



Highlights of [GAO-05-213](#), a report to congressional requesters

OVERSIGHT OF FOOD SAFETY ACTIVITIES

Federal Agencies Should Pursue Opportunities to Reduce Overlap and Better Leverage Resources

Why GAO Did This Study

GAO has documented many problems resulting from the fragmented nature of the federal food safety system and recommended fundamental restructuring to ensure the effective use of scarce government resources. In this report, GAO (1) identified overlaps in food safety activities at USDA, FDA, EPA, and NMFS; (2) analyzed the extent to which the agencies use interagency agreements to leverage resources; and (3) obtained the views of stakeholders.

What GAO Recommends

Recognizing the statutory constraints under which the agencies operate, GAO, among other things, recommends that (1) if cost effective, FDA use available authority to enter into an agreement to commission USDA inspectors at jointly regulated facilities; (2) USDA and FDA consider joint training programs; and (3) USDA, FDA, EPA and NMFS inventory, evaluate, and update active interagency agreements. USDA generally did not appear to agree with GAO's recommendations but recognized the benefits of joint training for food inspectors. HHS (FDA) agreed with GAO's recommendations to inventory, evaluate, and update the interagency agreements and with GAO's recommendation to use USDA's foreign country evaluations, but it disagreed with others. NMFS agreed with GAO's recommendations, and EPA took no position.

www.gao.gov/cgi-bin/getrpt?GAO-05-213.

To view the full product, including the scope and methodology, click on the link above. For more information, contact Robert A. Robinson at (202) 512-3841 or robinsonr@gao.gov.

What GAO Found

Several statutes give responsibility for different segments of the food supply to different agencies to ensure that the food supply is safe. The U.S. Department of Agriculture (USDA) and the Food and Drug Administration (FDA) within the Department of Health and Human Services (HHS) have the primary responsibility for regulating food safety, with the Environmental Protection Agency (EPA) and the National Marine Fisheries Service (NMFS) also involved. In carrying out their responsibilities, with respect to both domestic and imported food, these agencies spend resources on a number of overlapping activities, such as inspection/enforcement, training, research, or rulemaking. For example, both USDA and FDA conduct similar inspections at 1,451 dual jurisdiction establishments—facilities that produce foods regulated by both agencies. Under authority granted by the Bioterrorism Act of 2002, FDA could authorize USDA inspectors to inspect these facilities, but it has not done so. Furthermore, USDA and FDA maintain separate training programs on similar topics for their inspectors that could be shared. Ultimately, inspection and training resources could be used more efficiently.

Common Elements of USDA and FDA Inspections

Hazard Analysis and Critical Control Point:	Sanitation:	Good Manufacturing Practices:
<ul style="list-style-type: none"> Check to ensure facility maintains a HACCP plan that identifies potential sources of food contamination Check to ensure the facility is implementing its HACCP plan 	<ul style="list-style-type: none"> Check food contact surfaces Check for pests Check the facility's hand-washing area 	<ul style="list-style-type: none"> Check cleanliness of employees' outer garments and gloves Check equipment design to see if it is cleanable and properly maintained

Source: GAO analysis of FSIS and FDA documents.

GAO identified 71 interagency agreements that the agencies entered into to better protect public health and to coordinate their food safety activities. However, the agencies have weak mechanisms for tracking these agreements that, in some cases, lead to ineffective implementation. Specifically, USDA and FDA are not fully implementing an agreement to facilitate the exchange of information about dual jurisdiction establishments, which both agencies inspect. In addition, FDA and NMFS are not implementing an agreement designed to enable each agency to discharge its seafood responsibilities effectively.

GAO spoke with selected industry associations, food companies, consumer groups, and academic experts, and they disagree on the extent of overlap and on how best to improve the food safety system. Most of these stakeholders agreed that laws and regulations should be modernized to more effectively and efficiently control food safety hazards, but they differed about whether to consolidate food safety functions into a single agency.