Percent	23.6%	6.2%	44.5%	11.2%	14.4%	100.0%
<i>Vibrio</i>	Cases	30	4	1	2	12	49
	Percent	61.2%	8.2%	2.0%	4.1%	24.5%	100.0%
<i>Yersinia</i>	Cases	33	12	44	31	15	135
	Percent	24.4%	8.9%	32.6%	23.0%	11.1%	100.0%
Total	Cases	1,767	1,041	1,548	2,206	1,371	7,933
	Percent	22.3%	13.1%	19.5%	27.8%	17.3%	100.0%

Table 3: Cases per 100,000 by Pathogen for All Sites

Pathogen	1996*		1997	
	Rate per 100,000	Total	Rate per 100,000	Total
<i>Campylobacter</i>	23.5	3,359	24.1	3,845
<i>E. coli O157</i>	2.7	388	2.2	343
<i>Listeria</i>	0.4	64	0.4	69
<i>Salmonella</i>	14.5	2,069	14.2	2,259
<i>Shigella</i>	8.9	1,272	7.7	1,233
<i>Vibrio</i>	0.1	21	0.3	49
<i>Yersinia</i>	1.0	149	0.8	135
Total	51.3	7,322	49.7	7,933

*Figures represent final 1996 data.

Table 4: Pathogen by Month—All Sites
From January 1, 1997 to December 31, 1997

Pathogen	Month												Total
	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	
<i>Campylobacter</i>	255	210	249	271	335	497	470	407	384	358	234	195	3,845
<i>E. coli</i> O157	11	11	15	8	18	41	93	45	49	24	15	13	343
<i>Listeria</i>	3	4	3	5	5	6	11	8	9	7	3	5	69
<i>Salmonella</i>	179	135	146	216	172	207	245	267	255	183	129	125	2,259
<i>Shigella</i>	80	78	74	103	88	109	113	171	134	101	90	92	1,233
<i>Vibrio</i>	0	0	2	1	1	4	10	18	7	3	2	1	49
<i>Yersinia</i>	17	11	9	11	15	7	8	9	11	6	8	23	135
Total	545	449	498	615	634	871	950	925	829	682	481	454	7,933

This table shows the number of actual cases for all sites for each month in 1997.
Note that July has the greatest number of cases.

Table 5: Age Distribution by Pathogen for All Sites
From January 1, 1997 to December 31, 1997

Pathogen		UNK	0-<1	1-<10	10-<20	20-<30	30-<40	40-<50	50-<60	60+	Total
<i>Campylobacter</i>	Cases	8	120	613	300	672	798	558	358	418	3845
	Percent	0.2%	3.1%	15.9%	7.8%	17.5%	20.8%	14.5%	9.3%	10.9%	100.0%
<i>E. coli</i> 0157	Cases	0	10	156	55	30	18	12	24	38	343
	Percent	0.0%	2.9%	45.5%	16.0%	8.7%	5.2%	3.5%	7.0%	11.1%	100.0%
<i>Listeria</i>	Cases	0	4	2	1	2	9	5	7	39	69
	Percent	0.0%	5.8%	2.9%	1.4%	2.9%	13.0%	7.2%	10.1%	56.5%	100.0%
<i>Salmonella</i>	Cases	5	277	537	217	297	315	241	139	231	2259
	Percent	0.2%	12.3%	23.8%	9.6%	13.1%	13.9%	10.7%	6.2%	10.2%	100.0%
<i>Shigella</i>	Cases	4	27	578	74	155	208	100	54	33	1233
	Percent	0.3%	2.2%	46.9%	6.0%	12.6%	16.9%	8.1%	4.4%	2.7%	100.0%
<i>Vibrio</i>	Cases	0	0	0	0	15	18	4	4	8	49
	Percent	0.0%	0.0%	0.0%	0.0%	30.6%	36.7%	8.2%	8.2%	16.3%	100.0%
<i>Yersinia</i>	Cases	0	56	28	7	7	12	10	5	10	135
	Percent	0.0%	41.5%	20.7%	5.2%	5.2%	8.9%	7.4%	3.7%	7.4%	100.0%
Total	Cases	17	494	1914	654	1178	1378	930	591	777	7933
	Percent	0.2%	6.2%	24.1%	8.2%	14.8%	17.4%	11.7%	7.4%	9.8%	100.0%

This table shows the number of cases by age group. The greatest number of cases involves children between the ages of 1 and 10 years.

**Table 6: Sex Distribution by Pathogen for All Sites
From January 1, 1997 to December 31, 1997**

Pathogen		Male	Female	Total
<i>Campylobacter</i>	Cases	2112	1723	3835
	Percent	55.1%	44.9%	100.0%
<i>E. coli 0157</i>	Cases	163	180	343
	Percent	47.5%	52.5%	100.0%
<i>Listeria</i>	Cases	38	31	69
	Percent	55.1%	44.9%	100.0%
<i>Salmonella</i>	Cases	1138	1117	2255
	Percent	50.5%	49.5%	100.0%
<i>Shigella</i>	Cases	637	593	1230
	Percent	51.8%	48.2%	100.0%
<i>Vibrio</i>	Cases	31	18	49
	Percent	63.3%	36.7%	100.0%
<i>Yersinia</i>	Cases	61	73	134
	Percent	45.5%	54.5%	100.0%
Total	Cases	4180	3735	7915
	Percent	53%	47%	100%

This table shows the number of cases by sex. There are 18 cases where sex is unknown.

Table 7: *Salmonella* Typhimurium and Enteritidis Serotypes by Site
From January 1, 1997 to December 31, 1997

Serotype	Site					Total
	CA	CT	GA	MN	OR	
Typhimurium	86	116	152	179	113	646
Enteritidis	32	142	23	122	38	357

There were 2,259 cases attributable to *Salmonella*. The most frequently occurring Serotypes were Typhimurium and Enteritidis.

Table 8: Patient Outcome by Pathogen for All Sites
From January 1, 1997 to December 31, 1997

Pathogen		Alive	Unknown	Dead	Total
<i>Campylobacter</i>	Cases	2972	871	2	3845
	Percent	77.3%	22.7%	0.1%	100.0%
<i>E. coli</i> 0157	Cases	329	4	10	343
	Percent	95.9%	1.2%	2.9%	100.0%
<i>Listeria</i>	Cases	50	5	14	69
	Percent	72.5%	7.2%	20.3%	100.0%
<i>Salmonella</i>	Cases	1843	405	11	2259
	Percent	81.6%	17.9%	0.5%	100.0%
<i>Shigella</i>	Cases	970	262	1	1233
	Percent	78.7%	21.2%	0.1%	100.0%
<i>Vibrio</i>	Cases	25	24	0	49
	Percent	51.0%	17.0%	0.0%	100.0%
<i>Yersinia</i>	Cases	112	23	0	135
	Percent	83.0%	17.0%	0.0%	100.0%
Total	Cases	6301	1594	38	7933
	Percent	79.4%	20.1%	0.5%	100%

This table shows the number of known deaths of patients who tested positive for one of the seven targeted pathogens. Note that these deaths may or may not have been caused by the pathogen, but may be attributable to an underlying illness such as AIDS. Further case control study is warranted.

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-Gw**Slaughterhouse Exposes Shocking and Pervasive
Animal Cruelty Throughout U.S. Meat Industry****10-Year Investigation Finds Appalling Cruelty;
Outraged Federal Meat Inspectors Speak Out For First Time****Contaminated Meat Pouring Out of Slaughterhouses**

A 10-year investigation of the nation's slaughterhouses has revealed that extreme animal cruelty has become shockingly routine at U.S. meat processing plants, despite the presence of federal meat inspectors and federal laws requiring humane slaughter.

The charges are documented by Gail Eisnitz, a professional investigator for the Humane Farming Association, in a new book called Slaughterhouse. The book is based on hundreds of detailed interviews with slaughterhouse workers and federal meat inspectors, who are going public with testimony for the first time.

Slaughterhouse also documents large corporate processing plants where meat and poultry covered with chemical, rubber, nails and maggots moves directly into human food channels; where spoiled meat is ground up into baby food; and where condemned carcasses are retrieved from the trash and placed back on the production line.

Joining Eisnitz at this press conference will be a former USDA veterinarian in slaughterhouses; a USDA food inspector for the last 26 years; and an individual with 28 years' experience working in both and running slaughter operations, now employed as a union official representing 1,300 workers at a major Midwestern hog slaughterhouse.

During her investigation, Eisnitz discovered appalling and routine cruelty toward the animals killed in slaughterhouses. Cattle are frequently skinned and dismembered while still alive and conscious; live and conscious pigs routinely immersed and dragged through vats of scalding water; and animals often trucked over hundreds of miles in bitter winter weather, only to arrive at slaughterhouses frozen to the trucks' sides.

WHEN: Thursday, April 2, 10:00 a.m.
WHERE: National Press Club, Zenger Room**WHO:**

Gail Eisnitz, Chief Investigator, Humane Farming

Dr. Lester Friedlander, former USDA veterinarian

Steve Cummings, USDA food inspector for the last 26 years

Union official representing 1,300 workers at a major Midwestern hog slaughterhouse

Lester Friedlander, Community Nutrition - 1-800-458-5231
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MEAT INSPECTORS' QUOTES

"When the USDA issued regulations in 1979 to assure the consumer that animals were being humanely handled and slaughtered, it was only paperwork. Really. It's only a big cover-up. Because when we try to enforce the regulations at the lowest level, our supervisors in Washington start hiding. They don't want to hear anything about it."

"A steer was running up the alley way and got his leg between the boards and he couldn't get it out. They didn't want to lose any time killing cattle and he was blocking their path, so they just used a blow torch to burn his leg off while he was alive."

"I've seen them put twenty to twenty-five holes in a hog's head trying to knock her and she was still on her feet. Her head looked like Swiss cheese. Tough gal. Sometimes they'll use a twenty-two and shoot the hog through its eye. Or you might have to hit both eyes on the same hog."

"Sometimes cattle fall through the bottom of the restrainer and they're still alive. And the workers have to get them up anyway they can. So they wrap a chain around it, lift it up, bust something. If it's a leg, they'll break the leg. If it's the head, they'll break the neck. It usually breaks, whatever they hook on to. You can hear the bones cracking a lot of times."

"An employee recently told me about a cow who got her leg stuck when the floor of a truck collapsed. 'How'd you get her out alive?' I asked the guy. 'Oh,' he said, 'we just went underneath the truck and cut her leg off.' If somebody tells you this, you know there's a lot of things nobody's telling you."

"There have been times, I admit, when I've been outside and could see something was going to happen. I know I wouldn't get the support from my supervisors so I'd walk back inside because I didn't want to see it. Not that I turned my back on it. I just couldn't do anything about it. I didn't want to see a hog's leg jerked off or something."

"It's part of our regulatory responsibility that we don't enforce. If the inspectors charged with enforcing humane slaughter regulations don't have any oversight over humane slaughter, who does?"

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they take condemned meat out of trash barrels and hang it back on the production line. Deaths from foodborne illness have quadrupled in the United States in the last fifteen years and interviews are conducted with the parents of children who died slow, agonizing deaths from foodborne illness.

6) Top officials of the 6,000 member federal meat inspectors' union go public in Slaughterhouse confirming that humane and meat safety violations are standard and commonplace throughout the US meat industry. They explain that due to inspection policies developed in collusion with the meat industry, inspectors are virtually powerless to enforce slaughterhouse laws.

7) The USDA has been assigned two radically opposing missions. The very same department responsible for developing new and expanded markets for the meat industry is also charged with regulating meat packers, protecting public health, and ensuring the humane treatment of animals.

8) Agribusiness leaders from the private sector have been appointed to administer the USDA's meat inspection program. These officials maintain strong ties to their industry and have used their temporary appointments to permanently sap the size and power of the federal meat inspection force and increase line speeds on behalf of their corporate friends. Instead of wielding their authority to ensure the production of safe meat and require industry compliance with the Humane Slaughter Act, USDA officials have done virtually everything in their power to ensure that slaughter lines keep running undisturbed.

9) Slaughterhouse also examines the physical price paid by employees working in America's most dangerous industry. Due to excessive line speeds, there has been a 1,000 percent increase in crippling repetitive motion disorders in the meat and poultry industries in the last 15 years. Employees describe working conditions comparable to modern slavery, and a turnover rate that reaches 100 percent in many plants.

10) Slaughterhouse is not only an exposé of the meat packing industry. It is also the compelling story surrounding the investigation—from one young woman's frustrating battle with television network executives to air her astonishing findings to her own private battle with cancer requiring many months of grueling treatment while she proceeds with her investigation. Only when faced with the reality that no one in the media would expose her findings did the author decide to blow the issue wide open in this powerful exposé.

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ENVIRONMENTAL
IA SERVICES

Slaughterhouse's Ten Most Important Points

SCHAROT

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1) The Humane Slaughter Act was enacted 40 years ago, yet until now, no one has ever investigated to see whether it is being enforced. Slaughterhouse is the first book of its kind to explore this issue, and to learn the shocking answer. Slaughterhouse represents the first time ever that slaughterhouse workers—in this case, individuals who represent more than two million hours' of experience on the kill floor—have spoken publicly about what's really taking place behind the closed doors of America's slaughterhouses. What they reveal about animal cruelty and filthy, contaminated meat in "federally-inspected" slaughterhouses is scandalous beyond belief.

