

TRANSCRIPT OF PROCEEDINGS

IN THE MATTER OF:)
)
NATIONAL ADVISORY COMMITTEE ON)
MEAT AND POULTRY INSPECTION)
MEETING)
STANDING SUBCOMMITTEE NUMBER 1)
)

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IN THE UNITED STATES DEPARTMENT OF AGRICULTURE

IN THE MATTER OF:)
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 NATIONAL ADVISORY COMMITTEE ON)
 MEAT AND POULTRY INSPECTION)
 MEETING)
 STANDING SUBCOMMITTEE NUMBER 1)
)

Loew's L'Enfant Plaza Hotel
 480 L'Enfant Plaza, S.W.
 Washington, DC 20024

Tuesday,
 October 31, 2000

The parties met, pursuant to the notice, at
 7:05 p.m.

BEFORE: KATHLEEN HANIGAN
 Chair

APPEARANCES:

TERRY BURKHARDT
 JAMES DENTON
 CAROLINE SMITH DEWAAL
 ALICE JOHNSON
 RON HICKS
 FELICIA NESTOR
 YVONNE RICE
 PAT CURTIS
 YVONNE DAVIS

P R O C E E D I N G S

(7:05 p.m.)

STANDING SUBCOMMITTEE 1:

MS. JOHNSON: Yeah. We've already gotten into this and some plants carry where the circuit guys have come in and said, "Okay. We're under HACCP phase two, and we're reviewing your scientific literature. And what -- you know, a lot of the turkey literature is based on what happened in Bollers (phonetic), and some of them are saying, "No, this isn't appropriate.

And so, I mean, it's not BIC's fault. There's just no common understanding of what is appropriate justification and what isn't.

MR. BURKHARDT: And it may be different from place to place.

MS. HANIGAN: Okay. Number three there, Yvonne, should probably say, "Uniformity across the United States," right?

MR. BURKHARDT: Mm-hmm.

MS. HANIGAN: We talked about across districts -- or cross-districts is fine. And I think that the cross-

1 districts -- I think that's more in response to the -- to
2 question two that Mr. Billy asked us, right?

3 MR. BURKHARDT: Yeah.

4 MS. HANIGAN: And I think the point on FSIS needs
5 to be clear regarding their expectations, examples of
6 scientific underpinning -- I clearly think that that --
7 although with number two I guess, you know, you don't know
8 how much improvement you need under number one if you don't
9 understand what the rules are.

10 Okay. FSIS should be clear as to their
11 expectations.

12 MS. JOHNSON: You almost get into the -- what is
13 the definition of a quality HACCP program by FSIS standards.

14 MR. HICKS: Well, that is one of the first -- you
15 know, under "Change" that we talked about when I was going
16 through my thing today. The number one priority was just
17 that, so --

18 MS. JOHNSON: We use those words pretty freely,
19 but what is truly the definition?

20 MR. HICKS: And what is a hazard analysis to the
21 HACCP plan, and those are -- I was in the group that did

1 that.

2 MS. JOHNSON: What is the definition of a quality
3 HACCP program?

4 MR. HICKS: That is the terminology I used, what
5 exactly does it mean.

6 MS. HANIGAN: What does it mean. And that would
7 be per FSIS. One thing I would just like to -- definition
8 of hazard, uh-huh. That's correct.

9 MR. BURKHARDT: Definition of hazard. That's
10 right.

11 MS. HANIGAN: Uh-huh. One thing I would like to
12 just throw out for the committee to consider because I've
13 dealt with this because Farmland has 10 plants. You don't
14 need to write yet. But I guess what I'm seeing more and
15 more and that I can't deal with in the day-to-day activities
16 is programs that have been in place at our company for 25,
17 30, 40, 50 years, I have inspectors questioning now, "Why
18 are you doing them?"

19 And, although we explained it to them, they'll
20 say, "Where is the scientific underpinning for that?" And
21 even though you've just explained it to them, I don't think

1 they really comprehend what you just said. And if they --
2 instead of saying, "I don't understand," they're response to
3 me is like, "Put it in writing and give me the scientific
4 document to support that." And it has nothing to do with
5 the HACCP program. It could be, you know, one of your other
6 prerequisite programs.

7 And there has to be a point where this constantly
8 asking for, "Where is your scientific underpinning," that
9 has nothing to do with HACCP has got to quit.

10 MR. BURKHARDT: Well, if it doesn't have anything
11 to do with HACCP, then they really shouldn't even be asking
12 about it, should they? I mean --

13 MS. HANIGAN: Yeah, because, you know, some of
14 these foundation programs support your HACCP program, so I
15 don't have a problem --

16 MR. BURKHARDT: Well, is it in the GMP that you're
17 talking about?

18 MS. HANIGAN: Yeah. I don't have a problem with
19 them asking about the GMPs or wanting to see the GMPs
20 records, but I don't think they clearly understand the
21 difference between what your foundation programs are and

1 what your HACCP programs are.

2 And this whole thing about the burden of proof
3 lies on the industry, yet some of these old regulations,
4 they've taken the -- or the agency has taken away no longer
5 are scientifically valid. This is creating a huge problem
6 because you can't just start taking out regulations and
7 saying, "That was never scientifically valid." And I think
8 the agency is going to set itself up for a huge problem
9 here.

10 So I don't know if anybody else has experienced
11 that, but, you know, in our bullet points I'm not sure how
12 to capture that other than -- you know, some of it borders
13 on ridiculous. Some of the inspectors that are doing it --
14 I'll be honest with you. They're just being difficult. And
15 that's all I'm going to say because we have difficult people
16 on our staff too, but these people are just being difficult
17 about it.

18 MS. JOHNSON: Do you think a lot of this is
19 because of the lack of communication between headquarters
20 and the field? I think one of our bullet points needs to be
21 better communication because there is a definite gap between

1 what headquarters finds acceptable. And I don't think they
2 give the people in the field the resources to do -- to
3 understand what they need to be doing.

4 MR. BURKHARDT: They realize that too, and they
5 talked about that in the presentations that they made as
6 something that they want to work on.

7 MR. DENTON: It kind of -- it kind of comes back
8 to number three as far as what you said -- how you deal with
9 that issue.

10 MS. JOHNSON: But the whole communication issue
11 between what goes on here and what's happening in the field,
12 I don't think -- a lot of times they're very unfair to what
13 goes on to the inspectors in the field because they just
14 don't -- nobody tells them.

15 MR. DENTON: They don't have any basis --

16 MS. JOHNSON: No.

17 MR. DENTON: About which to --

18 MS. DAVIS: I would encourage you to be as
19 specific as you can about what your experience is, what
20 you're seeing. And that may even speculate about the cause.
21 The cause may be communication, may be something else. But

1 if you can try to get in the middle, what has been
2 happening, where is the disagreement. And while we're
3 trying to capture that, I think that would give the agency a
4 lot more --

5 MS. HANIGAN: Okay. Felicia, did you have a
6 comment?

7 MS. NESTOR: Well, first I have a question. Since
8 I'm not a member of FSIS or this committee, I wanted to know
9 if -- how I can participate, if I can, and whether you want
10 me to hold all my comments to the end.

11 MS. HANIGAN: You can only comment if I recognize
12 you.

13 MS. NESTOR: Uh-huh.

14 MS. HANIGAN: And as -- I've been very -- in the
15 past two years that I've chaired, I've been very generous to
16 the audience as far as recognizing them, but clearly, if the
17 people at the table have stuff to comment, I normally take
18 their comments first.

19 MS. NESTOR: Mm-hmm.

20 MS. HANIGAN: But I've been very open with the
21 audience if they want to comment.

1 MS. NESTOR: Okay. I guess my comment here is, as
2 you know, we're doing a survey of the inspectors, and policy
3 confusion won as one of the top -- top impediments they felt
4 to HACCP being effective. And it was more policy confusion
5 between government people than it was between government and
6 industry, just a little bit. There's not very much of a
7 difference, but they thought that policy confusion was a
8 real impediment to them implementing HACCP.

9 And I would see -- I could see how that could lead
10 to nonconformity. And I -- from certain things I've heard,
11 I can imagine that the industry would be up in arms because
12 you've got one person trying to implement the policy in one
13 way and another person trying to implement the policy in
14 another way.

15 And one of the acronyms I heard for HACCP now used
16 to be, "Have a cup of coffee and pray." The new one is,
17 "Hardly anyone comprehends current policy." So I think all
18 of these comments -- and also, with the OIG report this
19 seems to be the theme that everybody's pointing to.

20 MS. HANIGAN: So why don't you under number three
21 just put in parentheses, "Policy confusion"? That would be

1 okay.

2 MS. JOHNSON: I think that's a good way to
3 describe it because that's clear on both the industry and
4 FSIS and field people. Nobody really knows what we need to
5 be doing.

6 MS. HANIGAN: Well, since we -- and I have not --
7 Yvonne, I have not forgot what you said. I'm just trying to
8 figure out how to word it. But since we're focusing, it
9 seems right now on question two, I really do think that if
10 FSIS and/or the state is going to improve the effectiveness
11 of their role, they're going to have to resolve this whole
12 petition that's out for commenting right now as to the
13 definitions. You know --

14 MS. JOHNSON: The definition -- your role and
15 prerequisite.

16 MS. HANIGAN: And maybe we should -- and maybe we
17 should go back up to that first one and expand on that one,
18 Alice. What did you what was that called?

19 MS. JOHNSON: I was trying to -- the whole
20 petition issue -- I think there's a lot of confusion. And
21 if they're not going recognize the prerequisite, then

1 industry is going to have to do different data collection.

2 And so, you know, we need to resolve a lot of the issues in
3 the petition as well as we need a definition of quality.

4 What do we mean when we say, "A quality HACCP
5 plan"? Does that mean our scientific literature is in
6 place? You know, what -- how do we deal with it? Do we
7 have prerequisites?

8 MS. HANIGAN: I think you're smart, Yvonne, to
9 start a separate sheet. I think where we're heading is,
10 before we can answer Mr. Billy's questions, one or two,
11 right, the first thing we need the agency to do is make
12 their decision on the petition that was filed where AMI and
13 the other members talked about the need for clarification on
14 the prerequisite programs. If we call that the petition
15 tomorrow --

16 MS. JOHNSON: The industry petition.

17 MS. HANIGAN: -- Yvonne, will Mr. Billy know what
18 we're talking about?

19 MS. RICE: Yes.

20 MS. HANIGAN: Okay.

21 MS. JOHNSON: Because nobody can really truly

1 understand their role until, you know, some of these basic
2 issues -- industry understands it differently from FSIS.
3 And until that's resolved, we can't really say what either
4 one of the roles are.

5 MS. HANIGAN: Okay. So, Yvonne that's recording
6 for us, before we can answer Mr. Billy's questions, one or
7 two, we need FSIS to formally respond to the industry's
8 petition.

9 MS. JOHNSON: I don't know whether we want to say
10 -- we need a clearer understanding. There needs to be a
11 common understanding because right now the way industry
12 learned HACCP and the way the agency is regulating HACCP are
13 two different things -- and how ever that needs to be
14 clarified.

15 MS. RICE: A clear understanding.

16 MS. JOHNSON: And I don't know how we go into --
17 we keep talking about, "Everybody needs to further their
18 training," and do this and this and this. But until this is
19 resolved, I don't see how anybody can do anymore training
20 because the training will be catch-up of --

21 MS. HANIGAN: A clear understanding -- you're

1 next, Jim. A clear understanding of HACCP, why don't we
2 put. And just abbreviate prerequisite -- p-r-e --
3 prerequisite programs. And then in parenthesis, if you'll
4 put petition, so that we reference what we're talking about.

5 MS. JOHNSON: Can we put prior to training and
6 education?

7 MS. HANIGAN: Sure.

8 MR. BURKHARDT: Well, it's a resolution of that
9 issue.

10 MS. HANIGAN: Right.

11 MR. BURKHARDT: The request.

12 MS. HANIGAN: The resolution. And probably go on
13 to put, Yvonne, this needs to occur prior to any additional
14 training.

15 MS. JOHNSON: Yeah.

16 MS. HANIGAN: Is that what you want to say -- or
17 education. I guess they're kind of dividing training and
18 education up, is what I heard this afternoon, and I think
19 you spoke that. It's one thing to train, it's another thing
20 to educate. I heard more than one speaker --

21 MR. HICKS: I think the education is meant to

1 embody the full learning capacity whereas the training is
2 just individual courses --

3 MS. HANIGAN: Education/training.

4 MR. HICKS: Yeah.

5 MS. HANIGAN: Okay. Jim, you wanted to say
6 something.

7 MR. DENTON: Yes. And I'm not sure that anybody
8 needs to start writing yet, but this whole thing comes back
9 to the issue of what you described about industry taking the
10 initiative and going down to what I would refer to as
11 classic HACCP training that's scientifically underpinned
12 versus the approach that FSIS took, regulatory HACCP, if you
13 will. And they're very different with regard to how we look
14 at these things.

15 And I think there has to be some resolution of
16 what the expectations are for what -- for the industry under
17 new -- the HACCP programs that they have to design and they
18 have to defend and they have to be able to manage and the
19 role of FSIS in that.

20 I think it was a real missed opportunity in which
21 we didn't have both the industry and the agency personnel in

1 the same training and education activities early on so that
2 there was a clear understanding of what the role of each
3 group was.

4 MS. HANIGAN: Well --

5 MR. DENTON: Because we're still wrestling with
6 that. We're still wrestling with what the definitions of
7 "hazard" are. We're wrestling with whether or not the
8 prerequisite programs need to be in place before we
9 implement HACCP, which, I think, is probably the only way
10 that we can do this and have a manageable system, is that
11 you have to have certain things, sanitation, SOPs. Your
12 SOPs, and GMPs need to be in place.

13 The things that you're talking about that you've
14 been doing in the plant for 30 years, 25 years, 30 years,
15 those things are what make you a food plant. There are
16 certain things you do with regard to how you manage your
17 system, with regard to what the expectation for the
18 employees about how they go about their task, your standard
19 operating procedures.

20 A lot of that is based on science that's already
21 come and gone. It's become common practice that this is the

1 way we do things. Now we may have forgotten why. We may
2 not have written down why we do certain things, but there's
3 almost always a valid reason for that. So if we come back
4 to this whole issue of education, at some point, there has
5 to be some harmony between the two groups.

6 MS. HANIGAN: Okay. So what she's got up there is
7 -- I call it asterisk one, maybe a little star because we're
8 not even to our bullet points yet. Okay. The one above it
9 is a star too. Yeah, right there. Yes, right there. So
10 star number two -- no that's part of the first one. No, no,
11 no.

