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Monday, May 25, 2009

Chair

Mr. Larry Miller

Subcommittee on Food Safety of the Standing Committee on Agriculture and Agri-Food

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● (1605)

[*English*]

The Chair (Mr. Larry Miller (Bruce—Grey—Owen Sound, CPC)): We'll call the meeting to order. We have a quorum here.

We welcome our witness, Mr. Bob Kingston.

Mr. Easter.

Hon. Wayne Easter (Malpeque, Lib.): I have a point of order, Mr. Chair.

I'm surprised that there's only Bob Kingston on the witness list. I wrote you a letter on May 22. The first witness list that came out had Mr. Kingston and a couple of others on it. Now we only see Mr. Kingston on it. I believe he wanted a couple of other people to accompany him. When we invited Mr. McCain...I think one of the representatives of an organization should be able to take whoever they want to accompany them with them. So if Mr. Kingston has people here to accompany him today who could, I think, provide us with the best evidence possible for this committee to do its work, then that's what should happen.

The Chair: Okay, Mr. Easter, I just delivered a response. That letter came to my office some time on Friday and I was out doing events, and rather than send it over this morning, it's there.

Mr. Easter, as far as the witness here is concerned, the clerk and I have been instructed by the committee as a whole. You specifically had a motion on here to have Mr. Kingston appear at a time between 4 p.m and 6 p.m. That has been done. You also had a notice of motion that he appear by himself, and that's what we have done. That's a matter of record. So we've done that, and nobody, no member of the committee, put forth Mr. Sicard's name at all. The letter that I just sent out in explanation covers that.

You may change your mind, Mr. Easter, from time to time and I guess you have that prerogative, but we went on instructions from the committee and so here's Mr. Kingston today between the times that you asked for and by himself.

Hon. Wayne Easter: Mr. Chair, when we invite the head of a union before the committee, then he should be able to have accompany him anyone he decides on.

As for the motion I mentioned—which ended up not being debated—that said by himself, what it meant was this. Originally the list came out and you had about six other panellists on with him, and I did not want to see one of the key witness groups before us diluted by some five or six other groups. The Agriculture Union is one of the key pieces of evidence that we can go to in terms of whether there has been a system failure here, or whatever. I believe Mr. Kingston has the other people in the room with him. If he requests that they be asked to appear before the committee as part of his delegation, then that's what ought to be done.

The Chair: As I said in my explanation, verbally, and in the letter that you have, Mr. Kingston is here as per the committee's request, and anyway, that's the end of the story.

Mr. Allen and then Mr. Bellavance.

Mr. Malcolm Allen (Welland, NDP): Thank you, Mr. Chair.

I'm not disputing the fact that you're interpreting this in the sense that the witness was named and perhaps it was just the one witness. But I'd like to point out that we've had delegations before us that were actually delegations from a particular group—whether it be chicken producers or whether it be some others—who brought numerous people with them who weren't identified on the list as witnesses per se; they simply came as part of that delegation. Mr. Kingston certainly represents a much larger group than himself personally. It seems to me that if we're trying to do things in a wholesome and fulsome way, one of the ways to do that is indeed to allow him additional folks, who are here, who are going to make representations, who can really speak to the entire system, and I think are of value to this committee.

They may not even be asked a question in some cases. We're not certain. I don't believe we're asking them to give testimony, because I believe Mr. Kingston has provided it in writing, and I'm sure he's going to present it as he has it here, but they may indeed have specific information that may arise from a specific question, or may not. But it seems to me not to allow that to happen sets a tone and sets a sense that somehow we don't wish to hear from them, and I don't think that's the case.

I think the case on all sides is that we're trying to flash the light on all of the circumstances surrounding this particular situation that happened last year so that Canadian consumers who buy food can feel that the system is safe. I think doing that and allowing those folks to come forward, whether indeed they're questioned or not, at least allows the opportunity for all sides to engage in that conversation.

The Chair: Thanks, Mr. Allen.

Of course we all know that this food safety subcommittee was established to address exactly food safety issues in Canada. That's what we need to do.

On your point about the witnesses, when specific groups or organizations are requested by any committee member, there's never a specific request for an individual from that group unless stated by the committee. Mr. Kingston was specifically requested to be here. Another example that comes to mind is Maple Leaf Foods. Mr. McCain, among others, was requested specifically to come from Maple Leaf Foods, as an example.

Unless that direction was given to the clerk or me, which it wasn't, we acted according to how we would normally act on that.

Mr. Bellavance.

● (1610)

[*Translation*]

Mr. André Bellavance (Richmond—Arthabaska, BQ): Before both the subcommittee and the Agriculture Committee, repeatedly, witnesses have been accompanied by people belonging to their organization. There's even the ultimate example of ministers who arrive here in the company of an army of public servants who sit behind them and who, at some point, are asked to come and sit at the table. Nothing has ever been said against this practice. I don't understand why suddenly we're trying to control the attendance of witnesses to this extent.

Speaking of control, there's also another problem: the government seems to want to control the operation of this subcommittee. I've just about had enough of endlessly repeating that we asked that... Fine, I've just seen the cameras and I'll stop now. It was not indicated that the meeting would be televised, but I've just noticed that it is. That's good news, but our sessions haven't always been televised.

Mr. Chair, you are not setting a good example by circulating a letter that you wrote to Mr. Easter written in English only. All documents distributed here should be in both official languages. You're the chair of this subcommittee and right now I have before me a letter from you written solely in English.

In my opinion, things are not going so well and I'll have some other comments to make to the Agriculture Committee, which is merrily slipping out of control. I don't understand why people are making such a fuss because Mr. Kingston wanted to be accompanied by a member from his organization. It's beyond me and I denounce it.

[*English*]

The Chair: Mr. Bellavance, I apologize that my letter today is in English, but at the same time, we just got it. It came to my office via e-mail on Friday and got to our office today. We did not have time to translate it, but I thought it important enough to at least have the....

I'm sorry?

[*Translation*]

Mr. André Bellavance: Time is no excuse. The rules are clear: documents have to be in both official languages. It's up to you, Mr. Chair. It's worse than if it were somebody else. It's unacceptable!

[*English*]

The Chair: I'll take that point, Mr. Bellavance, but at the same time, I thought it was a very important issue. I could have held on to it until Wednesday. We'll do our best to get you a translated copy, but there are things in that letter that spell out Mr. Easter's concerns in his letter, and I thought it was important that every member of the committee had it today.

[*Translation*]

Mr. André Bellavance: If it's so important, why, as a francophone and Quebec member of the committee, didn't I get the letter in French at the same time as my colleagues? This is a lack of respect, Mr. Chair. Don't try to excuse yourself by saying it doesn't matter. It does matter and it's not right. You made a mistake, and this letter should not be distributed. The clerk should even take this letter away from us because it is not in both official languages. I don't want to take up the time of the witness and the subcommittee, but don't try to give me the reasons why it was filed, I won't accept them.

[*English*]

The Chair: That's fine. I can't force you to accept it. That was the reality of it, Mr. Bellavance.

As far as respect is concerned, I have the utmost respect for you as a member. It was meant in no disrespect, and I'm sorry that you don't take it that way.

Mr. Anderson.

Mr. David Anderson (Cypress Hills—Grasslands, CPC): We'd like to go ahead and hear our witnesses' testimonies.

As Mr. Bellavance said, the opposition is getting frustrated because it's not going well for them. They've tried to find a number of things here and haven't been able to. They've tried to discredit the independent investigator. They've tried to discredit the minister and have been unsuccessful, because the testimony has indicated that these folks are doing their job and have done a good job.

I think we should move ahead. I don't understand Mr. Easter coming here today and disrupting this, because he specifically wanted Mr. Kingston by himself, and he said that. The other gentleman who has been proposed was not presented as a witness. So I ask that we hear the testimony and move ahead.

The Chair: Thank you.

Mr. Allen, briefly.

● (1615)

Mr. Malcolm Allen: Thank you, Mr. Chair.

On a totally different subject, which is not on the agenda, I do have some business arising. If we could, I'd like to see us get an opportunity to look at it at the end of the witnesses here and not adjourn before we get an opportunity to do that. There are a few things we haven't cleaned up, and I'd like to see that happen.

The Chair: With the committee's indulgence, in the last session of today's meeting, we'll save a little time at the end of the meeting.

How much time were you suggesting, Mr. Allen. Fifteen minutes?

Mr. Malcolm Allen: With everyone's indulgence, I think 15 minutes would be more than adequate. It might only take five minutes.

The Chair: That's okay. Fair enough.

Mr. Kingston, for 10 minutes or less, please.

Mr. Bob Kingston (National President, Inspection Supervisor, Canadian Food Inspection Agency (Burnaby, B.C.), Agriculture Union): My name is Bob Kingston, and I am the president of the Agriculture Union, a part of PSAC that represents most of the employees within the agriculture portfolio.

Contrary to the comments made by the minister earlier, I was in fact an inspector. I was an inspector for 25 years, 15 of those as an inspection supervisor. I am a lead auditor, and I am so certified.

There is a presentation deck, which I believe everybody has. There are references in the deck to the tabs. There were a couple of newspaper articles in the tabs that, unfortunately, didn't get translated, so we're not entering them as official information, but the booklet of reference material is available. Most of this material already exists in documentation that has been presented to this committee.

We want to talk about and focus on the processed meat inspection part of food safety, because it was the part involved in the crisis that happened last summer. I think it's been analyzed enough since then, just before and after the crisis, that we can perhaps draw some conclusions about resource levels at CFIA, which is our principal intention here.

The third page of the deck is just about the history of processed meat inspection and its evolution. As I said, there's a lot of supporting documentation already, so I don't think we have to go into it in any big way.

I do want to mention, however, that on the fourth page we talk about prevention versus recall and investigation. I heard a lot of witnesses comment that the only sound way to approach the monitoring of food safety in this country is through bacterial or microbial testing, because that's the only scientifically based approach to food regulation. We take great exception to that for a couple of reasons. One, it's closing the gate after the horse is already out of the barn. Also, the value of having on-site inspection cannot be overstated in terms of its importance.

Having inspectors who are present on-site in these plants does several things. First of all, it affects the behaviour of the plant employees in a very positive way. It usually means that things are followed a lot more strictly and precisely. It's like driving down the freeway with a cop in your rear-view mirror. You're a lot more likely to obey the speed limit. It's also a fact that when our inspectors are on the plant floors, plant employees like to talk. If there are things going on in the plant that they're not happy about, they tell the inspector—but only if the inspector is available. If the inspector is sitting up in an office somewhere doing paperwork, this isn't going to happen. So the kind of information they get from plant employees has proven to be invaluable over the years.

The other thing that experienced inspectors provide is that they can recognize the symptoms that lead to listeria becoming a problem in a plant—not just listeria, but other microbial contamination as well. The inspectors on-site can see things like excessive condensation and moisture. They can tell when the humidity is too high, just through experience. They can see things like worn or cracked rubber belts, etc., which are very hard to sterilize. So then if they're reading a report that says that sanitation was perfect but they know they have problems with the actual equipment in the room, they are in a position to go and have a second look and question what they're seeing. They're also in a position to witness the practices of the plant employees, be they for sanitation or otherwise. We think that's pretty important as well.

On the next page, we talk about CFIA being under-resourced. There are a couple of things I'd like to point out. We've done a bit of an analysis of the time it takes to carry out compliance verification system tasks, and to do those properly. If you do all that's required in the system, we have shown that it takes about 800 hours to do a ready-to-eat facility—if you're going to do it properly. You don't have to be a mathematician to figure out that if a person has two ready-to-eat facilities on their list of things to do, that's it; the inspector should not be assigned another half dozen work sites to look after. In fact, they shouldn't be assigned any other work to look after, if you want it carried out properly.

I know there has been a lot of positive feedback from the minister's office and from CFIA about how these resource pressures aren't really that serious, and that things seem to be going fine. But there was a briefing between the president of CFIA and the minister back in January where it was made clear to the minister there were problems getting the job done. There were problems meeting the requirements under the program, and there were resource pressures. So this has been made clear. And for those who are interested, it's under tab 3 in the unofficial tabs.

● (1620)

There was a lot of talk, right from last summer until now, about additional inspectors being hired. You've heard anywhere from 175 to 200 to 258. It seemed to depend on who you spoke to and on which day. The additional inspectors hired at CFIA were simply the total number of increase in a category of classification, EGs, which is basically engineering and scientific support. That includes everybody from those who do microbial testing in a laboratory to those doing germination testing on seeds. They could also be out doing surveys for things like potato cyst nematode—which, in fact, a large number of them were. Just prior to this, approval was given by Treasury Board to hire 200 new inspectors under something called the invasive alien species program. In fact, the Auditor General wrote extensively about that in her last report.

So the idea that 175 or 200 or 258 new inspectors were hired to do front-line work in meat hygiene was, quite frankly, a falsehood. It should never have been said. In fact, they are still under-resourced in CFIA to do food inspection. According to an agreement that we reached with them on essential services, which went category by category and identified numbers of inspectors, there were only about 1,200 working-level food inspectors at CFIA. And by that I mean there were about 200 trainees and there were about another 100 supervisors, but if you take those away, you have about 1,200 working-level food inspectors. And fewer than 200 of those in the country are processed meat inspectors.

As a consequence of having so few resources to do such a big task, CFIA is often left with not being able to follow up on enforcement actions and with corrective action requests that are issued by the inspectors. Required audits—or at least required as per the system design—are often not completed and historically have not been completed.

Also as a consequence of a lack of resources, there isn't time to train the inspectors. It's very difficult to free up a lot of inspectors working in the meat hygiene program for training. So many inspectors have not received appropriate compliance verification system training or training specific to auditing, which is what they're being asked to do under this new system. We think that's a significant problem.

The two people I was going to have join me couldn't be here. They could have given first-hand knowledge about some of the things that happened leading up to the Bartor Road Maple Leaf situation.

But what I can tell you—albeit it's second-hand information—is that leading up to that situation, annual audits were not completed. The quarterly audits that were done prior to CVS were stopped in 2007. And we've put down here that there was an overtime ban. Now, that's a bit of a misnomer in the sense that there was a perceived overtime ban among many of the inspection staff. The consistent feedback we got from the inspectors was—

The Chair: You have one minute.

Mr. Bob Kingston: —simply that it wasn't being authorized. My understanding is that in some cases it may have been based on communication, but the net result was that those critical inspections weren't being done.

So we're talking about visual pre-operation, visual sanitation checks, and the audits at Maple Leaf Bartor Road not being done leading up to the situation. And they were not done purely for resource reasons.

In terms of the time spent there by the inspector.... Pardon me?

The Chair: I was just clearing my throat.

Mr. Bob Kingston: Basically, if I'm running out of time, I want to get to the recommendations. That's on the very last tab. If I have time, I'll come back and cover a couple more bases.

We want to ensure that processed meat inspectors are responsible for no more than two ready-to-eat facilities apiece. We want to make sure that CFIA adequately trains inspectors in both CVS and auditing. And we want to have a joint CFIA/union evaluation of the compliance verification system and the resources required to fully implement it as designed. We think if it's not fully implemented.... If you have an audit system that doesn't have all of its component pieces in place, you don't have an audit system with integrity. It's as simple as that.

On the transparency issue, we want CFIA's obligation to communicate openly with Canadians in times of crisis enshrined in some way, shape, or form. What happened last summer, when they were told by the minister's office that they couldn't speak anymore, including to us, was unforgiveable, in our view. We want to end the practice of making food safety policy behind closed doors. And we want to restore publication of meat establishment audit reports.

And since I haven't been cut off yet, I'll come back to a couple of—

● (1625)

The Chair: Well, you are over time. If there is a point you haven't already got in, Mr. Kingston, you can certainly add it in the questioning.

Mr. Bob Kingston: Okay.

The Chair: Thanks very much.

Mr. Easter, seven minutes.

Hon. Wayne Easter: Thank you, Chair.

Mr. Kingston, I think you're seeing some of the difficulty we're having at this committee getting to the bottom of this issue, because what we've seen here today is a chair of a parliamentary committee running interference for the government in terms of an issue that ended up costing 22 deaths.

In any event, you do have two witnesses with you, I understand. How important are those witnesses to this committee, from your point of view, in getting to the bottom of this issue? Can they add clarity to it?

Mr. Bob Kingston: Well, I think what they could have given you is first-hand information, because one of them was the local president in Toronto, who dealt with management in Toronto over the issue of overtime not being authorized to get these inspections done and who raised the issue of staffing shortages and issues around the compliance verification system.

The other one was one of our national vice-presidents. He is a processed meat inspector in the Montreal region who was going to tell you that the same thing was going on there, that the time was not being authorized for them to carry out these inspections and those inspections simply went undone.

Hon. Wayne Easter: Thank you.

Be that as it may, I guess this is where we're at. You do mention, in the documentation you provided, some things that you didn't get time to go through in your original presentation.

What we're really hoping to look at here is process more than anything, and certainly we on this side believe that somebody should be held accountable for the problems within the system as well. One of our suspicions relates to the point you have in your document here that says, “Gag order on CFIA officials during the election”. Are you submitting that, because of the election itself, there was a gag order imposed on CFIA? If so, why?

Mr. Bob Kingston: That was the feedback we got from various levels of management within CFIA. In fact, because of a cancelled opportunity.... We had what's called a meat inspection reform committee to discuss problems like what was going on within CVS. We had that meeting cancelled in April. We tried to re-establish meetings. That was not responded to. Finally, we agreed to meet in the form of a union-management meeting in September. Then we were notified that it had had to be cancelled because they couldn't speak to us, and this was under political direction, and it was largely because of the election.

This was the same time that the Clerk of the Privy Council put on the front page of the *Ottawa Citizen*, in relation to health and safety, that departments should still be speaking.

Hon. Wayne Easter: The other point you make, and I'll quote it as well, is this: "Misleading statement about the amount of time inspectors spend on the plant floor under CVS and the number of meat inspectors" My question really relates to the fact that we had CFIA before us and we had the minister before us and we never seemed, even as a committee, to be able to get a handle on the number of inspectors who are actually working on the floor. CFIA declared to us at one point that "the CFIA's current tracking and information systems do not allow us to accurately identify all inspection staff devoted to meat inspection". And they go on to say they're working on improving that.

Could you address the issue of the number of inspectors who are really operating in federally inspected facilities and whether there actually has been an increase in the number of inspectors in the meat program specifically? That's what we're looking at.

● (1630)

Mr. Bob Kingston: There are a couple of things. First of all is the numbers. There are systems in place through which those numbers can be garnered. As a matter of fact, as a supervisor I can tell you we had it down to percentages of time that each person spent in every program. That's in the computer, so it's available if they want to find it enough.

In terms of inspectors added, no. The inspectors have been added to a variety of programs. They've been added to maybe a regional office level of the program, but not in the field. There are certain locations where they've increased the numbers in a very small way, and my understanding is that in Greater Toronto they've added a few to the number.

What we've found is that every time this happens they're simply shifting them from another part of the meat inspection program. As a matter of fact, in poultry plants that go on the modernized poultry inspection program, people are being taken out of those plants and put in processing in some cities, even though it's on record that those numbers aren't to diminish in those poultry plants. But they have been. So internally they're robbing Peter to pay Paul, largely.

Hon. Wayne Easter: The staff from the plant you mentioned in Montreal said in your meetings that similar things were happening there. What we have to look at is the system as a whole. Mr. McCain took responsibility. It's just too bad that the president of CFIA herself is not willing to take responsibility. In fact, she said she's not really responsible for food safety in this country, which shocks me.

In terms of inspectors themselves, have there been changes from a full-time CFIA role to a more oversight role? And what are the implications of that for long-term food safety, from your point of view?

Mr. Bob Kingston: Within the processed meat world, it has definitely happened over the last several decades that they've gone from a full-time presence to one person having multiple plants to look after.

The document in which they talk about removing full-time presence and changing it to an oversight role is the document for which one of the employees at CFIA was fired last year. Those were actual comments in relation to slaughter inspections, such as the poultry plants I was talking about, and those were the plans for the future. Those plans were implemented in processed meat almost three decades ago. In slaughter, they were just in the works.

In fact, ironically, that's what got us involved in this debate. We were going to stay out of it until the minister started saying, "Gee, if only those plans had been implemented at Maple Leaf, maybe this wouldn't have happened and maybe the inspector wouldn't have missed what was going on there." That's basically what prompted us to get involved, because the minister didn't seem to understand which part of the organization he was talking about.