2) In the last fifteen years, thousands of the nation's small to mid-sized slaughterhouses have been forced out of business by a few large, high-speed operations, each with the capacity to kill more than a million animals a year. With fewer slaughterhouses killing an ever growing number of animals, slaughter "line speeds" have skyrocketed.

3) As workers struggle to keep up with outlandish line speeds, a production mentality has emerged in which the slaughter line does not stop for anything—not for injured workers, not for contaminated meat, and least of all, not for slow or disabled animals. Slaughterhouse makes an irrefutable case linking today's excessive slaughter line speeds with serious and all too often deadly violations of federal law.

4) With individuals required to kill as many as 1,100 animals an hour, workers resort to brutal animal handling techniques to keep the line running smoothly and keep their jobs. Without exception, the individuals interviewed in Slaughterhouse admit to deliberately strangling, beating, boiling, or dismembering animals alive in violation of the federal Humane Slaughter Act or failing to report those who did, in an effort to "keep the production line running." (Many also discuss the web of violence in which they have become entangled and the alcoholism and physical abuse which plague their personal lives.)

5) To determine how federal food inspectors could permit such violations to persist, the author examines their track record for enforcing meat inspection laws and discovers that contaminated meat and poultry are pouring out of federally-inspected slaughterhouses. Slaughterhouse describes plants where meat and poultry covered with abscesses, tumors, sores, hair and feathers, and maggots have moved directly into human food channels: rot and esophageal infected operations where smelly, spoiled meat has been ground up into baby food; plants where workers urinate in carcass coolers and on the production line and where

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OFFICE OF THE SECRETARY

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Cattle purchases

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 - ☐ KOFI DEGRAFT-JOHNSON, EXECUTIVE ASSISTANT
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 - ☐ JOHN SPARKS, SPECIAL ASSISTANT FOR CIVIL RIGHTS

MESSAGE: FBI - This is the cattle stuff we
did yesterday. It's a big issue in the
country side - very popular

NEWS

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Release No. 0131.98

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GLICKMAN ANNOUNCES \$30 MILLION BEEF PURCHASES; OTHER ACTIONS TO ASSIST CATTLE INDUSTRY

WASHINGTON, March 24, 1998--Agriculture Secretary Dan Glickman today announced that USDA will purchase up to \$30 million of beef products to help improve prices for cattle producers and the livestock industry. The additional beef purchases will be distributed to recipients in federal food assistance programs through food banks and other charitable institutions.

"Right now, producers are operating below break-even levels," said Glickman. "Even though USDA has already purchased \$141 million of beef for the 1997-98 school lunch program, it's in the best interest of everyone to maintain a viable livestock industry. These additional beef purchases will help offset a surplus supply of fed cattle which is depressing prices to ranchers, farmers, and feedlot operators."

In addition to the beef purchase, Glickman also announced two other measures to support the industry. First, USDA will add meat to several existing export credit guarantee programs, such as Brazil, the Phillippines, and Thailand, and will work to include meat in any new programs that may be announced. Through March 15, more than \$160 million in sales have been made using USDA's export credit guarantee programs. In addition, USDA will also send a trade team to Asia to promote the movement of additional quantities of U.S. meat and other agricultural exports.

"Maintaining and expanding export markets is critically important for American farmers and ranchers," Glickman said, "and we will continue to aggressively explore opportunities to use all of the tools at our disposal to promote U.S. agricultural exports around the world."

Glickman also announced several actions that USDA will take to address concerns about concentration and fair trade practices in the livestock and poultry industries. First, Glickman outlined a plan to strengthen the ability of USDA's Grain Inspection, Packers and Stockyards Administration (GIPSA) to ensure fair competition in the marketplace. "USDA is committed to protecting farmers and ranchers from unfair trade practices," Glickman said, "and this new plan will enhance our ability to conduct investigations and combat unfair or anticompetitive practices in the marketplace. But to get the job done, the Congress must provide us with the resources to make this plan a reality for American farmers and ranchers," Glickman said, noting that the Administration's FY 99 budget calls for \$3.8 million to strengthen and restructure GIPSA.

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Under the plan, GIPSA field office consolidations will allow more resources to be located in regions where beef, pork, and poultry production and processing are concentrated, and the field offices will be strengthened with additional expertise in economic, statistical, and legal issues to more effectively conduct investigations of alleged anticompetitive practices and financial and trade practice violations.

Glickman also announced two regulatory actions to address producer concerns about concentration and fair trade practices. First, GIPSA will publish an Advance Notice of Proposed Rulemaking in the *Federal Register* seeking public comment on a regulation which would make purchasing or selling livestock, with the condition that the price not be publicly reported, a violation of the Packers and Stockyards Act.

Second, GIPSA will also publish a proposed rule which would require that accurate feed weights be provided to contract growers when those weights are used in determining producer compensation. "These regulations will help to ensure that farmers and ranchers are treated fairly in today's concentrated agricultural marketplace," Glickman said.

Finally, Glickman announced two additional actions to improve the market and price discovery information available to the livestock industry. First, Glickman announced that USDA will issue a proposed rule to add beef and pork to the weekly "U.S. Export Sales" report. The proposal would require exporters to report weekly on the quantity, destination, and the marketing period of their export sales of beef and pork. This change would provide the livestock industry with an early indication of export sales, before export shipments actually occur.

Second, Glickman directed GIPSA and the Agricultural Marketing Service (AMS) to conduct a comprehensive analysis of the relationship between prices reported to AMS and prices that GIPSA has obtained during its investigation of major beef packers in Texas. Data from recent investigations will be used to evaluate the statistical validity of current voluntary price reporting efforts. Glickman also directed that all future GIPSA investigations of competitive issues in the livestock industry include an investigation of price reporting.

"Accurate price reporting and greater information are critical to ensure fair, competitive markets," Glickman said, "and over the past two years, we have dramatically expanded the amount of market information we are providing to the livestock industry. These two new steps will provide even greater information to producers and will help to ensure that the current voluntary price reporting system is working effectively for farmers and ranchers." The Administration has requested that Congress provide an increase of \$820,000 for FY 99 to maintain and expand USDA's price reporting initiatives.

During the past 18 months, USDA has taken several steps to strengthen livestock market reporting recommended by the Advisory Committee on Agricultural Concentration. These include: expanded boxed beef reporting to include approximately 45 percent of traded volume; began a new weekly report of premiums and discounts offered for cattle; began a regional beef quality and yield report; initiated discussions aimed at expanding the Missouri pork producer price report to include three additional states; began reporting the numbers of hogs produced under contract by large operations; and began a new weekly report of the number of cattle produced under contract for future delivery.

NEWS

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Backgrounder

ACTIONS TO ADDRESS CONCENTRATION AND PROMOTE COMPETITION

In further response to the recommendations of the Department of Agriculture (USDA) Advisory Commission on Agricultural Concentration, Secretary Glickman has announced additional actions to address concentration and promote competition in livestock, poultry, and meat markets.

Restructure the Program Agency that Enforces the Packers and Stockyards Act (P&S Act):

- The Grain Inspection, Packers and Stockyards Administration (GIPSA) will restructure its Packers and Stockyards (P&S) Programs to strengthen enforcement against anticompetitive practices and provide greater flexibility and efficiency in enforcing the trade practice and payment protection provisions of the P&S Act. The principal purpose of the P&S Act is to assure the integrity of livestock, meat, and poultry markets. This includes fostering fair and open competition and guarding against deceptive, discriminatory, and monopolistic practices that affect the movement or price of meat animals or their products.
- GIPSA will restructure the headquarters offices of P&S, consolidate field offices, and add staff with economic, statistical and legal expertise to work on investigations of anticompetitive practices.
- At headquarters, two operating divisions and six branches will be consolidated into one office with three branches. A new Office of Policy and Litigation Support will be responsible for development of regulations, enforcement policies and procedures, and litigation support. This office will include three branches: Competition Branch, Trade Practices Branch, and Financial Branch. Headquarters also will include an Office of Field Operations and an Economic and Statistical Support Staff. The Office of Field Operations will be responsible for managing delivery of all P&S activities and functions at the field level. The Economic and Statistical Support Staff will provide economic advice and support on issues related to GIPSA's mission.

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- P&S' regional offices carry out program activities under the provisions of the P&S Act within their assigned areas. The 11 existing field offices will be consolidated into 3 regional offices located in Denver, Colo.; Des Moines, Iowa; and Atlanta, Ga. This will allow significantly larger staffs to be located in those regions with concentrations of beef, pork, and poultry production and slaughter. As part of the restructuring, the three field offices will include staff with economic, statistical, and legal expertise to perform the full range of investigations of alleged anticompetitive practices and financial and trade practice violations in each region.

- The Denver, Colo., office will handle all trade practice and financial protection issues in its geographic area (Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, Oklahoma, Oregon, Texas, Washington, Wyoming, Utah, Hawaii, and Alaska) and all major competition and industry issues in the United States relating to cattle and sheep.
- The Des Moines, Iowa, office will handle all trade practice and financial protection issues in its geographic area (Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, North Dakota, South Dakota, Ohio, and Wisconsin) and all major competition and industry issues in the United States relating to hogs.
- The Atlanta, Ga., office will handle all trade practice and financial protection issues in its geographic area (Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Louisiana, Maine, Massachusetts, Maryland, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, and West Virginia) and all major competition and industry issues in the United States relating to poultry.
- In order to assure basic services are maintained across the nation, the reorganization plan includes resident agents who will either work out of their homes or three satellite offices located in Sacramento, Calif.; Fort Worth, Texas; and Lancaster, Penna.
- Congress appropriated an additional \$800,000 for P&S in fiscal year 1998 to pursue investigations of anticompetitive practices in the concentrated meat packing industry. These funds are being used to recruit staff with economic, statistical, and legal expertise.
- Restructuring of field operations will require \$3 million to cover the one time cost. GIPSA FY 99 budget also includes increases of \$800,000 to address competition issues in meatpacking and \$750,000 for strengthening poultry compliance.

USDA will also initiate regulatory actions in two areas to address concerns of livestock and poultry producers:

- USDA is considering a proposed regulation that would make purchasing or selling livestock with the condition that the price not be reported a violation of the P&S Act. To create a public forum for discussion of this issue, USDA will publish an Advance Notice of Proposed Rulemaking (ANPR) in the *Federal Register* seeking public comments.

- A February 10, 1997, ANPR in the *Federal Register* sought comments on the need for additional rules to ensure that settlements under contract production of poultry are equitable. Over 95 percent of the country's poultry and an increasing number of livestock, especially hogs, are produced under various forms of contractual arrangements. Contract production has afforded small farmers a viable alternative to traditional feeding operations while lessening the risk associated with price fluctuations. USDA recognizes the importance of the accuracy of feed weights in contract production and will publish a proposed rule that would require firms subject to the P&S Act to accurately weigh feed provided to contract growers when feed weights are used in determining producer compensation.

USDA will take the following additional actions to improve market information for producers:

USDA will propose adding beef and pork to the weekly "U.S. Export Sales" report. The proposed rule, which will be published shortly for comment, would require exporters to report weekly on the quantity, destination, and the marketing period of their export sales of beef and pork. This change would provide the livestock industry with an early indication of export sales, before export shipments actually occur.

USDA's GIPSA and Agricultural Marketing Service (AMS) will conduct a comprehensive analysis of the relationship between prices reported to AMS and prices that GIPSA has obtained during its investigation of major beef packers in Texas. Data from recent investigations will be used to evaluate the statistical validity of current voluntary price reporting efforts. All future GIPSA investigations of competitive issues in the livestock industry include an investigation of price reporting.

Market Reporting Initiatives Resulting from Advisory Committee Recommendations:

- **Producer pork reporting** -- USDA is expanding the Missouri pork producer price reporting pilot project. Officials from USDA have met with the National Pork Producers Council to explore expanding the Missouri hog price reporting to three additional States -- Illinois, Iowa, and Wisconsin.
- **Expanded boxed beef reporting** -- Beginning September 1996, USDA extended its coverage of boxed beef sale commitments to cover the upcoming 15 business days, rather than the previous coverage of 10 business days. Approximately 45 percent of volume traded is now reported, compared with 30-40 percent previously reported.
- **Value-based reporting** -- In October 1996, USDA initiated a weekly report of premiums and discounts being offered for cattle in the upcoming week by meat packers. All major packers are participating and feedlots can verify information through the report.

- Livestock produced or traded under contract -- Beginning with the December 1996 Hogs and Pigs Report, USDA is reporting the numbers of hogs produced under contract by large hog producing operations. Starting in October 1996, USDA also began issuing a weekly report indicating the number of cattle being produced under contract for delivery in future months. For those contracts calling for settlement relative to a futures market price, the basis difference from a futures market contract is also reported.
- Regional beef quality and yield report -- In February 1997, USDA initiated a report of beef grading results on a regional basis, for four regions of the country, that will provide better geographic detail than contained in the current national report.

Programs & Customer Service:

USDA will continue to pursue initiatives to improve customer awareness of its programs and services:

- Under the Customer Service Initiative of the National Performance Review launched by the Clinton Administration, agencies are reviewing plans for outreach to their clientele, striving to target specific groups within the agricultural and rural communities to improve their awareness of how to access programs and services, as well as actions taken by agencies.

