

◆ Elliot O. Grosvenor Food Safety Award ◆

*This nomination must be submitted by **February 1, 2013**
to be considered for the current year's award*

Criteria for Nominations

The Elliot O. Grosvenor Food Safety Award is given to recognize outstanding achievements made by food safety programs within State Departments of Agriculture, Natural Resource Agencies, Public Health Departments or Environmental Conservation Departments in the United States or Canada. The award will go to the program that best showcases improvement, innovation or sustained high performance within a food safety program. A food safety program could include responsibility for: food safety, food protection, and food defense or food sanitation. The applications will be made to the AFDO awards committee by the deadline.

(PLEASE TYPE)

Date of Nomination: February 19, 2013 (for the year ending December 31, 2012)

Program's Full Name: New York State Bio-Terrorism Imported Food Surveillance Program

Nominator: Angela Montalbano

Immediate Organization: New York State Department of Agriculture and Markets

Agency: 10-B Airline Drive, Albany, NY 12235

City, State, ZIP: 10-B Airline Drive, Albany, NY 12235

Telephone (office): _____ (mobile): 917-689-7479

Email Address: Angela.montalbano@agriculture.ny.gov

AFDO Member: YES

Executive Summary:

Due to the global economy and increased demand for traditional ethnic foods, the rate of imported foods into the United States is on the rise. As noted by the many nationwide food recalls and import alerts, numerous imported food products are of safety concern for the US consumer. Since the federal Bio-Terrorism Act of 2002 the New York State Department of Agriculture and Markets took a proactive initiative and responded to the influx of violative imported foods in commerce. The department hired and trained "Bio-Terrorism Food Inspectors" to conduct imported food surveillance and investigations. Inspectors were trained with FDA Consumer Safety Officers in the Imported Food Division to fully understand the FDA's imported food procedures. New York State inspectors learned to analyze a myriad of unapproved foods and ingredients that commonly enter the US food supply. Once these FDA regulated products enter the United States and are considered domestic, they become the responsibility of state and local agencies to assure their safety (Corby). Historically state and federal agencies conduct independent surveillance of domestic and imported food products throughout the year. However New York State Bio-terrorism food inspectors now conduct joint targeted enforcement surveillance with federal partners during specific times of the year. There has been a recognized benefit for conducting joint agency targeted surveillance investigations.

Agency interaction provides a broad field of knowledge, jurisdiction and action level. Utilizing an integrated food safety system acknowledges food safety issues at hand, takes immediate action and continues with trace

back to locate the origin. The intent is to prevent the prohibited items from entering the country by

obtaining product import alerts and to reduce the potential impact on the US food supply and economy.

□ **Agency Demography (Population Served, Age and Diversity)**

The population in New York is quite diverse throughout the state. In fact the percentages of various nationalities are higher than the average of the United States resulting in a higher demand for traditional ethnic foods. Due to diversity of the state's population imported foods was identified as a potential risk to food safety. In the year 2000, the population of New York State was 18,976,457 and by 2012 the population Of New York State increased to 19,570,261. In twelve years there was an increase in state's population by Over a half million citizens.

□ **Agency Resources and Budget (Staff, Facilities, Revenues)**

At the time of inception of the Bio-Terrorism Imported Food Surveillance Program in 2003 there were 100 Food safety inspectors to conduct agency jurisdictional duties. The New York State Department of Agriculture And Markets Food Safety and Inspection Division is responsible for conducting sanitary inspections at retail establishments including grocery, seafood, meat, wholesale manufacturers including bakeries, food warehouse / distribution centers, live poultry markets and conducting seafood and juice HACCP Inspections.

At the present time in 2013 the staff has declined to 84 food safety inspectors.

□ **Program Planning/Self Evaluation (Vision, Staff Participation)**

In 2003, at inception of the Bio-Terrorism Imported Food Surveillance Program 6 Bio-Terrorism Food Safety Inspectors were strategically placed throughout New York State – New York Metropolitan, Albany, Buffalo and Champlain.

