

A Report on the Alberta Meat Inspection Program

A Report for Alberta Agriculture and Rural
Development

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July 2012

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Letter of Transmittal

To: Cliff Munroe, Executive Director, Regulatory Services Division
Alberta Agriculture and Rural Development

From: George B. Cuff, FCMC

Re: *Meat Inspection Branch Review*

We are pleased to provide our Report on the External Review of the Alberta Meat Inspection Program, as per the terms of reference agreed to in our letter of proposal. Our Report is based on:

- ❖ Our review of the background information provided to us by the Department
- ❖ Our meetings and interviews with departmental managers and staff
- ❖ Our interviews and telephone calls and e-mails with Meat Inspectors, Investigators and Auditors
- ❖ Our meetings on site and by telephone with plant operators
- ❖ Our meetings and telephone interview with representatives of Alberta Health and Wellness and Alberta Health Services
- ❖ Our own assessment of what we heard.

In commissioning this Report on the Meat Inspection Program, the Department asked for our independent assessment and recommendations on the services and programs which they currently provide and conduct and the regulatory framework within which these services/programs are being offered. The Department is vitally concerned with the agricultural industry as well as its commitment to food safety and the responsibility which it feels to the general public relative to the high degree of confidence it places on meat inspection. This external Review was called in part to assure the Government that its approach to the issues relating to meat inspection was capable of meeting its objectives. Our assessment points to the need for certain changes to the program but continues to underline the commitment which the Province must take to food safety. While there may be ways by which the Meat Inspection service can be made more sensitive to the economic well-being of the marketplace, there must be continued vigilance relative to a comprehensive inspection program.

We have appreciated the opportunity to review the functions of the Branch and its employees in this regard and the concerns which were previously voiced by representatives of the industry. We trust that this Report will serve as a useful part of

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the Department's commitment to responsiveness to its clientele and to those who rely on the assurance of its involvement.

We believe that this Report will be helpful in making the changes that are an improvement on the status quo and which address your objectives. If you have any questions as you read this Report or as we move through our discussions, please do not hesitate to call me for clarification.

Yours very truly,

A handwritten signature in black ink, appearing to read 'G. B. Cuff', with a long horizontal line extending to the left.

George B. Cuff, FCMC

President

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Executive Summary

- 1.0 We believe that the issues which we have assessed relative to the concerns of industry and to the performance of the Branch can be attributed to communication challenges. Regardless of best intentions, the Branch has not been successful in getting its messages out to the industry nor has the industry been successful in getting its messages in to the Branch. This matter needs to be dealt with on a proactive basis. The lack of communication also affects the relationships between the Branch and Division and its own employees. We heard as many negative comments regarding the style and degree of communication between those in the head office and those in the field as we did in relation to the objections of industry.
- 2.0 The focus of the industry concerns was on the lack of serious, significant consultation. While the communication was deemed to be lacking, the consultation was felt to be absent. Decisions were made (in the opinion of industry) which they knew little about and only heard of when confronted and told what changes to their operations they must make. Some of the changes were regarded as ineffective and ill-advised but no one asked. Consultation in this instance will require considerable thought by the Branch given that there is no logical industry association which could act on behalf of all the individual and small operators.
- 3.0 Attention has to be paid to the culture of the Branch (and Division). The culture at the moment is quite mixed and predominately influenced by a cross-section of former police enforcement personnel and those from a Federal Government background. The question which needs to be asked by management is this: what do we want our culture to be? Should it be one of laissez-faire; or strict enforcement; or encouragement to be better; or searching for workable solutions? This is not as simple to address as it sounds. Clearly the leadership needs to think through the consequences of their imprint and the legacy of their impact.
- 4.0 There is considerable angst among the industry representatives in terms of the sense that they have of being unfairly treated in relation to other aspects of the food industry. This issue could be alleviated by improved communication to the industry in terms of what underlies the differing codes/standards but will only be addressed by both Alberta Health and Wellness and Alberta Agriculture and Rural Development developing a defined plan of action to address the anomalies and

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determine who is best positioned to deal with food safety wherever meat products are the primary product.

- 5.0 There seems to be the notion that enforcement is good so more enforcement ought to be better. This has not helped the industry strive for its own accountability for improved practices as they realize that your standards are going to be more than what they would ever contemplate. It is not that there is a push back on regulation. Rather, there is push back on over-regulation. If ARD sees the need to qualify certain plants as AAA, others as AA, and still others as A, then there ought to be consequences to that assessment. If those with a triple A rating do not see some reduction in inspections or the frequency of inspections or what is regularly inspected, why strive for better? If there is no downside to the lower rating, it will be deemed to be good enough.

There will always be criticism by industry. That is assured. On the other hand, industry has credited the Department with improvements and understands that some inspection is needed for the long term security of the meat industry.

The Branch (and thus the Division and Department) should be focused on: "how do we make a tangible and positive difference to the industry which is so important on so many levels to Albertans?" Part of that is accomplished through effective marketing. A part can also be accomplished through enabling Albertans to understand and appreciate that products marked "inspected and approved in Alberta" is equally important to the vitality of the industry.

Introduction

1.0 Background

1.1 Objectives

Alberta Agriculture and Rural Development (ARD) wishes to ensure that it has a clear understanding of the depth and breadth of the issues facing the industry and the impact of its policies and processes. This Review is intended to ascertain clearly what those concerns are and to develop a thoughtful and comprehensive approach to ensuring that the role of ARD is both clarified and streamlined so as to be appropriate to industry and public requirements.

1.2 Underlying Concern

The Meat Inspection Branch (MIB) of Alberta Agriculture and Rural Development (ARD) conducts inspection of provincially licensed abattoirs as well as meat processing facilities associated with these abattoirs. In addition, MIB inspects mobile butchers and their meat processing facilities. In Alberta, freestanding meat processing facilities, as well as those which are part of multi-food vendors (Safeway) are licensed and regulated by Alberta Health and Wellness (AHW) inspected by Alberta Health Services (AHS). The standards enforced by MIB differ from those enforced by AHS. Also, the frequency and rigour employed by MIB reportedly differs from that employed by AHS. In both cases AHW is argued to be inspecting less frequently and employing less demanding standards. Industry is concerned with the disparity between the MIB and AHW approaches and the cost of complying with the more rigorous MIB standards and processes.

Industry raised these issues with the Minister of ARD as well as additional concerns such as some ARD staff communicating with them in an unprofessional manner. In response to industry concerns, MIB contracted with the firm of George B. Cuff and Associates Ltd. to conduct a review in accordance with the agreed terms of reference.

1.3 Terms of Reference

We were provided with the following terms of reference to guide our review:

- ❖ Work with ARD to develop and implement a plan to better understand, assess and respond to the concerns of the industry
- ❖ Assess the regulatory burden on the industry taking into consideration other regulatory and inspection approaches and initiatives of other jurisdictions (including within Alberta)
- ❖ Assess the scope, depth and timeliness of industry audits
- ❖ Assess whether this burden can be reduced while maintaining an effective meat

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safety system in Alberta

- ❖ Review the manner in which the inspection processes are discharged including the training of inspectors and vetting of the inspection-industry interface
- ❖ Assess the governance system of provincial meat inspection in Alberta and propose improvements if deemed necessary
- ❖ Propose mechanism(s) to enhance consultation/engagement of industry in the development of appropriate policies and regulations
- ❖ Recommend an approach which would ensure that all regulations are regularly assessed by representatives of the Government and industry
- ❖ Assess whether or not an outcome-based approach or a regulatory approach would best meet the needs of the industry while still offering suitable protection to the public
- ❖ Provide other recommendations as appropriate.

1.4 Our Approach

In our letter of understanding, we agreed to:

- ❖ Meet with the Executive Director, Regulatory Services Division to discuss his role in this review and his observations
- ❖ Meet with the Branch Head, Meat Inspection Branch to discuss his role in this review and his observations
- ❖ Request any and all documentation relevant to this review from the aforementioned parties
- ❖ Conduct interviews with a select number of the owners/representatives to assess their concerns vis-à-vis the overall state of the industry and the impact on it by ARD policies and approaches
- ❖ Conduct interviews with a cross-section of ARD inspectors, auditors and other staff members and assess their experiences with this industry and their approaches to inspections
- ❖ Prepare a draft report which details the consultant's assessment of the foregoing and any recommendations for change
- ❖ Prepare a Final Report for ARD; present the Report to the industry as requested by ARD at an appropriate venue and time.

Role of the Department

2.0 Meat Inspection in Alberta Agriculture and Rural Development

2.1 The Mandate

ARD has a “double-barrelled” mandate relative to agriculture: it must do all it can to ensure that this vital Alberta industry is given every possible opportunity to succeed and thrive in a predictable marketplace. It also must be cognizant of its second primary role which is that of ensuring that everything is done which will assist in assuring Albertans that the products being consumed are produced in an environment where care is being taken to preserve and protect the health of its citizens. These significant objectives, which may seem at first blush to be somewhat in conflict with one another, result in a series of inter-related activities, programs and services.

The Department operates within a legislated world which includes an Act, regulations, directives, policies and procedures. In addition to these, it utilizes other instruments to illustrate how this legislated world is expected to function. To that end it sets forth manuals and guidelines which purport to assist those affected in implementing the legislated direction provided.

In order to ensure that its manuals and guidelines “make sense” the Department relies upon its research and its day-to-day field connections to test what direction is being provided and assure that these instruments and measures assist in making products safe without disrupting the first goal of ensuring a stable economic environment for the agriculture industry. The research conducted is designed to identify the potential risks which exist and the regulations or information which would minimize those risks. The resulting legislative and regulatory environment is thus focused on the establishment of a comprehensive framework that will encourage sustainability while ensuring food safety. While some of the requirement for these aims rests with the Federal Government, the Province has jurisdiction when products are produced and remain within Alberta.

2.2 Meat Inspection Branch (MIB)

The Meat Inspection Branch is resident within the Regulatory Services Division of ARD which in turn is housed within and sanctioned by Alberta Agriculture and Rural Development. The Department like all other Provincial departments develops an annual Business Plan which speaks to the essence of its business as discharged by its branches such as, in this instance, the Meat Inspection Branch. The most recent Plan states that:

“Goal Three: Farmed animal health and welfare, plant health, and safe food products

To achieve this goal, the ministry facilitates the development and application of innovative systems that assure the quality and safety of food produced and

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processed in Alberta and maintains its commitment to continuous improvement in farmed animal health and welfare. It ensures that policies, standards, legislation and regulations align to support plant health, farmed animal health and welfare and safe food production and contributes to the development and implementation of national and provincial food safety and farmed animal health and welfare strategies and initiatives.

Priority Initiatives:

Develop the infrastructure and preparedness that enable government and industry to prevent, detect, respond to and recover from provincial hazards, including invasive crop pest species, foreign or emerging farmed animal disease incursions, and hazards that would impact food security in Alberta.

Alberta meat inspection started in 1970. Initially it dealt exclusively with the inspection of animal slaughter. It evolved over the years with significant changes occurring over the last 10 to 15 years. The Meat Facility Standards (MFS) were developed in concert with AHW.

The implementation of the MFS was one of the more significant changes. In addition, the oversight of meat processing facilities attached to abattoirs was transferred from AHW to the Meat Inspection Branch. The Branch also took over the responsibility for the audit of the handling and disposition of the parts of the animal (specified risk material (SRM)) which are prohibited from being sold for human consumption. This was transferred from the Federal government and is subject to federal regulations. A recent change is the transfer of oversight of the meat processing facilities attached to mobile butchers from AHW.

MIB is a Branch within the Ministry of Agriculture and Rural Development in the Regulatory Services Division. The Division reports through the Assistant Deputy Minister, Food Safety and Technology Sector. The Division consists of two additional units: the Inspection/Investigation Branch, and the Division Veterinarian & Project Manager.

MIB has three units within it. These are:

1. Food Safety and Audit Program
2. Meat Inspectors
3. Meat Facility Extension Specialists

In a presentation provided to us by MIB, the "Over-Arching Goals" were stated to be:

- "Sustained Integrity of Our Inspection Legend

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- Improved Compliance at Provincially Licensed Meat Facilities
- Positive Leadership
- Commitment to Excellence.”

According to information provided to us:

- MIB ensures compliance with legislative requirements governing the safety of meat and meat products and livestock welfare through meat inspection and audit.
- A team of trained meat inspectors provide “on the ground” presence and oversight at each Provincially Licensed Meat Facility (PLMF).
- Meat products may only be deemed “provincially inspected and available for sale in Alberta” if an inspector conducts an *ante mortem* inspection of the animal, a *post mortem* inspection of the carcass, verifies that appropriate sanitation and process control protocols have been followed, and deems the product fit for human consumption.
- Trained auditors conduct annual food safety audits at each PLMF.
- Annual audits provide a non-biased snapshot of each facility’s performance relative to MFS requirements and each facility is scored for regulatory compliance and ranked in accordance with three categories (defined as Gold, Silver or Bronze¹). Only those facilities that meet or exceed minimum standards are allowed to operate and produce inspected meat products.
- MIB inspects and audits over 115 Provincially Licensed Meat Facilities, including 50 red meat (i.e. beef, pork) facilities and 65 poultry facilities that are authorized to sell meat products within the Province.
- MIB also licenses approximately 90² mobile butchers. Mobile butchers provide a slaughter and meat processing service for animal owners who wish to have an animal slaughtered on their premises for their own personal use. All products produced by mobile butchers are considered “uninspected, not for sale”. MIB oversight also includes the meat processing facilities associated with mobile butchers.
- MIB uses “Compliance Principles” to encourage compliant behaviour through transparent, fair, consistent and effective processes based upon the Government of Alberta values of excellence, integrity, accountability, and respect.

¹ Rating labels and criteria have recently changed to AAA for Gold, AA for Silver, and A for Bronze.

² As at December 15, 2011, we understand that a number of mobile butchers have since stopped delivering the kill services and thus shifted to Alberta Health Services oversight for meat processing facilities.

