REPORT TO THE CONGRESS

Processed Fruits And Vegetables: --Potentially Adulterated Products Need to Be Better Controlled --Sanitation In Some Plants Needs Improvement

B-164031(2)

Agricultural Marketing Service
Department of Agriculture
Food and Drug Administration
Department of Health, Education,
and Welfare

BY THE COMPTROLLER GENERAL OF THE UNITED STATES

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COMPTROLLER GENERAL OF THE UNITED STATES
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To the President of the Senate and the
Speaker of the House of Representatives

This is our report pointing out that potentially adulterated products need to be better controlled and that sanitation needs to be improved at some fruit and vegetable processing plants receiving grading service from the Agricultural Marketing Service, Department of Agriculture

Our review was made pursuant to the Budget and Accounting Act, 1921 (31 U S C 53), and the Acccounting and Auditing Act of 1950 (31 U.S.C. 67)

Copies of this report are being sent to the Director, Office of Management and Budget, the Secretary of Agriculture, and the Secretary of Health, Education, and Welfare

Comptroller General
of the United States

Contents

ABBREVIATIONS

AMS	Agricultural Marketing Service
C&MS	Consumer and Marketing Service
FDA	Food and Drug Administration
GAO	General Accounting Office
HEW	Department of Health, Education, and Welfare
USDA	U.S. Department of Agriculture

COMPTROLLER GENERAL'S REPORT TO THE CONGRESS

PROCESSED FRUITS AND VEGETABLES --POTENTIALLY ADULTERATED PRODUCTS NEED TO BE BETTER CONTROLLED --SANITATION IN SOME PLANTS NEEDS IMPROVEMENT

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D I G E S T

WHY THE REVIEW WAS MADE

The General Accounting Office (GAO) made this review to determine what controls the Agricultural Marketing Service and the Food and Drug Administration (FDA) had over fruits and vegetables which did not meet U S grade standards

GAO also reviewed the Service's effectiveness in enforcing its requirement that fruit and vegetable processing plants which receive its grading service be maintained under sanitary conditions

Background

The Service, upon request and on a reimbursable basis, provides grading service in fruit and vegetable processing plants to help promote the marketing of processed--generally canned or frozen--fruits and vegetables To receive the service, a plant must be maintained under sanitary conditions In addition to providing grading, Service employees examine products for cleanliness and wholesomeness and watch plant sanitation

During fiscal year 1971 the Service provided grading service for about 35 percent, or 7 1 billion pounds,of the canned fruits and vegetables and about 75 percent, or 3 8 billion pounds, of the frozen fruits and vegetables processed in this country

FDA has primary Federal responsibility for inspecting foods--except meat, poultry, and egg products--and for insuring that foods entering interstate commerce are safe and wholesome and that adulterated and misbranded products are removed from the market

FDA enforces the Federal Food, Drug, and Cosmetic Act, which is intended to assure the consumer that, among other things, foods are pure, safe to eat, and produced under sanitary conditions Under the act FDA, whose programs are directed at the single, overall objective of consumer protection, is authorized to initiate Federal action against plants and individuals who cause foods to become adulterated or misbranded

A 1953 agreement between the Service and FDA set out arrangements for carrying out activities having common or related objectives FDA, whose food inspection activities were the subject of a separate GAO report (B-164031(2)) issued April 18, 1972 (see p 10), inspects fruit and vegetable processing plants infrequently

FINDINGS AND CONCLUSIONS

Need to control processed fruits and vegetables which may be adulterated

About 15 billion pounds of fruits and vegetables were subject to grading from January 1, 1970, through March 31, 1971 During that period the Service identified about 39 million pounds in 132 plants that did not meet U S grade standards because the products had excessive foreign materials--such as worms, insects, oil, mud, rot, rust, or paint flakes--or because the products had been packed under unsanitary conditions

The Service, in accordance with its normal procedures, did not control such products but left their disposition to the processors Also FDA did not routinely obtain from the Service information on these products which might have been adulterated and, if so, should not have been distributed in interstate commerce.

The Federal Food, Drug, and Cosmetic Act requires FDA to prevent the distribution of adulterated products in interstate commerce and requires other Federal agencies to make their records available for FDA inspection The 1953 agreement between the two agencies provided that the Service furnish FDA with information on products graded only when FDA requested it and then only on lots specifically identified by FDA (See p 12)

GAO asked FDA to investigate some of these products, and FDA said that it would consider them adulterated if its analyses confirmed the presence of the indicated contaminants FDA investigated 31 production lots, comprising about 545,000 pounds, at 18 plants

FDA collected and analyzed samples from two lots which had been shipped in interstate commerce Its analyses showed that the products were adulterated, and it approved their seizure FDA reported that three other lots had been destroyed, or diverted for use as cattle feed, by the plants and that most of the remaining 26 lots had been shipped from the plants and (1) were not available for sampling or (2) could not be traced (See p 14)

In July 1971 the Service told GAO that it proposed to revise its 1953 agreement with FDA to define what constituted a product hazardous to health and to require the reporting of such products to FDA Between that time and May 1972, when the agreement was revised, the Service identified at least 400,000 pounds of products as possibly hazardous to health but the Service, in line with the 1953 agreement, did not inform FDA of them As of January 31, 1973, the Service and FDA were developing an overall definition of what constituted a product hazardous to health (See p 15)

The revised agreement did not cover potentially adulterated products other than those considered hazardous to health According to the Federal Food, Drug, and Cosmetic Act, adulterated products include, in addition to those that are hazardous to health, those that consist, in whole or in part, of any filthy, putrid, or decomposed substance, those that are otherwise unfit for food, and those that have been prepared, packed, or held under unsanitary conditions whereby they may have become contaminated with filth (See footnote, p 12)

FDA told GAO that, in negotiating the changes in the agreement with the Service, it first took the

position that the Service should report to FDA any lot of a product that was adulterated and not just those lots which the Service decided were hazardous to health Because of the grave concern of the Department of Agriculture representatives that grading service would disappear as a result of this, FDA said that it deferred to reporting only products that presented a hazard to health

The Service told GAO that, if the Service were to report to FDA all the products failing to meet U S grade standards, the plants using the grading service would be competitively disadvantaged compared with those plants not using the service Also the Service said that the plants receiving grading service had to meet sanitary, product, and quality standards and that both the industry and the consumers would lose such benefits if the grading service were discontinued (See p 16)

Observations on sanitation conditions in plants receiving grading service

Accompanied by Service supervisory employees, GAO visited 40 fruit and vegetable plants GAO also reviewed the Service's own sanitation reports on these plants, which had been prepared by Service employees before the visits During tne visits Service employees reported one or more major or critical sanitation deficiencies at 25 of the 40 plants Previous sanitation reports showed that, at 12 of the 40 plants, Service employees had reported some sanitation deficiencies to plant managements many times over extended periods (See pp 22 and 24)

Also at 51 of the 132 plants where products did not meet U S grade standards, Service employees had refused to grade products because the products had been packed under unsanitary conditions or contained foreign materials--such as oil, paint flakes, and rust--which were, or appeared to be, related directly to plant sanitation (See p 25)

Conditions revealed by GAO's visits and the Service's sanitation reports and grading records indicated that some plant managements were not taking appropriate and timely actions to correct known sanitation deficiencies and that some Service employees were not effective in having plant managements maintain their plants under sanitary conditions

From April 1 to July 12, 1971, the Service disapproved requests from seven plants to provide grading service because of sanitation deficiencies and it withdrew its service from two unsanitary plants for short periods during fiscal years 1970 and 1971 Under the terms of its 1953 agreement with FDA, however, the Service was not required to, and did not, notify FDA of these plants (See p. 26.)

