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Executive Summary

Chapter 1 - Introduction

On January 9, 2004, I was authorized to review the meat¹ regulatory and inspection regimes in Ontario. The mandate I was given required a review of existing regulatory standards and the roles of various ministries that are responsible for overseeing adherence to those standards. The stated purpose for the review is to strengthen public health and safety and business confidence. To this end, I have been asked to make recommendations on approaches that can be undertaken by the government of Ontario to improve the current system, including strategies for accelerating harmonization with the federal government.

This review comes at a time when there are elevated concerns for public health arising out of the findings of the Walkerton Inquiry and, more recently, the several reports which have addressed the systemic problems exposed by the SARS crisis in 2003. Thankfully, there is no equivalent precipitating event for this review but certain events of the past year, including the discovery of bovine spongiform encephalopathy (BSE) in Canada and allegations of illegal activities at certain provincial abattoirs, have focussed the attention of the media and the public on the issue of meat safety in Ontario.

Chapter 2 - Current Structure of Meat Regulation in Ontario

The delivery of safe meat in Ontario is a responsibility that is shared by the federal and provincial governments. There is no specific legislative power allocated to either level of government for meat inspection, however, both have concurrent jurisdiction over agriculture pursuant to the provisions of the *Constitution Act, 1867*.

Federal participation arises principally from its constitutional responsibility for interprovincial and international trade. Any abattoir or meat processing facility in Ontario that wishes to trade beyond provincial borders must be

¹ Whenever “meat” is referred to in this report, it means meat from a domestic animal which is intended for human consumption and includes “poultry” which means chickens, turkeys, ducks, geese and other birds.

registered in the federal system and conduct its business in accordance with federal regulations.

At the federal level, meat inspection has been undertaken by the Canadian Food Inspection Agency (CFIA) since 1997. At that time, the government of Canada integrated the delivery of inspection and quarantine services. The CFIA ensures that manufacturers, importers, distributors and producers comply with federal regulations and standards governing the safety, quality, handling, identification, processing, packaging and labelling of food. The Minister of Health continues to establish policies and standards for the safety and nutritional quality of food sold in Canada.

The province of Ontario regulates meat that is processed in Ontario for sale and consumption within its boundaries. There are currently 191 provincially licensed abattoirs in Ontario. Several provincial ministries have responsibilities for administering a substantial body of legislation that addresses food safety in Ontario. The Ministry of Agriculture and Food (OMAF) is currently the principal participant in the regulation of meat production. The Director of the Food Inspection Branch is responsible for administering the meat inspection program under the *Meat Inspection Act* (Ontario) (*MIA*) which is intended to provide for production of safe meat for human consumption, under proper conditions, in appropriately designed and maintained facilities.

The Ministry of Health and Long-Term Care (MOHLTC) administers the *Health Protection and Promotion Act (HPPA)*. This legislation provides for the organization and delivery of public health programs and services, the prevention of the spread of disease and the promotion and protection of the health of the people of Ontario.

There are 37 health units in Ontario. A health unit is a geographic area over which a Board of Health has jurisdiction. Under the provisions of the *HPPA*, the Minister of Health establishes mandatory health programs and services that every Board of Health is required to provide. Each Board of Health is supervised by a medical officer of health (MOH). In the normal course, the inspection of food premises within each health unit is undertaken by public health inspectors under the direction of the MOH. Food premises

has an expansive definition and includes all premises where food is manufactured, processed, prepared, stored or offered for sale except a private residence. Facilities that are currently subject to such inspections include traditional butcher shops, restaurants, supermarkets, variety stores and premises outside of abattoirs where ready-to-eat meats are cured, smoked or fermented that are referred to as free standing meat processors.

The Ministry of Natural Resources (MNR) has responsibility under the *Fish Inspection Act (Ontario) (FIA)* to regulate the commercial sale and processing of fish intended for human consumption. The MNR also plays an important role in the enforcement of certain legislation administered by OMAF through an agreement between the two ministries. Under the terms of that arrangement, the MNR provides investigative services and resources for the prosecution of offenders who contravene the regulations relating to meat production and the disposal of dead animals.

The Ontario Food Safety Strategy (OFSS) was launched in October 2000 following a review of Ontario's food safety system that commenced in 1998. At that time, it was acknowledged that food safety hazards and risks were increasing for a variety of reasons and while food science was responding to meet these challenges, there were elements of Ontario's food safety system that were not keeping pace with national and international inspection standards. Subsequent to an extensive consultative process, the Legislature enacted the *Food Safety and Quality Act, 2001 (FSQA)* on December 5, 2001. The purpose of the *FSQA* was to modernize the food safety and quality features of several existing statutes to provide a framework for the implementation of food safety inspection programs that will complement and support the food safety programs provided by the CFIA and local Boards of Health. Unfortunately, the *FSQA* has not yet been proclaimed and is, therefore, not in force.

Chapter 3 - A Science-Based Approach to Food Safety

There are a number of benefits to a science-based approach. Science is not just about what we know; it is also a way of approaching problems. It involves making observations and testing predictions made on the basis of verified information.

In developing a public policy framework for a food safety program, it is expected that the best available scientific knowledge and technology will be used to identify and characterize the food safety risks and the options available to reduce them. While science is an important element in developing food safety policy, it is not the only consideration. Social values, ethics, consumer demands, economic and political considerations will all impact these policy decisions.

The development, implementation and operation of an effective science-based food safety program is complex. First, it must encompass all aspects of the food production continuum from production to consumption. Hence, the use of such descriptive phrases as “farm to fork.” Second, such a system relies upon the participation of all stakeholders including governments, primary and secondary producers, retailers and consumers.

Needless to say, the principal reason for having any food safety system is to ensure that the food consumed by the public is safe in that it will not cause harm to health. The information and advice I have garnered during the course of this Review leads me to conclude that the meat produced and consumed in Ontario is, for the most part, safe and free of hazardous contaminants. However, foodborne illness remains a significant public health issue in Ontario.

It is difficult to measure the true extent of foodborne illness since the symptoms are often similar to other common ailments and often last for no more than a day or two. One recent report estimates that there are over 300,000 cases of foodborne illness in Ontario each year with 60,000 of those related to the consumption of meat and poultry products. While many foodborne illnesses result in only short-term discomfort, they can result in serious, permanent, physical injury and even death, particularly in vulnerable groups such as young children and the elderly.

Foodborne illness is caused as a result of the consumption of or contact with food that has been contaminated with some type of microbiological, biological, chemical or physical hazard. Meat can become contaminated in many different ways. Microbial agents capable of infecting people and causing illness can occur naturally in the environment or in animals. Some

of these agents can cause animals to become ill whereas others can be found in healthy animals. Diseases which can be transmitted from animals to humans are called zoonotic diseases. Approximately one-half of known infectious microbial agents can be transmitted from animals to humans. Of concern are new, emerging, infectious diseases, many of which are zoonotic, involving newly identified pathogens such as West Nile virus, avian influenza and SARS.

Hazard Analysis Critical Control Points (HACCP) is a science-based system that is designed to detect potential hazards before they occur and to allow for implementation of control measures to reduce or eliminate the likelihood of their occurrence. HACCP-based programs are important because, while meat inspection and testing is significant, there is no amount of inspection or testing that is capable of eliminating all hazards. HACCP is established worldwide as the foremost means of ensuring food safety throughout the food chain. Although there is currently no mandatory HACCP food safety program required provincially, OMAF has developed the voluntary HACCP Advantage Program for provincially licensed abattoirs.