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- The Branch feels that this approach has been effective in working constructively with industry. For example, audit results completed for 2011 indicate that approximately 60 percent of licensed facilities have been awarded a “gold” rating, 32 percent have attained a “silver” rating, and 8 percent have received a “bronze” rating.
- It should be noted, that a PLMF can continue to operate at a bronze level.

Inspectors attend each kill at each PLMF. It is illegal to offer meat for sale where the inspector has not been present to carry out his/her duties. As part of the inspectors' duties, they are required to observe compliance with MFS throughout the PLMF. This means that typically no less than once a week the PLMF will be subject to an inspection.

As noted, the audit branch conducts an annual audit of each PLMF. Each audit can take up to three days and is a comprehensive review of the PLMF operation in context of the MFS. The audit employs a multipage program to ensure that all aspects of the MFS are considered in the audit. Upon completion of the audit, the auditor prepares a report for review and signature by an Audit Manager. The report includes both major and minor issues. The signed report is sent to the operator.

The Meat Facility Extension Specialists (MFES) are responsible for following up with the operator relative to the steps taken to address all high priority major issues identified in the audit report. In addition they are responsible for communicating audit results, negotiating a timeline for corrective actions, advice on common good manufacturing practices and on-site verification of facility's corrective actions.

The Audit Manager is the custodian of the MFS and Technical Interpretation Policy Manual (TIPM). This means that she/he is contacted when MIB staff needs advice on the meaning of the MFS or interpretations. Also, she/he takes responsibility for initiating changes to the interpretations.

MIB staff members are expected to consult with the Division Veterinarian for technical advice with respect to animal health and disposition of carcasses.

2.3 Legislation

The *Meat Inspection Act* and *Meat Inspection Regulation* provide the legislative authority for licensing abattoirs and inspecting meat and meat products. In addition to including provisions to ensure animal welfare at Provincially Licensed Meat Facilities (PLMFs), the legislation addresses food safety risk by incorporating practices from the Meat Facility

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Standards (MFS). The MFS is a comprehensive outcome-based food safety standard which uses principles of Hazard Analysis Critical Control Points (HACCP) to build a facility-specific system that focuses on the prevention of all possible food safety hazards within each meat processing facility.

2.3.1 Meat Inspection Act

Definitions in the Act include:

- (a) “abattoir” means premises, including a multi-location abattoir,
 - (i) where animals are slaughtered, or
 - (ii) where animals are slaughtered and meat is
 - (A) prepared,
 - (B) packaged, or
 - (C) stored;
- (g) “meat facility” means an abattoir, mobile butcher facility, slaughter operation or processing operation and includes any other facility designated as a meat facility by regulation;
- (i) “mobile butcher” means a person who slaughters an owner’s animal on the owner’s premises or assists an owner in slaughtering the owner’s animal on the owner’s premises and who may transport the carcass to a meat facility or between meat facilities;
- (i.1) “mobile butcher facility” means premises operated by a mobile butcher for the purpose of preparing, packaging or storing meat from an animal that has been slaughtered on the owner’s premises or in an abattoir or an establishment.

The *Act* contains sections that speak to licensing of defined provincial facilities, inspection of animal slaughter, sale of meat, authorizing the establishing of regulations and setting of offenses and penalties, and charging of fees.

The Lieutenant Governor in Council is empowered to make regulations over a number of areas, including:

-  licensing
-  powers and duties of the Director
-  mobile butcher
-  cleanliness and sanitation of facilities
-  human treatment of animals
-  handling of meat products

 record keeping

It is important to note that in general the meat processing facilities which are subject to inspection by Alberta Health Services oversight are not subject to this *Act* and regulations. Such facilities are subject to the Public Health Act and Food Regulation contained under it. However, we did note that some facilities, or parts of a facility, require licenses from both ARD and AHW.

2.3.2 Regulations

Meat Inspection Regulations were last amended in 2009. They consist of eight (8) sections including: regulating and administration, licenses and appeals, meat facility standards, meat facility and equipment requirements, operation of abattoir, operations of mobile butchers, inspection, and miscellaneous provisions.

Of particular interest to this study is Part 2.1 on Meat Facility Standards, which states:

- 15.1 An operator of a meat facility shall comply with and shall, respecting the operation of the meat facility, ensure compliance with
- (a) the requirements of the Meat Facility Standards published by the Minister as it may be amended or replaced, and
 - (b) the requirements of the legislation.

2.3.3 Meat Facility Standards (MFS)

The Meat Facility Standards (MFS) sets out the standards which industry must conform to in order to be in compliance with the regulations. The “Introduction” of the MFS states:

“Consumers expect the food they eat to be safe and suitable for consumption. Foodborne illness and foodborne injury are at best unpleasant: at worst they can be fatal. Effective hygiene controls are vital to preventing the adverse human health and economic consequences of foodborne illness, foodborne injury, and food spoilage.

The Meat Facility Standards (MFS) ensures that conditions under which meat and meat products are manufactured and the ingredients used in their manufacture lead to the production of food, which is safe for human consumption.

The MFS is a policy document legislated by the Meat Inspection Regulation, Alberta Regulation 42/2003, and Section 15.1, which requires the operator of a meat facility to comply with the MFS. It is a HACCP³ based program using internationally

³ Hazard analysis critical control points (HACCP) are discussed in section 2.2.4 of this report.

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accepted food hygiene principles and consists of sections, which include prerequisite programs and manufacturing controls.

The MFS applies to all provincially licensed meat facilities regulated by Regulatory Services Division of Alberta Agriculture and Rural Development (ARD). It provides a firm foundation for good manufacturing and hygienic practices and allows operators to control and prevent relevant food safety hazards and to identify meat-borne risks to human health ultimately resulting in improved food safety.

In the past, food manufacturers have relied almost entirely on end product testing to determine and ensure the safety of their products. Now the industry and government have established scientifically sound principles to identify and control hazards during production ensuring that a safe, wholesome meat product is produced.

The safety of food products produced within Alberta is ultimately the responsibility of the licensed meat facility operator. However, everyone, including manufacturers, processors, food handlers and consumers, has a responsibility to assure that food is safe and suitable for consumption. Meat inspection programs administered by Regulatory Services Division provide assurance that food is suitable for human consumption and monitor to ensure facilities have taken appropriate steps to produce safe meat products.

The starting point of MFS is the statement that an operator is responsible to develop, implement and maintain programs as required by MFS. These programs are to be written and include:

- a) **Purpose** of the activity or procedure;
- b) **Who** conducts the activity or procedure;
- c) **What** they must do;
- d) **How** the activity or procedure is done including instructions (i.e. Standards Operating Procedures (SOPs)
- e) **When** (i.e. frequency);
- f) **Deviation procedures** (complete with who, what/how, and when);
- g) **Verification procedures** (complete with who, what/how, and when);
- h) A list of the records.

The MFS provide directions on premises, transportation and storage, equipment, personnel, sanitation and pest control, and recall. The structure of the each section of

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standards is consistent. A section starts with stating the objective of the standards within the section and providing the rationale. The section then goes on to prescribe the standards. These are stated in a manner that are more principle-based rather than prescriptive as to specific process. This approach allows the operator to select the appropriate approach to addressing the standard.

The Branch has developed an interpretation guide to assist operators relative to implementing the standard. This guide is called Technical Interpretation Policy Manual (TIPM) and is in excess of 800 pages. Much of the criticism we heard is associated with the specific expectations prescribed through TIPM.

MFS is “published by the Minister” and as a result we understand these can be amended by the Minister, i.e. does not need approval of the Lieutenant Governor in Council.

It is interesting to note that a number of major grocery chains require a facility to fully comply with HACCP in order to supply meat to the chain. The food chains employ their own auditors to assess compliance with standards. A few of the Alberta based facilities do in fact supply to these chains and thus have full HACCP systems in place. We were advised that ARD audit staff do not see the result of HACCP audits conducted by other external parties.

2.3.4 Compliance Principles

The Department has, of course, continually monitored how it delivers on its legislation and regulations and their impact on the clientele being served. As a result, in April 2008 the Department produced the Compliance Principles document to provide a framework that would assist those being inspected and monitored to comply with the Department's requirements and to mitigate any risks. These principles were to be utilized to guide inspector and investigator responses to non-compliance. Inspectors and investigators now use these principles to guide their actions.

2.3.5 Hazard Analysis Critical Control Point (HACCP)

Canadian Food Inspection Agency web site describes HACCP as follows:

“Hazard Analysis Critical Control Point (HACCP) is an approach to food safety that is systematic and preventive. It is recommended by the Codex Alimentarius Commission, the United Nations international standards organization for food safety. HACCP is used by most countries around the world. It has been in use since the 1960s.

In the early 1960s, the US National Aeronautics and Space Administration (NASA)

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asked US food-product giant Pillsbury to develop food for astronauts. They wanted food that was not only tasty, but safe to eat in zero gravity. HACCP was originally developed for this project.

HACCP goes beyond inspecting finished food products. It helps to find, correct, and prevent hazards throughout the production process. These include physical, chemical, and biological hazards.

HACCP is not just used in food production. It's applied in other industries around the world, such as cosmetics and pharmaceuticals.

There are seven universally-accepted HACCP principles. Every country that uses HACCP follows these principles. In summary these include: *hazard analysis* (a plan is laid out to identify all possible food safety hazards that could cause a product to be unsafe for consumption, and the measures that can be taken to control those hazards); *identifying critical control points* (points in the production process where an action can be taken to prevent, eliminate, or reduce a food safety hazard to an acceptable level); *establishing critical limits for each critical control point* (a critical limit is the limit at which a hazard is acceptable without compromising food safety); *establishing monitoring procedures for critical control points* (detailed monitoring activities are essential to make sure the process continues to operate safely and within the critical limits at each critical control point); *establishing corrective actions* (actions must be taken to bring the production process back on track if monitoring indicates that deviation from critical limits has occurred); *establishing verification procedures* (verification means applying methods, procedures, tests, sampling and other evaluations to determine whether a control measure at a critical control point is or has been operating as intended); *record keeping* (records must be kept by the company to demonstrate the effective application of the critical control points, and assist with official verification) [which is done, in Canada, by the Canadian Food Inspection Agency (CFIA)].

In 2005, HACCP became mandatory in Canada for federally-registered meat and poultry establishments. (The legislation that pertains to this is the Meat Inspection Regulations). In these establishments, the CFIA uses the Compliance Verification System to verify an establishment's compliance to their HACCP system. In federally-registered fish establishments, the principles of HACCP are followed

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under the Quality Management Program, or QMP.”

The QMP was established as a mandatory program in 1992. It is the first mandatory food inspection program in the world that is based on HACCP principles.

Developing, implementing, and maintaining a HACCP system is industry’s responsibility. This is because food manufacturers have the most control over the products they manufacture, so they have the greatest impact on the safety of their products.

2.3.6 Technical Interpretation Policy Manual (TIPM)

TIPM is a manual, in excess of 800 pages long, available to operators as a reference document that describes acceptable steps they can take to implement the Regulations and MFS. This is captured in the TIPM introductions as follows:

“The primary objective of the TIPM is to assist operators of “Licensed Meat Facilities” to meet their responsibilities under federal and provincial legislation and to assist inspection personnel and auditors in the performance of their duties. Note: The term “Licensed Meat Facilities” include provincially licensed abattoirs and other facilities that are involved in production of meat and meat products.

The TIPM has the same goals as the meat inspection and public health legislation of the federal and provincial governments:

Note: These goals are to ensure that:

- a) food animals are handled in a humane manner;
- b) meat and meat products are suitable for human consumption;
- c) unsuitable meat and meat products are handled in a manner that does not cause any risk of contaminating edible meat products;
- d) meat products are properly identified and appropriate records are kept in case it is necessary to recall any product

The TIPM is a “living document” which means it has been written and organized in a manner that will allow changes to be made as new requirements, techniques and methods come about. The TIPM is designed to provide more detail than what is in applicable Acts, Regulations and other documents (e.g. the Meat Facility Standards).”

In the introduction, MIB states that “TIPM does not have any legal authority”. It is intended to provide information on how to interpret the Regulations/MFS. It is used by both operators and MIB staff. It is interesting to note that even though it is stated that it

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has no legal authority, it is enforced through inspection and audit similar to a legal document. TIPM can be amended by MIB, with primary responsibility for its maintenance being assigned to the Audit Manager. Amending TIPM is a relatively simple process. In the past, amendments were made which surprised MIB staff and industry. In at least one recent case, the amendment caused considerable negative reaction.

2.3.7 Internal Directives

ARD and MIB have published a number of internal directives which direct the activities of MIB staff. Many of these cover internal administrative matters such as vacation, expense accounts, etc. In directive D-01 Directive & Procedure Development ARD provides the following information:

Policy vs. Directives

In a strict legal sense **policies have to be approved by the Minister**. To avoid any confusion the RSD will use the term “Directive” instead of “Policy”.

What is a “Directive”

Directives are guidelines which regulate the actions of RSD staff. A directive is a position statement which states: **WHAT** the RSD wants done and **WHY** it needs to be done.

What is a “Procedure”

A procedure is a step-by-step instruction indicating **HOW** a particular function is to be performed.

A number of directives directly impact this industry. For example, directive MI-10 Abattoir Scheduling deals with the scheduling of slaughter dates for facilities and in the scheduling of inspectors. The Directives states that:

APPLICATION:

This “Directive/Procedure” applies to the scheduling of slaughter days for all colonies, red meat and poultry plants and also to requests for overtime.

RATIONALE:

Efficient use of resources and manpower requires advance scheduling of slaughter dates.

DIRECTIVE

The “Area Manager (AM)” is responsible for scheduling slaughter dates and assigning inspectors; however this responsibility may be delegated to the “Regional Supervisor (RS)” or any other staff member. Note: 1: To avoid conflict only one

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person in each region should be authorized to schedule slaughter days and assign inspectors. Note: 2: The term AM throughout this document also refers to any other staff member that has been delegated with the responsibility for abattoir scheduling.

Requests for: a) changes to regular slaughter times; or b) extra kill days must be made through the AM.

There are 16 Division directives and 42 MIB directives.