12 MS. RICE: Oh, okay.

13 MS. HANIGAN: Okay. That's fine. That's fine.
14 Star number two that Jim just talked about would be joint
15 training, is that correct?

16 MR. DENTON: Education and training.

17 MS. HANIGAN: Joint education and training. This
18 is before we even get to answering Mr. Billy's questions.

19 MS. JOHNSON: To all FSIS employees because the
20 people in the field, I honestly don't think, got the
21 appropriate training they needed.

1 MR. DENTON: Mm-hmm.

2 MS. JOHNSON: You know, they had -- whereas,
3 industry had a three-day HACCP course, they have what, three
4 hours?

5 MR. DENTON: Three hours.

6 MS. JOHNSON: And then the rest of it was on non-
7 compliance and writing NRs. And that may very well be
8 appropriate. But give those guys the education that's
9 needed for --

10 MR. DENTON: Education.

11 MS. JOHNSON: Yeah. And I don't -- I think it was
12 very unfair to the field because they had to really --

13 MR. DENTON: I do too.

14 MS. JOHNSON: You know, it was like the agency
15 thought, "You can't understand this. Move on," you know.
16 And I don't think that was very fair to the field guys.

17 MR. HICKS: You know, throughout some of the stuff
18 that we mentioned today that talked about education and
19 training and communication, this is -- this is one of the
20 pieces that was continuously mentioned as a lack of
21 preparedness on the part of our folks in the field. When

1 they received their initial training, there was a need for
2 follow-up training and follow-up training from that too. So
3 this is something that we heard from Dick Bonhad (phonetic),
4 that I worked with, and, in fact, industry groups mentioned
5 this whole issue of better equipping our people to do the
6 job that they were asking them to do.

7 MS. JOHNSON: Yeah.

8 MR. HICKS: So this is a very important piece of
9 it. The joint training was also one that we talked about
10 and entertained as something that we should be considering.

11 MS. JOHNSON: We did the joint training back years
12 and years ago when we did the sanitation directive.

13 MR. HICKS: Mm-hmm.

14 MS. JOHNSON: And that was just so impressive
15 because when you actually got out there and started doing it
16 with everybody kind of working together to make this work
17 instead of --

18 MR. DENTON: Everybody knew what was --

19 MS. JOHNSON: Yeah. Well, if everybody knew what
20 was doing -- and they going to make it work and here with
21 industry and FSIS on the same --

1 MR. HICKS: Well, to me it kind of helps to figure
2 out or it helps you to identify very quickly where your
3 points of disagreement are --

4 MS. JOHNSON: Yeah.

5 MR. DENTON: Mm-hmm.

6 MR. HICKS: So that you can try and --

7 MS. JOHNSON: When you get --

8 MR. DENTON: It's a resolution.

9 MR. HICKS: Yeah.

10 MR. DENTON: Yeah.

11 MR. BURKHARDT: Part of the whole discussion that
12 -- you know, in several of them I think it all hinges on
13 trying to improve the overall relationship between the
14 agency and the industry. And although there's a lot of talk
15 about collaboration and working together -- and I think that
16 the USDA has realized, in order for HACCP to be successful,
17 it's got to be based on a relationship of trust. I mean --
18 and so you're trying to reestablish that relationship first
19 before you move forward, it looks like to me.

20 MS. JOHNSON: That's a good point.

21 MR. BURKHARDT: And that's - that's very

1 important. That's where the joint training comes in that --
2 where you identify together as to what hazards -- what a
3 hazard should be. I mean, that should be a joint discussion
4 between the industry and the agency. Let's both agree on
5 what it is --

6 MS. JOHNSON: A common understanding.

7 MR. BURKHARDT: And so then -- and then let's get
8 that nailed down, and then let's move forward because right
9 now, as you pointed out, it is different. And that's where
10 the frustrations are in the industry.

11 MS. JOHNSON: And right now we have -- these in-
12 depth verifications are going on, and that is one of the key
13 issues. Until we get some of these things resolved, the in-
14 depth verifications are really an issue because, you know, a
15 lot of the industry have set up their HACCP plan like this,
16 and the agency goes in and looks at the regulatory plan like
17 this.

18 And then -- and even to the point of saying --
19 they keep talking, "HACCP, the next steps," but we have
20 these in-depth verification teams going in and, you know,
21 it's almost not fair to either the team or the industry

1 because we still don't have a common understanding on this.

2 MS. HANIGAN: Let me ask you if we can agree to
3 this. Could we go back tomorrow and tell the committee that
4 before we could even answer the two questions Mr. Billy
5 posed to us, we thought the following had to occur: FSIS
6 need to provide us with a clearer understanding of the
7 expectations for HACCP and the prerequisite program -- and
8 we're talking about the petition. That was the first thing.

9 Second was we talked about the need for additional
10 education and training, and it needs to be joint educational
11 training, which would involve all FSIS employees. And there
12 needs to be uniformity across the districts, and we need to
13 know what FSIS's definition of a quality HACCP program is.
14 And until we get through that, since we don't understand
15 what all that is, we are having issues now with trust, which
16 you've talked about, and the IDB because nobody knows what
17 to expect. So once we get that answered, we can go on to
18 this other part. Is that -- is that what we're saying?

19 MS. JOHNSON: Well, I almost think that we can use
20 this to answer these questions, "What can the industry do to
21 improve the quality and effectiveness of their HACCP plan"

1 -- we can get a clear understanding of what the agency
2 expects -- and "What can FSIS do to improve the
3 effectiveness and their role," is, you know, come to this
4 understanding.

5 I don't see these as separate, these bullet points
6 as being separate from what the two questions are because I
7 think, you know what we can do to improve the quality and
8 effectiveness is all related to, you know, the joint
9 training, the uniformity, the what is the definition, you
10 know, education of industry and FSIS. I think that all
11 relates to the questions, that we are not separate and
12 independent from the question.

13 MS. HANIGAN: But I only agree with you a point
14 because I think if our -- if I heard like, Bobby Calisano
15 (phonetic) correctly when spoke at the AMI convention a week
16 ago, they talked about in some plants they have selected
17 CCPs and critical limits, and they really don't have a clue
18 as to why they've done that.

19 And I don't even think once they get an
20 understanding of that that some of these people understand
21 it. You know, that's -- I think that's -- that's the other

1 side of it, you know. I know Mr. Billy said there some
2 plants that have really good HACCP programs, and there's
3 others that just plain don't.

4 MS. JOHNSON: But isn't that a component of the
5 education, the education component for FSIS as well as some
6 of the industry?

7 MS. DEWAAL: So it sounds like you've solved all
8 the problems and I can go home, right?

9 MR. BURKHARDT: I think it's kind of together.

10 MS. DEWAAL: Do you?

11 MR. BURKHARDT: I don't know. You know --

12 MR. DENTON: Unravel it.

13 MR. BURKHARDT: You have to have -- the system
14 needs to be based on trust, and you need to have an educated
15 staff, both industry and the agency. You've got to have
16 common expectations of what the plan should look like and
17 know what the science is and know what's acceptable or
18 what's expected. I mean, those are all things that, you
19 know, have to be there for them to move forward.

20 MS. JOHNSON: And improve the quality of the
21 program.

1 MR. BURKHARDT: That's right.

2 MR. DENTON: Mm-hmm.

3 MS. JOHNSON: On both sides.

4 MS. DEWAAL: Can I add something on the uniformity
5 issue? And that is that you need tools to evaluate. If the
6 part of uniformity across the district is having tools to --
7 how do I want to say this? Independent tool -- it's not the
8 right word. Tools that I'm talking about, performance
9 standards and microbial testing, but that provided
10 independent evaluations of success that can be used across
11 the board as opposed to relying simply on, you know, the
12 human evaluation.

13 The human evaluation needs to be there, but in
14 addition, we need other tools to provide uniformity to make
15 sure that we actually are improving salmonella across the
16 board, that we are reducing other kinds of pathogens. So is
17 there a way we could add that in?

18 MR. DENTON: I think part of -- part of what we
19 were talking about is the uniformity of the application of
20 the HACCP system --

21 MS. DEWAAL: Mm-hmm. That's what I'm talking

1 about.

2 MR. DENTON: -- by the agency with regard to --

3 MS. DEWAAL: That's what I'm talking about.

4 MR. DENTON: -- how they're approaching what
5 their --

6 MS. JOHNSON: What's appropriate.

7 MR. DENTON: -- what their perception of HACCP is.

8 MR. BURKHARDT: Measurable --

9 MR. DENTON: In one district it's very different
10 than what's being applied in another district.

11 MS. DEWAAL: But one of the ways to do that is to
12 have tools that don't rely just on someone's eyes and ears
13 and, you know, a human judgment. It's to have a tool that
14 takes it out of that realm, such as performance standards.

15 MR. BURKHARDT: And live data.

16 MS. DEWAAL: Yeah.

17 MR. DENTON: That may be part of it. I think the
18 biggest issue is what their understanding --

19 MS. DEWAAL: And the -- it's part of it.

20 MR. DENTON: Yeah.

21 MS. DEWAAL: It's not the whole thing, but I'd

1 like to add that to the concept.

2 MS. HANIGAN: So why don't you put another star up
3 there and just write, "Performance standards," since we're
4 still in the -- is that okay for now because we're still in
5 the --

6 MS. DEWAAL: That's fine.

7 MS. HANIGAN: We're still in the talking stage as
8 to --

9 MS. DEWAAL: Okay.

10 MS. HANIGAN: We're not even close to finishing.

11 MR. DENTON: We haven't yet.

12 MS. DEWAAL: That's fine.

13 MS. HANIGAN: But I would like the --

14 MS. DEWAAL: We're not?

15 MS. HANIGAN: Go beyond the performance standard
16 because, you know, there should be the performance standard
17 in place in plants who need that. But now we're seeing, in
18 going in and looking at, "Okay, what is your justification"
19 -- regardless of whether you're meeting the performance
20 standard or not, what is your justification on your HACCP
21 plan.

1 And, as Caroline said, uniformity across the
2 districts -- there needs to be some tool in place to say,
3 "If this paper applies to scalding or chilling, is it
4 appropriate in a broiler plant or a turkey plant or a mature
5 fowl" -- you know, because there -- a lot of the ICs are
6 being asked to make these decisions. And in one district,
7 you know, what, the Puerto Rican study doesn't work in a
8 turkey plant, but in the next district it does.

9 And it -- the ICs need that kind of tools to be
10 able to say, "Okay, this is what" -- or else a system in
11 which they understand they go to the tech center to get that
12 guidance because it's -- you know, they have not had the
13 training to say this is appropriate or not.

14 MS. DEWAAL: Can I ask a question? And it's
15 really a question to the industry. As -- when we were in
16 the design phase, kind of -- as we were discussing the rule,
17 one thing that made sense to me is a common understanding of
18 the hazards for like species.

19 So, for example, for turkeys, the hazards -- there
20 would be, you know, a set of hazards that would be pretty
21 uniform from turkey plant to turkey plant, you know,

1 salmonella, campylobacter. There may be some drug issues
2 that are different, depending on time of year or condition
3 of the flocks.

4 But to try to standardize the hazards so that
5 then, as the inspectors are walking in the plants, they know
6 what hazards they should be looking for and what critical
7 control points are available to address those hazards.

8 And this concept comes from the FDA's Hazards and
9 Controls Guide, which they developed for the seafood
10 industry. And I'm not very happy with many aspects of the
11 seafood industry HACCP program, but -- but what they tried
12 to do is, across 300 species of fish, they defined the
13 hazards that the industry needed to control and then what
14 the likely control points were. And USDA never did that.

15 MS. HANIGAN: Well, let me -- let me ask you --
16 don't write this down. You'll be writing forever. But let
17 me tell you why yes, that works, but no, it doesn't, okay.

18 MS. DEWAAL: Okay.

19 MS. HANIGAN: Real life experience -- because when
20 we started HACCP -- and I had four slaughter plants that
21 came on in January of 1998, so I had already identified

1 fecal e. coli prior to any mandatory CCP as a hazard on my
2 slaughter plants and put in a CCP on slaughter well ahead of
3 the final rail.

4 MS. DEWAAL: Mm-hmm.

5 MS. HANIGAN: And, Caroline, I'm telling you right
6 now, the agency did not care what I had put in place even
7 though my hazard analysis showed that I had already
8 identified fecal, that I had really had it controlled two
9 stations up from the final rail.

10 MS. DEWAAL: Mm-hmm.

11 MS. HANIGAN: I was forced by the districts I was
12 in to move that to my final rail. And they pushed and
13 pushed and pushed and kept telling Farmland, "Take it out of
14 the station ahead of there." And I said, "No, because I
15 cannot control that at the final rail. It's controlled up
16 here." We still argue that issue three years later. They
17 won't listen to us. "Drop that CCP. We don't want that
18 CCP." I said, "I don't care. I want that one. This one
19 back here is the fake one that you people came up with for
20 me."

21 MS. DEWAAL: Yeah.

1 MS. HANIGAN: Mine is up here. They won't listen.

2 MS. DEWAAL: But I'm wondering if they -- I mean,
3 what if they walked in the plant -- and maybe the question
4 is to the agency -- but they knew that you need a fecal -- a
5 CCP to control fecal? And then you could say, "Well, here
6 it is. And it may not be where it was in, you know, this
7 other plant down the road, but this is -- this is what -- my
8 CCP for fecal." Would that -- how would the agency respond
9 to that?

10 MS. HANIGAN: The agency in Washington has clearly
11 said, "We will check for fecal on the final rail. We don't
12 care where you people control it, but we're going to check
13 for it on the final rail." But when you get out into the
14 field --

15 MS. DEWAAL: Mm-hmm.

16 MS. HANIGAN: -- you talk about uniformly across
17 the districts, the districts say, "It's at the final rail.
18 We don't care what Washington says." And that is going on
19 today.

20 MR. BURKHARDT: I'd like to comment on the comment
21 that you brought up about maybe helping to identify the

1 hazards. And in hindsight, I think the agency would have
2 been much better off ahead of time to identify what they
3 expect to be the hazards in the respective processes,
4 whether it's bologna production, slaughter or whatever.

5 MS. HANIGAN: I agree with that.

6 MR. BURKHARDT: And it's such -- and what we have
7 done on the small plant side, simply because we are the ones
8 that are the ones that usually provide the science for them.
9 You know, it's the small plants. And so we thought we
10 would be much more effective if we identified what the
11 hazards were, and we did.