Food safety systems must be firmly based on sound science to protect public health and maintain consumer and business confidence. I am convinced that a HACCP-based food safety program is a principal building block in any such structure.

An ideal food safety system has an infrastructure to trace the origins and destination of whole and processed food and their inputs. Traceability refers to the implementation of measures to ensure that, at any stage of the food chain, the path of a food item and the relevant information about it are known. Such a system is critical for disease control in the event of an outbreak or emergency food recall. While Ontario has no formal traceability program, OMAF is working toward such a program and has been supportive of various national traceability initiatives. These initiatives need to be supported, pursued and ultimately implemented.

Biosecurity in food and agriculture encompasses all policy and regulatory frameworks that manage risks associated with food safety, animal life and health, and plant life and health. It applies to food production and addresses

the deliberate or inadvertent introduction of pests and diseases. The purpose of biosecurity measures is to prevent the spread of disease from one location to another and usually involves cleaning and disinfection procedures for equipment, animals and humans. A provincial biosecurity strategy is needed.

The surveillance of foodborne disease is also an important component of any food safety program. In the context of public health, surveillance is the ongoing, systematic collection, analysis, interpretation and dissemination of data regarding a health related event to reduce morbidity and mortality and to improve health. A good foodborne disease surveillance system requires surveillance of animal health, food hazards and foodborne illnesses. When integrated and reviewed on a regular basis, the data can provide useful insights into the sources and pathways of pathogens in the food chain. Surveillance does not prevent outbreaks, but early identification is essential for the investigation and efficient management of them. Since effective surveillance requires the timely collection and transmission of information, reliable information systems that are accessible to all relevant agencies are critical.

Chapter 4 - Farm Livestock Production

The farm to fork continuum begins at the farm. Animals processed in provincially licensed abattoirs and meat-processing plants in Ontario are primarily raised on Ontario livestock farms. Although the scale and intensity of farming has increased over the years, there is still a wide range of farm sizes and types in Ontario. They range from large feed and grow operations involving hundreds or even thousands of animals to small farms with only a few animals raised for local markets or personal consumption. There are approximately 30,000 farms with livestock in Ontario.

Livestock produced in Ontario includes beef, dairy, sheep, hogs, poultry and goats, as well as domestic bison, deer, elk and other specialty animals. Since foodborne contaminants cannot be inspected out at slaughter or at any other single point in food production or processing, quality and safety must be built into the process from the beginning. It is easier to keep safe an already safe product.

For the most part, farmers' production methods are designed to raise and sell healthy animals, but there are a number of food hazards that can arise at farms. The main hazards are animal diseases or pathogens that may be transmitted to humans through the meat produced from an infected animal. Other risks relate to production practices that may leave residues of drugs, hormones or other chemicals, or physical elements, such as broken needles or splinters, in animals that could cause harm to the consumer. Also, direct sales of farm products from farmers to consumers give rise to the same risks that exist in any other food premises.

At present, there is very little in the way of legislation or regulation directed to the protection of food safety at the farm stage of the continuum. Farms are not generally licensed, nor is there a mandatory broad-based inspection program concerning on-farm food safety. Although there are reporting requirements for certain diseases, regulations governing animal transport, and restrictions on feeding certain products or using certain medications, the system is not well designed to enforce these requirements and primarily relies on voluntary compliance.

While I am encouraged by recent initiatives and proposed plans, there are compelling reasons, for meat safety, to require that all farms adhere to certain standards and not rely on the voluntary approach. Those who choose not to participate are likely those who represent the greater risk. For the food safety system to provide the best protection, there must be full participation. The development of mandatory approaches will require cooperation and leadership by all stakeholders and a supportive regulatory framework to provide adequate training and enforcement. I believe it is possible to address many of the on-farm food safety issues through a comprehensive on-farm food safety framework administered by OMAF.

Notwithstanding the provisions of the *MIA* that require the inspection of all livestock that is slaughtered for the purpose of processing meat into food for human consumption, producers of livestock are permitted to slaughter their own animals, on their own premises, for consumption by themselves and their immediate family. Although this represents a very small portion of the total volume of meat produced for human consumption, this exemption

engages the same animal welfare and food safety concerns that arise with illegal slaughter.

Currently, there are no regulations or standards. I presume the governing assumption is that the producers will take the necessary steps to ensure the meat is safe because the health of themselves and their families is at stake. Unfortunately, inherent in that proposition is the further assumption that the producer has the necessary knowledge and equipment to produce wholesome meat. In many cases this may be so, but the consequences of ignorance in the production of meat can be serious.

In my opinion, the elimination of uninspected slaughter can be justified on both animal welfare and food safety grounds, but I also respect the position of those in the farming community and appreciate that such a prohibition would be an affront to those capable and caring farmers who slaughter on-farm in a humane and sanitary manner. I am also sensitive to the fact that an all out prohibition of slaughter would be extremely difficult to enforce.

My view is that on-farm slaughter for personal use should be exempt from inspection but should, by regulation, be subject to the requirement that animal slaughter be undertaken in a prescribed, humane manner and the processing of the meat done under prescribed sanitary conditions.

Chapter 5 - Transportation and Livestock Sales

The transportation of animals is conducted by a variety of people, including producers, operators of feedlots, abattoir operators and transport companies. Vehicles used to transport animals range from pick-up trucks and small trailers to full size transport trailers that can carry 40 head of cattle, dozens of pigs or poultry by the hundreds.

Food safety concerns that relate to the transport of animals arise from the mistreatment of the animals and the potential for cross-contamination. Although the extent of the impact of inhumane treatment on meat safety is not clear, there is evidence that suggests that malnourished and unduly stressed animals are more susceptible to disease and a substantial portion of

condemned livestock are animals that have been subjected to inhumane treatment.

In Canada, the CFIA has primary jurisdiction over the transport of livestock in its administration of the *Health of Animals Act*. The regulations set limitations for the length of transport and prohibit overcrowding and the physical mistreatment of animals.

Notwithstanding these regulations, there is concern that not enough is being done to ensure the welfare of livestock during transport. Resources for enforcement are minimal and a comparison of standards with other jurisdictions leads to the conclusion that standards and practices need to be reviewed and reconsidered.

There are 42 livestock sales operations in Ontario which offer livestock for sale at facilities known as sales barns. In the normal course, animals are transported to these facilities, sold by auction and then transported from the sales barn to an abattoir for slaughter.

Many of the animals sold at sales barns are milk producers or breeders which are no longer achieving the desired level of production and as a result, are being cut from the herd and sold for slaughter. These cull animals are older and have a higher incidence of health problems. As a result, their assembly at sales barns increases the risk of transmission of diseases or pathogens. Inspections at livestock community sales can identify unhealthy animals before they have travelled further into the system and potentially contaminated or infected other animals or humans.

The inspection program at sales barns involves one OMAF inspector who audits the operations and provides some supervision for the lay inspectors who are employed by the owner of the sales barns. Those inspectors are required to observe all animals presented at the sale and to segregate, for veterinary inspection, any abnormal stock they identify. A veterinarian then determines whether the animal is sufficiently fit to qualify for sale and slaughter. The inspection program at sales barns would benefit from additional training programs for the lay inspectors and further oversight by OMAF.

