



Foreign Supplier Verification: Essential to FSMA's Promise to Deliver Safer Imports

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CSPI, SFI, and IACFO

- The Center for Science in the Public Interest (CSPI) is a bi-national NGO representing nearly 1 million consumers in both the U.S. and Canada.
- Safe Food International (SFI), a CSPI project, partners with consumer organizations in other regions of the world on food safety issues.
- The International Association of Consumer Food Organizations provides representation in Codex for consumer organizations on five continents.

FDA Food Safety Modernization Act: A new toolbox for managing food safety and imports

- ▶ Foreign facilities:
 - ▶ Register biennially
 - ▶ May be suspended
 - ▶ Adopt prevention programs
- ▶ Inspection mandate
- ▶ Foreign offices
- ▶ **Foreign Supplier Verification Program**
- ▶ Voluntary Qualified Importer Program
- ▶ Capacity building programs
- ▶ Certification of high-risk foods



President Obama signs FSMA Jan. 4, 2011

Legal Standard for Importers

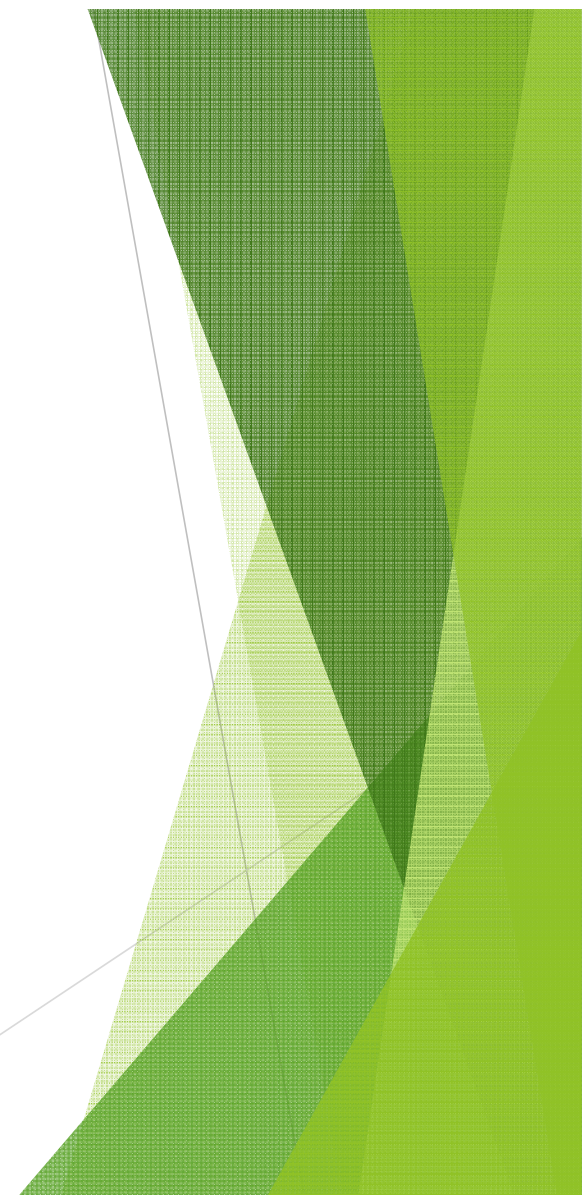
- ▶ Imported food must meet the same standards applied to foods produced domestically
- ▶ FDA can bar the importation of food that it suspects may be adulterated
- ▶ U.S. food producers are subject to on-site inspections by FDA, but this cannot be accomplished for all producers of imported foods
- ▶ The Foreign Supplier Verification Program is designed to fill this gap and provide oversight that is lacking for imports

FSVP is Needed: Recent Outbreaks from Imported Foods

- ▶ Cantaloupes from Guatemala, 10 states, 20 illnesses (2011)
- ▶ Papayas from Mexico, 25 states, 106 illnesses (2011)
- ▶ Pine nuts from Turkey, 5 states, 43 illnesses (2011)
- ▶ Tuna from India, 28 states, 425 illnesses (2012)
- ▶ Cucumbers from Mexico, 18 states, 84 illnesses (2013)
- ▶ Sesame paste from Turkey, 9 states, 16 illnesses (2013)
- ▶ Salad mix from Mexico, 25 states, 631 illnesses (2013)

FSVP is Needed: Imported Foods and Consumer Confidence

- ▶ CDC analysis of outbreak data concluded that outbreaks linked to imported foods are increasing
- ▶ IFIC Food and Health Survey (2012) found 61 percent of the public believed imported food is less safe than food produced in the U.S.



Prevention Under FSMA

Foreign and domestic facilities must implement a food safety plan that includes:

- ▶ Hazard analysis
- ▶ Preventive controls
- ▶ Monitoring and records
- ▶ Verification steps
- ▶ Corrective action plan
- ▶ Records of corrective actions
- ▶ Recall plan

Foreign Supplier Verification Program ensures these requirements are in place for imported foods



FSVP: Building on an Existing Model

- ▶ FDA required importers to assure that seafood imports met requirements of the seafood HACCP regulation
- ▶ FSVP picks up this model, with improvements
 - ▶ Verification must meet the legal standard: “Food imported into the United States is as safe as food produced and sold within the United States”
 - ▶ FDA is given broad latitude to prescribe verification activities

Lessons Learned and Application to the Foreign Supplier Verification Program

- ▶ Option 1 builds on the lessons learned from the Seafood HACCP program, which did not prescribe on-site verification
 - ▶ GAO (2011) found that importers obtained copies of a foreign supplier's HACCP plan plus attestation of compliance but PLANS WERE SOMETIMES NOT ASSOCIATED WITH THE SPECIFIC FACILITIES OR OPERATIONS
 - ▶ The tuna scrape that caused the 2012 outbreak was subject to verification under Seafood HACCP; yet FDA's physical inspection of the Indian facility **after the outbreak occurred** disclosed practices and conditions leading to contamination

Benefits of Option 1: Best option to improve consumer confidence

- ▶ On site audits for all high-risk foods creates a system that would promote greater consumer protection through
 - ▶ Greater uniformity for FDA in reviewing the verification activities
 - ▶ A more understandable system for importers with language barriers
 - ▶ A level-playing field for importers - otherwise cost pressures may drive importers to minimize verification activities, and **spark a race to the bottom** for import verification

Option 2 is deficient

- ▶ Requires importers to accurately assess the risk of different foods, production methods and supplier history, and apply effective verification steps
- ▶ Relies on importers to put public health before potential profit
- ▶ Requires FDA to evaluate adequacy of the verification activities for high risk foods, tying up FDA resources and opens the door to increased litigation
- ▶ Consumer protection could be compromised by inadequate importer verification

Tuna scrape outbreak showed that ineffective verification methods aren't reliable



Thank you!

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