12 And we used the guidelines, and so forth, some of
13 the models, to identify what the hazards were. That becomes
14 much easier to administer then, and then we'll monitor how
15 they control those hazards.

16 MS. HANIGAN: Right.

17 MR. BURKHARDT: At least that was a common
18 starting point. And maybe now, to reestablish what the
19 hazards are in these respective processes, to clarify it for
20 the industry is a logical step. It -- I mean, we did that
21 with the small plants, and that was very effective.

1 MS. DEWAAL: One way to do that for HACCP phase
2 two would be -- aren't they going in and doing kind of an
3 in-depth verification for all these HACCP plans? And maybe
4 if we recommended that they identify the likely hazards for
5 each species -- because this is not as complicated as for
6 seafood. I mean, in seafood we're talking 300 different
7 species. We're talking chemical -- toxin hazards as well as
8 microbial hazards. I mean, it is a complicated business,
9 and FDA did it.

10 And why can't we do this for chicken, turkey,
11 sheep, you know, beef. I mean, there are relatively -- but
12 the industry is relatively standardized with respect to some
13 of the hazards. And there may be regional differences and
14 stuff that could be built into the model.

15 MS. JOHNSON: There's part of me that wants to
16 agree that this is the best way to do it because that would
17 be easier. And -- but there's part of me that says, "Wait a
18 minute. It's industry's responsibility to identify the
19 hazard and to go on." And it would make life a lot easier
20 if we did have -- but if they identify hazards, then we're
21 getting back into command and control.

1 MR. BURKHARDT: Right. But the problem -- I agree
2 with you. The thing that's happened is, USDA tried to --
3 tried to administer HACCP one size fits all. And what works
4 in large plants that have technical staffs is not the
5 situation that I am faced with in very small plants.

6 MS. JOHNSON: But --

7 MR. BURKHARDT: And so their method of identifying
8 hazards -- and in your situation in the plants that you work
9 with, you can identify the hazards. The ones that I have to
10 deal with are going to need a little help if we want them to
11 check the right things.

12 MS. JOHNSON: Well, but see, by not having this --
13 and I'm going to use the term "safe harbor" -- by not having
14 this automatically, "Here's what you've got to think about,"
15 you know, you -- your program is educating them because
16 you're making them think what hazards apply instead of just
17 giving a blanket, "Here's your hazard. Now go do something
18 about it."

19 MR. BURKHARDT: Mm-hmm.

20 MS. DEWAAL: But wouldn't this help to standardize
21 -- and it doesn't mean that a plant can't say, "This

1 particular drug is not a hazard in my flocks because we
2 don't use any drugs on our flocks"? I mean, there might be
3 -- there should be a way that the industry could opt out.

4 But wouldn't it help to provide a more uniform
5 standard going into the plants if the inspectors knew what
6 they were looking for because my fear is, you know, we're
7 going to have some inspectors who are looking for 015787
8 over -- you know, as a hazard over here and other inspectors
9 who aren't looking for it.

10 Or look what happened with listeria. I mean, I
11 would have put listeria as a hazard period for the ready-to-
12 eat meat industry. Some plants had it, other plants didn't.

13 Then, after we had a major outbreak, 20 people dead, the
14 agency decides to go back and ask everyone to reassess their
15 plans for listeria, and that's ridiculous.

16 MS. HANIGAN: The only reason I do think that it
17 would help to give some guidelines as to the hazards -- but
18 we have to be careful. The one thing that concerns me --
19 and because I know we did the big sister program in some of
20 the smaller plants. Some of the smaller people honestly did
21 not know in a fully cooked product that chilling should be a

1 CCP because c. profengen (phonetic). They were clueless.

2 MS. JOHNSON: But --

3 MS. HANIGAN: Please wait a minute.

4 MS. JOHNSON: Oh, I'm sorry.

5 MS. HANIGAN: But the other thing that concerns me
6 is, then I don't want to get to where I just talked before
7 you came in the room, Caroline, where if we want to rule
8 something out, I have an agency person that does not
9 understand science, and I'm trying to explain to, and they
10 will not listen.

11 It would be like you trying to explain some court
12 decision to me based on prerequisite case and things that
13 have been decided a hundred years ago. And I'd say, "I
14 don't care it was decided a hundred years ago. How do I
15 know a hundred years ago it was sound science?"

16 You can run yourself crazy with these people. And
17 the district offices will not step in and tell them to back
18 off. I mean, I could run you nuts. Would you tell me, "No.
19 I'm relying on this, that, and the other thing?" I'd say,
20 "I don't understand it."

21 MS. DEWAAL: I guess my thinking though is that I

1 think right now what I'm hearing is that the districts are
2 trying to -- some inspectors are trying to go in and enforce
3 critical control points. "You need this critical control
4 point."

5 And what would make the system more science-based
6 is if the inspector has actually understood the hazard, and
7 then you could go in and design your own CCP. But what
8 they're going in -- I mean, this is still command and
9 control because they're going in and telling you where the
10 critical control point is.

11 MR. BURKHARDT: In the back --

12 MS. DEWAAL: Right.

13 MS. JOHNSON: So what you're describing is
14 education. It's not mandating hazards.

15 MS. DEWAAL: No. But it's giving the inspectors a
16 common understanding of the hazard. We are really only
17 dealing with what, seven to 10 species here?

18 MS. JOHNSON: But isn't that --

19 MS. DEWAAL: It's not very many.

20 MS. HANIGAN: But if you educate them, then it
21 becomes more -- I mean --

1 MS. JOHNSON: Right now, that -- what you're
2 talking about sounds really good, but if you look at it in
3 10 or 15 years when we really want the science to kick in,
4 and we really get to this point, then if we have this list
5 of hazards, we're not letting people think. We've got them
6 into this block.

7 MS. DEWAAL: But the -- I believe that the
8 emerging hazards -- I mean, the risk you're talking about is
9 that we get blocked into these are the hazards, and there
10 are no other hazards.

11 MS. JOHNSON: Yeah.t

12 MS. DEWAAL: And it's like the "015787 doesn't
13 exist" kind of problem. And we need to incorporate the
14 emerging hazards in, but it needs to be done across
15 industry.

16 MS. HANIGAN: But didn't the generic models -- and
17 FSIS has updated them.

18 MS. DEWAAL: The generic models were a failure.

19 MS. HANIGAN: But the thing is, the generic models
20 did lay out -- if you just got as far as what the hazard was
21 and not how to control it -

1 MS. DEWAAL: Uh-huh.

2 MS. HANIGAN: It definitely did lay out cook and
3 chill and fully cooked. And if you look through some of
4 those other models, it definitely listed out some of the
5 hazards there for you. And, apparently, we didn't do a real
6 good job of reading them.

7 MS. DEWAAL: No.

8 MS. JOHNSON: I think it's an education issue and
9 not a "give us this, and we'll go march like little
10 soldiers." Educate industry and the inspectors, and then
11 let everybody walk through.

12 MS. DEWAAL: But --

13 MS. HANIGAN: Yvonne, why don't you put with a
14 question mark because we're going to move on. Okay. We're
15 going to put, "Do we need to define the hazards?" And I bet
16 --

17 MS. DEWAAL: For each species.

18 MS. HANIGAN: For each species. And I bet when we
19 get back into full committee meeting we'll have such a
20 discussion on that. I don't care what we decide tonight.
21 The full committee is going to chew that up and talk about

1 it tomorrow before we leave --

2 MS. DEWAAL: Can -- can I add a few words to what
3 you suggested? Do we need to define common hazards for each
4 species/process, okay, because we're not only talking --
5 we're talking about species, but we're also talking about
6 processes, as in ready-cooked or fully cooked --

7 MR. BURKHARDT: Cold-smoked product --

8 MS. DEWAAL: Cold-smoked. So does that -- does
9 that capture what you think we're doing?

10 MR. BURKHARDT: Yes.

11 MS. DEWAAL: Okay.

12 MS. HANIGAN: And I think that's fair if we leave
13 it with a question mark.

14 MS. DEWAAL: Okay. That's fine.

15 MS. HANIGAN: And we've got a lot of intelligent
16 people on that committee.

17 MS. RICE: Do we need to define the common hazards
18 for each species?

19 MS. DEWAAL: "/process".

20 MR. BURKHARDT: Slash.

21 MS. JOHNSON: And I don't mean to disagree because

1 it would be the nice way to do it right now. But you've got
2 -- you know, when you start thinking in the long-term, maybe
3 the --

4 MS. DEWAAL: Well, I agree with the emerging
5 hazards. I mean, this is not something that can be --

6 MS. JOHNSON: And the agency did a hazard guide.

7 MS. HANIGAN: I thought it wasn't --

8 MS. JOHNSON: There was a hazard guide that was
9 put out.

10 MR. HICKS: I mean, I haven't seen it.

11 MS. JOHNSON: Now whether it was considered a good
12 thing or not, I don't know.

13 MR. HICKS: Yeah. I haven't seen it. But see, I
14 was going to suggest that maybe what -- most of what you
15 guys -- some of what you guys have been pointing out is
16 stuff that people have put on the table as issues. And
17 maybe a good thing to do is rather than try and too narrowly
18 define what the question is that you're asking, put it down
19 on the table to deal with these issues as we work over the
20 next months.

21 I mean -- you raised a couple of good questions,

1 and a few of them may be in conflict with other. I mean,
2 you're worried about your man in control, others the same.
3 You know, maybe we should have more guidance out there and
4 more definition up there.

5 Put it up there as a dual question and say, you
6 know, "We're not quite certain what the answer is, but here
7 is what happened in our discussion last night. We would
8 like for you guys to take this challenge on. And I think
9 that's kind of our job to listen to the feedback you give us
10 and try to wrestle with it and deal with it as opposed to
11 leaving any thing out." So I think both sides of the point
12 that you're making we need to deal with.

13 MS. HANIGAN: The gal in the red blazer, do you
14 have a question?

15 MS. CURTIS: There is actually --

16 MS. HANIGAN: Can you identify yourself?

17 MS. CURTIS: Oh, I'm sorry. I'm Pat Curtis from
18 North Carolina State University.

19 MS. HANIGAN: Okay.

20 MS. CURTIS: I've been to all the HACCP workshops,
21 and there is actually a hazard guide up there for -- I can't

1 remember if it came out right before the very small plants
2 or it was out there when -- the second year around. But it
3 did come out, and it's -- it's fairly intensive. But I
4 don't think anybody ever -- ever really read it.

5 MS. HANIGAN: The agency -- s

6 MS. CURTIS: -- when it was published.

7 MS. HANIGAN: Yeah. They could have a had a
8 couple. Didn't they -- one was draft, and then they went
9 back and tried to --

10 MS. CURTIS: And this is a final -- yeah. This is
11 the final booklet.

12 MS. DEWAAL: And -- but my recollection is that's
13 for the industry, and it's not clear that they're
14 necessarily doing any -- training their employee. I mean
15 they -- we don't know what they're training their employees
16 on.

17 MS. CURTIS: Actually, I went through that FSIS
18 training for inspectors as a liaison.

19 MS. DEWAAL: Yeah. And did they use it?

20 MS. CURTIS: And they -- they did do a little bit
21 of discussion of hazards, but they did not really understand

1 what they were. They spent most of their time, like you
2 said, on the forefront and in case studies.

3 MS. DEWAAL: Can I --

4 MS. CURTIS: Yeah.

5 MS. DEWAAL: And I'll just finish with this point.

6 In my mind, if the hazard analysis is not appropriate -- as
7 in Listeria, if the hazard analysis is inappropriate, the
8 HACCP plan is worth nothing in my book. And so that is the
9 most critical thing that the industry needs to do and the
10 agency needs to do.

11 And, you know, it doesn't matter what the critical
12 control points are if you've got a hazard that's
13 unidentified or that's --

14 MS. HANIGAN: I don't disagree with you.

15 MS. DEWAAL: Or that's -- so I just --

16 MR. BURKHARDT: No argument.

17 MS. JOHNSON: Caroline, it's the whole -- it's the
18 common understanding between -- the hazard analysis, like
19 you said, is the key. But there's a different perspective
20 from what industry considers should -- is appropriate in the
21 hazard analysis and what the agency -- you know, the data

1 that we give for some of our prerequisite programs to defend
2 -- you know, if you've got 3 million pounds of product, and
3 you have no consumer complaints on metal, then is this
4 hazard reasonably likely to occur in your plant? You know,
5 I mean, it's those things --

6 MS. DEWAAL: Well, metal can always occur if
7 you've got metal in the machinery.

8 MS. JOHNSON: But you've -- but you've got a
9 record. You've got data to say that, you know, you don't
10 have a problem with this in this facility. It may be
11 because you've got prerequisites.

12 MS. DEWAAL: Until it breaks.

13 MS. JOHNSON: Well, but you've got prerequisite
14 programs that are addressing this.

15 MS. DEWAAL: But are you saying that you wouldn't
16 then need the -- what is it? Is it an X-ray machine they
17 put it through?

18 MR. BURKHARDT: A metal detector.

19 MR. DENTON: Metal detector.

20 MS. DEWAAL: Metal. Are you saying that those
21 plants wouldn't need a metal detector because they never had

1 a complaint?

2 MS. JOHNSON: Well, whatever their --

3 MS. DEWAAL: Because I've been there.

4 MS. JOHNSON: -- their program is in place, is
5 working, right? I mean, it may be their --

6 MS. DEWAAL: Or they're lucky.

7 MS. JOHNSON: Well, let me throw out a point for
8 up here on the bulletin board. And I'm sure it's going to
9 cause a huge problem. I think we lack accountability, and
10 I'll tell you why. I think we've got some companies and
11 some plants in the industry that lack accountability whether
12 it's being given to them from their parent company or by
13 FSIS, if you will, driving it down their throats.

14 But I also think we have some agency employees
15 that are on stack that lack accountability, and I think
16 we've got a big problem with accountability both from the
17 industry and from the agency's perspective.

18 MR. BURKHARDT: Can I ask -- can I ask Alice a
19 question?

20 MS. HANIGAN: As long as we're not going to talk
21 about a CCP for metal because we're not talking about that

1 because it's got nothing to do with these two questions.

2 MR. BURKHARDT: Would you use -- would you use the
3 same philosophy if you had lab data that showed time -- all
4 samples that you've ever taken for ready-to-eat food, and
5 you never found salmonella as a positive, would you consider
6 that the same way as never finding metal? Or would you
7 consider that as a risk in that product?