Chapter 6 - Abattoirs

Provincially licensed animal slaughter plants (abattoirs) are the primary focus of the present meat inspection regulatory regime in Ontario. The abattoir is a critical stage in the meat production continuum as it presents some of the best opportunities to reduce or control contamination.

Mandatory inspection of abattoirs was introduced in Ontario in the 1960s. Since then, there have been a number of legislative changes which have refined and strengthened the system.

Meat inspectors, who are also known as meat hygiene officers, represent the backbone of the system. They are the primary line of defence in the delivery of safe meat. No animal may be slaughtered unless an inspector is present and has approved that animal for slaughter. Inspectors receive administrative support from their area managers and technical support from regional veterinarians and veterinary scientists who are available for consultations.

A competent inspectorate is essential to ensure the integrity of the system and maintain consumer confidence. During the course of this Review, I met with many meat inspectors who expressed their concerns about certain shortcomings in the system and offered their views on what could be done to improve it.

Meat inspectors have traditionally been long-term employees. However, after the government turned primarily to fee-for-service contract inspectors in 1996-1997, it became increasingly difficult to retain inspectors. The exceptionally high turnover created challenges in education and training. Those applying for the vacated positions often had little or no experience in the meat industry and there were fewer and fewer experienced inspectors to mentor the recruits. In recent years, OMAF has made a considerable effort to update and improve their training program, although there is a continuing need for more practical training.

Although OMAF's commitment to the delivery of safe food is apparent from a review of all the safe food initiatives undertaken since the launch of

the OFSS, its traditional role as the champion of agriculture creates a potential conflict of interest. This is especially so in the Food Inspection Branch where the Director is charged with ensuring both the health of the industry and the safety of the public. In many respects, these goals are consistent, but they can conflict.

An allegation of unsafe practices can have devastating business consequences for the operator of an abattoir. Therefore, although a safety first response might dictate the provisional suspension of a plant licence, there is a potential for indecision on the part of the person charged with both fostering and regulating the industry. During the course of the Review, it was apparent to me that there is a suspicion that public safety may not always be OMAF's primary consideration when a difficult choice has to be made between the interests of the "client," being agriculture, and the public at large.

I do not contend that there is any policy of OMAF or any intention on the part of anyone at OMAF to make the safety of the public anything but its first priority, but there is evidence of a reluctance to act decisively when the issues of public safety and client welfare collide. This only fuels the perception that public safety is sometimes taking a backseat to the agricultural industry. Having said that, let me quickly add that virtually every person I spoke to at OMAF and throughout the meat industry is focussed on safety. They all care about public health and realize that consumer confidence is essential to the industry's economic survival. They know that the only way they can gain and maintain that confidence is by implementing and maintaining safe practices and standards.

Nonetheless, it is my view that the current organizational structure of OMAF fails to reflect a safety first approach to agricultural management and food production. The Director, Food Inspection Branch, should not be in the position of having to promote and police the meat industry. There needs to be some separation between those two functions. Although good business practices and product safety are complementary goals, if the principle of safety first is to be embraced, it is important to establish a clear line between the promotion of the agricultural industry and meat safety.

In order to accomplish this, OMAF should establish a Food Safety Division that is focussed on the delivery of safe food to the people of Ontario. This restructuring also contemplates the creation of a new position of Chief Veterinarian of Ontario (CVO). This person, a veterinarian, would assume the lead within OMAF for all food safety issues and be OMAF's voice during any food safety crisis. Under the direction of the CVO, the Food Safety Division would be responsible for inspection services, animal health, food safety science and policy, and enforcement.

Non-ambulatory animals, in particular, cattle, have been a food safety and animal welfare concern for a number of years. Recent events, however, have focussed attention on the issue of downer cows in Ontario. Aylmer Meat Packers Inc., the subject of much publicity in the summer of 2003 as a result of a product recall, was a facility that processed a large number of downer cows. Also, BSE (mad cow disease), was discovered in downer cows in Alberta and in Washington State, U.S. in 2003.

There has been much debate over the disposition of downers, with some advocating their exclusion from abattoirs and the food supply. Certain stakeholders believe the transport of downer animals is inhumane and there is an understandable reaction from consumers that meat from these animals is unwholesome. However, many downer animals have injuries or other problems that on close examination have little or no relationship to food safety or wholesomeness. Those in the industry, therefore, maintain it would be wasteful not to use the meat from these animals provided it conforms to meat inspection standards. Furthermore, banning these animals from the food chain could encourage illegal slaughter and the sale of uninspected meat processed under unhygienic conditions.

Cattle become non-ambulatory at all ages and for a variety of reasons. However, most downer animals are dairy cows that are at the end of their productive lives and are being sent for slaughter to salvage what little value remains. The quality of their meat is low and although it cannot be said that this meat is unsafe, there is a heightened risk. Since it is the producer who benefits most from permitting these higher risk animals into the system, it is the producer who should bear the cost of any additional vigilance that is required to ensure the safety of the meat.

The producer currently bears the expense of having a veterinarian examine the animal for the purpose of issuing a certificate for direct transport to slaughter. Although not currently specified, the regulation should also require the veterinarian to record the diagnosis on the certificate and no non-ambulatory animal should be admitted to an abattoir unless accompanied by a certificate for direct transport. Mandatory testing (including BSE testing) should be conducted on every non-ambulatory animal approved for slaughter with the cost of that testing being borne by the producer.

Chapter 7 - Disposal of Meat Production Waste

The production of meat produces waste. The nature and quantity of the waste varies at each stage of the farm to fork continuum, but includes the carcasses of dead animals, parts of animals which are treated as inedibles, bones, hides and blood. Animals die for a variety of reasons and their carcasses are a normal by-product of farm production. Based on mortality rates and livestock statistics in Ontario, it has been estimated that the annual mass of deadstock alone is greater than 86,000 tonnes. The meat waste from federal and provincial abattoirs in Ontario is believed to be 333,000 tonnes each year.

Methods of disposal permitted in Ontario include burial, composting, incineration and rendering. Rendering is a process which is applied to materials derived from slaughter, processing and deadstock to remove the moisture and separate the materials into sterile animal protein meals and fat products such as tallow. Unfortunately, the discovery of BSE in cattle around the world and in North America has had a considerable impact on the rendering industry. It is believed that BSE can spread among cattle when they consume prions from carcasses of other cattle found in protein meal produced by rendering. Notwithstanding the extremely low risk of such products containing prions in North America, the impact of reduced public confidence and protective regulatory measures have greatly reduced the markets for rendered products. This, in turn, has substantially reduced the market for deadstock and meat waste that is used to produce those products. These and other developments have had a devastating effect on those engaged in the business of receiving and collecting deadstock. With markets reduced and farmers being unable or unwilling to pay collection

fees for the removal of deadstock from the farm, there are fewer collectors in business and more and more incidents of carcasses being dumped and left to decay. Improper or illegal disposal methods create a risk to human health through the potential transfer of pathogens and can pose a risk to the environment.

