

THE
ONTARIO PUBLIC SERVICE EMPLOYEES UNION’S
RECOMMENDATIONS
TO THE
REVIEW INTO THE
MEAT REGULATORY AND INSPECTION REGIMES
IN ONTARIO

March 17, 2004

LIST OF RECOMMENDATIONS

Recommendation 1: OMAF should issue a clear statement that, concerning meat products, the primary responsibility of the Ministry is “Food Safety First”. That statement should be accompanied by the publication of a draft implementation plan for carrying through with that responsibility. If the proclamation of the *Food Safety and Quality Act* takes place shortly, the issuance of the statement and operational plan should take place at that time.

Recommendation 2: The province should retain operational responsibility for the inspection of provincially regulated plants and processors, but move to a greater harmonization with federal standards.

Recommendation 3: Enact *Food Safety and Quality Act* as soon as possible.

Recommendation 4: The *Food Safety and Quality Act*, s. 14(1) should be amended to require the “Director” to Appoint Public Servants to be Inspectors.

Recommendation 5: The *Food Safety and Quality Act*, s. 49(4) should be amended to delete reference to “individual, partnership, organization, association, marketing board...and corporation”.

Recommendation 6: The *Food Safety and Quality Act* should be amended to empower inspectors to issue tickets in the same manner as public health inspectors under the *Health Protection and Promotion Act*.

Recommendation 7: The *Food Safety & Quality Act* should be amended to allow the Minister to appoint Chief Inspectors.

Recommendation 8: Amend the *Food Safety and Quality Act* to add the provision similar to the Environmental Bill of Rights, Section 105, but broadened to include protection against reprisals: “where the employee is employed by an enforcement agency, for bringing the matter to public attention after the matter was first brought to the attention of the employer of that person”.

Recommendation 9: Amend *Food Safety and Quality Act* to incorporate provisions similar to Environmental Bill of Rights, 1993, Part II – Public Participation and Decision Making.

Recommendation 10: The new Regulation under the *Food Safety and Quality Act* must mandate ante and post-mortem inspection of all slaughter animals by a Ministry Meat Inspector.

Recommendation 11: All meat processing should be subject to inspection under the *Food Safety and Quality Act*.

Recommendation 12: The regulation under the *Food Safety and Quality Act* should deal with deadstock and with farm slaughter. Farm slaughter should no longer be exempt but rather be subject to tailored standards.

Recommendation 13: The regulation under the *Food Safety and Quality Act* should provide for publication on the OMAF website and in the Ontario Gazette of all licence suspensions, revocations, refusals to renew and refusals to issue, all convictions and all fines, all audit reports and all audit rankings. Audit rankings should also be visibly posted at all abattoirs.

Recommendation 14: The new Regulation under the *Food Safety and Quality Act* should provide for licence and audit requirements to be phased in for the following:

- HACCP compliance (with further consideration being given over time to industry self accreditation, provided it does not undermine the regulatory system);
- certification of training for all meat cutters and food handlers.

Recommendation 15: The regulation under the *Food Safety and Quality Act* should not include charges for extra inspection hours. Instead an experience rated licensing system should be developed, governed by the principle that cost recovery should be secondary to ensuring meat safety.

Recommendation 16: OMAF should establish a new Food Safety Division, with a new Assistant Deputy Minister, a mandate for all food safety programs and a direction to develop a “safely from field to fork” policy.

Recommendation 17: OMAF should establish an Inspection and Enforcement Branch based on the repatriation of The Ministry of Natural Resources investigation and enforcement staff dealing with food safety. The enforcement liaison advisor position should be eliminated and replaced with a direct interface between IEB and Food Inspection Branch staff.

Recommendation 18: OMAF should establish Chief Inspector, and Regional Inspector, positions to act as internal monitors of and advocates for proper performance of substantive inspection functions. The Chief Inspector should issue a public annual report on the state of Ontario meat inspection.

Recommendation 19: The Meat Inspection Audit Program should be administered through full time permanent Audit Compliance Inspectors who would replace the current contracting out for audits. Those audit inspectors should report to an Audit Program Manager in an Advisory and Audit/Food Safety Policy Branch separate from the Food Inspection Branch.

Recommendation 20: OMAF and the Ministry of Health should ensure that responsibility for meat processing is allocated in a fashion which makes use of the respective expertise and abilities of the two Ministries and their frontline staff. In particular, the roles and responsibilities of the frontline inspectors of the two Ministries should be clarified so that the expertise of each is brought to bear, without gaps (and unnecessary duplication). Care must be taken to ensure that the ongoing responsibility to improve the inspection of abattoirs is not compromised.

