

Audit Suggests GA Food Manufacturers Not Testing

Ray Henry, Associated Press

ATLANTA (AP) — Food manufacturers in Georgia may be dodging a first-of-its-kind law requiring that they inform state food inspectors when their products test positive for contamination, according to an audit of the state's food inspection service.

An audit released this summer offers a combination of anecdotal and statistical evidence suggesting the so-called "red flag law" was not strictly followed after it was implemented in 2010. The state adopted the law after a deadly salmonella outbreak that killed nine people and sickened hundreds more was traced back to a filthy southwest Georgia peanut producer. The crisis put a big dent in the state's peanut industry, then valued around \$2.5 billion annually.

"This is a mammoth undertaking, so it's not a matter of throwing the switch and everything's perfect," Agriculture Commissioner Gary Black said.

Under the system, Georgia food manufacturers must test their products and ingredients at least four to two-dozen times annually, depending on the riskiness of their manufacturing process. Companies can cut the testing requirements in half — though not eliminate it — if state officials approve a facility's food safety plan. Firms can also conduct more tests than legally required.

Regardless of how often manufacturers test, they must report any results showing contamination to state officials within a day.

Auditors accompanied Agriculture Department inspectors on a tour of 11 facilities. According to their report, six of those facilities said they were not following the red flag law because they did not know about it, did not understand the regulations or were waiting for state officials to review their food safety plans. Black's department later told auditors all but two of those facilities were conducting testing, though workers present for the inspection may not have known it.

That problem may be widespread. Food manufacturers are required to report only positive tests, not how many tests they conduct total. Therefore, it cannot be determined exactly how many tests are done. But auditors estimated that food manufacturers should have performed 7,503 tests from July 2010 to December 2011 to comply with the law. During that period, there were seven reports of positive tests for food contamination, or a little less than one positive result for every thousand tests.

By comparison, the state's inspectors tested 458 final food products during the same period. Of those tests, 11 samples tested positive. That translates into two

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positive results for every 100 tests. The department generally tests for contaminants that include salmonella, E. coli and L. mono, though agriculture department officials said not all of these 11 tests involved reportable pathogens.

That results in a big disparity. Tests conducted by food manufacturers were 25 times less likely to give a positive result than state tests.

"It appears that the incidence of positive tests is either significantly lower in the facilities' internal testing ... or not all facilities are testing as required," the auditors wrote.

Industry officials dispute that food processors are evading the testing requirement. Bryan Tolar, president of the Georgia Agribusiness Council, said it may take years to get enough information to make concrete judgments about the testing program. He said the food processors on his council supported the testing requirements.

"I think it's a win-win," he said. "For those processors that maybe were getting by, it provided them the additional incentive or maybe created the fortitude that needed to be there to tighten up. And right now, we're seeing the benefits of that because we're not seeing the problems."

Several factors may explain some of the discrepancies in testing figures. Of the 11 positive state tests, less than half identified a potential health problem, said Oscar Garrison, the director of the state Agriculture Department's food safety division. The remainder of the tests identified non-safety issues. For example, a state inspector may determine that a can labeled as containing a pound of coffee weighs less, which is bad for a consumer's pocket book but not life-threatening.

Even so, that means a state-run test was at least nine times more likely to come back positive than an industry test.

When state inspectors visit a food processor, they are reviewing testing plans, a step that Garrison said would increase compliance. Garrison also cautioned against making snap judgments about the testing program's effectiveness because it is unique nationally and relatively new. For example, Garrison said quality assurance managers at Georgia plants sometimes leave.

"The new quality assurance manager may come in," he said. "They're operating under the national standard they know about, but they may not have specifics as to Georgia."

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