2.3.8 The Regulatory Envelope

If we understand this regulatory envelope correctly, the following applies:

- ❖ The Act (The *Meat Inspection Act* and *Meat Inspection Regulation* provide the legislative authority for licensing abattoirs and inspecting meat and meat products.)
- ❖ The Regulations (last amended in 2009. They consist of eight (8) parts with these parts being: regulating and administration, licenses and appeals, meat facility standards, meat facility and equipment requirements, operation of abattoir, operations of mobile butchers, inspection, and miscellaneous provisions.)
- ❖ Meat Facility Standards (the HACCP based standards that PLMF are expected to conform to.)
- ❖ The Directives (A directive is a position statement which states: **WHAT** the RSD wants done and **WHY** it needs to be done. These are in effect procedures which give further direction to the regulations).
- ❖ The 834 page Interpretation Manual (TIPM is a highly detailed instructional manual which purports to guide a plant operator and other plant staff in implementing Meat Facility Standards).
- ❖ Compliance Principles (These are the statements of principle which effectively serve to bind the foregoing together into a matrix of actions by ARD including establishing standards, informing and educating clients, encouraging planning, inspecting activities and facilities, advising clients, receiving information and public complaints and enforcing standards as per legislative requirements.

The above description of this regulatory envelope, or at least as we understand it, paints a very broad picture of what the Government of Alberta is doing to ensure food safety at facilities under the guidance and responsibility of ARD. This envelope is extensive and its combined substance is what leads to several of the plant operators feeling overwhelmed and over-regulated. While the younger generation of operators responded somewhat differently to the weight of this matrix, those who have been in the business for years

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and who appear to be the older generation sense that their little operation has been taken over by what was referred to a small business owner (i.e. one of those surveyed) as the "well-educated folks" in the J.G. O'Donoghue Building.

Approach of Other Jurisdictions

3.0 Other Jurisdictions

3.1 Split in Responsibilities

Meat inspection responsibilities are split between federal and provincial governments. The Federal government has established food safety laws, regulations and policies which apply broadly across Canada. With respect to meat inspection and processing, in general, it enforces these in federally registered facilities. Facilities must be licensed by the Federal government if they export food out the province of origin, either to another province or country. The enforcement of the Federal laws is assigned to the Canadian Food Inspection Agency (CFIA).

Provinces take responsibility for legislating meat safety laws for facilities registered by the province. These produce meat which will be consumed exclusively within the province. There is considerable variation on the approach taken by each province.

In 2008 ARD examined the practices of other provinces and countries. We have used the data produced by this examination as well as other publicly available sources of information relative to other jurisdictions.

3.2 Ontario

We have been advised by the MIB that Ontario is the province that has taken an approach which is closest to Alberta. To the extent that it differs, current MIB management thinks it is a direction that Alberta should take.

Ontario announced significant changes to their regulatory environment in 2004. The changes were made in response to a review of meat regulations and their inspection system. The review was initiated as a result of a death due to unsafe meat. The Province responded by proclaiming the Food Safety and Quality Act and associated Ontario Regulation 31/05, Meat Safety Regulation which was described by Ontario as being broader in scope than previous legislation and harmonized with national standards.

The regulation under the Food Safety and Quality Act, among other things, required:

- Licensing and inspection of freestanding meat processors
- Strengthening process controls at meat processing facilities
- Training for food handlers.

The Ministry also provided up to \$25 million in transitional funds over three years to assist processors in meeting the new requirements. Under the regulation, freestanding meat processors are defined by the products they produce and to whom they are sold. They include businesses that process products like bacon, deli meats and smoked ham, and businesses that

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produce items like roasts, chops and steaks and sell them to wholesalers, food service operations and retailers. Freestanding meat processors do not slaughter animals and are not federally registered.

The *Food Safety and Quality Act* of Ontario and its regulations set out the meat processing and inspection rules in place in Ontario which include:

- Implementing the federal standards; these are HACCP based standards
- Extending the standards overseen by Department of Agriculture to licensing and inspection of freestanding meat processors (FSMPs).
- Strengthening process controls at meat processing facilities
- Requiring food-handler training
- Requiring licensed facilities to develop and document sanitation and other programs for their facilities and operations
- Upgrading regulatory requirements for labeling to reflect current federal standards
- Requiring on-farm flock health records to accompany poultry received at an abattoir

Consultation was also expected to take place prior to implementation of these changes:

- Phasing in dates for mandatory implementation of HACCP systems in all meat processing facilities
- Providing for plant employees, under strict inspection supervision, to assist inspectors
- Intensifying control over the humane slaughter of all food animals
- Providing procedures for on-farm slaughter and dressing
- Providing further controls over the slaughter of non-ambulatory (downer) animals
- Establishing procedures for emergency slaughter under veterinarian supervision
- Establishing conditions under which hunted game could be processed in a meat plant
- Providing for additional, environmentally sound disposal options for meat plant waste

In the ARD assessment it was noted that Ontario employs third party inspectors. It does not allow employees of a plant to carry out the inspections. Like Alberta, it is not full HACCP at this time. One key difference is that the Act and regulations include free standing meat processors under the Ministry of Food and Agriculture. In Alberta, these are under AHW.

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3.3 Saskatchewan

The Saskatchewan approach is significantly different. Drawing from published material, the Saskatchewan program is as follows:

“The program provides voluntary inspection of abattoirs and meat processing plants to help ensure food safety. Under the Domestic Meat Inspection Program, abattoirs and meat processing plants request inspection which is provided through a contract between the Saskatchewan Ministry of Agriculture and the Canadian Food Inspection Agency. Establishments receiving domestic meat inspection are able to sell meat within Saskatchewan. According to bylaws in Saskatoon, meat sold in the city must be inspected.

Abattoirs and meat processors wishing to be eligible for domestic meat inspection must abide by the standards set forth in the Domestic Meat Inspection Program standards.

Domestic inspection allows slaughter and meat processing facilities to ship products within the province. Animals must be slaughtered in a facility that is under the domestic meat inspection system. Inspection has been contracted to the CFIA in order to enforce *The Disease of Animals Act* and *Meat Inspection Regulations*. Inspection is completed under *The Public Health Act* and *Sanitation Regulations*.

Public Health Inspection

Public health inspection is suitable when selling products within the province. Often these products will go to local farmers markets, catering, or used in the operation of a restaurant.”

We have been advised by ARD that CFIA is withdrawing from the contract with the Saskatchewan government to supply inspection services. As a result, they are looking at alternative regimes and have been provided with information on the approach Alberta takes. Currently, the key difference is that meat inspection is voluntary.

3.4 British Columbia

A description of the Province of British Columbia regulatory environment is provided on the Ministry of Health website which states:

“The Meat Inspection Regulation (MIR) sets out the requirements for all provincially licensed slaughter facilities in British Columbia. The regulation came into force in 2004, and compliance became mandatory on September 30, 2007.

The MIR introduced a provincial outcome-based standard for the safety of meat processing in the province. It requires the following:

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- Animals are humanely slaughtered.
- Carcasses are handled hygienically and butchered in a sanitary environment.
- Meat is stored and packaged in ways that minimize contamination risks.

Between September 2007 and April 2010, when several MIR amendments came into effect (see section 1.4 of the regulation), three classes of meat slaughter establishment licences were available in British Columbia:

- Class A: a licence permitting slaughter and processing (i.e., cut-and-wrap).
- Class B: a licence permitting slaughter only.
- Class C: a temporary licence enabling slaughter facilities to operate without inspection until upgrades to full licensing are completed.

Uninspected slaughter of an animal by the owner of that animal for his or her personal consumption is unregulated, and has always been allowed in British Columbia. The language of the regulation is outcome based to allow for innovative approaches, such as mobile slaughter facilities that can provide services to several communities. Since 2006, the provincial government has provided more than \$11 million in support of industry transitioning to the new requirements. In addition, the government created Class C licences on a temporary basis to allow upgrading facilities to continue to operate without inspection.

These measures have helped improve the number and distribution of slaughter facilities significantly. Once all Class C licences have been upgraded or phased out, the province will likely have almost 50 provincially licensed slaughter plants serving the province - a significant improvement over the 12 provincially licensed. The new graduated licensing approach includes several levels of slaughter operation for provincially licensed facilities:

- Class A facilities include slaughter and 'cut and wrap' services.
- Class B facilities include slaughter only.
- Class C was temporarily introduced in 2007 to make it possible for many slaughter operators to become fully licensed. These licenses are now being phased out.
- Class D - Retail Sales - permits direct producer sales to local consumers and to retail establishments with geographic restrictions. Restricts production to between one and 25 animal units (approximately 11,350 kg live weight).

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- Class E - Direct Sales - will permit direct producer sales to local consumers. Restricts production to between one and 10 animal units (approximately 4,540 kg live weight). These will also be limited to the designated geographic areas but may also be available to other rural and remote areas of the province on a case-by-case basis."

This change in approach seems to have been necessitated by CFIA, similar to Saskatchewan, stepping away from providing meat inspection services.

3.5 Manitoba

Manitoba has contracted with CFIA to carry out inspections. It has a number of standards which cover plant location, construction, operation, and meat hygiene. Like BC and Saskatchewan, CFIA will no longer provide inspection services to Manitoba. It is interesting to note that uninspected meat can be sold in Manitoba if it is clearly marked "uninspected".

3.6 Quebec

Meat production is covered by the Foods Act. Abattoirs must be licensed under the Act. Government staff carry out meat inspection. According to the ARD analysis done in 2008, it does not follow HACCP, but inspection is mandatory.

3.7 Maritimes

With the exception of PEI inspection is not mandatory in the Maritimes.

3.8 Canada

Food safety is administered by the Canadian Food Inspection Agency (CFIA) federally. All plants must register with the CFIA if they ship meat between provinces, or internationally. CFIA standards are HACCP based. It has its own inspectors or will supervise inspectors employed by plants. The kind of plants it regulates tends to be quite large. Along with Ontario, it is pointed to as an example by MIB management. The following is from federal documents and website:

Food inspection by the CFIA

In Canada, food safety and consumer protection begin with a strong legal framework. The CFIA has a mandate to administer or enforce food-related standards and other requirements, found in five separate Acts of Parliament (and their associated Regulations). These include:

- the *Food and Drugs Act*
- the *Canada Agricultural Products Act*
- the *Fish Inspection Act*

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- the *Meat Inspection Act*
- the *Consumer Packaging and Labelling Act*

The CFIA verifies industry compliance with these Acts (and Regulations) through activities that include inspecting establishments (such as abattoirs and food processing plants) and testing products. CFIA also provides industry with the needed certificates, licences, registrations and permits to operate and access markets.

The CFIA promotes industry's use of science-based risk management practices to minimize food safety risks - whether the food they are responsible for processing, manufacturing or distributing, is produced domestically or imported. If a food safety emergency does occur, CFIA, in partnership with Health Canada, the Public Health Agency of Canada, provincial agencies and the food industry, operates an emergency response system. This may include food safety investigations and product recalls.

Eight separate food programs

When CFIA was created in 1997, it brought together food inspection programs from different federal departments with diverse inspection approaches. While some progress has been made in bringing these programs together since then, the process is still underway. CFIA currently operates the following eight, separate food inspection programs:

- dairy
- imported and manufactured food
- egg
- maple
- fish and seafood
- meat
- fresh fruits and vegetables
- processed products (including honey)

Having eight food programs has resulted in the development and use of different risk management frameworks, inspection methods, and compliance verification and enforcement approaches. This challenges CFIA to manage risks consistently across different types of establishments and different foods. It creates situations in which foods of similar risks may be inspected at different frequencies or in different ways. The eight food programs also result in industry having to meet multiple and different requirements that are challenging to address.

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One significant matter is that CFIA has recently announced that it plans to change its basic program. See following information from the CFIA

The Compliance Verification System (CVS) is a tool that Canadian Food Inspection Agency (CFIA) inspection staff members use to verify that industry is continually complying with Canada's federal food safety regulations and policies. The CVS was first designed in 2005. It was put in place as a pilot project in 2006 and implemented in all of Canada's federally-registered meat establishments on April 1, 2008. The pilot project covered 123 federally-registered meat establishments across the country. In total, there are over 700 of these establishments in Canada. Today, all of them use the CVS.

The CVS is a task-based inspection tool that is based on the CFIA's regulatory requirements; provides clear and consistent direction to CFIA inspectors; is capable of adapting to rapidly-changing program requirements and can be applied to any inspection activity, in any commodity's inspection program.

The CVS describes the tasks that must be completed, as well as the procedures inspectors must follow in order to complete each task, when an inspector is carrying out his or her duties. The benefits of the CVS are consistency:

- in how inspection staff are trained to carry out their duties
- in how procedural instructions are provided and communicated
- in how (and where) results are recorded and
- in how non-compliance is managed.

Flexibility is another benefit of the CVS. The system continually evolves and requirements are updated as new scientific information becomes available.

CVS and Meat Inspection

Although most consumers are not familiar with the CVS, they benefit from it every time they buy or eat a product that was made in a federally-registered meat establishment. Why? Because the CVS means that inspection has been done in a consistent, uniform, and efficient way, regardless of which inspector was on the job or where the plant is located. Over 95 per cent of all animals slaughtered for food in Canada are inspected by the CFIA in federally-registered establishments. The rest are processed in provincially-registered plants.

Members of the CFIA's meat inspection staff work in federally-registered slaughter plants, processing and packaging establishments, and storage facilities. Depending on

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the type of facility being inspected and the type of product being made, some or all of more than 90 CVS tasks must be performed daily, weekly, monthly or yearly.

The CVS requires inspectors to conduct on-site assessments of each plant they are responsible for. They do this by observing plant processing activities and by interviewing plant personnel. However, while visual inspection is important, reviewing test results and control measures are key to identifying pathogens that cannot be seen. So, CFIA inspectors also independently collect samples for microbiological testing and carry out in-depth reviews of company documents, records and test results. For example: inspectors must regularly check a plant's sanitation records, employee hygiene, cooking temperatures, ingredient controls, and lab results for pathogens like *Listeria*, *Salmonella*, and *E. coli*

Inspectors divide their time between assessing each establishment's safety-assurance programs and conducting on-site inspections. While the division can vary on a day-to-day basis, an inspector's work is generally divided equally between assessments and on-site inspection.