USDA has increased efforts to provide more and better market information, and producer knowledge of and ability to use market information is crucial to marketing success. In order to increase the capacity of cattle producers to use market information, USDA has participated with the land grant university system to develop a planning program for cattle producers called "Marketing for Today's Cattle Market and Beyond." Twenty-nine livestock and farm management experts from 15 States have cooperated to produce a series of materials to aid producers in comprehensive planning. To date, workshops have been conducted in over 12 States and notebooks of materials have been distributed.

USDA also kicked off its Risk Management Education Initiative with a national forum in Kansas City in September 1997 with plans underway for a more comprehensive conference in early 1998 using an "expert team approach." Since then, the 10 regional offices of USDA's Risk Management Agency (RMA) have been working with educational and extension partners to create expert teams to reach producers through conferences at the State and local level. In early 1998, RMA will issue a Request for Proposals to award \$3 million in grants to support the Risk Management Initiative. Grants will focus in three areas: delivery of risk management programs, development of curricula, and research and decision aids.

- To ensure that USDA's research helps provide opportunities for small-and medium-sized farming operations, the Research, Education, and Economics mission area has arranged for the National Academy of Sciences to conduct an independent review of USDA's research program and to make recommendations to USDA.

(114)

USDA Moves Against Abuses By Meatpackers

WSJ 3/25/98

By BRUCE INGERSOLL

Staff Reporter of THE WALL STREET JOURNAL

WASHINGTON — The government is moving to curb big meatpackers' suspected manipulation of cattle prices and to stop poultry companies from shortchanging their contract growers.

Agriculture Secretary Dan Glickman said his department has begun reorganizing the agency that enforces agriculture's antitrust law—the 1921 Packers and Stockyards Act—and soon will propose a rule to end an industry practice of forcing cattle producers to keep mum about contract prices.

The department has been barraged with complaints that meatpackers are using contracts with feed-lot operators and other producers to conceal prices and to manipulate markets to their advantage.

On the poultry front, Secretary Glickman vowed to address a long-festering problem in the Broiler Belt that runs from Delaware to Arkansas: contract disputes between poultry companies and their growers. The department will propose a new requirement that companies accurately weigh the feed they supply to thousands of growers. Feed costs figure prominently in the calculation of grower payments. For many years, contract growers have complained about being shorted on the feed due them or overcharged. The rule proposal would also cover contracts between hog producers and packers.

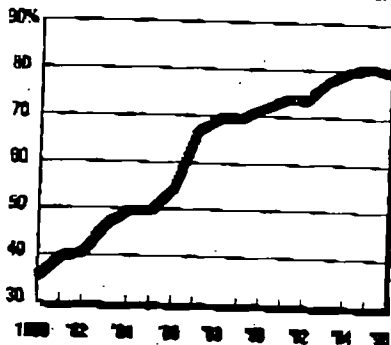
In another significant policy shift, Mr. Glickman said he favors mandatory reporting once a week of all cattle prices, including spot-market transactions and contract purchases. Department officials no longer see packers' infrequent voluntary reporting as adequate. Mandatory reporting would require congressional authorization.

Last year, the department launched a broad effort to expand disclosure of market data in an industry increasingly dominated by a handful of companies.

With cattle prices in the doldrums,

Meat Market

Percentage of cattle slaughtered by the four biggest U.S. meatpackers which currently are IBP, Cargill, Conagra and Farmland Industries.



*Latest available data on slaughter of steers and heifers

Source: U.S. Department of Agriculture

farmers have been pressuring the Clinton administration and members of Congress to rein in the market clout of IBP Inc.; Monfort Inc., a ConAgra Inc. subsidiary; and Cargill Inc.'s Excel Inc. unit. Together, those three companies account for about 75% of all cattle slaughtered.

Add to those giants another company, National Beef Packing Co., a unit of Farmland Industries Inc., and the slaughterhouse market share for the top four companies is about 80%, more than double what it was in 1980. Back then, the four biggest meatpacking companies accounted for just 36% of the heifers and steers slaughtered.

"We can't let three or four very large companies run roughshod over family farmers," Mr. Glickman said after meeting yesterday with several lawmakers from Midwestern states.

Mandatory price reporting has considerable political support in Congress. "We want to end the secret deals on livestock sales," said Senate Minority Leader Tom Daschle, a South Dakota Democrat.

The American Meat Institute, which represents the major meatpackers, disputes allegations of unfair practices and price manipulation. "This issue has been looked at repeatedly," said Sara Lilygren, the group's chief spokeswoman. "They've never found anything wrong."

Meatpackers, she added, will oppose any rule requiring them to make public the terms of their private contracts with cattle producers.

AGR Meat Monopoly, 0519

USDA, Congress moving to examine monopoly in beef packing industry

WASHINGTON (AP) Agriculture Secretary Dan Glickman today announced several actions aimed at determining whether concentration of beef processing among just four companies is anti-competitive and depressing prices for cattle producers.

"You can't let three or four very large packers run roughshod over family farmers," Glickman said after a meeting with Democratic farm-state senators.

In addition, Glickman said the Department of Agriculture will purchase up to \$30 million in beef products to shore up prices. The meat will be used in food banks and other charity programs.

The monopoly issue has been a chronic concern among beef packers. Right now, 82 percent of beef is processed by just four companies: IBP Inc. of Dakota City, Neb.; Monfort Inc., of Greeley, Colo., owned by ConAgra Inc.; Excel Corp. of Wichita, Kan., owned by Cargill Inc.; and National Beef Packing Co. of Kansas City, Mo., part of Farmland Industries Inc.

Just 18 years ago, those companies controlled only 36 percent of the industry.

"Something out there is not working," said Sen. Bob Kerrey, D-Neb.

Glickman said the department wants Congress to approve another \$3.8 million for its anti-trust enforcement actions to investigate whether the beef industry is unfairly manipulating the market.

In addition, the department will propose rules aimed at ensuring that all cattle prices are publicly disclosed, which is now voluntary. Many producers believe that big packers use contracts with farmers to conceal the some prices and manipulate markets in their favor.

"We want to end the secret deals on livestock sales," said Senate Minority Leader Tom Daschle, D-S.D. "We want to see full disclosure."

Two years ago, an Agriculture Department investigation into allegations of a meat monopoly in Kansas concluded there was no price-fixing among the big four packers or that their actions had depressed prices for farmers. Nevertheless, the allegations continue to surface.

"This issue has been looked at time and time again," said Janet Riley, spokeswoman for the American Meat Institute, which represents processors. "They haven't found anything wrong."

Much of the problem in the beef industry is a supply surplus and depressed export markets, particularly following the Asian financial crisis. In addition to the \$30 million beef purchase, the Agriculture Department will work harder to include meat in any export credit programs.

"We will continue to aggressively explore opportunities to use all of the tools at our disposal to promote U.S. agricultural exports around the world," Glickman said.

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Meat Monopoly, Bjt.0597

Government buys beef, reexamines alleged packing monopoly

114 WASHINGTON (AP) Depressed cattle prices led Agriculture Secretary Dan Glickman to announce the government purchase of \$30 million in beef and a renewed investigation into whether four dominant processing companies exert unfair influence on the market. "You can't let three or four very large packers run roughshod over family farmers," Glickman said Tuesday after a Capitol Hill meeting with Democratic farm-state senators.

Prices paid to cattle producers are in the doldrums because supplies are huge, American consumers are not eating enough beef to keep pace and exports are down largely due to the Asian financial crisis.

The beef purchase, while not enough by itself to have a dramatic impact on prices, "will give the domestic cattle market a much-needed boost," said Clark Willingham, president of the National Cattlemen's Beef Association.

Yet many ranchers contend that the commanding position held by four beef packers is also partly to blame for the low prices.

Right now, 82 percent of beef is processed by IBP Inc. of Dakota City, Neb.; Monfort Inc., of Greeley, Colo., owned by ConAgra Inc.; Excel Corp. of Wichita, Kan., owned by Cargill Inc.; and National Beef Packing Co. of Kansas City, Mo., part of Farmland Industries Inc.

Just 18 years ago, those companies controlled only 36 percent of beef packing.

"Something out there is not working," said Sen. Bob Kerrey, D-Neb.

Glickman said the department wants Congress to approve another \$3.8 million for its antitrust enforcement investigations into whether the beef industry is unfairly manipulating the market.

Two years ago, an Agriculture Department investigation into allegations of a meat monopoly in Kansas concluded there was no price-fixing among the big four packers or that their actions had depressed prices for farmers. Nevertheless, the allegations keep arising.

"This issue has been looked at time and time again," said Janet Riley, spokeswoman for the American Meat Institute that represents processors. "They haven't found anything wrong."

The department also will propose rules requiring that all cattle prices are publicly disclosed. That is now voluntary. Many producers believe big packers use contracts with farmers to conceal prices and manipulate markets in their favor.

"We want to end the secret deals on livestock sales," said Senate Minority Leader Tom Daschle, D-S.D. "We want to see full disclosure."

Riley said packers oppose any rule requiring them to make public the private contracts with cattle producers: "We think the parties have a right to agree to terms that don't have to be disclosed."

In addition to the \$30 million beef purchase which will go to food banks and other charities the Agriculture Department will work harder to include meat in any export credit programs.

The agency also proposed a rule that would require details of beef export shipments before they occur, a move Riley said might hurt U.S. processors by making too much information available to competing countries such as Australia.

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WAOB

Tuesday, 24 March 1998 13:13:06

12:58 24 Mar RTRS-USDA seeks more data on livestock prices, weights

WASHINGTON, March 24 (Reuters) - The Agriculture Department will toughen its data-gathering rules as a way to ensure U.S. farmers and ranchers get a fair price for their livestock, Agriculture Secretary Dan Glickman said Tuesday.

Glickman said USDA would propose two rules on sales. One would make it a violation of the Packers and Stockyards Act, punishable by a fine, to write a sales contract that includes a clause blocking a public report of the sales price.

The other rule would require that accurate feed weights be given to contract growers if those weights are used in determining compensation to the grower.

"These regulations will help to ensure that farmers and ranchers are treated fairly in today's concentrated agricultural marketplace," Glickman said in a statement.

In addition, USDA economists would conduct a study comparing prices reported at sales barns with prices obtained during a study of major beef packers in Texas. The study would determine how well the current voluntary reporting system works.

Glickman also asked Congress to approve \$3.8 million, requested by President Clinton in his fiscal 1999 budget, to strengthen and restructure the Grain Inspection, Packers and Stockyards Administration. Under that proposal, the agency would consolidate field offices in order to focus on regions where beef, pork and poultry production were concentrated. Field offices also would be given staff workers expert in economic, statistical and legal issues.

Knight-Ridder MoneyCenter

24-Mar-1998 1:09P

Story #15291 24-Mar-1998 12:55P

[B] Full: USDA to act to promote competition in US meat markets

By Mark Tarallo, Bridge News

Washington--Mar 24--USDA announced today it will make or propose a series of regulatory changes designed to promote competition in the US meat and livestock industry. According to USDA statistics, the 4 largest US meat packers now control 82% of the domestic meat market, and small meat company representatives are pressuring the agency to address potential market concentration problems.

"This new plan will enhance our ability to conduct investigations and combat unfair or anti-competitive practices in the marketplace," USDA Secretary Dan Glickman said in a statement.

Under the plan, USDA will restructure its Packers and Stockyards (P&S) Programs so that more administrators will work in 3 regions--Denver, Des Moines and Atlanta--where large companies dominate meat production and slaughter operations.

In addition, USDA plans to beef up P&S program staff with administrators with legal expertise to work on investigations of anti-competitive trade practices.

To accomplish this, the Clinton administration has requested \$3.8 million in additional packer program funds in its fiscal 1999 budget.

The second part of USDA's plan consists of 2 regulatory proposals designed to ensure fairness in the US livestock market.

The first regulatory proposal would make it illegal to buy or sell livestock with the condition that the price will not be reported.

The second proposal is a technical one designed to protect the integrity of the process of contract production of poultry. More than 95% of US poultry is produced under various contractual arrangements, which give small farmers a viable alternative to maintaining traditional feeding operations.

Finally, USDA plans to try to improve the flow of livestock market information and maintain its integrity.

In this regard, the agency is proposing to add beef and pork to the list of commodities that are reported in the agency's weekly export sales report.

This proposal would require US exporters to report weekly on quantity, destination and marketing year of their export sales of beef and pork.

In addition, USDA plans to conduct a review of voluntary meat price reporting practices, to ensure that prices reported to USDA are accurate.

(123)

Meat group blasts USDA export sales reporting plan

WASHINGTON, March 24 (Reuters) - Including beef and pork in the U.S. Agriculture Department's weekly export sales report would harm meat producers, the head of an industry group said Tuesday.

"USDA's announcement of a proposed rule to add beef and pork to the weekly U.S. Export Sales Report is an unnecessary regulatory mandate that threatens our competitiveness in the international arena," American Meat Institute President Patrick Boyle said.

He said meat exporters would have to report all sales, even if the products will not be shipped for many months, giving competitors abroad "an advantageous heads up" on future exports.

Boyle said that although his organization agrees that more trade data is needed, it believes a better option would be a centralized system for issuing export certificates, similar to Canada's program. "These systems are timely, accurate and support -- rather than undercut -- exporters in the nations that sponsor them," he said in a statement.

