

SAFE FOOD COALITION

1620 I Street, NW, Suite 200, Washington, DC 20006 202-797-8551

September 20, 2013

The Honorable Tom Vilsack
Secretary
U.S. Department of Agriculture
1400 Independence Ave SW
Washington, DC 20250

Dear Secretary Vilsack:

The undersigned members of the Safe Food Coalition again write¹ to urge you to withdraw the U.S. Department of Agriculture's proposal to modify its poultry slaughter inspection program. We remain concerned that this proposal will have serious repercussions for food safety. We also urge you to withdraw equivalency determinations of foreign inspection programs which rely on USDA's hog pilot programs and re-evaluate the inspection programs in those countries.

Poultry pilot program

A recent report by the U.S. Government Accountability Office (GAO)² identified major deficiencies in the data and analysis of the poultry and hog pilot programs upon which the Food Safety and Inspection Service (FSIS) based its poultry slaughter proposal, calling into question the very basis for the rule itself.

In its report, the GAO identified limitations of FSIS' evaluation of its young chicken pilot project which "raise questions about the validity of FSIS' conclusion that an inspection system based on the pilot project would ensure equivalent, if not better, levels of food safety and quality than currently provided at plants not in the pilot program." First, the GAO said that data, such as *Salmonella* verification data, which FSIS used to compare pilot plants with plants under traditional inspection, was not designed for such a comparison.³ A recent Washington Post article⁴ raised further questions about the validity of the agency's *Salmonella* data and how chemicals used in poultry plants may be compromising testing results. Second, the GAO stated that FSIS selectively used data from the pilot program, relying on data from two 2-year periods instead of using data from the entirety of the pilot project's ten years. As a

¹ September 20, 2012 letter from coalition members to Secretary Tom Vilsack

² U.S. Government Accountability Office, "More Disclosure and Data Needed to Clarify Impact of Changes to Poultry and Hog Inspections," GAO-13-775, August 2013.

³ FSIS relied on data from its microbial sampling program for *Salmonella* to demonstrate that plants in the pilot project had lower rates of *Salmonella* than plants under traditional inspection. However, FSIS' *Salmonella* sampling program is strictly regulatory in nature and is not statistically designed to estimate prevalence. In order to make accurate comparisons between pilot plants and other plants, FSIS would have had to collect samples from pilot plants and a comparable set of traditional plants year after year in a manner statistically designed to estimate prevalence.

⁴ Kimberly Kindy, "USDA reviews whether bacteria-killing chemicals are masking salmonella." *The Washington Post*, August 2, 2013.

result, the GAO stated that the results from the selected time periods “may not be indicative of the plant’s performance over time.”

The GAO further noted that design and methodology limitations first identified in a 2001 GAO report, such as biases in the sample of young chicken plants participating in the pilot program, continue to prevent generalizations from the pilot program to all poultry plants in the United States. As a result, the GAO stated, “FSIS may not have assurance that its evaluation of the pilot project at young chicken plants provides the information necessary to support the proposed rule for poultry—both chickens and turkeys.”

These criticisms cut to the heart of the data and analysis on which FSIS relied in developing its proposal. While the poultry slaughter inspection program does need to be improved, the GAO report raises serious questions about whether the data actually supports the improvements that FSIS claims in its proposed rule. And the report calls into question whether any generalizations can be made from the pilot plants to the rest of the poultry plants in the federal inspection program. **Considering these fundamental problems raised by the GAO, we believe that the poultry slaughter proposal should be withdrawn.**

Hog pilot program

In addition to the problems raised about the poultry pilot program, the GAO identified similar deficiencies with FSIS’ hog pilot program, including a lack of comparable data, an inability to generalize from the pilot program to hog plants nationwide, and a lack of information to determine whether the pilot program was meeting its identified purposes. These criticisms echoed comments from USDA’s Office of the Inspector General (OIG) in its recent report⁵ which found that FSIS could not determine whether the goals of the hog pilot were met because FSIS did not adequately oversee the pilot program. OIG noted that “since FSIS did not provide adequate oversight, HIMP plants may have a higher potential for food safety risks.” The OIG found that 3 of the 10 plants cited with the most noncompliance reports continue to participate in the program because FSIS’ enforcement policies do not deter swine slaughter plants from repeatedly violating the Federal Meat Inspection Act.

These findings are particularly troubling as FSIS has approved equivalency determinations for Canadian, Australian and New Zealand plants producing red meat based on a similar model as the hog pilot program.^{6 7} Problems have been identified in meat coming from some of those plants – most notably a recall of millions of pounds of Canadian beef contaminated with *E. coli* O157:H7, 2.5 million pounds of which entered the U.S., in September 2012; and multiple shipments of beef, mutton and goat meat from some Australian plants which have been stopped at the U.S. border due to fecal contamination.

⁵ USDA Office of the Inspector General, “Food Safety and Inspection Service – Inspection and Enforcement Activities at Swine Slaughter Plants.” Audit report 24601-0001-41, May 2013.

⁶ Letter to William Anderson, Director, Food of Animal Origin Division, Canadian Food Inspection Agency from Sally White, Director, International Equivalence Staff, Food Safety and Inspection Service, March 2, 2006, granting equivalency for Canada’s High Line-Speed Inspection System for beef based on the HACCP-Based Inspection Models Project (HIMP) approach for hogs.

⁷ Food Safety and Inspection Service, *Australia’s Meat Safety Enhancement Program; Notice of Affirmation of Equivalence Decision*, Federal Register Volume 76, Number 42, Thursday, March 3, 2011, in which FSIS states: “The MSEP/AEMIS performance standards for beef slaughter are based on those used in the FSIS HACCP-Based Inspection Models Project (HIMP) for swine.”

The GAO and OIG critiques of the hog pilot program are clear – FSIS lacks substantial information on which to determine whether the pilot program improves food safety. Considering the problems with similar approaches in foreign countries, we question whether these inspection models are sufficiently protecting public health. **We urge you to withdraw equivalency determinations of foreign inspection programs which use these models and re-evaluate the programs in those countries.**

Sincerely,

Center for Foodborne Illness Research & Prevention

Center for Science in the Public Interest

Consumer Federation of America

Consumers Union

Food & Water Watch

Government Accountability Project

National Consumers League

STOP Foodborne Illness