During GAO's review the Service took actions which should improve plant sanitation conditions (See p 27.) The Service also provided more specific guidelines to its employees on the actions to be taken and on when service was to be withdrawn or suspended or when contracts were to be terminated if plant managements did not take appropriate and timely corrective actions on sanitation deficiencies. (See p 28)

RECOMMENDATIONS OR SUGGESTIONS

GAO recommends to the Secretary of Health, Education, and Welfare that

FDA, under the authority of the Federal Food, Drug, and Cosmetic Act, routinely obtain from Agriculture such information as is necessary for FDA to take appropriate action against all processed fruits and vegetables which fail to meet U S grade standards for reasons which, under FDA standards, would render the products adulterated GAO also recommends to the Secretary of Agriculture that the Service cooperate in providing such information on a timely basis (See p 17)

GAO recommends also to the Secretary of Agriculture that the Service develop procedures for notifying FDA of those plants where, because of sanitation deficiencies, the Service's grading service has been withdrawn or suspended, its contracts have been terminated, or requests for its service have been disapproved (See p 29)

AGENCY ACTIONS AND UNRESOLVED ISSUES

HEW (see app IV) stated that it concurred in the recommendation relating to products which failed to meet U S. grade standards and that it would work with Agriculture to firm up ways by which the recommended information exchange could best be accomplished

Agriculture (see app II) stated that its grading service was voluntary and that its reporting to FDA all products failing to meet grade and quality standards would disadvantage those plants voluntarily participating in its quality improvement programs and would apply different standards to those plants than were applied to nonparticipating plants Agriculture stated, however, that it would continue to cooperate with FDA in providing specific information requested by FDA to assist it in discharging its regulatory responsibilities

Agriculture (see app I) stated that steps had been taken to improve sanitation in plants and that others were in process Agriculture did not agree with GAO's recommendation that it develop procedures for notifying FDA of plants where, because of sanitation deficiencies, grading service had been withdrawn, suspended, or terminated or where requests for service had been disapproved An Agriculture official stated that the agreement between the Service and FDA did not require that such information be provided to FDA.

If FDA were provided with such information, it could determine whether adulterated products might be involved and could prevent the distribution of such products in interstate commerce Such action would better protect consumers and would enable FDA to use its scarce resources in the most effective and efficient way (See p 28)

MATTERS FOR CONSIDERATION BY THE CONGRESS

This report is provided to the Congress for its information and for consideration in its continuing evaluation of consumer protection programs

CHAPTER 1

INTRODUCTION

To help promote the marketing of processed fruits and vegetables,[1] the Agricultural Marketing Service (AMS), U.S Department of Agriculture (USDA), provides grading service to fruit and vegetable processors or others, such as food brokers, the military services, private institutions, and various local, State, and Federal agencies The service may be provided in processing plants or at other locations.

AMS provides grading service to those who request it under reimbursable contracts AMS provides the service pursuant to the Agriculture Marketing Act of 1946 (7 U.S C. 1621) which authorizes the Secretary of Agriculture to inspect, certify, and identify the class, quality, quantity, and condition of agricultural products shipped or received in interstate commerce

GRADING SERVICE

AMS provides the following four types of grading service to industry.

1 Continuous in-plant--Under this type of service, one or more AMS employees are present at all times during the preparation, processing, and packing operations. They observe the preparation of raw materials, periodically check the various steps in the process, maintain surveillance over sanitation and housekeeping during the packing operations, make frequent line checks of the quality of the products being processed, and examine samples of the finished products to determine compliance with U S grade standards or specifications as may be required

During the processing and packing operations, the AMS employee reports to plant management on the

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[1]Those which have been preserved by any recognized commercial process, such as canning, freezing, denydrating, or drying

quality of the products being packed and cites any failure to maintain proper plant sanitation. The employee also issues daily reports to plant management on plant housekeeping conditions and the grade of products.

Products packed in any plant operated under continuous grading and in compliance with USDA regulations may be labeled with the official USDA marks. These include the familiar shield, the statement "Packed under continuous inspection of the U S. Department of Agriculture," and a grade designation with the prefix "U S ," such as "U S. Grade A "

2. In-plant pack certification--This type of service is similar to continuous grading except that an AMS employee may not be present during all operating shifts of the plant When an AMS employee is on duty, he performs the same functions as he would under continuous in-plant service.

3 Lot--This type of service involves examining a representative sample from a specific product lot designated by a financially interested party who applies for such service. The service includes ascertaining the condition of the containers, drawing a prescribed number of containers from the lot, and examining the contents of these containers to determine the wholesomeness, quality, and condition of the product

These lots are usually located in plants, warehouses, or cold-storage facilities in producing areas or in similar facilities in terminal markets. Results of examinations are reported on official certificates to the applicant

4 Unofficial sample--This type of service is confined to samples of products selected by an applicant and submitted for examination to the nearest AMS office Examination and certification are restricted to the grade and condition of the samples without reference to the representativeness of the samples to any lot

Pursuant to its authorizing legislation, AMS requires that fruit and vegetable processing plants approved for in-plant grading service be maintained under sanitary conditions Plant management has primary responsibility for complying with this requirement. Regulations setting forth the sanitation standards for plants receiving AMS service are published in the Code of Federal Regulations (7 CFR 52). Also AMS has published a handbook of procedures to be followed by its employees in carrying out their surveillance over plant sanitation.

Before approving in-plant grading, AMS surveys an applicant's plant to determine whether the plant and methods of operation are suitable and adequate for properly performing the requested service. If they are not, AMS can refuse to provide its service. Also AMS can withdraw or suspend its service or terminate a grading contract under certain conditions, including plant management's failure to maintain the plant under required sanitary conditions The applicant also can terminate the contract.