Agriculture Secretary Dan Glickman said earlier that the department will issue a proposed rule to add beef and pork to the weekly export sales report following a meeting with several farm-state senators.

The proposed rules will be subject to a public comment period and agency review before adoption.

((Washington commodities, 202-898-8394, fax 202-898-8383,
washington.commodsenergy.newsroom@reuters.com))

REUTERS

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Office of the Assistant Secretary for Health
and
Surgeon General
Office of Public Health and Science
Department of Health and Human Services

Since
HACCP

200 Independence Ave., S.W., Rm 716G
Washington, D.C. 20201
Phone: (202) 690-7694
Fax: (202) 690-6960

FAX TRANSMISSION COVER SHEET

Date: 3-26-98
To: Tom Freedman
Fax: 456-7431
Re: (see ATTACHED)
From: Jim O'Hara

33

**HEALTH AND HUMAN SERVICES
FOOD AND DRUG ADMINISTRATION****Title:** Hazard Analysis and Critical Control Point Systems**Significance of Regulation:** Not significant under Executive Order 12866.**Upcoming Action:** Proposed rule.**RIN:** 0910-AA43.**FRDTS No.:** CFSAN948.**Statutory/Judicial Deadline:** None.**Purpose:** To adopt regulations that would mandate the use of Hazard Analysis Critical Control Point (HACCP) systems to ensure the safe and sanitary processing of fruit and vegetable juices.**Description:** Implementation of HACCP systems by food processors will establish a progressive new paradigm for the way that FDA relies on the provisions of the Federal Food, Drug, and Cosmetic Act to ensure consumers of the safety of the nation's food supply. FDA will require that processors and importers of juice conduct their operations under a modern system of preventive safety controls that are designed to ensure that potential public health hazards are avoided. HACCP principles involve identifying likely hazards that could affect human food safety, establishing "critical control points" where a failure could cause the hazard to occur, then monitoring the critical control point and recording the results of that monitoring.**Issues:** FDA's current food safety system, established in simpler times, is now piecemeal and too often reactive. The agency inspects domestic food processing facilities, but the available tools give the agency only a snapshot of safety and sanitation practices at a facility while inspectors are present. Such a procedure cannot determine the adequacy of these practices before or after the inspection. Processors are not generally required to maintain records of processing conditions and if records are kept, they need not be made available for inspection. The increasing volume of foods reaching our shores from foreign countries present an even greater challenge. Only a modest number of important products can be inspected and FDA has no authority to inspect foreign plants unless invited to do so. To address these concerns, HACCP procedures are being mutually accepted as the basis for international trade agreements.

Impact: Costs to United States and foreign manufacturers for recordkeeping, plan development, hazard control and training. Costs to importers for recordkeeping and overseeing foreign exporters implementation of HACCP. Health benefits to consumers. Some costs savings to producers.

SBREFA: This is a major rule.

Budget Implications: FDA can operate a HACCP-based program within existing budget outlays but has estimated that an optimum outlay would be approximately 3 million dollars to implement the HACCP program for juice.

Paperwork: The proposal will include a burden chart and solicit comments as required by the 1995 PRA.

Public Comments: This proposed rule will allow 75 days for public comment.

Contact Person: KENNETH Smith, Office of Policy, Regulations Policy and Management Staff, 301-443-3480.

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**HEALTH AND HUMAN SERVICES
FOOD AND DRUG ADMINISTRATION**

Title: Food Labeling: Warning and Notice Statements; Labeling of Juice Products

Significance of Regulation: Not significant under Executive Order 12866.

Upcoming Action: Proposed rule.

RIN: 0910-AA43.

FRDTS No.: CFSAN9787.

Statutory/Judicial Deadline: None.

Purpose: This proposal responds to the need to alert consumers to the potential risk of foodborne illness from the consumption of juice products not specifically processed or treated to destroy harmful bacteria that may be present. As an interim measure until procedures are in place to ensure that all juice products are processed under Hazard Analysis and Critical Control Points (HACCP) principles to prevent such hazards, the agency is proposing to require warning label statements on untreated juice products.

Description: This document proposes to amend 21 CFR 101.17 by adding a requirement for warning label statements on juice products that have not been treated to destroy pathogens. FDA's long term plan to ensure the safety of juice products is to require that they be processed under a HACCP plan that involves pasteurization or an equivalent process to destroy pathogens.

However, the proposed labels would serve as an interim measure until requirements for processing juice products under HACCP principles are implemented. If a firm demonstrates that its products are processed in such a way as to destroy pathogens, the proposed warning label statements would not be required.

The proposal provides the mandatory elements of an effective warning statement for juice and a model statement embodying these mandatory elements. Mandatory elements for a juice warning statement include a statement of the hazard, a statement of why the labeled product has the hazard, and a list of those consumers who are at greatest risk. The warning statement must appear on the label with such prominence and conspicuousness as to render the statement likely to be read and understood by the average individual under customary conditions of use.

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Issues: Recent outbreaks of foodborne illnesses caused by the consumption of juice products that have not been pasteurized or otherwise treated to destroy harmful pathogens have illustrated the risks associated with these products. The most recent outbreaks due to Escherichia coli 0157:H7 in unpasteurized apple juice led to serious illness and death, especially among children. The agency believes that it must communicate to the industry that it should be processing juices to control pathogens. Thus, FDA is planning to initiate rulemaking to require that juices be processed under a HACCP system. This system will require that all hazards, including microbiological ones, are identified and controlled. Although HACCP is the most effective means of controlling significant microbiological hazards, and is the long range goal of the agency, rulemaking and implementation of HACCP is time consuming and would not likely be fully implemented for several years. Because of the severity of the health hazards associated with untreated juice products, i.e., illness and death, FDA believes that it should inform consumers of these hazards as soon as possible. Therefore, in the interim before HACCP processing for juice products is implemented, the agency is proposing to require warning label statements on such products to alert consumers that a potential health hazard exists. The requirement for warning label statements would not be required if the juice is treated to destroy pathogens and the regulation will be revoked when HACCP is implemented.

Impact: Costs to the United States and foreign manufacturers for labeling of unpasteurized products. Health and information benefits to consumer.

Budget Implications: None.

Public Comments: This proposed rule will allow 75 days for public comment.

Paperwork: This proposed rule contains no information collections subject to OMB review under the Paperwork Reduction Act of 1995.

SBREFA: This is a major rule.

Contact Person: Kennon Smith, Office of Policy, Regulations Policy and Management Staff, 301-443-3480.

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*Food Safety -
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aw*

- d. The establishment of working groups to develop recommended procedures for outbreak-response coordination at the state and local levels.

III. ORGANIZATION AND MEMBERSHIP

A. Under Title II, Section 204, Subpart (a) of the Unfunded Mandate Reform Act of 1995, Pub. L. 104-4, elected state officers, or their designated representatives with authority to act on their behalf, may meet with federal officers to exchange views, information, or advice relating to the management or implementation of Federal programs established pursuant to public law that explicitly or inherently share intergovernmental responsibilities or administration. The parties therefore agree that all members of FORCG will be federal officials or state employees with the requisite authority.

B. FORCG will have the following members:

1. Three representatives from USDA: The Under Secretary for Food Safety, the Deputy Under Secretary for Food Safety and the Administrator for FSIS, or their designees.
2. Four representatives from HHS: The Assistant Secretary for Health, the Deputy Assistant Secretary for Health, the Commissioner of the FDA and the Director of CDC, or their designees.
3. Two representatives from EPA: The Assistant Administrator for the Office of Prevention, Pesticides and Toxic Substances and the Assistant Administrator for Water, or their designees.
4. One representative from the Association of Food and Drug Officials.
5. One representative from the Association of State and Territorial Health Officials.
6. One representative from the Association of State and Territorial Public Health Laboratory Directors.
7. One representative from the Council of State and Territorial Epidemiologists.
8. One representative from the National Association of State Departments of Agriculture.

IV. RESPONSIBILITIES AND SCOPE OF WORK

A. The chair of FORCG will be — (term? rotate?) His or her designee will facilitate each meeting.

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B. One member will be designated as the outbreak coordinator for each department or agency that has a role in an outbreak response. For outbreaks that fall within the purview of HHS, HHS will designate the Assistant Secretary for Health as the primary person in charge of coordination for HHS. USDA will designate the Under Secretary for Food Safety as the primary person in charge of coordination for USDA. EPA will designate the Assistant Administrator for Water as the primary person in charge of coordination for EPA when drinking water is involved.

C.

V. GENERAL PROVISIONS

A. FORCG will meet monthly and the location of the meetings will rotate between HHS and USDA.

B. This Memorandum may be modified with supplemental written agreements signed by the parties and can be terminated in writing, in whole or in part, by consensus of the parties.

C. This Memorandum will become effective on the date the final signature is affixed hereto.

D. This Memorandum is entered into within the limits of the statutory authority of the parties to the Memorandum.

SIGNATURES

Secretary - of Agriculture
DHS
Administration EPA

Tom--

The Fund for Rural America was a key Administration priority in the 1996 Farm Bill. It provides \$100 million in mandatory funding in FY 97, 99, and 2000, one third of which goes to rural development, one third to research, and one third can be allocated to either RD or research by the Secretary.

We are preparing to announce the FY 97 (the research funds are 2 year monies) grants within the next 2-3 weeks. Right now there are 64 grants, but it may be more than that. I am attaching the list of awardees. In context, this could also be used to talk about the research title of the Farm Bill, which is pending in Congress, as well as food safety research.

Let me know if you have questions.

Eric

Topic List of Fund Grants By Primary Focus (Standard Grants)

I. Civil Rights Oriented Initiatives (7)

4777	Rochlin, R.	Michigan State University	MI	Latinos In the Rural Midwest: Community Development Implications	\$185,000
5546	Smith	Tuskegee University	AL	Biotechnical Experiment Learning Program for Rural Alabama	\$193,800
499	Grieglio	New Mexico Community College	NM	Distance Education	\$155,000
516	Medeiros	Ohio State University	OH	Using Technology to Provide Nutrition Education for High Risk Students	\$150,832
537	Michaelson	Eastern Washington University	WA	Rural Schools, Careers, and Community Development	\$161,539
527	Baird	United Tribal College	ND	Tribal College Information Infrastructure	\$150,000
545	Civille	Center for Civic Networking	DC	Public Web Expansion	\$150,000

II. Sustainable Rural Communities, Agriculture, and Forestry Initiatives (11)

4916	Aubum	University of California	CA	Increasing Adoption of Sustainable Agriculture and Positive Community Impacts	\$400,000
4950	Brooks	Pennsylvania State University	PA	Economic and Environmental Benefits of Watershed Restoration in Rural Communities	\$365,000
5019	Peters	Land O' Lakes	MN	Community Food Sourcing to Facilitate Rural Economic Development	\$400,000
4808	Rice	Kansas State University	KS	Implementation of Best Management Practices in the Blue River Basin of KS and NE	\$425,000
4812	Moser	Michigan State University	MI	Enhancing Rural Economies Through Comprehensive Extension, Research, and Partnering Approaches Using Multi-County	\$450,000
4882	Gillespie	Cornell University	NY	Retail Farmer's Markets and Rural Development: Entrepreneurship Incubation, and Job Creation	\$325,000

5407	Hagan	Manomet Center for Conservation Sciences	ME	Integrating Economic and Ecological Goals on Private Industrial Forestland in Maine	\$425,000
5599	Johnson	Virginia Tech	VA	The Forest Bank: Concept to Reality	\$445,000
5645	Schmidt	University of Vermont & State Agricultural College	VT	Cyber-Skills: A Prototype for Regeneration in Rural Communities	\$300,000
507	Crawford	Iowa State University	IA	Telecommunications Education Partnership Program for Rural Development in Southwest Iowa	\$175,000
554	Stark	National Center for Small Communities	DC	An Off-System Road to the Information Superhighway	\$75,539

III. Agricultural Science/Technology Development & Dissemination Initiative (11)

4928	Camazine	Pennsylvania State University	PA	Improving the Health and Productivity of Honey Bee Colonies	\$500,000
4985	Emara	University of Delaware	DE	DNA Market Technology in Commercial Broiler Breeder Selection Programs	\$300,000

5048	Grohn	Cornell University	NY	Optimizing and Delivering Dairy Herd Health and Management Decisions	\$300,000
5216	Akridge	Purdue University	IN	Distance Delivered Master of Business Administration Degree in Food Agriculture	\$350,000
5247	Vallancourt	North Carolina State University	NC	Mobilizing National Resources to Combat Emerging Food Animal	\$500,000
4325	Gardner	University of California-Davis	CA	Center for Risk Analysis	\$21,244
4589	Natzke	University of Florida	FL	Development of National Dairy Consortium	\$25,000
5570	Zutches	Washington State University	WA	Distance Delivery of a B.S. Degree in General Agriculture in a Tri-State Region	\$450,000
552	Gallagher	Oregon State University	OR	Rural West Internet Masters Project	\$123,121
555	Smith	University of Georgia	GA	Computer Technology of Transfer of Information to Dairy Producers	\$212,358

550	Dunham	University of Minnesota	MN	Integrating WWW Technology	\$150,000
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IV. Agro-Environmental Initiatives (11)

