

USDA-FSIS-OPEER

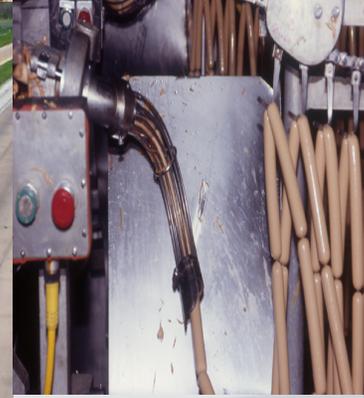
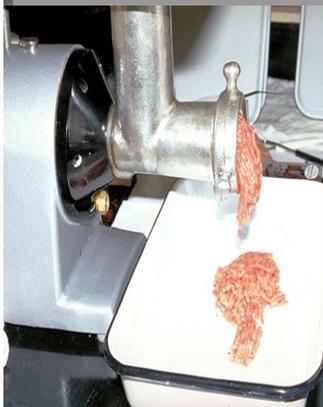
Compliance and Investigations
Division (CID)

Constance Kiefiuk



FSIS Programs

OA
ODIFP
OFO
OIA
OM
OEETT
OPACE
OPEER
OPHS
OPPD





Background

- The responsibility for protecting public health is directly tied to the FMIA, PPIA, EPIA, and mission of FSIS.
- The Acts give FSIS the authority and responsibility to protect consumers by assuring products are wholesome, not adulterated and properly labeled.
- The Acts provide FSIS with enforcement authorities and sanctions for violations.

Acronyms

- FMIA-Federal Meat Inspection Act
- PPIA-Poultry Products Inspection Act
- EPIA-Egg Products Inspection Act
- FSIS-Food Safety and Inspection Service
- OPEER-Office of Program Evaluation, Enforcement and Review
- CID-Compliance and Investigations Division



OPEER Mission

Enhance FSIS' inspection and enforcement systems and operations to protect public health through:

- more informed food safety and defense actions and interventions;
- a surveillance system which integrates inter-Agency and national data to improve situational awareness and early detection;
- rigorous enforcement actions and sanctions; and
- advanced food safety and defense IT systems.



OPEER Mission

- OPEER has four major areas of focus:
 - Surveillance & Investigation;
 - Enforcement & Litigation;
 - Management Controls, Audit, and Evaluation; and
 - Information Technology and Enterprise Architecture



OPEER Missions

Most Relevant to CID

- *Surveillance* – Food safety, food defense, product sampling, and other in-commerce activities to ensure product safety, security, and industry awareness and compliance
- *Investigation* – Evidence collection, analysis, and decisions to address violations of law, food safety incidents, and public health priorities, as well as fraud, waste, abuse, mismanagement, and misconduct



OPEER Missions

Most Relevant to CID

- *Enforcement* – Effective and consistent use of FSIS criminal, civil, and administrative authorities and sanctions to protect consumers, promote compliance, and deter future violations
- *Litigation* – Partner with OGC and the AUSA to address violations through the judicial process and to defend the Agency and its officials from adverse actions



CID

- Surveillance
- Investigations
- Foodborne illness investigations
- Product detention and control
- Food defense
- Emergency response
- Education
- Liaison

(Educated and trained in food safety; food defense; food/animal science; industry methods; product sampling; report documentation; and surveillance, investigation, interview, and evidence techniques)

CID Employees

Headquarters (9)