There are an estimated 1,400 fruit and vegetable processing plants, nationwide During fiscal year 1971, 360 of these plants used AMS in-plant grading service and AMS employees graded about 7.1 billion pounds, or 35 percent, of the canned fruits and vegetables and about 3.8 billion pounds, or 75 percent, of the frozen fruits and vegetables processed in this country. During fiscal year 1972, 310 plants used AMS in-plant grading service.

AMS has developed U.S. grade standards for about 150 processed fruit and vegetable products. According to AMS the grade standards provide

--well-understood language for trading,

--guides for packing or manufacturing and for using raw materials,

--a means for determining values for specific qualities to be used for sales quotations, buyers' offers, loan values, futures trading, and Government purchases,

--a basis for specifications for private or governmental purchase programs,

--a basis for classifying products as to quality under official USDA grading and buyers' acceptance programs, and

--quality levels which may be used on labels for the benefit of large-scale buyers or home consumers.

The U.S. grade standards for processed fruits and vegetables are

Grade A or fancy	Top or best quality
Grade B or choice or extra standard	Good quality suitable for most purposes
Grade C or standard	Lower quality than grade B and a thrifty buy when appearance is not too important
Substandard	Quality fails to meet lowest grade requirement for a product

When processed products contain foreign materials--such as worms, insects, rust, or paint flakes--which exceed AMS-established guidelines or when products are processed or handled under conditions whereby they may have become contaminated, the products do not meet U.S. grade standards. AMS employees classify such products "Grade Not Certified " AMS grading-service contracts do not require that these products be reprocessed, destroyed, or diverted from consumer channels. AMS leaves the disposition of such products to the processors.

PROGRAM ADMINISTRATION

The Fruit and Vegetable Division of AMS provides grading service to applicants requesting it. The program is administered by AMS headquarters, Washington, D.C., three regional offices in San Francisco, California, Chicago, Illinois, and Washington, D.C., 28 area offices, including one in Puerto Rico, and 10 area suboffices. The area offices and suboffices are in major producing areas and large terminal markets.

The headquarters office issues policies and instructions which flow to AMS in-plant employees through the three regional supervisors and the employees in charge of the field offices. As of June 30, 1972, AMS had about 560 full-time and 325 part-time employees who provided processed fruit and vegetable grading service

RESPONSIBILITIES OF FDA

The Food and Drug Administration (FDA), Department of Health, Education, and Welfare (HEW), which has primary Federal responsibility for inspecting foods--except meat, poultry, and egg products--is charged with the enforcement of the Federal Food, Drug, and Cosmetic Act (21 U.S.C 301). The act is intended to assure the consumer that, among other things, foods are pure and wholesome, safe to eat, and processed under sanitary conditions

Under the act FDA, whose programs are directed at the single, overall objective of consumer protection, is responsible for inspecting the processing and distribution of foods and for examining samples FDA is authorized to initiate Federal action against adulterated and misbranded foods in interstate commerce and against the plants and individuals that caused them to become adulterated or misbranded.

FDA has reported that each year it inspects about 8,500 of the 60,000 food establishments in the United States Although this figure indicates individual coverage about once every 7 years, FDA inspects some establishments more often than others where, FDA's experience indicates, additional coverage is needed FDA has developed cooperative programs with States to prevent duplication of effort and to insure coverage of the greatest number of food establishments. Also FDA and AMS have developed both formal agreements and informal working arrangements to minimize duplication of effort.

FDA's inspection priorities are dictated by an establishment's history and by the health significance of the establishment or product. FDA reported that it had not given priority to inspections of processed fruits and vegetables in several years

In April 1972 we reported to the Congress on our review of FDA's food inspection activities (B-164031(2), Apr 18, 1972) In that report we said that, on the basis of a random sample of 97 plants, a serious problem of unsanitary conditions existed in the food-manufacturing industry We reported that, of the 97 plants, 39, or about 40 percent, were found to be operating under unsanitary conditions and 23, or about 24 percent, were found to be operating under serious unsanitary conditions having potential for causing, or having already caused, product contamination.

We said that, although responsibility for sanitation rested with the food manufacturers, we believed that factors contributing to the poor sanitation conditions in the industry were (1) FDA's limited resources to make inspections--during fiscal year 1972 FDA planned to inspect about 9,400 food establishments but had only 210 inspectors to do the job--and (2) the lack of timely and aggressive enforcement actions by FDA when poor sanitation was found

SCOPE OF REVIEW

We directed our review primarily toward evaluating how effective AMS had been in enforcing its requirement that fruit and vegetable processing plants receiving in-plant grading service be maintained under sanitary conditions We also reviewed what control AMS and FDA had, under law and in the interest of the consumer, over processed fruits and vegetables which did not meet U.S. grade standards because they either contained foreign materials exceeding AMS guidelines or had been processed or handled under conditions whereby they might have become contaminated. We did not review FDA's inspection activities as part of this review, but we did ask FDA to investigate certain products which did not meet U.S. grade standards.

We examined pertinent laws, regulations, policies, procedures, and practices relating to AMS grading activities and laws relating to FDA inspection activities. We interviewed AMS employees and officials responsible for supervising and administering the grading program and discussed with AMS and FDA officials the handling of processed products that failed to meet U.S. grade standards. We made our review primarily at AMS and FDA headquarters in Washington, at the

three AMS regional offices in Washington, Chicago, and San Francisco, and at selected AMS area offices in these regions

We also visited 40 fruit and vegetable processing plants in the States of California, Florida, Oklahoma, Oregon, Tennessee, and Washington that were receiving AMS grading service To identify problem areas, we selected and visited six plants receiving continuous grading service in two of those States We then selected at random 34 plants in the four States having the largest numbers of plants receiving continuous grading service during calendar year 1970 We made our visits between October 1970 and September 1971

We reviewed AMS plant survey reports, sanitation reports, and correspondence for the 40 plants We also reviewed AMS grading records for all plants that received grading service from January 1, 1970,through March 31, 1971

CHAPTER 2

NEED TO CONTROL PROCESSED FRUITS AND VEGETABLES WHICH MAY BE ADULTERATED

AMS does not control the disposition of processed fruits and vegetables which its employees have identified as containing foreign materials exceeding AMS guidelines or as possibly having become contaminated during processing AMS leaves the disposition of such products to the processors.