Northern, Western New York and Canadian border points are major connection points to Canada's largest cities. Imported products from Montreal, Ottawa, and Toronto are trucked through Buffalo, Niagara Falls, and several Northern New York border crossings where they enter the country and end up throughout New York State.

State inspectors work with FDA officials at these crossing points during various times during the year and inspect food products within the trucks destined for New York markets. Southern New York import entry points include the water ports of New York and New Jersey and the International Airport at JFK.

These products are generally moved to imported food warehouses where state inspectors can easily conduct physical evaluations of these food products.

This initiative prepared the BT inspectors to conduct imported independent and joint FDA imported food surveillance, sampling and recalls. The exchange of intelligence and information with the FDA instituted the first state driven FDA Import Alert initiated by the New York State Department of Agriculture.

□ Program Management (Staff Control, Community/Industry/Consumer Support)

Throughout the span of the Imported Food Surveillance Program, numerous special projects have been conducted to evaluate and gain compliance in imported foods. The sampling projects conducted included melamine, olive oil, aflatoxins, lead in candy and arsenic in juice.

The Bio-Terrorism Inspectors conduct annual joint targeted surveillance investigations with USDA SITC (Smuggling Interdiction Trade and Compliance).

Joint investigations are conducted with FDA investigators when warranted.

In collaboration with Cornell University, the agency has published three Imported Food Products Guides in English, Chinese and Russian. The imported food guides were presented at seminars geared to inform the industry, brokers and importers of the federal regulations, issues and concerns involving imported foods. The latest seminar was presented in October 2012.

The Bio-Terrorism Inspectors have participated in community outreach educational programs with USDA SITC (Smuggling Interdiction Trade and Compliance) division and the NY Bronx Zoo for "Bush Meat" and the New York City Health Department for lead contamination in foods and the environment. Two BT inspectors are active in both committees.

Two BT inspectors are active in the BTAC (Biological Threat Assessment Committee). This committee is comprised of US Customs and numerous federal enforcement agencies.

□ Program Implementation (Training, Compliance, Enforcement)

Since the federal Bio-Terrorism Act of 2002, the NYSDAM took a proactive initiative and responded to the influx of violative imported foods in commerce. The department trained Bio-Terrorism Food Inspectors to conduct imported food surveillance and investigations.

The inspectors were trained with Food and Drug Administration (FDA) Consumer Safety Officers and newly hired FDA Import Investigators in the Imported Food Division to fully understand the FDA's imported food procedures and protocols.

The import process, roles of various federal agencies and protocols for inspection and enforcement activities were reviewed. New York State inspectors learned to survey and monitor imported foods including a myriad of unapproved foods and ingredients that commonly enter the US food supply. The state inspectors conducted joint investigations with federal agency officials.

New York State has food seizure authority to utilize as an enforcement tool which allows them to put a hold or stop on the marketing of a food product. This is an authority which FDA currently does not have, and they will often contact state officials to request a food item be placed under food seizure.

The FDA has authority to place a product on an import alert to prevent the violative product from entering the country.

Sharing agency intelligence and enforcement tools is a true example of the Integrated Food Safety System.

□ **Program Outcomes (Measurable Outcomes)**

Through intelligence, product sampling and lab results there is solid evidence that many imported foods are of safety concern for the US consumer. The New York State Department of Agriculture and Markets recall data was researched and analyzed from the year 2000 – 2010. The data revealed the imported food recalls were consistently and significantly higher than the domestic food recalled products. (chart below)

YEAR	TOTAL # RECALLS	IMPORTED	DOMESTIC		
2000	127	80	63%	47	26%
2001	178	123	69%	55	15%
2002	358	280	78%	78	22%
2003	353	228	65%	125	35%
2004	358	245	68%	113	33%
2005	339	259	76%	80	23%
2006	351	269	77%	82	26%
2007	311	231	74%	80	27%
2008	301	241	80%	60	30%
2009	202	129	64%	73	32%
2010	227	163	72%	64	28%
Average	282	204	71%	78	27%

The chart below represent the Food Recall Summary 2000-2011 with a breakdown of the recalls classification,

Imported and Domestic food recalls. The Class 1 Recalls were significantly higher than the domestic recalls.

