

The following is the reply from Minister Ritz to Dr. Bill Newton's letter to Prime Minister Harper dated October 16, 2012. The reply was emailed to Dr. Newton on January 11, 2013.

Quote: 181990, 183331

William K. Newton, DVM, MSc
Governor, Western Stock Growers' Association

Dear Dr. Newton:

I am writing in response to your email to the Right Honourable Stephen Harper regarding the voluntary recall by XL Foods Inc. of various raw beef products that may have been contaminated with *E. coli* O157:H7. I also received a copy of your letter, along with your further comments, from the Honourable Ted Menzies. I appreciate the time you have taken to express your views and to raise these important issues related to food safety.

Please be assured that food safety is a priority for the Government of Canada. A thorough review of all events and circumstances related to the XL Foods Inc. *E. coli* O157:H7 situation will be conducted. The review will be undertaken by recognized external experts supported by the Canadian Food Inspection Agency (CFIA), the Public Health Agency of Canada, Health Canada, and Agriculture and Agri-Food Canada. The results of the review and the CFIA's response will be made public once completed.

Food safety inspectors continue to have the tools and authority to inspect, verify, and monitor compliance with regulatory requirements and to take enforcement actions as necessary to protect public health. It should be noted that inspectors are present in all federally registered meat slaughter establishments during operating hours.

I recognize that you have concerns about the series of events that led to the reinstatement of the operating licence for XL Foods Inc. Suspending an operating licence is just one tool in a range of compliance and enforcement actions that inspectors may take as necessary to protect public health. Inspectors have the authority to take a range of compliance and enforcement actions at any establishment, including requesting specific corrective actions, slowing or stopping production, seizing and detaining products, or suspending a company's licence, among others.

Another tool that inspectors use in federally registered meat establishments to verify industry compliance with Canada's federal food safety regulations and policies is the Compliance Verification System (CVS). This task-based system describes the procedures inspectors must follow in order to complete each food safety verification in the course of their regular duties.

I have noted your concerns that not all inspectors are fully trained in CVS. Meat slaughter and meat processing facilities have different requirements for how many inspection staff are required to be CVS trained. In certain establishments, such as stand-alone meat processing facilities, all inspectors are required to be CVS trained. I would like to clarify that XL Foods Inc. Establishment 38 has the appropriate number of CVS-trained staff for this type of slaughter and processing facility.

The majority of the work performed by CFIA inspectors at XL Foods Inc. is for non-CVS activities, such as ante-mortem and post-mortem inspection to assess the appropriateness of the animal to enter the human food supply. For example, one activity is to assess a carcass to determine if the animal was infected by certain diseases.

The details of the CFIA's investigation and oversight leading up to the establishment's return to operations, effective October 23, 2012, might be of interest to you given your extensive experience in the beef industry and as a veterinarian. The CFIA performed an in-depth review to comprehensively assess the plant's food safety controls in order to provide a recommendation about the plant's readiness to resume slaughter and processing operations. There was no timeline for that review, as the CFIA's decisions have been and continue to be based on scientific evidence and a precautionary approach to protect consumers. The CFIA's report on the in-depth assessment is available at www.inspection.gc.ca/food/consumer-centre/food-safety-investigations/xl-foods/assessment-of-establishment-38/eng/1350996393353/1350996638312.

One of the aims of the in-depth review was to examine the establishment's systematic controls for *E. coli*. The detection of the pathogenic strain of *E. coli* O157:H7 in slaughter facilities is not uncommon, and plants need to have adequate measures in place to monitor for higher-than-normal detection rates and to modify their control measures accordingly. Since every federally registered establishment's design and functions are different, the facility must design a system to identify its own specific risks at each step in the production chain and implement preventive controls as required. This is known as a Hazard Analysis Critical Control Point (HACCP) system.

During their regular inspection tasks, if inspectors identify a deviation from the establishment's HACCP system, they can ask for corrective actions based on the nature of the problem. Food safety issues are dealt with immediately. Other deviations to the applicable regulatory requirements or HACCP system are unacceptable and must be addressed by the company within a specific time frame.

The CFIA continues to work with the plant to verify that it can correct any deficiencies and effectively manage food safety risks at all stages of production, from slaughter to product distribution. During the period of enhanced oversight, CFIA inspectors have increased the frequency of their observation and inspection tasks at key stages of operations.

You have suggested that issues identified in a 2009 United States (U.S.) Department of Agriculture (USDA) audit remained unresolved at this establishment. I would like to explain that audits capture a snapshot of the situation in a plant at a specific point in time. In contrast, CFIA

inspectors have daily interaction with staff of federally registered meat establishments and verify that preventive food safety plans are being implemented consistently and effectively. As trading partners, Canada and the U.S. regularly audit each other's food safety systems, and any issues identified in the course of these audits are addressed so that companies can continue to export their products.

Representatives of the USDA recently conducted a visit to the XL Foods Inc. plant in Brooks, Alberta, and conducted an analysis of the CFIA's enhanced oversight measures. On December 7, 2012, subsequent to their visit and analysis, the USDA reinstated the plant's privileges to export products to the U.S. As such, I am assured that the USDA has confidence in the work done by XL Foods Inc. and the CFIA.

The CFIA remains fully committed to ensuring that Canada's food safety system provides consumers with the protection that they expect and deserve. The Agency also recognizes that its decisions have an impact on industry. The CFIA's interactions with industry, consumers, and other stakeholders are therefore guided by the principles of transparency, accountability, and service. These principles are clearly outlined in the CFIA's *Statement of Rights and Service for Producers, Consumers and Other Stakeholders*, as well as in audience-specific guides.

Please be assured that the health and safety of Canadians and Canada's food supply is, and will remain, of the utmost importance for the Government of Canada. You will be pleased to learn that the *Safe Food for Canadians Act*, which is intended to further strengthen our food safety system, received Royal Assent on November 22. The Act provides industry with clear, consistent, and straightforward inspection and enforcement rules so that it can best meet its responsibility to put safe food on shelves for consumers. The Act also includes regulation-making authorities for food traceability. This authority will enable future regulations to be developed where necessary and, following consultations with the industry and the public, to better track food in the marketplace.

The CFIA is committed to service excellence. Feedback from producers, like you, and from stakeholder associations are welcome as the CFIA continuously strives to improve and learn from the feedback and analysis.

I trust that this information is of assistance to you. Thank you for writing.

Sincerely,

Gerry Ritz, PC, MP

c.c.: The Honourable Ted Menzies, PC, MP