The Chair: Thank you.

Your time has expired, Mr. Easter.

Mr. Bellavance, for seven minutes.

[*Translation*]

Mr. André Bellavance: Mr. Kingston, at the beginning of your testimony, you said you're a former meat inspection supervisor. How many years did you do this job?

[*English*]

Mr. Bob Kingston: Twenty-five years in total.

[*Translation*]

Mr. André Bellavance: So, your expertise is in the field. You supervised inspectors, but were you ever a meat inspector yourself during your career?

[*English*]

Mr. Bob Kingston: For 10 of those years I was a regular inspector, and then I became a supervisor. I should note, though, that I wasn't involved in the processed meat program. I've been talking to CFIA about the program now for close to 30 years—because I've been out of the workplace a few—but I was actually a supervisor of CFIA's quarantine section, animal and plant health, in Vancouver. But as I said, we've been discussing problems around this program for close to 30 years. I was a lead auditor and I have a fair understanding of how that process is supposed to work.

[*Translation*]

Mr. André Bellavance: You must have been following the subcommittee's work. So you know that, when they testify, Minister Ritz, Ms. Swan, the President of the Canadian Food Inspection Agency, and representatives of the Agency, as well as Mr. McCain, of Maple Leaf, they try to influence public opinion by saying that it was inevitable and that bacteria aren't visible to the naked eye.

As neophytes, we don't know everything about inspection, but they try to make us believe that this would have happened anyway, even if there had been twice as many inspectors in every plant in Canada. They're trying to demolish your claims and ours. Ever since Mr. Pomerleau revealed the government's secret plan to reduce the number of inspectors, we've been very concerned about the wholesomeness of food and public health.

And now we've been told that there wasn't any point in all that. To listen to these people, including the minister, you'd think we really didn't need inspectors because, in any case, listeria is there, it can't be seen with the naked eye, there's nothing you can do about it, it happens anyway.

You who represent the inspectors, can you tell us what they're doing in the plants? Why do you say that this sort of tragedy could have been avoided, if there had been more inspectors?

● (1635)

[*English*]

Mr. Bob Kingston: We know that the visual inspections required to do sanitation checks and pre-operational checks—where issues like problems with cutting machines can be addressed—were not done. We know that's a resource problem.

We know that during the pilot project many aspects of the program were not carried out. Whether it was a part of it at a particular plant or another part at another plant, we know that big pieces were missing. It's all based on a lack of resources. If you introduce an audit approach to inspection, put it on paper that you need to do X, Y, and Z to have a valid audit inspection or inspection process, and take away one of the components, you no longer have a valid inspection process. That's what has happened here.

As for it not making a difference, when the inspectors used to do these pre-operational inspections themselves, things like debris on cutting machines or anywhere else in the plant were noticed by the inspectors on a frequent basis. In the past, inspectors ordered that cutting machines be taken apart and cleaned. Since that role fell to plant employees and no visual inspections were being done by CFIA inspectors, those machines never came apart. The manufacturer's specifications said we didn't have to take them apart, so plant employees at Maple Leaf didn't. It would have cost them money, time, etc. When the inspectors are there, they order it taken apart, period.

So I think that very likely could have made a difference. We'd have to turn the clock back and redo it to make sure, but those are the very things inspectors notice when they're present.

[*Translation*]

Mr. André Bellavance: You reassure me, although I already knew the answer because I'm in favour of our tax money being used to make sure that there are inspectors in place, in the plants. I hope so as a consumer, for my children and the members of my family, who are also consumers. I want us to be reassured and I want inspections to be carried out not only by the industry, but also by people from the government, people from the Agency, to make sure our food is wholesome.

Even though it's true that we can't see listeria, what you have just told me would reassure me, if it were so. When complete inspections were carried out, part of the operations had to be shut down. A truly exhaustive inspection of all the equipment was then carried out; the inspectors regularly required that a thorough cleaning take place. If there is a thorough cleaning and disinfection, the bacteria will be eradicated if they can't be seen with the naked eye.

[*English*]

Mr. Bob Kingston: That's correct. They don't necessarily shut down the operation. They go in before the operation starts and do a sanitation check that involves watching the actual cleaning and the pre-operation inspection before they start up for the day. It gives the inspector an opportunity to see if there's stuff on the machinery before it actually fires up. That was not done at this location.

The Chair: Mr. Bellavance.

[*Translation*]

Mr. André Bellavance: Mr. Kingston, are you familiar with the document the Canadian Food Inspection Agency sent us? We had asked whether there were any new inspectors and where they were. I myself had asked where these 200 new inspectors that the minister was bragging about having hired since 2006 were working and what they were doing. A sparsely detailed document was sent to us. It mentioned the province where the inspectors were hired and their titles, that is, farm input inspectors, inspectors in training, veterinarians, laboratory technicians, etc.

Do you see these 200 inspectors on the job? Are they virtual or do they really exist?

● (1640)

[*English*]

Mr. Bob Kingston: I have already seen the document. I know several of them, and I know they're not involved in meat inspection at all. In fact, they're not involved in food inspection at all. That is simply a list of all the new engineering and scientific support staff they've hired, regardless of what program they were hired for and where they work. Whether they work at the regional office level, in the field, or in the lab, it doesn't matter; they're on that list.

The Chair: Thank you.

Mr. Allen.

Mr. Malcolm Allen: Thank you, Mr. Chair.

I'm glad, Mr. Kingston, we won't be going through the machinations of trying to add those figures up again. No one seems to be able to add them correctly. It seems that arithmetic has failed the Conservative government when it comes to new math. When I was in school they called it new math. It meant that two plus two could be 16 or 22, depending on your viewpoint.

I'd like to go back to your report. One of the things I've heard about constantly through these hearings is this whole sense of science-based inspection. I've heard it, to be honest, ad nauseam. I see in your report that the compliance verification system is a cornerstone of this government's shifting the role of inspectors toward the company. You state that it was mandatory as of April 1, 2008, for processed meat. It was piloted, including at the plant where we ultimately saw listeriosis come from, but never evaluated scientifically.

If one was supposed to be doing this from a science-based approach, why didn't we verify it scientifically to make sure it actually worked?

Mr. Bob Kingston: That's a question you'd probably have to ask the CFIA. We would have expected it. We are still looking forward to a proper evaluation of the compliance verification system.

There were some attempts made to evaluate the process. There is a draft document out there. I don't think you'll ever see it go past the draft stage, because CFIA themselves recognize how flawed it is. Whether there are going to be measures to do an appropriate evaluation at some point in time, I guess, remains to be seen. But at this point in time we've not seen one, and my understanding is that none exists.

Mr. Malcolm Allen: I find it troubling, to be honest, if indeed we've decided to go in a different direction from where we once were, from CFIA inspectors doing almost all, if not all, of the work, besides the cleaning, sanitation, and ordering certain things, to this model, when we've never proved to ourselves that it really works in a science-based sense. I don't want to put words in your mouth, but it seems to me that a majority of the folks who work in the CFIA are actually scientists, if you will, or have extensive scientific backgrounds. They would be looking to see those verifications actually come about so that they would actually trust the system they've been asked to be part of and so, ultimately, they would have that faith. So I find that really troubling.

But let me take you back through, because I know you had to get through this quite quickly.

When it talks about little real progress since last summer, by “last summer” I'm assuming you mean since we saw the outbreak of listeriosis last year and the ultimate death of 22 Canadians who succumbed to the disease. You outline here that it talks about a hiring freeze, and of course, we have a sense of how many we got or did not get. Those numbers clearly don't add up. There were two new serious breaches of food safety protocols at Maple Leaf plants in Toronto in January and February of this year, according to what you've said in your report. We ended up with a new listeria policy, which was reported on here at this committee in February. Then it was stopped because of the lack of training for inspectors to actually participate in the program.

And according to your tab—and we did get it in both official languages, by the way, Mr. Kingston. I know earlier you thought we didn't, but I believe we did.

Mr. Bellavance, yours is *en français*?

● (1645)

[*Translation*]

Mr. André Bellavance: Yes.

[*English*]

Mr. Malcolm Allen: In your briefing notes you actually look at the number of hours, under tab 2, and break out the number of hours you presently do in the inspection system versus what you're being asked to do—if indeed you're going to be asked to do additional pieces—and how one fits it in, and yet you're saying there are no new resources, even though the new listeria testing policy represents a 10% workload increase.

So I was wondering—since we had difficulty counting the inspectors before—whether we had generated any new hours in the year to perhaps allow these folks to do the extra work.

Mr. Bob Kingston: I guess one can hope.

I want to make one thing clear. The changes that have come about in policy since then are, I think, wise changes. I think they're in the right direction, for sure, even though they do add to the workload for people who were already overworked. I think that needs to be addressed. The changes are definitely good changes—the positive reporting requirements, the inspectors doing their own testing, etc.—but they take time, and I'm hoping something can be done about that.

I also want to make clear that we don't fault the compliance verification system as a system. We fault the fact that it's not a properly evaluated and resourced system. But having a checklist—a scheduled approach to verifying that the people you're regulating are doing what they say they're doing—we can't see as a bad thing. Simply asking people to do it without the tools, the training, and the time is what we have a major problem with.

As far as whether they're going to come up with additional hours goes, we're certainly hoping they're going to come up with additional people to fill those hours.

Mr. Malcolm Allen: What we're really looking at is how we adequately do this. I'm not suggesting the CVS system is a good or a bad one; it just hasn't been proven scientifically that it actually functions yet. And really, that's important to do in a science-based organization that says that science-based is what we're trying to achieve when it comes to it, so that we don't get into the rumour and innuendo that things aren't well. We can actually point to the science and say it's done correctly because here's the proof of the pudding, if you will.

But I agree with you that there are difficulties with some of the things that have come up as changes, that are productive and, indeed, that are to be encouraged. It's like my wanting to be six foot four; it's probably not going to happen in this lifetime. And if we don't get the resources, then the policies and all of the good things we want to do can never get done—unless, of course, you can explain to me otherwise. If we don't have the resources, which means the people in the field who have the ability and the training to do it, then we can simply write as many procedures and policies to enhance the system as we want, and ultimately, will the system be any better?

Mr. Bob Kingston: That would be a very tough call. I can't see how it could be. I mean, maybe it would be a little more encouraging to Canadians from a PR perspective, but in reality, if you're not doing the pieces that you say you're doing, it's a ticking time bomb.

The Chair: Your time has expired, Mr. Allen.

Mr. Anderson, seven minutes.

Mr. David Anderson: Thank you, Mr. Chair.

I want to go back to what I think you were talking to Mr. Bellavance about.

You seemed to be implying that you have to have employees or inspectors on the floor in order to get the companies to clean their machines properly. Are you saying they're not doing that, in line with the requirements of the manufacturer and the safety requirements that are in place?

Mr. Bob Kingston: No. Actually, in fact, I'm saying they did it *exactly* to the manufacturer's specifications. That was the problem. With an inspector on-site, the inspector would have recognized, by looking at the machine, that the manufacturer's specifications were inadequate.

When an inspector identifies—

Mr. David Anderson: I want to interrupt there. No other witness who has come here has suggested that there was any possibility of anybody finding listeria visually on those machines. Nobody has even come close to suggesting that. And you're saying that?

Mr. Bob Kingston: What I'm saying is that they can see organic debris. They can see that the machine is dirty. Whether or not it's actually contaminated with listeria or any other microbial at that time wouldn't be known until after a test.

So the test would still take place. Don't get me wrong. I'm certainly not trying to undercut the value of doing the testing. It's very important. But the visual observations that an inspector makes, which are then supported by the tests, are even better, because that trains the inspectors to do the prevention part of their work.

Inspectors in the past have seen debris on the machines and ordered them taken apart. The manufacturer's specifications weren't good enough.

● (1650)

Mr. David Anderson: There was no suggestion at all that this was taking place here. You said that the inspectors could recognize symptoms that lead to listeriosis, and I hadn't heard anybody else say that. You've explained that a bit.

So why did they miss last summer's outbreak? It went on for three months. There was testing being done. If they were able to visually recognize those symptoms, why did the inspectors...or why are you saying that your inspectors missed that?

Mr. Bob Kingston: Because they missed the inspections. They didn't have time.

At the time that this took place, that inspector at Maple Leaf Bartor Road had seven facilities that he was responsible for. I know that you heard earlier, from CFIA, that he spent 50% of his time on the plant floor at Bartor Road and that the majority of his time was actually spent at that facility. I can tell you that this is misleading at best, and nonsense at worst. The fact is that the only place that person had access to a computer to do all the paperwork for all seven facilities was in that office at Maple Leaf. He would go around to seven sites in the Greater Toronto Area, take all the paperwork back, and sit in that office. It was the only place he had a computer, and that's where he'd do all the paperwork—

Mr. David Anderson: I want to go on, because you're going places where other witnesses have not suggested there was even a problem.

I want to talk about CVS a little bit. CFIA and others came here and said that data trend analysis is an important tool for the future, and that it needs to be put in place. Dr. Brian Evans said, in a remark about environmental testing, why it was important: "Looking at aggregate environmental tests over a period of time will provide us with early warning of potential problems, so that corrective actions can be taken before a positive test is found in food."

Now, that seems to me to be a far better approach than visual inspections on some sort of micro level where you've.... I understand why you'd need to do them on a macro level, but I think this seems to be far more effective. He was clear that with the history of this positive test, CFIA can determine these problems.

You have said that instead of the new rules, instead of heading to the plant floor to inspect with their own eyes, inspectors are sent to the office to confirm that the packer has performed the required tests and the results are satisfactory. CVS, I would argue, is not taking inspectors away from their job. It's assigning specific tasks to them. That includes checking these tests so that things like listeria are picked up.

Why are you opposing this so strenuously?

Mr. Bob Kingston: What I'm opposing is putting in place a system like CVS without the resources to do it properly.

If it were actually carried out the way it's supposed to be.... If all the test results, for instance, that happened at Maple Leaf leading up to the crisis had actually been analyzed the way a proper-resourced system would have allowed them to be analyzed, they would have seen a recurring trend of positive environmental listeria finds at Maple Leaf.

Mr. David Anderson: Didn't the changes on April 1 require that to take place?

Mr. Bob Kingston: No, the changes on April 1 kept them so busy doing paperwork components of the program that they didn't have time to look at all the things they're supposed to look at. If you go back and look at even the pilot project, all kinds of chunks of the assigned tasks were missing and incomplete and not done for lack of time reasons, including these ones at Maple Leaf.

First of all, there was no onus on Maple Leaf at the time to positively report these positive listeria finds to the inspector, and they didn't.

Mr. David Anderson: We haven't heard from hardly anybody else that the problem is inspections, that we need more inspections. In fact, we had a number of witnesses tell us that is not at all what we need.

I understand that you'd like to grow your union, and that's part of what you're doing here as well in this whole situation. We all agree that what has happened is unforeseen, it's unfortunate, but the problem was not inspection. We've been told that time and time again. You're saying that it is.

Mr. Bob Kingston: First of all, I've heard Michael McCain himself say that CFIA needs more resources to verify that what the plants say they're doing they are actually doing. That's what we're saying, that you need more inspectors to do that verification.

When you talk about there being no problems related to the resources and that they spend all this time on the floor.... I heard CFIA make those comments. This is after we pointed out that their figures were wrong last summer. It's after they retracted what they said last summer. It's after they sat across the table from us and conceded to us in person that everything we said about the time that inspectors were spending was in fact true. Then they came here and said something else totally to you. So I'm at a total loss as to why they said that to you guys.

Mr. David Anderson: Well, the focus on food safety is why we put that extra money and resources into it. This government has been good about that. We put $130 million in, and another $250 million for improving federal labs in budget 2009. We've hired 200 new inspectors, and I guess we have a bit of a discussion about where they've been.

The only ones who have cut back funding—and I just want to point this out—were the Liberals in 1994 and 1995, and they did it again in 2005. So you understand that it's only under the Liberals that the funding has been cut over the years.

Mr. Bob Kingston: Actually, if you take a look at the documents on the Treasury Board site about what the plans are for CFIA, you'll notice that, in every single year, CFIA has planned a cost reduction the following year, and every year they run into some kind of problem that has resulted in their getting more money to do a patchwork cover-up of the problem. It ended up that they got more money than they anticipated. So the idea that only one party has cut funds from CFIA I don't buy at all. Take a look at their website and take a look at Treasury Board's website, and you won't be able to argue with me on that point. Every year the plan is to cut—every year.

And in terms of putting more money into it, it has certainly never shown up at the front lines.

● (1655)

Mr. David Anderson: The reality is that only the Liberals have cut. We've added money each of the years we've been in power.

The Chair: Thank you, Mr. Anderson.

Mr. Dhaliwal, you have five minutes.

Mr. Sukh Dhaliwal (Newton—North Delta, Lib.): Thank you, Mr. Chair.

I was quite worried when my esteemed colleague and friend made a remark that his voice was dying. Whenever it comes to raising a voice for those farmers and their issues and all his passion, he has always been there. It's great work that he does.

Hon. Wayne Easter: I'm glad.

Mr. Sukh Dhaliwal: President Kingston, welcome.

My question to you will be based on what appears to be a contradiction between the union and the management.

In the briefing note issued by the Agriculture Union on April 20, 2009, to the committee, on page 3 it stated:

> Faced with budget constraints the CFIA has taken a variety of cost cutting measures such as banning overtime before last summer's tragedy. As a result, CFIA inspectors were unable to verify that pre-operation and sanitation inspections at Ready-to-Eat meat processing plants in Ontario and Quebec were properly conducted...including at the Maple Leaf plant that was the source of the contaminated product.

In reply, Mr. Cameron Prince, CFIA's vice-president of operations, told the committee on April 20, 2009:

> Last summer there was really no change in terms of cancellation of overtime. In fact, we've always approved essential overtime.

He continued by saying:

> The overtime policy did not get in the way of completion of the compliance verification tasks.

President Kingston, would you comment on what appears to be a contradiction between the union and the management?

Mr. Bob Kingston: Based on our feedback from inspectors in both Quebec and Ontario, they were routinely refused overtime to come in early to do either the pre-operation or the sanitation verification checks. I understand that in some areas that might have been more of a communication issue than an overtime ban, but the effect from the inspectors' perspective was a ban.

We've checked this out through many sources. The local in Toronto raised this issue with management down there at union-management meetings on several occasions. It was all about cost-cutting. CFIA did not have the resources. This is what they were told.

As I said, there are a couple of people here who could have given you first-hand information about that, one of whom is the person who brought the issue forward to management, and the other is the person who experienced it first-hand in the Montreal region. So that's the contradiction.

At the end of the day, those inspections were not done. Those visual inspections were not done at the Bartor Road Maple Leaf site, and neither were audits leading up to that crisis.

Mr. Sukh Dhaliwal: Could you tell me—

Mr. Bob Kingston: Why? As far as why goes, the CFIA would say there are no issues about that. I have no idea. I did approach the same person who told you that about comments along those lines in front of another committee—that was the Senate finance committee—and reminded him of bringing this to his attention last summer. He said he would investigate the issue at that point. I don't think he managed to get that done before he spoke to you.

Mr. Sukh Dhaliwal: In the Toronto Public Health background document, the critics of the compliance verification system conveyed that "concerns have been expressed by health authorities and others about the effectiveness of the federal Compliance Verification System and its self-monitoring features". It was stated that these concerns suggested "that there is too much reliance on information supplied by plant operators" and that "it is reasonable to expect that the direct inspection by trained staff of a public agency may provide greater assurance that standards are indeed being met in all food industry premises".

Again, Mr. President, do you have those concerns currently?

● (1700)

Mr. Bob Kingston: Well, as we've been saying, more presence means more compliance. It's a historical fact. On the evaluation that was done, the draft evaluation that never went further than that because it was too flawed, even there it showed that for plants that received more visits the level of compliance was higher. That's just a simple fact of human nature: when people think they're being observed by a regulatory authority, they behave differently.

The Chair: Thank you.

We'll move to Mr. Shipley for five minutes.

Mr. Bev Shipley (Lambton—Kent—Middlesex, CPC): Thank you, Mr. Chair.

Thank you to the witness for coming here today.

Do you think food in Canada is safe?