Compliance is normally achieved through cooperation between the plant operator and the inspection staff. The compliance rate for federally-registered meat establishments is very high. However, when a problem arises, the CFIA requires that the plant operator commit to an action plan to fix the problem and prevent it from re-occurring. The CFIA also verifies that the operator's plan has been implemented appropriately. When the plan is not successful or when the operator is unwilling or unable to correct the problem, the CFIA pursues stronger enforcement options. For example: enforcement action can include detaining and recalling product, shutting down production lines, closing the plant, prosecution and removing the operating license.

With respect to the changes in approach in the introduction to its document entitled "Inspection Modernization - Optimizing Confidence in Food Safety" it states that:

The Canadian Food Inspection Agency (the CFIA or the Agency) plays a key role in maintaining Canada's food safety system. But the world in which the CFIA operates is changing and the CFIA needs to change with it. Canada has one of the best food inspection systems in the world. The intent of inspection modernization is to build on this strong foundation, and to be flexible and able to adapt to emerging global and scientific trends. ...CFIA's current approach to food inspection, the context for a new food inspection approach and the proposed components of an improved food inspection model ...goals of the

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model are to standardize the inspection approach and provide for consistent and appropriate oversight across all regulated food commodities. Oversight should be based on risk and focused on prevention of non-compliance, using science and technology.

The improved food inspection model should apply to all food inspection conducted by, or on behalf of, the CFIA. Common components of the improved food inspection model should also be applied to the CFIA's plant and animal health programs, wherever appropriate.

3.9 Summary

The question with respect to what other jurisdictions do in the area of meat safety regulation is what can be learned relative to addressing issues with the Alberta system. Core issues with the Alberta regulatory regime include:

- Two sets of rules applying to the retail component of meat processing, e.g. butcher shops attached to an abattoir versus free standing butcher shop.
- Extent of conformity to HACCP standards

In our opinion the lack of a standardized approach by the Government of Alberta simply leads to ongoing complaints and charges of unfair practice and discrimination. It does not encourage industry to embrace the rules of the game as there is an ever-present sense that someone else is benefiting from a looser set of rules, regardless of whether or not that is true. In some ways the Department ought to consider the statements by the Federal Government (CFIA) relative to where it is heading as it states that the "goals of the model are to standardize the inspection approach and provide for consistent and appropriate oversight across all regulated food commodities. Oversight should be based on risk and focused on prevention of non-compliance, using science and technology."

The Alberta model while certainly one with considerable sophistication has seemed to rely upon documentation and over-regulation to ensure food safety. At the same time, ARD has been unable to convince its clientele/audience that its rules and procedures create a level playing ground for the breadth of the industry.

At the Federal level all food inspection responsibilities were brought under one organization. In the Case of Ontario, meat processing was brought under one organization. In Alberta, it is currently under two organizations and this contributes to the challenge faced by government to demonstrate that competing businesses are treated similarly under the law. It also points to critical need for AHW/AHS and ARD to work closely and cooperatively.

Concerns Expressed to Government

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4.0 Concerns Raised with the Department

4.1 Industry Issues

The Department is aware that what it does and the regulatory environment it creates can have a tremendous impact on the meat industry. While it is mindful of this (and our Review continually saw evidence which underlines this observation), the Department (Division and Branch) are also mindful of the fact that Albertans need to be assured that the products it consumes are produced in facilities and conditions which are deemed to be safe and wholesome, inspected by those who are not part of the actual industry.

In saying this, the Department has expressed concern regarding the difficult financial pressures on the meat industry including the labour market, high commodity prices and tight cattle supplies. The margins for industry also make any changes in regulation open to challenge due to the costs which are born by often very small operators. This need for balance between what enables a safe and dependable product environment for consumers and a competitive marketplace is the ongoing source of considerable strain both between industry and the Government and within the Department itself.

Recently a number of representatives from industry have raised concern with the meat inspection regulations/MFS/TIPM as well as the enforcement of them by MIB staff. The issues raised by facility operators included:

- ❖ Agriculture and Rural Development (ARD) inspectors are communicating with them in an unprofessional manner;
- ❖ The Meat Facility Standards (MFS), a comprehensive HACCP-based food safety standard, is applied too prescriptively in their plants and that greater flexibility should be exercised; and
- ❖ A gap exists between how AHW and ARD apply their meat facility inspection and auditing. The difference is reducing their competitiveness in the marketplace.

4.2 Departmental Response

- ❖ The Department has developed three actions (see below) in response to these concerns. Action 1: Regulatory Services Division (RSD) recognizes that there may have been incidents where meat inspectors could have used better communication skills when dealing with plant personnel and owners. RSD has discussed with inspectors the need to communicate in a professional manner when dealing with the industry. RSD is

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in the process of developing a communication strategy. All inspectors will receive communication training to assist them in dealing with plant personnel.

- ❖ Action 2: RSD is currently reviewing the MFS requirements to determine how it may be applied in a more flexible manner. RSD will conduct meetings with industry in fall 2012 at various locations in Alberta, to listen to industry's concerns to determine what mutually beneficial resolutions can be achieved.
- ❖ Action 3: An action plan will be developed that demonstrates differences in the criteria used by AHW and ARD in the conduct of inspections of meat processing facilities and the evaluations upon which they are based. Current policy gaps include:
 - ARD has, through legislation, made the MFS mandatory. The MFS requires full written prerequisite programs and process control documentation from the operators. AHW uses no comparable standard.
 - ARD audits all of its facilities on an annual basis, assessing both onsite practices and adequacy of written programs, as required by the MFS. Facility operators are asked to correct all major audit deficiencies. AHW has no formal audit system, but rather, evaluates food establishments by way of onsite inspections.
 - ARD, through its compliance manual, provides a set of clear and consistent directions to facility operators and staff on the criteria that must be met in order to satisfy MFS standards. AHW has no comparable requirement for written documentation.
 - The regulation of meat facilities that serve primarily to process and sell meat is currently split between administrative authorities. All abattoirs and some meat facilities are licensed and regulated by ARD, while AHW licenses and AHS regulates other meat facilities. The products produced are the same. From an operational perspective, the determining factor in deciding who regulates each meat facility comes down to a question of whether or not the operator requires a slaughter license, and is not based on the products produced or the food safety risks associated with their processing.
 - The action plan will include options for discussion between the Minister and his counterpart in AHW, pending the release of the Red Tape Reduction Taskforce report.

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4.3 Alberta Health and Wellness

The following is drawn from a briefing note dated March 16, 2012:

Perceived differences in legislative requirements and application concerning food safety inspections between meat facilities licensed by Agriculture and Rural Development (ARD) and free-standing meat processing facilities permitted by Health and Wellness (AHW), has created the perception that standards applied to the different facilities are not compatible.

- The perceived discrepancy has created an “unlevel playing field:” ARD-licensed meat facility operators expend time and effort to maintain compliance with the Meat Facility Standards (MFS), while operators of AHW-permitted facilities do not appear to face the burden of an in-depth annual food safety audit. This perceived inequity has been causing animosity and resentment among ARD licensed meat facility operators.
- ARD currently licenses 115 abattoirs and 47 mobile butcher facilities. AHW currently licenses approximately 150 free-standing meat facilities that are seen by ARD-licensed meat facilities as direct competitors.

The *Meat Inspection Act* and *Meat Inspection Regulation* incorporate the MFS. The MFS is a comprehensive Hazard Analysis Critical Control Point (HACCP)-based food safety standard that focuses on the prevention of all possible food safety hazards through structural and process-related written requirements.

AHW has its Act, Regulation and Code as a parallel to ARD Act, Regulations and MFS. They put the Code in their regulations in 2006 on the advice of their lawyers. They began by looking at cleaning up the language in their Code (e.g. change “Should” to “Must” or “May”). (The Code is quite extensive and runs about 80 pages). Again legal advice was received stating the need for this action. This has yet to be completed. In doing this, they need to decide which rule will be a must and which will be permissive.

Inspection frequency is determined by risk assessment. They have tried to move their actual inspection closer to their planned ones. Improvement has been realized since the last OAG audit. In the next year or two they will likely take a detailed look at the regulations and the code. AHW advise that ARD would be a stakeholder that they consult.

AHW have a great many types of organizations to regulate and to inspect. With respect to food they needed one common code. The MFS were developed with ARD. It was adopted in AHW on a piece-meal basis. This was in part because at the time of preparation there were 9

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health authorities. They have actually only just recently decided to formally state that they do not follow the MFS. They reportedly did not see it as relevant and useful for the type of facility they regulate (e.g. restaurants). AHW note that there was a decision to transfer mobile butcher's facilities to ARD. This was done in response to complaints by abattoirs that they are treated more stringently than mobile butchers.

We were advised that there are similarities and differences between the Code and MFS as provided by ARD. Interestingly, there is record-keeping included in the Code. It is stated as "should" and has been treated as more of a "may". This is an area of discretion and Inspectors may on a case by case basis require records similar to MFS.

With respect to overlap between ARD and AHW:

- a. AHW acknowledge that there are some areas of likely overlap.
- b. AHW acknowledge that this will occur when a facility regulated by ARD has a retail operation attached.
- c. ARD and AHS Inspectors should work together to minimize this potential and to ensure it only occurs when appropriate.
- d. Regulations likely cannot be made more specific to reduce overlap.
- e. AHW also rely on communication to ensure that there are no gaps in facilities that may not be regulated or inspected
- f. Interaction between AHW and ARD has improved; committee helps for example when mobile butchers leave business and shift production to AHS oversight.

In addition, the Briefing note stated:

Although ARD and AHW worked jointly to develop the MFS, ARD chose to incorporate it into its regulatory framework while AHW did not. The MFS, like any auditable HACCP or HACCP-based standard, has three basic levels which focus on:

1. Proper operational requirements;
2. Written prerequisite procedures and records; and
3. Written control procedures and records for all products.

AHW employs an inspection program for its facilities, using the *Food Regulation* as its applicable legislation. AHW neither incorporates an auditable written food safety standard, nor implements an annual auditing program as ARD does. The frequency at which AHS inspects permitted food establishments is determined on an assigned risk-basis, and may be subject to additional inspections in response to customer complaints.

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Recently, Ontario moved to a single legislated HACCP-based standard for all meat facilities that serve the general public and are engaged in higher risk meat processing activities (e.g. cooking, smoking, fermenting, etc.). These regulations are administered solely by the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA). OMAFRA appears to use an inspection approach similar to ARD's approach.

ARD staff members are working to engage AHW to gain a better understanding of its regulatory processes.

- In the event that regulatory discrepancies are found to exist between provincial regulatory bodies, ARD will develop policy options to ensure a uniform standard for all provincially licensed meat processing facilities and food establishments that is effective, fair, practical, and consistent.
- ARD is also moving to implement a better process for engaging red meat slaughter facilities to address policy issues and find mutually acceptable solutions to concerns, including a thorough review of the MFS and its application.

4.4 External Assessment (Alberta Auditor General Report)

In 2005-06 annual report the Auditor General (OAG) reported on his findings with respect to Food Safety in Alberta. This audit looked at practices of both AHW and ARD. Three years later the OAG followed up on steps taken by both departments and the results of that work was reported in the OAG October 2009 report.

As background to their work, we note that:

- ❖ The food safety continuum refers to the processes that ensure safe food for consumers; "from farm to fork" is one saying that summarizes the continuum. Primary production takes place on a farm, ranch or feedlot, raising animals or growing a crop. Primary processing takes a raw product and begins to process it; for instance, beef are slaughtered or vegetables are cleaned and graded. Secondary processing further refines the product, perhaps to turn it into ready-to-eat or frozen items that are marketed in stores. Tertiary processing takes place just before a consumer eats it; restaurants are most numerous in this category, but there are other food preparation environments such as supportive living homes, school lunch rooms and work camps. There are also support processes in the continuum such as the transportation and storage of food. Each process along the continuum poses food safety issues.
- ❖ The goal of food safety regulation is to identify risky scenarios and mitigate those risks. In Canada, food safety regulation is multi-jurisdictional. For example, the Canadian

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Food Inspection Agency regulates most of Alberta's primary beef processing, because most of Alberta's beef goes to national and international purchasers. Federal regulators also have responsibility for primary and secondary production whose products exit Alberta's borders.

- ❖ Alberta Agriculture promotes food safety in primary production through its Alberta HACCP Advantage and surveillance programs. Agriculture also has regulatory jurisdiction when the product stays in the province. This applies to milk, eggs and some animal slaughter. AHS's public health inspectors regulate most of Alberta's tertiary processing. There is an equivalent inspection role on First Nations reserves by federal public health inspectors within Health Canada.

We summarize our understanding of the key messages in the OAG audit reports⁴ that are relevant to scope of our work for ARD as follows:

- ❖ Meat inspectors can better use their automated information system, Agridam, to record, monitor, and manage public complaints, non-compliance by operators, and held tags on slaughtered carcasses.
- ❖ ARD was advised to improve its inspection and investigation programs by ensuring:
 - It considers a broader range of enforcement tools;
 - Inspections are up-to-date;
 - Practices for complaints, incident reports, and held tags are consistent.
- ❖ Food safety programs should be consistent across the province (not necessarily the same, but equivalent effectiveness). For any point in the province, those being regulated should expect equivalent treatment. The extent and timeliness of program delivery should be maintained. Practices should be consistent across the food safety program.
- ❖ Some food safety situations may not require a stoppage of processing but rather a graduated scale of measures which could be utilized depending upon the circumstances.
- ❖ Regulatory Services' staff members located around the province needs to develop "best practices" which can be shared with other regions.
- ❖ Regulatory Services' practices can be enhanced and standardized across the province. For example, the Prevention and Investigation unit always enters every complaint that they receive as well as its disposition into Agridam. This means that a complete

⁴ We encourage readers to examine OAG reports for what was actually reported.