Food Recall Summary 2000-2011

Year	Class 1	Class II	Class III	Totals
2000	46 33 Imported 13 Domestic	58 43 Imported 15 Domestic	20 14 Imported 6 Domestic	124 80 Imported 44 Domestic
2001	61 39 Imported 22 Domestic	104 73 Imported 31 Domestic	13 11 Imported 2 Domestic	178 123 Imported 55 Domestic
2002	129 101 Imported 28 Domestic	187 141 Imported 46 Domestic	42 38 Imported 4 Domestic	358 280 Imported 78 Domestic
2003	101 54 Imported 47 Domestic	187 122 Imported 65 Domestic	65 52 Imported 13 Domestic	353 228 Imported 125 Domestic
2004	73 55 Imported 18 Domestic	183 123 Imported 60 Domestic	102 67 Imported 35 Domestic	358 245 Imported 113 Domestic
2005	70 46 Imported 24 Domestic	192 164 Imported 28 Domestic	72 44 Imported 28 Domestic	334 254 Imported 80 Domestic
2006	22 14 Imported 8 Domestic	223 192 Imported 31 Domestic	106 65 Imported 41 Domestic	351 271 Imported 80 Domestic
2007	41 31 Imported 10 Domestic	187 160 Imported 27 Domestic	83 40 Imported 43 Domestic	311 231 Imported 80 Domestic
2008	45 38 Imported 7 Domestic	201 165 Imported 36 Domestic	59 3 Imported 21 Domestic	305 241 Imported 64 Domestic
2009	32 20 Imported 12 Domestic	127 84 Imported 43 Domestic	43 25 Imported 18 Domestic	202 129 Imported 73 Domestic
2010	52 27 Imported 25 Domestic	151 128 Imported 23 Domestic	36 20 Imported 16 Domestic	239 175 Imported 64 Domestic
2011	57 29 Imported 28 Domestic	161 123 Imported 38 Domestic	48 26 Imported 22 Domestic	266 178 Imported 88 Domestic
2012 (as of mid-June)	64	249	35	348
TOTAL 2000 - 2011	729 487 Imported 242 Domestic	1,969 1,518 Imported 443 Domestic	689 440 Imported 249 Domestic	3,379 2,445 Imported 934 Domestic

As previously mentioned, the BT inspectors conducted joint imported food surveillance with USDA SITC

NYS / USDA Joint Targeted Surveillance Data

2008	2009	2010
91 Establishments Visited	152 Establishments Visited	35 Establishments Visited
443 Physical Exams	701 Physical Exams	247 Physical Exams
26 Seizures	3 Seizures	13 Seizures
31,505 Pounds Seized	218 Pounds Seized	948 Pounds Seized
21,540 Pounds Destroyed	218 Pounds Destroyed	926 Pounds Destroyed
9,323 Pounds Released	0 Pounds Released	22 Pounds Released
642 Pounds Violated	0 Pounds Violated	0 Pounds Violated
38 Food Samples	12 Food Samples	21 Food Samples
19 Violative 15 non violative / 4 not analyzed	10 Violative	12 Violative
19 Recalls	10 Recalls	12 Recalls
1 Class 1's	1 Class 1's	0 Class 1's
16 Class 2's	8 Class 2's	11 Class 2's
2 Class 3's	1 Class 3's	1 Class 3's

The chart above represents the enforcement action data from 3 consecutive years of joint investigations conducted by 3 Bio-Terrorism Food Inspectors in a total of 6 days. Consistent, updated training and imported food intelligence has helped develop the success of the program.