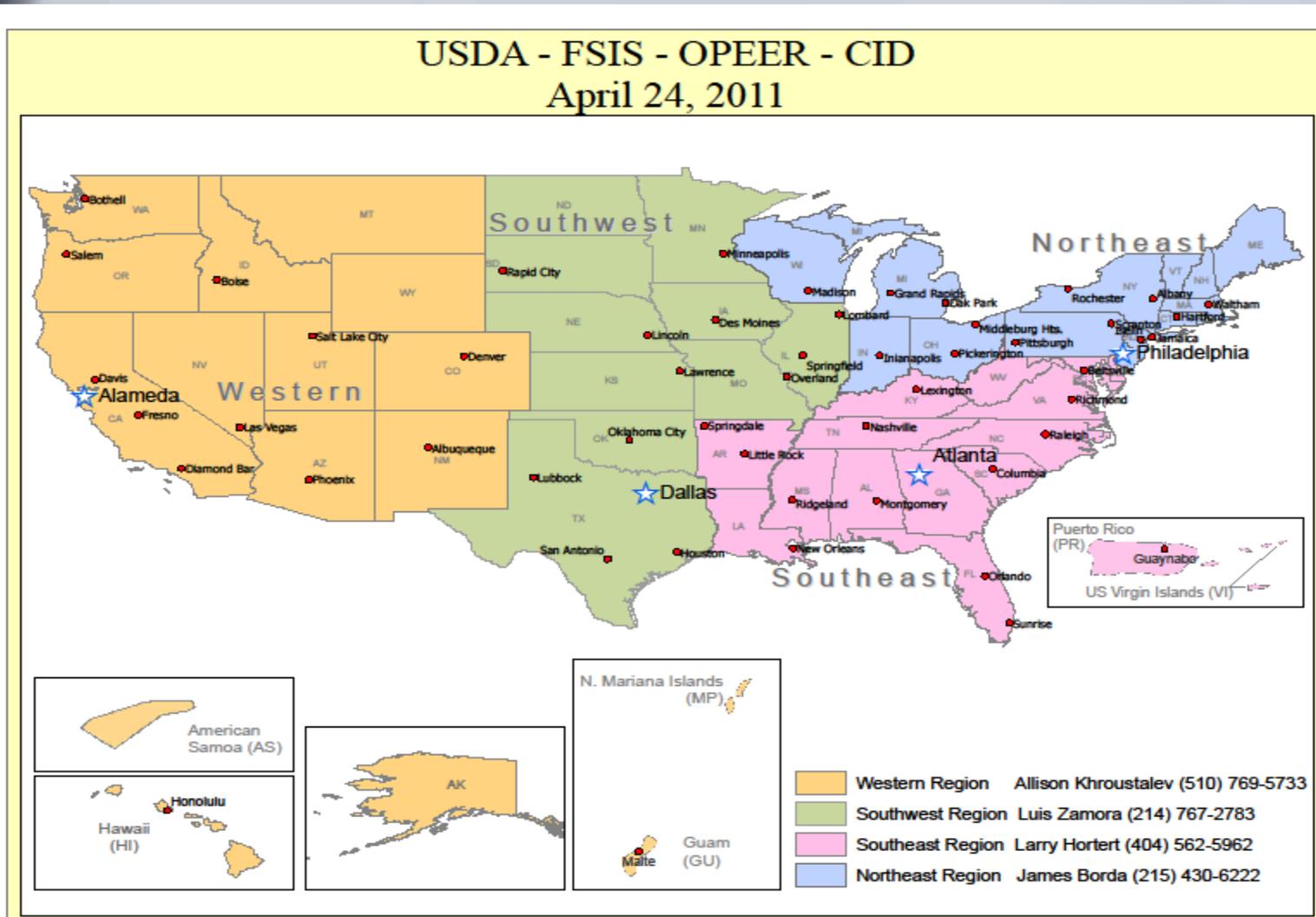
- ✓ Director (1)
- ✓ Deputy Director of Policy (1)
- ✓ Deputy Director of Operations (1)
- ✓ Senior Compliance Specialist (2)
- ✓ Compliance Specialist (2)
- ✓ Support Staff (2)

Field (154)

- ✓ Regional Director (4)
- ✓ Supervisory Investigator (13)
- ✓ Senior Investigator (6)
- ✓ Investigator (113)
- ✓ Support Staff (12)



CID Regional Coverage Map





Where do Investigators Work

- Inspected slaughter and processing plants
- Custom slaughter and processing plants
- Distribution centers
- Public warehouses
- Transporters
- Brokerage firms
- Retail stores
- Restaurants
- Salvage dealers
- Hospitals, prisons, nursing homes, and schools



Surveillances

- Jurisdiction over 750,000 in-commerce businesses, including about 200,000 in the ICS, that transport, store, distribute, prepare, and sell meat, poultry, and egg products
- Ensure industry compliance and consumer safety
 - Product and facility assessments
 - Domestic and imported products
 - Food safety, sanitation, hazard control
 - Food defense assessment
 - Marking, labeling, and consumer protection
 - Surveillance sampling
 - About 10% – 15% of resources

Surveillance Prioritization

Tier 1 Firm Types:

| | |
|---------------|----------|
| ➤ Distributor | (8,262) |
| ➤ Transporter | (16,754) |
| ➤ Warehouse | (23,625) |