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complaint history is available electronically. However, meat inspectors do not always enter complaints into Agridam. Their complaint history is held in manual files or in memory. These practices should be standardized.

- ❖ When meat inspectors perform inspections of slaughter and meat facilities, they document their findings on daily checklists. These non-compliance reports need to be entered into Agridam on a timely basis.
- ❖ There should be province-wide consistency in how the inspectors track the carcasses which are “held through a region-wide held tagging control system where all tags are documented on a control sheet and must be signed off by the inspectors (or plant management if a tag is lost).
- ❖ More needs to be done to ensure that all regulatory systems are effectively recorded and coordinated so as to support integrated food safety systems. In a multi-jurisdictional environment of shared responsibility such as food safety, there should be integration and coordination. Alberta’s ministries, departments, and agencies’ policies and programs should be coordinated province-wide. The foundation for food safety programs should be consistent across the province.
- ❖ CAPIFS is another coordinating mechanism. CAPIFS stands for Canada-Alberta Partners in Food Safety, a joint undertaking of Alberta Health, Alberta Agriculture, Health Canada, and the Canadian Food Inspection Agency. It is intended to promote federal-provincial cooperation and coordination of activities on issues of common interest. Current projects include the development of food safety educational programs for schools and an SRM verification program for meat facilities.
- ❖ Alberta Agriculture needs to work on their HACCP implementation plan to ensure that all parties are onsite.
- ❖ Accountability is the requirement to answer for expected results and resources used. Our underlying premise is that in this multi-ministry program area, the Ministers of Health and Agriculture should be prepared to offer integrated accountability. This would be complementary to specific accountability for each ministry’s programs. For example, the Minister of Health has specific accountability for the *Public Health Act* and the Minister of Agriculture for eight acts.
- ❖ The Regulatory Services Division (RSD) analyzed the need for further legislative authority. It concluded that further penalties were not required. RSD also developed a compliance principles document to guide inspector and investigator responses to non-

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compliance. Inspectors and investigators now use these principles to guide their actions.

- ❖ In 2008, RSD added an internal inspection process whereby regional managers directly review an inspection by their red meat inspectors. The supervisor's review reinforces consistency in processes such as daily checklists, held tags, and ante- and post-mortem inspection procedures.
- ❖ Agriculture's Regulatory Service Division (RSD) developed a new inspection worksheet for a meat inspector that covers 22 points from the *Meat Facility Standards*. Now inspectors examine facility documentation and aspects of facility maintenance along with their regular inspection of animals. Agriculture also introduced the Red Meat Facility Audit in 2008. Every red meat facility is audited three times a year; two are "partial" audits and one is "full." The Facility Audit procedures test compliance with all elements of the *Meat Facility Standard*.
- ❖ Agriculture's food safety performance measures are evolving. It now has two performance measures, one related to red meat facilities and another about industry adoption of HACCP. Agriculture's reporting is the most comprehensive of the material now available about food safety in Alberta.

4.5 Industry Consultation

Industry consultation has been ad hoc at best of late. It seems that any recent consultation has been in response to concerns raised by industry. We heard that up to a short while ago, the MIB participated in "Industry Days", these were events organized by the Department to share information with the industry. A separate event was held in each region. It was suggested by some staff that the Department has abandoned these event. This was in response to negative reactions from industry at the last series of event. We also were told that in fact they have not been abandoned. It is intended to hold them again.

An example of the effect of inadequate consultation was a change to the TIPM required the use of beard and hair nets in all situations. This change was made by the former branch head. There was no consultation, internally or externally, on the change. Industry reacted quite negatively to the change. Also, MIB inspectors did not support the change, thus affecting enforcement. Also, staff noted that they could have identified industries negative reaction if they had been asked prior to implementation. Shortly after initiating the change and in response to the challenge from industry, a review of the interpretation was conducted and a decision to reverse it was made.

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Staff agreed that due consultation was required with industry, though some questioned whether it should occur prior to rule changes. Staff stated that their experience has been that, when asked industry does not seem to take sufficient advantage of the opportunity. It was certainly felt to be important to properly inform industry of changes.

4.6 Need for Regulation

It is interesting to note that most of those with whom we spoke accepted the need for some degree of regulation for the sake of the consuming public and the continuation of the industry. We did not hear that the regulations were in and of themselves the primary concern but rather how they were interpreted and enforced. The concern of many industry operators related to their sense of being over-regulated without any sensitivity for the cost of that to the industry and the value of the regulations to the consuming public.

The issue is obviously not: do we see the need for regulation? Most understand that there will always be those who try to avoid the system or its regulations and that their behaviour will cause major damage to a publicly-sensitive business. Thus the recognition of the need for regulations which can be enforced is seemingly supported.

On the other hand, some spoke to the sense that the system has become over-regulated. They point to the following:

- ❖ It is in our best interests to keep clean facilities and market quality food; we do not need to be told that regulations are for our protection (providing they are)
- ❖ Why make the system overly bureaucratic; the value seems to be judged by the flow of paper rather than the protection of people
- ❖ The focus should be on high risk areas or products; mobile butchers are not well-regulated and yet have a significant impact
- ❖ Some spoke to the limited consultation on change to regulations; MFS are viewed as having gone too far; too much documentation; questionable cost-effectiveness
- ❖ Others commented as to the perceived inconsistency of the auditing/inspection personnel; too much left to individual auditors/inspectors interpretation of the manual
- ❖ More training needed so all inspectors/auditors are of the same mindset so that application of rules is consistent.

Some of those we spoke to questioned the role of Government in the meat inspection business. They questioned whether or not the Government should be in the business of establishing sound baseline regulations and then monitoring all affected operations or just some or is it to subsidize operations or all of the above. That is, is the Government (i.e.

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Department) in the business of regulating or encouraging; of inspecting or marketing? If it is in the business of marketing, how can the Government help in terms of encouraging buyers to use/purchase goods produced by MIB inspected facilities? Several pointed to an increased emphasis being placed on education and promotion rather than the current "truancy officer" approach. Operators feel you have to prove yourself innocent everyday rather than being able to rely on any goodwill being built up as a result of good management practices.

Industry is concerned about the inconsistent application of MFS to all affected. Some pointed to what they perceived as similar businesses which they felt were being judged by a different set of rules. According to sources, while we understand that there is a major perceived difference in implementation of the standards, the actual differences in standards are minimal.

Some of this perception relates of course to the relationship between the Plant operators and the ARD inspectors. In some instances, that relationship was reported as healthy and respectful. The inspector was viewed as having a job to do and as being respectful of the plant's need to be profitable. In some instances, the Inspector provided assistance in finding information on funding programs for the plant; in others, for helping with the implementation of the appropriate procedures in safe meat handling and other aspects affecting food safety. Some facilities reported good communication and relationships with inspection staff; others spoke to the need for a confidential evaluation process so that they could speak candidly without the fear of reprisal. The degree of flexibility between Inspectors appears to be "inspector specific".

In other plants we were given to understand that the Inspector's role and powers were not made clear and the Inspector has become all powerful. In such instances, the Plant operator is fearful of crossing with the Inspector and yet the cost of making the recommended changes seems to be exorbitant based on the benefit being sought. Their concern was that the Inspector had no idea as to the cost of the change being recommended or any concern for such matters. Ironically, we found that some of the plants wanted to keep their same Inspector who while not perfect at least was predictable. In other circumstances, the Inspector seemed to be a part of the fabric of the Plant to the degree that he could be mistaken as one of their employees. Some spoke of the need to stay away from being "bought off" by the receipt of proffered product while others felt that this was a commonly accepted way of doing business. Several made reference to the fact that the management styles of the

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two Area Managers was so different such that north would take a much more laissez-faire approach by comparison to the focus on enforcement in the south.

The lack of consultation between the Department and the industry was cited on several occasions. Industry is having difficulties finding workers in an over-heated Alberta economy and is finding that the economic fundamentals are challenging their survival. At the same time, the burden imposed by the MFS is described as a significant factor in their survival as an entity because of the cost of compliance. The criticism has been voiced that changes are being made that affect this industry without the consultation of those involved (plant owners). Further, there were concerns that the key managers holding senior positions are being put into place to regulate an industry without practical knowledge of it. As one example, plant operators complained that there have been reportedly arbitrary changes in slaughter schedule which has negatively impacted their business.

The lack of any adequate appeal mechanism for operators who have what they feel are legitimate complaints is also of concern. There is a limited outlet for their concerns such as complaints to the Branch Head or Executive Director but that is viewed with considerable suspicion given that their first allegiance is to those they have employed and not to the plant operators. The fear of reprisal is substantial.

The lack of an organized body or industry association was also voiced as a disadvantage given that such a group often has the ear of the Government on behalf of their membership. While some belong to the Alberta Food Processors Association many do not. Some questioned whether or not they could agree to disagree on some of the fundamentals affecting their industry and still be members of the same organization.

What We Heard

5.0 The Issues Raised in Our Interviews

In addition to the concerns cited above, individual operators wrote to us and spoke with us raising similar concerns. These concerns pertain to the following:

5.1 Key Issues Identified by the Marketplace

5.1.1 Need for Regulation

- a. Most that we spoke with accepted and supported the need for regulation for the sake of the consuming public and the continuation of the industry.
- b. We did not hear that the regulations were in and of themselves the primary concern but rather how they were interpreted and enforced; some spoke to the over-regulation and inconsistency within plants (within regions as well as Northern and Southern Alberta).
- c. Many plants were concerned that others were not held to same standards and those facilities that were not up to standard should be made public rather than making exceptions.
- d. Overall enforcement is not an issue for facilities. Operators appreciate the assistance of inspectors in creating a better, safer facility for the public. However, there was general concern raised by industry that enforcement should be completed more as a team effort, in almost every case where enforcement was completed with a "heavy hand", there were problems with inspectors.
- e. Operators recognize their own best interests in quality meat products; concern was raised that after the products leave facility this same degree of safety is not continued and should be better enforced. Food safety should be equally enforced from the kill floor to the consumers' home and the primary focus should be on high risk areas such as ready to eat meat production and secondary facilities (anyone who processes meat in Alberta should be regulated by MIB).
- f. It was mentioned that the MIB should focus more on the high risk areas first such as sausage and smoke houses.
- g. For some, the regulatory environment is viewed as over burdensome e.g. some requirements (documentation) do not seem to add value. Many facility operators need to be educated that this is completed to protect them and the rationale behind programs and decisions should be communicated and shared more openly with operators. We also found that newer facilities, as well as younger operators did not find the paperwork to be as cumbersome.

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- h. A strong majority of those interviewed were against self-regulation; self regulation could present a conflict of interest and facilities strongly feel that licensed inspectors (3rd party involvement) are “essential” to maintaining customers trust and support. Operators point to inspectors as reason for decision they make, e.g. we cannot process an animal because it was condemned by the inspector.

5.1.2 The Regulations

- a. Some spoke to the limited consultation on change to regulations.
- b. MFS are viewed as having gone too far; too much documentation; questionable cost-effectiveness.
- c. There was considerable comment regarding the inconsistency of the auditing/inspection personnel. It was felt that too much was left to individual auditors/inspectors interpretation of the manual.
- d. We heard that more training is needed so all inspectors/auditors are of the same mindset so that application of rules are consistent.
- e. Acknowledgment of the likely need to change regulations but little impetus to make changes.
- f. One of the key issues with audits/inspection is a result of the differences in facilities across Alberta. Respect for the audit/inspection process loses buy-in and respect when one facility is not held to the same standards and exceptions are made. The rating system and its value is therefore compromised in the eyes of plants that are driven to be industry leaders.
- g. It was mentioned that there is no requirement for formal education on food safety - perhaps required courses on new diseases would help facilities to better understand the regulations.

5.1.3 Role of the Department and Effect on Industry

- a. Role of the Government needs to be clarified: is it to establish sound baseline regulations and then monitor all affected operations or just some or is it to subsidize operations or all of the above.
- b. How can Alberta Agriculture encourage buyers to use/purchase goods produced by MIB inspected facilities; education & promotion are needed.

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- c. Government has in the past misled industry by saying compliance will lead to ability to sell out of province. Care needs to be taken in terms of commitments made which are known to be unrealistic.
- d. It was mentioned the MIB should do a better job protecting provincial plants by making sure facilities from out of province are not selling uninspected meat in Alberta.
- e. Facilities feel left out and want to be kept in the loop; what is the long range plan?
- f. Newer facilities seem to feel that the Branch is too scared or not willing to enforce facilities that did not comply.

5.1.4 Management Style/Training

- a. Management is not in the field often enough to be credible to their inspectors. This complaint was heard frequently.
- b. Ongoing training of inspectors did not seem to be a priority; initial orientation however appears to be thorough.
- c. Highly trained inspectors with industry experience are highly appreciated by plants.
- d. Plant owners understand the need for enforcement, professionalism and confidence from inspectors, however it was consistently raised that many inspectors need better interpersonal skills and training on how to react to certain situations. Within plants they are there to collaborate and help with food safety. Observers felt that when inspectors are outside cracking down on mobile butchers or others processing uninspected meat it is fair and they need to take a more heavy handed approach.
- e. More training and time should be spent regulating those who are processing illegally and less time regulating plants who are doing their best to comply.
- f. More training is required for inspectors on how to communicate the “why” - not giving answers or even enforcing without understanding was a common issue within all plants interviewed.
- g. More time and training are needed to teach plant operators who are behind or not up to standard the importance of food safety and how to comply.
- h. MIB and inspectors need to have more business training or understanding so that food is kept safe, yet remain competitive and profitable.

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- i. Complaints were voiced with respect to the view that the audit system and supervision encourages inspectors to seek out what is wrong; inspectors feel to validate their positions that they need to find something negative to report.

