

HACCP

USDA's Current Style of Meat Inspection

- ▣ Pronounced “HAS – sup”
- ▣ **H**azard **A**nalysis **C**ritical **C**ontrol **P**oint
- ▣ Hazard analysis done at every step of the production process
- ▣ Critical Control Points to utilize interventions to prevent, eliminate or reduce pathogens to an undetectable level

Jack in the Box Outbreak 1993

▣ **E.coli 0157:H7 in Ground Beef**

- 4 Deaths
- 600 Illnesses
- Embarrassment to USDA Meat Inspection
- Negative public image for entire meat industry
- E.coli a newly-emergent, INVISIBLE previously ignored pathogen

**Old meat
inspection system
was seldom used
to detect invisible
pathogens, which
had been
previously ignored.**

Components of old meat inspection system

- ❑ USDA required to **Police** the industry
- ❑ Inspectors used a “**Hands On**” approach
- ❑ USDA favored **Command & Control**
- ❑ Uniform National Standards controlled many aspects of meat inspection
 - ❑ Established minimum sanitation standards required at all plants nationwide

Old System (cont)

- ▣ “Organoleptic”: human senses, such as
 - Sight, Smell, Touch, etc
- ▣ USDA discredited its historical organoleptic system as an alleged “*Poke & Sniff*” system
- ▣ USDA Conclusion: public health would only be improved by a system based in microbial testing, which would be “SCIENTIFIC”
- ▣ USDA essentially discredited its previous methods of sensory inspection, which were described as “Unscientific”

Pillsbury HACCP program to the rescue!

- ▣ Started in 1959, with NASA & Dept of Army
- ▣ Employed “KILL STEPS”
- ▣ Safety built into each step of process.
- ▣ Substantial initial testing, at every production step, to validate efficacy of interventions.
- ▣ Little subsequent testing required.
- ▣ Deregulated, since products were consistently safe
- ▣ Expense not a factor: Pillsbury benefitted from a government “cost plus” program

USDA-style “HACCP”

- ▣ Ostensibly designed to produce “Safe Food”, USDA-style HACCP is built upon:
 - Allegedly “science-based” policies
 - Every meat plant writes its own individualized HACCP Plan
 - USDA no longer “**Polices**” the industry, but the plants police themselves
 - USDA experiments with a “**Hands Off**” approach for field inspectors
 - USDA relinquished “**Command and Control**”

USDA-Style HACCP (cont)

- ▣ Microbial Testing:
 - Greatly increased under HACCP
 - USDA doesn't know what results should be, or how to react to adverse test results. Examples:
- ▣ Salmonella Test Sets: 53 samples per set
 - 5 or fewer positives out of 53 samples (9.5% positives): USDA deems process to be safe
 - 6 (11.4%) or more positives: deemed to be unsafe
 - One failed set results in a 2nd, and 3rd, set of tests
 - If plant fails 3 consecutive sets (159 total samples), USDA then has authority to withdraw inspectors
 - Not a timely system for corrective actions (159 days)
 - Does not qualify for Pillsbury-style HACCP

USDA Zero Tolerance for E.coli

- ▣ USDA now allows slaughter plants to experience 3.3% of E.coli samples to be positive, which the agency claims does NOT evidence potentially insanitary conditions
- ▣ 3.3% E.coli apparently won't harm consumers
- ▣ 3.4% E.coli, by contrast, are **LETHAL**
- ▣ See next slide, provided by USDA's Dr. Daniel Engeljohn at a Chicago conference on October 17, 2008

FSIS Framework for Event Days

- Using the FSIS trim year-long baseline result of 0.68% samples positive for *E. coli* O157:H7 and applying an upper end of 1.5% estimate on pre-FSIS tested trim, a number can be assigned to “how many positive test results are too many”
 - ***2 in 24 or 4 in 91 N60 samples could represent a cluster of positives potentially evidencing insanitary conditions***
 -
 - Tells us with at least 95% confidence that the true process % positive rate exceeded 1.5%
 - Each establishment should have data to support its food safety system; presently, FSIS doesn't yet have the pre-FSIS tested % for the low or high prevalence season

USDA-STYLE HACCP IS NOT HACCP

- ▣ Raw meat & poultry cannot be produced under a true Pillsbury-style HACCP program, in the absence of kill steps
- ▣ **USDA-STYLE HACCP** is actually:
 - Bastardized HACCP.....debased, lower quality
 - Mongrelized HACCP.....of mixed origin
- ▣ USDA deceitfully uses the HACCP name to describe its meat inspection program