Although the Federal Food, Drug, and Cosmetic Act requires FDA to prevent the distribution of adulterated products[1] in interstate commerce and requires other Federal agencies to make their records available for FDA inspection, FDA does not routinely obtain from AMS information on products which fail to meet U S. grade standards for reasons which would render them adulterated under FDA standards so that FDA can take appropriate regulatory action

An agreement between the two agencies provides that AMS report to FDA products which will be defined as hazardous to health, but the agreement does not cover all products not meeting U S grade standards which may be adulterated under FDA standards Because AMS left the disposition of such products to the processors and because FDA had not used its existing authority, adulterated products may have been sold to consumers

QUANTITY OF PRODUCTS THAT FAILED TO MEET U.S. GRADE STANDARDS

Our analysis of AMS records for the period January 1, 1970, through March 31, 1971, during which time it graded

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[1]The Federal Food, Drug, and Cosmetic Act defines an adulterated product as one that (1) consists, in whole or in part, of any filthy, putrid, or decomposed substance or is otherwise unfit for food or (2) has been prepared, packed, or held under unsanitary conditions whereby it may have become contaminated with filth or may have been rendered injurious to health.

about 15 billion pounds of products, showed that its employees had not assigned U S grades to about 39 million pounds of products in 132 fruit and vegetable processing plants because the products had contained foreign materials exceeding AMS guidelines or might have been contaminated during processing

The 39 million pounds of products, about one-fourth of 1 percent of the products subject to grading during the period, consisted of about 12 million pounds of canned products and about 27 million pounds of frozen products As shown in the following table, the reasons for not grading the products raise a question about their possible adulteration

Reasons for products' failing to meet U S. grade standards	Estimated weight (millions of pounds)
Excessive amounts of	
Worms, insects, weevils, larvae, or parasites	10 7
Mold	3 0
Rot, decay, or unsound raw products	2 5
Mud, mud balls, dirt, or dirty products	2.4
Oil or grease	1 9
Stones, rocks, wood, or sand	.6
Rust or paint flakes	.6
Packed under unsanitary conditions	.8
Other (note a)	16 9
Total	39 4

[a]Included are excessive amounts of foreign material, filth, grass, weeds, thorns, metal, hair, glass, or brass filings, sour or dirty syrup and brine, and off-flavor and odor.

The volume of products not meeting U S. grade standards at individual plants ranged from 170 pounds to 10 million pounds. At 53 of the 132 plants, 100,000 or more pounds of products in each plant did not meet U.S. grade standards. AMS officials told us that they had not informed FDA of these products because such action was not required under the terms of the agreement with FDA. Also, in accordance with its normal procedures, AMS had not controlled such products but had left their disposition to the processors Therefore AMS

records did not show what actions had been taken on the products

RESULTS OF FDA INVESTIGATIONS

In July 1971 we furnished FDA with a listing of the 39 million pounds of products and the reasons given by AMS employees for the products' failure to meet U S grade standards. We asked FDA to investigate five specific production lots produced at five different plants during March 1971 and to advise us of the results of any additional investigations it deemed appropriate We asked FDA also whether these products would be considered adulterated by its standards

In October 1971 FDA informed us that

"If FDA analyses confirm the presence of contaminants indicated by the USDA reports, the products would be considered adulterated under Section 402 of the Federal Food, Drug, and Cosmetic Act "

Subsequently FDA informed us that it had investigated 31 lots, comprising about 545,000 pounds of products, at 18 plants, including the five lots on which we had requested information. FDA reported that it had collected samples from two of the 31 production lots, that it had found the two lots to be adulterated, and that their seizure had been approved For the 29 remaining lots, FDA reported that

--Three lots had been destroyed, or diverted for use as cattle feed, by the plants

--Seven lots had been distributed in interstate commerce to human food channels and were not available for sampling

--Seven lots had been distributed within the States in which the plants were located or were still in the plants' warehouses, but samples had not been collected.

--All or part of two lots had been reprocessed and distributed, and samples had not been collected

--The disposition of 10 lots could not be determined from plant records, so the lots could not be traced

In summary FDA stated that most of the lots had been distributed and were no longer available for sampling We do not know how the lots, except for those investigated by FDA, were disposed of

ADDITIONAL QUESTIONABLE PRODUCTS

AMS officials accumulated summary information on some products which did not meet U S grade standards between July 1 and December 17, 1971 The information showed that, during that period, AMS employees had classified 9 2 million pounds as highly objectionable from an esthetic standpoint and 400,000 pounds as highly objectionable and possibly hazardous to health

AMS did not advise us of the disposition of these products. AMS officials told us that they had not informed FDA of these products because the working agreement between AMS and FDA, which is discussed below, did not require such information

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The Federal Food, Drug, and Cosmetic Act authorizes FDA to ask other Federal agencies for information necessary to enforce the act and requires other Federal agencies to make their records available for FDA inspection At the time of our review, however, FDA had a working agreement with AMS under which AMS agreed to provide FDA with information on the grade or quality determination of products subject to AMS grading only when FDA requested it and then only on lots specifically identified by FDA. The agreement had been in effect since 1953.[1]

Following our discussions with officials of C&MS on the agreement with FDA and on C&MS employees' reasons why products had failed to meet U S. grade standards, the former Administrator of C&MS informed us in July 1971 that C&MS proposed to revise its agreement with FDA to provide that (1) whenever C&MS found a lot of product considered to be hazardous to

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[1]Until April 1972 FDA's agreement was with the Consumer and Marketing Service (C&MS), AMS's predecessor agency

health, it would report this information to FDA and (2) C&MS would jointly develop with FDA an overall definition of what constituted a product hazardous to health

The agency, however, did not propose to revise the agreement to provide that data on all products not meeting U S grade standards, not only those considered to be hazardous to health, be furnished to FDA. Products not meeting U S grade standards, although not necessarily hazardous to health, may be adulterated under FDA standards (See footnote, p 12)

The agreement between FDA and AMS was revised in May 1972 along the lines proposed by the former Administrator of C&MS As of January 31, 1973, AMS and FDA were developing an overall definition of what constituted a product hazardous to health

FDA officials told us that, in negotiating the changes in the agreement, FDA first took the position that AMS should report to FDA any lot of a product which was adulterated and not just those lots which AMS decided were hazardous to health The FDA officials said that, during the negotiations, USDA representatives stated that they believed that, if they agreed to FDA's position, the AMS grading service would disappear and, in its place, industry associations would set up their own grading services

AMS officials told us that, if AMS reported to FDA all products failing to meet U S grade standards, the plants using the grading service would be competitively disadvantaged because their operations would be under a 100-percent product inspection while their competitors' operations would be inspected by FDA infrequently. The AMS officials said also that the plants receiving grading service had to meet sanitary, product, and quality standards and that, if the grading service were discontinued, both the industry and consumers would lose the benefits of the service

FDA officials said that, in view of the grave concerns voiced by USDA's representatives, FDA deferred to reporting only products that presented a hazard to health The FDA officials said, however, that FDA had not altered its previous opinion that reports on all food adulteration should be made available to FDA

CONCLUSIONS

Increased protection could be provided to consumers if processed fruits and vegetables which fail to meet U S grade standards for reasons which render them adulterated under FDA standards were prevented from entering consumer channels.

