

**Testimony of Richard V. Cano
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**Oversight Hearing on the Federal Food Inspection Programs
Subcommittee on the Federal Workforce and Agency Organization
Committee on Government Reform
U.S. House of Representatives
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Mr. Chairman and members of the Committee, thank you for inviting me to speak on the Government Accountability Office (GAO) report, *Oversight of Food Safety Activities*. I am Richard Cano, Acting Director of the Seafood Inspection Program at the National Marine Fisheries Service (NMFS) of the National Oceanic and Atmospheric Administration (NOAA). My testimony today will provide a brief description of the Seafood Inspection Program and comment on the GAO report (GAO-05-213).

Seafood Inspection Program

NOAA oversees fisheries management in the United States. Through the delegated authority of both the Agricultural Marketing Act of 1946, as amended (7 U.S.C. 1621-1627), and the Fish and Wildlife Act of 1956, NOAA provides a voluntary seafood inspection program on a fee-for-service basis. The NOAA Seafood Inspection Program offers a variety of professional inspection services, including vessel and plant sanitation, product inspection, laboratory analysis, training, and consulting. These activities ensure that products from firms participating in the NOAA Seafood Inspection Program comply with all applicable Federal regulations.

Our inspections, both in the United States and in other countries, examine facility conditions, personnel practices, and the safety and effectiveness of protocols. To ensure safe and properly labeled products, our evaluation considers both the risks associated with the product and the manufacturing process. We inspect products directly at the facility and by taking random samples from the warehouse. NOAA also certifies products by periodically monitoring written industry control systems to ensure facilities are meeting their responsibilities. For example, we use Hazard Analysis Critical Control Point (HACCP) techniques that focus on hazard identification, problem prevention, and corrective actions taken by industry to produce complying products. By identifying and monitoring control points in the process, our HACCP-based program helps ensure that requirements such as proper labeling and quality attributes are met.

In 1974, NOAA signed a memorandum of understanding (MOU) with the Food and Drug Administration (FDA) of the Department of Health and Human Services recognizing our agencies' related responsibilities. This agreement is designed to outline a working relationship

in the public interest to enable “each agency to discharge as effectively as possible, its responsibilities related to the inspection and standardization activities for fishery products.” In general, this agreement outlines requirements regarding adulterated or misbranded products, how best to maximize resources, and the need for effective communication between the agencies.

The most notable accomplishment under this agreement has been in the area of training. NOAA Inspection staff has benefited from FDA’s willingness to provide access to their online training modules. Since January 2003, NOAA personnel have completed approximately 8,900 (combined employee total) of the FDA online courses. In addition, most NOAA workshops on sensory evaluation of fishery products are jointly instructed by both NOAA and FDA personnel, and NOAA provides an instructor to assist FDA in its retail training courses. However, both the FDA and NOAA believe this agreement, which is now more than 30 years old, needs to be assessed in light of changing roles and responsibilities, and we have been in discussions with the FDA on this.

NOAA is involved with several other food safety projects including a National Academies of Science study entitled, “Nutrient Relationships in Seafood: Selections to Balance Benefits and Risks.” This study will provide useful information for the development of public health policy on contaminants in seafood. We also work with other federal agencies on many projects beyond what I outlined above. For example, we jointly sponsor the National Advisory Committee on Microbiological Standards for Foods with the USDA and the FDA. In addition, NOAA and FDA both support the executive office of the Interstate Shellfish Sanitation Conference, which is the standards-setting body for a Federal/state cooperative program to ensure the safety of raw molluscan shellfish.

Both industry and other agencies use the NOAA Seafood Inspection Program to ensure that fishery products comply with regulatory requirements (both domestic and foreign), purchasing specifications, and consumer expectations.

GAO Report: *Oversight of Food Safety Activities*

As the GAO report outlined, several agencies are involved in food safety oversight. In general, we believe the report does a fair and thorough job of describing the major food safety activities at NOAA.

As the GAO report outlines, in FY 2003, of the \$1.7 billion spent on food safety–related activities, NOAA spent just under \$22 million—only approximately 1 percent of the total expenditure.

The GAO report made several recommendations, and I will focus on those directly relevant to NOAA. As I mentioned earlier, the FDA and NOAA have an interagency agreement. We agree with the GAO recommendation for FDA and NOAA to ensure the implementation of this agreement and we will continue to work with the appropriate components of the FDA in order to do this.

In addition, the report recommends that the leaders of each of the agencies discussed in the report identify and inventory all active interagency food safety–related agreements; evaluate the

need for these agreements; and, where necessary, update the agreements to reflect recent legislative changes, technological advances, and current needs. We agree with this recommendation and will establish an inventory of active interagency food safety–related agreements on which NOAA is a signatory. In addition, NOAA will contact the applicable agencies associated with food safety–related agreements whenever NOAA believes an agreement should be revised.

Conclusion

Mr. Chairman and members of the Committee, thank you for inviting me here today to speak about our Seafood Inspection Program and the recommendations in the GAO report. I would be happy to answer any questions you have.