

**Testimony of Mr. Barry Carpenter**

**Chief Executive Officer**

**National Meat Association**

**Committee on Agriculture**

**Subcommittee on Livestock, Dairy and Poultry**

**Review of Federal Food Safety Systems at the USDA**

**April 23, 2009**

**Introduction**

Chairman Scott, Ranking Member Neugebauer, and Members of the Subcommittee, I am Barry Carpenter, Chief Executive Officer of the National Meat Association (NMA), headquartered in Oakland, California. NMA has over 500 members, and has served the interests of the meat packing industry since 1946. Our members are committed to safe food, high-quality production, and most remarkably to each other. NMA provides regulatory and technical assistance as well as Pathogen Reduction (PR) and Hazard Analysis Critical Control Point (HACCP) support and education to our members. Consultants tap into our networking resources; and academics and educators utilize our information services and weekly newsletter and website. We provide a network for all segments of the industry to come together through our offices, (in California and Washington), workshops, conferences, conventions, and ad hoc meetings.

While NMA represents establishments of all sizes, as well as equipment manufacturers, consultants, educators, and others, my testimony will focus on small plants. Approximately 25 percent of our general members are federally inspected facilities with less than 20 employees. We recognize that there are many issues regarding food safety right now, and believe that is why it is important for there to be such a diverse panel of experts testifying today. I will discuss the evolution of PR/HACCP implementation for small establishments, the Food Safety and Inspection Service (FSIS) outreach for small and very small plants, and industry outreach. Finally, I will discuss what I see as strengths of FSIS in this area, as well as those areas where I see a need for improvement. I will be happy to answer questions on this topic, as well as more broad scale questions at the conclusion of my testimony.

### **Implementation of PR/HACCP**

FSIS published the final rule for PR/HACCP Rule in 1996. In January 1997 all establishments, regardless of size were required to implement Sanitation Standard Operating Procedures (SSOPs). However, FSIS recognized that HACCP implementation would be more difficult for small plants and provided a phased implementation process. FSIS utilized the definition of the Small Business Administration when considering plant size. That is, they considered:

**Large:** 500 or more employees

**Small:** 10-499 employees, unless annual sales total less than \$2.5 million

**Very small:** Fewer than 10 employees, or annual sales of less than \$2.5 million.

Further, to meet the requirements of the Small Business Regulatory Enforcement Act of 1996, FSIS implemented the Small and Very Small Plant Outreach Program, specifically tailored to these plants. FSIS focused on ensuring that these establishments had the resources that were needed to successfully implement a HACCP plan. Generic HACCP plans were provided, workshops were presented, and materials were provided to these facilities including examples of how to implement a HACCP plan that met the basic regulatory requirements. FSIS established a HACCP Hotline at the Technical Service Center in Omaha, NE to respond to HACCP technical and implementation questions from industry and FSIS personnel. The Hotline doubled the number of staff to “gear up” for implementation at small establishments, as they had received over 16,000 calls during the first year when large establishments had implemented HACCP. The hours of operation were consistent with the needs of both coasts, and 24-hour coverage was available. NMA members often asked our staff to join them on these calls to ensure they understood the responses and could best utilize the information they were provided. Additionally, FSIS conducted 20 nationwide meetings in preparation for the small plant implementation – hosting over 1700 participants. It was these types of activities, and the commitment of the industry taking advantage of the FSIS resources, that led to successful **implementation** of HACCP by all segments of the industry, both large and small. It is important to note that virtually none of the small and very small plants had employees with experience or training in process controls or HACCP principles. This transition was very frightening and traumatic for plant owners and their employees. A major factor leading to the successful implementation of HACCP was the constructive interaction among FSIS, NMA and our members.