It is apparent that the current system cannot handle the glut of deadstock and waste from meat production. There is no simple answer to this problem. It is a complicated issue involving market forces, farm management practice, health and environmental concerns, and the application of both traditional disposal practices and emerging technologies. It is apparent that new strategies must be explored in searching for a long-term solution, however, there is a crisis at hand in this sector of the meat industry which must be addressed now.

Chapter 8 - Meat and Fish Processors

Meat has been processed for centuries. Originally, processing was essentially used to extend the period during which a product could be safely consumed. Salting and smoking are traditional meat processing methods that are still used today. In addition, meat may be ground, cured, fermented, or mixed with other ingredients. The finished products may be ready-to-eat or may require further preparation before consumption and include ground meat, hot dogs, sausages, ham, bacon and cold cuts. Currently, meat processing is the largest sector of the food industry in Canada with sales exceeding \$14 billion.

Meat processors who participate in interprovincial or export trade must be federally registered. Their businesses are regulated by federal legislation and overseen by the CFIA. The activities of all others are governed by provincial legislation. Currently, all meat processing operations not conducted at abattoirs are subject to regulation under the *HPPA* and inspected by public health inspectors from Boards of Health. These facilities are known as free standing meat processors (FSMPs). Meat processing operations conducted within a provincially licensed abattoir are overseen by OMAF as part of the inspection program it administers pursuant to the *MIA*. Although there seems to be no justification for maintaining

different standards, the regulations under the *MIA* and the level of inspection are more demanding.

If the *FSQA* is proclaimed, OMAF will also have authority to regulate FSMPs and is expected to assume jurisdiction for the regulation and inspection of all such facilities that conduct high risk processing activities (eg. smoking, curing, fermenting) and are not federally inspected. In my view, OMAF is better positioned to undertake responsibility for the inspection of such FSMPs, but I am also satisfied that properly resourced, both OMAF and MOHLTC are capable of administering effective inspection programs. Whatever the configuration, the regulations must be consistent for all meat processors and the delivery of inspection must be comprehensive.

Since the *FSQA*, once proclaimed, will provide for the quality and safety of all agricultural and aquatic commodities, it seemed appropriate to consider the regulatory regime for the processing of fish as part of this Review. The MNR administers the *FIA* and its regulations set out certain standards to address food safety, such as requirements for chilling or icing fish during storage. However, there is no inspection program in place for non-federally registered fish processors to ensure that the processing activities, equipment and facilities meet the food safety standards contained in the legislation. In my view, the lack of a fish inspection program in Ontario constitutes a risk to the public and it is important that such a program be developed to deal with the particular features and risks of fish processing. There is no reason why those who consume fish should not have the same level of protection as those who eat meat.

Chapter 9 - Meat Retail and Distribution

There are thousands of businesses in Ontario which sell meat and meat products. The prevention and management of risks at this stage falls within the scope of authority of the Public Health Branch of the MOHLTC and the Boards of Health across Ontario.

Under the provisions of the *HPPA*, medical officers of health are obligated to ensure inspection of food premises for the purpose of preventing,

eliminating and decreasing the effects of health hazards and to investigate complaints. Food premises include all facilities where meat is processed, stored or sold. The MOHLTC has established food safety program guidelines for the Boards of Health, including standards for the frequency of inspections.

Boards of Health in Ontario are required to employ inspectors who are either veterinarians or hold a certificate in public health inspection. In order to obtain that certificate, the inspector must complete one of five accredited post-secondary educational programs offered in Canada, pass a certification examination, and complete a practicum. In the course of their duties, public health inspectors are authorized to issue orders requiring compliance by operators of food premises and as provincial offences officers may issue tickets for infractions.

Each Board of Health operates with a good deal of autonomy. This is helpful in addressing local public health issues, but also results in inconsistency in the delivery of services throughout the province. More needs to be done to coordinate the efforts of Boards of Health to remedy this shortcoming in the system.

Boards of Health receive their direction from the Food Safety and Safe Water Unit of the Public Health Branch of the MOHLTC. That unit has insufficient capacity to provide effective oversight and leadership of the Boards of Health. Citing lack of resources, most Boards of Health acknowledged that the required number of inspections of food premises are not being undertaken.

Funding of public health and, in particular, the activities of the Boards of Health is critical to the success of a public health food safety program. Foodborne illness remains a significant problem in Ontario. Sufficient funding must be provided to ensure consistent delivery of the mandatory food safety programs across Ontario.

Notwithstanding the strength of the system of food safety in Ontario, there will still be a need, from time to time, to determine whether some meat or meat product has caused foodborne illness. Medical officers of health and

the federal authorities have the jurisdiction to recall meat products. Although this seldom occurs, it is very important that the relevant authorities have a clear understanding of their respective roles and responsibilities and adhere to approved protocols in order to address an emergency effectively and avoid unnecessary duplication and confusion.

Chapter 10 - Consumers

The consumer is the “fork” in the farm to fork continuum. As much as 50% of foodborne illness may be linked to the home setting, so it is important that consumers understand their role in food safety.

There are risks associated with any food and the objective of any public education intervention should be to enhance consumer knowledge about these risks and improve their safety behaviours. Consumer confidence in meat safety is essential. To this end, it is important to help consumers understand how the food safety system works, what efforts are being taken by government, producers and industry to reduce risks in food and what prudent and sensible steps they can take to address potential risks.

Most food safety awareness and education programs based on epidemiological data have focussed on one or more of the five following behaviours:

- practicing proper personal hygiene;
- cooking foods adequately;
- avoiding cross-contamination;
- keeping foods at safe temperatures; and
- avoiding food from unsafe sources.

While the old adage still applies, “when in doubt, throw it out,” consumers are also being asked to take science-based preventative measures that recognize that most foodborne illnesses are caused by microorganisms that cannot be detected by sight or smell. The incorrect belief of many consumers that you can tell bad meat by sight or smell alone needs to be addressed. To be effective, food safety education messages must not only provide factual scientific information, but must also help consumers set

aside and change incorrect beliefs and behaviours. Simple but informative labels with information on food handling and safe preparation should accompany all meat products.

There was a time when home economics was taught as part of the required curriculum in Ontario and health studies courses would have provided an opportunity to teach students basic food safety skills. Many young people are involved in food preparation at home and in part-time jobs. Basic food safety education should be delivered to every student either as part of a health, life skills or job skills related course.

Chapter 11 - Compliance and Enforcement

Ontario's meat regulatory system is designed to protect public health and the safety of animals. Through a patchwork of legislation overseen by multiple ministries, the province prohibits certain activities unless conducted under the authority of a licence. The province has specified standards with respect to premises, equipment and business practices, requires independent monitoring of certain operations and has established a variety of responses to non-compliant conduct.

OMAF is the ministry responsible for legislation relating to on-farm slaughter, the transportation of non-ambulatory animals, the licensing and regulation of abattoirs and connected processing and retail facilities. If the *FSQA* is proclaimed, OMAF will also be responsible for overseeing the activities of FSMPs.

Under current legislation, livestock community sales operations, abattoirs, deadstock collectors, meat waste disposal operators and livestock dealers must be licensed. These statutes allow the Director of OMAF's Food Inspection Branch to suspend an operator's licence on an interim or provisional basis if the Director is of the opinion that there is an immediate need for the protection of health or safety of the public. Upon exercising that power, the Director is required to hold a hearing to determine whether a further suspension or revocation of the licence is warranted.