Foundational Pillars of HACCP

- ▣ Prevention
- ▣ Corrective actions
 - In the event food contamination occurs, corrective actions must be implemented to prevent recurrences

National Standards disbanded, since each plant writes and justifies their own HACCP decisions

- ▣ Creates confusion for USDA employees
- ▣ Example: Maximum Processing Room Temperature
 - Before HACCP: USDA's National Standard had been 50 degrees maximum for processing rooms
 - With HACCP: I lowered it to 45 degrees at my plant, and encountered massive agency resistance. Why? An alleged lack of scientific justification
 - USDA officials assume the right to reject whatever they desire, and mandate their own personal biases in the virtual absence of national standards

Inspectors' Reactions to HACCP

- ▣ Inspectors agree that confusion within USDA about HACCP causes more problems than inspector disagreements with the industry
- ▣ **H**ardly **A**nyone **C**omprehends **C**urrent **P**olicy

Instead of inspecting meat, USDA primarily audits HACCP paperwork

- Initially, USDA described HACCP as a pathogen chase
- **USDA-Style** HACCP has degenerated to a paper chase

Deregulation of Large Plants

- ▣ Political Clout
- ▣ Economic Wherewithal: Required to engage USDA in protracted litigation if the agency ever attempts to implement MEANINGFUL enforcement actions at the big plants.
 - Example: Nebraska Beef (NB)

January, 2003: Agency threatened to withdraw inspectors from NB, and NB sued, resulting in an out-of-court settlement.

USDA spokesman Steven Cohen told Food Chemical News *"The main reason the agency settled with the company was to eliminate the possibility that the plant could continue to operate under allegedly unsanitary conditions during months of litigation"*.

USDA lacks authority under HACCP to withdraw inspectors..... from LARGE plants.

- ▣ USDA saved face by demanding that NB must hire a full-time employee responsible for HACCP
 - Plant with 1100 employees lacked a HACCP-qualified employee!
 - My plant, with 11 employees, had 4 employees fully certified in HACCP Training.

Small Plants: HACCP Genocide

- ❑ USDA promised that each plant could write its own HACCP Plan, and that the agency could not dictate the contents of the HACCP Plan
- ❑ Not true at small plants, where USDA dictates what must be in their HACCP Plans
- ❑ Small plants are withdrawing from USDA inspection, not because they can't produce safe food, but because of frustration with ever-changing and biased USDA demands, devoid of a scientific basis
- ❑ Hagride: torment and harass, especially with worry and dread

Small Plant Disadvantages

- ▣ No political clout.....easy prey.
- ▣ Limited financial resources
- ▣ USDA desires out of small plants
- ▣ Fine! Transfer to state inspection
 - States want small plants to thrive
 - Provide 2/3 of current USDA funding to state meat inspection
 - Implement reasonable Interstate Shipping Regulations

“ENTERIC” Bacteria

- ▣ By definition, “Enteric” bacteria originate from within animals’ intestines
- ▣ Proliferate on manure-covered hides
- ▣ E.coli and Salmonella are “Enteric” bacteria
- ▣ Vast majority of meat plants, retail meat markets, and restaurants have no intestines or manure-covered hides on their premises.
- ▣ E.coli and Salmonella enter the meat chain via sloppy kill floor dressing procedures.

CDC Statistics

- ▣ E.coli causes 52 deaths and 60,000 illnesses annually
- ▣ Salmonella causes 558 deaths annually
- ▣ Do ongoing deaths & sicknesses, caused by Enteric Bacteria:
 - Increase consumer confidence in meat?
 - Increase per capita consumption of meat?
 - Increase demand, and prices paid for livestock?
- ▣ **NOPE**

Microbiological Testing

Primary Scientific Basis of HACCP

- ▣ January 26, 1998
 - Large plants Implemented HACCP
- ▣ February 1, 1998
 - USDA Issued Dir 10,010.1 essentially exempting large plants from agency-conducted testing.
- ▣ Quick payback: 6 days!
- ▣ Plants killing thousands daily enjoyed no USDA-conducted testing
- ▣ USDA denied access to company test results
- ▣ Results of this “**Science Based**” *Hands Off* protocol benefit public health?