AMS, in carrying out its grading responsibilities, identifies products not meeting its grade standards and specifies the reasons they do not meet such standards These include products that contain foreign material and products that may become contaminated during processing Some of the first type may have foreign material that could render the product adulterated under FDA standards as would those products that may have become contaminated during processing. AMS leaves the disposition of products not meeting grade standards to the processors.

The Federal Food, Drug, and Cosmetic Act authorizes FDA to conduct examinations and investigations for purposes of enforcing the act and requires other Federal agencies to make their records available for FDA inspection. To keep products which are adulterated under FDA standards from entering consumer channels, therefore, FDA should utilize its existing authority by routinely obtaining information from AMS on all potentially adulterated products so that FDA can take whatever action it deems appropriate. Also AMS should cooperate with FDA in providing such information.

RECOMMENDATIONS TO THE SECRETARIES OF AGRICULTURE AND HEALTH, EDUCATION, AND WELFARE

We recommend to the Secretary of HEW that FDA, under the authority of the Federal Food, Drug, and Cosmetic Act, routinely obtain from USDA such information as is necessary for FDA to take appropriate action against all processed fruits and vegetables which fail to meet U.S. grade standards for reasons which, under FDA standards, would render the products adulterated. We also recommend to the Secretary of Agriculture that USDA cooperate in providing such information on a timely basis.

AGENCY COMMENTS

In its letter dated January 2, 1973 (see app IV), HEW stated that it concurred in our recommendation and that it would work with USDA to firm up ways by which the recommended information exchange could best be accomplished.

In its letter dated November 29, 1972 (see app. II), USDA stated that AMS' grading service was voluntary and that, if AMS reported to FDA all products failing to meet AMS grade and quality standards, it would disadvantage those plants voluntarily participating in its quality improvement programs and would apply standards to them different from those applied to nonparticipating plants. USDA stated also that AMS guidelines relating to foreign materials were more restrictive than FDA guidelines. USDA stated, however, that it would continue to cooperate with FDA in providing specific information requested by FDA to assist it in discharging its regulatory responsibilities.

CHAPTER 3

OBSERVATIONS ON SANITATION CONDITIONS IN PLANTS RECEIVING GRADING SERVICE

Our visits to 40 fruit and vegetable processing plants, our review of sanitation reports on those plants prepared by AMS employees before our visits, and our analysis of the reasons AMS employees gave for refusing to grade certain products at the 132 plants referred to in the preceding chapter showed that unsanitary conditions existed in many plants receiving grading service AMS employees had reported some deficiencies to plant managements many times over extended periods.

It seems to us that some plant managements did not take appropriate and timely action to correct known sanitation deficiencies and that some AMS employees were not effective in having plant managements maintain their plants under sanitary conditions.

During our review AMS took some actions which should improve plant sanitation and AMS employees' performance

RESPONSIBILITY FOR PLANT SANITATION

Responsibility for plant sanitation rests primarily with plant managements. Before approving in-plant grading service, AMS surveys a plant to determine whether the plant and its methods of operation are adequate for properly performing the grading service. Thereafter plant management is responsible, under the terms of its contract with AMS, for maintaining the processing plant, equipment, and premises in a condition equal to or better than the condition approved at the time of the survey

If management fails to maintain the plant in a sanitary condition, AMS can suspend or withdraw its grading service pending resolution of the problem or problems or it can terminate the contract. A plant can continue to operate without AMS grading service, but if it does, it cannot use any official USDA mark on its products.

RATING AND REPORTING ON SANITATION CONDITIONS

For plants receiving continuous grading service, AMS in-plant employees observe the condition and quality of the raw materials, plant sanitation, and processing operations and grade the finished products when applicable To help its employees carry out their responsibilities, AMS has issued instructions on procedures for rating and reporting on sanitation conditions. The following procedures were in effect at the time of our fieldwork and, except for some slight variations, have remained essentially the same since then.

At or just prior to the start of each shift, the employee makes a review during which he rates the sanitation condition of the areas or items he reviews and records his ratings on a report. AMS instructions define the types of unsanitary conditions, as follows

1. Minor--A condition which does not result in product contamination or which is not obnoxious but is undesirable.

   Some examples are slight buildup of products or foreign materials on inspection belts or processing equipment, small amounts of products on floors, exterior surfaces of empty containers smeared with fresh product materials, and freshly spilled finished products in cold-storage rooms and traffic continually passing over the spilled products.

2. Major--A condition which may result in product contamination or which is obnoxious and definitely undesirable.

   Some examples are unclean, odorous restrooms without suitable hand-washing facilities, exterior garbage facilities in rank condition, odorous, and drawing many insects; several workers using tobacco in packing area, and definitely objectionable moldy or slimy accumulations on belts.

3. Critical--A condition of such magnitude that product contamination is imminent.

   Some examples are dirty fillers or other equipment which directly contacts foodstuffs, debris or brackish water

in empty product containers that are being filled, moldy or sour syrup in syrup systems, food conveyor belts flooded with waste or sewage water, and heavy insect population in packing area

The AMS in-plant employee shows the major or minor deficiencies on his daily sanitation report under the category "needs improvement" and the critical deficiencies under the category "unsatisfactory " The in-plant employee is to promptly report major or critical unsanitary conditions orally to plant management and to describe such conditions on his report He provides a copy of the report to plant management

Also the AMS in-plant employee is to inform the AMS area officer in charge of any sanitation problems and to furnish him with a copy of the daily sanitation report when the overall report is other than satisfactory. The area officer in charge is responsible for meeting with plant management to correct matters when major or critical conditions prevail over a period of time

Should such a meeting fail in its objective, higher organizational levels are to be notified, in detail, of the problem Although the area officer in charge can recommend withdrawing service, only the headquarters office can decide to withdraw service if the plant receiving continuous service is not maintained in the required sanitary condition.

The area officer in charge is responsible also for surveying plant operations at least once a year while the plant is in operation and at any other time if required During a survey the area officer in charge completes a report on which he records "yes" or "no" answers to a series of questions about plant sanitation and operating conditions. He is not required to categorize the deficient sanitation conditions as minor, major, or critical.

The area officer in charge records the deficient sanitation conditions for followup and furnishes plant management with a copy of his survey report. Also he and the in-plant employee discuss with plant management the deficient sanitation conditions and the actions to be taken to improve or correct them

CONDITIONS IN FRUIT AND VEGETABLE PROCESSING PLANTS VISITED DURING OUR REVIEW

To observe sanitation conditions in plants and to evaluate the effectiveness of AMS employees' surveillance over such conditions, we visited 40 plants under continuous contracts AMS supervisory employees, generally area officers in charge, accompanied us on our visits

At the six plants selected to identify problem areas, we and the supervisory employees accompanied the AMS in-plant employees on their normal sanitation reviews Their sanitation reports prepared at the time of our visits showed that

--One plant had no deficient conditions.