5.1.5 Roles/Styles of Inspectors

- a. As might be expected, the styles of individual inspectors range significantly. Some are viewed as very professional yet somewhat aloof; others are seen as friendly but too easily distracted; still others are suffering from a Napoleonic complex (i.e. they cannot handle all that power).
- b. Some Inspectors have assisted plants through their training on how to implement proper procedures. Others help plants to understand the need for proper food safety.
- c. The inspectors assist plants in finding information on Government programs.
- d. Some facilities report good communication and relationships with inspection staff; others spoke to the need for a confidential evaluation process so that they could be candid about what is wrong in the system without being fearful regarding any backlash.
- e. Inconsistency at all levels was flagged as an issue; inspectors could enforce and call for changes within a plant and managers have no way of confirming that the changes are really necessary.
- f. In some plants there was a sense of too much familiarity (i.e. the inspectors were so well known that they were viewed as part of the plant operation).
- g. Some plants indicated they had Inspectors who seemed to feel a sense of entitlement or ease with overstepping bounds (i.e. inspectors going through filing cabinets, taking pictures, talking directly to staff).
- h. Facility operators concerned that Inspectors throw out commands when they don't even know why or how (i.e. "I'm the boss").
- i. Others felt that the audit system encourages inspectors to focus on paperwork rather than what is actually happening on the kill floor. Is the focus on filling out reports or helping the plants operate in a safer environment?
- j. It was noted that during the winter site visits decreased substantially.
- k. Many plants noted that ex-RCMP inspectors were not adequately trained or a good fit within provincial plants - perhaps better suited to help stop illegal processing and sale of uninspected meat.

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- I. Many plants indicated that inspectors needed to respect and communicate with staff more professionally.
- m. We heard that inspectors do not always work or support one another which hinders their credibility (i.e. they tattle on one another, or put others down to presumably advance themselves).

5.1.6 Recruitment of Personnel

- a. Belief that insufficient attention being paid to who is hired for role of inspector; not enough time spent to identify the characteristics of those least suitable for this demanding role; personality is a big determinant.
- b. The majority of facilities indicated that human resource attraction and retention was a large issue within the MIB and their plants.
- c. It was noted by several plant operators that some inspectors/auditors were targeting and attempting to lure key plant employees into the MIB.
- d. Across the province a common theme was that even though processors were not always highly educated or have a ticket they were extremely hard workers and proud of their craft. There is a sense of pride that is threatened by overregulation or enforcement that might not be regained if lost.

5.1.7 Training of Inspectors

- a. Inspectors felt that senior managers spent insufficient time with individual inspectors in the field. This created a sense of distance and alienation that is obviously not helpful to inspectors feeling a part of the larger system.
- b. Inconsistencies show up because training on approach is not sufficiently thorough.

5.1.8 Concerns and Cost to the Industry

- a. Industry is having difficulties finding workers in an over-heated Alberta economy. The economic fundamentals are very challenging to industry. The burden imposed by the MFS is reportedly driving businesses out of the industry because of the cost of compliance. Some of this concern however appears to be related to the cost of upgrading older plants.
- b. The unlevel playing field created by the different regulatory bodies has created unfair competition within marketplace.
- c. Several plants felt that there was limited consistent enforcement of policies and regulations between plants.

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- d. Changes are being made in industry without the consultation of those involved (plant owners). This criticism is combined with the sense that individuals are being put into place to regulate an industry without practical knowledge of it.
- e. Reportedly arbitrary changes in slaughter schedule negatively impacts business.
- f. Some MIB staff were described as unprofessional and autocratic; others are highly regarded.
- g. Several spoke to a questionable appeal process and fear of reprisal if MIB direction questioned.
- h. The degree of flexibility appears to be "inspector specific".
- i. Operators feel you have to prove yourself innocent every day.
- j. Due to inspection schedules (available kill days) many facilities feel they are limited to how much money they can make.
- k. Facilities feel more attention to individual plant schedules and flexibility is required. There are additional costs for feeding animals, as well as more stress on animals when facility is required to plan around inspectors' schedules.
- l. Issues arise when inspectors are late; costs to facilities as they have to wait for inspectors. Most understand that this can happen occasionally, but feel fairer treatment could be reciprocated if they take a bit more time here and there and inspectors are required to stay a bit longer.
- m. The majority of facilities within Alberta did not care about selling out of province. Those close to the border and some other more specialized facilities (deer, buffalo processing etc) were frustrated there was not other options available to them and they were missing opportunities.
- n. Excessive paperwork due to programs cost facilities time and money.
- o. Overall the industry feels that their plants are cleaner/safer than Federal plants.

5.1.9 North vs South

- a. Several made reference to the fact that the management styles of the two Area Managers was so different such that the north would supposedly take a much more laissez-faire approach by comparison to the focus on enforcement in the south.
- b. Overall southern facilities had the impression that the North was a lot more angry and upset than the South - we didn't find this to be the case.

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5.1.10 Industry Consultation

- a. Industry consultation has been ad hoc at best; communication appears to be in the form of orders and not the seeking of input.
- b. There was an overall feeling within facilities that the department has not been receptive to any input.
- c. Complaints from operators are too readily personalized; they then become fearful of reprisals.
- d. The perception we heard is that the Alberta Food Processors Association has not been particularly interested in helping this segment of the broader industry.
- e. It was felt that the Red Tape Task Force has been instrumental in getting the Department to listen.
- f. Industry concerned that too much emphasis placed on documentation rather than safe food practices.
- g. It was raised that procedures should be written with the help of industry.
- h. It was mentioned that a Board or Committee made up of industry, inspectors, and MIB staff be formed to discuss changes or issues within the industry.
- i. Good plants are not given credit for their efforts; demands are just increased.
- j. "What is wrong with saying 'good job' once in a while?" was a common question we heard from operators.
- k. Industry days poorly handled; department not interested in hearing negative feedback.
- l. An appeal mechanism outside the Branch is recommended.

5.1.11 Issues within the Branch

In addition to the concerns cited above, we also spoke with a range of staff members from within the Department who work with these matters each day. They also held a wide variety of opinions and spoke forcefully to the aspects of the MIB which they felt could be changed or strengthened.

- a. Management and staff members recognize the need for an independent assessment of what has been working and not and what the Department should be doing about it.
- b. Branch staff members report having had related field experience; the tasks which they oversee are familiar and they appear to understand the language and the issues.

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- c. Most frequently identified problems are cited as: direction from above (lack of vision); inconsistency in type of enforcement expected and the degree of emphasis placed on certain aspects versus others; training and communication (information flow from the main office to the regions).
- d. Education is cited as a big factor in reducing any inconsistencies.
- e. Management structure may be more than what is required; limited "value-added" to regional managers and field staff.
- f. Management also sees the inconsistencies reported by the field. Some report working together more to become regulatory conscious but not enforcement minded.
- g. Some supervisors and staff members report feeling at risk because their boss does not stand up for them; described as too "wish-washy".
- h. Most report understanding that the plants need to be successful and that their work should enhance and not inhibit.
- i. Some question whether or not food safety is as important as accommodating the plants. Others see too much emphasis placed on areas wherein food safety is a lesser issue than the appearance of the exterior of the plant.
- j. Meat inspectors are reported as being "old school"; too enforcement oriented.
- k. In preparing the MFS (Meat Facility Standards), a decision was made to base it on HACCP-internationally accepted standards; the challenge is making it work in Alberta.
- l. Staff agreed that due consultation was required with industry though some questioned whether it should occur prior to rule changes. It was certainly felt to be important to properly inform industry of proposed changes.
- m. IMIS may hold some promise for the future. It appears to push more responsibility & accountability down to the Operator which frees up Inspector to focus on the end product where more of the risk is.
- n. Questions were raised relative to the leadership of the Branch: new Head lacks industry experience but viewed as keen to do the job and actively trying to learn the industry. The question was raised: is leadership open to changes or will this simply lead to more regulation and documentation? The leadership style differences between the incumbent and his predecessor were/are significant and have impacted direct reports. Are those differences well-understood?

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- o. There is a need for enhanced accountability but difficult to achieve when few management meetings with regional supervisors are being held.
- p. Operators are often quite friendly and open to suggestions. They recognize the importance of a safe meat environment. The younger operators seem to be more receptive to change.
- q. Older, "mom and pop" operators feel more stress from any changes that are/will be made. Their own communication skills may be lacking making it difficult to understand the need for changes and the methods to implement them.
- r. Plants report being more receptive if they see the Inspector trying to help them make the changes.
- s. Is there a struggle within the Branch/Division between the "old guard" and new? This reportedly shows up in the messaging in the field and in the clashes within the office. Effective communication appears to be lacking. Others question when older employees will be asked to retire to make way for fresh ideas and improved capacity for change!
- t. It was argued that the Branch morale is quite low and that there is a need to identify a Branch preferred culture.
- u. The food safety section of the Division does not work well with the meat inspection branch. This may be hindering overall effectiveness.
- v. Some have questioned management's openness to change MIB practices.
- w. When difficulties are reported, some inspectors report feeling that they are readily abandoned by their senior management. Rather than seeking their opinion on the issues or complaints, the plant operators are quickly believed.
- x. When asked about the increased documentation imposed on industry we heard that it was needed for the auditors to do their job and it benefited industry by providing them with a record of practice as a defense in lawsuits.
- y. With respect to enforcement of the Federal regulation for specified risk material, inspectors were not clear why they did it. They also questioned the enforcement of the result.
- z. Some inspectors will assist operators in processing carcasses while others do not. This is accepted by management, though inspectors reported that it caused conflict with operators.

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- aa. Inspectors reported frustration with not being consulted on changes in interpretation of MFS. They believed that they could add considerable value in identifying the practical impact on industry.
- bb. We were told that it is wrong to accept gifts from facility operators; staff made this point consistently, however, we learned that it does occur even if rarely.

5.1.12 Approach by Alberta Agriculture and Rural Development vs. Alberta Health and Wellness

- a. According to sources, while we understand that there is a major perceived difference in implementation of the standards, the actual differences in standards are minimal.
- b. Different enforcement process for similar businesses; apparently no clear reason for differences.
- c. What could be done to meld the two systems (ARD/AHW) and how soon?
- d. What role does Province have in implementing Federal rules?
- e. The relationship between MIB inspectors and those of AHS apparently differs from region to region. This is not to say that there has been any conflict. In at least one region there are twice the amount of meetings to discuss issues pertaining to food inspections and any areas of overlap between AHS and MIB.
- f. In another region, the Auditor and AHS inspector do some audits together. When MIB took over the mobile butchers the first baseline assessment involved representatives from both organizations.
- g. In another instance, we understand that some facilities have both an ARD license and AHS Food Handling Permit. Any facility that has a retail area also carries an AHS permit for selling to the public. The AHS inspector does have the authority to inspect the rest of the facility as part of the interconnecting structure, but in most regions they do not go beyond the retail area due to the fact that they know ARD will be covering the rest of the building with its inspection/audit.
- h. AHS licenses those facilities which also sell other food commodities from their retail area. ARD licenses the abattoir while AHS would license any separate facility used for processing and packaging meat.
- i. AHW indicates that it is aware of the risk of duplication and gaps in the regulations. They feel that MIB regulations are too demanding and not necessary or adding value in the context of the entities AHW regulates.

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- j. AHW has its Act, Regulation and Code as a parallel to ARD Act, Regulations and MFS.
- k. AHW put the Code (about 80 pages) in the regulations in 2006; this was done on the advice of the lawyers; they started looking at cleaning up the language in the Code (e.g. change "Should" to "Must" or "May"); again legal advice was received stating the need for this action; this has yet to be completed; in doing this they need to decide which rule will be a must and which will be permissive.
- l. In the next year or two AHW will likely take a detailed look at the regulations and the code. ARD is expected to be a stakeholder that they consult.
- m. AHW have a great many types of organizations to regulate and to inspect. Thus, with respect to food they stated that they needed one common code. Therefore, a separate code for meat inspection is not desirable.
- n. The MFS were developed with ARD. It was adopted in AHW on a piece meal basis. This was in part because at the time of preparation there were 9 health authorities.
- o. AHW have actually only just recently decided to formally state that they do not follow the MFS (which was not well-received by MIB). AHW did not see it as relevant and useful for the type of facility they regulate e.g. restaurants. There is no record-keeping that must occur required in the AHW Food Code. It is stated as should and has been treated as more of a "may". This is an area of decision. AHS Inspectors may on a case by case basis require records similar to MFS.
- p. AHS has a volunteer HACCP-based program "Serving Safe Food" which may not require full HACCP.
- q. With respect to overlap between ARD and AHW:
 - I. There are some areas of likely overlap. This will likely occur when a facility regulated by ARD has a retail operation attached.
 - II. ARD and AHS Inspectors should work together to minimize this potential and to ensure it only occurs when appropriate.
 - III. Regulations may not be made more specific to reduce overlap.
 - IV. AHW also relies on communication with AHS to ensure that there are no gaps in facilities that may not be regulated or inspected.
 - V. Interaction has improved; the CAPIFS helps for example when mobile butchers leave the business and shift production to AHS oversight.
 - VI. Mobile butcher operations were transferred to ARD in response to complaints that abattoirs were treated more stringently than their mobile counterparts.
 - VII. AHS inspection frequency is determined by risk assessment.

What We Found

6.0 Our Observations and Findings

6.1 Branch Leadership and Governance

It is clear that the fairly recent change in Branch leadership has been well-regarded internally. The new Branch Head is appreciated for his efforts in trying to pull together a well-functioning Branch that delivers on its responsibilities. The Branch is starting to demonstrate that it is open to suggestions and that it respects the inputs which it has received from both the Operators as well as from internal staff members.

The Branch is guided by the legislation and Departmental goals. It functions within the overall Departmental structure and carries on its business in accordance with current policies and approved procedures. It is a part of the Departmental Business Plan and the Division/Branch Operational Plan. Work plans are then built off of the Operational Plan.

