Testimony of

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Regarding

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Good afternoon Mr. Chairman, Ranking Member, and Members of the Subcommittee. Thank you for allowing me the opportunity to appear before this Subcommittee. My name is Patrick Boyle and I am the president and CEO of the American Meat Institute (AMI). AMI has provided service to the nation's meat and poultry industry -- an industry that employs more than 500,000 individuals and contributes more than $100 billion in sales to the nation's economy – for more than 100 years.

AMI's 200 members include the nation's most well-known meat and poultry food manufacturers. Collectively, they produce 90 percent of the beef, pork, veal and lamb food products and 75 percent of the turkey food products in the U.S. AMI's membership is extremely diverse, ranging from large, publicly traded companies that employ thousands to very small companies with as few as two employees. Indeed, more than half of AMI's members are small, family-owned businesses employing fewer than 100 individuals. We have one member company with just 3 employees. These companies operate, compete, sometimes struggle, and mostly thrive in one of the toughest, most competitive and certainly the most scrutinized sectors of our economy: meat and poultry packing and processing.

AMI appreciates the opportunity to provide perspective and hopefully insight into our nation's food safety inspection system for meat and poultry products. Food safety is the Institute's number one priority. Each year, the AMI Board of Directors establishes priorities to direct the Institute. Food safety has topped the list for the past decade. In 1999, food safety was made a non-competitive issue by the organization which provided top management commitment to share best practices and new technology to improve food safety for the good of the industry.

We all know that food safety has been in the news and because of that publicity a common refrain heard in Washington and other venues is that the U.S. food safety regulatory system is broken and has failed the American people. Indeed, a great deal of attention has been devoted to what is wrong and the changes needed to assure us that the food we consume is safe. Although some of the criticism may be warranted, a closer look at our meat and poultry food safety systems yields a different conclusion.

Illnesses associated with meat and poultry consumption have declined. Nearly one billion meals are consumed each day in the United States without incident (slide 1). For context, human illness statistics published by the Centers for Disease Prevention show that the pathogens most commonly associated with meat and poultry make up only a fraction of the total foodborne illnesses and deaths in the U.S. (slide 2). These statistics are not provided to minimize each and every illness, hospitalization, or death associated with food consumption, but to put the risk into proper context.

Is the sky falling—no, but most rational individuals still believe that food safety can be improved. I would like to discuss with you today some of the real improvements the meat and poultry industry has made and the important role government oversight plays in assuring that the industry meets its responsibility to produce safe food.

First, the meat and poultry industry supports a strong federal oversight system -- and we have a strong system. The approximately 8,000 employees of USDA's Food Safety Inspection Service (FSIS) inspect approximately 6300 domestic meat and poultry operations and an additional 2000 federal employees provide supervision and support services, at a total cost of more than one billion dollars. Plants processing animals are inspected during all hours the plant is operating. Plants preparing meat and poultry products are inspected at least daily. (Slide 3)

For imported meat and poultry products, federal law requires the foreign country's inspection system to be equivalent to the U.S. system. Thirty-three foreign counties are currently approved to ship products to the U.S. and each foreign inspection system is audited annually. All meat and poultry products arriving at our borders also are subject to reinspection and are routinely inspected and sampled for laboratory analysis. Seventy-five import inspectors conduct these activities at 150 official import establishments. (Slide 4).

Another comment often heard is that the food safety system must be preventative. We agree. More than a decade ago FSIS and the industry embraced a major shift in the approach to food safety programs by adopting the principles of prevention embodied in the Hazard Analysis and Critical Control Point, or HACCP. In fact, in 1993 AMI petitioned USDA to mandate the implementation of HACCP in federally inspected plants in an effort to modernize the meat and poultry food safety inspection system. (Slide 5).

Mandatory HACCP provides a framework for identifying potential hazards and implementing measures to control those potential hazards during the production process. The process is continually monitored to assure that critical food safety standards are met. Pre-planned corrective actions are prescribed if critical limits are not met. Records are kept and available to FSIS inspectors for review and procedures are established to verify that the system is working properly.

FSIS oversight does not stop there. FSIS assures processes are scientifically validated. Teams of expert auditors conduct periodic in-depth food safety reviews to complement the activities performed by the FSIS inspectors permanently stationed at the plant. These food safety assessments, or FSAs, can take days or weeks to complete and may involve extensive microbiological sampling of the environment and product. (Slide 6).

During the course of a year, FSIS conducts more than 80,000 microbiological tests to verify that federally inspected establishments' production processes are under control. FSIS conducts these verification tests in addition to the several million microbiological tests the industry does each year. (Slide 7).

There is no finished product testing regime, however, that can guarantee that food products are pathogen-free or that they can be mishandled and remain safe to eat. Finished product testing is an important tool because it can show that process controls are effective and working, but it cannot eliminate every risk to a meaningful degree of certainty.

In addition to process control programs, the plant is required to have written standard sanitation operating procedures that prescribe how the operating environment will be maintained in a sanitary condition. FSIS monitors plant sanitation before operations begin and while the plant is operating. Any deficiencies noted require immediate corrective action and failure to react appropriately can result in the plant being shut down by FSIS officials until the deficiencies are corrected. (Slide 8).

We have a strong federal meat and poultry inspection system, but it is important to recognize only the industry can produce safe food. Although food processors and handlers can minimize risks through the use of systems discussed above and other good management practices, there can be no absolute certainty that all food products are free from all risks. Notwithstanding that caveat, progress has been and is being made.