--Two plants had only one deficient condition each At one, cockroaches were noted on equipment in a processing area, at the other, equipment needed cleaning

--Three plants had from four to nine deficient conditions each, primarily some of their equipment needed cleaning.

At the other 34 plants we visited, the supervisory employees made plant-operating surveys during which they reviewed about 80 items related to plant sanitation Their survey reports showed that each of the 34 plants had some deficient sanitation conditions The number of deficient conditions ranged from two at each of two plants to 29 at one plant. At 21 of the 34 plants, the supervisory employees reported 10 or more deficient conditions

Although the supervisory employees are not required to classify the deficient conditions as major or critical, they did so at 23 of the 34 plants At 22 of the 23 plants, the supervisory employees classified one or more of the deficient conditions they had observed as major or critical The supervisory employee at one plant did not classify the deficient conditions as major or critical The greatest number of major deficient conditions at any one of the 22 plants was 13, and the greatest number of critical deficient conditions at any one plant was three.

The types of deficient conditions and the number of plants where the supervisory employees classified the conditions as major or critical are summarized below

Deficient condition	Number of plants where deficient condition was classified as Major	Critical
Dirty equipment	14	-
Slime	7	-
Rust	6	-
Condensation	4	1
Flaking paint	4	-
Oil or grease drippings	3	2
Unprotected lights	2	1
Unscreened openings	2	-
Insects	-	1
Other	13	1

Although the supervisory employees did not classify the deficient conditions they observed at the other 11 plants, some of the types of deficient conditions they reported for three of the 11 plants were similar to the types of deficient conditions they classified as major for the 22 plants

At two of the 34 plants, the AMS employees observed product contamination and plant management disposed of the products At another plant, management disposed of products that had been processed under deficient conditions, and at a fourth plant, management reprocessed such products Also, at nine of the 34 plants, management delayed certain production activities for periods ranging from about 20 minutes to 24 hours until unsanitary conditions were corrected.

PLANT CONDITIONS BASED ON
SANITATION REPORTS

Sanitation reports prepared before our visits by AMS employees on the 40 plants showed that at 12 plants AMS in-plant employees had reported some deficient conditions many times. For example

--During a 3-month period, one plant's sanitation was reviewed on each of the 187 work shifts. In the preparation department some of the items rated as needing improvement were (1) conveyors and lifts, 143 times, (2) washers, 141 times, (3) grading section, 129 times, and (4) floors, walls, and gutters, 135 times In the extracting department some of the items rated as needing improvement were (1) troughs and lines, 97 times, and (2) floors, walls, and gutters, 96 times

--During 27 consecutive operating days, the AMS employee in one plant commented on the need for (1) better cleaning of one or more pieces of processing equipment on 24 days, (2) removing slime buildup on processing equipment and condensation over processing lines on 9 days, and (3) better hair covering for employees on 23 days.

--During 20 of 33 consecutive operating days in one plant, the AMS employee noted slime or mold buildup on one or more pieces of equipment in the preparation department.

--During a 3-month period in one plant, sanitation was reviewed on each of 207 work shifts. The following table summarizes the deficient areas.

Deficient area	Number of times AMS employee's rating showed: Needs improvement	Unsatisfactory
Receiving area		
Unloading pit	119	14
Grading station	102	3
Bins	107	3
Conveyors and chutes	103	7
Preparation area		
Conveyors and lifts	45	15
Extracting area		
Sizers and leads	44	34
Packaging area		
Casing area	99	4
Floors, walls, and gutters	91	7
Premises		
General area	133	5

CONTAMINANTS FOUND IN FINISHED PRODUCTS

The reasons AMS employees gave for refusing to grade some products during the period January 1, 1970, through March 31, 1971 (see ch 2), indicated that unsanitary conditions existed in some plants. The following table summarizes the reasons which were, or appeared to be, related directly to plant sanitation and the number of plants at which AMS employees gave such reasons

Reasons for refusing grade products	Number of plants
The presence of	
Oil or grease	23
Paint flakes or rust	17
Metal or wood	16
Sour or dirty syrup or dirty cans	11
Hair (rodent or human)	8
Filth or flies	2
Glass	2
Products packed under unsanitary conditions	16

One or more of the above reasons were reported at 51 of the 132 plants at which products failed to meet U.S. grade standards. For example, AMS employees at one plant refused to grade various product lots during a 4-month period because of the presence of dirty syrup, rust and paint flakes, metal, grease, and hair and because of other unsanitary conditions At the remaining 81 plants, the reasons did not appear to be related directly to unsanitary conditions.

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AMS officials advised us that, during calendar years 1970 and 1971, AMS had not terminated any contracts for grading service due to unsanitary conditions but had withdrawn grading service from two plants for 8 and 17 days, respectively, due to unsanitary conditions. The two plants were not included in the 40 plants we visited.

Also AMS did not approve seven plants' requests for grading service during the period April 1 to July 12, 1971, because of sanitation deficiencies at the plants AMS had not provided information to FDA on the sanitation deficiencies at these plants because it was not required to do so

AGENCY ACTIONS

During our review AMS officials took actions which should improve plant sanitation and employee performance. These actions included (1) emphasizing sanitation training courses for supervisors and in-plant employees, (2) designating assistant regional supervisors to be responsible for plant sanitation, and (3) issuing a revised sanitation handbook for its supervisors and in-plant employees.

The sanitation handbook, issued in January 1972, required that critical sanitation deficiencies be corrected immediately. Major deficiencies were to be corrected within the time specified by the AMS employees. Minor deficiencies noted during one shift were to be corrected prior to the start of the next shift.

In May 1972 AMS issued a revised plant sanitation handbook to all employees that more clearly defined plant sanitation deficiencies and outlined reporting and control procedures. The handbook also outlined general guidelines for

withdrawing and terminating AMS service, but it did not provide specific guidelines on the actions to be taken or on when service was to be withdrawn or suspended or when contracts were to be terminated if plant managements did not take appropriate and timely corrective actions

OUR PROPOSALS

In the draft of this report, we proposed to the Secretary of Agriculture that, to better insure that fruits and vegetables were processed under sanitary conditions at plants receiving its service, AMS develop more specific guidelines for its employees on actions to be taken and on when grading service was to be withdrawn or suspended or when contracts were to be terminated at plants where managements did not take appropriate and timely corrective actions Also we proposed that AMS develop procedures for notifying FDA of those plants where, because of sanitation deficiencies, AMS had withdrawn or suspended its services, had terminated its contracts, or had disapproved requests for its service

AGENCY COMMENTS AND OUR EVALUATION

In commenting on our proposals (see app I), USDA stated that

--AMS had consistently taken steps to improve sanitation in plants under contract

--Supervisory personnel had made a comprehensive review of actual operating conditions during processing

--AMS had started a program in 1970 to update the surveys on all plants as to buildings, facilities, and equipment.

