

# Imported Food: USDA's Options for Change Limited by 1906 Statute and Consumer Confidence

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# CSPI

- The Center for Science in the Public Interest is a bi-national NGO representing consumers in both the US and Canada
- 900,000 subscribers to the Nutrition Action Health Newsletter in U.S. and Canada
- Issues:
  - Food Safety
  - Nutrition
  - Alcohol Policy
  - Biotechnology
  - Integrity in Science
  - Eating Green

# Imports to U.S.

- Each American eats 260 lbs of imported food yearly (13% of diet)
- Agricultural and seafood imports from all countries have increased by 50% within past decade
  - Meat, poultry, and eggs from 33 countries
  - Approx. 1000 foreign establishments
  - Imports from China increased 350% within past decade
  - 80% of seafood and 20% of fresh produce is imported

# USDA Imports

- FY2006: Approximately 4 billion lbs of meat and poultry imported
  - 83.8% Fresh Red Meat
    - Manufacturing, carcasses, cuts
  - 2.1% Fresh Poultry
  - 14.1% Processed Meat/Poultry
    - Primarily RTE

Approximately 111,000 lbs from 25 countries found ineligible– detected, detained, removed from food chain by FSIS

# How Imports are Regulated by USDA

- Food Safety Inspection Service (USDA)
  - Responsible for 20% of food supply (meat, poultry, eggs)
  - Each country and even individual plants are approved for importation to the United States
  - Approximately 10% may be inspected at the border, with a large portion subject to microbiological testing
  - More than 7300 inspectors

# Recent Problems Have Weakened Consumer Confidence

- 2008: Over 1400 sickened from *Salmonella* Saint Paul linked to tomatoes and jalapeno peppers grown in Mexico. Outbreak continues...
- 2007: Pet food from China contaminated with melamine sickens thousands of dogs and cats.
- 2007: Five species of fish from China under import alert for variety of illegal substances.
- 2003: More than 555 become ill from Hepatitis A in green onions from Mexico; three people died.
- 2000-2002: 3 separate *Salmonella* outbreaks involving cantaloupe from Mexico; at least one person died.

# CSPI Imported Food Survey

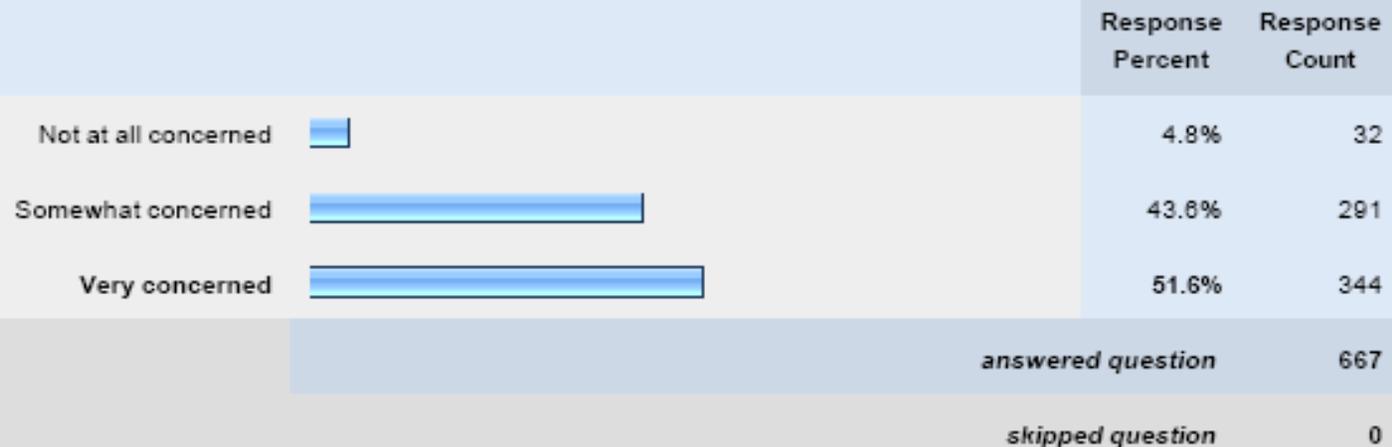
- August 2008 survey
- SurveyMonkey.com questionnaire
- Sent to over 6000 consumers, self-identified as interested in food safety issues
- Over 600 responses analyzed