Fox in charge of the Henhouse

- ▣ ConAgra 19.1 million lb recall in June, 2002
- ▣ 34 E.coli positives in 100 days prior to recall, but no corrective actions taken. Benefit of self policing.
- ▣ Agency had no access to plant results (do now)
- ▣ USDA now may conduct testing at ALL plants

OIG Report on ConAgra Recall

- ▣ *“Data was available to BOTH ConAgra and USDA in the period prior to the recall that indicated that E.coli contamination was becoming a CONTINUOUS problem at ConAgra”*
- ▣ *“Although animal feces on product was repeatedly observed during production at ConAgra, USDA took no enforcement actions”*
- ▣ *“USDA had reduced its oversight short of what was prudent and necessary for the protection of the consumer”*

Let's eat **watermelon** instead!



Watermelon isn't safe either!

- ▣ In 1999, E.coli outbreak at Sizzlers Restaurant in Milwaukee
- ▣ Several illnesses, one death
- ▣ Brianna Kriefell, 6 years old, died
- ▣ Brianna ate no meat, eating only from the salad bar which harbored invisible E.coli from
- ▣ E.coli-contaminated Beef Tri-Tips
 - From Excel plant in Fort Morgan, CO
- ▣ Cross-contaminated watermelon consumed by Brianna Kriefell.

Cross Contamination of no Concern to USDA Meat Inspection

- ▣ USDA allows slaughter plants to ship into commerce intact meat cuts which are surface-contaminated with E.coli
- ▣ See intact Top Sirloin
- ▣ USDA stance: E.coli are transformed into lethal killers DURING further processing
- ▣ USDA insulates source slaughter plants from accountability for presence of pathogens
- ▣ Downstream businesses now held fully liable for presence of Enteric Bacteria
 - Meat plants, retail meat markets, restaurants, rest homes

Microbial Testing is now discredited by USDA and the big packers

- ▣ Allegation: testing (alone) won't produce safe food
- ▣ True!
- ▣ However, when adverse test results occur, if meaningful corrective actions to prevent recurrences are implemented, "Safer" meat will be the result.
- ▣ Company-conducted testing at ConAgra did NOT produce safer meat
 - Corrective actions were not implemented
 - Advantage of deregulated aspect of HACCP

Frequency of USDA Testing

- ▣ Quality Meats of Montana (QMM) in Miles City
 - Very small USDA-inspected plant
 - USDA collected 16 samples in 2008
- ▣ Cargill Plant # 86 in Friona, Texas
 - Very Large Plant
 - USDA collected 16 samples in 2008
- ▣ Although the Cargill plant kills more in one day than QMM does in 2 years, USDA still only collects 16 samples annually at the huge plant
- ▣ Biased testing protocol, specifically designed to:
 - Insulate the large plants from scrutiny and accountability
 - Detect pathogens primarily at small plants, especially those which do NOT slaughter.

Tracebacks to the ORIGIN not done

- ▣ Successful Tracebacks to the slaughter plants would:
 - Embarrass USDA
 - Reveal USDA is asleep at the wheel at the big slaughter plants, by intentional agency design
 - Provide evidence that the big plants continue to ship volumes of adulterated meat into commerce
 - Force the Source (slaughter plant) to clean up its act
 - Reveal that **USDA-STYLE** HACCP is a Hoax

Tracebacks CAN Be Accomplished

- ❑ When agency inspectors collect ground beef samples for analysis at USDA labs, they are prohibited from documenting the slaughter house origin of the meat on the day the sample is collected
- ❑ Currently, four day delay in such documentation, could be done in real time
- ❑ See Cheryl Hicks email from USDA hq's

Documentation can easily be done!

ATTACHMENT K

From: Legg, Jeffrey
Sent: Wednesday, July 31, 2002 8:38 AM
To: FO/DO20/ALL
Subject: E. Coli 0157:H7 Information

Importance: High
Hello Everyone:

Please implement immediately the following.

Thanks

Jeffrey

Dr. Jeffrey T. Legg
Deputy District Manager
Minneapolis District #20
(800) 843-1974 X229

—Original Message—

From: Hicks, Cheryl
Sent: Friday, July 26, 2002 3:48 PM
To: District Office Managers
Cc: Smith, William C. (FOODA); Masters, Barbara; Van Blargan, Richard; Petersen, Kenneth
Subject: E. coli 0157:H7 Supplier Notification Procedures

Here is a summary of the procedures that were agreed upon at the conference call earlier this week. Please note that the Agency directive on the "Microbiological Testing Program for E. coli O157:H7 in Raw, Ground Beef" is being revised to include these notification procedures. While we have provided these to the policy people, there is always a chance in the clearance process that the procedures undergo some change.