Mr. Bob Kingston: Relatively, yes. Could it be safer? Yes.

Mr. Bev Shipley: Earlier I listened to some of the questions and answers regarding the investment that we've tried to do as a government in terms of inspectors, food product safety, and also in laboratories. Again, that's $113 million for food and product safety. We've hired 200 new inspectors and now you're saying that none of them went to meat.

Also, in the budget we included $250 million for improving federal labs. A lot of this discussion, actually, with others had a lot to do with the direction where samples went and the laboratories not being kept up in the past and needing investment. Is that wasted investment?

Mr. Bob Kingston: I think one of the things you're going to find, if you do a proper analysis of CFIA, is that they need investment in several areas. Beefing up the labs in CFIA certainly is not wasted investment.

On the 200 new inspectors, the one thing I find interesting is that they hired 200 inspectors under the invasive alien species program, and at the end of the day you have an increase of 200 EGs in CFIA, which probably means that other programs ended up going down. They did hire new people to work in labs—I know that for a fact—so that adds to the number of 200. The 200—

Mr. Bev Shipley: In terms of the inspections, you were pretty critical earlier that all of these didn't go into meat inspections. Does that mean that the other areas where there was a balance of inspectors spread around don't have the same priority as meat?

Mr. Bob Kingston: As a matter of fact, I think they do, very much. What I took exception to was the characterization that these people were front-line food inspectors and they were going to somehow alleviate the problems associated with what happened last summer.

Mr. Bev Shipley: I understand that in the meat inspection 14% went in and 7% of them were front-line, so there was a movement of inspectors into the meat inspection area.

If you had two times the number of inspectors, would this event not have happened?

Mr. Bob Kingston: If you had two times the number of inspectors in processed meat inspection and they were able to do all the verification tasks as laid out on paper—which means all the visual checks for pre-operation and sanitation would have been done—I think it's likely that it may not have happened. They might have seen the problem, because they have done so many times in the past. We're talking about a situation where you've removed them.

Mr. Bev Shipley: You're moving on the point that we need to have twice as many inspectors. I'm saying that if you're having twice as many inspectors.... We keep hearing how bad this was, because we lost 22 lives. It was terrible. The issue is that from that side the fingers want to point to somebody. Michael McCain has taken the responsibility, and we can all learn a lot, quite honestly, all of us, from how he stepped up to the plate and dealt with this issue.

I'm not hearing that if you had had twice as many inspectors this wouldn't have happened. I don't think you can guarantee that. In fact, I don't think anybody can guarantee it, because what you said was that you do a visual and look for debris on the equipment and that it hasn't always been cleaned up. Is that what you're saying happened at the Maple Leaf plant?

● (1705)

Mr. Bob Kingston: That they were not looked at. That's true.

Mr. Bev Shipley: There was debris on it. Is that what caused it?

Mr. Bob Kingston: There was organic material on and in those cutting machines, yes.

Mr. Bev Shipley: My understanding is that it was found deep.

Mr. Bob Kingston: The listeria was found deep inside. Symptoms of not cleaning can be seen easier than that and often are. That's why machines are ordered taken apart.

Mr. Bev Shipley: They were following the manufacturer's requirements.

Mr. Bob Kingston: The plant employees were. CFIA inspectors don't, because they know better.

Mr. Bev Shipley: If you go back to "if we had been there", I think it has as much to do with "if the policy had been there". The environmental testing that was removed in 2005—I'm sure you know this, but maybe you don't—did not require, to my understanding, Maple Leaf or any other plant to actually, when they took the swabs, make a mandatory report. The previous government cancelled the environmental testing. So what Maple Leaf was able to do was take tests, and sometimes it showed up and sometimes it didn't. If it didn't, it went in a file and went on the shelf.

I am asking you the question. We instituted and brought back the environmental testing. It was a recommendation. It was a critical part of prevention. Do you agree with that?

Mr. Bob Kingston: Absolutely.

The Chair: Your time has expired, Mr. Shipley.

Mr. Bev Shipley: Thank you very much.

The Chair: Mr. Easter, for five minutes.

Hon. Wayne Easter: Thank you, Mr. Chair.

The inspection report documents from the period February 11 to August 6 were amended. I believe they were all amended sometime in August, which would be, in one case, almost six months after the fact. I have them here. They were all amended on the same day. Is that common practice to go in and revise reports?

Mr. Bob Kingston: Six months after the fact is not normal. It would depend on the circumstances and what kind of documentation the inspector might have had to back that up, but to alter the report six months after is not normal.

Hon. Wayne Easter: On the amended reports, I mean, I simply find it extraordinary. Did some inspector in the middle of the night all of a sudden wake up and think, "There are seven reports, stretching over six months, that I need to revise"? I find it absolutely startling.

In any event, the inspector who signed the original and the amended documents was Dan Schlegel. The second inspector, Mario Zalac, did not affix his name to the amendments to the reports of February 27 and March 13, which were in his name. Did you have any contact with him to figure out why one inspector signed and the other didn't?

Mr. Bob Kingston: I was speaking to the inspector the morning this became public, and my understanding was that, in his words, he was asked by his management to come in and make the changes.

Hon. Wayne Easter: That's a pretty serious allegation. How would management be involved in terms of the amending of a report? They would have seen the original reports?

Mr. Bob Kingston: My understanding was that there was an audit team looking at the reports in the course of the investigation of what happened at Maple Leaf Bartor Road and they had questions. They thought there were some pieces missing, and as a result of that, he was asked to come in and add those pieces.

● (1710)

Hon. Wayne Easter: Okay, we may come back on that at a later date.

Mr. Shipley talked about the environmental testing that was removed in 2005. That's true. Do you know if there was ever an evaluation? It was my understanding that there was to be an extensive evaluation of the environmental testing if it was dropped, and that the report would be put up to the minister. Of course, the original minister was gone by that time, and it would have gone to the new government.

Do you have any knowledge as to whether it was a pilot project and whether or not there was a report that would determine whether there was higher risk as a result? It's clearly showing now that there is.

Mr. Bob Kingston: There were none that I ever was privy to. None were ever shared with us, and we did have a consultative forum where that information would have been shared. The answer is no.

Hon. Wayne Easter: The other thing is that in preparing for this committee I talked to quite a number of people across the country and I happened to talk to a couple of retired inspectors who were auditors of the auditors, that sort of thing, and what they indicated was much the same as what you have. It was a long time ago when they really did strenuous audits on equipment, which I think, as you said previously, were much more severe inspections of the equipment than the manufacturer's recommendations.

You mentioned earlier that maybe there's a possibility that it could have been prevented if there had been a strenuous audit of the piece of equipment. Do you have any further comments to add on that?

Mr. Bob Kingston: I know I was asked if I could guarantee it. Well, basically you have the system, the CVS, the compliance verification system, with all its component pieces that, when added up, are supposed to provide a more scientifically based and rigorous inspection program. All we're saying is that if you're going to write this system and put all these component pieces together, have the resources to actually do it. If you're thinking that's going to provide you a safe food environment, do what you say you're doing on paper and make sure you've got the ability to do it. That would be my concern there.

I do think that if all the component pieces of the system had been in place, including review of what we now know was an ongoing trend of positive finds of Maple Leaf prior to this crisis, if all those things had in fact been seen, if the inspectors had had the resources and the time to actually do all the required pieces and to actually have all that information in front of them, then I think there's a high likelihood that we would not be sitting here now.

The Chair: Thank you.

Mr. Bellavance, for five minutes.

[*Translation*]

Mr. André Bellavance: Mr. Kingston, a while ago we were talking about the list given to us by the Canadian food Inspection Agency concerning the number of people hired, that is, some 200, between 2006 and 2008. It was concluded from the questions that I asked you, that there were not 200 inspectors assigned to inspecting food, meat. We're agreed on that. Obviously we don't have anything against laboratory technicians, veterinarians and inspectors in training being hired. Still, we understand that, when we denounce to the government the fact that there is a lack of resources, we always get the same answer, that is, that 200 new inspectors have been hired. We understand that it's not just the meat inspectors and we also understand, from reading the study that you conducted in the four major areas, namely Toronto, Montreal, Northern Alberta and Greater Vancouver—and this was proved, moreover, in the case of the Maple Leaf plant in Toronto—that the inspectors are responsible, on average, for over five plants each.

In your recommendations, you say that an inspector should not be responsible for more than two processed meat product plants. So, in spite of this addition of inspectors, it seems, or of employees at the Canadian Food Inspection Agency, it remains that today, on May 25, it may be said that there are still inspectors who are responsible for over five plants in the major centres where you conducted your investigation. In the case of Maple Leaf, the inspector was responsible for seven factories.

● (1715)

[*English*]

Mr. Bob Kingston: It was. That has been redistributed. I believe now that's the only facility this person has in Toronto. So there have been some adjustments in the Greater Toronto Area—not enough to actually carry out the program the way it's written, but there have been some adjustments made.

In terms of that list, what I find interesting is that it's a list of all new hires over a two-year period, and it doesn't give you a picture of how many people are actually doing processing work. Yet at the drop of a hat, if they want that information, they can have it, because as a result of the information we released.... I know that messages were sent out to the major centres today from the CFIA asking their managers to put those numbers together for them so that they could argue with us about this. They could have done that anytime, so I'm a little disappointed that they didn't have the accurate information for you.

[*Translation*]

Mr. André Bellavance: As part of your recommendation, you say that processed meat inspectors should not be responsible for more than two plants. We can also infer from this that these people shouldn't just be in an office doing paperwork.

During the testimonies heard here on April 20, one of the people seated at the table of the Canadian Food Inspection Agency, Cameron Prince, said that he had himself met with some inspectors. In fact, he told us he'd met with 100 of them. Often the criticism that came from the inspectors themselves was that often there weren't enough of them on the floor. That means that they're stuck in an office doing paperwork. Maybe their bosses asked them to correct their reports, but they're not inspecting on the floor, in the plants. So it would be good if they weren't responsible for more than two plants, but also these inspectors should be doing the work they were actually trained for, that is, inspecting what is going on in food processing.

[*English*]

Mr. Bob Kingston: Correct. And the paperwork part of the process, the evaluation of lab results from Maple Leaf, or just the reading of thermograph results or other reports that they can find while they're sitting in the office, is valuable work. They do have to see what the company is reporting. But then they have to be able to do the visual checks to see if what they're seeing on paper is actually real life.

You'll have times, for example, when the maximum temperature that can be reached in a room might be 10°C or something, and every single report comes in exactly at 10°C. Well, the inspector knows that's phoney. He knows they're not going to hit that right on every time, but they don't have time to go down and do a visual check these days.

So you really need both, and they just don't have the resources to make it all happen.

[*Translation*]

Mr. André Bellavance: You were saying a while ago, in response...

[*English*]

The Chair: Just make a closing comment, Mr. Bellavance. You're right at your limit.

[*Translation*]

Mr. André Bellavance: A while ago, in response to a question from Mr. Shipley, you said that that could have been avoided. Here. Before the committee, government officials have often told us that it was inevitable, that it was fate. In your recommendations, however, I see that, in your opinion, it might have been avoidable. Obviously, as we see from time to time, we unfortunately cannot prevent everything, just as we cannot prevent car accidents or illness from happening. However, it is certainly possible to tighten up measures so that this kind of drama, in which 22 people died, does not happen again. And it would have been possible for this not to have happened in the first place. That's what you said a while back.

[*English*]

The Chair: Thank you, Mr. Bellavance.

Mr. Allen, five minutes.

Mr. Malcolm Allen: Thank you, Mr. Chair.

I have no idea what inspectors make wage-wise, but I'm sure you do. I heard from my colleagues across the way here about the amount of money their government has put into the system. So I've taken a gross approximation of what I think inspectors might make, doubled the 200, and said I'll give them 200 more to work in ready-to-eat facilities. And by my calculation, I come out with a number that's probably about 18% of the money they attributed to their new increase, if indeed we could quantify that. I'll take their word for it.

It seems to me, for 18% of the money they qualify for, we could have had a doubling of those inspectors inside ready-to-eat plants. The reason I concentrate on ready-to-eat plants is that one of the previous witnesses talked about food safety. In a sense, there's a difference between listeriosis in the ready-to-eat plant and listeriosis in other plants. You usually cook the other food. And according to those folks who have come before us, if you cook the other food thoroughly, you kill listeriosis. In terms of the ready-to-eat plant, clearly we don't necessarily cook the food after we receive it because it's cold meat, usually. So we're not cooking it again, unless we go back to the time we were poor university students and cooked the big slab of bologna we all used to have to eat.

Beyond that, for 18% of the money they come up with, it seems to me that's a pretty cheap fix for a food inspection system so we can tell Canadians to have faith in ready-to-eat food. I think it's incumbent upon us as government, as the CFIA as an arm of the government, to be able to tell Canadians that. As well, the professionals who work for the CFIA want to be able to say that. They want to be able to go home. They have neighbours, they have family, and they have friends who I'm sure say they know what they do for a living and ask whether they should buy this product.

Do you have comments about my sense of 18%, give or take a percentage or two?

● (1720)

Mr. Bob Kingston: You're probably accurate in terms of your math. Unfortunately, the money went elsewhere. And I know I heard—I can't remember who said it—that somewhere around 14% of the people were destined for meat inspection.

The people who were hired in meat inspection lately were to replace people who were leaving or to fill long-standing vacancies. I believe that if the percentage of new money went to beefing up the numbers, it would make a significant difference, but that hasn't happened. In fact, in meat hygiene as a program, we're still operating with a large number of vacancies across the country. We have large plants where up to 25 inspectors were supposed to be, something like a giant Cargill slaughter plant, for instance, where they routinely run seven positions short. So in terms of all the new positions added to meat inspections I'm hearing about, it's just not so, other than to fill the vacancy of somebody who has left.

But no, I wouldn't argue with your math. And yes, they do get requests every day about what to buy and eat.

Mr. Malcolm Allen: I'm sure. And if one of your inspectors were my neighbour, I'd ask him or her.

If it's that cheap—and I don't say that word in a negative sense—it seems incumbent upon us to do it. One of the things Canadians are saying—and I read the survey your association had done for them by a reputable firm—is that they don't have faith in the system. It seems to me, for such a measly amount of money, the least we ought to do is spend it to restore confidence with Canadian consumers so that when they go to buy product, they feel they're buying a safe product. Ultimately, if we're inspecting it and we're following the science-based procedures we keep hearing about, if we're doing them and using science-based facts, we can tell consumers their food is safe.

Nothing in life is a hundred per cent. Getting out of bed in the morning involves taking a risk, but that doesn't mean to say one doesn't minimize risks. And one of the ways to do that is to have a system that attempts to get to zero risk of your getting a food-borne illness. That's the ultimate goal, it seems to me, for all of us. And inspectors are the front line. So it seems to me the least we ought to do is make sure that this front line is a whole front line, not a partial front line. And at the moment, from what I've read in your report, Mr. Kingston, we have a front line with gaping holes in it. Far too many things are happening that are adversely affecting consumers through the food industry.

I'm not sure whether you'd agree or disagree with that summation.

The Chair: Please be brief, Mr. Kingston.

Mr. Bob Kingston: I would agree. And it's not with the system that we're finding we have a problem; all we're saying is, do the system. You wrote a great system; do it. Make sure you have the resources to do it and do it the way you say it's supposed to be done.

● (1725)

The Chair: Thank you very much.

Mr. Anderson, you have five minutes.

Mr. David Anderson: Thank you, Mr. Chair. I'll share my time with Mr. Shipley.

Earlier, you left a couple of us with the impression that the only reason this wasn't caught last year is that there weren't enough inspectors—if there had been inspectors, they would have seen the material and would have insisted that the machines be torn down. But did you know that the CFIA did not have any specific requirement for slicer cleaning and disinfection practices prior to September 5? Their requirements included sanitization once a day. Those procedures had to be documented by the companies, verified, and validated, and it was on September 5, 2008, that they issued the advisory to industry that gave them very specific instructions for the full assembly of these slicers.

You had mentioned that CFIA inspectors know better than plant employees about the manufacturers' guidelines, but the reality is that neither the manufacturers nor the government—no one—anticipated that this was an issue in these machines, including, I assume, you and the folks at union headquarters and the folks who work for you.

As someone—I think Mr. Allen—mentioned, and we've heard it here before, the risk cannot be brought to zero. You left the impression that you would have been doing this, but in fact you would not have been doing it at the time, would you? Even if you had had inspectors there, you wouldn't have been doing this.

Mr. Bob Kingston: Visual pre-operation inspection checks are a part of CVS. They weren't being done at the time. That is where such things as improperly cleaned machinery come to light. Now—

Mr. David Anderson: Am I hearing you say, then, that the companies were not doing that? They're required to do it every day, and it had to be document-verified. I assume those documents are kept on hand. I think this testifies to the fact that something like CVS is probably what is really necessary, because there's a collection of data that then can be checked and analyzed, which seems to be far more efficient and effective than just someone inspecting on a micro level.

The reality is that the listeriosis samples, from my understanding, were very intermittent. They had been trying to find it and they didn't, but I don't think you can say, given this, that if we'd had more inspectors we would have been more successful at finding it.

Mr. Bob Kingston: There are a couple of things.

First of all, the inspectors historically, when they see a piece of machinery they don't feel is cleaned properly, don't refer to the manufacturer's specifications to see whether they should be ordering it taken apart or not. If they think it needs to be taken apart to be cleaned, they simply order it taken apart to be cleaned. From that perspective, what they're worried about is getting the machine cleaned. They're not worried about whether it's going to cut into production time and they're not worried about whether or not it's going to cost somebody some time to take it apart. They order it taken apart and cleaned. They have a perspective on it that's different from one of just following the manufacturer's specifications.

Let's see, what was the other part of the question?

Mr. David Anderson: Well, it's CVS again, the reality that you have a series of data and are analyzing it.

Mr. Bob Kingston: Yes, it's the collection of data.

Again, you have to have time for the inspector to actually see those data. When you talk about intermittent finds, you're talking about a high percentage of product positives that were coming off that line and out of that facility, which even Michael McCain suggests now he didn't realize was a problem. It is obviously a case of 20:20 hindsight.

The other thing was that in the environmental tests themselves, never mind the product tests, there was a trend of positive finds. That went unnoticed by CFIA because it was not brought to the inspector's attention, and the inspector didn't have the required time to monitor as closely as he would have with a properly resourced CVS system.

Mr. David Anderson: That has been changed now.

Mr. Bob Kingston: No. What has been changed now is the requirement for the plant to bring these to the attention of the inspector, rather like what was in the old manual prior to the plant's taking over that function in 2005. However, the resources needed to do all the monitoring of the tests by the inspectors hasn't changed. It has at this one facility where it actually happened, because they have one person looking after that facility, period. But across the board, for the rest of the country, it hasn't happened. You're still looking at a resource-starved organization.

Mr. David Anderson: And again, that's why we have put the $250 million into the labs, the 200 inspectors.

Mr. Bob Kingston: It doesn't do the trick.

Mr. David Anderson: It may not do the trick for you, but it's doing the trick for the system.

Mr. Bob Kingston: Well, I have direct feedback from some directors at CFIA who say, there's no way I'm hiring front-line people with that money; I'm hiring biologists who are going to sit here at regional office so they can keep me informed.

Mr. Bev Shipley: Help me. I'm just trying to understand a little about inspectors. We seem to be talking a lot about inspectors and not having enough. Just help me to understand this. If an inspector is certified as a meat inspector, will any of those inspectors be also certified for horticulture, for plants? You mentioned the nematode. Can an inspector have two certifications?

● (1730)

Mr. Bob Kingston: Absolutely.

Mr. Bev Shipley: Does their having two certifications mean that they can actually be called from one area into another area, depending on the circumstances?

Mr. Bob Kingston: Of course.

Mr. Bev Shipley: Would that have anything to do with why it's sometimes harder to say exactly how many meat inspectors you have at any one place at one time—that a circumstance may change?

Mr. Bob Kingston: No. First of all, the people who work in meat hygiene are less likely to have that crossover than most, unless it's a crossover with animal health. In meat hygiene, the people who work in plants are, among CFIA inspectors, the least likely to be cross-utilized with a totally other program.

Mr. Bev Shipley: Are there any other ones who come in or out, though?