8 MS. JOHNSON: That would be different.

9 MR. BURKHARDT: Our discussions --

10 MS. JOHNSON: It was?

11 MR. BURKHARDT: That was in so many -- yeah.

12 MS. JOHNSON: I mean, it's sad.

13 MR. BURKHARDT: It was in so many different areas.

14 MS. HANIGAN: Okay. So what are we --

15 MR. DENTON: What are the three --

16 MS. DEWAAL: So does that mean that any inspector
17 can go into any plant and make any decision and nobody
18 cares? I mean, nobody is going to double-check?

19 MS. HANIGAN: We have that extreme. We have
20 absolute -- we've got two extremes. We have mavericks that
21 are not being controlled, and I think we probably have

1 plants in the industry that need some regulatory authority
2 pressed down hard on them, and that's not happening either.

3 I think we have two things.

4 MR. DENTON: No special cause.

5 MS. HANIGAN: Yeah. And I think they're
6 challenges that people don't want to address. They just
7 want to leave it alone. So maybe it should be, "Lack of."
8 There's an issue with accountability. That's fine. We'll
9 leave it like that. Does anyone disagree with that?

10 MR. DENTON: Uh-uh.

11 MS. HANIGAN: Okay.

12 MR. BURKHARDT: Well, that just ties into other
13 things. As far as being accountable, you need to be
14 accountable for your actions, being able to be properly
15 trained and making sure that what you're doing is legal.

16 MS. HANIGAN: Mm-hmm.

17 MR. BURKHARDT: And, you know, several different
18 things.

19 MS. JOHNSON: Accountability also gets back to the
20 trust issue.

21 MR. DENTON: Mm-hmm, in spades. That really gets

1 to the heart of it.

2 MS. CURTIS: Can I just ask a question?

3 MS. HANIGAN: Mm-hmm.

4 MS. CURTIS: Does that cover if the inspectors --
5 and we're talking about the -- that they're asking you to do
6 things or telling you you need a CCP, the fact that you
7 could ask them for their scientific reason for one, and they
8 don't have to provide you one, but you have to provide them
9 one?

10 MS. HANIGAN: That's correct. I mean, they'll
11 stand right there and say, "That's not my job."

12 MS. CURTIS: Correct. And they won't let them put
13 equipment in one plant, but they'll let them put it in
14 another one down the street.

15 MS. HANIGAN: Yeah. And that needs -- to do with
16 uniformity issue to.

17 MR. DENTON: Mm-hmm.

18 MS. DEWAAL: So do we want a scientific
19 accountability? Is that what we're lacking?

20 MS. HANIGAN: I think we're lacking just generally
21 scientific is one part of it, Caroline, but --

1 MS. DEWAAL: Can we put scientific underneath it
2 and then try to elaborate?

3 MR. HICKS: I think if you can put some things
4 under it just to get some more definition to it so we
5 won't --

6 MS. DEWAAL: So we -- so we know what we're
7 talking about?

8 MS. HANIGAN: How about --

9 MS. DEWAAL: Scientific is one part of it.

10 MS. HANIGAN: Does that -- professional. That
11 would be good. Put "professional." Underneath it put
12 "scientific". Felicia, did you want to --

13 MS. NESTOR: I have a question. Weren't the tech
14 centers suppose to fill this role somewhat so that if you
15 have a question, call the tech center, you ask the question,
16 and they will provide the one rule for the whole country?

17 MS. HANIGAN: The FSIS staff in the field -- some
18 of the plants I have, when we ask them if they would do a
19 joint conference call with Omaha, they'll flat out tell you,
20 "No. I don't report to them. I'm not listening to them. I
21 will not be on a conference call with them.

1 MS. JOHNSON: Felicia, it's not every district,
2 but you've got some district people that will say, "We don't
3 care what the tech center says. This is what we're going to
4 do." And that is -- you know, you can't say that -- there's
5 good and bad on each side.

6 MS. NESTOR: Mm-hmm.

7 MS. JOHNSON: But you do have some circuits that
8 say -- tell their IC, "If you call the district" -- "If you
9 call the tech center, you're in big trouble." And that's
10 reflected in the district too. I mean, it's not across the
11 board, but there are -- there is that philosophy that the -

12

13 MS. NESTOR: -- experience that inspectors will
14 tell us they call the tech center and get two different
15 answers or two -- or three different answers for the same
16 questions.

17 MS. HANIGAN: And that is --

18 MS. NESTOR: So maybe there is another -- maybe
19 some of this stuff -- maybe all this stuff needs to be
20 reduced to writing or something, and --

21 MS. HANIGAN: Well --

1 MS. NESTOR: If you get different answers, there
2 should be some kind of a tribunal -- not a tribunal -- but
3 some --- you know, you can submit it and say, "Look. What's
4 the rule here?"

5 MS. HANIGAN: But you know, that definitely does
6 happen, and it happens the same thing when you appeal an NR
7 because I'll tell you, we have become, on both sides of the
8 fence, masters at not presenting all the facts. You know,
9 you just present the side of the story you want them to
10 hear. The same thing with those darn NRs. You just write
11 it. They write it based on what they know, and then the
12 plant responds with all this other stuff, and then it's an
13 appeal process.

14 Well, if everybody laid their cards on the table,
15 and said they needed to start with, they'd probably all get
16 the same answer from the tech center, and they'd probably
17 all get the same answer on the NR. But they don't give all
18 the information to start with. They keep adding add-ons,
19 and then the tech center is forced to change their mind
20 because I've been on those calls with those people.

21 MS. JOHNSON: And I think, Felicia, if we could

1 get the tech center -- one of the things -- we've all had
2 the tech -- I think the tech center is good. I think they
3 really try to help, but you do get different answers
4 depending on who you talk to sometimes.

5 But if we get an answer, and that becomes some how
6 or another disseminated over the FSIS to the inspectors and
7 everybody, then everybody knows, okay, in this situation
8 this is what's acceptable. But we don't have that.

9 You know, this situation happens in California,
10 and it happens in North Carolina, and so everybody is
11 calling the tech center. But if we had a standard -- you
12 know, here's the question, here's the answer, then we'd --
13 number one, we'd save a lot of calls to the tech center.

14 MS. NESTOR: Mm-hmm.

15 MS. JOHNSON: And it would also give the
16 inspectors the information they need to make a decision.
17 But we don't have that kind of communication going on right
18 now.

19 MS. DEWAAL: But part of the problem then though
20 is all of that becomes guidance, and then it's made -- you
21 know, it's written in stone, and then you can't change it.

1 I mean, part of the process is to have the ability of the
2 tech center over time to change its advice based on new
3 information. But if they're giving two pieces of advice,
4 and they haven't worked it out -- I would recommend maybe
5 adding "intra-agency" under -- so "professional,
6 scientific," and then "intra-agency" to talk about like, the
7 different parts of the agency all knowing.

8 MS. HANIGAN: And I don't mean to be critical of
9 the organization, but I just have to work off of my hands-on
10 experience in the field. And, believe me, Farmland's got a
11 lot of communication problems. But for some reason, the
12 folks in Washington and the folks that are actually down in
13 the plant, even at the IIC and the circuit level, there's
14 something disconnect -- where they don't know what's going
15 on. I know how many layers you've got in between anymore,
16 but they don't know what is going on. They still look for
17 industry to tell them what the latest and the greatest is.
18 There's some big war zone.

19 MS. JOHNSON: Can we just put a bullet, a great
20 big bullet, that says, "Communication."

21 MS. HANIGAN: Yeah, there's some time warp that's

1 going on because like, I -- you know, a lot of people in the
2 field aren't getting the information. And I don't think
3 it's that they're not looking for it. I don't think they
4 know what's going on.

5 MS. JOHNSON: Well, I -- I think Judy would agree
6 with the fact that as -- what you're saying is not something
7 that we need to run from. We need to run toward it because
8 it's an issue that we have to wrestle with. So the fact
9 that there is a lack of congruency between the IICs and the
10 headquarters is what we need to tackle. And I don't know
11 whether it's just a communications problem. I've heard a
12 couple of you all say that people have said it doesn't
13 matter what headquarters says people are going to do.

14 MS. JOHNSON: Yeah.

15 MS. HANIGAN: That's not a communications problem.

16 MS. JOHNSON: But it is -- that's accountability.

17 MR. HICKS: It's not like communications --

18 MS. HANIGAN: We can't put a bullet on that.

19 MR. HICKS: And I was going to suggest -- I don't
20 know what my role is, so just shut me up when I cross over
21 the line, but -- because Yvonne and I are working on HACCP,

1 the next steps, and -- where we can ask -- but I think one
2 thing you may want to consider as a bullet or an issue is
3 not just uniformity across the district but, in addition to
4 that, to find a way to ensure congruency between the
5 districts, headquarters, and the tech center.

6 And I think there's a -- there's a triangle there
7 that, if functioning properly, can make us very effective in
8 terms of information dissemination and, if it's not
9 functioning properly -- and it's kind of -- that's a likely
10 reason why maybe it's not because it's still a couple of
11 years after the reorganization. But this is what we need to
12 talk about right now, is the role of the tech center,
13 headquarters, field, employees, and manager and how we
14 communicate and how that communication results in consistent
15 information to you guys. And that's an issue. I mean,
16 that's a full issue right there.

17 And the issue of training people, once they're
18 trained, once we know what the hell -- what we're all about,
19 how do you make sure that the field and headquarters, the
20 tech center, and whatever other entities there are are on
21 the same page and are accountable to each other and to --

1 MS. HANIGAN: And I guess I just feel like your
2 union, if you will --

3 MR. HICKS: Mm-hmm.

4 MS. HANIGAN: -- and my union have us over a
5 barrel, if you will, because, although Bill Smith has done
6 an outstanding job of communicating to us and Mark Mina,
7 "Just give me the name of the person that's doing it, and
8 we'll address it," you know, when it comes right down to it,
9 you folks are so short on staff, much like I am.

10 You can't afford to get rid of these people. You
11 can't move them because of the labor -- the union law. So
12 if the plant ever comes up with a name and a problem they'll
13 pay for it for the rest of their life.

14 So we're still in the mode that we were before
15 HACCP, nobody's going to say. We're just going to fight
16 underneath the whole time with these people. And I don't
17 want that on the record, but I think you need to know that
18 that's what going on. Even if Will Smith and Mark Mina say,
19 "Give us a name," not on your life.

20 MS. RICE: Okay. Are we saying, "Headquarters or
21 tech center," and so forth? Are we --

1 MS. DEWAAL: Can we add maybe, "Communication and
2 congruency between headquarters, the field, and the tech
3 center"?

4 MR. HICKS: I mean, to me that's a -- and that's a
5 condition for me.

6 MS. DEWAAL: Does that capture --

7 MR. DENTON: Okay.

8 MR. BURKHARDT: That's one that was mentioned this
9 morning too.

10 MS. DEWAAL: Yeah, the -- I think that's a good
11 one, so "communication and congruency".

12 MS. RICE: Okay. "Headquarters, field, tech
13 centers" --

14 MS. DEWAAL: And the tech center. But it's,
15 "Communication leading to congruency."

16 MR. HICKS: "Communication/congruency."

17 MS. DEWAAL: Yeah.

18 MR. HICKS: Maybe that's --

19 MS. JOHNSON: And, you know, it's not only within
20 FSIS, but it's with FSIS and FDA, and that could even jump
21 to OSHA.

1 MS. DEWAAL: If we want to start there, we'll be
2 here all night.

3 MS. JOHNSON: No.

4 MS. DEWAAL: If you want to start on FDA, FSIS --

5 MS. JOHNSON: But we've got a lot of issues where
6 something -- OSHA approves something, and we try to use it
7 in the plant, and the plant won't allow us to because they
8 think it's an OSHA issue, and, you know, it's just -- it
9 goes on and on.

10 MS. HANIGAN: Okay. So we are right at 8:03. We
11 have an hour left.

12 MS. JOHNSON: 8:03. She's so good.

13 MS. DEWAAL: She's so good.

14 MS. HANIGAN: Okay. So are we answering the
15 questions -- I mean, that first one over there that says --
16 starts with the definition of a HACCP -- or a hazard? We've
17 kind of eliminated that, but we're over here with bullet
18 points, and we're trying to answer the two questions Mr.
19 Billy gave us. "What can industry do to improve the quality
20 and effectiveness of their HACCP program." And number two
21 is, "What can FSIS and the state do to improve the

1 effectiveness of their role under HACCP." We are not to
2 reinvent HACCP, no fundamental changes, and we're going to
3 give bullet points. Okay. We've got bullet points.

4 MS. DEWAAL: Where is our answer to number one
5 though?

6 MS. HANIGAN: That's what I said earlier. I said
7 this is all like prerequisite stuff. Where is the answer.

8 MS. DEWAAL: Well, we don't talk about the
9 industry. I mean, we have a little bit.

10 MR. BURKHARDT: It seems like the agency -- and I
11 would agree that they have to clarify a lot of the things
12 that we've talked about here -- and I think they're all
13 appropriate -- before the industry can improve their HACCP
14 plans.

15 MS. HANIGAN: And, Terry, that's what I -- that's
16 what I thought this whole thing was here. I thought we had
17 agreed -- excuse me, Yvonne -- but I thought we had agreed
18 that before we could answer that, we had to understand all
19 of this. This is where Caroline came in. But I thought we
20 talked about all this, saying before we could answer one, we
21 had to do this. Performance standards, I think, clearly is

1 part of that that she got talking about.

2 MR. BURKHARDT: But those could all be used to
3 refer to the second question.

4 MS. JOHNSON: Yeah.

5 MS. DEWAAL: Yeah. We haven't answered the first
6 question yet, but I have some ideas.

7 MS. HANIGAN: Okay. So why don't you give us a
8 new sheet of paper and put a number -- I hate to say this --
9 put number one, and we'll try to answer question number one.

10 MS. JOHNSON: But now a lot of what we say for
11 number one is going to --

12 MR. DENTON: It's going to be dictated --

13 MS. JOHNSON: -- be dependent on two. Right. But
14 we do have, you know, industry accountability, professional,
15 scientific accountability from the scientific standpoint of
16 what you have in your HACCP plan. You know, I think that's
17 -- that covers both questions, that we do say --

18 MS. DEWAAL: On accountability is the one place
19 where I agree industry is covered.

20 MS. JOHNSON: Yeah.

21 MS. DEWAAL: Everything else seems directed to the

1 agency.

2 MS. HANIGAN: Okay. So let's give Yvonne a second
3 to catch up. Why don't you put, "Answer to question one,"
4 so that we know where we're going here.