It is also an offence to contravene the provisions of any of these licensing statutes with conviction being punishable by fine or imprisonment. If proclaimed, the *FSQA* will broaden the existing offence provisions and substantially increase the penalties that may be imposed.

Compliance and enforcement at OMAF is managed by the Enforcement Advisory and Liaison Officer (EALO) under the supervision of the Director. The EALO receives and directs complaints for further action. They may be addressed by the two compliance and advisory officers on staff at OMAF, or forwarded to the Agriculture Investigations Unit at the MNR which, under agreement with OMAF, has been handling such investigations and enforcement since 2000. The MNR, which has an experienced and well-equipped enforcement branch, is well-suited to fulfill this function although its Agriculture Investigations Unit is currently under-resourced and unable to undertake many of the investigations which should be referred to them.

Apart from the practical problems that arise from insufficient resources, the principle concern I have with compliance and enforcement is the position occupied by the Director of the Food Inspection Branch. As the senior OMAF employee responsible for issuing licences and the delivery of food inspection services, there is an obligation on the Director to be intimately aware of the meat inspection program and its various components for the delivery of those services to the industry. The Director also knows the people in the industry.

Although such inside knowledge is, no doubt, beneficial in administering the business of the Food Inspection Branch, as a quasi-judicial officer, the Director has an obligation, once an event that triggers a hearing has occurred, to ensure that the expectation and requirement of impartiality is observed. This requires a determination of the issues on the evidence before the Director at the hearing. The Director is in a difficult position no matter what order is made. If the decision is adverse to that being sought by OMAF staff, they may feel unsupported and embarrassed. Conversely, a finding that the complaint is well-founded may lead to criticism that the Director is not sufficiently understanding and supportive of the industry. No matter the result, the Director has to return to work the following day and

resume his position on the administrative tightrope between the inspectorate and meat processors.

In my view, this flaw in the hearing process can be remedied by transferring the administrative licensing function to the Chief Veterinarian of Ontario as the head of the proposed Food Safety Division with the hearing or appeal function being transferred to a Tribunal that has no operational responsibilities. Additional deficiencies I identified can be addressed by an increased commitment to strict enforcement of food safety legislation, the development of compliance and enforcement policies, greater coordination of activities by enforcement bodies and the development of an integrated information system.

Chapter 12 – Role of Communication in Meat Safety

No government should need reminding today that the failure to be open and honest with the public leads to mistrust and an erosion of public confidence. Disclosure is particularly important with information concerning something as fundamental as food safety.

If the government provides regular, consistent and accurate messages in its communication with the public, there is a strong likelihood that the public will understand food safety related risks and issues. In recent years, the provincial government has failed to adequately articulate its vision, strategies and plans for food safety. It has failed to communicate to the public that it has developed specific plans and undertaken initiatives to improve food safety. The government expended large sums of money for these purposes without publicly reporting on how they were being spent, and mysteriously, has not provided information to the public about much of the good work and systemic improvements which have already been accomplished.

Effective risk communication should endeavour to build and maintain trust and confidence. It should facilitate a higher degree of consensus and support by all interested parties for the risk management options being proposed. Building trust and managing the public's perception of risk is a challenge for any government. The media's wide reach and influence on

public perception make it an important vehicle for risk communication. While many think of the media as narrators of events such as foodborne illness outbreaks, food recalls, health advisories and food warnings, their role is far greater. The media is a powerful vehicle for the delivery of health risk information and advice to the public.

The public expects the government to be ready to respond appropriately to any emergency or crisis. Communication is an important part of the response expected in a time of potential crisis. Several stakeholders suggested that the provincial government did not have or use a good communication strategy during recent meat safety events. The news reports of those events appear to support their contention.

Measures should be put in place to ensure that the public is provided with timely, complete, consistent and accurate information. One government agency should take responsibility for communicating with the public in each incident and all government authorities involved in managing meat safety incidents should include, within their emergency preparedness plans, a clear communication strategy and protocol.

Chapter 13 - Reconciling the Provincial and Federal Systems

All levels of government are engaged in food safety initiatives at every stage along the farm to fork continuum. Part of my mandate in conducting this Review was to “make recommendations on approaches to strengthen regulatory and legislative systems, including strategies for accelerating harmonization with the federal government.” I believe that the adoption of my recommendations will bring the standards and practices of the federal and provincial meat inspection systems into harmony.

The proclamation of the *FSQA* will provide the legislative structure that is necessary to achieve that goal, and regulations that are consistent with the National Meat and Poultry Regulation and Code (NMPRC) will establish standards that are comparable to those in place for the federal system. The introduction of HACCP-based food safety programs all along the farm to fork continuum will ensure good practices and proper standards are observed and maintained. The specific policies I have recommended with

respect to issues such as on-farm slaughter and the treatment and processing of downer animals should address specific safety concerns raised by animal welfare advocates and consumers. The training initiatives I have recommended for meat hygiene officers together with the increase in operational and veterinary support will ensure that the Ontario public will be served by an experienced and competent inspectorate capable of ensuring that the high standards being set are observed. The movement toward harmonization will produce joint training opportunities and more efficient use of scientific resources. It will also facilitate the implementation of coordinated efforts regarding disease surveillance, traceability and biosecurity which are essential to any food safety system.

But, as was so often observed during the course of the Review, there will always be those who, for expedience or profit, will ignore the rules and put others at risk. The system must, therefore, have the enforcement capacity to detect and deter potential offenders.

I have identified certain gaps and duplications in the delivery of food inspection services in Ontario and have suggested ways to eliminate them. However, jurisdiction over inspection services continues to reside in two separate ministries. OMAF is responsible for seeing meat safely to market and MOHLTC has responsibility for its safe delivery to consumers. I am satisfied that this system with the adjustments I have recommended will provide the people of Ontario with reliable and effective meat inspection. Nonetheless, I was drawn, from the outset, to the idea of a single agency responsible for all food inspection from production through to consumption. Indeed, the creation of the Food Safety Division at OMAF that I have recommended would be a step in that direction.

The CFIA was born out of efforts to coordinate and rationalize federal food inspection services. The logistical challenges faced by the federal government were perhaps larger in scope but very similar in kind to those we are now addressing in Ontario. Provincial food inspection services in Québec are undertaken by a single agency similar to the CFIA. The creation of a food inspection agency, with responsibility for all aspects of food inspection is, in my view, the next logical organizational step in the process

of modernizing the food safety system in Ontario and would greatly facilitate the process of harmonization with the federal government.

In order to create such an agency, the provincial government will have to decide which ministry the agency will report to and which ministry will be responsible for establishing food safety policies and standards. This would require some adjustment to the current roles and responsibilities of OMAF and MOHLTC, although it seems to me that OMAF is best positioned to direct the operational aspects of such an agency whereas MOHLTC should have the responsibility for setting the standards necessary to protect public health.

Chapter 14 - Process of the Review

This was an independent review authorized by Order-in-Council. It was not a public inquiry. I had no authority to compel the attendance of witnesses or the production of documents. The Order-in-Council simply provided that I could “request any person to provide information or records . . . and hold public and/or private meetings.”