--AMS had issued notices to processors under contract as to sanitation requirements, and the processors had made great efforts and expenditures of funds to meet these requirements.

--Where substantial improvements could not be made immediately, AMS had worked out timetables for correcting noncritical deficiencies, provided that the plants could be maintained so that they would produce

wholesome products, and this greater concern for improved plant facilities should help to reduce foreign materials entering the products from the plant environments.

--AMS had revised and updated its reporting procedures and instructional material for its employees to follow when managements do not take appropriate and timely actions to correct sanitation deficiencies. Also AMS had issued additional guidelines to supervisors to promote appropriate and timely actions in withdrawing service, where necessary, from plants under contract

USDA did not comment specifically on our proposal that AMS develop procedures to notify FDA of those plants where, because of sanitation deficiencies, grading service had been withdrawn, suspended, or terminated, or requests for service had been disapproved. USDA stated that, as provided by the May 1972 agreement, AMS would furnish FDA with a list of plants receiving grading service and that AMS would notify FDA of any changes to the list. Such action is not new, the 1953 agreement between the two agencies provided that FDA be furnished with such information.

A USDA official subsequently told us that USDA would not advise FDA of changes to the lists when the reasons for the changes related to sanitation deficiencies, nor would it advise FDA of those plants whose requests for grading service had been disapproved because of sanitation deficiencies. The official said that the agreement between the two agencies did not require that such information be furnished to FDA.

CONCLUSIONS

Because a plant with sanitation deficiencies can operate without AMS grading service and can continue to process and ship its products in consumer channels, USDA should reconsider its position on informing FDA of plants which have sanitation deficiencies, to better protect consumers and to enable FDA to use its already scarce resources in the most effective and efficient way.

RECOMMENDATION TO THE SECRETARY OF AGRICULTURE

We recommend that AMS develop procedures for notifying FDA of those plants where, because of sanitation deficiencies, AMS's grading service has been withdrawn or suspended, its contracts have been terminated, or requests for its service have been disapproved.

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE

WASHINGTON D C 20250

July 17, 1972

Mr. Richard J. Woods
Assistant Director
Resources and Economic
Development Division
U.S. General Accounting Office
Washington, DC 20548

Dear Mr. Woods·

The opportunity to review and comment on the draft report of the "Improvements Needed in Product Control and Sanitation Conditions in Fruit and Vegetable Processing Plants Receiving Grading Service" is appreciated. We believe the views which we offer will augment your excellent coverage of the program and draw into perspective some of the issues discussed in the body of the report and in the report's conclusions and recommendations.

As outlined in the report, many suggestions have already been implemented. Others are in the process of receiving positive action. Our comments will restate those offered during the joint review of the draft report, and state the Department's position on each of the recommendations.

The digest of the report speaks to the "need to control processed fruits and vegetables which may be adulterated." The Agricultural Marketing Service (AMS) has long recognized in concert with the Food and Drug Administration (FDA) of the Department of Health, Education, and Welfare (HEW) that zero tolerance for unavoidable defects in processed fruits and vegetables is unrealistic and unreasonable. Despite all the care and precision of industry processing methods and quality control systems, defects of one kind or another cannot be entirely eliminated from the final processed product. This fact relates to the accidental presence of various types of foreign material such as small insects, larvae, and mold--which are common to the raw product. The Food and Drug Administration recently announced view is that "Even with modern technology, all defects in foods cannot be eliminated. The FDA defect levels represent a level below which the defect is unavoidable under current technology and presents no health hazard."

[See GAO note 1.]

Regarding plant sanitation, the service has consistently taken steps to improve sanitation in plants under contract. A program was undertaken in 1970 to update the surveys on all plants as to buildings, facilities, and equipment. In addition, a comprehensive review was made by supervisory personnel of actual operating conditions during processing. Reporting procedures and instructional material were revised and updated.

In carrying out this program the inspection service has issued a notice to processors under contract as to "Sanitation Requirements." A copy is attached for your information.[2] The users of this service have made a great effort and expenditure of funds to meet these requirements. Where substantial improvements could not be made immediately, we have worked out timetables for accomplishment on noncritical items, provided the plant can be maintained in a manner that will produce a wholesome product. The overall effect of this greater concern for improved plant facilities should help to reduce foreign material entering the product from the plant environment.

The inspection service released a revised Plant Sanitation Handbook (copy attached)[2] to all inspectors in May of 1972. Plant sanitation deficiencies are clearly defined and reporting and control procedures outlined. The instruction outlines general guidelines for withdrawal and termination of service. Sanitation criteria based on highly subjective judgments do

GAO notes

1. Deleted comments pertained to draft report material which was revised for inclusion in our final report.

2. Copies of material referred to were considered in the preparation of our final report but are not reproduced herein.

not readily lend themselves to hard and fast inflexible rules. However, we have issued additional guidelines to supervisors which will promote appropriate and timely action in withdrawing service where necessary.

The May 1972 memorandum of agreement provides for the Agricultural Marketing Service to furnish to the FDA a current list of all food processing and packing plants which are operating under AMS continuous or other resident-type inspection or grading contracts. AMS will also advise FDA of any changes in the list.

Sincerely,

Administrator
Agricultural Marketing Service

2 Enclosures

UNITED STATES DEPARTMENT OF AGRICULTURE

AGRICULTURAL MARKETING SERVICE

NOV 29 1972

WASHINGTON D C 20250

Mr. Richard J. Woods
Assistant Director
Resources and Economic
Development Division
U.S. General Accounting Office
Washington, D.C.

Dear Mr. Woods

Thank you for the opportunity to review and comment on revised Chapter 2 of the GAO report "Improvements Needed in Product Control and Sanitation Conditions in Fruit and Vegetable Processing Plants Receiving Grading Service." We believe that the chapter fairly presents the factual situation.

As noted in your report, the Food and Drug Administration and the Agricultural Marketing Service have entered into an agreement relative to inspection operations. The Agricultural Marketing Service has agreed to report to the Food and Drug Administration any products examined which contain defects that are hazardous to health. An interagency working group has prepared a draft of a document that provides a general definition of "hazardous to health," a listing of defects and substances that are objectively identified as being hazardous to health, and general guidelines on sampling. We are continuing to work on this project *** (See GAO note.)