5135	Grauke	USDA/ARS Pecan Breeding & Genetics	TX	Conservation and Utilizing of Pecan Genetic Resources	\$310,000
4783	Swallow	University of Rhode Island	RI	Decision Information and Support Structure for Sustainability	\$400,000
4830	Wyman	University of Wisconsin	WI	Leveraging community and Industry-wide Resources to Foster bioIntensive IPM	\$50,000
4750	Glenn	USDA/ARS	MD	Integrated Manure Management on Dairy Farms for Conservation of Natural Resources and Profitability	\$350,000
4752	Krissoff	USDA/ERS	MD	Market Development for Organic Agricultural Products	\$250,000
4785	Paustian	Colorado State University	CO	Developing Soil C Sequestration as a Commodity, for CO ₂ Emission Mitigation in U.S. Agriculture	\$425,000

4796	Humenik	NCSU	NC	Advanced Waste Treatment for Environmentally Sound and Sustainable Swine Production	\$400,000
4827	Halbrendt	University of Vermont and State Agricultural College	VT	Balancing Economics and Environmental Impacts of Phosphorus Management	\$395,000
4879	Jones	Washington State University	WA	Development and feasibility of perennial wheat for highly erodible lands	\$370,000
4889	Hall	Michael Fields Agricultural Institute, Inc.	WI	Diversifying Corn-Soybean Rotations for Profit and Environment in Upper Midwest	\$420,000
5450	Shackelford	USDA/ARS	NE	Consumer Evaluation of Beef classified for tenderness	\$400,000
503	Travis	Pennsylvania State University	PA	Improving Farmer Access to Pest Management Tools	\$219,645
5634	Bundy	Iowa State University	IA	Development of Standard Method of Odor Quantification using Olfactory and Chemical Analysis	\$375,000

V. Farm/Rural Business Management, Marketing, and Trade (13)

4998	Souza	University of Idaho	ID	Improved Marketability for Wheat Grown in the Pacific Northwest	\$270,000
5364	Baker	Purdue University	IN	A Comprehensive Risk Management Education Program for Corn Belt Agriculture	\$250,000
4765	Dantel	Boehringer Ingelheim/NO BL Laboratories, Inc.	<u>IA</u>	Implementation of a Food Safety Improvement System for Sustaining the Competitiveness of the Independent Pork Producer and Packer	<u>\$340,000</u>
5513	Henkel, Jr.	University of New Mexico	NM	Rural Agricultural Enterprise Network	\$260,000
5682	Duncan	University of Missouri- Columbia	MO	Innovations for Increasing Equity Capital in Rural Communities	\$235,000
477	Bomash	University of Minnesota	MN	Enhancing Rural Development Through Electronic Commerce	\$250,000
4922	Spillner	Cornell University	NY	Safe Practice Assessment for Gleaned Fresh Produce in Food Rescue	\$447,826

VI. Food Initiatives (9)

4988	DiMaio	Tri-Community Action Agency	NJ	New Jersey Cooperative Gleaning Program	\$574,591
5162	Sapers	USDA/ARS	PA	Ensuring the Microbiological Safety of Fresh Apples	\$290,000
5126	Hedrich	Iowa State University	IA	Legume Phyto Chemicals: Improving Utilization	\$500,000
5205	Milner	State University	PA	Inhibitory Effects of Allium Foods	\$300,000
5301	Miles	Center for Public Interest Research	CA	National Student Food Salvage Program	\$64,440
4748	Jones	University of Arizona	AZ	Food Losses from the Farm to the Consumer	\$500,000
4844	Goldman	University of Wisconsin	WI	Are Value Added CV Health Claims Valid for Vegetables? Onion-Induced Antiplasmodic Activity	\$325,000
4852	Kastner	Kansas State University	KS	HACCP Implementation and Evaluation in Small and Very Small Meat/Poultry Plants	\$440,000

VII. New Uses Initiatives (6)

5078	Ray	University of Arizona	AZ	Development of Guayule as New Crop for the Production of Hypoallergenic Latex	\$500,000
4763	Peeples	Peeples Consulting Associates, Inc	VA	Premium Diesel-Evaluating a U.S. Market Opportunities for Biodiesel as a Motor Fuel Additive	\$31,000
5633	Punches	Oregon State University	OR	Evaluation of Small-Diameter timber for Value-Added Manufacturing	\$400,000
6652	Kimmons	Shirley Community Service and Dev Corp	AR	Ozark Rural Development Incubator ...	\$300,000
5157	Etter	University of Arizona	AZ	Revitalizing the Navajo Wool and Mohair Industry	\$25,000
5218	Parker	University of Vermont	VT	Improved Greenhouse Technologies Supporting New England Family Farm	\$140,000
477	Bomash	University of Minnesota	MN	Enhancing Rural Development Through Electronic Commerce	\$250,000

VII. Telecommunications (12)

499	Grlegio	NM Community College	MN	Distance Education	\$155,000
507	Crawford	Iowa State University	IA	Telecommunications Education Partnership Program for Rural Development in Southwest Iowa	\$175,000
516	Medeiros	Ohio State University	OH	Using Technology to Provide Nutrition Education for High Risk Students	\$150,832
537	Michaelson	Eastern Washington University	WA	Rural Schools, Careers, and Community Development	\$161,539
552	Gallagher	Oregon State University	OR	Rural West Internet Masters Project	\$123,121
554	Stark	National Center for Small Communities	DC	An Off-System Road to the Information Superhighway	\$75,539
555	Smith	University of Georgia	GA	Computer Technology of Transfer of Information to Dairy Producers	\$212,358
527	Baird	United Tribal College	ND	Tribal College Information Infrastructure	\$150,000

JAN-07-1998 15:09

USDA OGC REG DIV

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202 690 4322

to Eric
from Carol Wilcox
DraftCoordination
outlines

rapid response

MEMORANDUM OF UNDERSTANDING**AMONG****THE UNITED STATES DEPARTMENT OF AGRICULTURE****AND****THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES****AND****THE ENVIRONMENTAL PROTECTION AGENCY****I INTRODUCTION****A. Parties**

The parties to this agreement are the United States Department of Agriculture (USDA), the United States Department of Health and Human Services (HHS) and the Environmental Protection Agency (EPA).

B. Background

While the American food supply is among the safest in the world, there are still millions of Americans stricken by illness every year caused by the food they consume, and some 9,000 a year — mostly the very young and elderly — die as a result. The threats are numerous and varied, ranging from *Escherichia coli* (*E. coli*) 0157:H7 in meat and apple juice, to *Salmonella* in eggs and on vegetables, to *Cyclospora* on fruit, to *Cryptosporidium* in drinking water — and most recently, to hepatitis A virus in frozen strawberries.

In his January 25, 1997 radio address, President Clinton directed three Cabinet members — the Secretary of Agriculture, the Secretary of HHS, and the Administrator of the EPA — to identify specific steps to improve the safety of the food supply. Their May, 1997, report to the President identified several problem issues and outlined a comprehensive new initiative to address those problems and improve the safety of the nation's food supply.

One issue addressed in the report to the President was the coordination among Federal, State and local agencies in responding to interstate outbreaks of food borne illnesses.

Four federal agencies are charged with responding to outbreaks of food borne illness (including water borne illness): USDA, EPA, and the Food and Drug Administration (FDA) and the Centers for Disease Control and Prevention (CDC) at HHS. Each of the four federal agencies has a

potentially critical role when an outbreak occurs. CDC's primary responsibility is to assist state and local health departments in investigating outbreaks of illness and in identifying the cause of the outbreak. FDA, the Food Safety and Inspection Service (FSIS) at USDA and EPA also have responsibility for determining whether a product they regulate may be causing illness, and of halting the spread of illness by taking regulatory action against the suspect products, or wastes (other than animal manures) that have the potential to contaminate the air, land, or waters used to produce the food product. The type of food affected determines which regulatory agency has primary jurisdiction: FSIS regulates meats, poultry, and egg products; FDA regulates all other foods including shell eggs; and EPA regulates water and pesticides and manages organic and inorganic wastes used or disposed of on agricultural land. While each agency has clearly defined areas of responsibility, the successful containment of many outbreaks of food borne illness involves more than one agency.

All states, and many local governments, with widely varying expertise and resources, share responsibility with the federal agencies for response to such outbreaks and, also, have a critical role. Identification and investigations of food borne illness often begin at the community or state level. States share with the federal government the legal responsibility for protecting the health of their residents. Although food borne outbreaks are sometimes local, most outbreaks implicate federal agency jurisdiction. Illnesses cross state borders, and most foods or food ingredients are processed or produced in another state or by international trading partners. Federal involvement is also necessary when contaminated food from a common source has been distributed to grocery stores, restaurants, and homes in more than one state.

In many outbreaks of food borne illness, federal agencies work with state and local health authorities in their investigation and in implementation of control measures through consultation, diagnostic assistance, and by regulatory action against the products. In some instances, on-site assistance is requested by local and state authorities from the CDC to establish the cause of an outbreak, and from other agencies to help find the source of the problem. For large or multistate outbreaks, federal agencies play a critical coordination role to ensure consistency of approach and implementation of needed control measures.

Companies responsible for affected products also have a critical role to play. Food companies are sometimes the first to recognize that their product is causing illness. In addition, food-product recalls are voluntary, although FDA may request a company to recall products. Federal and state agencies can benefit from industry's expertise about food products and their distribution patterns.

C. Recognition of Need

Although significant coordination already occurs among the Federal agencies, among Federal, State and local agencies, among the various State agencies, and between State and local agencies, better coordination is needed to meet new and growing threats to the nation's food supply, enhance the level of public health protection, leverage agency resources and experience, and avoid duplication of effort.

Further, a critical element of an effective, rapid response to a food borne illness outbreak is ready

communication by all the involved parties. Although there are communication systems in place, the systems need to be expanded and coordinated to achieve rapid exchange of information and data between key outbreak-response personnel in each agency at the federal, state and local levels.

The report to the President recommended the establishment of an intergovernmental group, to be known as the Food borne Outbreak Response Coordinating Group, to improve the approach to interstate outbreaks of food borne illness and develop a national coordinated outbreak-response system.

II. PURPOSE

A. This memorandum of understanding ("Memorandum") among the parties is entered into in order to form the Food borne Outbreak Response Coordinating Group ("FORCG").

B. The purpose of the FORCG is defined by the following goal, mission and objectives:

1. It is the goal of FORCG to improve the outbreak response to food borne illnesses by all federal, state and local agencies charged with responding to such outbreaks.
2. Toward this goal, it is the mission of FORCG to provide participation by all federal, state and local agencies with outbreak-response duties in the development of a national comprehensive and coordinated food borne illness outbreak-response system.
3. This mission will be accomplished by subscribing to the following management objectives which will, in turn, guide FORCG:
 - a. The review and evaluation of each outbreak response with input from industry and consumer representatives. In each review, FORCG will assess the infrastructure for the response, will provide recommendations for improvement and will work with federal, state and local governments, the food industry, health professionals, and consumer advocates to implement beneficial changes.
 - b. The development of standard ^{operating} procedures for the rapid exchange of data and information associated with food borne illness outbreaks between involved agencies and for dissemination to the public. The procedures will cover the exchange of data and information associated with an outbreak and will complement systems established for exchange of information about day-to-day occurrences of food borne illness. The procedures will also provide for rapid dissemination of accurate information to the public by the appropriate agency spokesperson.
 - c. A nationwide audit to catalogue existing state and local food-safety program infrastructures and resources for investigation and surveillance of food borne illnesses.



Food safety do we need to

FAX TRANSMITTAL SHEET

**OFFICE OF THE DIRECTOR
EXECUTIVE OPERATIONS STAFF (HFS-22)
CENTER FOR FOOD SAFETY AND APPLIED NUTRITION
200 C STREET, S.W.
WASHINGTON, D.C. 20204**

PHONE: (202) 205-5140

FAX: (202) 205-5025

TO: *Mary Smice*
456-5571

DATE: *2/24/98*

FAX: *456-7431 or 456-7028*

OF PAGES: *10*
(Including cover sheet)

FROM: *Karen Cannon, CFSAN/EOS*

SUBJECT: *90-day report*

ACTION TO BE TAKEN:

☐ URGENT
☐ REVIEW

☐ PLEASE CALL UPON RECEIPT
☐ PLEASE HANDLE

☐ AS REQUESTED
☐ INFORMATION ONLY

*attached is a copy of the report walked over to USDA
yesterday morning so Blichman could sign the transmittal
letter*

THIS DOCUMENT IS INTENDED ONLY FOR THE USE OF THE PARTY TO WHOM IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS
PRIVILEGED, CONFIDENTIAL, AND PROTECTED FROM DISCLOSURE UNDER APPLICABLE LAW. IF YOU ARE NOT THE ADDRESSEE, OR PERSON
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DOCUMENT IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY PHONE AT (202) 205-5140 AND RETURN IT TO THE ABOVE ADDRESS. THANK
YOU.

Initiative to Ensure the Safety of Imported and Domestic Fresh Fruits and Vegetables: Status Report

Background

American consumers enjoy one of the safest food supplies in the world. However, over the last several years there has been an increase in reported outbreaks of foodborne illness associated with both domestic and imported fresh fruits and vegetables. In May 1997, as part of the President's Food Safety Initiative, the Department of Health and Human Services (DHHS), the Department of Agriculture (USDA), and the Environmental Protection Agency (EPA) sent to the President a report that identified produce as an area of concern. On October 2, 1997, President Clinton announced a new initiative to ensure that our fruits and vegetables, including those imported from other countries, meet the highest health and safety standards.