The purpose of this Review is to strengthen public health and safety and business confidence. In order for the Report to be worthy of the public’s confidence, the process had to be open, fair and thorough. At the outset, I was concerned that it would be a challenge to achieve these goals given the time frame and procedural limitations of the mandate. On the other hand, without the sceptre of fault looming in the background, I thought this process could perhaps provide a platform for a more cooperative and constructive discussion of the issues relating to meat safety and I believe that has occurred.

I initially corresponded with many individuals and groups whom the staff and I identified as interested parties and invited their submissions.

In addition to numerous meetings with key personnel at OMAF, MOHLTC and MNR, as well as representatives from the many stakeholder organizations, I held two public meetings – one in Peterborough and the second in London - to provide a forum for those interested in speaking publicly about the issues I was being asked to address.

The modern approach to food safety is science-based and expert advice was required in order to assist me in assessing the effectiveness of the current regulatory regime and in considering measures for strengthening it. It was also apparent that advice would be needed from a number of disciplines. In selecting members of the expert advisory panel, I attempted to ensure the group would reflect the necessary diversity of experience and perspective that was required.

The panel prepared a draft report which was then circulated to other public health and food safety specialists for their review. A one day conference was convened in Toronto with myself, the Review staff, the panel and the invited reviewers in attendance for the purpose of discussing the conclusions and proposals in the panel's preliminary report. With the benefit of these additional views, the panel completed its report and submitted it to the Review with its recommendations.

I was persuaded that I would not be able to properly apprehend the task before me without witnessing the various operations that constitute the meat industry. As a result, the Review staff and I toured 14 separate facilities.

Prior to my appointment to conduct this Review, I had not been inside a slaughterhouse. It was one of life's experiences that I had been prepared to forego; something I suspect I shared with any number of others. For me, at least, it was easy to make the direct transition from cattle in the field to beef in the supermarket. I really did not give much thought to the steps in between. These tours, then, were very instructive. Not only did I learn how meat was produced, but I also witnessed the reality of it.

The result of our efforts over the past six months is this Report containing 113 recommendations. Each of the recommendations represents an important step in the development of a comprehensive and efficient food safety system. The goal of the recommendations is to ensure that meat produced in provincially regulated facilities is delivered with a level of risk so negligible that a reasonable and informed person will feel safe eating it.

Recommendations

1. I recommend that the *Food Safety and Quality Act, 2001* be proclaimed without further delay with the promulgation of regulations that are equivalent to the National Meat and Poultry Regulations and Code.
2. I recommend that the provincial government publicly articulate its policy, targets and goals in respect of food safety including food safety objectives. The province should also develop and make public a business plan for its food safety initiatives with appropriate methods to measure the results and deliver an annual public report outlining its program priorities, strategies, objectives and achievements.
3. I recommend that the provincial government promulgate regulations to require mandatory HACCP-based food safety programs across all sectors of the food continuum including farms, abattoirs, transportation, free standing meat processors and food premises.
4. I recommend that the provincial government provide appropriate resources to support the development and implementation of mandatory HACCP-based food safety programs and to ensure there is appropriate training of inspectors, auditors, operators and employees involved in these programs. I also recommend that the provincial government develop appropriate written materials and tools, guidelines, and generic models for industry and make them readily available at a reasonable cost.
5. I recommend that the provincial government develop a strategy to provide support and assistance to small and medium-sized enterprises in the implementation of mandatory HACCP programs.
6. I recommend that the provincial government provide small and medium-sized enterprises with financial assistance in the form

of grants and low interest loans to be applied towards HACCP implementation costs including capital costs.

- 7. I recommend that in developing mandatory HACCP-based food safety programs, the provincial government establish clear food safety objectives and prioritize hazards along the food continuum to ensure the areas of greatest risk are effectively identified and managed.**
- 8. I recommend that the Ministry of Agriculture and Food complete all baseline studies currently being undertaken and those which are planned. I recommend that the provincial government, at the earliest opportunity, establish mandatory microbiological performance standards and that these standards be enacted by way of regulation and communicated to the industry.**
- 9. I recommend that the provincial government continue its work with the federal government and other provincial governments to establish a national strategy on microbiological food safety including national microbiological performance standards.**
- 10. I recommend that the provincial government in cooperation with the federal government and other provincial governments, establish an advisory committee which should be mandated to provide expert advice on questions relating to the microbiological safety of food.**
- 11. I recommend that the provincial government provide necessary direction and resources to ensure that it has a high quality food safety science and laboratory capacity to provide research, surveillance and risk analysis.**
- 12. I recommend that the provincial government work together with industry and commodity groups as well as the governments of Canada and the other provinces to develop a national strategy for traceability.**
- 13. I recommend that the provincial government in conjunction with commodity and industry groups develop an effective meat**

safety traceability system for Ontario designed to allow meat to be traced across the food continuum.

- 14. I recommend that the provincial government in consultation with the federal government and stakeholders support the development of mandatory registration for all livestock farms in Ontario.**
- 15. I recommend that the provincial government develop a biosecurity strategy and plan for livestock, poultry and meat products in Ontario.**
- 16. I recommend that the provincial government work in cooperation with the federal government, including the Canadian Food Inspection Agency, and other provincial governments to develop a national biosecurity strategy.**
- 17. I recommend the provincial government provide necessary resources to ensure that disease surveillance, testing and reporting continue to the levels set out in the existing policies year round.**
- 18. I recommend that the Ministry of Agriculture and Food ensure that on-site meat inspectors have access to the results of testing through the Food Safety Decision Support System.**
- 19. I recommend that the provincial government undertake a review to ensure that Ontario has effective surveillance strategies and programs for animal health, food hazards and foodborne illnesses in a system that is integrated, transparent, properly resourced and coordinated with national surveillance programs.**
- 20. I recommend that the Ministry of Health and Long-Term Care expedite the implementation of a system such as the Integrated Public Health Information System (iPHIS), to track all foodborne illnesses across the province and permit access and analysis of the data, by all Boards of Health in the province.**
- 21. I recommend that the provincial government establish an Ontario Food Safety Reporting Centre to be responsible for the**

coordination of all matters relating to food safety in the province.

- 22. I recommend that the provincial government implement a system such as the Electronic Laboratory Exchange Network (eLEXNET) system in provincial and private food laboratories in Ontario to permit the extraction and integration of data from different reporting systems.**
- 23. I recommend that the provincial government undertake a review to ensure that Ontario has level three containment facilities that are capable of supporting investigations into emerging pathogens and other foodborne illnesses.**
- 24. I recommend that the Ministry of Health and Long-Term Care develop a standard food safety testing policy and procedure for the Boards of Health which should form part of the Mandatory Health Programs and Services Guidelines.**
- 25. I recommend that the provincial government review its capacity to conduct testing and research of the causes of foodborne illnesses and or prion related zoonotic diseases such as bovine spongiform encephalopathy (BSE) and expand its capacity as necessary based on the outcome of that review.**
- 26. I recommend that the Ministry of Health and Long-Term Care develop and implement a system of electronic submission and reporting forms for the food safety investigation samples submitted by public health inspectors.**
- 27. I recommend that the Ministry of Agriculture and Food support the development of an on-farm food safety framework, as well as training and support measures to ensure that all livestock farms have the capacity to develop and implement an on-farm food safety plan.**
- 28. I recommend that the Ministry of Agriculture and Food support the development and delivery of an on-farm food safety program specifically targeting small and medium-sized mixed**

livestock farms in conjunction with the producer groups who represent these farmers.