Specifically, government data show a decline in pathogen prevalence on meat and poultry products. Since 2000, the industry has reduced the prevalence of *E. coli* O157:H7 in ground beef by 45 percent to less than one-half percent. (Slide 9). The prevalence of *Listeria monocytogenes* in ready-to-eat products has been reduced by 74 percent to less than 0.4 percent. (Slide 10). We have seen similar improvement in the incidence of foodborne illness reported by the Centers for Disease Control and Prevention. In that regard, since 2000, illnesses caused by *E. coli* O157:H7 are down by 40 percent and listeriosis is down by 10 percent with much of the improvement occurring before 2000. (Slides 11-12).

A question often debated is whether microbiological performance standards are needed to improve public health. To answer that question, it is instructive to look at the existing *Salmonella* performance standards that are codified in the meat and poultry regulations.

Since the performance standards were promulgated, the prevalence of *Salmonella* in chicken is down by 58 percent, in pork it is down by 68 percent, and in ground beef it is down by 64 percent. (Slides 13-15). Looking at these numbers one might conclude the *Salmonella* performance standards are a great success. Of significance, however, is the fact that the incidence of food borne illness associated with *Salmonella* has actually increased slightly over the same time period. (Slide 16).

One might ask whether microbiological performance standards are a useful tool? The answer is they can be if properly constructed to achieve a public health objective and if they are scientifically based to measure whether food is safe and not injurious to public health. Conversely, I would suggest that a performance standard based solely on achieving an arbitrary outcome that yields no public health benefit is inappropriate.

As the food safety debate heats up, some Congressional members and others have called for enhancing the enforcement powers of the inspection agencies, including civil monetary penalties and other sanctions. For meat and poultry plants, however, very severe penalties already are in place.

Specifically, FSIS can detain and seize adulterated products in commerce, as well as retain product at the plant thereby preventing it from entering commerce. Federal inspectors also have the authority to shut down a plant at a moment's notice if food safety violations such as insanitary conditions are identified. More serious violations can result in federal inspectors being withdrawn from the plant, which results in the plant not being able to operate. And, plant management can be criminally prosecuted for food safety violations. It is difficult to comprehend how additional remedial penalties would improve food safety.

Another subject of some controversy is mandatory recall. The cry for mandatory recall ignores a simple fact: Industry has every incentive to remove contaminated product from the marketplace to reduce potential liability. Experience shows us that the speed with which contaminated meat and poultry product is removed from the market will not improve with mandatory recall. In most cases, meat and poultry products are recalled within hours after a problem is discovered. And industry cooperation to execute recalls has been excellent. (Slide 17).

To date, no meat company has ever refused to conduct a warranted recall and in the highly unlikely event such a circumstance ever were to occur, the previously mentioned threat of FSIS product detention and seizure, coupled with the agency's ability to directly inform the public not to consume the product because the company refused to recall the affected product, not to mention the ramifications for the company at the producing plant, is more than sufficient leverage for FSIS. To my knowledge, such a situation has never occurred. In short, the concept of mandatory recall is a solution in search of a problem.

Let me conclude with some suggestions on what will improve food safety.

(1) With respect to government inspection programs the focus must be on systems designed and implemented to protect public health. Inspection activities that do not have a direct impact on public health waste scarce resources and divert attention from issues of public health importance.

(2) Continual improvement of preventive process control systems is needed. Mandatory HACCP and SSOP that focus on prevention versus detection is critical and the rigor of the control system should be proportional to the public health risk.

(3) Government agencies must be fully funded to help assure the safety of domestically produced and imported food.

(4) Resources should be allocated based on the public health risk posed by a particular food and the control measures that are used during the manufacturing and distribution process to control such risk.

(5) Objective and achievable food safety standards that are scientifically determined to measure whether the food is safe, not adulterated, and non-injurious to public health are needed. Food safety standards must be based on quantifiable, measurable criteria and have a direct impact on public health.

(6) The U.S. must assure that such standards are compatible with internationally recognized standards, such as Codex Alimentarius, to protect the health of consumers, ensure fair trade practices, and promote the coordination of food standards development by the international community.

(7) Efforts should be focused on conducting a more thorough analysis to identify how and why a foodborne disease outbreak occurred. Each government agency involved in investigations of foodborne disease outbreaks or product recalls should be required to report the reasons such incidents occurred and those reports should focus on how the food product was harvested, processed, distributed, prepared, and consumed to provide detailed information that will assist food handlers in preventing future occurrences.

(8) Rigorous government inspection and testing is needed to verify that consumer-ready products are safe. Test results should be performed under accepted sampling and analytical protocols and should meet objective food safety standards. Testing to determine the adequacy of process control at interim points during harvesting, manufacturing, and distribution should be conducted by the industry.

(9) Establishment of a public/private partnership to design and implement a comprehensive research program to improve food safety is needed. The research program should be directed by a board of qualified food safety experts from government, academia, and industry. The program should focus on developing risk mitigation and intervention strategies to prevent foodborne disease outbreaks.

Let me provide some parting thoughts. It is indisputable that producing safe food is good for customers and good for business. To that end, the meat and poultry industry has been working to meet the challenge of continuously improving the safety of the products produced, but the job is not done. Industry pledges to cooperate with all parties to ensure that the U.S. maintains the safest meat and poultry supply in the world.

Thank you for the opportunity to testify before the Subcommittee today. I am happy to answer any questions that Members may have regarding my testimony and the food safety system for meat and poultry products.