# CSPI Survey Results

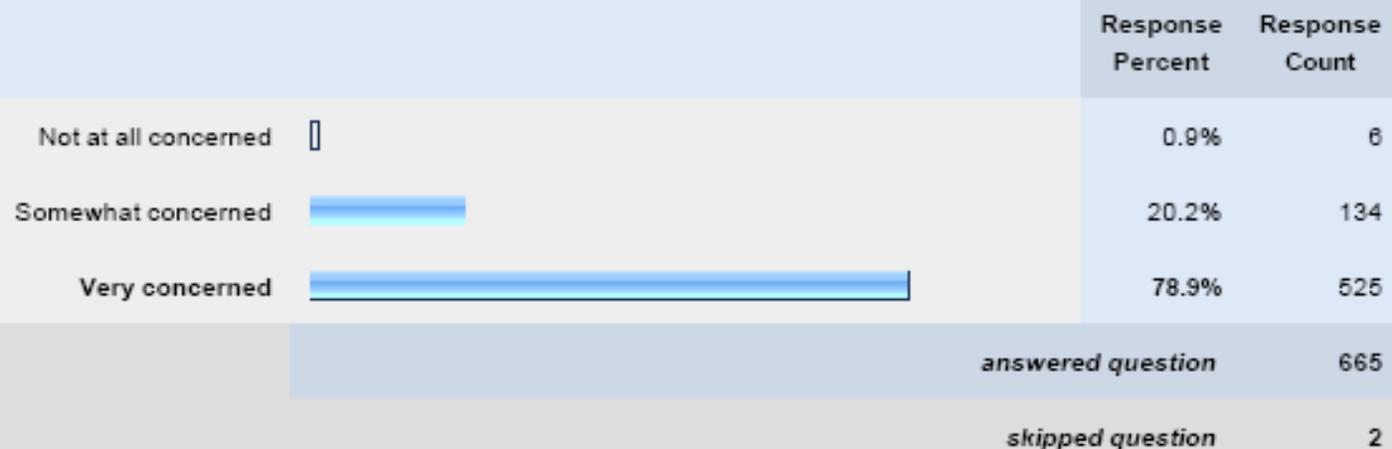
- Concern with safety of imported foods:
  - 79% very concerned
- Top concerns (greatest, mid, least)
  - Unsafe pesticides (60%, 31%, 9%),
  - Pathogens/bacteria (49%, 37%, 14%),
  - Unsanitary conditions (39%, 32%, 30%),
  - Antibiotics/animal drugs (31%, 50%, 19%)

# Consumer concerns about imported foods

1. Overall, how concerned are you with the safety of domestically produced foods?



2. Overall, how concerned are you with the safety of imported foods?



# Commodities: Levels of Concern

4. Please rate the following COMMODITIES in order from GREATEST concern to LEAST concern (#1 being the greatest concern):

	1 (Greatest)	2	3	4 (Least)	Rating Average	Response Count
Produce	56.6% (335)	12.8% (76)	13.0% (77)	17.6% (104)	1.92	592
Meat (Red meat, pork)	21.6% (126)	23.7% (138)	22.1% (129)	32.6% (190)	2.66	583
Poultry	10.4% (61)	36.1% (212)	40.2% (236)	13.3% (78)	2.56	587
Seafood	15.7% (94)	27.5% (165)	22.7% (136)	34.2% (205)	2.75	600
				<i>answered question</i>		625
				<i>skipped question</i>		42

# Countries: Levels of Concern

5. Please rate the following COUNTRIES in order from GREATEST concern to LEAST concern (#1 being the greatest concern):

	1 (Greatest)	2	3	4	5 (Least)	Rating Average	Response Count
China	75.8% (460)	23.1% (140)	0.7% (4)	0.2% (1)	0.3% (2)	1.26	607
Mexico	25.2% (150)	72.1% (430)	1.7% (10)	0.8% (5)	0.2% (1)	1.79	596
Canada	0.5% (3)	1.2% (7)	22.4% (128)	19.1% (109)	56.7% (324)	4.30	571
Australia	0.2% (1)	0.9% (5)	32.8% (188)	52.9% (303)	13.3% (76)	3.78	573
European Union	0.2% (1)	1.9% (11)	42.0% (245)	27.2% (159)	28.8% (168)	3.83	584
<i>answered question</i>							616
<i>skipped question</i>							51