Recommendation 21: OMAF should acknowledge that Aylmer and like situations were not properly handled, undertake a review of those circumstances and publish remedial action plan designed to ensure that such events do not recur.

Recommendation 22: That the Meat Inspection Field Manager be replaced with an individual capable of effectively administering the meat inspectorate.

Recommendation 23: OMAF policy should be that:

- daily decisions concerning plant operation are made by the inspector;
- other staff will provide consultation to the inspector, but that the final decision remains that of the inspector;
- plant operators with concerns will be directed to speak to the inspector;
- inspector decisions will only be overruled by a plant visit from a manager or veterinarian.

Recommendation 24: All management interventions in inspections should be documented on the FSDSS by the manager with a copy of that documentation supplied both to the inspector and to the next higher level of management as well as the Chief and Regional Inspectors.

Recommendation 25: OMAF should establish a formal complaints process for industry concerns about inspectors which involves:

- putting the complaint in writing;

- copying the complaint to the inspector;**
- providing the inspector with an opportunity to respond;**
- providing a written response to the complaint, copied to the inspector.**

Recommendation 26: The conduct of audits should be improved by:

- a) greater consistency of standards;**
- b) audits being conducted without warning or with very little warning;**
- c) the inspector with primary responsibility for the given plant being at the audit meeting;**
- d) failure to correct minor deficiencies having time-limited and real consequences in the form of fines and/or a downgrade of audit ranking.**

Recommendation 27: The Ministry should produce a schedule of fines and suspensions that can be reasonably expected for different forms of initial infractions, and for second or third offences, which schedule should be more severe than the present standards. Progress in improving the severity of fines should be included in the public report of the Chief Inspector.

Recommendation 28: Meat inspectors should be consulted on all fines and suspensions, and informed about all penalties imposed.

Recommendation 29: The OMAF Meat Inspection Policy and Program Manual, Personal Security Policy, should be modified to make it clear that inspectors are entitled to withdraw from potentially dangerous situation.

Recommendation 30: Licensing and audit requirements should include adherence to a published “code of conduct” for abattoir owners that includes requirements for the proper treatment of inspectors.

Recommendation 31: The OMAF published schedule of anticipated fines should set out fines and suspensions for harassment of inspectors.

Recommendation 32: The OMAF should convert as many unclassified contracts to full-time permanent contracts as possible. In the

alternative, those continuing to be employed on a regular part-time basis should be provided with permanent part-time employment coupled with a minimum guarantee of hours.

Recommendation 33: OMAF should increase the Area Manager complement by two to a total of ten.

Recommendation 34: The number of full-time inspectors should be increased by 40 inspectors, and, in the alternative, an independent audit of the number of inspectors required in the plants for proper inspection should be conducted and the results implemented within six months.

Recommendation 35: That meat inspectors be supplied with ongoing explanations of the reasons for all biological tests and with summaries of the results of monitoring testing.

Recommendation 36: That there be trained Ministry staff veterinarians available on call or for plant visits in all regions of the province.

Recommendation 37: That BSE testing be expanded to all red meat plants.

Recommendation 38: Sufficient funding should be made available to provide for year round BSE and water testing.

Recommendation 39: That OMAF be required to develop and table a comprehensive human resources plan for the meat Inspectorate within six months. This plan should include an end to personal favoritism in hiring.

Recommendation 40: The OMAF in conjunction with the Ministry of Health should meet with educational authorities to evaluate existing training courses and determine the long-term training requirements of meat safety. The Ministry should play an active role in ensuring the availability of an array of courses on the subjects required to properly train both inspectors, abattoir owners and food handlers.

Recommendation 41: The Canadian Food Inspection Agency should be requested to provide apprenticeship. In addition, OMAF should establish a formal and monitored apprenticeship program using specially certified inspectors.

Recommendation 42: OMAF should develop and table a comprehensive continuing education training program for meat inspectors which ensures regular and upgraded training in job relevant skills including processing, pathology, microbiology, as well as water testing, zoonotic hazards, occupational health and safety and HACCP.

Recommendation 43: The Meat Review must ensure that there is adequate follow-up on its recommendations through any one of three mechanisms:

- a follow-up assessment in one year by the Review;**
- a published independent compliance audit of the government's response within one year;**
- the inclusion of Review compliance in the Report of the Provincial Auditor.**