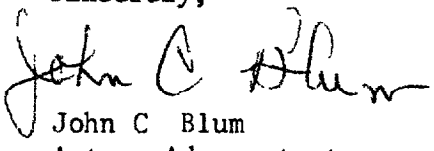
Your first recommendation is directed to the Department of Health, Education, and Welfare. However, it relates to information obtained under our inspection and grading programs. As you know, the latter are voluntary programs designed to upgrade the quality of our food supplies. AMS minimum guidelines for foreign material generally are more restrictive than those contained in the guidelines recently published by FDA. We believe that reporting to FDA all lots failing to meet grade and quality standards under our programs would disadvantage those plants

GAO note Deleted material pertained to a recommendation made in the draft report that is not being made in the final report

Mr. Richard J. Woods

voluntarily participating in our quality-improvement programs and would apply different standards to these plants than to nonparticipating plants. We shall continue, however, to cooperate with FDA to provide specific information as they request from us to assist them in discharging their regulatory responsibilities.

Sincerely,



John C Blum
Acting Administrator

DEPARTMENT OF HEALTH EDUCATION AND WELFARE
OFFICE OF THE SECRETARY
WASHINGTON D C 20201

JUL 13 1972

Mr. Dean K. Crowther
Deputy Director
Manpower & Welfare Division
U S. General Accounting Office
Washington, D. C. 20548

Dear Mr. Crowther

The Secretary asked that I respond to your letter of May 24, in which you asked for our comments on your draft report, "Improvements Needed in Product Control and Sanitation Conditions in Fruit and Vegetable Processing Plants Receiving Grading Service " Our comments are enclosed.

We appreciate the opportunity to comment on this report in draft form.

Sincerely yours,

~~James B. Cardwell~~
Assistant Secretary, Comptroller

Enclosure

Comments of the Department of Health, Education, and Welfare, on a draft of a GAO report to the Congress entitled, "Improvements Needed in Product Control and Sanitation Conditions in Fruit and Vegetable Processing Plants Receiving Grading Service"

As this report is directed to the Department of Agriculture, our comments are limited to those areas of concern to the Food and Drug Administration of this Department GAO recommends that Agriculture's Agricultural Marketing Service (AMS) should

(See GAO note 1)

(3) develop procedures for notifying FDA of those plants where, because of sanitation deficiencies, its service has been withdrawn or suspended, its contracts have been terminated, or requests for its services have been disapproved

Department Comment

Action in this immediate area has been taken. On May 11, 1972, FDA entered into a Memorandum of Understanding with the Department of Agriculture (USDA) concerning inspection and standardization activities related to food products. Among other provisions, the agreement specifies that USDA will report to FDA information on any lot of product which AMS finds, upon grading and inspection, to be hazardous to health and which is not under control by AMS. In this connection, both agencies will jointly develop a mutually satisfactory definition of what constitutes a product which is "hazardous to health;" this work is now underway (See GAO note 2.)

(See GAO note 1)

GAO notes 1. Deleted comments were superseded by those presented in app IV

2 Additional comments were considered in the preparation of our final report but are not reproduced herein

DEPARTMENT OF HEALTH EDUCATION AND WELFARE
OFFICE OF THE SECRETARY
WASHINGTON D C 20201

JAN 2 1973

Mr. Morton A. Myers
Assistant Director
Manpower and Welfare Division
United States General Accounting Office
Washington, D.C 20548

Dear Mr. Myers

The Secretary asked that I reply to your letter of November 3, which transmitted copies of a revised Chapter of your proposed draft report to the Congress on improvements needed in fruit and vegetable processing plants receiving grading service

You recommend in your report that FDA, under the authority of the Federal Food, Drug, and Cosmetic Act, routinely obtain from the Department of Agriculture such information as is necessary for FDA to take appropriate action against all processed fruits and vegetables which fail to meet U.S. grade standards for reasons which, under FDA standards, would render the products adulterated Further, that Agriculture cooperate in providing such information on a timely basis. As discussed with representatives of your office, we concur in this recommendation and will work with the Department of Agriculture to firm-up ways by which the recommended information exchange can best be accomplished.

The opportunity afforded us to comment on this matter is much appreciated.

Sincerely yours,

James B Cardwell
Assistant Secretary, Comptroller

PRINCIPAL OFFICIALS OF THE DEPARTMENT OF AGRICULTURE RESPONSIBLE FOR ADMINISTRATION OF ACTIVITIES DISCUSSED IN THIS REPORT

	Tenure of office			
	From		To	
SECRETARY OF AGRICULTURE				
Earl L Butz	Dec	1971	Present	
Clifford M Hardin	Jan	1969	Nov	1971
ASSISTANT SECRETARY, MARKETING AND CONSUMER SERVICES				
Clayton Yeutter	Jan	1973	Present	
Richard E Lyng	Mar	1969	Jan	1973
ADMINISTRATOR, AGRICULTURAL MARKETING SERVICE				
Ervin L Peterson	June	1972	Present	
George R. Grange (acting)	Apr	1972	May	1972
ADMINISTRATOR, CONSUMER AND MARKETING SERVICE (note a)				
George R Grange (acting)	Jan	1972	Mar.	1972
Clayton Yeutter	Oct.	1970	Jan	1972
George R Grange (acting)	July	1970	Oct	1970
Roy W Lennartson	Feb	1969	July	1970

[a]The activities discussed in the report were previously the responsibility of the C&MS. Effective April 2, 1972, C&MS was renamed the Agricultural Marketing Service and the functions formerly performed by C&MS were transferred to AMS, except for the meat and poultry inspection activities which were transferred to the Animal and Plant Health Inspection Service.

APPENDIX VI

PRINCIPAL OFFICIALS OF THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE RESPONSIBLE FOR ADMINISTRATION OF ACTIVITIES DISCUSSED IN THIS REPORT

	Tenure of office	
	From	To
SECRETARY OF HEALTH, EDUCATION, AND WELFARE		
Caspar W. Weinberger	Feb 1973	Present
Elliot L Richardson	June 1970	Jan. 1973
Robert H. Finch	Jan. 1969	June 1970
ASSISTANT SECRETARY FOR HEALTH (note a)		
Richard Seggel (acting)	Dec. 1972	Present
Merlin K. DuVal, Jr.	July 1971	Dec. 1972
Roger O. Egeberg	July 1969	July 1971
COMMISSIONER, FOOD AND DRUG ADMINISTRATION		
Charles C. Edwards	Feb. 1970	Present
Herbert L. Ley, Jr.	July 1968	Dec. 1969

[a]Until December 1972, the title of this position was Assistant Secretary (Health and Scientific Affairs).