Mr. Bob Kingston: First of all, it would be rare. Second of all, there's a tracking mechanism for every single inspector wherein there's a breakdown of the percentage of time they spend in every program. I used to sign those documents. Some places do them for the year, some places do them on a month-by-month basis, but in the corner of the expense claims and time sheets for each inspector, there's a breakdown by percentage of how much time they spend in every single program.

The Chair: Thank you very much, Mr. Shipley.

Thanks, Mr. Kingston, for being here today.

Hon. Wayne Easter: Hold it, Mr. Chair. He's supposed to have two hours.

The Chair: Read the agenda.

Hon. Wayne Easter: Oh, you're playing with the agenda again.

The Chair: No, I am not playing with the agenda.

Hon. Wayne Easter: Yes, you are. We always have witnesses for two hours. I see in the agenda now that it's only an hour and a half, but that's typical of you, Mr. Chair. Okay, that's fine.

Thank you, Mr. Kingston.

Mr. David Anderson: Let me address that.

Hon. Wayne Easter: Go ahead, address it.

Mr. David Anderson: We've had a number of witnesses here for an hour and a half; that's what we've done consistently over the last two weeks. Mr. Easter has left some of those meetings, so he wasn't here and may not know that, but the reality is that most of the witnesses have been an hour and a half.

Hon. Wayne Easter: Mr. Anderson, that's a falsehood, and you know it. I've been here at every meeting.

Do you want to go back to my letter, which you suggest denied these two witnesses? I believe I said in that letter, for two hours, from 4 o'clock to 6 o'clock. Now, Mr. Chair, you can't have it both ways. You denied those two witnesses, because you said you interpreted it to mean we only wanted Mr. Kingston, but in the very same letter I said he should be here for two hours.

Is that correct, Mr. Chair?

The Chair: You may have said that, but I'm going to tell you, Mr. Easter, that I haven't talked to the clerk, who isn't here—we have a sub in—and he'll have to speak to this. I can only presume that because he has three sessions on tonight, he made a decision to go with an hour and a half. I did not ask him to do that.

Hon. Wayne Easter: Mr. Chair, let me tell you that when we started this committee, the committee was supposed to be able to meet from 4 o'clock in the afternoon until 10 o'clock at night. We're going to be well done before 10 o'clock tonight, no matter what, and we have not met one night until 10 o'clock. Are you providing cover as chair for the government too, or what's happening here?

The Chair: Mr. Easter, we've been trying to get everything scheduled and have had a number of issues with getting witnesses here, as you well know when you quit playing politics with it, because of the H1N1.

Thank you, Mr. Kingston, for being here. We'll recess for five to ten minutes to get the new witnesses in.

● (1730)

(Pause)

● (1740)

The Chair: Order, please.

We'll proceed with our second segment of tonight's meeting. We have members here from the CFIA. We have Ms. Airth, Ms. Fowler, Mr. Irons, and Mr. Stamatakis. Thank you very much to all of you for being here.

I understand that there are no presentations. Am I correct in that? You're here to answer questions.

So with no further ado, I'll turn it over to Mr. Easter first. You have seven minutes.

Hon. Wayne Easter: Thank you, Mr. Chair.

Thanks, folks, for coming.

My first question is to you, Ms. Airth. I'm just looking at the witness list here. Are you with management at CFIA? Where are you located?

Ms. Catherine Airth (Associate Vice-President, Operations, Canadian Food Inspection Agency): Yes, I'm located in Ottawa. I'm the associate vice-president of the operations branch with the CFIA.

Hon. Wayne Easter: What we have then is three or four inspectors.

Don, are you an inspector, or are you an overall supervisor in Toronto?

Mr. Don Irons (Food Processing Supervisor, Complex 3 - Toronto, Canadian Food Inspection Agency): I'm a processing supervisor.

Hon. Wayne Easter: So you don't actually do inspections?

Mr. Don Irons: I don't on a regular basis.

Hon. Wayne Easter: One of the problems we had when I used to be on the fisheries committee was that fisheries officers would be fearful of telling us the truth about the system if managers were present. What we had to do in that case was to hold in camera meetings without the supervisors there.

Let me ask you this way. I've been led to believe that the witnesses who are before us today were invited to Ottawa last week. Is that correct?

● (1745)

Mr. Don Irons: That's correct.

Hon. Wayne Easter: It's understandable that you would meet with the CFIA officials, but I believe you also met with Department of Justice officials. Is that correct?

Mr. Don Irons: Yes, we did.

Hon. Wayne Easter: I would ask CFIA management why that would happen. Why would witnesses coming before this committee be asked to meet with Department of Justice officials and senior management of CFIA prior to coming before this committee?

Ms. Catherine Airth: Perhaps I could clarify a little bit.

They weren't asked to meet with senior management of CFIA. They were invited to meet with Department of Justice lawyers, and that possibility would be offered to any CFIA employee asked to appear at a parliamentary committee, to receive additional information, because some of our staff don't work in the Ottawa context or in the Ottawa area. We thought this process would be new to them. If they wanted to meet with Department of Justice lawyers, these people were available just to give them a bit of information about how parliamentary committees work and how they could present as being public servants.

Hon. Wayne Easter: Just to be clear then, the inspectors who are here—and I don't really want to put the inspectors on the spot—shouldn't be fearful of intimidation by management or fearful for their jobs should they say something that management disagrees with?

Ms. Catherine Airth: Absolutely not. We hope these folks are here to express their personal opinion based on the environment they work in. Doing so will help further the business of this committee.

Hon. Wayne Easter: Thank you.

We talked earlier with witnesses here, including Mr. Kingston, about the verification reports that miraculously were changed, going back to February 11. Seven such reports were all changed on the same day, August 26. Is that a common practice among inspectors to, all of a sudden over a six-month period, amend reports?

It's open to anyone.

Mr. Don Irons: It is not really a common practice. If there is an in-depth audit or if there is a compliance verification system team doing a review on the facility and if they require clarification on some of the wording the inspector may have put in his report, they might do that. It's a clarification as to maybe some of the wording they've written there.

Hon. Wayne Easter: I guess, Mr. Irons, it seems rather strange that seven reports over a six-month period would all of a sudden be amended on August 26. Do you not find that strange?

Mr. Don Irons: No. My understanding is that there was an in-depth review being conducted at that time. I was not present, but my understanding is that the people doing the auditing were asking for clarification on some of the wording in the reports. I have not seen the reports, but my understanding is, again, that all he did was clarify what he was saying in his report.

Hon. Wayne Easter: Seeing as you're on deck at the moment—and we'll come back to the inspectors later, Mr. Irons—from your own perspective, do you feel you had the resources to properly implement CVS prior to the listeriosis outbreak?

Mr. Don Irons: No, I do not.

Hon. Wayne Easter: Do you have the resources now?

Mr. Don Irons: To implement that 100%, no, I do not.

Hon. Wayne Easter: What has to be done? Certainly as Mr. Kingston said—and I think we and most people would agree there have been more resources put in place—the system has improved since listeriosis. What really has to be done to get it to where it has to be?

Mr. Don Irons: For the compliance verification system, depending on the number of tasks, we would need more staff to create it 100%. As for the greater numbers I would need in the area of my supervision, I could not tell you off the top of my head without doing some kind of research.

Hon. Wayne Easter: Immediately prior to listeriosis, was it grossly worse than it is today in terms of having the resources necessary to prevent an outbreak?

● (1750)

Mr. Don Irons: Yes, we were grossly resource-starved at the time, prior.

Hon. Wayne Easter: One thing I think we should have been able to do as a committee, and we really need to do, is go to the plant or a number of plants. I've been in several plants, but they're all different, and this would give us a better handle on the practices there. The resources—human, financial, technology, and equipment—what were they?

Mr. Don Irons: Basically they're human. When we're carrying out inspections, the inspection does not only consist of CVS. There are other related duties the inspectors are involved in.

The Chair: Your time has expired, Mr. Easter. You can follow up.

Hon. Wayne Easter: I'll come back next round.

The Chair: Mr. Bellavance, you have seven minutes.

[*Translation*]

Mr. André Bellavance: Ms. Fowler and Mr. Stamatakis, I just want to understand correctly, before we begin.

Is it the Canadian Food Inspection Agency that asked you to come and testify today or did you come on your own initiative? How did you end up being witnesses today?

[*English*]

Mr. James Stamatakis (Inspector, Canadian Food Inspection Agency): I can speak on my behalf. I was invited to show up. I didn't ask to come. I was told that if I would like to show up they would appreciate my showing up.

[*Translation*]

Mr. André Bellavance: Was it your bosses from the agency who asked you to come and testify?

[*English*]

Mr. James Stamatakis: No, she did not. If you are referring to my boss, meaning Mr. Irons or above him, no, he did not ask me to come and testify.

[*Translation*]

Mr. André Bellavance: It was Mr. Irons who asked you to come and testify. Is that right?

Actually, I just want to know whether you were assured by the Agency that, regardless of what you were going to say, no retaliatory action will be taken against you.

[*English*]

Mr. James Stamatakis: To answer that question, yes, they did tell me there would be nothing wrong with testifying and telling the truth. I was not intimidated in any way.

[*Translation*]

Mr. André Bellavance: My questions may be a little more technical, since we're lucky enough to have some inspectors here.

Are you both meat inspectors?

[*English*]

Mr. James Stamatakis: Yes, we are. I am with the meat hygiene program.

Ms. Jenifer Fowler (Inspector, Canadian Food Inspection Agency): I'm a regional auditor in the Toronto area in the meat hygiene program.

[*Translation*]

Mr. André Bellavance: Can you tell me the exact nature of your work? Do you working meat inspectors? Are these ready-to-eat food processing plants?

[*English*]

Mr. James Stamatakis: Just to clarify that, I'm a front-line food processing specialist inspector. Meat hygiene is my specialty; it's where I am inspecting. The plants that I do inspect are presently dry-cure plants and specifically just pork.

I'm sorry, what was the second part of your question?

[*Translation*]

Mr. André Bellavance: I want to know exactly what sort of work you do and whether you inspect ready-to-eat food on-site, in the plant.

[*English*]

Mr. James Stamatakis: Yes. I do work directly in the establishments. The two establishments that I presently have are both for ready-to-eat.

Starting from the beginning, my job duties are to perform CVS tasks. Also, my job duties are to ensure that import and export inspection is done, as well as filing reports, answering e-mails and phone calls, and setting up schedules for the rest of the week for CVS tasks that I'm supposed to be doing. All that comes into play in the plants I'm in.

The food processing plant that I work at presently is a Maple Leaf plant; I do have both of those plants at this moment. The dry-cured product is produced there. Also, ready-to-eat product is produced there, which is fully cooked and ready-to-eat product. I am there from 7:30 in the morning until 3:30. When I do come in to perform my duties, I make sure that I release the stamps for export certification and verification to be done by the establishment under my auspices.

I also might have to leave halfway through the day to go to my second establishment. That happens to be the sister plant of my original home base establishment, which of course produces half of the product that they export at the original home plant that I'm in. That product down there is, again, just pork, and it is a dry-cured product. That's all it is. It differs slightly in that all they do is add salt to it and dry-cure it for anywhere between nine months to a year, depending on the size and the piece. That product could be packaged at that plant as a ready-to-eat product providing it meets all the critical control points, the CCPs that are in the establishment's HACCP written program, which have to be met before the product can ever leave the establishment.

They have two HACCP plants. One is the ready-to-eat dry-cure plant—not cooked, but dry-cured—which is the sister plant. The other establishment produces dry-cured, fermented, and also cooked product, and also dry-cured and fermented and cooked as well. They differ in the sense that one is declared ready to eat after it's been cooked and presented that way, and packaged and sliced through two production lines. They have two slicing lines. The other product is just a dry-cured product, which has to meet with water activity, which is a critical control point, and also has a pH factor, which is the acidity in the product that must be met. When those two are achieved, the product is declared ready to eat and it's also sliced as well, or cut in half and sent out that way.

● (1755)

[*Translation*]

Mr. André Bellavance: How long have you been an inspector?

[*English*]

Mr. James Stamatakis: Approximately 20 years.

[*Translation*]

Mr. André Bellavance: In the past 20 years, have you noticed any changes in the way inspections are carried out? We've been told the problem would have arisen anyway since the Listeria bacteria were not visible. In your opinion, has the work you've been doing for the past 20 years in food inspection and food safety enabled you to ensure that the health of Quebeckers and Canadians has been protected? You can't see the Listeria bacteria, but in your work you still have to take action to ensure that equipment is cleaned for instance. In 20 years, you must surely have taken action that has ensured people's safety as far as their health was concerned.

[*English*]

Mr. James Stamatakis: I'll have to clarify something first. I had split service with Agriculture Canada and the Canadian Food Inspection Agency. The first time I was on was from 1981 to 1987. At that time I was operating in the slaughterhouse environment, and it was a lot different from what I am doing now. At that time, it was the old system. In the old system, you had to be present, you had to do organoleptic inspection. You did very little processing, especially of finished, ready-to-eat product.

I did take an absence of seven years before coming back to my present position in 1994. When I did come back, Agriculture Canada, which it still was at that point, until 1997, was starting to change into the CFIA, into an agency. In terms of procedures and systems, I had to incorporate what I could use from the old system that we had prior, along with the new system that the agency was just starting to acquire. The MCAP system was what I learned. HACCP was just around the corner and I was learning that as well, under the FSEP. At that time, I did another five or six years as a contract employee for slaughter again, because that was my field of expertise. At that point I felt that I would like to go higher in the agency. I wanted to better myself, and I wanted to ensure that the job I was doing, for myself, was a career and not just a plain job.

Food safety is of prime importance, I think, to everybody. We all have to eat, and what we should be eating is a safe product. I feel that with the combination of my experience in the old system, along with the training in this present new system with the CFIA, with CVS tasks coming into effect, when you marry these two disciplines together you can do a better job.

I'm happy with what I do. I feel that it's effective, but as with every other system, as was mentioned earlier this evening, there are going to be problems that have to be resolved.

I cannot comment on an area that I have no expertise in. That would be better answered by people who make those decisions—those policies and programs. But overall I feel that our food safety system is very good. As I said previously, I'm very happy with what I do for a living. If I could put in a couple of more years, I'd be more than happy to do that, even after my retirement. So I do not feel at this point that it's that difficult.

● (1800)

The Chair: Thank you, Mr. Stamatakis.

Mr. Allen, for seven minutes.

Mr. Malcolm Allen: Thank you, Mr. Chair.

Mr. Stamatakis, I wasn't really clear. You said you were asked to come, and I believe you said Mr. Irons didn't ask you to come. Is that right?

Mr. James Stamatakis: Correct.

Mr. Malcolm Allen: So who did?

Mr. James Stamatakis: I received an e-mail saying to attend a meeting at our regional office. At that meeting, it was explained to me, along with my colleagues Jenifer Fowler and Don Irons, that we'd been invited to attend as witnesses.

Mr. Malcolm Allen: Did an e-mail come from the clerk of this committee or did it come from CFIA?

Mr. James Stamatakis: It came from the CFIA.

Mr. Malcolm Allen: Whose signature was on it?

Mr. James Stamatakis: I'll have to go back and check on that. I really can't remember at this point.

Mr. Malcolm Allen: If you would.

Mr. Chair, I understand he doesn't remember whose name is on the bottom of the e-mail, but if he could submit it to the clerk, I'd appreciate it.

Mr. James Stamatakis: Sure.

Mr. Malcolm Allen: Ms. Fowler, you said you were an auditor. Is that correct?

Ms. Jenifer Fowler: Yes, I'm a regional auditor.

Mr. Malcolm Allen: As you heard the chair say, we only get seven minutes. I'm sure you would need more than probably the five and a half minutes that are left in our time here together—

Ms. Jenifer Fowler: Yes, that's right.

Mr. Malcolm Allen: —to explain what exactly you're responsible for and the nature of the plants that you would actually audit. Could you encapsulate that for me?

Ms. Jenifer Fowler: What I do is a verification of the company's reassessment of their HACCP program, which is supposed to be done on a yearly basis. When I get into the company, I review their written program for the HACCP system to make sure they have addressed certain criteria. For example, have they done an analysis of the risk that is involved in their process? Who is actually doing the function in terms of the monitoring, and exactly what and how are they monitoring? If the monitoring function fails, it is called a deviation. Then there are the steps taken by the company to ensure that the process is brought under control again.

There is also the verification system in which the company, at a certain frequency, will have to verify that the monitor is doing the job as in the written program, and we'll perform an on-site verification of that task—that is, the company's person—and where this data is recorded each time a function is performed. That is my job.

● (1805)

Mr. Malcolm Allen: I'm sorry for interrupting you, but when you're talking about this system and your audit of the system...is this a paper-based system or do you actually go to the plant floor to verify?

For instance, if someone says, “I read Catherine Airth's name four times because it was written there four times”—sorry for using your name, Ms. Airth—did you actually go down and see that it was written four times? Is that a report that you've verified, in that yes, we have a report, and it's taken as such? Or if it was written only three times and it was a deviation because it should have been written four times, and you ask them to comply with the report so that it is four times, is that a paper-based system or is that something you actually physically go out and look at when you see deviations?

Ms. Jenifer Fowler: What I'm doing is a verification of their written HACCP program, which consists of their written HACCP plan, the actual process involved, and also their prerequisite program, which has to do with the environmental factors in the plant. I look at the HACCP program. There are certain guidelines they have to follow in writing up the HACCP program. It ranges from a form 1, which speaks about the product, to a form 10 , which is their HACCP program.

Mr. Malcolm Allen: Are there forms 2 to 9 in between?

Ms. Jenifer Fowler: Yes.

Mr. Malcolm Allen: So there's a bunch of paper.

Ms. Jenifer Fowler: Yes, there is a bunch of papers. It actually outlines the process from the time the raw product enters the plant to the time it finishes and leaves the door. In between, there is form 8, in which the company is supposed to analyze, based on their system, where they will place the critical control point to make sure that the hazards that could be introduced at a certain point are being addressed and monitored.

There are also forms 3 and 4. Form 3 has to do with the process steps involved in the production of the product. Form 4 deals with the flow of employees as well as product. It is very significant. If you have a raw plant, and the same plant deals with ready-to-eat or cooked product, there should be a distinct flow of their people and they should not be mixed. I go on-site, once I've reviewed the program, to make sure that what they have on paper is exactly what's happening on the kill floor. I verify the accuracy of those plants.

I am doing the verification in that once I've seen that the HACCP written program is okay, the inspector is the one who implements that program. If they don't have a properly written HACCP program, the implementation will fail.

Mr. Malcolm Allen: Just so that I get it clear—and I think I have, besides the 10 forms—the whole sense is that you're verifying the paper-based system, looking for deviations, and then informing plant floor inspectors that you've seen a deviation in what's being reported and perhaps asking them to then go and check to see if this has been done. Is that how that system works?

Ms. Jenifer Fowler: No, that's not how it's done.

Mr. Malcolm Allen: Okay, so clue me in then.

Ms. Jenifer Fowler: I am actually only verifying. I am saying, "Okay, you're producing this product. These are the requirements, the regulatory requirements, the HACCP requirements. You have to fulfill those requirements."

Once I have completed and I've said it's okay, or there is no deviation, either we give them a card if it's a food corrective action request, if there is a food safety issue, or we give them "acceptable with comment". That means they're actually performing the task but for one reason or another they can't put that translated into their written program properly, so they will have "acceptable with comment".

And the inspector is also in with me on this, not fully, but at least at the opening meeting, and on a daily basis I will update him as to the progress of the audit. Once I've completed that, it is the inspector's job now to make sure, based on the CVS system, task number three, that the company is following the written HACCP program. So he is the implementation part.

● (1810)

The Chair: Okay. I'm sorry, I didn't mean to interrupt you. I thought you were finished.

Your time has expired, Mr. Allen.

Thanks, Ms. Fowler.

We'll now move to Mr. Anderson, for seven minutes.

Mr. David Anderson: Did you want to go any further with that? I didn't want to stop you, because you were laying out how it happens. But if you're at the end, that's fine.

Ms. Jenifer Fowler: No, not quite.

So once the HACCP audit is completed, either the company will have a corrective action request or they'll have "acceptable with comment". There are certain time intervals within which the corrections have to be made. If the corrections are not made for an "acceptable with comment" after 30 days, on the 31st day it will turn into a card if they have not fixed that problem.