# Consumer Comments about Food Safety Concerns:

- "There need to be more food inspectors at all levels of government"
- "Food imported from China"
- "Bioterrorism"
- "Safe handling in markets, restaurants and homes"
- "Conditions of where food is manufactured"

# Leafy Green Marking Agreement Survey, 2008

- 89% of consumers favor a mandatory food safety program featuring government inspections
- 60% believe food safety should employ government oversight and mandatory government inspections rather than private auditing companies

# Other Surveys on Consumer Concerns

- FMI survey (2007)
  - 16% decline in consumer confidence in safety of food purchased at grocery stores
- USA Today survey (2007)
  - 83% shoppers concerned about food from China
  - 61% concerned about food from Mexico
- Thompson West survey (2007)
  - 61% of Americans worry about the safety of their food

# Traceability & COOL

- CSPI Survey of over 600 consumers shows 93% “very supportive” of Country of Origin Labeling (COOL)
- 80% also support more detailed labeling that would show region, county, state, and farm of origin
- CSPI has called on agencies to institute comprehensive traceback, using many of the methods already in use in the marketplace

# Options for change are limited by Statutory Requirements

- **Meat Inspection Act**

- §604 (Domestic)-- post mortem examination and inspection of the carcasses and parts thereof of *all...*
- §620 (Imports)-- No carcasses, parts of carcasses, meat or meat food products ... shall be imported into the United States ... unless they comply with *all* the inspection ... and all other provisions of this chapter

# Statutory Requirements, cont'd.

- **Poultry Products Inspection Act**

- §455(b) (Domestic)-- The Secretary, whenever processing operations are being conducted, shall cause to be made by inspectors post mortem inspection of the carcass of *each* bird processed
- §466(a) (Imports)-- All imported, slaughtered poultry, or parts or products thereof, shall after entry into the United States in compliance with such rules and regulations be deemed and treated *as domestic slaughtered poultry*, or parts or products thereof, within the meaning and *subject to the provisions of this chapter*

# Judicial Findings: USDA must use Government Inspectors

- AFGE v. Glickman, 215 F.3<sup>rd</sup> 7
  - Originally, USDA's HACCP-based inspection models project (HIMP) would have required plant employees to perform primary inspection audited by roving USDA inspectors
  - D.C. District Court held that this practice violated the plain language of the PPIA:  
**"Both statutes clearly contemplate that when inspections are done, it will be federal inspectors--rather than private employees--who will make the critical determination whether a product is adulterated or unadulterated. ... Delegating the task of inspecting carcasses to plant employees violates the clear mandates of the FMIA and PPIA."**
  - To save the program, FSIS instituted a key change- a permanent inspector on the slaughter line- to bring the program into compliance. Upheld on remand.

# Import Audit Failures

- CSPI review of USDA audits found that:
  - 6 of 15 countries audited in 1998-99 violated USDA standards, but no action was taken
  - In 2001, about 1/3 of Mexican slaughter & processing plants found in violation... but USDA rejected recommendations to audit the entire Mexican meat inspection system
- History of weak auditing procedures begs the question: Does USDA put foreign trade ahead of public health?

# Some developed countries may have more modern systems than the U.S.

- GAO Report (2008): European Union and Canada
  - Farm-to-table oversight
  - Producer responsibility
  - Separate risk assessment and risk management
  - Risk-based inspection systems
  - More food imports are subject to equivalency agreements
  - Traceback procedures
  - Cooperation between government veterinarians and public health officials
  - Mandatory recall

# Some developing countries have less sophisticated oversight systems

- Emerging markets – developed to developing and back again
- What does equivalence mean? Are we “speaking the same language” when it comes to food safety in other world regions
- Can we rely on global supply chains in the absence of adequate government oversight (ours and theirs)?

# Modernizing Food Safety?

A modern system will require a modern law that encompasses:

- Traceability -- Matching our ability to track and connect illnesses with our ability to track products through a global marketplace
- Effective Audit Systems – The ability to trust the safety and quality of products produced outside of specific oversight systems, whether they are local, regional, or national.

# Questions?

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