The President called on Congress to give the Food and Drug Administration (FDA) the authority to better assure that food imports meet existing United States food safety laws and regulations. Legislation has been introduced in the House of Representatives that would enhance FDA's ability to ensure the safety of all foods imported into the U.S. The legislation would enhance FDA's ability to protect U.S. consumers while being consistent with U.S. trade rights and obligations.

In addition, the President directed the Secretary of Health and Human Services and the Secretary of Agriculture to work together in close cooperation with the agricultural community to develop the first-ever safety guidance for the growing, processing, shipping, and selling of fruits and vegetables. This voluntary guidance will address potential food safety problems throughout the production and distribution system and help ensure the sanitation and safety practices of all those seeking to sell produce in the U.S. market. This second component of the President's Directive — voluntary guidance — is an important outreach and education effort, reflecting the Administration's commitment to direct resources toward improving food safety and the availability of food safety technologies.

The President's FY 1999 budget includes funds necessary to expand FDA's international capabilities; full implementation in FY 1999 will be contingent on receiving adequate appropriations.

This Report

The President asked the two Secretaries to report back to him with a plan and schedule for developing this guidance. This report presents the progress made to develop voluntary guidance for the growing, processing, shipping, and selling of fruits and vegetables and the schedule and plans to accomplish these and the other elements of the President's produce initiative. To meet the President's goal that our produce meet the highest health and safety standards, the Departments will develop voluntary Good Agricultural Practices (GAPs) and Good Manufacturing Practices (GMPs) guidance for produce (henceforth referred to as guidance). GAPs cover production practices including growing, harvesting, handling, and transportation. GMPs primarily address harvesting and transportation, but also include aspects of manufacturing such as processing and packaging. GAPs and GMPs by necessity, overlap and are interrelated.

This report also describes interdependent activities that will help industry successfully apply the voluntary guidance. For example, the domestic and foreign industry may require technical assistance from U.S. agencies to effectively apply the voluntary guidance. Education and outreach efforts will be provided to the domestic and foreign industry and these activities will be based on a strong underlying, accelerated research program. In the long-term, research and risk assessment on fresh produce will be incorporated in the multi-year Food Safety Initiative research planning process. Development of this interagency research planning process is being facilitated by the White House Office of Science and Technology Policy.

The U.S. produce industry, states, and many countries exporting fresh fruits and vegetables to the U.S. have already taken significant steps to develop and implement improved agricultural practices and guidelines. Activities in this initiative, particularly in developing the voluntary GAP/GMP guidance, recognize this effort and build on it.

I. Good Agricultural Practices/Good Manufacturing Practices Guidance

Status: FDA, working with the USDA, is preparing a general GAP/GMP guidance document. FDA plans to publish the document as proposed voluntary guidance with opportunity for public comments. This guidance, titled "Guide to Minimizing Microbial Food Safety Hazards for Fresh Fruits and Vegetables", describes science-based good agricultural practices that farmers and producers may use for water quality, manure management, sanitation (both field and facility sanitation, as well as worker hygiene), and handling and transportation. The guidance also describes use of producer identification and information on the flow of the product through distribution channels. This information can facilitate source identification, should a commodity be associated with a foodborne illness outbreak. This guidance can be used by both domestic and foreign fresh fruit and vegetable producers to help ensure the safety of their produce. The guidance, which is a science-based evaluation of risks, will be consistent with World Trade Organization obligations and will not impose unnecessary or unequal restrictions or barriers on either domestic or foreign producers. The agencies recognize that appropriate use of pesticides and related antimicrobial agents play an important role in controlling microbial contamination, but caution that excessive or inappropriate use of these substances does not take the place of GAPs/GMPs.

FDA and USDA sponsored, with states, a series of public meetings from mid-November to mid-December, 1997, in which the agricultural community, the international trade community, consumers, and the scientific community participated. The purpose of these meetings was to give participants the opportunity to offer their perspective on the working draft guidance and provide comments, technical information, and suggested modifications to the draft guidance. The National Advisory Committee on Microbiological Criteria for Foods' Fresh Produce Subcommittee (a USDA/FDA advisory committee) was present at the first public meeting. Based on information exchanged at that first public meeting and Subcommittee members' expertise, the Subcommittee provided recommendations that were incorporated into the working draft guidance document. This revised working draft document was subsequently used as the basis of discussion at a series of meetings for the agricultural community. These "grassroots" meetings were held at six regional locations around the country during December. The agencies also presented the draft guidance to representatives of embassies and individuals associated with importing produce into the U.S. at an international meeting in December. Feedback from the agricultural community through the "grassroots" meetings and other fora is essential to be sure that the guidance being developed is practical and applicable. Development of the final guidance will draw on scientific data and

other information that describes the fresh fruit and vegetable industry domestically and in countries exporting products to the U.S.

FDA, with USDA, will oversee a task force (with representation from other federal agencies and states) to assist in developing additional guidance if sound science, risk, or experience with general guidance indicate a need. The additional guidance may be tailored to reduce the potential for microbial contamination with specific pathogens (e.g., *E. coli* O157:H7, *Cyclospora*) and to reduce contamination associated with particular hazards (e.g., microbially-derived toxins) and commodities. This type of guidance can also be designed to minimize microbial contamination through particular pathways, such as control of water quality, worker sanitation and health, field and facility sanitation, and transportation and handling of produce. Options are being explored to determine the most efficient ways to provide industry with effective guidance that yields the most benefit for the resources expended. Any additional guidance will be developed through an open process involving industry, consumers, academia, states, and public health professionals, including the FDA public review and comment process.

The general guidance may be augmented as information about scientific advances and risks associated with fresh produce received from a variety of sources, (e.g., foodborne illness outbreaks and research) indicates the need for targeted guidance or refinement of the general guidance.

Timeline:

Short-term — October - December 1997

- a. FDA drafted proposed voluntary GAP/GMP guidance
- b. FDA and USDA held a public meeting and a meeting of the National Advisory Committee on Microbiological Criteria for Foods to solicit comments and recommendations on the guidance
- c. FDA and USDA conducted grassroots and international meetings to receive comments and information from the public

Mid-term — January - May 1998

- a. FDA, working with representatives from USDA, EPA, Occupational Safety and Health Administration (OSHA), and the State Departments of Agriculture and of Health from California, Florida, and Michigan, will analyze comments and information from the public, grassroots, and international meetings and revise guidance incorporating that information
- b. Publish revised guidance as a proposal in the Federal Register
- c. Comment period of 75 days for public to submit comments and information pertaining to the guidance

Long-term — June 1998 and beyond

- a. Evaluate comments and revise guidance into final guidance
- b. Publish final guidance in the Federal Register by October 2, 1998
- c. Create an interagency committee to evaluate the need for additional guidance and, if additional guidance is needed, oversee and direct the development of that guidance
- d. Develop a strategy to refine existing guidance, incorporating advances in science and knowledge about produce safety and information about new risks
- e. Develop risk assessment techniques to use in evaluating the effectiveness of and refining (based on that evaluation) implemented food safety control strategies

Supporting Information: To complement data and information being developed domestically, comparable data and country information, such as epidemiologic data on human health and food safety legislation and regulations affecting production, handling, and storage of produce for selected countries that export produce to the U.S. will be compiled by mid-July, 1998.

Timeline:

Short-term — November 1997 - June, 1998

- a. Identify and compile current data concerning primary sources of fresh fruits and vegetables
- b. Identify and compile available data about domestic agricultural practices and foreign food safety legislation and regulation for selected countries that export produce to the U.S. This information will support the scientific (including evaluation of risks) approach.
- c. Identify gaps in current data

Mid-term — June - August 1998

Federal and state government agencies will develop a proposal to fill data gaps in consultation with industry

Long-term — September 1998 and beyond

Using available funding, implement a plan to fill gaps.

II. Technical Assistance and Education and Outreach

Technical Assistance:

Technical expertise and resources must complement the voluntary guidance to achieve improvement in the safety of fresh fruits and vegetables. The guidance will be most effective when safety is bolstered at every step in the process, from in-field operations through distribution to the consumer. U.S. government agencies, FDA and USDA in particular, will work with appropriate U.S. and foreign government public health and agricultural agencies, as well as with industry groups, to provide technical assistance needed to support appropriate application of the guidance by the produce industry. If a foreign government is interested in learning more about the U.S. guidelines and systems for assuring the safety of domestically produced and imported fresh fruits and vegetables, overseas personnel from USDA and State Department will collaborate as necessary to facilitate these visits. Likewise, in order to provide technical assistance or followup to foodborne illness outbreaks, these overseas personnel will facilitate visits of FDA and/or Centers for Disease Control and Prevention (CDC) investigators or scientists to foreign operations to ascertain the source of problems that may pose a safety hazard in produce exported to the U.S.

USDA and FDA plan to work with a broad spectrum of representatives from the public and private sector in foreign countries and in the U.S. to promote appropriate application of the guidance and improve production and processing practices. These include officials from the health and agriculture agencies in foreign countries, the Food and Agriculture Organization, the World Health Organization, and subsidiary organizations (e.g., Pan American Health Organization), as well as exporter associations and multinational banks. In the U.S., the agencies will work with appropriate land grant colleges and universities, state agencies, and industry associations. In working with domestic and foreign groups, it is critical that in addition to technical assistance, we provide clear guidance on the legal requirements for offering fresh food for sale in the U.S. With this understanding, the foreign and domestic government, industry, and academic groups can

guide producers' decisions about what, if any, modifications of current practices are appropriate for industry to satisfy U.S. legal requirements for foods. As part of this effort, USDA and FDA will share new technologies as they are developed to enhance the safety of fresh fruits and vegetables, such as improved manure treatment methods, more sensitive analytical methods, and post-harvest treatments to reduce levels of or eliminate pathogens on produce.

Timeline:

Short-term — November 1997 - September 1998

- a. Form an interagency cadre to establish procedures to develop technical assistance and education outreach programs, to identify gaps in data to understand agricultural practices, and to assess effectiveness of the programs
- b. Identify ongoing programs providing technical assistance to domestic producers and selected foreign countries that export to the U.S. related to produce safety
- c. Integrate the goals of the President's Directive into ongoing programs where appropriate
- d. Identify gaps where technical assistance may not be available

Long-term — September 1998 and beyond

- a. Develop and implement a strategy to provide technical assistance necessary to achieve the goals of the President's Directive
- b. Evaluate effectiveness of GAP/GMP guidance and update the guidance accordingly

Education and Outreach: Education and outreach programs are essential to foster appropriate application of the guidance by the domestic and international fresh fruit and vegetable industry. These programs are pivotal to industry's understanding of the essential principles of the guidance, as well as the scientific and practical reasons for application of the guidance as everyday production and processing practice. Others in the distribution chain from the fruit and vegetable producers to the final user—the consumer—must be reached by these programs in order to assure that the care taken to prevent microbial contamination in growing, harvesting, processing, and transporting is not thwarted by later mishandling.

USDA, through its partnership with State Cooperative Extension Services in the United States, will provide leadership for the Directive's producer outreach and educational strategy. USDA, FDA and CDC will plan a national food safety scientific and education conference in 1998 to share current scientific and educational information on food safety risks that can further enhance the microbiological safety of fresh fruits and vegetables, to apprise scientific experts and extension professionals of the voluntary general guidance document, and to discuss methods for promoting appropriate application of the guidance. The guidance will be incorporated into extension programs focused on the best management practices in fruit and vegetable production. It will also serve as a basis for directing program resources to help assure appropriate application of production practices which minimize contamination of fruits and vegetables. State and local extension agents can play a vital role in the successful application of the guidance, since they are knowledgeable about on-farm production practices and can provide expert advice on how producers can incorporate interventions recommended in the guidance to reduce the risk of microbial contamination at the farm level.

To reach the domestic produce industry workforce, the guidance and associated educational materials must be available in native languages and must use terms understood by this diverse community. Multi-lingual materials are also needed for use in foreign countries. To meet these needs, FDA and USDA will work with industry and foreign governments to provide translations of the guidance documents, as well as associated training and information materials, as the documents are finalized.

We anticipate that education and outreach activities will reach beyond the immediate needs of the growers, harvesters, processors, and distributors of fresh produce to the wholesale and retail segments of the industry and to the consumer. Expanded education efforts will be directed to increasing awareness of how to enhance the safety of fresh fruits and vegetables, as well as about use of safe practices for handling and storing fresh produce.

The information provided at the grassroots and international meetings will help the agencies prioritize outreach activities and preparation of materials. FDA and USDA anticipate drawing on the resources and expertise of other agencies and industry groups to provide outreach and education, particularly targeted to specific regional needs in the U.S. The agencies have met with representatives of state agriculture departments and the industry to begin discussions of how best to make available needed training and information. We anticipate that industry itself will be a primary vehicle for outreach and education activities.