As we understand it (and using our terminology), the Branch is responsible for the:

- Development of a Branch plan and Operational Plans
- Contribution to the Departmental Plan and Report
- Oversight of all legislation, regulations and directives which apply
- Supervision/coordination of management and line employees in the meat inspection business
- Relationship building with plant Operators and Mobile Butchers; ensure facilities meet requirements
- Enforcement of job descriptions
- Development of internal priorities
- Coaching and mentoring employees
- Assessing work performance and abilities/aptitude
- Monitoring complaints; assessing performance of departmental personnel
- Communicating with stakeholders; hearing and responding to their concerns

During the early stages of this calendar year, the Branch changed a process called "Compliance Monitoring". This is a term used to refer to the follow up of audit reports. Starting April 1, the task has been assigned to a new position entitled "Meat Facility Extension Specialist". This change was implemented to allow inspectors to focus on their core function. It was also implemented in reaction to the negative response to audit reports by some inspectors. These inspectors would be defensive and see the compliance issue found in a plant as questioning their competence in that they had dealt with the plant for a number of years.

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It is unknown how widespread the issue was given that we largely heard it from inspectors and supervisors. The idea of reorganizing to deal with what is more of a performance issue is questionable.

Policy responsibility has been assigned to the audit lead. Inspectors report not being involved or consulted in development of policy or changes to it. They feel like an untapped valuable resource that could be very helpful in improving standards and thus relationships with Industry. There is a question as to how well Inspectors are informed of emerging issues in that other Inspectors felt that some auditors went too far in raising issues (expecting changes that did not add value or did not improve food safety). Inappropriate decisions are explained by the view of some that at least some members of management may not know the business.

The four Extension Specialists were added in the spring 2012 in response to the desire by the Branch for greater extension efforts relative to helping PLMFs address the deficiencies identified in the annual audits. The people so employed would be expected to have on site experience in working with operators and understand how to handle constructive input so as to assist the plants in making the necessary improvements in addressing the deficiencies. The Extension Specialists are also expected to work with the Plant Operators to recognize facility and operational issues as they arise and to take steps necessary to ensure that corrective actions are taken. They are guided by the Compliance Principles (referred to earlier) so as to bring about consistent application of procedures designed to enhance meat product safety. These Specialists are also expected to be able to work collaboratively with the staff of other Divisions (particularly Food Safety Specialists) so that projects, systems and legislation are understood and implemented by operators.

6.2 Internal and External Communication

One of the concerns which we heard repetitively dealt with the ability of the Branch and Division to communicate effectively. Those we spoke with who are on the staff of the Branch pointed to examples wherein they were not informed or consulted in advance of decisions being made. Those in the field made similar comments albeit theirs were directed more specifically at the Area Managers who they felt were not overly visible or forthcoming in their ability to convey needed messages.

This has to do in part with the rather haphazard approach taken to holding management meetings on a regular basis with planned agendas and opportunities to share what is happening in each region and in head office. In particular, the meetings between Regional Supervisors and their Area Managers are reportedly not held on any regular basis or are held

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between the Manager and one Supervisor rather than as a group. This runs the risk of adding to the reported lack of consistency as messages are not being heard at the same time or in the same manner.

Further, we were also made aware of the fact that staff report difficulty in connecting with their senior Manager who is seldom reached on a call and who seems too busy to respond. When contact is made, managers may not get back to the staff member in question on a timely basis. Concerns about the degree of secrecy abound as a result. This has also been reported to us in terms of investigations done and not reported on in a timely manner. This lack of closure to the feedback loop does little to engender confidence in senior staff in terms of issues being dealt with and resolved.

We were advised that there are or have been conflicts between the leaders within the Division which are either swept under the rug or “buried” without really being resolved. This has impacted the morale and the desire by all departmental staff to communicate fully with one another.

6.3 Regulatory Burden/Oversight

In preparing the Meat Facilities Standards a decision was made to base it on HACCP. As noted previously in the report, HACCP is an internationally accepted standard. This decision is a source of some of industry concerns in that HACCP principles require facilities to maintain records of their compliance activities (Principle 7). We heard a variety of complaints questioning the need for the documentation “burden”. We note, however, that the argument for following HACCP is compelling, given its international acceptance: the challenge is making it work in Alberta. From our review of other jurisdictions, there is also a move to adopting regulations based on HACCP in other locations in Canada.

MIB leadership seems quite committed to basing its regulations on HACCP although these sentiments are not always shared at the staff level. We were made aware of concerns with regard to the extent of impact of MFS. Comments made on the impact of documentation demands were pointed to as not actually adding to food safety. The agreement given for the need for documentation was twofold:

- Allowed operators to monitor their own compliance and to provide evidence of compliance in the case of a lawsuit.
- Allows regulators to audit compliance.

Industry recognized the need for regulation and the need to assess compliance. The issue seems to be that MFS are viewed as having gone too far. As noted, regulations do not stop at

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the MFS: they also include, though described as “not a legal document” TIPM. Issues about specific compliance matters arise from the application of TIPM. It is extensive and detailed.

Part of the burden associated with regulation is related to enforcement. The two key vehicles used to enforce regulations are the inspection process and the audit process. The regulations require that each time an animal is slaughtered it must be inspected before and after it is killed (anti/post mortem inspection). Every facility is visited at least once a week by an inspector. Under the new processes, the inspector also does a check of compliance with other aspects of the MFS (i.e. the inspector does a visual inspection of the facility). The audit process is conducted once a year taking up to three days. It entails a thorough review of all relevant material and inspection of the facilities.

Industry reaction to these processes is mixed. Some operators are quite positive while others are not. Industry criticism focuses on inconsistency in enforcement between various inspectors and auditors, autocratic and demanding personal styles, and over familiarization. Industry has also commented on the helpful and positive nature of the relationship between it and some of the inspectors/auditors. MIB staff members have facilitated solutions, assisted in adapting to the MFS and assisted in other matters.

Another source of frustration (and again as previously noted) with the regulatory burden is the difference between AHW rules and its approach and the ARD rules and approach. This issue focuses on the meat process facilities associated with the abattoir or mobile butcher versus meat processing facilities which are free-standing. ARD regulates the former and AHW regulates the latter. ARD is seen to be far more demanding and assesses compliance more extensively and frequently with more written documentation required. AHW uses the Food Regulation and the Food Retail and Foodservices Code (Food Code).

With respect to the MFS versus Food Code we have had representation that there are no material differences. Examples of purported differences include the 10 degree temperature requirement in the processing area, hands free sinks and self-closing doors. We have also heard that the Food Code is not HACCP based and insufficient for meat processing. The Food Code is a universal standard that applies in all cases except meat. It is interesting to note that the Canadian Food Inspection Agency (CFIA) recently announced a plan to unify its food safety regulation (see analysis of other jurisdictions).

We have been advised that AHS does not ask its inspectors to use a checklist approach in their work. Instead they encourage the use of professional judgment. The ARD audit program is 20 pages which is essentially a checklist. Auditors assess “yes” or “no” on compliance as it is

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explained that there is little room for judgment. Judgment is required in assessing the degree of risk arising from the non-compliance. It has to be assessed as either major or minor. A major issue will be reported to the operator immediately and requires prompt response, since it is considered a food safety risk. A minor issue is reported through the subsequent report shortly after the audit is complete.

Operators may disagree with the observations of the inspector or auditor. If they do, then they can contact Branch leadership to appeal the decision. This is not a formal appeal process and they are being asked to appeal to people who are in charge of inspectors or auditors. This represents a lack of independence in the process. We did hear from some operators that they fear questioning decisions of MIB staff. While, MIB decisions do not include leveling of fines, they do have a direct effect on the operations and can impose considerable costs on an operator. It must also be remembered that if a situation noted is potentially a major food safety risk then steps must be taken and there is not likely time for a protracted appeal process.

AHW standards require each facility to be risk assessed and depending on the assessment of high, medium or low, the facility is inspected 3, 2 or 1 times a year, respectively. The AHW standard operating procedure called "Frequency of Food Establishment Inspection/Risk Assessments" states:

"Alberta Health Services Safe Food Program utilizes a risk-based inspection program for determination of frequency of commercial food establishment inspection. Published literature on food inspection programs have found that the frequency in which a food establishment should be inspected depends upon the risk categorization of each food operation.

In Alberta Health Services SFP, commercial food establishments referred to in Part 2 of the Food Regulations A.R. 31/2006 are classified as Category I, II or III with a monitoring inspection frequency as outlined below. If it is confirmed during monitoring inspections that a facility requires a change in classification, the frequency of inspection will be revised accordingly."

ARD processes speak to a risk assessment as well. However, they tend to speak to an assessment of risk of any deficiency noted rather than an initial risk assessment on the facility or the meat product.

Industry repeatedly pointed out that AHW is far more lenient than ARD. ARD in turn has argued that the approach utilized by AHW is much less effective.

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There seems to be, at least in terms of impact on industry, a level of expectation which is “must have” and a level which is “nice to have”. MIB has taken on the role of encouraging industry to continuously improve through the MFS and TIPM as well as the multi-level reward program. Industry wishes to know “what is needed” versus “what is optional”. Some staff argue with the view that any element of the MFS or TIPM is optional whereas other staff have argued the opposite. In the opinion of many, MIB has not done a good job of communicating if there are any differences.

Other concerns raised by staff and industry during our discussions and their submissions include:

- ❖ The burden imposed by the MFS is driving businesses out of the industry because of the cost of compliance.
- ❖ No evidence at this point, but there may be too much familiarity between inspectors and facilities since there does not seem to be any rotational plan.
- ❖ MIB may need some form of whistleblower process for the industry.
- ❖ Changes in food safety technology do not seem to be encouraged or accepted by old guard inspectors.
- ❖ The Branch carries out the specified risk material audit. This audit enforces a federal regulation and used to be done by the federal government. Findings from the audits are sent to the Feds for action. It is alleged that they do not do anything with the information.

What does the message of being “outcome-based” really convey and how is this experienced by industry? Is the Department moving in the direction of measuring by outcomes and if so are these realistic or is the Department stuck with minimum standards and if so, is that what the industry needs to be concerned about? This has not been made clear and thus industry simply says “tell us what the minimum standards are and we will meet those”. There does not appear to be any real benefit in meeting any higher standards. That is, a plant which has consistently been found to meet or exceed standards in relation to others does not have any industry advantage.

In a report we were provided entitled IMIS Environmental Scan, written by Dr. J. Christian, dated March 3, 2008, the following comment was included in the conclusion:

“HACCP principles are acknowledged by food safety authorities worldwide to provide a basis for systematically identifying and controlling human health hazards in food. HACCP programs require extensive documentation, document control, employee

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training and dedication to work not directly related to the “work” of producing food products. In small operations seen in rural areas, HACCP programs add a significant cost to a proportionately small operating budget. GMPs or Good Manufacturing Programs, which form the foundation of HACCP may be sufficient to ensure a suitable and sanitary working environment and process controls.”

This questions the focus on HACCP as the basis for MFS.

When we asked how a plant operator could effectively challenge the decision of an inspector or auditor we were advised that operators can appeal a decision to the Area Manager or Branch Head. There is no formal process for this to occur. In other instances we were advised that operators have approached more senior levels which would of course result in their appeal being taken seriously. (There is of course the matter of plant jeopardy at stake here). We were also advised that “Appeals for audit scores or audit evidence can be also appealed through their Area Manager, Branch Head, which goes to the Audit Manager. The Audit Manager then looks at the audit rating and the observations and decides whether it is scored properly and whether the auditor’s observations were correct. If a mistake has been made, the audit rating and the audit is altered. In addition, facility operators have the option to request a ‘re-audit’ of their facility. This option might be attractive to an operator who wishes to raise his audit score for marketing purposes by addressing some noted non-conformances and then having another audit completed in advance of the next scheduled annual audit. The audit report and a letter are sent to the operator and states “that they can bring things forward for an appeal if they feel one is needed.”

We are sympathetic to the concern that plants have voiced relative to the reaction by their inspector or auditor if a complaint is registered. Their regulatory world is quite small and they fear that their request for a second appraisal will result in their being somehow penalized if not in any formal sense at least by an inspector being determined to make them “pay” for creating added stress or raising questions in the mind of management.

6.4 Management style

We were advised by management, staff and those we spoke with of the importance of the agricultural industry. We also heard from those within the Department that industry is viewed by the Department as their “client”. The leadership of the Branch feels that their mandate is to support the industry in such a way as to enable agribusiness. The question that this raises of course is: does this attitude, if over-emphasized, conflict with the department’s enforcement role?

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The selection of the new Branch Head reflected the belief that emphasis should be given to an individual with management skills more so than technical skills. The need for management skills is evidenced from the number of staff and the nature of the business. It was expressed to us that the necessary technical skills are resident in other people in the organization. The key, of course, is to be sufficiently self-confident to listen to them.

Given that management has to brief very senior people in the Department up to the Minister, the need to get a good understanding on the consequences of a proposed action, change in regulation or directive should be evident. During our meetings, however, experienced inspectors repeatedly mentioned that management may not adequately understand the business and was not spending, in their view, sufficient time in the field. While, through observation, interaction and discussion an understanding of business is being gained, no additional steps have been taken. In a number of instances, staff members in the field indicated that they did not feel supported by their management. They sense that they are cut adrift and expected to make decisions on their own. As a result, they question the degree of support they would receive if something "went south".

One of the key issues which we heard was related to the degree of inconsistency at all levels. Examples were cited regarding management in the Branch being inconsistent in their decisions and inspectors varying in their expectations and approach. This was flagged by many plant operators as underlying much of their frustrations. The operators are advised to perform a certain function one way only to be told by the subsequent inspector (sometimes the next day or week) that their approach is all wrong.

The Branch does not seem to have sold staff on the merits of the MFS. Not all inspectors buy into them. We were advised that industry does not agree as well and do not always seem to understand them. This is further evidence of poor communication. Industry does not understand the need to change the rules to track what is happening in the broader community. Unfortunately there seems to be a need to document much more to respond to a more litigious environment.

Management from the top down needs to establish clear ethical guidelines as to what is appropriate in terms of receiving gifts. We were advised that there are strict rules about taking anything from the plants (e.g. free meat, lunch, gifts, etc.) and everyone has been informed. Yet, we were also informed that gifts are accepted and that there is no directive indicating otherwise.