For a corrective action request, it's a card, and they have a limited number of days to present a corrective action plan. If it is not acceptable for a long period of time, it becomes a very, very big issue, with decertification, etc.

The Chair: Thank you.

Go ahead, Mr. Anderson.

Mr. David Anderson: Mr. Irons, I'd like to go back to the first question Mr. Easter asked about the reviews and the changes to the reports, the clarification. He seemed to be implying that because they were done at the same time, there was something strange about that. But it would be reasonable, if the audit is being done and these questions arise at the same time, that the clarifications would be made at the same time. Is that right?

Mr. Don Irons: I would look at it in that light, that if they were having the in-depth review, the in-depth review team would look at a number of records dating back, in that instance, maybe six months to a year. While they're reviewing those records, if any areas are unclear to the auditors, they may ask the inspector for clarification as to what he meant on a report and they may have instructed him just to put those clarifying notes on the report. My understanding was that those reports were dated the day it happened, so the inspector was not trying to hide anything.

Mr. David Anderson: Okay, thank you.

I think Mr. Bellavance talked about inspectors. What are the requirements to be an inspector? It seems to me, from our testimony, that it has moved from being a position that was at one point fairly general to being something that's more specialized all the time. But I wonder, in general, what the requirements are to be an inspector. Are there any specific requirements in terms of education or those kinds of things?

Mr. Don Irons: There are now. Normally when there is a posting for an inspection position, there is a statement of qualifications. To be quite honest, I don't know what they all are. It would depend on which position you're applying for. Being the long-term employee, I haven't really applied for too many positions lately, so I don't really screen them, to tell you the truth. But I know now they are asking for post-secondary school and some kind of specialty relating to the food industry.

Mr. David Anderson: The reason I ask is that the last witness criticized us—or I took it as criticism—because we were hiring other than inspectors.

This may be for Ms. Airth, but he seemed to imply we shouldn't be hiring biologists. But the reality is that you've got inspectors across a broad range. You've got scientists across a broad range. We put money into supporting the labs. So could you tell me a little bit about that? How do you see this in terms of hiring employees? Is it in silos or are you trying to work it out as a group thing, or what?

Ms. Catherine Airth: We would like to hire the best qualified people possible. Clearly it's in our best interests to have very highly qualified people. It's a complex environment in the food processing areas. I feel it takes people who have specialties in chemistry, microbiology, food science—a variety of disciplines—to help provide a more comprehensive approach. So we require people in labs, we require people who can look at things from a science basis, and we require people on the front lines. To me, it's kind of a team approach, and we require those ranges of expertise.

In fact, what we often find now is that we have some very highly qualified people coming to us as inspectors, even. We have people who come to us with animal science degrees and with science degrees of another nature, and clearly we welcome those sorts of attributes to the agency.

Mr. David Anderson: I have another question about some of the testimony we heard earlier. If it's necessary to grant overtime in order for people to do their job, do you do that?

Ms. Catherine Airth: Yes. Again, going back to the team approach, we would encourage inspectors to speak with their supervisors. If they believe there's something inadequate, something that may be going wrong in that plant—I believe that inspectors have sort of a sixth sense about these things—I would encourage them to talk to their supervisor. Where it appears that they should go in at an odd time, perhaps when the plant might not be expecting them, or take a look at their pre-op processes for sanitation, I believe that we would recommend that it proceed.

● (1815)

Mr. David Anderson: I'd like to talk a little bit about CVS. Now you've talked about HACCP and CVS, so I assume everybody supports that and sees that as a tool they can use in the plants to their advantage. Is that correct?

Ms. Jenifer Fowler: Actually, CVS is a micro-dissection of a directed program into fine bits. When it is properly implemented, you will catch the error.

Mr. David Anderson: Both of you have been in the system long enough to see HACCP come in. You see the positives from that. Do you want to talk a little bit about those—because we have talked some about HACCP—and then maybe you could talk about what CVS builds on top of that.

We had a witnesses earlier who doesn't seem to appreciate CVS the way some other people do. So I'd just like your input on how HACCP has changed the plants and your whole process, and then on how CVS has improved that as well.

Mr. Don Irons: Industry has evolved, and so has the agency. We have all different processing techniques. We have HACCP. HACCP is an industry-run program. Each plant has a plant-specific HACCP plan. CVS was created through a personal plant profile on the plant, which was created by the inspector. We have a CVS compliance team in our area office who would then, out of all the different aspects and processes, develop a specific CVS task random tracking table for the inspector to follow in order to do the tasks that were related to that particular plant's HACCP plan. I think we all like the CVS program, and with the proper amount of time that can be devoted to CVS, it's a good system.

Mr. David Anderson: How much time do I have left, Mr. Chair? A couple of minutes?

The Chair: You have a minute and a half.

Mr. David Anderson: I want to talk a little bit, then, about last year. Basically we've heard from witnesses that if those positive environmental test results had been communicated to CFIA prior to July, alarm bells might have gone off earlier and the outbreak might have been prevented. Now, that environmental testing was eliminated in 2005 under a Liberal government. I guess we believe it was a mistake for them to have done that. We brought that back in April 1. Do you agree that if those assessments had been gathered together, if they'd known about the environmental testing results ahead of time, we could have prevented that outbreak?

Mr. Don Irons: Could we have or would we have?

Mr. David Anderson: Both.

Mr. Don Irons: We could have, possibly. I can't say we would have. If you look at the analogy that you have one individual or two looking for a needle in the haystack, the chances of finding the needle with two people are greater than one.

Mr. David Anderson: That's what we've heard from basically everybody, that the risk cannot be eliminated completely but that we certainly can control it. I think those new regulations have done that.

Mr. Don Irons: Yes.

The Chair: You have half a minute, if you want it.

Mr. David Anderson: No, that's fine.

The Chair: We'll now move to Mr. Dhaliwal for five minutes.

Mr. Sukh Dhaliwal: Thank you, Mr. Chair.

Welcome to the panel members.

I was reading two reports. One was from the CanWest News Service, and the other one was from a *Globe and Mail* article of August 27, 2008, which said that the inspectors responsible for the Maple Leaf plant in Toronto had to supervise six or seven other facilities. Can you indicate the level of work activity before this listeria tragedy happened and now? Is it the same, or how would you see it?

Mr. Don Irons: In general or for that individual?

Mr. Sukh Dhaliwal: Both. In general and for that individual as well.

Mr. Don Irons: On the work level before for that individual, Mr. Zalac, who was the responsible inspector, the demands on his time were great. He was assigned to Maple Leaf Foods, which is a large processing plant. He was assigned to two other processing plants. At that particular time he was assigned to four cold storages, for a total of seven facilities. Today the agency has made modifications, and not only to the geographical distribution of plants within Toronto. Currently Mr. Zalac is looking after just one facility, Maple Leaf Foods, and the workload on the area that I happen to supervise has been decreased.

Mr. Sukh Dhaliwal: How about in general for other inspectors? Is it still the same, or has it improved a bit?

Mr. Don Irons: In the area that I supervise, it has improved a bit, yes.

Mr. Sukh Dhaliwal: I have another question for you fellows.

We had three different organizations making statements. The vice-president of operations with CFIA, Cameron, made a statement that the compliance verification system is a good system, and it's working. Inspectors are spending 50% of their time on the floor and 50% on the paperwork.

When it comes to Honourable Minister Ritz, he stated that inspectors spend 50% of their time on the floor and 50% on the paperwork.

Then we go to the president of the Agriculture Union, Mr. Kingston, who was here earlier. He stated that almost 40 inspectors, every single one called and stated that 25% of the time is spent on the work floor and 75% of the time is spent on the paperwork.

Do you agree with the CFIA and the minister, or do you agree with the president of the Agriculture Union?

● (1820)

Mr. Don Irons: I can't verify either number per se, but I know that inspectors out in the field do not spend 50% of their time on the floor.

Mr. Sukh Dhaliwal: Would you call it less than 40%, less than 30%? I mean, when you say it's not 50%, you might have some idea of whether it's 35% or 25% or 15% on the floor.

I'm looking for a general ballpark figure.

Mr. Don Irons: I can't really say. Each plant is unique in their operation. As I discussed a little bit earlier, each plant has a specific plant profile for the tasks that have to be done. At some plants, the inspector may spend more time on the floor than at other plants.

Mr. Sukh Dhaliwal: But surely you agree, then, that the statements made by CFIA and the minister are not true, that 50% of the time is not spent by inspectors on the floor.

I'm going back to the question that I asked earlier of Mr. Kingston. I would like to see what your opinion is.

If we turn to the Toronto Public Health document, we can see a critique of the compliance verification system:

> ...concerns have been expressed by health authorities and others about the effectiveness of the federal Compliance Verification System and its self-monitoring features....These concerns suggest that there is too much reliance on information supplied by plant operators....it is reasonable to expect that direct inspection by trained staff of a public agency may provide greater assurance that standards are indeed being met in all food industry premises.

How do you see this from your angle?

Mr. Don Irons: From my perspective?

Mr. Sukh Dhaliwal: Yes, or any other perspective.

Mr. Don Irons: From my perspective, the CVS tasks do identify the company's written program. When the CVS task goes out, it is from a CVS manual that identifies what the inspector is to look for. For uniform delivery of the inspection system, if they're doing what they said they did because of the plant profile, then the scientific evidence should be there.

For argument's sake, if they cook a roast beef, then they have the scientific evidence and they have the thermographs that they're cooking it to the proper internal temperature. When the inspector does his CVS task and reviews all those records, that's enough science-based evidence to show that they are indeed meeting the internal temperature to kill organisms. The inspector doesn't need to be on the floor all the time too see every cooked batch that comes out.

The question that remains is that we can't properly deliver to 100% efficiency with the resources we have.

The Chair: Thank you. Your time has expired.

Mr. Anderson.

Mr. David Anderson: I need just one minute, Mr. Chair.

Mr. Allen asked earlier who called which witnesses. We checked into that for him, and we can give him some information.

Mr. Easter asked for Mr. Irons, Mr. Allen asked for Ms. Fowler, and both of you asked for Mr. Stamatakis. The request was sent out on behalf of the chair by the clerk to CFIA parliamentary affairs, which is the standard procedure for inviting witnesses to the committee.

I hope that helps.

The Chair: Thank you for supplying that.

Mr. Shipley.

Mr. Bev Shipley: Thank you, Mr. Chair.

Thank you, witnesses, for coming.

Mr. Irons, you made the comment a little earlier that there weren't enough resources to fully implement CVS.

● (1825)

Mr. Don Irons: That's one hundred percent correct.

Mr. Bev Shipley: You can't tell us, off the top of your head, what those would be. Can you give us some idea of what you're doing, what CFIA is doing, in terms of being able to build and then implement...followed off with a pilot project that was implemented in April 2008? What I'm getting at is that it's a bit of a process when you look at all of the processing plants that you're dealing with. Can you give us some idea of the process you're going through in terms of helping to develop that? And two, can you provide any input in terms of how you're getting to that evaluation, and how we will eventually get to the full implementation?

Then the next part of it is this. I think everyone agrees that it is a viable and good system to have, which is all part of HACCP. If that is the case, then how are we going to implement it in totality, as a total aspect, across the plants? What sort of timeline do you see that taking?

Mr. Don Irons: Again, that's a difficult question, because the conversation seems to be revolving around CVS. CVS is only one aspect of the inspector's job. If there was a mandate to do CVS and CVS only, we would be able to do it one hundred per cent. But a new sampling regime has just been implemented. We have to do all of the samples, which is another resource base. We have plants that are exporting to foreign countries, which is taking heavily from our resources. We have importing establishments. We import foreign products, which is another time-consuming piece. When you put the whole package together, it takes time. What we are trying to do now, and what all of the inspection staff is trying to do, is to work-plan it the best they can to prioritize their day, to be able to do all of the functions that are being requested of them.

Mr. Bev Shipley: How do you work? Help me understand the inspectors. I'm trying to learn here. Between supervisors, inspectors, and.... When you take the tasks, as new things come along, you're trying to implement a program that will be growing in some ways—usually in technology and science—and maybe dropping off in other areas in terms of some of the physical work that used to be done. How does that work in terms of the discussions with the inspectors and the supervisors?

A comment was made earlier by the last witness that plant employees used to talk; they would sit around the floor and they talk. And if an inspector was there, they would pass on their concerns. But I got the impression that when an inspector is not there, those don't get passed on.

I'm trying to understand how this communication works. Have silos developed? How do we build this communication structure? If that were true, it would seem to me that the concerns of the inspectors are not getting passed up to supervisors. I hope that's not true.

I'm wondering what sort of process you have in terms of implementing new strategy to be as efficient. And when you work with all members of CFIA, how do you build in those efficiencies of multi-tasking? I don't think we can have some inspectors doing CVS and others just doing particular parts. That isn't what this is all about. It's got to be about product safety, a food safety initiative.

There's a fair bit there. I'd like to hear from some of the inspectors. I'd also like to hear from you, Mr. Irons, and perhaps from Ms. Airth.

Mr. Don Irons: Realistically, we're talking about senior members of the inspection staff in years gone by, when we were on the floor much more often. There are always conscientious employees working for every organization, and sometimes the employees would give the inspectors a little whisper to come over and they would say, “Something is not right in this particular area of the facility”, or “They're doing this, so keep an eye out for that type of activity”.

It's not that the inspector really has a one-on-one with the plant employee, because they are there to do a function for the company they're working for. But during general conversation, and by watching people do their jobs, ensuring good manufacturing practice and so on, you would get to see the people. They would see you and know who you are, and they would just give you a little, “Psst—something's up.”

Now we're not on the floor as often as we were. That still may go on when the inspector is in the plant. But the way we do it and get involved in it in our area is that we have meetings once a month with all the staff to discuss the CVS, the implementation of it, and to discuss different aspects and incidents that have happened to each inspector in the facilities they have been assigned to. So there may be an approach to it that's discussed, and in the event that someone else comes across the same situation, it has been discussed.

So we are evolving in that way in the reporting of the CVS and the—

● (1830)

Mr. Bev Shipley: Are there no communications? If an inspector has an issue, instead of...and that was a few years ago. But is there not now some way that if there's a concern, it can still get—

Mr. Don Irons: Absolutely. In my case, the people I supervise would phone me immediately to discuss whatever issue they were concerned with, to look for guidance or clarification. We have people in our Guelph location who are program specialists and are always accessible for the inspectors to call at any time to get clarification on any program issue. We have the inspection manager, who is the one I report to, who is always available. If I need some guidance, I have that communication to call up on; it's not only to give direction down.

The Chair: Thanks, Mr. Shipley.

The lights are flashing. I don't want the witnesses to be alarmed. We do have some votes, but we have a few minutes, and we'll try to continue as long as we can.

Just to follow up on something you said, Mr. Irons, I think I heard you say that from time to time some employees, if they see something wrong, will point it out to an inspector. That would be a good thing, would it not?

Mr. Don Irons: Absolutely.

The Chair: I just wanted to clarify that.

Mr. Easter, for five minutes.

Hon. Wayne Easter: There's no question that inspectors have a difficult job, and it has to be trying. Last summer you must have really felt the heat, and you ought to know that we acknowledge that.

When Mr. Kingston was before us, he talked about the gag order from the government, from CFIA. The election was on. Some of you folks might even have been on that infamous conference call with the minister, I don't know. But the fact that an election is on should not impact food safety. Political spin should not override food safety; and certainly political fallout, which the minister seemed to worry about, should not override food safety.

This is to the inspectors—and management might have a different answer. From your perspective on the floor, did the fact that the election was on, that there seemed to be a gag order, that there seemed to be no communication, impact on you folks in any way?

Mr. James Stamatakis: To be honest with you, no. What's important for the front-line inspector is to get his job done. There are people relying on his or her decisions. Politics really doesn't come into it. If the inspector is doing his job correctly and reporting up the channels as he's supposed to, it should never influence his decision whatsoever. His job is not to be a politician. His job is to protect the food chain and the safety of people.

The Chair: On a point of order, Mr. Anderson.

Mr. David Anderson: Mr. Easter may have forgotten there were daily press conferences. There was no blackout on anything, so he needs to acknowledge that.

Hon. Wayne Easter: In fact, Mr. Kingston said before that there was. We know there was. Mr. Ritz can hold all the press conferences he likes. We don't believe him.

On the second point, is there pressure...and this is something that as government and as Parliament we have to decide. It's always the debate on whether inspectors should be from third party independents, like the Government of Canada and CFIA, or whether they should be managed and controlled by the plant. As inspectors with CFIA, do you ever feel much pressure from management? Of course it would depend on whether it's a modern plant where you can pull stuff off or whether it's like others, where you have to shut a line down, but do you feel undue pressure sometimes from management in terms of their profit and productivity versus your requirement for food safety?

● (1835)

Mr. James Stamatakis: I would have to answer that question by saying yes, the inspector has to be impartial. He cannot go in favour of the establishments and he cannot go in favour of the politicians. He must make a fair judgment, an honest judgment. He's there, as I mentioned before, to protect the safety of the consumer. He should use his discretion. He should listen to both sides.

Hon. Wayne Easter: Let me go one step further. If your paycheque were coming from the owner of the plant versus coming from CFIA, do you think you would have that same independence? Because that's the debate we're going to get to.

Mr. David Anderson: Mr. Chair, on a point of order, that's completely hypothetical. It has nothing to do with the discussion we're talking about. People can surmise anything about Mr. Easter's theoretical questions here.

Hon. Wayne Easter: Mr. Chair, we as a committee have a responsibility to make recommendations in the future, and I can guarantee you that if we're going to be recommending privatization of the system, I'm going to be concerned about it.

Could Mr. Stamatakis answer the question? Would you feel more pressure if the ownership of the plant were giving you the paycheque versus third party independents with the Government of Canada?

Mr. James Stamatakis: That is a very difficult question to ask. It's like saying that you shouldn't bite the hand that feeds you. I've not been put in that position ever. I would say.... Actually, I have to think about that.

The Chair: Your time has expired.

Mr. James Stamatakis: I wouldn't want to be in the position to try it, though. Let's put it that way.

The Chair: Your time has expired. Thank you.

Mr. Bellavance, if you want to ask one quick question, I think we have time for that.

[*Translation*]

Mr. André Bellavance: My questions are for all the witnesses.

Mr. Stamatakis told me he'd been doing this work for 20 years. I imagine that you've been employed by The Canadian Food Inspection Agency for a number of years. Over the years, has the nature of your work changed? Have you noticed, especially recently, that inspections are being done more and more often by employees of the plants where you work rather than by your inspector colleagues and yourselves? Have you noticed that you've been doing more and more office work than on-site work, as an inspector?

[*English*]

Mr. James Stamatakis: Do you want to answer that?

Ms. Jenifer Fowler: Yes, it has changed, but it has become more science-based. What you have to understand is that the HACCP system is written by the company. It is their responsibility to write what they're actually doing, and it is our job to make sure they are doing what they have written. So we just can't go micromanaging. We look at their records. We walk around the plant whenever the occasion calls for it. So at no point in time....

What the monitors are doing for the test is their job. That's not our job. Our job is to verify that they are doing what they say they are doing. We can find out whether they are actually doing the task by looking at their records, by looking at their written program, and also by having on-site verification from time to time.

The Chair: Thank you.

Mr. Allen, you asked for half a minute, and if you keep it to 30 seconds, I'll give it to you. But we have to get to the vote.

Mr. Malcolm Allen: The question of who called the witnesses was asked. Mr. Anderson has capably helped us out, except with the fourth one. I've checked my list. Ms. Airth is not on mine. I've asked Mr. Bellavance to have a look at his list, and she's not on theirs. So the only point I would have for you, Mr. Chair, is that when we asked for two other folks to be with Mr. Kingston, they were denied. If Ms. Airth is not on the list, she shouldn't have been at the table.

I think that was 29 seconds.

● (1840)

Hon. Wayne Easter: It's a double standard.

The Chair: Thank you very much.

We'll not likely get back here before the 7 p.m. duration, but we do have to go and vote, so thanks very much for being here.

We'll adjourn until right after votes.

● (1840)

(Pause)

● (1910)

The Chair: Okay. I believe we have everyone in the room.

I'm sorry about the delay for votes, gentlemen.