- 29. I recommend that the Ministry of Agriculture and Food work with stakeholders to create a provincial framework for recognition of provincial on-farm food safety programs and that the Ministry recognize provincial programs where no nationally recognized program exists.**
- 30. I recommend that the Ministry of Agriculture and Food establish requirements and training programs for key prerequisite programs for on-farm food safety plans, including good production practices.**
- 31. I recommend that the Ministry of Agriculture and Food ensure that all farmers who raise animals for food receive specific information on disease surveillance and reporting for each type of animal, how to access additional resources and their obligations with respect to reporting.**
- 32. I recommend that the provincial government promulgate a regulation prohibiting the sale of livestock medicines or feed additives to any person not holding a Livestock Medicines Education Program Certificate.**
- 33. I recommend that the Ministry of Agriculture and Food provide training on safe and proper handling of non-ambulatory animals on-farm, humane euthanasia, and on-farm disposal of livestock and poultry mortalities.**
- 34. I recommend that regulations made under the *Food Safety and Quality Act, 2001* prescribe and describe acceptable procedures and equipment for on-farm slaughter and dressing.**
- 35. I recommend that farmers who sell meat or poultry products directly to the public be subject to the same standards, level of inspection and food handler training requirements as any other retailer.**
- 36. I recommend that the Ministry of Agriculture and Food work with industry groups and transporters to develop training on**

the handling of animals in transport, the handling of meat products in transport, and to develop and implement HACCP-based and biosecurity plans for transporters.

- 37. I recommend that the regulations under the *Food Safety and Quality Act, 2001* require standardized forms and record keeping for the transport of animals, meat and meat products pending implementation of the recommended traceability program.**
- 38. I recommend the provincial government make regulations for the transport of animals under the *Food Safety and Quality Act, 2001* that are comparable to the *Livestock Transportation Regulation* in Alberta.**
- 39. I recommend that the *Livestock Community Sales Act* be incorporated into the *Food Safety and Quality Act, 2001* by way of regulation that would continue, but modernize the current livestock community sales program to match or exceed generally accepted standards for animal treatment.**
- 40. I recommend that the existing livestock community sales program be strengthened with increased oversight of the lay inspectors and appointed veterinarians by an increased complement of Ministry of Agriculture and Food inspectors with responsibilities for monitoring the sales barn program.**
- 41. I recommend the continued participation of the Ontario Society for the Prevention of Cruelty to Animals in the livestock sales barn program.**
- 42. I recommend that a captive bolt pistol be kept on-site and available at all sales barns for use by the appointed veterinarians.**
- 43. I recommend that regulations require that any animal with a suspected health problem at a sales barn should be referred for examination and disposition by a veterinarian.**

- 44. I recommend that the licence fee for the provincially licensed abattoirs be increased substantially and be based on the production volume of the particular plant.**
- 45. I recommend that the Ministry of Agriculture and Food develop standardized training programs for all personnel at abattoirs on humane animal handling, slaughter and dressing.**
- 46. I recommend that the Ministry of Agriculture and Food develop and implement a plan for the initial and continuing education and training of appointed veterinarians.**
- 47. I recommend that the Ministry of Agriculture and Food implement a system to require all exemptions and approvals of special procedures be recorded and accessible to all meat inspection delivery staff.**
- 48. I recommend that a Food Safety Division be created within the Ministry of Agriculture and Food headed by a Chief Veterinarian of Ontario with three branches: Food Safety Science and Policy; Food Safety Inspection Services; and, Food Safety Investigations and Enforcement.**
- 49. I recommend that the provincial government provide appropriate funding to support the joint Ministry of Agriculture and Food and University of Guelph special project that was constituted to make recommendations for the establishment of a comprehensive training program for meat inspectors in Ontario.**
- 50. I recommend that the Ministry of Agriculture and Food implement a policy of continuing education and training for its meat inspectors .**
- 51. I recommend that the Ministry of Agriculture and Food require that all management intervention in operational decisions at provincially licensed plants be documented.**
- 52. I recommend that the Ministry of Agriculture and Food establish a formal complaints process requiring industry**

complaints about meat inspectors to be made in writing with a copy to the inspector.

- 53. I recommend that the Ministry of Agriculture and Food increase the number of regional veterinarians from two to five and the complement of area managers from eight to ten.**
- 54. I recommend that an independent audit be undertaken to determine the number of inspectors required in the abattoirs to provide proper inspection.**
- 55. I recommend that the provincial government ensure that a part-time meat inspector who, acting in good faith, stops the slaughter, receives payment for the balance of the scheduled hours for that day whether or not the slaughter resumes.**
- 56. I recommend that the regulations relating to ante and post mortem inspection and specified risk materials removal be closely monitored and strictly enforced.**
- 57. I recommend that non-ambulatory animals be prohibited from entering an abattoir unless accompanied by a veterinarian's certificate for direct transport that provides a veterinarian's diagnosis of the condition or disease that has rendered the animal non-ambulatory and that drug residue testing, histopathological testing of the brain and spinal cord and BSE testing of every non-ambulatory animal be conducted, with the carcass and inedibles being held pending evaluation of the test results. The cost of such tests should be charged to the abattoir operator, but ultimately borne by the owner of the animal.**
- 58. I recommend that research be urgently carried out into the feasibility of regulated on-farm slaughter of non-ambulatory animals in Ontario. In the absence of regulated on-farm slaughter, I recommend the transport of downer animals be prohibited except by a licensed transporter who has the necessary equipment and expertise to transport such animals humanely.**

59. I recommend that the *Food Safety and Quality Act, 2001* and its regulations prohibit the consumption of wild game meat by anyone other than the hunter and his or her immediate family unless the harvesting, processing and distribution of the meat was done in full compliance with prescribed practices and procedures.
60. I recommend that the regulations under the *Food Safety and Quality Act, 2001* include a requirement that provincially licensed plants obtain permission to process wild game meat and that any processing adhere to standards similar to those in the current policy.
61. If wild game continues to be permitted into provincial abattoirs, I recommend that hunters be required by regulation to take training in the collection of pertinent information, safe dressing and transport procedures.
62. I recommend that the *Food Safety and Quality Act, 2001* and regulations to be promulgated thereunder regulate the activities of non-federally registered meat processors whether they are connected to an abattoir or free standing.
63. I recommend that the Ministry of Agriculture and Food and the Ministry of Health and Long-Term Care enter into an agreement to ensure that the activities of all meat processors are appropriately regulated and inspected without unnecessary duplication.
64. I recommend that the provincial government develop and implement a fish inspection program and promulgate a regulation under the *Food Safety and Quality Act, 2001* to licence non-federally registered fish processing plants and regulate the safety of fish being sold for human consumption in Ontario.
65. I recommend that the *Food Premises* regulation be amended to include fish and the processing of fish at food premises and to prohibit uninspected fish at food premises, once an inspection program is implemented.