5 MS. JOHNSON: Well, now, Caroline, I would also
6 say, "Education and training," covers the industry too.

7 MS. DEWAAL: I --

8 MR. DENTON: Yeah.

9 MS. DEWAAL: Joint education.

10 MS. JOHNSON: Yeah.

11 MS. HANIGAN: Okay. So, Yvonne, we're going to
12 start with the number one bullet point. Here we go. I'm
13 giving you bullet points. One is "accountability". We are
14 on question one -- and we've talked professional and
15 scientific for the industry.

16 MS. JOHNSON: And you can say inter-company or
17 whatever. You know, we're talking about interagency,
18 intercompany. Or how do you describe when --

19 MS. DEWAAL: Well, isn't that their problem?

20 MS. JOHNSON: Huh?

21 MS. DEWAAL: It's their problem if it's --

1 MS. JOHNSON: But that's, "What can the industry
2 do --

3 MS. DEWAAL: I guess it would improve HACCP.

4 MS. JOHNSON: -- to improve the quality and
5 effectiveness" --

6 MS. DEWAAL: Okay.

7 MS. HANIGAN: And intercompany.

8 MS. JOHNSON: Communicate within themselves.

9 MS. HANIGAN: Intercompany, intra --

10 MS. DEWAAL: Intracompany. Intracompany.

11 MS. JOHNSON: This is the --

12 MS. DEWAAL: The intercompany is called antitrust
13 problems, so --

14 MR. DENTON: Something like that.

15 MS. DEWAAL: Okay. I have a concern about the
16 industry.

17 MS. HANIGAN: Okay.

18 MS. DEWAAL: Can I express it here?

19 MS. HANIGAN: Yeah, but don't write it down until
20 we get it summarized. Okay.

21 MS. DEWAAL: I -- my experience over the last year

1 is that the industry seems to be fighting HACCP. We've seen
2 it with respect to the Supreme Beef case. We've seen it in
3 a number of places on the Hill where at one point there was
4 an amendment pending before the Agriculture -- on the
5 Agriculture appropriations bill that would have essentially
6 wiped out the salmonella performance standard sponsored by
7 the National Food Processor's Association.

8 And so I want the industry to -- I mean, either
9 you don't like HACCP, or you do like HACCP. I mean, I'd
10 like people to stop fighting. And one way to do that is to
11 get better -- assert more control over the trade
12 associations. I'm glad you're here. But just to -- as a
13 representative of one of them.

14 But to -- you know, I feel like some of the trade
15 associations, the Turkey Federation not included, are really
16 out there in terms of -- way out in front of their members
17 -- in terms of challenging HACCP. And there's just a lot of
18 fighting going on that's not going to get us to a safer food
19 supply. It's going to turn back the clock. And I'm really
20 upset and concerned about that.

21 MS. JOHNSON: Well, I hate to agree with you, but,

1 Caroline, what you're describing is a whole issue. It's not
2 that we're fighting against HACCP as the -- and I'll take
3 the meat and poultry industry both. It's that we don't have
4 a -- it gets back to the common understanding. Our
5 definition of HACCP is this way, the agency's is this way.
6 And we need to work through a lot of these issues and get to
7 middle ground. And I think that -- I mean, exactly what you
8 said, we need a common understanding.

9 MS. DEWAAL: And we need leadership in the
10 industry that will promote food safety as opposed to moving
11 the other direction.

12 MS. HANIGAN: Okay. So bullet point two is,
13 whether my colleagues like it or not, "Stop fighting HACCP."

14 MS. DEWAAL: Yes. Yes. I like that.

15 MS. JOHNSON: Can we put in parentheses --

16 MS. HANIGAN: No. No. I am still -- underneath
17 we're going to put, "Common understanding," and I'm sure
18 you'll take the floor tomorrow and explain it.

19 MS. JOHNSON: Well, I just --

20 MS. HANIGAN: What else did you want in
21 parentheses?

1 MS. JOHNSON: Well, I wanted to put in
2 parentheses, "To stop fighting HACCP, common understanding
3 between FSIS and industry."

4 MS. HANIGAN: Okay.

5 MR. DENTON: Amen.

6 MS. HANIGAN: In parentheses put "common
7 understanding". That's right. That's right.

8 MS. JOHNSON: I think "stop fighting" -- the whole
9 stop fighting thing reflects the whole bad relationship, the
10 lack of trust. If we say, "Common understanding," I think
11 it moves us into a more cooperative environment than "stop
12 fighting".

13 MS. DEWAAL: But the other -- the common
14 understanding has got to extend not only between the
15 industry and the agency, but also to the public and to the
16 consumer, the active consumer representatives, because there
17 is a -- you know, I just feel like there is a major fight
18 going on.

19 MS. HANIGAN: "Agency, industry, and consumers".

20 MS. DEWAAL: Consumers.

21 MS. JOHNSON: But I hate to use the word fighting

1 because of recent incidents. I don't like to think --

2 MS. DEWAAL: I know --

3 MS. JOHNSON: -- that the industry and the agency
4 are fighting. It's -- there is definitely a communication
5 problem.

6 MS. DEWAAL: It's fighting. It is -- when it gets
7 to a debate on the floor of the Senate between Senate -- two
8 senators, that is a fight. That is as bloody and nasty as
9 it gets.

10 MS. JOHNSON: No. As bloody and nasty as it gets
11 is an inspector --

12 MS. DEWAAL: Yes, I know. I know.

13 MS. JOHNSON: Okay. And that's the first thing
14 where I see "stop fighting HACCP". That's what I think.

15 MR. HICKS: How about resolve philosophic
16 differences of HACCP?

17 MS. DEWAAL: No, I -- no, no, no. There is a
18 fight over -- it's not resolving philosophical differences.
19 I mean, there is --

20 MR. BURKHARDT: The issue with HACCP is that it
21 wasn't intended to be a regulated program. HACCP is a

1 scientific system --

2 MS. DEWAAL: That's right.

3 MR. BURKHARDT: -- that USDA is trying to
4 regulate. And the whole issue with -- on the training and
5 things is, the reason why there aren't more CCPs being
6 monitored is because the whole system is based on monitoring
7 CCPs.

8 MS. JOHNSON: On the regulatory issue --

9 MR. BURKHARDT: From the regulatory standpoint.
10 Not because it's not a good food safety thing to look at,
11 but you get yourself out of trouble by having less CCPs in
12 the system. Well, that doesn't make sense if you're trying
13 to reduce the risk of food-borne disease. You'd want the
14 plant to monitor as many things as possible.

15 MS. DEWAAL: And --

16 MR. BURKHARDT: But the way it's being regulated
17 forces the industry to back off.

18 MS. HANIGAN: And under number two, Yvonne, would
19 you please add a bullet point for Ron's comment, which was,
20 "Resolve philosophical theories"? That's what you said.

21 MR. HICKS: Resolve philosophical differences,

1 yeah.

2 MS. DEWAAL: Differences.

3 MS. HANIGAN: There you go. That's a bullet
4 point, okay?

5 MS. DEWAAL: Okay.

6 MS. HANIGAN: And does anyone have a problem if
7 she puts little quotation marks around "fighting"?

8 MS. DEWAAL: Around "fighting". That's fine.

9 MS. HANIGAN: Okay, little -- poor woman up there.
10 She'll wish she went trick or treating. She might add, "I
11 was at a witch hunt."

12 MS. DEWAAL: I should have brought everyone candy.

13 MR. HICKS: I could have taken a right turn. I
14 took a left.

15 MS. HANIGAN: That's okay. We have -- don't worry
16 about that. We have spelling check.

17 MS. RICE: Okay.

18 MS. HANIGAN: Can you put quotation marks around
19 "fighting" for us?

20 MS. DEWAAL: Can I respond to --

21 MS. HANIGAN: Right there. There you go. Thank

1 you. Uh-huh, right there. Thanks.

2 MS. DEWAAL: I want -- can I respond to --

3 MS. HANIGAN: Mm-hmm.

4 MS. DEWAAL: I absolutely agree. And where we --
5 we're totally screwed up if we're regulating CCPs. The
6 whole point of this was to have the HACCP -- the hazards
7 defined so that across like companies where -- the same
8 hazards are identified and being controlled. And then we
9 need a check point -- and I tend to like performance
10 standard -- but at a independently and objectively verified
11 checkpoint. And then how the company gets from point A to
12 point B is their business. But we've got a way for the
13 government to check it.

14 And, otherwise, you've got all these, you know,
15 companies making different decisions, inspectors making
16 different decisions, and a system that doesn't work. Have
17 they identified the hazard? Do they have CCPs addressing
18 those hazards that -- and give me the data at the end of the
19 line telling me if it's working, and you've got a system.
20 But I think that the -- on the regulatory arm we're -- I
21 mean, that -- it's a big problem. But we're talking about

1 industry here.

2 MS. HANIGAN: Okay. So what else for question
3 one?

4 MS. JOHNSON: All right. When we talk of
5 accountability, we're talking appropriate justification,
6 appropriate decision-making tools for what we did in our
7 hazard analysis. Do we all agree with that because I think
8 that's something the industry is probably falling short of.
9 Because we have these generic models, we had these things.
10 We just did them, and we didn't -- not everybody, but we
11 didn't get the scientific underpinning for what we needed.
12 So, I mean, that's covered in number one.

13 MS. HANIGAN: Right.

14 MS. JOHNSON: I want to be sure that we
15 understand --

16 MS. HANIGAN: That's why -- right.

17 MS. JOHNSON: -- that that will improve our
18 quality and effectiveness.

19 MS. HANIGAN: Right.

20 MS. DEWAAL: Well, could we -- should we add -- go
21 ahead.

1 MR. BURKHARDT: But still, if you give your best
2 faith effort, and you get the scientific data, there still
3 is someone that would say, "You haven't done enough," or,
4 "You haven't proved your point." And that's -- so that, I
5 think, goes back to what the expectation is, is what are you
6 going to accept as scientific validity.

7 MS. JOHNSON: Yeah, I'll agree with that. But
8 there are some companies that have nothing other than,
9 "Here's what models said," unfortunately, Terry.

10 MS. DEWAAL: Can I --

11 MS. JOHNSON: I hate to admit that.

12 MS. DEWAAL: I think that we need a three that
13 really lays that out, and let me suggest "strong scientific
14 underpinnings to the HACCP plan and continuous improvement".
15 I mean, I think that continuous improvement -- it's not
16 enough just to have a good HACCP plan one year. You need to
17 then be continuously monitoring and improving and making
18 sure that you are covering emerging hazards, so --

19 MS. JOHNSON: Let's don't say -- continuous isn't
20 a good word.

21 MS. DEWAAL: Okay.

1 MS. JOHNSON: But another name for your HACCP plan
2 would be, you know, the fact that it's a living document
3 that you need to reevaluate, reassess, whatever, as
4 appropriate.

5 MS. DEWAAL: Well, that -- okay. So "strong
6 scientific underpinning and regular reevaluation of HACCP
7 plan"?

8 MS. HANIGAN: And they'll say, "That's required
9 annually." I mean, I'm just throwing out what they're going
10 to say. The agency will say, "By law, it's required at
11 least once a year."

12 MS. JOHNSON: Yeah, but what is the
13 reassessment --

14 MR. BURKHARDT: This is for the industry's
15 responsibility to keep --

16 MR. DENTON: That's right.

17 MS. HANIGAN: But it would improve the HACCP plan.

18 MS. JOHNSON: But what is the reassessment --
19 okay. I've reassessed, you know. Is there somewhere we can
20 say, you know, "Scientific underpinnings and a thorough
21 reassessment," something other than --

1 MS. DEWAAL: Mm-hmm.

2 MS. JOHNSON: The reassessment isn't just a
3 paperwork exercise. We actually go through and do it.

4 MS. HANIGAN: And I -- I don't want to say, if you
5 will, "strong scientific underpinnings." Isn't that what
6 you said? I keep telling my plants, "Solid," so that it is
7 solid science, not -- because they can give you a whole
8 barrel of not even appropriate --

9 MS. JOHNSON: Yeah, appropriate. There you go --
10 for whatever -- it's got to be appropriate for whatever
11 hazard we're talking about.

12 MS. HANIGAN: That's good.

13 MS. JOHNSON: Not just papers.

14 MS. DEWAAL: Okay. So "appropriate scientific
15 underpinnings" --

16 MS. JOHNSON: Scientific underpinnings.

17 MS. DEWAAL: And "thorough reevaluation of HACCP
18 plans"?

19 MS. HANIGAN: Right.

20 MS. RICE: That's three?

21 MS. HANIGAN: Three, yes.

1 MS. DEWAAL: Three.

2 MS. HANIGAN: Felicia, go ahead.

3 MS. NESTOR: I -- what I've been hearing is that
4 something that referred to the reassessment which is a
5 repetitive problem from the -- that could be -- I mean, are
6 you saying -- what should trigger this reassessment? I
7 mean, is it supposed to be once a year according to FSIS?
8 Caroline's talking about emerging pathogens.

9 Another thing that people can really focus on is
10 -- you know, maybe we can't have a magic number for
11 enforcement, but maybe there should be some magic guideline
12 for what the trigger -- the reassessment might --
13 performance standards if you violate the standards four
14 times in 25 days. So maybe in HACCP there could be a
15 similar thing. And reassessment would require some
16 documentation to FSIS.

17 MS. JOHNSON: I don't know about putting a number
18 on where you reassess, but I agree with there needs to be a
19 -- I don't know the appropriate word -- valid. There needs
20 t be not -- it's not a paperwork exercise. We actually go
21 through, and we reassess our HACCP plan, and we look at our

1 supporting documentation. We see what we need.

2 If anything has changed -- I hate to put a number
3 on it because there may be times when you don't need a
4 number, and something has happened that, you know --
5 emerging pathogen, whatever. But there needs to be a good
6 reassessment and not just a, "Okay," (indicating), "We're
7 done."

8 MS. JOHNSON: And I do know what you're talking
9 about because at Farmland I'd call them. I'd tell them, "No
10 more feel good programs." You know all them fluffy ones
11 that you think you've got? It's like there's no more feel
12 good programs. They're either solid, and they're written,
13 and we know what we've got them for, or they're out. So I
14 do know what you're talking about. I know what you're
15 talking about, Felicia, as well.