## **Evolution of FSIS' Outreach**

Once everyone had implemented HACCP, FSIS established a new position, the Enforcement and Investigation Analysis Officer to review the actual **design** of the HACCP plan. It was at this point, that FSIS recognized the needs of the small and very small plants had evolved. While small plants had implemented HACCP, those plans were not all well validated or well designed food safety systems. So in 2005, FSIS worked with small and very small plant operators to reassess their HACCP plans and enhance the design of their food safety systems. NMA and our members participated in outreach sessions held by FSIS in Montana, Pennsylvania, Massachusetts, and California. These sessions produced a healthy dialogue about what updates FSIS needed in their outreach strategy. The feedback suggested FSIS needed to gear the outreach toward the scientific basis for the HACCP plan; shifting the focus from the execution to the design of the plans. Further, the International HACCP Alliance, of which NMA is a charter member, hosted a strategic meeting in December 2005, to assist FSIS in determining the needs of small and very small plants and how best to meet those needs. In response to this meeting FSIS developed an Implementation Plan for all eight of its Program Areas to take actions to meet the most current needs of the small and very small plants.

FSIS has since established a stand alone outreach office focused on this effort, the Office of Outreach, Employee Education and Training. FSIS has moved to conducting Regulatory Education Sessions, the closest the Agency has come to joint training, by allowing both Agency and industry personnel to participate. The Agency has developed several podcasts on key issues, and has begun issuing a Small Plant Newsletter on

important topics. Most recently the Agency has begun “hands-on” workshops for small and very small plants.

### **NMA Outreach**

On many occasions, the National Meat Association has partnered with FSIS to meet the needs of its members with small and very small establishments. Further, based on the premise that food safety should not be a competitive issue in the industry, NMA has included many of our large establishment representatives to assist with these type programs. I will point out a few examples of current programs NMA has hosted in which FSIS has very willingly participated.

- Humane Conference Call – Agency representatives, NMA, academia, industry consultants – June 2008
- Humane Handling Conference Call – with Agency representative, NMA and industry consultants – March 2008
- Export Verification – Agency representatives, NMA, academia, industry consultants – June 2008
- *E. coli* Notices – NMA, Agency representatives, academia, industry consultants – October 2007

### **What FSIS has Done Well**

NMA believes that overall FSIS has done a remarkable job protecting public health, given the outdated nature of the statutes under which it is operating. The Agency has implemented SSOPs, HACCP and conducted routine verification testing in all establishments for which they have oversight. Being able to successfully implement these programs in all establishments, whether they employ 500 employees or 1 employee

was not an easy task. FSIS has conducted significant outreach, and has allowed the outreach to evolve as the industries needs evolved. As the industry needs have changed from those of implementation to design, FSIS resources followed suit. When NMA (and others) have called upon FSIS to partner in outreach needs, FSIS has responded promptly. As the resources that people need change, so has FSIS. FSIS used to rely primarily on the telephone and hard copy materials, but now uses, hands-on workshops, webcasts, podcasts, and even Twitter.

### **What Can be Improved?**

Now that all establishments have successfully implemented well-designed HACCP plans, and FSIS has instituted a solid infrastructure to continuously support those establishments, inspection should continue to evolve to a more risk-based system with measurable public health outcomes. FSIS already conducts the majority of its pathogen sampling in a risk-based fashion, based on sampling data it has collected over time. We encourage FSIS to continue to strengthen the quality of data it collects so that it can base more of its inspection activities and policies on this data and continue to move more fully towards a risk-based system, including reassignment of inspection resources and inspection tasks. FSIS has demonstrated successes over the last several years with a risk-based approach as the foundation, and these successes could be a model for the entire food safety system. Food safety should be less about which agency is inspecting the food, and more about the risk profiles posed by different food products, and the performance of the establishments that manufacture those food products.

We also believe that any proposed changes should be such that they can be sustained well into the future. I refer here to the example of PR/HACCP and the evolution of the small plant outreach program. We would encourage you to not make any legislative changes so prescriptive that evolution cannot occur within a regulatory context.

We believe that continuous training is essential for FSIS employees. And while significant improvements have been made in this area, we believe this is an area in which FSIS cannot rest on its laurels. For continuous progress to occur the Agency's commitment to training must be sustained. As the processes and techniques for effective food safety systems evolve and become more sophisticated the need for consistent implementation will be paramount.