Therefore, please follow the agreed upon procedures provided here until further notice. I will try to keep you informed if it looks like they may change some. I will also try to get someone to compile the list of DO contacts you all provided for this notification procedures into one master list. Thanks.

Instructions to Districts - Follow-up with Suppliers on E. coli O157:H7 Positives in Ground Beef

As discussed in our conference call on July 23, 2002, the following are the actions each District must take when an FSIS E. coli O157:H7 monitoring sample is taken for ground beef. The contacts that are to occur after a positive finding are to be carried out without delay and this procedure is to be in place immediately. Please notify your IIC's/CS's of the new procedure.

1. At the time the sample is taken, the IIC will obtain from the establishment, the name, point of contact, and phone number for the establishments supplying the source materials for the lot of ground beef being sampled. In addition, the IIC should record the supplier lot number, production date, or other identifying information that would be useful to the supplier if they are later notified of an E. coli O157:H7 positive. This information should be kept on file in the inspection office with the other documentation relating to the sample.

Finally, Common Sense!

- ❑ Unfortunately, this new procedure was rescinded two months later
- ❑ “For Legal Reasons”, according to a USDA spokesperson at a public meeting

Unequal Traceback Investigations

- ▣ USDA aggressively traces back to the origin of contaminated meat resulting from public health outbreaks. See Note below
- ▣ USDA lacks interest in tracing back to the origin of contamination resulting from adverse lab results emanating from routine tests collected at meat plants
- ▣ USDA admitted the above to officials from Food & Water Watch.
- ▣ NOTE: Why is this? Because USDA cannot ignore all the evidence previously compiled by local and state Health Departments and gifted to USDA personnel

Personal Experience

- ▣ Recall of 270 lbs E.coli contaminated ground beef at my plant in 2002
- ▣ Meat emanating from Coarse Ground Beef purchased from outside source slaughter plant
- ▣ USDA Statement: meat was wholesome when it arrived at my plant
- ▣ Why?
- ▣ Because it had the official USDA Mark of Inspection on it.
- ▣ USDA has since changed its mind. See next slide, from USDA



PREREQUISITE PROGRAMS FOR *E. COLI* O15:H7

Basic Principles

Grinders with prerequisite programs should:

- ▣ not rely on the mark of inspection to accept incoming product
- ▣ require that all of their suppliers have one or more CCPs in their HACCP plans that are validated to eliminate or reduce *E. coli* O157:H7 below detectable levels
- ▣ ensure that these specifications are met

National Standards

- ▣ Provides scientifically proven meat production procedures to help plants produce safe food
- ▣ USDA inappropriately using deregulated HACCP to disallow some plants from using accepted scientific findings in their operations, while allowing other almost identical plants to use the same scientific studies.
- ▣ Because of HACCP, USDA refuses to accept National Standards, using the excuse that no two plants are identical.

HACCP Deregulated the Industry

- ❑ Deregulation of the big plants only
- ❑ Hyper-regulation of the small plants
- ❑ Paper flow & daily HACCP records, most of which have no connection to safe food, are swamping small plants
- ❑ Small plants have been targeted for higher numbers of enforcement actions
- ❑ Small plants lack staffs to challenge USDA's unethical demands. Easier prey.
- ❑ Small plant owners are easily bullied into complying with inane USDA suggestions, aka "mandates"

OIG and GAO Reports on HACCP

- ▣ Both the General Accounting Office and the USDA Office of Inspector General have released reports highly critical of USDA-style HACCP. For example:
- ▣ Two different OIG reports have stated:
 - *“USDA had reduced its oversight short of what was prudent and necessary for the protection of the consumer”*
- ▣ When USDA itself admits this problem, the criticism becomes legitimate

Production and Marketing of Niche Livestock

- ❑ Ironically, while more livestock producers desire to enter the niche livestock field (beef, hogs, lambs), the number of small, local plants to kill & process the animals continually dwindles
- ❑ Between 2000 & 2005, small plants disappeared
 - Processing Plants: 21.9% reduction
 - Slaughter Plants: 19% reduction