16 MS. JOHNSON: You roll up your sleeves, and you do
17 a reassessment. You don't sit there and just go, "Okay."

18 MS. DEWAAL: And should the reassessment start at
19 the hazard analysis?

20 MS. HANIGAN: Oh, sure.

21 MR. DENTON: Yeah. That's where it has to start.

1 MS. JOHNSON: Where else would you do it? Right.

2 MS. DEWAAL: Hazard identification.

3 MS. HANIGAN: I guess we never started --

4 MS. NESTOR: Does this whole discussion include
5 SSOPs also, or we're just talking HACCP, strictly HACCP?

6 MS. HANIGAN: Well, when they said HACCP, I
7 assumed they meant the whole thing, the SSOPs and that whole
8 thing that --

9 MS. DEWAAL: Is that "of HACCP plans, appropriate
10 scientific underpinning and thorough reassessment"?

11 MS. HANIGAN: Well, to me it's the -- the whole --

12 MS. DEWAAL: Or it's the whole program.

13 MS. HANIGAN: The foundation program --

14 MS. DEWAAL: Okay. All right. Fine.

15 MS. HANIGAN: -- and the whole bailiwick. To me
16 we always make them physically go out and validate and
17 verify the flow diagram before they can even start any
18 reassessment.

19 MS. DEWAAL: Should we say something -- I mean, if
20 you want to improve this system, should we say something --
21 it's like teaching to the test? Don't -- don't do the plan

1 to the program. I mean -- in other words, should we try to
2 -- if we really want to improve HACCP, how can the industry
3 improve HACCP? And it's not necessarily putting that
4 critical control point right where the inspector says it
5 should go. But they need to start thinking outside the box,
6 the regulatory box.

7 So can -- I mean, this is visionary. Can we say
8 something about industry should, you know --

9 MS. JOHNSON: That's why --

10 MS. DEWAAL: -- think outside the regulatory box?

11 MS. JOHNSON: That's why I don't think we defined
12 hazards, because years from now we don't want to. We want
13 them to think. We want them to -- yeah. Well, I don't know
14 how you -- but that's -- well, that's where I was going with
15 that.

16 MS. DEWAAL: Right. But I'm thinking --

17 MS. JOHNSON: The concept is good.

18 MS. DEWAAL: -- in terms of CCP.

19 MR. DENTON: There are several things that can be
20 in play here. One is the changing situation with regard to
21 potential hazards that are there. You could have

1 significant improvements in the process. You've got new
2 equipment, new technologies, new techniques that come into
3 this thing all the time. The minute that happens, you
4 automatically go back and -- and reassess who you are.

5 MS. JOHNSON: And you've got to start with your
6 flow diagram. There maybe a different piece of equipment.

7 MR. DENTON: Yeah.

8 MS. JOHNSON: There may be a different process.
9 And it's real easy just to float right through that and say,
10 "Okay. Here's my hazard."

11 MR. DENTON: Mm-hmm.

12 MS. HANIGAN: You'd be surprised how many people
13 walk out on the floor with a flow diagram in their hand, and
14 it's not right anymore. You'd be amazed. The engineers
15 changed it. You'd be amazed.

16 Okay. We're not done with the question to answer
17 one, but if you would post that somewhere for us, we're
18 going to go to the question to answer two to make sure we've
19 got it. And we can come back and add to question one any
20 time we want to.

21 MS. JOHNSON: Under answer to question one, did we

1 put education, education training? I think that goes under
2 both question one and question two.

3 MS. HANIGAN: But that's too broad. Before she
4 writes it down, what exactly are we talking about? They
5 say, "Yeah, yeah, yeah. You guys have already talked about
6 that."

7 MR. BURKHARDT: Well, the scientific
8 microbiological hazards and education in that area, that's
9 really the risks you're looking at and talking about.

10 MS. JOHNSON: And training to perform the
11 monitoring appropriately.

12 MS. HANIGAN: Okay. But for Yvonne, what did you
13 just tell her?

14 MS. JOHNSON: Well, we've got education and
15 training slash over here. I just thought it applies to both
16 question --

17 MR. BURKHARDT: I agree.

18 MS. HANIGAN: Alice, thank you for volunteering
19 tomorrow, by the way.

20 MS. JOHNSON: For what?

21 MS. HANIGAN: You are going to present our answers

1 to question one.

2 MS. JOHNSON: I think we're going to find out the
3 answers to question one are about the same they are to
4 question two, and the big thing is common understanding,
5 verification of certain things.

6 MS. HANIGAN: Felicia?

7 MS. NESTOR: The answers to question one -- these
8 are not going to be in here, right? These are -- I'm
9 assuming that -- "What can industry do?" -- that question
10 means not what can FSIS impose on industry. It means -- and
11 so I don't exactly know how you -- or how, you know, where
12 whoever came up with this question thinks that they're going
13 to effectuate this, but -- so when you're talking about
14 education and training, I mean, my mind is going to the
15 countless numbers of mom and pop stores around the country
16 where people are working 14 hours a day.

17 And so if you're talking about education and
18 training -- I mean, it seems like it would be helpful how do
19 you get the information to those people. I don't know if
20 that's a pertinent question here or not because I don't
21 really understand question one or how it's going to be

1 effectuated.

2 I know that like, for instance, in -- when we went
3 to small plant, various small plant, the larger industry
4 assisted, right? But I don't know if the contemplation
5 should be like a continuing education thing or -- you know,
6 that gets into things that I've got -- I have no idea about.

7 MS. JOHNSON: Well, you've got to think that, even
8 though we say question one isn't mandatory, in a way it is
9 because HACCP plans are regulated, and the agency is going
10 in, and they're doing their in-depth verification, and
11 they're looking at the quality and effectiveness of HACCP
12 plans right now.

13 So even though the question sounds nice, and you
14 could say, "Okay, it's not mandatory," in reality, your
15 HACCP plan and what it's about is regulated.

16 As far as the really small guys and what they're
17 doing, we've been in plants where the mom and dad worked,
18 and then the son, when he got through playing football for
19 the high school would come in and do the -- do the
20 sanitation.

21 And they're relying on people like the extension

1 agents and the state directors and the state program and,
2 you know, they're getting that type of education from these
3 people. And maybe it's a slow process, but is it not the
4 whole thing is improving the safety of product because they
5 are having to reach out and get this information instead of
6 somebody walking in and say, "I want you to do this, this,
7 and this"?

8 Now I actually had been -- when I was a circuit
9 person, the son's name was Bubba. He was like, the
10 linebacker for the high school. And then he'd come in, and
11 he was sanitation. And, you know, he knew he was cleaning,
12 and he knew the inspector wanted this, this, and this, but
13 under this program, somebody is telling him, "This is why
14 the inspector wants this and this cleaned." And you know,
15 that's a good thing. Now all that is doing is improving the
16 quality and the safety of the products.

17 MS. NESTOR: So are you saying some sort of
18 mandatory education and training for industry?

19 MS. JOHNSON: I think we have to seek
20 clarification from Mr. Billy.

21 MR. BURKHARDT: Well, you know, just to what she

1 said, in order to have an effective HACCP plan, there has to
2 be some education behind it. I mean, it won't be effective
3 if there isn't. So it's almost like saying it is.

4 In our particular case in Wisconsin, you know, we
5 -- we have a real active university extension. And we,
6 along with them, provided a lot of training to the industry
7 on HACCP, a lot on microbiology. There -- which was really
8 interesting to have these, you know, butchers trying to
9 figure out about microbial control. But it was done in a
10 way that they could understand it, which helped make them
11 understand why they were going to be asked to do the things
12 they were. So, I mean, it's really important. And we're
13 going to continue to do that more.

14 MS. HANIGAN: Okay.

15 MS. JOHNSON: I don't know why --

16 MS. HANIGAN: We've got to go. No, sorry. We're
17 moving on. Number one --

18 MS. JOHNSON: Can I say something about mandatory
19 education under the question number two?

20 MS. HANIGAN: Yeah.

21 MS. JOHNSON: Well, I just wanted to say that the

1 performance standard is the HACCP plan. And, you know,
2 whether you mandate education, or they pick it up, or they
3 reach for it or whatever, bottom line, they're not going to
4 run if they don't have an appropriate HACCP plan. And, you
5 know, that's -- that's mandating whatever it takes to get
6 that plan in place and get an appropriate -- I mean, that's
7 kind of the way I think a lot of the industry feels.

8 MS. HANIGAN: I think under number one -- before
9 you write down, Yvonne, so we don't make it back up, I think
10 we said -- which may have been before you came, Caroline --
11 that FSIS needs to provide industry with a clear
12 understanding of their expectations of HACCP in the
13 prerequisite program. Is that correct?

14 MR. DENTON: Yes.

15 MS. HANIGAN: Okay.

16 MS. JOHNSON: Common understanding, whatever.

17 MS. HANIGAN: No. It's, "What can FSIS and the
18 states do to improve the effectiveness of their role?" So
19 it's they need to provide industry with a common
20 understanding of what their expectations are under HACCP --

21 MS. DEWAAL: But -- well, I -- but can I --

1 MS. HANIGAN: Mm-hmm. I'm just --

2 MS. DEWAAL: Because she hasn't written anything
3 down yet.

4 MS. HANIGAN: Okay.

5 MS. DEWAAL: Part of the job here -- I mean, my
6 concern with that is the teaching to the test problem where
7 it's like the industry said, you know -- so FSIS said,
8 "Okay. You need to improve salmonella, and we're going to
9 test you for it." So everybody gets real ginned up, and
10 they do a great job at controlling salmonella, and then we
11 have one of the largest listeria outbreaks that we've had in
12 what, 15, 20 years.

13 So it's like they did a really good job on
14 salmonella, but they're not thinking -- so I'm a little
15 nervous about saying, you know, tell us what you want
16 because I know you guys can deliver what they want. What --
17 but what we want is safer meat and poultry products. And to
18 get there it's not just the salmonella performance
19 standards. It's not just the e. coli testing. It's
20 whatever you have to do to get to those safer products.

21 So I'm a little nervous about just saying, "FSIS,

1 give us your expectations because then we can develop our
2 plans to meet those exact expectations," when the reality is
3 the expectation is safe food or safer food.

4 MS. JOHNSON: I'm not sure if we put "common
5 understanding" that we're asking for FSIS to dictate because
6 we talked about the petition that was --

7 MS. DEWAAL: We said FSIS should be clear as to
8 their expectations.

9 MS. JOHNSON: Yeah. I -- I like the common
10 understanding. Somewhere between the way industry is
11 looking at their hazard analysis and the way the government
12 was regulating the hazard analysis -- somewhere in here is a
13 good mix, and we just need to kind of talk this out and get
14 out of the regulatory framework and get out of where we are
15 over here and work through it and come to, "Okay. This is
16 appropriate," and not just be working for the regulatory
17 part.

18 MS. HANIGAN: Right. Right.

19 MR. DENTON: Because right now they're very
20 different.

21 MS. HANIGAN: Right.

1 MS. JOHNSON: Yeah. And if --

2 MS. DEWAAL: Well, I -- there are -- you know,
3 there are regulatory touch points. There are points at
4 which you have to regulate, and you need to meet -- as a
5 regulator you need to meet certain legal standards, and you
6 need to be able to do that.

7 But it's -- you know, I just -- I want the system
8 to include all of the hazards regardless of what the
9 regulatory touch points are.

10 MS. JOHNSON: But that's what

11 MS. DEWAAL: And that is the trick.

12 MR. BURKHARDT: Reasonably likely to occur is the
13 term that there is question about.

14 MS. DEWAAL: Mm-hmm.

15 MR. DENTON: Yeah.

16 MR. BURKHARDT: Not able to agree on that, and
17 that's -- that's caused the issue.

18 MS. JOHNSON: And the role of the programs that
19 we've had in place for 20 years and, you know, what --

20 MR. BURKHARDT: Mm-hmm.

21 MS. JOHNSON: -- how does this all work together.

1 And, you know, instead of working toward the regulatory, you
2 know, "Focus on this, this, and this," it all gets back to
3 hazard analysis and the lack of clear understanding between
4 what industry is doing and the agency is regulating.

5 MS. HANIGAN: So is it that -- I mean, since we're
6 trying to answer question two -- I mean, I hate to phrase it
7 this way, but is it that FSIS must reach a common
8 understanding with industry?

9 MR. BURKHARDT: Over what are the hazards
10 reasonably likely to occur, I'd say yes.

11 MS. JOHNSON: Over the definition of hazard and
12 the -- because we can see, in just talking with the agency,
13 right now things are shifting. I mean, things are changing
14 a little bit, and we need to --

15 MS. DEWAAL: But doesn't it get back to our
16 discussion though, needing well-defined hazards? I mean, it
17 sounds to me like you guys are just trying to change one --
18 you know, the legal standard, which is not -- I mean,
19 reasonably likely to occur is part of the legal standard in
20 the Meat and Poultry Act.

21 It's also the way they're -- I think that it's

1 also consistent with how they're regulating seafood. So I
2 think there may be issues around just -- you know,
3 reasonably likely to occur is -- that -- to me, the agency
4 should simply define that. It should say, "These are the
5 hazards that are likely to occur in these products, and if
6 you think you're not going to have a problem with
7 salmonella, then you need to tell us why."

8 MS. JOHNSON: But, Caroline, don't --

9 MS. DEWAAL: And then you say, "Well, I thought
10 the chicks from the salmonella-free flocks that I've used
11 competitive -- you know, you may have a set of reasons why
12 you think your chickens don't -- or turkeys don't have
13 salmonella. But you need to have justified why it's not
14 part of your hazard analysis.

15 MS. JOHNSON: But if we have identified hazards --

16 MS. DEWAAL: Mm-hmm.

17 MS. JOHNSON: -- that the government said, "You
18 have to have these," are we not getting into studying --
19 what did you call --

20 MS. DEWAAL: Teaching to the test.

21 MR. DENTON: Teaching to the test.

1 MS. JOHNSON: Teaching to the test.

2 MS. DEWAAL: Mm-hmm.

3 MS. JOHNSON: Does that not put our hazard
4 analysis -- okay, I don't care what, we're going to cram the
5 round peg into a star hole type thing, you know.

6 MS. DEWAAL: But --

7 MS. JOHNSON: Is that -- do we not get into the
8 same thing? I -- you know, I don't know --

9 MS. DEWAAL: There's got to be a justification. I
10 mean, to me it's -- it is -- I don't know what percentage of
11 the industry -- ready-to-eat meat industry did not have
12 listeria in their HACCP plan, but I think it was large.

13 And to me, I mean, if I, being, you know -- if I
14 were tomorrow to do a risk -- or a hazard analysis on ready-
15 to-eat meat products, listeria would be probably one of my
16 number one hazards.