Finally, I would close with a thought on communications. We would encourage the Agency to communicate with all constituents during the developmental phase of policy development. Once a policy is developed it is too late. If stakeholders can be brought in early in the process, then all stakeholders benefit, including the Agency. New policies must consider the realities of production and add value to the overall food safety initiative. Further, interactive implementation would be a huge benefit, especially to the small and very small plants. We would encourage open communication at all stages throughout the process of policy development. And interactive implementation in small phases so that everyone understands each step before moving on to the next.

### **Summary**

In summary, FSIS has done a remarkable job with their small and very small plant outreach program. This has allowed successful implementation of PR/HACCP, a

preventive system for the reduction of food safety issues in meat and poultry plants. Most notably, the Agency has allowed the program to evolve with the needs of these establishments. Moving forward, we are hopeful that any future changes are also evolutionary in nature, risk-based with measurable public health outcomes as their focus. NMA believes through our collective efforts the small and very small plants can continue to be an integral part a safe, efficient and plentiful meat supply.

I now will be happy to answer any questions.

BIOGRAPHICAL SKETCH  
BARRY L. CARPENTER

Barry Carpenter is the CEO of the National Meat Association. He assumed this position February 1, 2007 following a 37 year career with the U. S. Department of Agriculture. As a USDA senior executive, Barry administered USDA's Livestock and Seed Program where he directed numerous functions vital to the marketing of meat and meat products in both U.S. and international markets—including beef grading and certification, developing standards for meat and livestock, meat and fish purchases for Federal feeding programs, livestock and grain market news reporting, and Federally mandated checkoff programs for beef, pork, lamb, and soybeans.

During his tenure at NMA, Barry has actively represented the meat industry on an array of key issues ranging from food safety initiatives to immigration reform. Barry has been heavily involved on export issues, especially working with USDA and USTR to support negotiations to open markets for U.S. beef and pork.

In recognition of his efforts at USDA, Barry received numerous governmental and industry awards, including the Presidential Rank Award from President Clinton and the National Meat Association's E. Floyd Forbes Award. Most notably, President Bush awarded Barry with the 2005 Presidential Rank Award for Distinguished Executives—an honor only bestowed on less than one percent of senior career employees throughout the entire Federal government.

Barry is a graduate of the University of Florida where he received a B.S. degree in animal science.

Committee on Agriculture  
U.S. House of Representatives  
Required Witness Disclosure Form

House Rules\* require nongovernmental witnesses to disclose the amount and source of Federal grants received since October 1, 2004.

Name: BARRY L. CARPENTER  
Address: 1970 BROADWAY, SUITE 825  
Telephone: OAKLAND, CA 94612  
Organization you represent (if any): NATIONAL MEAT ASSOCIATION

1. Please list any federal grants or contracts (including subgrants and subcontracts) you have received since October 1, 2004, as well as the source and the amount of each grant or contract. House Rules do **NOT** require disclosure of federal payments to individuals, such as Social Security or Medicare benefits, farm program payments, or assistance to agricultural producers:

Source: \_\_\_\_\_ Amount: \_\_\_\_\_

Source: \_\_\_\_\_ Amount: \_\_\_\_\_

2. If you are appearing on behalf of an organization, please list any federal grants or contracts (including subgrants and subcontracts) the organization has received since October 1, 2004, as well as the source and the amount of each grant or contract:

Source: \_\_\_\_\_ Amount: \_\_\_\_\_

Source: \_\_\_\_\_ Amount: \_\_\_\_\_

Please check here if this form is NOT applicable to you: X

Signature: Barry L Carpenter

\* Rule X1, clause 2(g)(4) of the U.S. House of Representatives provides: Each committee shall, to the greatest extent practicable, require witnesses who appear before it to submit in advance written statements of proposed testimony and to limit their initial presentations to the committee to brief summaries thereof. In the case of a witness appearing in a nongovernmental capacity, a written statement of proposed testimony shall include a curriculum vitae and a disclosure of the amount and source (by agency and program) of each Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two previous fiscal years by the witness or by any entity represented by the witness.

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