Mr. Vessey and Mr. Caron, thanks very much for coming. I presume that you both have a presentation. If you could keep it to 10 minutes or less, I'd appreciate it.

Go ahead, Mr. Caron.

Mr. Paul Caron (As an Individual): As a Canadian Food Inspection Agency inspector for 35 years, I worked in meat slaughter plants and processing plants and spent a majority of my career as a CFIA border inspector. I was an inspector in charge of two CFIA-approved import meat inspection establishments.

I wrote a CFIA import meat inspection training manual and developed and delivered an import meat inspection training program to CFIA inspectors in the Ontario area. This course was used as the basis for the national import training course. I assisted in the rewriting of the new chapter 10 of the meat inspection manual of procedures, which deals with the importation of meat.

In 2005 I retired from CFIA and am now working within the meat industry on a private basis. During the course of my career with CFIA and now, while working in the industry, I have witnessed first-hand many shortcomings with the way CFIA conducts its meat import program.

First of all, I want to make it clear that the majority of Canadian meat importers want to import meat products that are wholesome and meet all CFIA requirements. In no way do they make an attempt to circumvent the system and put Canadians at risk. However, CFIA has created an avenue for unscrupulous importers and exporters to dump substandard meat products that do put Canadians at risk. CFIA has also put the reputation of Canadian meat importers at risk by not inspecting meat products properly to ensure that they are wholesome and meet Canadian standards. This increases the risk for them to unknowingly receive and distribute meat products that are substandard.

I would like to describe to this committee six major issues I have witnessed while a CFIA inspector and in working in the industry now.

Issue one: there are no longer CFIA inspectors at the ports of entry. As of today, CFIA inspectors are not located at nor do they provide services at border entry points. Only live animals receive CFIA veterinary inspection. I feel that this is a real and growing threat to public security and bioterrorism. Unlike the United States, which is increasing inspections and inspectors at ports of entry, Canada, through CFIA, has eliminated inspectors at all ports of entry.

CFIA has given this responsibility to the Canada Border Services Agency, which has no expertise or training in detecting evidence of unwholesomeness and abuse of a meat product. Front-line CBSA officers are not equipped or do not have the confidence to identify and deal with meat shipments that are out of compliance with the Canada Meat Inspection Act.

When I was a CFIA inspector at the border, I discovered several shipments of meat a month loaded in transport containers that were dirty, had foul odours of chemicals and fish, were poorly constructed with holes in the floor, or had refrigeration units that were not operating properly, and with meat and poultry off condition and meat and poultry not as described on the meat certificate and customs documents.

Issue two: exporters know between 72 hours and 30 days in advance whether their meat shipment to Canada will require visual inspection, full inspection, or no inspection. The result is that exporters to Canada can choose what meat goes into a load that will be inspected. This results in some unsavoury exporters to Canada dumping inferior and unsafe meat product into the Canadian market. An ideal means to carry out an act of bioterrorism is created. Importers are able to misrepresent import poultry shipments, resulting in breaches of Canada's supply management quota system.

Because it is known in advance whether the shipment will be inspected, meat shipments are a means of smuggling contraband. CBSA, for example, has discovered illicit drugs mixed in with imported food products. Exporters of meat products to the United States do not know whether their meat shipment will be inspected until they reach a meat inspection facility approved by the Department of Homeland Security and located in close proximity to the border. It's a contradiction to what Canada is doing.

Issue three: numerous meat shipments assigned a full or visual inspection were not presented by importers for inspection. According to statistics I obtained through the Access to Information Act, from January 1, 2000, to December 2007, 2,936 shipments that had been ordered by CFIA to be inspected were not inspected. No one knows whether these loads contained the declared food or possibly an illegal substance such as drugs, biohazards, etc., and if food, whether it met Canadian food safety standards. There were no penalties taken against these importers of record.

● (1915)

In the United States, the exporter, not the importer, is responsible for presenting the load for inspection. The exporter has to purchase a U.S. customs bond equivalent to three times the value of the shipment. Failure to present the shipment for inspection results in the exporter paying a penalty of three times the value of the shipment, plus costs for recalling the meat shipment.

Issue four: CFIA laboratory sampling schedules for bacterial analysis, residue monitoring, etc., for import meat are not carried out by CFIA import meat inspectors. This increases the risk of the introduction of pathogens that can cause illness or death and also increases the potential threat of bioterrorism. Through ATIP, I learned that from January 1, 2006, to November 13, 2008, only 370 samples of imported ready-to-eat fermented meat products were submitted by CFIA inspectors for microbiological analysis. This was far from the minimum standard required by CFIA. Of these samples, eight tested positive for listeria monocytogenes, four tested positive for salmonella, one tested positive for staphylococcus, and four tested positive for another type of listeria.

Issue five: CFIA has developed a non-productive internal culture. The inspectors do not always follow proper procedures for inspection of import meat shipments, because of apathy, shortage of staff, and lack of training. Inspectors have to try to incorporate imported meat inspection duties into other demands for service, such as inspection of processing in slaughter plants, and other commodity requirements.

Recently, CFIA established a time-consuming compliance verification system, and you heard testimony earlier that inspectors had to cut corners to get this particular activity done.

Ironically, it is a U.S. requirement that a CFIA establishment be visited daily by a CFIA inspector during its operations to allow that establishment to export its meat products to the U.S. This increases the inspection and travel time of the CFIA inspectors. It seems that CFIA is putting more emphasis on exports than imports.

Managers encourage import meat inspectors to cut corners to satisfy client demands, as I mentioned, and most import meat inspectors are not properly trained. To be an effective CFIA meat inspector, an inspector must have received training. He must have knowledge of pathology and dressing defects, and he must have successfully completed the CFIA meat processing course and the metal can integrity course, and he must be certified by Health Canada. In addition, he must have completed the CFIA meat cutters course and the CFIA national training course for import meat inspection, and he must know the CFIA label requirements of meat products. He must be able to esthetically take samples and submit them to a laboratory, along with proper documentation. He also must know the shipping requirements of import meat products and have knowledge of CBSA and CFIA service centre operations and procedures for clearance of imported meat shipments. He must be certified as a poultry grader to inspect imported graded poultry and have knowledge of the multi-commodity activities program, MCAP, and the import control and tracking system, and have complete knowledge of chapter 10 of the *Meat Hygiene Manual of Procedures*.

This training requires hours of classroom time and months of hands-on training in meat processing and slaughter plants, as well as practical experience shadowing an experienced import meat inspector. The current practice is that after only a few weeks of training, people are given the assignment of doing import meat inspection.

Issue six: there's a conflict of interest. Many meat processing plants do import meat inspection. Fresh meat shipments are often just-in-time deliveries, and CFIA inspectors are pressured to quickly inspect the meat shipment and not to follow procedures. In some cases when defects are found, instead of refusing entry, the inspector is pressured to allow the reworking of the product. According to section 9 of the Meat Inspection Act, no meat product can be reworked to meet Canadian standards; it must be refused.

There are other issues of concern, such as the risk of foreign audits. If we do not do our import inspection properly, and if imported meat products are used in processing our own meat products and are exported, this could create a problem if we don't inspect them properly.

● (1920)

There are also problems with the CFIA import tracking system, and there is incorrect code in the harmonized system, HSS, a system that is used electronically to describe import meat shipments in the CBSA database. By just switching one number of a 10-digit number, you can change a commodity from just being soup to vegetable beef soup, which requires more certification and inspection.

There is a huge incentive to misrepresent the amounts of chicken and turkey in import shipments. Canada's poultry system is protected by a controlled supply system, with high tariffs on imported poultry to protect Canadian producers. To bypass these tariffs, importers have quotas available and can secure a permit from DFAIT, the Department of Foreign Affairs and International Trade, stating the amount and kinds of poultry they can import. This should be of concern to poultry producers in Canada, because importers can misrepresent the poultry. They can put down types of poultry that don't require a quota.

I guess I should wrap this up. In conclusion, I would like to read the following excerpts from the CFIA report to Parliament: “Since the Agency’s creation in 1997, imports and exports of products subject to CFIA regulation have increased by 45.6 percent.” And I'll give you another one from the report: import meat samples have not been and continue to not be sampled according to the sampling plans outlined in chapter 10, *Meat Hygiene Manual of Procedures*.

Thank you.

The Chair: Thank you very much.

Mr. Vessey, for 10 minutes.

Mr. Nelson Vessey (As an Individual): Thank you very much.

I'll try as well as I can to stay close to that, Mr. Chair. I have a couple of issues that I want to get to, and some of the things I mention might have been asked earlier and I certainly will take questions on those.

I'll take a few moments to give you a bit of my background. I retired in 2007 with 40 years with the Canadian Food Inspection Agency, previously Agriculture Canada or Canada Agriculture, whichever it was at the time. I was involved over that period in the inspection of everything from whales to chickens on a hands-on basis. I also supervised processing operations and supervised slaughter operations.

Since the formation of the agency, I have been involved as a resource and planning officer. I've been involved as part of the resource management system and part of work planning. Then finally, for the last number of years, I was a meat hygiene program specialist for the Atlantic area. That job involved giving advice to inspectors in the field, part of the program section. Also, part of the responsibilities of that position were to do with developing of programs and what have you.

I'd like to talk about a couple of things. Somebody talked earlier today about full-time inspection. Since the early eighties, we've gone from full-time inspection to frequency of inspection level, and to a modernized system of inspection of processing establishments, with the acronym MSIPE. We went from TIP 1, which was the inspection program, to TIP 2—and there was a TIP 3 developed, but it wasn't used in some areas—to the multi-commodity, which they first called the audit program, and then it was redefined as the multi-commodity activities program; and then there was the multi-commodity activities program with HACCP; and then we went from that to HACCP and audits. And then in some plants where daily inspection was required, it went from HACCP and audits and/or offset verifications. And now, as you know, we're with HACCP and CVS and audits. And I should mention that a cost recovery in the process was added into that mix.

The common theme in a lot of those things was the fact that the motivation for change wasn't the motivation to make a good program. The motivation for change, in my opinion, in a lot of cases had to do with diminishing resources—people and money. There were occasions where the changes had to be made. For instance, you talked about the food safety enhancement program verification. Instead of doing audits, that's where one individual would, over the period of a month, do the activities of an audit. That was caused by the fact that the USDA required a presence in those establishments on a daily basis.

I feel that during those different processes there has been an ongoing lack of ensuring that the procedure has the desired results before putting it in place.

And in training activities within the Canadian Food Inspection Agency, and as part of different exercises I've done, one of the things they always talked about was the Taguchi method. That is the method concerned with the optimization of process. One of the things that are talked highly of in that...and as I've said, I won't go in depth on that, but I will mention that before you put any process or new program in place, you must test it out. You test it, and if it doesn't do what it's supposed to do, you go back to the drawing board.

I think there have been some questions raised in different instances I could mention. And I can tell you how that affects people trying to do all these multitude of programs over those years because there's a constant change.

The second thing I want to mention is the development of HACCP systems. As you know probably, HACCP systems were developed for the space program. The purpose was pretty simple, so people wouldn't get sick in space. You can imagine.... We just had 22 people die, and that's tragic. And I can't help but think what if it was my parent, my child, my friend, my relative, my buddy, or any one of you. The purpose of a HACCP system is to be preventive. And the protective system we're talking about wasn't preventive. Those deaths represented the failure of the HACCP system in the establishment.

● (1925)

The HACCP system consists of two parts.

The prerequisite program consists of all the things that need to be in place to make sure there's proper sanitation, which was talked about, and to make sure all the other activities done in the plant—refrigeration, cleaning, construction of the plant—are in place.

The second part of your HACCP system is your critical points. The critical point we're talking about in this particular instance was that slicer. I would be sure that was a critical control point, and the critical control point would have been to make sure there was no contamination on the product from that slicer.

But there was more behind it than that, and I guess after hearing lots of times on the news that this was deep inside that piece of equipment, and it had to do with the manufacturer's specifications, I understand that. I understand what that's talking about. But behind all this in the prerequisite program, there probably was some failure of their sanitation program. There probably was a failure of an assessment of the required sanitation program for specific pieces of equipment. There probably was a failure to demonstrate that sanitation standards were being met on a daily or an ongoing basis. It could have been a failure of the plant's assessment of the suitability of the equipment. Equipment going into the plants is supposed to be assessed for suitability, which includes design and construction. It could be a failure of the preventative maintenance program. People mentioned bearings and that type of thing earlier. Bearings will wear out, and they will cause contamination. They will cause areas where a product can be and cause that contamination, which subsequently can affect the product. Last but not least, failure of the annual review of the HACCP system could have been another indicator, because there's a requirement every year that the HACCP system be reviewed in its entirety to make sure it is still functioning the way it's designed to function.

On the other side, an acceptable audit regime by CFIA could have identified in any one of those instances that there was a problem. So I think we realize—and I did read the information from Maple Leaf and Mr. McCain—that they did come up with a six-point program. I must assume that happened some time during 2008. So with this program that was developed—this six-point program, which is supposed to be preventative—I can't follow why there was a problem in January 2009, because the whole concept has to do with prevention.

Thank you.

● (1930)

The Chair: You still had over a minute. Thanks very much, Mr. Vessey.

I'll turn it over to Mr. Easter for seven minutes.

Hon. Wayne Easter: Thank you, Mr. Chair.

There are lots of questions here, but we'll start with you, Nelson.

First of all, thank you both for coming. We appreciate your coming before the committee.

I think one of the key points you made is about an acceptable audit regime. We were told when McCains were here—I guess it was by CFIA, and I guess it was Dr. Evans, or it might have been one of the others—that to disassemble these slicing machines would be a problem; they're huge. But as I understand it, the pharmaceutical industry has to disassemble their machines at every product line run, and they're huge too.

On the preventive side, are there areas we can move in in this way to prevent this from happening again? Is audit part of it? Is it only part of it? You've been with the system 40 years. You've seen when audits were required. I don't disagree with you at all in terms of all the changes that have been made. Usually they're not made in terms of food safety, I think it's sad to say. They're usually made as a result of government cutbacks, resources, and people—doing more with less money. It's not the way you build an excellent food safety system in the country. And that's not a political comment or a partisan comment; that's government.

What would you recommend in that area in terms of audits? Do we have to go back to where we were? Do we have more stringent requirements? Do we have audits and manufacturers' recommendations or what?

Mr. Nelson Vessey: I think the people here talked about the new system and CVS, and there's an audit function in CVS, as you know. That goes back to reviewing the programs.

One thing I should take you back to is when HACCP first came in, during the late nineties. It came in because there was a requirement. If plants shipped to the U.S., they had to have a HACCP program in their plant. For that reason, a lot of emphasis was put on...and they tended to be the major players because that's who was doing a lot of the shipping. The bigger plants tended to be shipping to the U.S. There was a lot of emphasis. Big teams of people were sent to those plants by the agency to go through it. By the time it became mandatory in 2005 for the other plants...and I've always had this concern. A lot of those were the small plants, because the smaller plants didn't necessarily ship out of the country. By the time it became mandatory for them, there was more of a hands-off approach by the agency, which was saying they really didn't have the resources to spend the same amount of time with those people, that it was really up to them to write their own plan, and what have you. It was quite a different dynamic.

The base in all of this is the auditing of the written program. If there's a flaw in the written part, and I say that because the concept is that you say what you do, you do what you say, and you prove it. So your first step is to say what you do. So if there's a failure in saying what you do to indicate any of those that could be critical areas, if there's a failure, for instance, to look at the design and construction of equipment coming in and you find out there's a place inside that equipment that harbours contamination and that the juices run out of to other areas of the equipment from your clean-down, then that's a critical part. So the reviews have to be part of your HACCP plan. That's where the audit function or now the audit and the CVS functions should come in.

● (1935)

Hon. Wayne Easter: But these audits are really not taking place now, are they?

Mr. Nelson Vessey: I'm not going to comment on that, because you've had that comment...you've had the other group here that are doing them. I'm not working on them anymore.

Hon. Wayne Easter: Yes, I know that.

You've likely had some experience looking at the U.S. system. How do we compare with the U.S. on audits? Mr. Caron mentioned that maybe CFIA is emphasizing its export inspections more than its import inspections, which protect Canadians. I understand that. We just came from a Canada-U.S. meeting where that was talked about.

How do we compare with the U.S. on the auditing side?

Mr. Nelson Vessey: I don't think it would be fair for me to comment on the U.S., because there could have been changes within the last year and a half that I'm not familiar with. I might lead you astray on that, so I don't think it would be fair.

Hon. Wayne Easter: How much time do I have left, Mr. Chair?

The Chair: You have a minute and a half.

Hon. Wayne Easter: Thank you. Good.

The other point, Nelson, and I'll get to Mr. Caron in the next round, is that you mentioned that the.... There are two points. One is the critical point system under HACCP, and what was the other?

Mr. Nelson Vessey: The prerequisite program.

Hon. Wayne Easter: Yes, the prerequisite program. How does that compare with before HACCP came in? The point I'm trying to make is that now we depend more on industry for food safety under the HACCP program than we do on the independent agency of the Government of Canada. I guess key to that is—and we had an earlier discussion of this as well—do we want to get to a privatization of the system? I personally think not, but is this HACCP movement going down that road?

Mr. Nelson Vessey: Not necessarily, as I said. I don't know whether the best way might not be to give you an example.

When we talk about things being prevented, we talk about something within a plant. Let's take the example that pest control is one of the prerequisites in a plant. If you actually see there's a record at the plant that there are pests in the plant, whether it's the potential for mice or flies or other pests within the plant, that's an indication that the program has failed, because the objective is to keep those pests outside the plant. That's done through your prerequisite program. I'm simplifying it because that's the easiest way to understand what the prerequisite program does. It would probably say at one point—for instance, for rodents getting into the plant—that your grass be kept short. Lots of plants put gravel out for eighteen inches, and that's quite common today, so rodents can't run around your premises and get in. However, if you were saying that you were catching them in the plant, that particular program wouldn't be working.

The Chair: I'm sorry, Mr. Easter. You're well over. We can come back to that.

Mr. Bellavance, for seven minutes.

[*Translation*]

Mr. André Bellavance: You both have at least 35 years' experience in food inspection. For us, this is a very interesting source of information. You're able to testify as to how work in the plants has evolved as far as food inspection and food safety are concerned, over quite a long period.

Without going into all the details of your experience during those years, could you describe to me any differences you've noticed between the beginning of your career and your recent retirement? I think that was in 2005 in the case of Mr. Caron and 2007 in the case of Mr. Vessey.

Regarding the measures taken in food inspection, have you observed a positive evolution? Have you noticed ups and downs, depending on the government in power? What was your experience like in those years? Towards the end, when you were about to retire, what was the food inspection environment like, in your opinion? I'd like to know whether there are still some improvements to be made, to your mind?

● (1940)

[*English*]

Mr. Paul Caron: One area in which I see a big decline is training. When Nelson and I started as meat inspectors, you had to start out in a slaughter plant and work with all the different species. You worked in plants for hogs, beef, poultry, veal, lamb—everything. You received guidance and training and attended courses. You wrote exams and tests. You were under the guidance of a senior inspector who was your mentor and guided you through a lot of things. At the end of a two-year period you wrote an exam that was quite intensive and covered every aspect of meat inspection. Only then were you considered to be a working inspector.

In the area of import inspection, when I was training import inspectors the first core group that went through were all experienced inspectors, and they absorbed the material given to them quite readily. As time went on, some in the new crop of inspectors had only been hired two or three months before and they were doing import meat inspection. The things I explained to them, in particular pathology, labelling, and dressing defects, went right over their heads. They didn't have a clue what I was talking about, yet they were doing import meat inspections.

To be a good import meat inspector you have to have a good background in meat inspection. You have to know pathology. You have to know dressing defects. You have to know when to seal a truck and all those things. You need to have an idea how the system works and how loads are cleared through the border. People are being put in this position who don't have a clue what they're doing.

[*Translation*]

Mr. André Bellavance: Mr. Caron, let me interrupt you. Do you have any idea why there's a training deficiency? Is it because the Agency has been asked to save on its budget, for example?

[*English*]

Mr. Paul Caron: Yes.

[*Translation*]

Mr. André Bellavance: Or is it because the companies are doing more and more inspections themselves? How do you explain that?