In the international arena, USDA will be instrumental in facilitating the development of education and training programs. The USDA's International Cooperation and Development staff can facilitate development of cooperative training programs on the guidance, in collaboration with other agencies capable of providing funding for these activities. The State Department will facilitate FDA and USDA contacts with foreign governments and industry groups to inform them of the guidance and provide technical assistance. USDA will also explore mechanisms to obtain the resources and expertise from other international organizations, such as the Food and Agriculture Organization and the Inter-American Institute for Cooperation on Agriculture, in order to facilitate discussions on produce safety issues. FDA and USDA will evaluate the scope of GAP/GMP education programs and materials needed to educate foreign governments and organizations, factoring in information provided at the international meeting.

Timeline:

Short-term — March - May 1998

- a. Working with industry, develop a program to provide growers, harvesters, distributors, and other aspects of the industry with background and information about the hazards, particularly microbial, associated with fresh produce
- b. FDA and USDA will convene a National food safety and education conference on fruits and vegetables to discuss the draft guidance
- c. Pending finalization of the guidance, take preliminary steps to determine mechanisms for providing information and assistance to the domestic industry in applying guidance. Likewise, preliminary steps will be taken to develop a program targeted to foreign producers.

Mid-term — July - September 1998

- a. FDA and USDA will develop a strategy to educate producers and promote the appropriate application of the final voluntary general guidance which involves federal agencies, states, and the industry.

- b. Work with other groups (foreign governments, foreign industry groups) to develop a strategy for promoting the appropriate application of voluntary guidance

Long-term — October 1998 and beyond

- a. Develop a strategy for refining outreach efforts to meet needs identified by specific producer and industry sectors.

III. Focused Inspections and Verifying Application of Guidance

Inspection and Testing: Inspections of fresh fruit and vegetable operations in combination with sampling and testing provides FDA and USDA with scientific information about the microbial quality of both domestic and imported products. Identification of microbiological problems allows implementation of prevention or intervention measures before illness occurs. It also aids in targeting educational outreach and technical assistance.

FDA will expand its fresh fruit and vegetable inspection and testing program for domestic and imported produce. Additional resources will be focused particularly on sampling products from areas, in the U.S. and abroad, where there is evidence that a potential hazard exists and preventive measures are lacking.

Verification: Verifying the application of the guidance, particularly in segments of the industry where microbial foodborne illnesses have occurred, is integral to determining its effectiveness in reducing the risk associated with fresh fruits and vegetables. The USDA and FDA will use evaluation of risks and survey techniques, such as USDA's Fruit Survey and Vegetable Survey and FDA field surveys of processors, to determine the extent of application of the guidance by both the domestic and foreign industry and the effectiveness of the GAP/GMP program in reducing the occurrence of pathogenic microorganisms and the incidence of produce-associated illnesses. The first survey will be conducted to determine current practices, specifically those practices that have the most impact on public health and those that are covered in the general guidance. This baseline information will be augmented with information from other sources, such as foreign governments and state agencies, on current practices. A second, more extensive, survey on practices will be conducted at a later date. This information — from the surveys and other sources — will be used to evaluate application of the guidance and to make necessary adjustments in the GAP/GMP program, including refinements of the guidance.

Timeline: FDA's inspection and sample collection and analysis activities will be expanded. Increased inspection and testing efforts are budget dependent and would be desirable to help evaluate the effectiveness of the general and additional guidance. The verifying activity will begin in FY 1999.

IV. Accelerated Food Safety Research

Successful implementation of this initiative relies on scientific research and characterization of the risks to public health posed by microbial contamination. The overall research goal identified in this initiative is development of cost-effective intervention and prevention strategies to reduce the incidence of foodborne illness. Research will also support development of improved detection methods useful in a variety of environments and targeted to sources of contamination. These methods will be used to support long-term surveillance and monitoring of both domestic and

imported produce at the point of production and harvest (e.g., methods for detection of *Cyclospora* and Hepatitis A on produce) and to support development of control and prevention strategies that augment use of general and additional GAP/GMP guidance.

FDA and USDA both have vigorous research programs in areas related to development of pathogen detection and quantification methodology, as well as development of control and prevention interventions. EPA and USDA research would be conducted to assess the significance of pathogen concentrations in natural (free-flowing) and agricultural water supplies and potential subsequent contamination of fruits and vegetables through irrigation practices.

FDA and USDA are individually and collectively reviewing their respective FY 1998 research projects related to fresh fruits and vegetables to identify specific research that can be accelerated. USDA and FDA have held research planning meetings with other agencies conducting food safety related research, including the CDC, EPA, Department of Defense, Department of Energy, National Science Foundation, and National Institutes of Health (NIH). In addition, the agencies have met with industry and consumer representatives to determine what food safety research is currently ongoing or in the developmental stages outside the government and to identify research needs from this outside perspective.

The agencies are developing a coordinated research plan for reducing microbial risk in produce. The research plan is scheduled to be available in early 1998. Four specific areas for research focus have been identified as: improved detection methods, resistance to traditional preservation techniques, antibiotic resistance, and development of intervention strategies. Research is currently underway in all these areas. Among the areas to be further investigated are: packaging, storage, and preservation technologies; production practices; and use of post-harvest treatments to reduce levels of unavoidable microbial contamination. NIH research on pathogenicity and clinical human disease will support both development of detection methods and the risk assessments necessary to evaluate control strategies for the target pathogens.

Research and characterization of risks is a high priority. Research on preventive technologies and intervention strategies to reduce or eliminate microbial contamination is a specific priority. Work will be conducted on manure treatment or composting techniques to assure that the manure is acceptable for application to a specific commodity. Post-harvest chemical (such as use of antimicrobial agents in wash water) and physical treatments will be investigated for fruits and vegetables, as will methods of preventing the persistence and growth of pathogens on both whole and minimally processed produce during storage and transportation. Another area of research that will be accelerated is methods development, specifically methods to detect *Cyclospora* and Hepatitis A on produce. Studies of chemical pattern recognition (trace-element fingerprints) to identify where specific foods were grown or processed will also aid in tracebacks to determine both the source of foods and the pathogens implicated in foodborne illness outbreaks.

Timeline:

Short-term — September 1997 - March 1998

- a. Initiated interagency review of research related to safety of fresh fruits and vegetables
- b. Research plan will be available in early 1998 that will identify fresh fruit and vegetable-related research

Long-term — April 1998 and beyond

- a. Develop an ongoing process for interagency review of research progress and identification of new research needed
- b. Develop schedule for making the updated research plan available periodically

V. Participants in this Initiative

The following agencies are contributing to this initiative: the Food and Drug Administration, the National Institutes of Health, and the Centers for Disease Control and Prevention in the Department of Health and Human Services; the Agricultural Marketing Service, the Agricultural Research Service, the Animal and Plant Health Inspection Service, the Cooperative State Research, Education, and Extension Service, the Economic Research Service, the Foreign Agricultural Service, the Food Safety and Inspection Service, the National Agricultural Statistics Service, the Natural Resources Conservation Service, and the Office of Risk Assessment and Cost Benefit Analysis in the U.S. Department of Agriculture; the Environmental Protection Agency; the Department of Labor's Occupational Safety and Health Administration; and the Department of Defense's U.S. Army-Natick Research Development and Engineering Center are also working on segments of the initiative.

Food safe EW

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

October 2, 1997

October 2, 1997

MEMORANDUM FOR THE SECRETARY OF HEALTH AND HUMAN SERVICES
THE SECRETARY OF AGRICULTURE

SUBJECT: Initiative to Ensure the Safety of Imported
and Domestic Fruits and Vegetables

American consumers today enjoy the safest food supply in the world, and I am proud of my Administration's record in this area. We have taken significant steps to ensure that we maintain the safest food possible. We have put in place improved safety standards for meat, poultry, and seafood products, and we have begun the process of developing enhanced safety standards for fruit and vegetable juices. We have also expanded research, education, and surveillance activities through coordinated efforts of all agencies involved in food safety issues. Together, these measures will greatly improve the safety of the Nation's food supply.

We need to build on these efforts, and today I ask you to do so by focusing on the safety of fruits and vegetables. Although the produce Americans eat is very safe, we can and must do even better, especially at a time when Americans are eating more fruits and vegetables from all over the world. Last year, 38 percent of the fruit and 12 percent of the vegetables consumed by Americans came from overseas. We must ensure that fruits and vegetables coming from abroad are as safe as those produced in the United States, especially as we upgrade our own domestic standards.

To help accomplish this task, I plan to send to the Congress proposed legislation that will require the Food and Drug Administration (FDA) to halt imports of fruits, vegetables, or other food from any foreign country whose food safety systems and standards are not on par with those of the United States. This legislation, which will be similar to existing law requiring the USDA to halt the importation of meat and poultry from such countries, will enable the FDA to prevent the importation of potentially unsafe foreign produce. My Fiscal Year 1999 budget will provide the necessary funds to enable the FDA to expand dramatically its international food inspection force. With this greatly increased ability to inspect food safety conditions abroad and at points of entry, the FDA will be able to determine when to halt the importation of fruits and vegetables from foreign countries.

Today, I hereby direct two administrative actions that will better ensure the safety of fruits and vegetables coming from abroad, while continuing to improve the safety of domestic produce.

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First, I direct the Secretary of Health and Human Services, in partnership with the Secretary of Agriculture and in close cooperation with the agricultural community, to issue within 1 year from the date of this memorandum, guidance on good agricultural practices and good manufacturing practices for fruits and vegetables. This guidance should address ways to prevent potential sources of contamination, should take into account differences in both crops and regions, and should address food safety issues throughout the food production and distribution system. By providing the first-ever specific safety standards for fruits and vegetables, the guidance will improve the agricultural and manufacturing practices of all those seeking to sell produce in the U.S. market. To ensure that this guidance has the widest possible effect, I also direct the development of coordinated outreach and educational activities.

Second, I direct the Secretary of Health and Human Services and the Secretary of Agriculture, to report back to me within 90 days from the date of this memorandum with a status report and complete schedule for the good agricultural and manufacturing practices, and a plan on how to improve the monitoring of agricultural and manufacturing practices abroad, to assist foreign countries to improve those practices where necessary, and to prevent the importation of unsafe produce, including by detecting unsafe food at the dock or border. I especially urge you to consider the best ways to target inspection and testing toward those areas where problems are most likely to occur.

In addition to taking these actions, you should accelerate whatever food safety research is necessary to support them. You should also call upon the Environmental Protection Agency, the Department of Labor, and other agencies as necessary to provide you with assistance in achieving this goal. These steps, taken together and in coordination with the proposed legislation I will send to the Congress, will improve the safety of fruits and vegetables for all Americans.

WILLIAM J. CLINTON

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DRAFT*Meat Food
Safety -
HACCP - SW*Tom Amontree (202) 720-4623
Johna Pierce (202) 720-4623**GLICKMAN HAILS IMPLEMENTATION OF REVOLUTIONARY NEW MEAT AND POULTRY SAFETY SYSTEM**

WASHINGTON, Jan. XX, 1998 -- Secretary of Agriculture Dan Glickman today hailed the implementation of the Clinton Administration's historic new meat and poultry inspection system, called Hazard Analysis and Critical Control Points, or HACCP. Effective January 26, 1998, the 312 largest meat and poultry plants will operate under this new system, which will improve food safety for American consumers. These plants account for approximately 75 percent of meat and poultry slaughtered in the United States.

"This new system is a revolutionary improvement over the old approach that has not fundamentally changed in the last 90 years," Glickman said. "Rather than catching problems after they occur, we will now focus on preventing problems in the first place. Instead of relying primarily on the sight, touch, and smell of our inspectors, we will use science-based controls and microbiological testing directly targeted at reducing harmful bacteria like E. coli O157:H7 and salmonella."

Under the new system, each plant will operate under a HACCP plan designed to prevent contamination of meat or poultry. In addition, plants will continue to maintain the standard operating procedures (SOPs) for sanitation and slaughter and will test for generic E. coli to monitor the effectiveness of their HACCP plan and SOPs. USDA's Food Safety and Inspection Service inspectors will collect samples to ensure that plants are reducing and controlling the amount of meat or poultry that is contaminated with salmonella.

"This is a truly historic and fundamental change in our approach to food safety," Glickman said, noting that this is the first time USDA will require plants to reduce bacterial contamination of raw meat or poultry. "We are committed to making this new system work as effectively as possible for American consumers."

Rather than a one-size-fits-all approach, each plant has designed its own plan to meet USDA food safety standards. With this new flexibility, plants are also assigned greater responsibility for producing safe food. USDA inspectors, however, will continue to play an essential role in ensuring food safety.

Inspectors will continue to visually inspect carcasses, document food safety violations, verify a plant's compliance with its HACCP plan, and take direct action when necessary to prevent contaminated product from reaching consumers.

"This new system will be effective if we stick to this fundamental philosophy -- industry is responsible for producing safe food, and USDA's job is to hold industry accountable when they do not," Glickman said. "I've met with a number of industry leaders, and I'm confident that they

are fully prepared to implement this new system. But I also made it very clear to them that USDA will not hesitate to shut down plants that do not take their food safety responsibilities seriously and repeatedly fail to meet food safety standards."

The first phase of the new system went into effect in January of 1997. Since that time, FSIS has shut down operations in 20 plants for varying lengths of time for failing to meet these new standards, an increase of over 200 percent from the 6 plants that FSIS shut down in 1996.