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We noted that MIB has a considerable number of policies and directives informing staff of appropriate action. However, we observed instances where they are disregarded. For example MIB Directives, MI-6 states that:

“MIB Inspectors are assigned to abattoirs to perform meat inspection duties. They are not there to perform the duties of abattoir staff.

In the past MIB Inspectors have provided assistance, to abattoir owners, by performing duties that normally should be handled by abattoir employees. In some instances, abattoir owners have come to expect, and even demanded, that MIB Inspectors perform these extra duties.”

During our interviews we learned that the practice of performing the duties of abattoir staff is common and accepted at all levels of the organization.

In another example Directive D-2 Staff Meetings states that:

Region and Section Meetings

- Each region and section shall have a minimum of two (2) staff meetings every year (spring and fall recommended).
- Attendance should include all fulltime staff and part time and percentage staff not required to cover off for fulltime staff.
- Opportunities for participation in staff meetings should be equal in all regions and sections.

Branch and Division Meetings

- Contingent on budget constraints Division and Branch meetings should be held at least every two years.
- Fulltime staff has the highest priority for attendance at Division and Branch meetings.
- “Regional Managers” and “Section Heads” should attempt to arrange work schedules so a maximum number of staff members have an opportunity to attend Division and Branch conferences

As noted, staff meetings are inconsistent.

Of particular concern is the evidence that the Compliance Principles (dated April 10, 2008), based on what we heard are not seemingly followed or understood.

In our view, both these directives and procedures need to be followed or changed. The branch needs to review its bank of directives and assess continuing relevancy and act accordingly.

We were also advised in a number of our interviews that there is a perception that the morale in the MIB is low. According to what we were advised, this is a combination of inadequate communication between the management and field personnel as well as the presence in the branch of two very different types of cultures: an enforcement culture based on the number

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of former police personnel being hired; and a culture reflective of CFIA which has been the supply line for a number of employees. The culture is also affected by the significant number of long term employees who have well entrenched views on the role of the Branch, and who allegedly do not seem to agree with the new Meat Facility Standards (MFS).

The perception of conflict or competing agendas between MIB and Food Safety and Animal Health Division (FSAHD) is not helpful. This matter has arisen several times in our interviews wherein the Regulatory Services Division and the FSAHD are viewed as having competing agendas rather than complementary ones. We understood the intent of FSAD as being focused on animal health and welfare and on reducing the potential for animal diseases which would interrupt the normal flow of livestock products within Alberta and beyond. In reviewing its mandate it is understandable that both Divisions appear to overlap the responsibilities of the other. Despite this, we would think that two allied divisions would be working diligently to ensure that any overlap is minimized so that services to the industry are neither duplicated nor contradicted.

We were also advised that a number of staff face performance challenges. The source or causes of these challenges appear to be quite varied but obviously point to the important role played at the outset by those involved in the recruitment process. Most personnel problems stem from who was hired in the first place and thus the question arises as to whether or not such performance issues should have become apparent during that process.

Training of staff focuses exclusively on inspection and audit activities. While, it was pointed out that there is a government course offered on dealing with difficult people, there did not seem to be anything similar designed for inspectors. Ongoing training did not seem to be a priority.

The tone of an organization is also impacted by whether or not those in supervisory positions see the need to either find good mentors or to be one. Mentoring can be very valuable for any organization provided of course that the mentoring that occurs enables useful skills, attitudes and attributes to be passed along. While it is difficult to impose this management practice from above, the Branch and Division can certainly encourage it.

6.5 Recruitment

The issues which we have heard from staff members relative to the "fit" between some of those entering the field and those already working brings into question the criteria used in locating new recruits or graduating new trainees. Where the criteria are not clearly enunciated and defined well in advance, those entering this field may be viewed as having too

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much prior “baggage” or at least a mindset which augers against the notion of helping plants make the necessary changes to their infrastructure or practices rather than coercing them into submission.

It would seem that not enough discussion is taking place or insufficient input sought relative to “what would make a good, successful Inspector?” The focus seems to be on getting the trainees qualified and worrying about the “non-fits” later. This of course never works and thus 80-90% of a supervisor’s time and energies are spent on 5-10% of the personnel (i.e. those who simply do not understand nor want to understand the culture of the department).

There are only certain people who can handle the “power” that comes with enforcement prerogatives. These people often need to be trained into that type of role as opposed to someone who has received law and order training elsewhere but with a very different agenda in mind.

6.6 Training

History and overview

The Department places considerable emphasis on the training required to be successful in the meat inspection field. Meetings are held to examine what is being done and how that could be improved. Management has discussed the need to do more training in how to deal with difficult personalities which can become a significant issue for inspectors and auditors on site as well as other course material which would enhance the current training syllabus. To this end, we note that a small team of employees of the RSD met in 2011 to review the training offered to date and to suggest ways of enhancing the transmission of Government values and Departmental core training. The focus was on how employees ought to be able to conduct their duties in an environment which reflected the core public service values of respect, accountability, integrity and excellence. Material provided by MIB states:

The Meat Inspection Manual was developed in 2002 by Dr. Jim Henderson. All meat inspectors received a copy and training sessions were held in each of the four regions during 2002. The manual contains all elements of the role of meat inspector including all technical information required to evaluate the wholesomeness and viability of meat derived from food animals and slaughtered in provincially licensed meat facilities in Alberta. Inspectors are required to reference the manual on an “as needed” basis to ensure carcass and live animal dispositions decisions are in line with Branch protocols. A copy of the carcass disposition section of the manual is kept at all facilities for the inspector’s reference.

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New Trainees

Inspector trainees attend an orientation session with supervisory and management staff within their first two weeks of employment. They are given a copy of the manual and informed how they will be evaluated throughout the training program which lasts for one year.

The Division Veterinarian is responsible for the delivery of the exams and attends on-site post and ante-mortem training sessions in facilities as needed. The manual contains the theoretical knowledge that new trainees are required to learn and they write two exams based on the manual; one mid-term and one final. A 70% mark is required for a pass on both exams.

In addition to the written exams the trainee is required to “buddy-up” with a variety of inspection staff in the facility environment. Bi-monthly evaluations are done to reflect their performance and identify areas that may need specialized training. Area managers are required to coordinate their training with the assistance of the regional supervisor and the evaluations are discussed at scheduled meetings with the trainees to provide on-going feedback for improvement.

The training program is weighted 40% on theoretical knowledge and 60% on practical skills in meat facilities. Trainees provide training program feedback to trainers throughout the process and fill out an evaluation at the end of the program.

CFIA Inspector Trainees

CFIA inspectors hired as ARD meat inspectors must have 2 years minimum experience and have passed the CFIA barrier exam in order to be hired as a qualified inspector for ARD. They attend the same orientation session as new trainees and are given manuals and study guides at the sessions. They are not required to write the same exams as the trainees but they are paired with a variety of inspectors at facilities before they are left on their own at facilities. They are given study time and access to the Division’s veterinarian to answer any technical questions.

On-Going Training For Current Staff

Training for current staff is carried out at staff and dedicated training meetings on an “as needed” basis. Meeting agendas reflect regulation changes and/or additions, protocol updates, directive and policy changes etc. Inspectors may be required to write short exams at the end of these sessions depending on the course material. Sessions are

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delivered by RSD management personnel and occasionally outside sources such as CFIA and ARD, Food Safety Division staff.

We were advised that the current branch head did not attend the course described above.

With respect to audit staff, they take the same program as inspectors though they do not write the exam. They are also required to take and pass an HACCP auditor program.

We were advised that training in “how to avoid conflict” has been cited as essential in various forums to date including in a report to management this past year. What was described as “verbal judo” was highly recommended as a methodology for the Inspectors and Auditors who often have to deal with either unpleasant people or unpleasant situations.

It is felt by some that such training would be of similar value as the actual knowledge of current regulations and the Department’s preferred method of enforcement. It is critical that all recruits and experienced inspectors have a realistic view of their authority as well as the needs of the Plant operators whom they inspect. This will only happen through ongoing training and orientation for both new as well as experienced personnel.

6.7 Relationships to Industry

This study was requested because the Department was made aware through an appeal to the Minister that at a minimum various plants felt that they were not being listened to or their concerns resolved. We were advised that:

- ❖ Individual plants believed that they were being unfairly assessed in relation to others
- ❖ Inspectors were overly focused on extracting copious paperwork from plant operators some of whom were not equipped to handle such requests
- ❖ Any decision to appeal an order from an Inspector or auditor was fraught with peril in that it was perceived that an operator could lose their license or experience significant issues as retribution
- ❖ No industry voice existed which could speak for their concerns; the only option was felt to be the Alberta Food Processors Association and its mandate was focused on other aspects of the food business
- ❖ No one seemed to be dealing with the scuttlebutt in the marketplace regarding how other plants were operating without licenses (and thus no inspection) and were therefore at a considerable market advantage
- ❖ Mobile butcher shops were an added burden because they were not simply serving the meat owner’s needs but rather also placing food into the supply chain

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- ❖ “Industry days” was a useful event in the minds of at least several industry representatives who believe that because individual operators took shots at the representatives of Alberta Agriculture, this event was cancelled (the Department expresses that their decision was based more on the cost and the difficulty of getting adequate participation)

We do not wish to convey the impression that everyone in the business is upset with ARD in general and the RSD in particular. We were obviously on the receiving end of considerable angst and likely served as an outlet for those wishing to register a complaint which they felt had not been fully heard or at least may have been “swept under the rug”. This was the nature of our assignment. We were not asked to come up with a list of everything that could be said about the MIB and its role from a positive perspective. While it may have been a shorter report, there were comments to the effect that operators were mindful that someone had to look after the development of regulations and their enforcement if the industry was to survive.

The need for an industry “voice” seems apparent to us. There ought to be some agency or mechanism whereby those in the business can safely or anonymously voice their concerns and sense that these are being taken seriously. In addition, consultation with industry (and staff) with respect to changes to the regulatory environment (Regulations, MFS, TIPM) and enforcement style must be a priority of the MIB.

Our Recommendations

7.0 Recommendations

1. We recommend that in the interests of transparency and the Government's desire to be open to those whom it serves that at minimum the Department ensure that the Executive Summary of this Report be made available to the industry and all those interviewed.
2. We recommend that the Meat Inspection Branch develop a clear statement of why it inspects meat plants and how such inspections are vital to food safety.
3. We recommend that the Branch review its approach to meat inspection such that it identifies the major sensitive/critical areas for meat safety issues and that it place its focus for inspection on such processes.
4. We recommend that Branch management assess directives for continued relevancy and if these are accepted then take steps to educate staff on the need to follow them.
5. We recommend that the Branch reconsider its current organizational structure and seek to make it more streamlined such that the regions are more directly linked to the central office.
6. We recommend that the Branch articulate its preferred culture and take any steps needed to establish it across the Branch.
7. We recommend that the profile of a successful meat inspector be reviewed and appropriateness of both skill and personality/attitude be considered paramount to the graduation of inspectors into the field. Also, the current staff assessed against the accepted profile of an inspector and be afforded the opportunity to deal with any deficiencies.
8. We recommend that the need for ongoing training for meat inspectors and regional managers be accorded more attention by the Branch leadership such that continuous professional development becomes the requirement for all members of the Branch.
9. We recommend that the Branch articulate its core enforcement philosophy and style.
10. We recommend that the Branch take steps to ensure that the style and philosophy of enforcement and interpretation of the regulation is the same across the Province and

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that as necessary, regional supervisors be required to spend several weeks per annum in other regions.

11. We recommend that the Branch assess the continued relevancy of the program to rate the performance of a plant. If it is found to continue to be relevant, then we recommend that Alberta Agriculture take steps to put teeth into the designation/ categorization of plants such that those receiving a "triple A" rating are inspected or audited with different criteria/degree of depth or less frequently than those with a lesser rating ("AA" or "A"). Also, we recommend that the Branch publicly promote the significance of the rating and publish the rating of each plant.
12. We recommend that the Branch leadership be required to spend a minimum of 1-3 days per month in the field looking at both problem areas as well as plants which have a "triple A" rating.
13. We recommend that all staff new to the branch including managers take the same orientation training.
14. We recommend that the Department of Agriculture work with the Department of Health and Wellness to harmonize Meat Facilities Standard and Food Code. We also recommend that the departments work together to harmonize inspection activity.
15. We recommend that the Department work with the Industry to adjust the impact on the business of the MFS without increasing food safety risk, in particular the extensive documentation needs. As part of this review, the Department needs to consider the extent to which the standard conforms to HACCP. Any change should consider the inherent risk of the meat processing activity, such that process activities, such as ready to eat meat, are held to a high standard.
16. We recommend that no changes be made to MFS or the TIPM without prior and effective consultation with industry.
17. We recommend that those plants which are deemed to be repeat offenders or problems be reviewed with considerable scrutiny until such time as they bring their operations up to the current standards.
18. We recommend that Alberta Agriculture place more emphasis and resources into educating the public on what is being done to monitor and enforce food safety standards in order to assure the people of Alberta that their health is first and foremost in the minds of the Department.

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19. We recommend that the Department meets with Alberta Health Services to identify where the resources of the two organizations could best be placed.
20. We recommend that the Department host, at minimum, an annual one day “think tank” for operators and inspectors (and management personnel) to identify current issues affecting the plants, provide ongoing updates and training as necessary and to permit a comprehensive feedback process by the industry in a concerted and independently facilitated manner. As this may be the only opportunity that industry has to influence changes and/or appeal overly stringent application of the regulations, the need for perceived and real independence is high.
21. We recommend that the Branch clearly identify who is empowered to make policy decisions, to propose regulatory changes and that this be kept separate from those enforcing or auditing these same processes. The Branch also should articulate the process for assessing, approving and implementation changes in regulations, MFS and TIPM.
22. We recommend that the Branch/Division seek out creative ways of getting food safety messages out to the plants such that various themes might be highlighted on a monthly basis.
23. We recommend that MIB give consideration to establishing a Board or Committee made up of industry, inspectors, and MIB staff to discuss changes or issues within the industry.
24. We recommend that management ensure that all management, inspection and investigative personnel have access to a summary of what plants are considered to be examples of “best practices”.