USDA/BIG PACKER ALLIANCE

- ▣ Revolving door
- ▣ Agency Capture: where the agency is captured by the very industry it supposedly regulates
- ▣ One big, happy family
 - Figuratively, in bed together
 - Constitutes (figuratively) bi-laterally voluntary incest

Two Beneficiaries of **USDA-Style** HACCP

- ▣ **USDA:** Since the agency enjoys a “Hands Off” non-involvement role, no longer polices, and has no command and control authority, it is no longer liable for the presence of contaminated meat. Removes the discomfort of attempting meaningful enforcement actions at the big packers.
- ▣ **BIG PACKERS** operate in the relative absence of USDA inspectors. They author their own HACCP Plans, they self-police, create their own standards in the absence of national standards, and maintain their own command and control

Dr. William Sperber, Pillsbury Microbiologist 1972 – 1995

- Outspoken critic of **USDA-Style** HACCP, which doesn't qualify as HACCP because:
 - **USDA-Style** HACCP not preventative in nature. Raw meat and poultry does not have a kill step, an essential prerequisite of Pillsbury-style HACCP
 - **USDA-Style** HACCP not “Science” based
 - Microbial testing is not required if products originate from a true Pillsbury-style HACCP system.
 - **USDA-Style** HACCP regulations are not transparent, but opaque: not easily understood, deceitful, hidden, unintelligible

**“Sic Volo, Sic Jubeo,
Stat Pro Ratione Voluntas”
As I desire, so do I judge.
Let desire replace reason.**

- **USDA-Style** HACCP replaces:
 - Reason, truth, & science
 - Meat Inspection with paperwork auditing
- USDA Self Interest removes all scruples

USDA Ultimate Goals

- ▣ USDA covets semi-retirement at the large source slaughter plants.
- ▣ USDA covets non-adversarial, “Hands Off” role at the large source slaughter plants
 - Prevents delicately uncomfortable enforcement actions at the big packers
- ▣ USDA covets total lack of liability for food borne illnesses
- ▣ Since the above are USDA’s primary goals, how can these desires be fulfilled?

VOILA!! HACCP!!!

- ▣ USDA'S intentionally perverted system of **PSEUDO-HACCP** prevents delicate agency discomfort.....at the large plants
- ▣ The Federal Meat Inspection Act (FMIA) of 1906 provided meaningful federal oversight of the meat industry. In less than 100 years, USDA voluntarily acquiesced its authority back to the industry
- ▣ FMIA was intended for consumer food safety, not agency comfort

USDA–Style HACCP

- ▣ USDA’s initial explanation of, justification for, and implementation of HACCP constitutes a government-sanctioned sophistry of the worst kind. “Science-based” deceit
 - aka political science and science fiction
- ▣ Consumers continue to be unnecessarily imperiled
- ▣ Legitimate small plants are closing their doors
- ▣ Small communities suffer from loss of local businesses and jobs
- ▣ Livestock producers lose local markets

Suggestions for changes in the absence of true HACCP

- ▣ Require USDA to implement a “Hands On” role in meat inspection
- ▣ Restore USDA’s previous command and control authority
- ▣ Require USDA to police the industry
 - ▣ Recourse must be available to meat plants when targeted by unethical USDA personnel
- ▣ Implement effective Traceback protocol
- ▣ Re-introduce National Standards

Suggestions – continued

- ▣ Remove food inspection from USDA & FDA, creating a separate agency in charge of all food, and totally divorced from marketing.
- ▣ Headed by elected officials, non-political
- ▣ If E.coli is an adulterant, it must be an adulterant at every stage of meat production subsequent to the slaughter floor
- ▣ Promote the use of new interventions:
 - ▣ Irradiation: low dose/low penetration
 - ▣ Vaccines for live animals

Suggestions – continued

- ▣ Dramatic increase in USDA-conducted microbial sampling, primarily at slaughter plants, and especially at the largest slaughter establishments
- ▣ USDA publish all microbial test results, in real time, on its web site
- ▣ Congressional increase in funding for additional inspectors and increased microbial testing

**THIS SHOULD BE USDA'S
FOCUS.....NOT AGENCY
COMFORT**



This presentation was intended to alert Americans to the unscientific basis of USDA's current **PSEUDO-HACCP meat non-inspection system, and to provide viable suggestions for changes**

Respectfully submitted by:
John Munsell, Manager
Foundation for Accountability in
Regulatory Enforcement (FARE)
Miles City, MT