17 So it's like -- there is a disconnect between what
18 the industry is doing on their own and -- and what the
19 scientific reality of the system is. So I just -- I think
20 if we know what the hazards are in chicken, we should --
21 everyone should have a plan that at least either addresses

1 those hazards or tells us good reasons why they're not
2 addressing those hazards.

3 MS. HANIGAN: So do we open this part where we
4 talked about, you know, the full committee would discuss it?
5 Do we open this one here with the question to the full
6 committee, "Does the agency" -- "Does the agency need to
7 define the common hazards for each species/process?" Do we
8 need to start this with a question to our full committee and
9 let them kick it around?

10 MS. DEWAAL: Well -- or we may -- and this is just
11 an idea. We may say that we're in agreement that there --
12 that there isn't a clear definition of the hazards, and the
13 industry has proposed like, making some little legal change
14 to deal with that, and we -- you know, that there -- there
15 are other ways to do it.

16 But I think we're in agreement that the agency --
17 that it would help -- it would improve HACCP if the hazards
18 were better defined.

19 MS. JOHNSON: I -- the way you've worded this, I
20 don't think our issue is the hazards, defining the hazards.

21 MS. DEWAAL: Well, it is for us.

1 MS. JOHNSON: Well, our issue is the definition of
2 a hazard.

3 MS. DEWAAL: You want it looser so that listeria
4 could be excluded from even more of the ready-to-eat meat
5 industry.

6 MS. JOHNSON: No.

7 MS. DEWAAL: That's my impression.

8 MS. JOHNSON: Well, Caroline, the industry survey
9 that we did on listeria, which was -- surveyed more plants
10 than FSIS did -- I think you'd find that in most cases you
11 had listeria testing either in the HACCP plan or in SSFE
12 plan, and it was a large majority. And I can't remember the
13 exact number. And, if you can pull that out of the top of
14 your head with the number -- but it was a large percentage
15 they had at one or the other places.

16 MS. DEWAAL: Mm-hmm.

17 MS. JOHNSON: Which -- I think that either one
18 works.

19 MS. DEWAAL: Right. I remember some of that data.

20 MS. JOHNSON: Either one works. But it's not
21 defined -- "clarify the hazards". It's, "Clarify the

1 definition of a hazard."

2 MS. DEWAAL: But that should -- listeria
3 monacytogeni (phonetic) should be a hazard in ready-to-eat
4 meat products.

5 MS. HANIGAN: Terry, what do you think? We're --
6 we've got to have -- we are at 8:36. We have nothing now
7 under question one. Terry, what to you think.

8 MR. BURKHARDT: Question two.

9 MS. HANIGAN: Or question two.

10 MR. BURKHARDT: Well, I mean, we've got all those
11 other things I think could easily get moved to question two.

12

13 MS. HANIGAN: Right.

14 MR. BURKHARDT: I think there has to be a common
15 understanding of what are hazards in various process, and
16 it's got to be agreed upon with the industry and the agency
17 because that's the basis that you're monitoring, and that's
18 got to be -- you know, it shouldn't -- it shouldn't be
19 difficult. The risks -- the processes are not that
20 different from plant to plant.

21 So if you're looking for salmonella and listeria

1 in ready-to-eat foods, it should be the same. So I -- I
2 think there should be common understanding of what the
3 hazards are.

4 MS. HANIGAN: And, Jim, what do you think?

5 MR. DENTON: I think the same thing. I -- that
6 Terry said but probably with the expansion, if you're
7 dealing with slaughter, there are a certain set of microbial
8 contaminants that we would consider hazards. If you get
9 into a further processed product where you're dealing with
10 ready-to-eat foods, you've got additional hazards that have
11 to come into that. They're going to be fairly uniform with
12 regard to a particular class of products. I think that's
13 the only way that we can reasonably expect to approach this.

14 The real issue in this thing is -- is getting a
15 clear definition of what the hazards are and then the role
16 of the prerequisite programs that enter into this because
17 we're still dealing with what you just described of having
18 listeria dealt with in SSOPs as opposed to being in part of
19 the HACCP plan.

20 So I think we need to get some real clarification
21 with regard to the definitions that we're working with and

1 with regard to the role of the prerequisite programs.

2 MS. DEWAAL: So the definition -- common
3 definitions of hazards.

4 MR. DENTON: Mm-hmm.

5 MS. JOHNSON: And when you say, "Common definition
6 of hazard," do you mean a list, "These are the hazards," or
7 a -- I mean, that's where I'm getting confused. Are we
8 looking at the definition of a hazard, or are we saying,
9 "Give us a list of what the hazards are, and we'll figure
10 out how to put them in" --

11 MS. DEWAAL: We're not. No. My concern about
12 your reasonably likely to occur issue is that I don't -- and
13 it goes back to the question you guys had about, you know,
14 if you've never had metal in your product, then that is not
15 a hazard reasonably likely to occur.

16 Well, I can see -- I can foresee members of
17 industry saying, "Look," that, "No one has ever been sick
18 from my product from listeria, and, therefore, it's not a
19 problem," or, "No one's ever been sick." I mean, Supreme
20 Beef said, "No one's ever been sick from my products, so
21 salmonella is not a hazard reasonably likely to occur."

1 I mean, it's -- that's my concern. So the idea
2 that we're going to just change the definition to make it
3 even more liberal than it is today -- I think what we need
4 to do is come to a common understanding of the hazards for
5 subsets of the industry so that you guys know what you're
6 dealing with.

7 MS. JOHNSON: Okay.

8 MS. HANIGAN: Terry, what did you propose for
9 wording please? Don't write it down yet, Yvonne. What did
10 you propose, Terry, for wording?

11 MS. DEWAAL: Common definition of hazard, I
12 believe.

13 MR. BURKHARDT: Yeah. I said that the agency
14 needs to provide, you know, what they term to be hazards in
15 the various processes. I don't know exactly what all I
16 said, but it's got to be an understood type of thing that
17 can be agreed upon, what are the expectations.

18 MS. HANIGAN: Okay. She can't write that up
19 there, so you've got to -- you've got to take another stab
20 at it.

21 MR. BURKHARDT: Common understanding of hazards

1 for the various processes.

2 MS. HANIGAN: Okay. Stick that up there.

3 MS. JOHNSON: Now does that mean that we're going
4 to have a list of the hazards and -- so everybody -- there's
5 no point in having scientific underpinning for your hazard
6 analysis because here is our list of hazards and we're going
7 to meet them regardless?

8 I mean, that's where I -- I think that if the
9 agency gives us a list of these hazards, then we're going to
10 have either an issue with the test thing -- we're going to
11 all work, and we're going to have HACCP plans that aren't
12 meaningful because we haven't looked at what really --

13 MS. DEWAAL: We got that today.

14 MS. JOHNSON: -- what really applies to our plan,
15 our situation, and our hazards.

16 MR. BURKHARDT: But the way it's being regulated
17 now, it's almost like their forcing you, coming through the
18 back door by saying, "Your hazard analysis is not accurate
19 because you haven't identified a hazard that they believe is
20 reasonably likely to occur."

21 So they're coming at you the back door. Why don't

1 you just say, "What are the hazards that are reasonably
2 likely to occur in this process," and leave it up to the
3 industry to control it?

4 MS. JOHNSON: Well -- but why is it not more
5 appropriate to clarify the definition of a hazard?

6 MS. HANIGAN: And we're going to get do that next.
7 We're going to put that as a bullet point under here.

8 MS. JOHNSON: Okay. Is it -- is it a potential,
9 or is it -- you know, there were companies that were told
10 that because the state was painting the road out in front of
11 the plant, that was a hazard, and they needed to address it
12 in their HACCP plan because the birds coming in might get
13 paint on them. I mean, is that potential -- is that
14 significant? Is the definition of a hazard not
15 identification in my opinion.

16 MR. BURKHARDT: And, again, I -- again, I still
17 say what works in big plants is not necessarily one size
18 fits all. I mean, in a small plant, if we'd establish what
19 we think is reasonably likely to occur, that's much easier
20 to administer, much more purposeful for them. In a large
21 company maybe it's different. So one size fits all is not

1 necessarily the key.

2 MS. JOHNSON: But reasonably likely to occur is
3 one size fits all, isn't it?

4 MR. BURKHARDT: I don't know. That's a thought.

5 MS. DEWAAL: Reasonably likely to occur, that -- I
6 mean, what you're suggesting isn't going to be fixed by
7 changing a few words. It's ridiculous that paint would be
8 in your hazard analysis plan --

9 MS. JOHNSON: Seriously, Caroline -- about that.

10 MS. DEWAAL: -- because it is -- that is
11 ridiculous, and that is not going to be fixed by changing a
12 couple of words. It just isn't. And so -- I mean, let's
13 clarify the definition of a hazard.

14 I don't -- I'm not -- there is not consensus on
15 that in my book. I mean, I know the industry's petitioned
16 on it. I know they think that if you fix a few words -- my
17 fear is that you take out words, and we're going to be
18 dealing with even less effective HACCP plans than we have
19 today.

20 MS. HANIGAN: Well -- and I may be incorrect, so
21 then I'll look to Yvonne Davis.

1 MS. DEWAAL: So I'd really like the clarified
2 definition of a hazard. I see that as a political issue
3 that the industry has put forward, and I'm really concerned
4 that it not be part of a consensus --

5 MS. JOHNSON: Well, let's just --

6 MS. HANIGAN: Wait. Under list -- but wait a
7 minute, ladies. I never understood from the two years I've
8 sat on this committee that any time we have come back in
9 full committee, and we don't have a consensus from the
10 evening before that we have not fairly said we did not have
11 a consensus and that it was fully discussed.

12 MS. DEWAAL: Okay.

13 MS. HANIGAN: I never have gone back to a full
14 committee meeting and said we had a full consensus if we did
15 not. I mean, this is going to be discussed tomorrow.

16 MS. DEWAAL: Well, I think on a lot of this we do
17 have a full consensus, and I just -- the clarified
18 definition of a hazard is part of a political agenda for the
19 meat industry that we just can't -- don't agree with. So, I
20 mean --

21 MS. HANIGAN: Is that the only part you're

1 disagreeing with?

2 MS. DEWAAL: Yeah.

3 MS. HANIGAN: So next to --

4 MS. DEWAAL: I agree with the role of prerequisite
5 programs in clarifying that.

6 MS. HANIGAN: Okay. So under clarification of
7 hazard, if you put in parentheses not a committee, a
8 subcommittee consensus, would that be fair to you Carolyn?

9 MS. DEWAAL: Yes.

10 MS. HANIGAN: Okay. That's fine. That way it's
11 -- it's clear.

12 MS. DEWAAL: Just to be clear that -- I mean,
13 because most of this stuff there is --

14 MS. HANIGAN: Because we'll discuss it tomorrow.
15 To go on record, Katie, it's not a political thing. It's a
16 you get your blinders on, here's your hazards, and what
17 happens if there's another hazard identified and everybody
18 has structured their programs to these identified hazards.

19 MS. DEWAAL: And you know what? There are going
20 to be emerging hazards. There are going to be emerging
21 hazards. We know that, and HACCP's not designed to fix

1 them.

2 MS. HANIGAN: Okay. We're going on because we'll
3 get that out tomorrow. Okay.

4 MS. DEWAAL: It's not. HACCP is not going to fix
5 it.

6 MS. HANIGAN: Ladies, we'll discuss it tomorrow.
7 With the limitation, ladies, not -- I didn't say, "Lady." I
8 said, "Ladies." We're going on. We've got -- we've got at
9 least one more point.

10 MS. DEWAAL: We've got 15 minutes. What are you
11 worried about?

12 MS. HANIGAN: Because we didn't finish question
13 one yet.

14 MS. DEWAAL: Oh, okay. Sorry.

15 MS. HANIGAN: Okay. We've got one answer for Mr.
16 Billy on question two. What about this joint education
17 training?

18 MS. JOHNSON: I think that's question one and two,
19 the education and training --

20 MR. DENTON: I think it shows on both sides. Okay.

21 MR. DENTON: Because that's where the benefit is.

1 MS. HANIGAN: Before you write that down though,
2 Yvonne, I don't think we're prioritizing these, so -- I
3 mean, I don't know if we are or not. But I don't know if
4 you want it up there as number two. I don't know if he's
5 looking at this as a prioritized list.

6 MS. DEWAAL: Can I -- I have one question about
7 the common understanding of hazards for each process. Do we
8 need species in there?

9 MS. HANIGAN: We had originally agreed to species.

10 MR. DENTON: Yeah.

11 MS. HANIGAN: Put "/species".

12 MS. DEWAAL: Can you just put slash --

13 MR. DENTON: Yeah.

14 MS. DEWAAL: Thank you.

15 MS. HANIGAN: We had agreed to that originally.
16 What about our other bullet point that talked about, "What
17 is FSIS's definition of a quality HACCP program? Does that
18 wrap into number one, or do you guys want that as a separate
19 -- I mean, we talked about that.

20 MS. DEWAAL: I think that's -- that could even
21 be --

1 MR. BURKHARDT: Well, that's -- you know, what we
2 talked about there, what we were referring to, was the
3 scientific validity and what is considered to be acceptable
4 scientific validity, you know. And that's what the industry
5 is grappling with, is what are the rules, you know, when is
6 it acceptable.

7 MS. HANIGAN: Okay. So how does FSIS, if you
8 will, go -- or the state go explaining the rules is what you
9 just -- I mean, how do we --

10 MR. BURKHARDT: Identify what is acceptable for
11 scientific validity for a HACCP plan.

12 MS. HANIGAN: Okay. Would you put that up there
13 please?

14 MS. NESTOR: Identify what?

15 MR. BURKHARDT: What is acceptable --

16 MS. HANIGAN: Can you hang on one minute because
17 Felicia did have a comment before you, and I told her no.
18 So I'd have to take Felicia's first.

19 MR. BURKHARDT: What is acceptable for scientific
20 validity --

21 MS. HANIGAN: As soon as she's done writing.

1 MR. BURKHARDT: -- in a HACCP plan.

2 MS. JOHNSON: And we're talking on a nationwide
3 basis, not just a district or a circuit. We're talking --

4 MS. RICE: "/nationwide"?

5 MS. HANIGAN: Just in parentheses put --
6 "Nationwide basis," is -- I think is what she's looking for.
7 Please make sure you state your name for the recorder.