[*English*]

Mr. Paul Caron: I have a theory, and I don't know if it's accurate or not. When Nelson and I started, the managers were all meat people. They were all veterinarians and had worked as inspectors. Now at CFIA you might be reporting to somebody with a plant background. They don't put the same importance on the training aspect of meat inspection because they don't know what's involved in it.

When I was a meat inspector with CFIA, I think a lot of meat inspectors were looked upon as second-class citizens, to be quite honest. Look at how they described them when they went through reclassification. They called meat inspectors slaughter inspectors. It was a kind of demeaning term, and a lot of people were offended by it. I think it's because they don't put importance on this type of inspection. I don't think they understand the extensive training involved in it, because they don't have the experience.

● (1945)

[*Translation*]

Mr. André Bellavance: In my opinion, this is a very important job. Furthermore, according to a survey commissioned by the Agriculture Union—it was mentioned earlier when Mr. Kingston appeared—most people, the population in general, trust inspectors but have a lot less trust in the companies themselves when it comes time to do inspections and talk about their health and the safety of the food they themselves eat and that they feed their families.

Obviously it's a very honourable job, but at some point, for simple economic reasons, if people begin to say that they'll make it so that companies themselves can handle their own inspections...

As far as the inspectors per se are concerned, earlier we had someone one here who works in an office. I'm not denigrating his work, I'm not saying that his work isn't important, but this person checks the information given to him by the company.

Is that how the work has become over the years? Has it become more an office job than a working job?

My question is for either one of you.

[*English*]

Mr. Paul Caron: I'm working in the industry now, and it has become more of an office job. CFIA has put more trust in the plants. Fortunately, I work at a plant that takes the HACCP program seriously; they try to follow it to the best of their abilities. But I know of other situations where a lot of the records are fudged. They will go for days without filling out forms, and all of a sudden they know there's an audit coming up. CFIA announces audits, incidentally. They give you enough notice that an audit is coming, so a plant has time to get all their records in order. That's quite a common practice within the industry. Not all plants are like that, but quite a few will do that.

The Chair: Thank you, your time has expired.

Mr. Allen, seven minutes.

Mr. Malcolm Allen: Thank you, Mr. Chair, and thank you to you both, gentlemen.

Mr. Vessey, you talked about establishing a system with a known outcome—and correct me if I'm wrong—and you listed a litany of programs that you've witnessed over the 40 years you were in the different...groups, we'll call them—whatever the latest acronym you have, and you have numerous acronyms. It seemed to me you were suggesting that the outcomes were driven by a group of managers who developed these programs. It really didn't necessarily have to do with the ultimate goal of reducing food-borne illness, it had something to do more or less with trying to become a more efficient operation, if you will, inside the department.

Did I catch that correctly, or was I off-kilter on that?

Mr. Nelson Vessey: No, I think you're right on with that.

On the first one we talked about, there was full-time inspection until the early 1980s in all processing plants. In other words, when the plant was operating, whether it was daytime or whether it was overtime, there was an inspector there. That's how the system went until—I don't want to cite the exact year—they came in with a program called FOIL, frequency of inspection level, where somebody decided that instead of being there, depending on the type of operation, there was a formula where you had two or three days a week. That is the way it happened.

In essence, one might not have argued that it was a bad move. That's why I made my comment that it depends on how it was done. But you have your inspectors in these plants; they're there every day. They actually went in and did the pre-operation inspection. That was a requirement of the employees with Agriculture Canada at that time. That was part of the inspector's job. They actually checked each piece of equipment to make sure it was clean before they stated to operate in the day.

All of a sudden, a week later, two weeks later, a month later, they say, “You don't have to be there every day. That's really a plant responsibility. Let them go to it.” Because of this new process, people were taken away from it. The inspectors in there realized that every day they were in there they saw problems. They didn't go away; they're still there. So I said that because part of that circle has to be to make sure, when any new system goes in place, that it works, it's effective, and it does what it's intended to do before you put it fully in place.

I think that ties in with some of the programs, like the food safety enhancement program, which was put in for a different reason. It goes along with the fact that there tends to be a difference if you have a team of auditors as opposed to one person doing the job. Really what I was trying to summarize was the fact that, yes, somebody needs to know that these programs are working, and you need to put them in in such a way that there are trials. I heard somebody talk here earlier today about the fact that maybe there weren't enough trials or testing of this. The deadline for CVS was a deadline to do, as I understand it, a budget as opposed to making sure the program is working.

I'm not suggesting that particular program is not capable of working. If the people I know are involved in putting it together, it will work, because they're excellent employees. One of the persons from Atlantic Canada worked a lot on that program. I have every confidence that this person would put together a good program. The question is, will it work, or will there be flaws in it? You need to know this before you take one and replace the other, in my opinion.

● (1950)

Mr. Malcolm Allen: I agree. I did hear, and I said it earlier this evening, about this science-based program. Folks come to us to tell us that's really what it should be about. Again, you're the second person this evening who has talked about CVS, and I appreciate your putting it in a historical context and telling us how we've moved along that continuum.

We have a program we're relying on that has been tested in the sense that it has been piloted and it has been in the field, but it has never been verified. Yet it's a verification process itself. I mean, that's what it talks about: verification. But the system itself has never been verified. It's akin to someone saying, “There are supposed to be four wheels on the car but I'm not going to actually walk around it to make sure they're all on. There may only be two, but we're not certain. We're pretty certain the car's going to run, but we haven't had anybody verify that.” I really find it strange for a science-based organization not to take the extra step to actually verify a compliance system that's supposed to be about verification.

I want to talk about the HACCP piece. You intrigued me with how you explained it, especially about the critical control points. I actually worked in the manufacturing sector at one time, so I know all about doing preventive maintenance, because that's what some of us used to do. We used to do it off-shift, if you will, when things were down. You talked about how inspectors would know what the critical points are.

We heard testimony earlier about the slicing machine, whether it be at Maple Leaf or somewhere else, because they're somewhat similar in nature. Some are larger, some are smaller, obviously, and it's large equipment. If an inspector knew that this was a critical point—and they're no longer there on a daily basis, as you pointed out, as these systems have moved on—and a HACCP plan is written up with the manufacturer's suggested cleaning system, not necessarily the one that the inspector has either talked about before or knows might have to be done at some point in time, because of history.... If that's not in the HACCP plan and the inspector is not there, have we really identified a critical control point or have we missed one?

Mr. Nelson Vessey: It depends, I guess. On a slicer, your critical control point would probably be where the meat product is contacting the surface, or anything that would contact the meat or that might contact the packaging material or anything like that. It would probably be defined in that way. But the other things are part of your prerequisite program, which should be part of your sanitation program and all the other things I discussed, and as I said, even looking at new equipment coming in.

Probably everybody in Canada is looking at slicers, but there are all kinds of other equipment out there apart from slicers. We look at slicers now, but I don't know whether there has been a full review of the different pieces of equipment that might cause the same thing.

You always have to keep in mind that this program is preventive. To answer the question you asked earlier, the organization that I was part of expected industry to have a HACCP-type program and be able to demonstrate that they're doing things as they go along. I don't understand why the organization would not have a HACCP-type system to be able to prevent things from happening within its own scope.

The Chair: Okay, your time has expired, Mr. Allen.

Thank you, Mr. Vessey.

Mr. Shipley, seven minutes.

Mr. Bev Shipley: I'll start, and if I run out, my colleague will pick up on my time.

Thank you very much for coming, folks.

Mr. Caron, I listened with interest to your presentation. Actually, I'm surprised that anybody's alive in Canada. You're pretty pessimistic about Canada's food safety and the food we eat, which really surprised me.

I think you said you had 35 years with Agriculture Canada, CFIA, meat inspection, imports. What was your position?

● (1955)

Mr. Paul Caron: I was an EG3, a multi-commodity inspector.

Mr. Bev Shipley: Did you have any influence at that time in terms of changes to be made?

Mr. Paul Caron: I became part of the national import team. I was involved in rewriting chapter 10 of the *Meat Hygiene Manual of Procedures*.

Mr. Bev Shipley: When was that?

Mr. Paul Caron: In 2002, 2003. In the late 1990s I started developing this training course for inspectors, and up until the end of my career I was training inspectors.

Mr. Bev Shipley: Were those things that you talked about implemented?

Mr. Paul Caron: No.

Mr. Bev Shipley: You made an interesting comment that actually kind of caught me and I didn't get all the wording for it. I will have to go back and read the blues, I guess. Correct me if I'm wrong, but basically you said that records from time to time, because the auditor's coming, actually might get falsified. Can you show me the proof of that, please? I ask you to do that because that's a serious statement about inspectors.

Mr. Paul Caron: In our audit training—

Mr. Bev Shipley: I'm not trying to defend anyone; I'm only saying that's a pretty serious statement. It has been made on record here that actually inspectors, only when auditors come in, falsify records from time to time. I need to have that, and I would ask the chair for something to be shown to verify that, please.

Mr. Paul Caron: Well, I can't show you anything to verify it. All I can tell you is that during our HACCP training, when I was with CFIA, that point was driven home to us, that we had to look at different forms to see if they were using the same pen to sign all the same forms, things along that line. We were trying to pick up on whether this actually did happen, and they were telling us to expect it to happen.

That was part of the training we got.

Mr. Bev Shipley: What was happening to those records if they were falsified? Was there any sort of—

Mr. Paul Caron: There would be a card written up on it, and I'm assuming that did happen with auditors. You'd have to question auditors on that. But in the history of the HACCP system, the instructors were quite clear in telling us to look for those things.

Mr. Bev Shipley: So what do you do now? I want to move off this. You've had an incredible amount of experience in it, so what do you do now? Actually, you talked about training.

Mr. Paul Caron: I work as a consultant with a company in Windsor that does import and export in meat products. I provide a training course for industry on the procedures of importing meat into Canada. I go through the gamut right from certification, getting it through the border, the inspection, everything that is required.

Mr. Bev Shipley: Would you work for an industry like McCain's, for example?

Mr. Paul Caron: Yes.

Mr. Bev Shipley: They would hire you to do training.

Mr. Paul Caron: I do training. I do the training on my own and I advertise my course, and people participate. I have customs brokers and I have people in the industry and I have transportation companies, those sorts of things.

Mr. Bev Shipley: How many people do you put through in a year?

Mr. Paul Caron: I maybe do two courses a year, so I put through approximately 50 people.

Mr. Bev Shipley: That would represent how many industries?

Mr. Paul Caron: It's across the gamut. As I said, trucking companies, customs brokers. People in the U.S. have sent some of their people up.

Mr. Bev Shipley: Is there a big demand? What I'm hearing is that you're supplying something because CFIA actually isn't doing the job.

Mr. Paul Caron: No, that's not actually a job with CFIA, I don't think, to train people outside the industry.

Mr. Bev Shipley: No, I'm not saying that. But I think what I heard—I don't think, I know what I heard—is that you're required to do this because CFIA isn't doing it, so now you're working to supply that training for industry, to backfill.

Mr. Paul Caron: Yes. Let's avoid the CFIA. But I would point out that CFIA has given me assistance in doing it by providing me with guest speakers and that type of thing.

● (2000)

Mr. Bev Shipley: So that you can meet the same requirements and the same standards as CFIA?

Mr. Paul Caron: Right. As I said in my opening statement, the majority of people importing meat into Canada are reputable people. They want to do the right thing and they want to follow the procedures. They want to do everything right.

Mr. Bev Shipley: You made some reference, actually—and I'm not sure whether it was you or Mr. Vessey—a fair bit about comparison with the United States. They seem to be doing everything well and we're sort of doing everything badly. This is the kind of impression that was left. Can you give me any indication, when you say that, that there's backup for that?

Mr. Paul Caron: Yes.

Mr. Bev Shipley: In terms of food safety and food health and sickness, can you give me the actual documentation or the background, based on your comments that we're much worse than the United States? You say we have many more deaths and many more sick people proportionately than the United States under their regime. Can you supply that to me, please?

Mr. Paul Caron: I can't supply that, but what I can tell you is that they're reducing the risk of that happening. I think they've gone a little overboard on some things, to be honest, like the Department of Homeland Security. As you know, they're quite extreme in what they want, and what has been happening is that to get a load of meat into the U.S., you have to go through three or four government agencies. You have to go through the Food and Drug Administration, you have to go through the USDA APHIS, and every load has to go through an I-house.

Mr. Bev Shipley: I'm hoping you're not suggesting that we would create a homeland security—

Mr. Paul Caron: No, by no means.

Mr. Bev Shipley: Okay. But I am concerned because of the statements you've made in terms of the comparison, which seems to, in my mind, put Canada's food safety in pretty deep trouble compared to that of the States.

Mr. Paul Caron: I'd like to give you one example—

Mr. Bev Shipley: Well, I think I need more than one, because that's a pretty—

Mr. Paul Caron: Yes, I know, but—

Mr. Bev Shipley: We have 12 million to 13 million, we're told, food-borne diseases in a year, or sicknesses, I guess, and I'm looking to get that sort of comparison. So out of those 12 million to 13 million we get some sicknesses; in relationship to that, we had 22 deaths because of listeria, a product, something that happens that you can't feel, can't taste, and can't smell. It's there. It isn't something that's seen. Mr. Vessey talked about critical points, and I don't know in fact that where this was caused was a critical point. You talked about it being where the meat and the slicer actually meet; that it's usually at that critical point. But I don't understand the slicer. My understanding was that it was down inside and deeper than that.

Mr. Caron, all I'm really concerned about is the impression that's being left in terms of your comments about food safety. I can tell you that I think if you were to look at the facts of Maple Leaf right now, at their credibility, and if you were to look at their sales, I think you would see that actually they're coming back. Canadians trust food in Canada. I don't know if you can make a comment in terms of that comparison.

The Chair: Very briefly, Mr. Caron.

Mr. Paul Caron: First of all, I consume Maple Leaf products now and I always have. Secondly, the one thing I'd like to draw your attention to is that in Canada we allow exporters of meat to the U.S. A. to have notice in advance on whether their loads are going to be inspected or not, and I objected to this quite vigorously when I was with CFIA. An exporter to the U.S. knows 72 hours.... I remember doing an import inspection on a load of turkey breasts. I looked at the certificate. It was dated a day after the kill date, so the turkeys were still walking around when the load was certified for export.

At the same time, you have offshore meat shipments, and the exporter knows 30 days in advance whether his shipment is going to be inspected. In the U.S., you don't know until the load hits the border and it goes to the I-house. That's when they get their assignment. That's when it's determined whether they're going to be inspected or not.

The Chair: Just so I can clarify that, Mr. Caron, you're saying that here we notify them in advance?

Mr. Paul Caron: Right.

The Chair: How did that come about?

Mr. Paul Caron: That's a good question. I remember when it was proposed at the time—

The Chair: Do you know when it came about, then?

Mr. Paul Caron: I would say when they went to the skip losses; it's part of the free trade agreement. I think it was back in the early nineties.

The Chair: Okay.

Ms. Folco, for five minutes.

Ms. Raymonde Folco (Laval—Les Îles, Lib.): Thank you, Chair.

I have in front of me a document that we were able to acquire through the access to information and privacy act. This is a "Scenario Note" of the meeting of the board of directors of the Canadian Meat Council on April 7, 2006. According to this document, the CFIA reluctantly implemented but "disagrees with a number of specific USDA requirements", such as "daily visits, finished product testing for listeria", etc.

Given what happened later on, with the resulting crisis, could you explain this position? And how do you think Canadians should interpret this position?

My question is to both of these gentlemen. Am I putting you on the spot?

● (2005)

Mr. Nelson Vessey: Well, no. I always like to try to answer a question, but because I haven't been working since this whole listeria crisis came up, I don't think it would be fair for me to comment on that specifically.

Ms. Raymonde Folco: This was in 2006.

Mr. Nelson Vessey: Yes, I understand that, but I don't have the comfort in answering that.

Ms. Raymonde Folco: Okay.

Mr. Caron?

Mr. Paul Caron: No, neither do I.

Ms. Raymonde Folco: You don't wish to answer either. All right.

Let me go to another quote. This time it's from *The Globe and Mail* of Friday, August 29, 2008. Bill Curry, who wrote the article, begins by saying, "The Canadian government strongly opposed tougher U.S. rules to prevent listeria and lobbied the United States to accept Canada's more lenient standards, internal documents reveal."

Would you say this characterizes correctly the direction of the Canadian government?

Mr. Nelson Vessey: That's my memory of how it was happening.

Ms. Raymonde Folco: Mr. Caron, would you like to add something?

Mr. Paul Caron: No, I wouldn't like to comment on that.

Ms. Raymonde Folco: Thank you.

That's all. Thank you, Mr. Chair. I'll give my colleague the other half of my time.

The Chair: You still have three minutes, Mr. Easter.

Hon. Wayne Easter: Thank you.

Earlier, under questioning by both Mr. Allen and Mr. Bellavance, different management was talked about. My question relates to Mr. Caron and Mr. Vessey. You are basically saying that people are doing work for which they're perhaps not well trained, and they're doing work in different areas.

In terms of your experience with the CFIA, you both had to come up through the system. I would actually call it the Ottawa culture, and I'm very serious about this. Even at the departmental level, what you find now is that we have professional managers who don't have a damned clue about what they're supposed to be managing. They've never worked in the industry, and I think that's a huge problem. Whether it's with Agriculture Canada, Fisheries, or CFIA, a lot of people at the top have never worked on the line in a slaughter plant, walked the farm, rogued the potatoes, and done those kinds of things so that they understand the very system that they're managing.

My question is this: in your experience with CFIA over the years, and previously with Agriculture Canada, have you seen more managers enter the system? I ask because we seem to be managed to death, but we don't have people doing the work on the ground. Have you seen changes in that area?

Mr. Paul Caron: Yes.

Mr. Nelson Vessey: Yes.

Hon. Wayne Easter: Good. Can you tell me what they were, and maybe expand a little bit?

Mr. Nelson Vessey: I probably don't have to tell you who they are. I think you could probably ask for numbers yourself and find out what the change in the number of employees has been since the agency was formed. We often talk about this process of the inverted pyramid, in which you get two inspectors and you get 800 people above that inspector in support.

Hon. Wayne Easter: Mr. Chairman, I really do think it's not just on this investigation. We all know what it's like trying to deal with Agriculture Canada, and it's the same problem.

Let me put the question to you this way: in an agency like the Canadian Food Inspection Agency, how important is it...? We have a memo from last summer when there was the new verification of listeriosis and listeria monocytogenes in processing and ready-to-eat establishments. The memo that went out on February 20 said that immediate sampling would have to take place. Then, shortly afterward, another memo went out saying that they were requested not to proceed with the collection of this environmental sampling. We know the reason now; it was because they had to go for training.

What that tells me is that even some of the supervisors who are supervising the inspectors do not know the system because they haven't worked in it. My question is this: how important is it that senior management in our food inspection systems come up through the system and be trained in the very areas of expertise that they're supposed to be managing, and how important is it to have somewhat the same experience down through the line in terms of supervisors?

● (2010)

Mr. Paul Caron: I think it's very important. They are to be mentors. They are to be providing advice and helping you in difficult situations. If they don't have any knowledge of the system, it's very difficult for them to give you advice that you would be able to use.

Mr. Nelson Vessey: I think it's relatively important too. It may not be the key, and that's what concerns me. If you've already heard from people that there's not enough time to do it, when could people possibly get training if there's no time to do their work? And looking at it from the other point of view, if they don't have time to do these CVS activities, when are they going to go to train? If they go to train, they're doing less of the activity. So it's a catch-22, I think, from that point of view. I don't think it's absolutely necessary. I think that good supervisory skills would probably give you the same thing.

I can actually give you an example of that. In the meat inspection world at one time, the meat inspection people started doing the grading. They used to be separate, and they combined the two sections. I happened to be a supervisor at that time. Now, it depended on the approach you used, as the supervisor, how you used the expertise of that person who was a grader, because I didn't have the expertise to grade. However, following good supervisory practices, if there was an issue, you were able to ask that person, "Why did you make this decision? What's your explanation?" And if you had to go to somebody else to find out why they made that decision and whether it was a good decision, there were grading program people who could give you that answer.

So it wasn't totally necessary, but you certainly had to use good supervisory skills to get there. And if you were always busy or overworked, it was very difficult to do those things.

The Chair: Okay, thank you.

Mr. Anderson, you have five minutes.

Mr. David Anderson: Thank you, Mr. Chair.