BT Summary 2005 – 2012 (6 Bio-Terrorism Food Inspectors)

	2005	2006	2007	2008	2009	2010	2011
Assignments	NA	490	316	200	216	214	166
Physical Exams	157	362	900	898	903	655	769
Seizures	32	76	61	47	37	38	19
#Seized	83,896	90,428	821,735	49,580	31,384	18,269	4,510
#Destroyed	NA	67,299	196,658	35,086	9,178	7,584	2,053
Food Samples	105	231	256	209	82	149	154
Violative	NA	94	63	57	29	32	37
Non-Violative	NA	137	193	152	53	117	117
Feed Samples	55	51	29	20	18	10	0
Violative	NA	6	3	1	2	1	0
Non-Violative	NA	45	26	19	16	9	0
Recalls	34	94	63	57	29	32	37
Class I	NA	4	7	10	3	3	4
Class II	NA	53	38	44	17	27	32
Class III	NA	37	18	3	9	2	1

□ Goals for Improvement

New programs and standards always pose agency challenges however there are always goals to strive toward.

The enhancement of the state's food lab testing methodologies can improve the surveillance and testing of
The imported food samples.

Although the BT inspectors have presented imported food issues and concerns to fellow food safety
Inspectors at annual inspector seminars, it would be beneficial for all New York State Food Inspectors to
Receive thorough imported food training.

□ Issues/Challenges/Risks

State agency food programs are consistently faced with challenges. Although New York State has been struck
by attrition the food safety inspectors and bio-terrorism food inspectors throughout New York state continue
to focus on the day to day sanitary inspection responsibilities.

With imported food recalls on the rise there is a need for more inspectors to increase sampling, recall
protocols and product monitoring. To assure food samples are obtained on a routine basis the division has
created an updated sampling program. With the addition of the altered program the number of samples and
recalls has increased throughout the state.

Through research and data evaluation the Bio-Terrorism Imported Food Surveillance program has proven to
be an effective means of removing adulterated and violative imported food products from commerce.

Although directors and Bio-Terrorism inspectors have presented such information to other government
agencies it continues to be a challenge, for numerous reasons, for other states to follow suit.

All agencies share a common goal. The overall projection is to reduce the prevalence of violative imported
food product in commerce and to help safeguard the United States agriculture and economy.

□ Summary (Improvement or Innovation that Merits Award)

While the Bio-Terrorism program was in progress, innovative leaders Joe Corby of the NYSDAM and Bob Hart
of the FDA took a proactive approach to an Integrated Food Safety System. The two leaders teamed up and
formed a cooperative federal-state approach for monitoring imported foods.

The data clearly illustrates that something new and innovative for dealing with imported foods was needed in
the state. New York Agriculture and Markets and FDA's New York District joined forces and developed their
Imported Food Initiative. In the initiative FDA and New York officials agreed to share information about
imported products, share inspection information, do field examinations jointly, collect imported food and feed
samples, and act on violative imported products accordingly. This program has since been adopted by other
FDA jurisdictions to collaborate with state partners in Michigan and Texas.

The BT program has resulted in great exposure throughout the country by directors and BT inspectors presenting imported food surveillance results to AFDO and its affiliates. Presentations have also been made to local, state, federal and community based populations. The information is always welcomed and received great feedback.

A copy of the Imported Food Products – Food Safety Manual will be submitted along with this application.

Attachments

- Testimonials (maximum of two)
- Acknowledgements
- Appendices

Nominated by: Angela Montalbano

Signature: Angela Montalbano

The winner of this award will identify an individual to receive travel funds (if available and pursuant to AFDO's travel policy) to attend the annual AFDO conference held in June in order to publicly receive an official plaque of recognition and will be given time on the program agenda to comment on the award. The winner will be invited to attend the AFDO Wiley Awards Banquet during the conference.

Attendance is not mandatory for receiving the award. Return this form, a photocopy of this form (both sides) and ***please submit by February 1, 2013***, to:

Dr. Joanne M. Brown
Chair, AFDO Awards Committee
Association of Food and Drug Officials
2550 Kingston Road, Suite 311
York, PA 17402

Phone: 717-757-2888
FAX: 717-650-3650
E-Mail: afdo@afdo.org