8 MS. CURTIS: Pat Curtis, North Carolina State
9 University. I just wanted to point out that of the
10 scientific validity for the very small plants there is some
11 problems that arise there because a lot of them are cook
12 plants. Like, in North Carolina they make a lot of
13 barbecue, and we don't have the scientific research to
14 produce. And those small mom and pop plants do not have the
15 capabilities of producing this.

16 MS. HANIGAN: The documents for it, yes.

17 MS. CURTIS: The scientific documents. So when
18 you keep enforcing -- I mean, the large plants can produce
19 their own scientific documents if they have to run tests in
20 the plants to show that, you know, this is what you did and
21 that you're producing a safe product, they can run the test.

1 But for a one or two person mom and pop operation
2 that is making a product that there are no -- that there is
3 not any research being conducted on, when you start looking
4 at cooling and -- you know, we can do some things with
5 heating because we know what it takes.

6 But they -- there are so many different processes
7 -- just take barbecue, for example, that when you start to
8 look at cooling mechanisms, there's a real big question
9 mark. And you're putting those very small plants at some
10 big disadvantages when you start saying they have to have
11 the solid scientific information. And I just want to point
12 that out -- things like barbecue, country hams, some of the
13 specialty products so -- just so you're aware of that.

14 MR. BURKHARDT: And what do they have now, if
15 anything? Nothing's --

16 MS. CURTIS: I mean, many of them don't have
17 anything. They lack the command and control, and that's
18 what they want to go back to.

19 MS. DEWAAL: Well -- and is there a need for safe
20 harbors for small plants?

21 MS. CURTIS: There -- I mean, you know, I think

1 that's a point that I was trying to get across, is that you
2 have to look at the difference between large plants and
3 small plants when you're talking -- or very small plants --

4 MS. HANIGAN: Let's put --

5 MS. JOHNSON: -- for safe harbors.

6 MS. HANIGAN: Yeah. Maybe we should -- before you
7 write that down, I mean, FSIS has most -- some of the most
8 knowledgeable scientists on staff. Maybe they should
9 develop the safe harbors. Define safe harbors.

10 MS. DEWAAL: Yeah. I mean, clue industry in. An,
11 again, this was done in the seafood HACCP regulation in a
12 guidance document where they define, you know, what the best
13 controls were available to control many seafood hazards. So
14 --

15 MS. HANIGAN: There was, "Define safe harbors."
16 Okay. All right.

17 MS. DEWAAL: For a small plant. I mean, should
18 we --

19 MS. HANIGAN: I wouldn't define it for a small
20 plant because you may have a medium-sized plant that wants
21 to use it.

1 MS. DEWAAL: Well, that -- yeah. But that's okay,
2 but it should be directed to the small plants. I mean, we
3 don't want to define the safe harbors for the big -- for
4 Farmland because you guys are so talented you can do it
5 yourself. I mean, we -- you know, we're trying to orient
6 the agency towards solving the small plant problem. And
7 then if they walk into a medium size plant and they're using
8 the same control, that would be acceptable.

9 MS. HANIGAN: The only reason I disagree with
10 saying for the small plants is I think if they define "safe
11 harbor," the rules are written so that if you want to use
12 something else, you clearly can as long as you've got the
13 scientific documents. Yvonne, that's bullet point three
14 please.

15 MS. JOHNSON: But even now when we say the safe
16 harbors are the regulations, there is some -- some of the
17 local inspectors who were saying, "Even though it's
18 regulation, I want the science behind it," and that's where
19 we're really getting into some problems. Yeah. We -- you
20 know, we really and truly -- and a lot of this is like Dr.
21 Denton said, it was best practices. It became common, and

1 there is no science, but it's worked.

2 So how do these guys get into the, "Here's our
3 regulation, and this is what we're going to base it on"?
4 But if they want, "Okay. Where is your science on the
5 regulation," then we get in trouble.

6 MS. HANIGAN: Okay. We have -- I'm just keeping
7 time for you. We have seven minutes. So, I mean, you need
8 to be looking at what we've got.

9 MS. DEWAAL: That's the whip.

10 MS. HANIGAN: You've got it. What about -- I
11 mean, we've talked about joint educational training. We've
12 talked about when we do that make sure it's all FSIS
13 employees. We've talked about the uniformity or lack
14 thereof across the districts. I mean, we had all that stuff
15 laid out there, and we never really pulled it over. We
16 talked about performance standards.

17 MS. DEWAAL: But what about accountability too?

18 MS. JOHNSON: Yeah. Accountability and
19 communication are two that need to go into there.

20 MS. DEWAAL: Yeah, I --

21 MR. DENTON: And I think that joint education and

1 training have to go in there.

2 MS. DEWAAL: That whole page three -- couldn't we
3 put kind of that whole page three under this?

4 MS. HANIGAN: Yeah.

5 MS. DEWAAL: Communication --

6 MS. HANIGAN: Make the star up there number four.
7 Make the star up there number four and the next one five.

8 MS. RICE: Okay.

9 MS. HANIGAN: That's number four.

10 MS. DEWAAL: Okay.

11 MS. HANIGAN: The next one is five. Now that was
12 simple.

13 MS. DEWAAL: Okay. Good. Yes. Okay. But --

14 MS. HANIGAN: Okay.

15 MS. DEWAAL: We're missing education and training.

16 MS. JOHNSON: Joint education and training.

17 MS. HANIGAN: Okay. Go for it.

18 MR. DENTON: Right there.

19 MS. HANIGAN: Yeah.

20 MS. RICE: I can do that in red.

21 MS. HANIGAN: Okay.

1 MS. DEWAAL: Okay. And that's for that -- those
2 two for all FSIS employees?

3 MS. HANIGAN: Yeah, underneath the bullet point --

4 MS. DEWAAL: Those two go together.

5 MS. HANIGAN: They go together.

6 MS. DEWAAL: Those two are number six, right?
7 What's this thing about --

8 MS. HANIGAN: You're okay.

9 MS. DEWAAL: That's fine. Yeah, that's six.
10 That's five.

11 MS. HANIGAN: Okay. That one of, "What is FSIS's
12 definition of a quality HACCP program," put a big red X
13 through that. We addressed that one already.

14 MS. DEWAAL: Yeah, we --

15 MS. JOHNSON: That's under number two, right?

16 MS. HANIGAN: Yeah. Just -- yeah, wipe that one
17 out.

18 MS. JOHNSON: Under number two could we put in
19 parentheses "quality" because that's the buzz word that
20 they're using now, the quality and effectiveness of the
21 HACCP plan. Could we put, "Identify what is acceptable for

1 a scientifically valid/quality HACCP plan"?

2 MS. HANIGAN: That's fine.

3 MS. DEWAAL: That's fine. That's fine.

4 MS. HANIGAN: After "valid", on "quality" --

5 MS. DEWAAL: Could I suggest -- I have a
6 suggestion when I have your attention.

7 MS. JOHNSON: No, leave four and five alone.

8 We've got --

9 MS. DEWAAL: No, I'm on -- no, I'm on five because
10 I want to add the "uniformity across districts" bullet under
11 the "communication leading to congruency". Doesn't the
12 uniformity bullet go there?

13 MR. DENTON: Mm-hmm.

14 MS. DEWAAL: Can you, right under the five, put,
15 "Uniformity across districts," because that's under -- and
16 then we covered it in two points there.

17 MS. HANIGAN: That's fine.

18 MS. DEWAAL: Okay. And we've got the role of
19 prerequisites up here. I think you're done.

20 MS. HANIGAN: No. We did not put performance
21 standards up there. I'm sure I'm everyone in the room would

1 like to kill me, but --

2 MS. DEWAAL: Oh.

3 MS. HANIGAN: You had -- you had put it there,
4 right there. So it's performance standards --

5 MS. DEWAAL: Yeah, we need -- update and revise
6 and renew and -- we need performance standards up there.

7 MR. BURKHARDT: Measurable evaluative
8 performance --

9 MS. DEWAAL: Yeah, measurable, objective --

10 MR. DENTON: Evaluation.

11 MS. DEWAAL: -- evaluation tools, including
12 microbial performance standards. That's number seven.

13 MS. RICE: Okay.

14 MS. DEWAAL: A new number seven.

15 MS. RICE: Okay. What is this then, this --

16 MS. HANIGAN: That's a bullet point. Yvonne, just
17 put a bullet next to it.

18 MS. DEWAAL: Under five.

19 MS. HANIGAN: That's a bullet point under five.

20 And then go to number seven.

21 MS. RICE: Mm-hmm.

1 MS. HANIGAN: Okay. And, Terry or Jim, what did
2 you say, objective and --

3 MS. DEWAAL: Objective, measurable goals.

4 MR. BURKHARDT: Evaluative --

5 MS. DEWAAL: Evaluative tools.

6 MS. HANIGAN: Yeah. And that would be beyond even
7 performance standards.

8 MS. DEWAAL: Yeah.

9 MS. HANIGAN: I mean, even microstandards, just --

10 MR. DENTON: Yeah.

11 MS. HANIGAN: -- performance standards for --

12 MS. DEWAAL: But we need to add the words here.

13 MS. HANIGAN: Okay, measurable --

14 MS. DEWAAL: Measurable --

15 MR. DENTON: Measurable evaluation tools.

16 MS. RICE: Is that it, "objective and measurable
17 value tools"?

18 MR. DENTON: Evaluation.

19 MS. DEWAAL: It's the evaluation.

20 MS. HANIGAN: E-v. There you go.

21 MS. DEWAAL: Yeah.

1 MS. HANIGAN: That's fine.

2 MS. DEWAAL: And then under that put, "Microbial
3 performance standards."

4 MS. HANIGAN: I don't know if you want to be so
5 defined with microbial. I hate to --

6 MS. DEWAAL: How about "microbial and other
7 performance standards"?

8 MS. HANIGAN: I would just put performance
9 standards because you're not -- we've got three different
10 types of hazards, right, physical, chemical, and
11 microbiological. Just leave that baby open.

12 MS. DEWAAL: Okay. All right. That's fine.

13 MS. JOHNSON: Yeah. I think the whole measurable
14 tool thing opens it up for everything.

15 MS. HANIGAN: I mean -- for residues. So I
16 wouldn't be -- I wouldn't be putting that in as --

17 MS. DEWAAL: All right. You've won.

18 MS. RICE: Objective and measurable evaluation
19 tools.

20 MS. HANIGAN: Yes. And a bullet point underneath
21 that says, "Performance standards." And, Caroline, thank

1 you for volunteering to present that unless Terry or Jim
2 want to take question two from you.

3 MS. DEWAAL: Oh. I'm going to do the whole
4 question two?

5 MS. HANIGAN: Yeah. She's going to do question
6 one.

7 MS. DEWAAL: Okay.

8 MS. HANIGAN: Unless one of you fellows want to do
9 it.

10 MS. DEWAAL: Do you guys want to do it? You guys
11 sat through the whole discussion, so --

12 MR. BURKHARDT: No, thanks.

13 MS. DEWAAL: Do you need me to bring you in candy
14 in the morning?

15 MS. JOHNSON: Yes, yes. Yes, yes.

16 MS. HANIGAN: All right. Jim says he'll do it.

17 MS. DEWAAL: Okay.

18 MS. HANIGAN: So if -- or, Alice, you're on
19 question one, and you're on question two.

20 MR. BURKHARDT: Okay.

21 MS. DEWAAL: Okay.

1 MS. RICE: Four answers to one, and seven answers
2 to two.

3 MS. HANIGAN: Unless they want to go back to one,
4 that's fine.

5 MS. JOHNSON: Well, communication could go in -- I
6 mean, so much of what's under two could go under one.
7 Communication -- I don't know if we have that under there,
8 but that's an important one. We talked about
9 accountability.

10 MS. DEWAAL: Well, should we say -- how do we -- I
11 mean, how do we get -- it's not communication between the
12 industry. You guys seem to communicate fine.

13 MS. JOHNSON: No, it's communication --

14 MS. DEWAAL: It's communication with the agency.

15 MS. JOHNSON: Well, it's communication within the
16 facility.

17 MS. DEWAAL: Okay.

18 MS. JOHNSON: I mean, what -- what goes on at
19 headquarters in D.C. and in the field could apply to
20 corporate and individual plant. I mean, I -- you know, the
21 whole communication issue, I think, applies on both sides of

1 the fence.

2 MS. HANIGAN: You can expound on that, can't you?

3 MS. DEWAAL: Yeah. I think we can just say that.

4 MS. HANIGAN: Okay. I thought we have a hefty
5 discussion. I think we're done, Yvonne.

6 MS. RICE: Okay.

7 MS. JOHNSON: Yvonne, thank you.

8 MS. DEWAAL: Can you put, "Education, training,
9 and communication."

10 MS. RICE: So this part needs to go over on that
11 five also?

12 MS. DEWAAL: No, no. It's -- that's too specific
13 to USDA. I mean, you could -- do you want to add --

14 MS. JOHNSON: I just put --

15 MS. DEWAAL: -- communication -- education,
16 training, and communication? Just add, "And communication,"
17 under four.

18 MS. NESTOR: I have a suggestion for what could
19 help with communication, help with whistleblower protection.

20 MS. HANIGAN: I'm sorry?

21 MS. NESTOR: Help with whistleblower protection --

1 it's our standard message.

2 MS. HANIGAN: Okay.

3 MS. DEWAAL: And we endorse corporate
4 whistleblower protection. Perhaps we'll leave that for
5 tomorrow.

6 MS. HANIGAN: So does Farmland.

7 MS. DEWAAL: You have corporate whistleblower
8 protection?

9 MS. HANIGAN: You betcha. You betcha. I think,
10 Yvonne, you've done an outstanding job. It's hard to record
11 all that stuff when all that is going on.

12 MS. DEWAAL: Yeah. Yeah.

13 MS. JOHNSON: Thank you, Yvonne and Stacy and our
14 recorder there.

15 MR. DENTON: Hard work.

16 MS. JOHNSON: We gave her the easy part.

17 MS. HANIGAN: Stacy, when you're getting this
18 together, can you -- obviously, what our two questions were
19 and the guidelines we worked under was not to reinvent
20 HACCP, and no fundamental changes? I'll make sure they
21 understand the fact that --

1 MS. DEWAAL: When did we get to reinventing HACCP?

2 MS. HANIGAN: Mr. Billy talked -- please don't do
3 that tonight.

4 (Whereupon, at 8:58 p.m., the meeting was
5 adjourned.)

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Meat and Poultry Inspection Meeting
Name of Hearing or Event

N/A
Docket No.

Washington, DC
Place of Hearing

October 31, 2000
Date of Hearing

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