Thank you both for being here tonight.

Mr. Caron, you talked about meat import. If the meat's coming in from the United States, is it all partially or fully inspected when it comes into the country?

Mr. Paul Caron: It's supposed to be fully inspected. It's supposed to be certified.

Mr. David Anderson: Okay. And so we treat the United States differently because of NAFTA. Is that right? We have an agreement with them that our systems are pretty much equivalent, and both countries accept that?

Mr. Paul Caron: Right.

Mr. David Anderson: Okay.

Now, I'm just wondering, the problem, in your opinion, with our giving them advance notice is what—that some of the other shipments are not properly processed? Or is it with the shipments that we've said we're going to inspect?

Mr. Paul Caron: Well, I've inspected a lot of loads that were certified, and there were a lot of problems with them. I have had loads off condition. That could have been in transit. That could have happened at the plant level. I have had shipments of meat that had pathological lesions on them. I have had loads of meat that were in trucks that were filthy, dirty, had foul odours to them, and yet had a USDA seal on them.

Mr. David Anderson: What's your suggestion—that every truckload coming across the border be inspected individually?

Mr. Paul Caron: Well, we did that at one time.

Mr. David Anderson: Is that what you're suggesting? Is that your solution?

● (2015)

Mr. Paul Caron: I think there are a lot of areas you have to look at with meat. Meat is a very highly perishable, high-risk product. These loads are travelling sometimes thousands of miles, and a lot of things can go wrong. The meat could even be substituted. These truckers could stop anywhere and substitute that product.

Mr. David Anderson: So are you suggesting every truckload be inspected? What's your solution, then?

Mr. Paul Caron: I would suggest every truck be inspected. We used to do it, and I used to refuse five or six shipments a month for stuff that was in, as I said, dirty trucks, with product off condition, reefer units not working, product misrepresented. They say it's young chicken on the truck, and you find out it's fowl. That way they could bypass the quota system, the marketing board system.

Mr. David Anderson: But our inspectors also can pull loads out and inspect them when they want to, right? You do the pre-inspection certificate down on 10% of the loads, but inspectors can pull another load out and say, "I want to take a look at this."

It seems to me that things have changed. Expectations are so much higher now. If people are running with reefers that are shut down or they're running with cow shit in their trucks, they're not going to be in business. They're not going to be allowed to be in business for a number of reasons, one of which may be the inspection at the border. Certainly companies aren't going to deal with them on either side of the border. You're talking about the old days. Things have really changed in terms of expectations of cleanliness and sanitation and how meat is handled, haven't they?

Mr. Paul Caron: Well, with the system the way it is now, CFIA has created a big gap and has opened the gate up quite a bit for this type of thing to happen, whereas back then we were finding those things with inspection. What's going on now? We don't know. We have no knowledge of what's going on. I can't tell you if every truck going through the border is.... It might be 100%, but we don't know that right now. There are no checks and balances to determine if that is happening.

Mr. David Anderson: No checks and balances, because when people are caught in non-compliance, they're shut down for access to either country going either way. Isn't that correct?

Mr. Paul Caron: That's possible, but right now—

Mr. David Anderson: Isn't that what happens?

Mr. Paul Caron: It's supposed to happen, yes, but I don't think there has ever been anybody shut down from the U.S. or been delisted for exporting an inferior product unless they've been audited by an audit team that has gone over there.

Mr. David Anderson: I want to talk about a couple of the other things. You made six points at the beginning, and one of them was that lab samplings are not carried out by CFIA meat inspectors. But there are meat monitoring programs for microbiological and chemical testing in the country, right?

Mr. Paul Caron: Right.

Mr. David Anderson: So you're not being entirely straightforward there when you're saying it's not being done by CFIA meat and port inspectors, but it is being done, right?

Mr. Paul Caron: It's being done, but to what extent? I can just tell you, from personal observation and talking to other people in the industry, that it's not being done. In my own area, I've never seen inspectors take a sample for micro analysis. I used to take samples according to sampling plans, and I used to submit them. The people I personally have worked with, or am associated with, don't have the time. It takes a great deal of time to take a sample, to take it esthetically, to do the paperwork on it, and to ship it, FedEx it—you have to take it down to the FedEx depot. All these things are quite time-consuming.

Mr. David Anderson: Can you tell me a little bit about your training program? What do you train people to do? What level are they trained to when you're done training them?

Mr. Paul Caron: In the industry course, I just basically train them to know all the procedures: what happens, how a load is certified, how it clears through customs at the border, what happens when a load is inspected, why loads are refused entry—

Mr. David Anderson: The general information about imports on import-export.

Mr. Paul Caron: The general information.

Mr. David Anderson: One other comment you made—

The Chair: Very quickly, Mr. Anderson.

Mr. David Anderson: Okay, just quickly.

Canada inspects no import meat shipments at the port of entry. That's true. But the reality is that reinspection is done in other federal reinspection facilities that are made to handle meat, right? That's the point. That was one of the changes made, to put in place better facilities for handling those inspections. Is that correct?

Mr. Paul Caron: A lot of meat is inspected, but at the same time, a lot of meat has been "failure to present"—it didn't show up for inspection. That has been a big problem. We're tracking shipments all the time in my facility, loads that are supposed to come to us and don't come to us. I went through access to information and found out there were almost 3,000 shipments that never were presented for inspection. That's over the course of eight years.

The point is that CFIA didn't prosecute any of these people. I used to write up non-compliance reports all the time about loads not being presented for inspection and I never heard anything more from them. Nobody has ever been prosecuted for that.

● (2020)

The Chair: Thank you, Mr. Anderson.

In keeping with Mr. Allen's request earlier to have some time for some committee business at the end, I'd like to thank our witnesses very much for attending today. I apologize for the slightly late start, but votes happen around here. Anyway, thanks again, gentlemen. We appreciate your input.

Mr. Allen, I believe you wanted to deal with your notice of motion.

Mr. Malcolm Allen: I actually have a few things, Mr. Chair, but that's one for certain.

The Chair: I believe everyone has a copy of Mr. Allen's notice of motion or will be getting one shortly.

Mr. Malcolm Allen: In any case, Mr. Chair, the notice was given before. What I'd like to do, obviously, since we're getting near the end, is to actually move forward with the notice of motion, so indeed we can get the material that was actually requested in the notice. So let me read it into the record officially:

> That the committee direct the clerk to contact all witnesses (including all potential witnesses submitted by committee members that may not have the opportunity to give in person testimony to the committee) and invite them to provide written testimony and/or recommendations (on or before June 8, 2009) to the committee for inclusion in the final report to be submitted to the Standing Committee on Agriculture on or before June 11, 2009.

The Chair: The only question I had, Mr. Allen, was whether that coincides with our original timetable for getting the reports. Maybe that's something the clerk can answer. I don't have any issue with it. I just wondered if that's.... That's more of a comment.

Mr. Malcolm Allen: No, I understand, Mr. Chair. The timeline I still had was the 10th for approval of the final report of the subcommittee on listeriosis.

The Chair: The clerk just checked, and it looks like it does. Thank you.

Go ahead, Mr. Anderson.

Mr. David Anderson: We don't oppose this in principle, I don't think. The way it's written here sounds as if everything that comes in, in terms of written testimony and recommendations, is going to be for inclusion—that is, it needs to be included in the final report. I think Mr. Allen probably means "for consideration" rather than "inclusion", unless he's saying that we're going to take whatever we get here and it's going to be in the final report.

The Chair: I'm certainly not going to speak for Mr. Allen. I would presume that what you're saying is correct, but I'll ask Mr. Allen to respond.

Mr. David Anderson: The other point, in terms of recommendations, is that I think it's the job of the committee. It's fine if we take suggested recommendations from people, but it's actually the job of this committee to try to put the recommendations together. People can make their suggestions as to what we should do, and we certainly welcome that. But it's our responsibility, and not anybody else's, to come up with the recommendations for the committee.

The Chair: That's a fair point.

Is there further discussion? We'll go to Mr. Bellavance and then to Mr. Dhaliwal.

[*Translation*]

Mr. André Bellavance: In French, we read that witnesses should be invited to submit their "written testimony and/or recommendations to the committee [so we'll be able to read them] for inclusion in the final report."

If all that people write to us can fit into 150 pages, I imagine that Mr. Allen's intention is not that this should be included in the report. Our researcher goes through exactly the same exercise when people come to testify.

We too will read these written testimonies. In our discussions, when we report on them, we'll be able to say that such and such an element contributed by such and such a witness can be integrated in the report, even if this witness didn't actually testify, since we'll have his written testimony. Then the recommendations can arise from them.

Do I interpret the nature of the motion correctly?

[*English*]

The Chair: Quite often, Mr. Bellavance, you've seen in reports prepared for committee that there are excerpts or quotes from witnesses or whatever. I presume this is going to be the case here too. I'd be surprised if it wasn't, in response to that.

Go ahead, Ms. Folco.

[*Translation*]

Ms. Raymonde Folco: As for the French version, Mr. Chair, I suggest writing—this is a simple suggestion, not a recommendation — in the fourth line from the end: "to the committee for consideration for the final report" or something like that, because that gives the committee a chance to discuss it, to accept it or reject it.

I'm not in complete agreement with my colleague across from me when he says that all the recommendations should come from this committee. From my experience, the people who are experiencing the problem often have solutions for dealing with it. And it's always a good idea to ask them for recommendations, and then the recommendations can be accepted, reformulated or whatever by this committee.

● (2025)

[*English*]

The Chair: I think, not to speak for Mr. Anderson, that he was saying that there's nothing wrong with receiving recommendations. It's ultimately, though, the committee that makes them and what have you.

We'll have Mr. Shipley and then Mr. Easter.

Mr. Bev Shipley: I think David is first.

The Chair: Go ahead, Mr. Anderson.

Mr. David Anderson: I have just one other thing. I'd like some explanation as to what kind of weight we're going to give all the potential witnesses on the committee list, because clearly, if people can submit their positions without any questioning or any explanation of what they're doing, that puts them in an advantageous position compared to the people who have had to come here and justify their positions in their testimony. It just depends on how much weight we're going to give to that, because you can end up with a couple of special interest groups with some fairly strong opinions.

Are we going to give those the same weight as we're going to give the people who came here and gave us their testimony?

The Chair: I guess my comment would be that we did have a list of witnesses. Some couldn't come for different reasons, whether it was timing or whatever. For example, Mr. Kingston, who was here tonight, was invited earlier with the witnesses in our first meetings. He couldn't come at that time and asked to be deferred. That's the same case with a number of other witnesses. Unless given different direction from the chair—the chair and the clerk—for the original witness list we have, they could basically prepare that testimony and give to us. That would be my understanding of that. How much weight we put on it, I guess, is up to the analysts when they write the report. If we want to amend that report, we always have that right as a committee or subcommittee.

Mr. Easter.

Hon. Wayne Easter: I agree with what you're saying, Mr. Chair, and I agree with the motion. I think there have been a number of witnesses, for whatever reason, who didn't get to this committee. They were on the original list. We need to give them the opportunity to send information to the committee in writing, if they so decide. They can include recommendations. Some of the witnesses have included recommendations. We will debate those recommendations, make a judgment call on them, and go forward, but it would allow us to add further evidence to our report. If we have a problem with some of the things they say or want to question them, we can always pick up the phone and call them and clarify a few points.

I think the motion is important because there seem to have been quite a number of witnesses we didn't get to hear.

Ms. Raymonde Folco: I call the question, Mr. Chair.

The Chair: You had suggested a minor word change.

Ms. Raymonde Folco: I've talked to the clerk about it.

The Chair: Oh, you have. Okay.

Ms. Raymonde Folco: I think it's all right. It's just a question of the translation.

The Chair: Further discussion?

Mr. Shipley.

Mr. Bev Shipley: When we go through the number, there may be quite a few of them and there may not be many, but are there some conditions in terms of length? I'm not so sure we're looking for a 30- or 40-page document. I don't know, and it doesn't matter what side we're on here. I think we want to be looking at some sort of executive summary, or some sort of presentation of four or five pages at the most. When they're making a ten-minute presentation to us, most of that's in a five-page presentation or so, and I just think we should put some cap on it or we're likely to get some pretty thick documents.

The Chair: Mr. Easter.

Hon. Wayne Easter: [*Inaudible—Editor*]...was as thick as your guy's binder there.

Mr. Bev Shipley: I know.

● (2030)

Hon. Wayne Easter: Could we table that as evidence? We'd love to see that. Those are the minutes of the meetings.

The Chair: I have a suggestion, if it's okay with everybody. We could ask the clerk, when he contacts them, to suggest to them to keep it to something they could give in a ten-minute presentation, or close to it. Is that acceptable to everyone?

We're just trying to come up with something. I think everybody here is okay with the intent of the motion.

Is there further discussion? We'll go to the vote.

(Motion agreed to)

The Chair: Is there more business?

Mr. Malcolm Allen: I had more than one. I did say more than one.

The Chair: I wasn't aware of that.

Mr. Bellavance.

[*Translation*]

Mr. André Bellavance: It won't take long, Malcolm.

Since we're talking about witnesses, was the former Minister of Health, Mr. Tony Clement, invited? Did he respond? If he wasn't invited, why wasn't he? I asked for him to be present several times. I'd like an answer to this, please.

[*English*]

The Chair: Former ministers, André. Do we have the power to bring them here?

[*Translation*]

Mr. André Bellavance: Why not? I asked for him to be present several times and I thought it would happen. Is it because I was the only one asking for him? We can go ahead with a vote and I can present a motion, if you'd like.

[*English*]

The Chair: Okay.

Hon. Wayne Easter: [*Inaudible—Editor*]...all our witness lists.

The Chair: The clerk is just checking. He was never on the original plans.

Mr. Bellavance.

[*Translation*]

Mr. André Bellavance: Can we invite him, please, before the end?

[*English*]

Hon. Wayne Easter: Mr. Chair, I know he was on our original list, right. I believe he was on yours. Why is he not on the list?

Mr. David Anderson: Why don't we just go and check it later and get back.

The Chair: Can he table the list for the Wednesday meeting?

[*Translation*]

Mr. André Bellavance: Yes, but I recall that we went to your office on Parliament Hill, Mr. Chair, and we even discussed at some point the fact that we wanted to make sure Mr. Clement was invited to testify. It's important, he was the Minister of Health when this Listeriosis business arose.

[*English*]

The Chair: Ms. Folco.

Ms. Raymonde Folco: I have a suggestion to make. It's not a motion or anything, but given that on this side of the table certainly most people seem to agree that the former minister was on the list, I wonder if we could make sure the former minister is invited to appear before this committee before the end of the session, seeing that the session is going to be up very soon. Whether he's on the list now or not, what I'm asking is that he be put on the list of witnesses in the next couple of weeks. Could that be done?

The Chair: I'm not sure about that. We have quite an agenda. We know how hard it is to get our own minister here.

Ms. Raymonde Folco: That's why I'm suggesting that it be done in the next couple of weeks, because I know how difficult it is to get hold of these people.

The Chair: Mr. Anderson.

Mr. David Anderson: Are we finished on Mr. Allen's motion?

The Chair: Does Mr. Allen have another motion?

Mr. Malcolm Allen: No.

Mr. David Anderson: No, we're done on or before June 11.

The Chair: Okay.

Mr. Malcolm Allen: Mr. Chair, I don't have a motion, but I do have a couple of things that are outstanding.

One is that we did pass a motion asking for the written briefing notes between Maple Leaf Foods and the minister. These notes were supposed to be here by May 8. It is now May 25. Have they been delivered to the clerk? They certainly haven't been delivered to me.

While I'm at it, I'll raise another question about information that was supposed to be forthcoming. The CFIA was asked to follow up with information regarding previous testimony, I believe, following questions I had asked of Mr. Cameron Prince, who was supposed to reply to us. He said that he understood and could provide it to us in writing as soon as possible. That was his response to the first question.

To the second question, he responded: “But we certainly can provide you with some data in that regard fairly quickly as to what was done in each of the plants.” Well, here we are a month and five days later, and I haven't seen it yet.

● (2035)

The Chair: I haven't either.

Mr. Malcolm Allen: I understand, but I'm not sure what the CFIA means by “quickly”.

The Chair: The clerk is looking through this again.

Would that be something the clerk could come back to us on and give us an update at the start of Wednesday's committee?

Mr. Malcolm Allen: Mr. Chair, the problem, as Mr. Anderson noted in response to Ms. Folco—although his microphone wasn't on—is that we're getting near the end of the timeline. When we've asked for information and have been told that information will be provided as soon as possible, 35 days later isn't as soon as possible for a committee that ends in the middle of June.

The Chair: Is the start of Wednesday's meeting okay to...?

Mr. Malcolm Allen: Actually, the start of last month would have been a heck of a lot sooner, but that's not going to happen either.

The problem is, do we have it? I guess that's the first question.

The Chair: Well, I can't answer that, and the clerk can't answer at this moment either, Mr. Allen.

Mr. Malcolm Allen: Well, why don't you e-mail me tomorrow then?

The Chair: Mr. Anderson.

Mr. David Anderson: Mr. Allen's own motion says May 27. If you wait until May 27, I'm sure you'll have the information by then. There has been no information, and no witnesses have been denied to the opposition at any time during these hearings. He'll get his information, I'm sure, by the time his motion is in its completed stage or dates.

Hon. Wayne Easter: It was denied today, David. Two witnesses were denied today.

The Chair: It was to be delivered by May 27, Mr. Allen. It says right here on the motion.

Mr. David Anderson: If it's May 28 and it hasn't been delivered yet, he can bring that up with me. If he wants to come and talk to me about this, it's probably more effective to do that than to bring it up here at 8:30 at night, because we can try to get this information for him.

The Chair: Okay. If the briefing notes arrived today, obviously the clerk isn't aware of them.

Mr. Malcolm Allen: So am I hearing that if I went across the aisle here, somebody would have given them to me earlier?

The Chair: You'll have to take that up with Mr. Anderson.

Mr. Malcolm Allen: They were strictly requested, and an answer was provided to the chair. I guess the question to the chair back there is, if that's the case, why don't you just give them to me?

Ms. Raymonde Folco: Mr. Chair, on a point of order, obviously I'm new to this committee, and there's something I don't understand. Am I to understand here that the information has been given to the clerk in answer to Mr. Allen?

The Chair: No. I guess the answer is no.

Ms. Raymonde Folco: But Mr. Anderson, as the parliamentary secretary, has the answer. Is that correct?

The Chair: I'm not sure of that either.

Mr. David Anderson: No, what I said was that if he wants the information and he has some concerns about it, why doesn't he come to talk to me about it and we'll try to get it for him. I don't have any of this stuff with me.

In terms of his motion, until the date on the motion comes up, there's no complaint. If it's the 28th and nothing has come forward, then he has a complaint. He'll get the information.

The Chair: Mr. Bellavance.

[*Translation*]

Mr. André Bellavance: Back to Mr. Clement. If I have the committee's consent, I'd like to propose a motion right away that could be adopted immediately, that is: "That the subcommittee instruct the clerk to invite the former Minister of Health, the Hon. Tony Clement, to come and testify before the subcommittee stops sitting."

[*English*]

The Chair: Can you read that motion again?

[*Translation*]

Mr. André Bellavance: I move: "That the subcommittee instruct the clerk to invite the former Minister of Health, the Hon. Tony Clement, to come and testify before the subcommittee stops sitting."

[*English*]

The Chair: Mr. Anderson.

Mr. David Anderson: On a point of order, that needs 48 hours' notice, and we'd certainly be glad to consider it after that. So I'd like you to rule that out of order.

[*Translation*]

Mr. André Bellavance: No, it's not out of order.

[*English*]

The Chair: I just checked that with the clerk. As it relates to the list, it's not out of order.

[*Translation*]

Mr. André Bellavance: Thank you, Mr. Chair.

[*English*]

The Chair: Is there discussion on the motion?

Hon. Wayne Easter: I'd just state that I'm in favour of the motion, Mr. Chair. It is a request that was made, as André said, in your office. We also put it on our original list that went to the clerk. Time is running out, and I would express to the minister that he urgently needs to come before this committee. When we're looking at a food safety issue in which he was involved, then I would expect that he would arrive here.

The Chair: Is there any further discussion?

(Motion agreed to)

The Chair: The meeting is adjourned till Wednesday.

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