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October 30, 2019

Ms. Carmen Rottenberg, Administrator  
Food Safety and Inspection Service  
United States Department of Agriculture  
Room 331-E, Jamie L. Whitten Building  
12<sup>th</sup> Street and Jefferson Drive SW  
Washington, DC 20250

Dear Administrator Rottenberg:

I am writing to obtain a status report on the implementation of the Australian Export Meat Inspection System (AEMIS) and the agency's response to FOIA 2018-FSIS-00323-F that was filed on May 8, 2018. We have received information that the implementation of Australian Export Meat Inspection System (AEMIS) is faltering which has a direct bearing on whether the agency should expand the HACCP-based Inspection Models Project (HIMP) to red meat slaughter in this country. Furthermore, the agency has had nearly eighteen months to respond to our FOIA requesting a list of foreign slaughter establishments that use privatized inspection models for exports to the U.S.

As you know, in 2011, the Food Safety and Inspection Service (FSIS) reaffirmed a decision to grant equivalency status to a privatized inspection model for meat exports to the U.S. from Australia.<sup>1</sup> That model was originally known as the Meat Safety Enhancement Program (MSEP), but its name was later changed to the Australian Export Meat Inspection System. The justification for granting equivalency was on the rather dubious claim that the Australian privatized inspection model was comparable to the HIMP pilot in five pork slaughter plants here in the U.S. The 2011 decision was also based on a trial conducted in only one Australian beef slaughter facility that used the alternate inspection model and even though the FSIS auditor who visited that plant argued that there were potential conflicts of interest for the company employees to be conducting food safety inspections on the slaughter line.<sup>2</sup>

When Australian meat establishments began to convert to AEMIS in 2012, problems arose with exports to the U.S. and the European Union. FSIS import inspectors rejected an unusually high number of shipments for visible fecal and ingesta contamination.<sup>3</sup> Furthermore, the European

<sup>1</sup> 76 FR 11752-11755

<sup>2</sup> United States Department of Agriculture, Food Safety and Inspection Service. "Foreign Establishment Audit Checklist, Nolan Meats Pty. Ltd., Australian Establishment 80." March 21, 2011, received in response to Freedom of Information Act request.

<sup>3</sup> See [https://www.foodandwaterwatch.org/sites/default/files/au\\_meat\\_equivalent\\_usda\\_letter.pdf](https://www.foodandwaterwatch.org/sites/default/files/au_meat_equivalent_usda_letter.pdf)

Commission rejected equivalency status for AEMIS because of potential conflicts of interest in having company employees perform food safety inspections – echoing the objections registered by the FSIS auditor in 2011.<sup>4</sup>

Australia eventually responded to the European Commission’s rejection of AEMIS by offering a third model in which food safety inspections in slaughter facilities could be conducted by private third-party entities.

Until now, we had heard that a majority of the red meat slaughter facilities that export to the U.S. had shifted to the AEMIS inspection model. However, we recently received information indicating that a substantial number of Australian slaughter facilities that used the privatized inspection model have opted to revert back to full government inspection. There has been a 32 percent increase in the number of plants that use the full complement of government inspectors, making traditional inspection the predominant model in Australia.

It has always been our contention that because most of the red meat industry in the U.S.—especially the beef industry—has not opted to create a HIMP pilot domestically, FSIS was using the equivalency determination process to set up pilots for privatized inspection in countries that export large volumes of red meat to the U.S. It is obvious to us that the Australian experiment is faltering and we urge FSIS to conduct a re-evaluation of AEMIS. In addition, we urge FSIS to stop its efforts to “modernize beef slaughter inspection” here in the U.S., which is a euphemism for privatized inspection because its “model project” in Australia is showing signs of unravelling.

Related to what is transpiring in Australia, Food & Water Watch is still interested in the information we requested in FOIA 2018-FSIS-00323-F. As you know, we originally received a response on September 21, 2018 stating that the agency did not have the information we requested. We successfully appealed that response on April 23, 2019. To date, we have not received an amended response even though your FOIA staff has been reporting that the response was imminent since May. Ever since the agency decided to disband the international affairs program several years ago and its functions were dispersed to several other entities within the agency, obtaining information on imports has become a “whack-a-mole” exercise. I would appreciate a status report on the response to our FOIA request.

Should you have any questions regarding this letter, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Wenonah", written over a horizontal line.

Wenonah Hauter  
Executive Director

<sup>4</sup> European Commission, Food and Veterinary Office. “Final Report of an Audit Carried Out in Australia from 12 to 24 October 2012.” May 11, 2013, Executive Summary.