Glickman also noted the new food safety system will be even more effective with additional enforcement tools, noting that the Clinton Administration has asked Congress for authority to fine companies for violations of food safety standards. "We can fine circuses for mistreating elephants, and we can fine people who sell undersized potatoes and people who don't keep the right paperwork on watermelons. But we can't fine companies that violate food safety standards. That's just wrong, and we are working hard to convince Congress to give us this important power."

While the new system will improve food safety and reduce foodborne illness, Under Secretary for Food Safety Catherine Woteki also cautioned consumers to handle meat and poultry safely and to follow safe meat and poultry handling labels.

"This new system is a great victory for American consumers, but there is no silver bullet that guarantees food safety," Woteki said. "Consumers must continue to follow safe meat and poultry handling labels."

The new meat and poultry inspection system is another historic milestone in the Clinton Administration's commitment to protecting American families by improving food safety.

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MESSAGE: Press Release for Monday on Food Safety System
See Legislative plug on page 2 for SOTU.



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Food Safety
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Final

COMMENTS:

Revised talking points +
Q's & A's.

INTERNAL

TALKING POINTS--COX NEWSPAPERS' Story on Meat and Poultry Inspection

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1/18/98

Joan Mondschein -- (202) 244-3397 or Johna Pierce 410-798-8952

- First, it is important to note that the COX story is not based on the new food safety inspection system. In fact, the story is based largely on 1996 events that occurred prior to the implementation of the new food safety requirements.
- Under the old system of inspection, inspectors would ensure food safety by identifying problems and issuing Process Deficiency Reports (PDR's). For the plants that were described in the article, the fact that inspectors issued PDR's means that they were aggressively doing their job to ensure that food safety standards were met.
- The article incorrectly implies that unsafe food was allowed to be produced by these plants and sent to consumers. No contaminated product was allowed to leave the plant. When inspectors issue a critical PDR, either the problem is corrected so that the product is safe and wholesome, or, if it cannot be made safe, then the product is condemned.
- The high number of PDR's indicates that inspectors observed problems, documented them, and took action to ensure that no unsafe food reached consumers.
- The article misleads readers when it stated that "the plant never missed a day of production...because of federal sanctions." In fact, although the entire plant was not shut down, specific lines of production that were in violation were shut down for periods of time on many occasions, as required to ensure safety.
- On January 27, 1997, the first set of requirements of the new food safety system were implemented. Plants were required to develop and maintain Sanitation Standard Operating Procedures (SSOP), a definitive system that the plant must follow to continue to operate.
- Under this approach, if the plant fails to effectively implement their system, or if a plant's system simply does not meet food safety requirements, FSIS can and does take formal action to withhold the mark of inspection and effectively shut down the plant.
- **This is a fundamental change from the old system of regulation:**
 - Previously, plants did not have to maintain effective systems for producing safe food. Where there were problems, inspectors would issue PDRs and direct the plant to make the necessary corrections. And when critical PDRs were issued, no unsafe food was allowed to reach consumers.
 - Under the new approach, however, FSIS can shut down a plant until it makes the changes necessary to ensure that their systems will produce safe food.
- Since January of 1997, FSIS has taken 20 formal actions to withhold the mark of inspection and temporarily close down plants due to SSOP system failures. The plants do

not reopen until they have fixed their systems and food safety standards are met.

- On December 19, 1997, before the Cox reporters visited the plant, FSIS initiated formal action to address repeated SSOP failures in the Tyson plant in Waldron, Arkansas, which led to the plant's closure on January 14, 1998.
- In discussing examples of problems inspectors identified in 1997, the article once again incorrectly implies that unsafe product was allowed to leave the plants. In every instance cited by the article, inspectors took action to prevent unsafe food from reaching consumers and to correct unacceptable practices by the plants.
- On January 26, 1998, the new food safety inspection system, called Hazard Analysis and Critical Control Points (HACCP), will be implemented in all large meat and poultry slaughter and processing plants.
- **The COX article suggests that inspectors will not be documenting and taking action when necessary to address food safety problems. This is wrong.**
 - Non-compliance reports (NRs) will replace PDRs as the inspectors' documentation of violations of HACCP requirements, in addition to SSOPs and other regulatory requirements.
 - FSIS' inspectors will continue to be present day-to-day to verify compliance and take direct action when necessary.
 - In their expanded role under HACCP, inspectors will continue to inspect and will document violations in writing. Inspectors will continue to maintain their authority to prevent unsafe product from leaving the plant. Inspectors will not only continue to document deficiencies, but will document repeated failures, for the purposes of shutting down the plant. In short, FSIS has and will continue to take strong enforcement action for repeated violations of sanitary or food safety requirements.
- **The Clinton Administration has asked Congress for additional enforcement authority to fine companies for violations of food safety standards.**
- Currently, the Department of Agriculture (USDA) can impose fines against people who violate a wide variety of requirements. For example, USDA can fine circuses for mistreating elephants, and can fine people who sell undersized potatoes and people who don't keep the right paperwork on watermelons. But we can't fine companies that violate food safety standards.
- The ability to fine companies that violate food safety standards will make the new food safety system even more effective, and we are working hard to convince Congress to give us this important power.
- Consumers rightfully expect government and industry to improve food safety, and the new food safety system is a revolutionary improvement over the old system.



United States
Department of
Agriculture

Food Safety
and Inspection
Service

Washington, D.C.
20250

JAN 18 1998

Dear Editor:

As Administrator of the Food Safety and Inspection Service (FSIS), I feel compelled to respond to a recent article which I believe does your readers a disservice by presenting an incomplete picture of our meat and poultry inspection system. First, in every instance cited by the article, inspectors took action to prevent unsafe food from reaching consumers and to correct unacceptable practices by the plants.

It is important to remember that the story was not about the new food safety inspection system, called Hazard Analysis and Critical Control Points (HACCP). In fact, the article is based largely on 1996 events that occurred prior to the implementation of the new food safety requirements. The fact that a plant with over 1,700 regulatory violations was not shut down in 1996 is a fair criticism. It should have been. The reason it wasn't, however, highlights one of the important benefits of the new food safety system, which we began implementing in January 1997.

Under the old system, inspectors would impose corrective actions when there were violations and prevent unsafe food from reaching consumers, but FSIS would allow plants to accumulate large number of deficiencies without taking action to suspend inspection and shut plants down. Under the new food safety system, FSIS has a new tool to stop operations where there is a pattern of deficiencies and insist on preventive measures to improve food safety before a plant can reopen.

Inspectors will use non-compliance reports to document food safety violations. Inspectors will continue to be present everyday to verify compliance and to take direct action when necessary. These actions will lay the groundwork for documenting repeated failures. And where there are repeat failures, FSIS can and will take formal action to shut down the plant.

Your readers should also be aware that the Clinton Administration has asked Congress for additional enforcement authority to fine companies for violations of food safety standards. The Department of Agriculture (USDA) can impose fines against people who violate a wide variety of requirements. For example, USDA can fine circuses for mistreating elephants, and we can fine people who sell undersized potatoes and people who don't keep the right paperwork on watermelons. But we can't fine companies that violate food safety standards. That's just wrong.

Consumers rightfully expect government and industry to do a better job to improve food safety, and the new food safety system is a revolutionary improvement over the old system. The ability to fine companies that violate food safety standards will make the new food safety system

even more effective, and we are working hard to convince Congress to give us this important power.

Sincerely,

Tom Billy
Administrator

QUESTIONS AND ANSWERS -- COX NEWSPAPERS' Story of Meat and Poultry Inspection 1/18/98

1. Why wasn't a plant shut down that had over 1,700 violations?

First, it is important to note that the COX story is not based on the new food safety inspection system. In fact, the story is based largely on 1996 events that occurred prior to the implementation of the new food safety requirements. The fact that a plant with over 1,700 regulatory violations was not shut down in 1996 is a fair criticism. It should have been. The reason it wasn't, however, highlights one of the important benefits of the new food safety inspection system.

Under the old system of inspection, inspectors would ensure food safety by identifying problems and issuing Process Deficiency Reports (PDR's). For the plants that were described in the article, the fact that inspectors issued PDR's means that they were aggressively doing their job to ensure that food safety standards were met.

2. Did consumers get any unsafe product?

The article incorrectly implies that unsafe food was produced by these plants and sent to consumers. No contaminated product was allowed to leave the plant. When inspectors issue a critical PDR, either the problem is corrected so that the product is safe and wholesome, or, if it cannot be made safe, then the product is condemned. The high number of PDR's indicates that inspectors observed problems, documented them, and took action to ensure that no unsafe food reached consumers.

3. What is an example of a PDR?

Examples include: unclean equipment, peeling paint, rust, product dropped on the floor.

4. Did the Tyson's plant continue to operate?

The article misleads readers when it stated that "the plant never missed a day of production...because of federal sanctions." In fact, although the entire plant was not shut down, specific lines of production that were in violation were shut down for periods of time on many occasions, as required to ensure safety.

5. What will the new system do?

On January 27, 1997, the first set of requirements of the new food safety system were implemented. Plants were required to develop and maintain Sanitation Standard Operating Procedures (SSOP), a definitive system that the plant must follow to continue to operate. Under this approach, if the plant fails to effectively implement their system, or if a plant's system simply does not meet food safety requirements, FSIS will take formal action to withhold the mark of inspection and effectively shut down the plant.

On January 26, 1998, the new food safety inspection system, called Hazard Analysis and Critical Control Points (HACCP), will be implemented in all large meat and poultry slaughter and processing plants. HACCP will require plants to meet science-based standards, including testing for microbial contamination, rather than the organoleptic approach of the past 90 years.

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Non-compliance reports (NRs) will replace PDR's as the inspectors' documentation of violations of HACCP requirements, in addition to SSOPs and other regulatory requirements. FSIS' inspectors will continue to be present day-to-day to verify compliance and take direct action when necessary.

In their expanded role under HACCP, inspectors will continue to inspect and document violations in writing. Inspectors will continue to maintain their authority to prevent unsafe product from leaving the plant.

Inspectors will not only document deficiencies, but will document repeated failures, for the purposes of shutting down the plant. In short, FSIS has and will continue to take strong enforcement action for repeated violations of sanitary or food safety requirements.

6. How is this different than the old system?

This is a fundamental change from the old system of regulation:

Previously, plants did not have to maintain effective systems for producing safe food. Where there were problems, inspectors would issue PDR's and direct the plant to make the necessary corrections. And when critical PDR's were issued, no unsafe food was allowed to reach consumers. Under HACCP, however, FSIS can shut down a plant until it makes the changes necessary to ensure that their systems will produce safe food.

7. How often has FSIS shut down plants since January of 1997?

Since January of 1997, FSIS has taken 20 formal actions to withhold the mark of inspection and temporarily close down plants due to SSOP system failures. The plants do not reopen until they have fixed their systems and food safety standards are met.

On December 19, 1997, before the Cox reporters visited the plant, FSIS initiated formal action to address repeated SSOP failures in the Tyson plant in Waldron, Arkansas, which led to the plant's closure on January 14, 1998.

8. The COX article quoted an inspector as saying that he won't have to document problems under the new system. Is this accurate?

Far from it. Non-compliance reports --NRs-- will replace PDR's as the inspector's documentation of violations of HACCP requirements, in addition to SSOPs and other regulatory requirements. FSIS inspectors will continue to verify compliance day-to-day and will take direct action when necessary.

9. Why has the Clinton Administration asked Congress for additional enforcement authority to fine companies for violations of food safety standards?

Currently, the Department of Agriculture (USDA) can impose fines against people who violate a wide variety of requirements. For example, USDA can fine circuses for mistreating elephants, and can fine people who sell undersized potatoes and people who don't keep the right paperwork on watermelons. But we can't fine companies that violate food safety standards.

The ability to fine companies that violate food safety standards will make the new food safety

system even more effective, and we are working hard to convince Congress to give us this important power.

10. What has the Clinton Administration done to strengthen food safety? See attached summary.

Clinton Administration Accomplishments In Improving Food Safety

- * October, 1997. President announces new initiative to enhance FDA oversight over imported foods and develop guidance on good agricultural and manufacturing practices for fruits and vegetables.
- * May, 1997. Administration announces comprehensive new initiative to improve the safety of nation's food supply – "Food Safety from Farm to Table" – detailing a \$43 million food safety program, including measures to improve surveillance, outbreak response, education, and research.
- * January, 1997. President announces new Early-Warning System to gather critical scientific data to help stop food borne disease outbreaks quickly and to improve prevention systems further.
- * August, 1996. President signs Safe Drinking Water Act of 1996. The law requires drinking water systems to protect against dangerous contaminants like cryptosporidium, and gives people the right to know about contaminants in their tap water.
- * August, 1996. President signs Food Quality Protection Act of 1996, which streamlines regulation of pesticides by FDA and EPA and puts important new public-health protections in place, especially for children.
- * July, 1996. President Clinton announces new regulations that modernize the nation's meat and poultry inspection system for the first time in 90 years. New standards help prevent E.coli bacteria contamination in meat.
- * December, 1995. Administration issues new rules to ensure seafood safety. Utilizes HACCP regulatory programs to require food industries to design and implement preventive measures and increase the industries' responsibility for and control of their safety assurance actions.
- * 1994. CDC embarks on strategic program to detect, prevent, and control emerging infectious disease threats, some of which are food borne, making significant progress toward this goal in each successive year.
- * 1993. Vice-President's National Performance Review issues report recommending government and industry move toward a system of preventive controls.