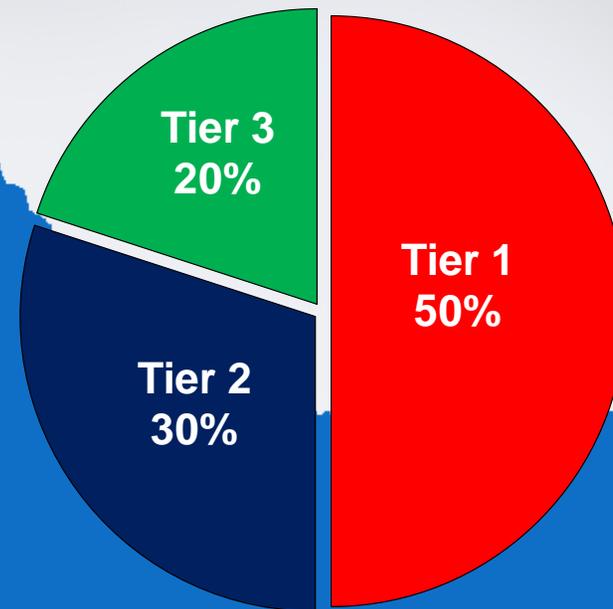
Tier 2 Firm Types:

| | |
|------------------|-----------|
| ➤ 3D/4D Operator | |
| ➤ Institutions | (54,621) |
| ➤ Renderer | |
| ➤ Restaurant | (500,000) |
| ➤ Retailer | (120,249) |
| ➤ Salvage | |

Tier 3 Firm Types:

| | |
|-----------------------------|--|
| ➤ Animal Food | |
| ➤ Custom | |
| ➤ Exempt Poultry | |
| ➤ Food Bank | |
| ➤ Processors, miscellaneous | |

*(All others combined
approximately 4,275)*





Investigations

- Investigate food safety, misbranding, and other violations of law to protect public health and to support criminal, civil, and administrative action
- Includes;
 - Investigative planning, analysis, decision-making
 - Evidence collection, identification, custody
 - Interviews, signed statements, regulatory notes
 - Investigative samples, photographic evidence
 - Reports of investigations
 - Investigative liaison with OIG, U.S. Attorneys

➤ About 30% – 35% of resources



Illness Investigations

- Conduct illness outbreak and epidemiological investigations to protect public health
 - Conduct product trace back and trace forward
 - Collaborate with OPHS and other FSIS programs
 - Collaborate with CDC and other Federal, State, and local agencies
 - Identify and control violative product
 - Develop investigative reports to support Agency action and decision-making
 - Develop cases for prosecution or other action

➤ About 35% – 40% of resources



Outbreak Visualization Tool

- Predictive analytics tool to enhance illness investigations, product trace back, recall
- Illness data, product distribution, product codes, PFGE results, and other data points
- Identify connections between consumer illness, suspected product flow, and producing establishments
- Visualization tools, including spider diagrams, flow charts, and timelines



Product Control

- Identify, detain, and control adulterated, misbranded, illegally imported, and other illegal or unsafe meat, poultry, and egg products so they do *not* reach consumers
 - Oversee voluntary product disposition, including complex extended disposition plans
 - Develop case evidence to support product seizure, when necessary
 - Conduct related investigative activities
 - Coordinate action with internal and external food safety and enforcement partners, as needed

➤ About 5% – 10% of resources



Food Defense and Emergency Response

- Assess food defense measures at in-commerce business and educate industry to enhance security
- Prevent, detect, and respond to biosecurity and other threats, including intentional attacks, and act to prevent or minimize consumer risk
- Respond to food safety and public health emergencies, natural disasters, and other incidents to protect the food supply and consumer safety
- Work with internal and external partners, including front-line food defense and emergency response

➤ About 10% – 15% of resources



Education and Liaison

- Educate distributors, importers, and other food handlers to improve food safety and defense
- Educate consumers about food safety and defense
- Partner and liaison with OIG, CDC, FDA, and other law enforcement, public health, and food defense agencies, at the Federal, State, and local level, in illness outbreak, food defense, emergency response, investigation, and enforcement

➤ About 5% – 10% of resources





FY 2009 Outcomes

- 7,670 surveillance reviews
- 6,316 food defense reviews
- 326 detentions/2.7 million lb
- 718 Notice of Warning letters
- 22 illness investigations/7.7 million lb recalled
- 545 retail ground beef samples

FY 2009 Outcomes



- 12 convictions for FSIS cases, additional convictions for joint OIG-FSIS cases
- 12 civil injunctions to stop ongoing violations
 - 12 administrative complaints
 - 9 administrative agreements
 - 4 withdrawals effected
- Over \$3.3 million in fines and other sanctions



Northeast Regional Office

- USDA, FSIS, OPEER, CID, NE
Mellon Independence Center
701 Market Street, Suite 4100C
Philadelphia, PA 19106
Office Phone: 1-800-637-6681
- Regional Director-James Borda

Oak Park CID Office Address

- USDA, FSIS, OPEER, CID, NE

Oak Park Sub Office

25900 Greenfield Rd, Suite 203, Oak Park, MI
49237

Office Phone- (248) 968-0230

– Acting Supervisory Investigator, Constance Kiefiuk

Questions ?