66. I recommend that the provincial government amend the *Health Protection and Promotion Act* to require each food premises in Ontario to register with the Board of Health in the jurisdiction in which the food premises carries on business.
67. I recommend that the Ministry of Health and Long-Term Care develop and implement a plan for the continuing education and training of public health inspectors across the province addressing meat safety and the regulatory standards for food premises.
68. I recommend that the provincial government amend the *Health Protection and Promotion Act* to require that the operator of a food premises and at least one staff member, present at a food premises during all hours of operation, be a certified safe food handler.
69. I recommend that the provincial government in cooperation with the food industry develop a HACCP-based food safety program for food premises in Ontario.
70. I recommend that the provincial government ensure that the standards for all meat retailers be consistent whether under the *Food Premises* regulation or pursuant to any regulation developed under the *Food Safety and Quality Act, 2001*.
71. I recommend that additional staff and resources be provided for the Food Safety and Safe Water Unit at the Public Health Branch of the Ministry of Health and Long-Term Care so that it can provide timely and effective leadership and direction to the Boards of Health.
72. I recommend that the Ministry of Health and Long-Term Care take all necessary steps to improve compliance by the Boards of Health with the Mandatory Health Programs and Services Guidelines in respect of food safety standards.
73. I recommend that the provincial government provide adequate resources to the Boards of Health to hire sufficient numbers of public health inspectors and support staff to fulfill the

requirements of the food safety program of the Mandatory Health Programs and Services Guidelines.

- 74. I recommend that the Ministry of Health and Long-Term Care conduct annual audits to assess compliance of Boards of Health with the food safety standards of the Mandatory Health Programs and Services Guidelines.**
- 75. I recommend that the Ministry of Health and Long-Term Care deliver an annual public report that sets out its objectives and evaluations for food safety standards, the reduction of foodborne illness and the performance of Boards of Health, including their compliance with Mandatory Health Programs and Services Guidelines.**
- 76. I recommend that the provincial government address the deficiencies in the current funding system to ensure Boards of Health have sufficient funding to provide the mandatory food safety programs and services.**
- 77. I recommend that the public health inspectors at Boards of Health be required to utilize standard inspection reports for food safety inspections of food premises to ensure that critical infractions are consistently recorded and that data is collected and shared with the Ministry of Health and Long-Term Care.**
- 78. I recommend that the provincial government enter into an agreement involving the Ministry of Agriculture and Food, the Ministry of Health and Long-Term Care, the Ministry of the Environment, the Ministry of Agriculture and Agri-Food, Health Canada and the Canadian Food Inspection Agency regarding foodborne illness and food safety risk investigations and responses. I recommend that the agreement assign one government agency to take the lead on all communication to the media and public in foodborne illness and food safety risk investigations and responses. I recommend that the agreement provide for the establishment of a committee to coordinate each foodborne illness and food safety risk investigation and response which requires a multi-agency response with membership on**

the committee from each involved agency and the affected Board(s) of Health to maximize cooperation, efficiency and the effectiveness of the investigation and response.

- 79. I recommend that the provincial government provide interim financial support to the deadstock collectors and receiving plants to see them through the present crisis and ensure collection of deadstock continues in the future.**
- 80. I recommend that the Ministry of Agriculture and Food discontinue the pilot project which permits producer transport of deadstock and any illegal deadstock transportation be treated as such until appropriate legislative amendments are made to regulate the transport of deadstock by producers to receiving plants and resources are in place to enforce the regulatory standards.**
- 81. I recommend that the provincial government enter into a foreign animal disease plan agreement with the Canadian Food Inspection Agency and develop its own comprehensive mass carcass disposal contingency plan in consultation with industry.**
- 82. I recommend that the Ministry of Agriculture and Food and the Ministry of Environment enter into an agreement regarding their respective roles and responsibilities in the disposal of meat production waste and the manner in which they will respond to situations involving overlapping authority.**
- 83. I recommend that the disposal of meat production waste, including deadstock, from the farm to processing, continue to be administered by the Ministry of Agriculture and Food. I recommend that the regulatory standards and permissible methods for the disposal of meat production waste be consistent irrespective of the source or location.**
- 84. I recommend that the provincial government amend the *Dead Animal Disposal Act* and *Meat Inspection Act* regulations to require deadstock and other meat production waste to be disposed of within 48 hours unless frozen and stored in accordance with standards to be set out in the regulations.**

- 85. I recommend that the provincial government, in collaboration with the industry, undertake an in-depth study and coordinate their planning and resourcing for long-term environmentally sound disposal capacity involving alternative recycling options.**
- 86. I recommend that the Ministry of Agriculture and Food enhance its Food Safety Decision Support System to permit information on deadstock disposal complaints and responses to be recorded, searched and analyzed.**
- 87. I recommend that the deadstock inspectors be given additional regulatory authority to issue orders requiring compliance with regulations.**
- 88. I recommend that the regulations governing the disposal of deadstock be extended to include all species.**
- 89. I recommend that the provincial government ensure that the disposal of meat production waste is appropriately regulated at all stages in the continuum.**
- 90. I recommend that the provincial government, in conjunction with the meat industry and other levels of government, encourage the use of safe handling labels on all meat products for sale to consumers in Ontario.**
- 91. I recommend that the Ministry of Agriculture and Food provide funding for the development of educational resources for delivery to the public relating to the food safety system, including the risks of purchasing uninspected meat.**
- 92. I recommend that the Ministry of Health and Long-Term Care develop, in collaboration with the Boards of Health and the Ministry of Agriculture and Food, uniform consumer food safety education programs for delivery throughout Ontario.**
- 93. I recommend that the provincial government evaluate the effectiveness of consumer food safety education materials and programs.**

94. **I recommend that the curriculum for elementary and high school students developed by the Ministry of Education include instructions on food safety risks and proper food safety behaviours.**
95. **I recommend that the *Food Safety and Quality Act, 2001* be amended to differentiate between the powers and duties of inspectors and investigators.**
96. **I recommend that a Food Safety Investigations and Enforcement Branch be created within the Food Safety Division of the Ministry of Agriculture and Food.**
97. **I recommend that the Director of the Food Safety Investigations and Enforcement Branch be appropriately qualified, trained and experienced in agricultural and food safety investigations and enforcement.**
98. **I recommend that the Food Safety Investigations and Enforcement Branch be given the authority, responsibility and resources necessary to enforce food safety legislation administered by the Ministry of Agriculture and Food.**
99. **I recommend that the Ministry of Agriculture and Food increase its commitment to the enforcement of its food safety legislation.**
100. **I recommend that the Ministry of Agriculture and Food develop and implement a comprehensive compliance, investigation and enforcement policy.**
101. **I recommend that the *Food Safety and Quality Act, 2001* be amended to give the necessary authority for administrative licensing and imposition of administrative penalties to the Chief Veterinarian of Ontario.**
102. **I recommend that the *Food Safety and Quality Act, 2001* be amended to require that all hearings in respect of licensing matters, orders of inspectors or administrative penalties be conducted by the Agriculture, Food and Rural Affairs Tribunal or other tribunal created for that purpose.**

- 103. I recommend that the *Food Safety and Quality Act, 2001* be amended to eliminate any automatic period for compliance before a licensing hearing, to simplify its enforcement provisions, increase monetary penalties, revise offence provisions to address issues of attempts, employer and management responsibility, create rebuttable presumptions, and to permit prosecution before a Justice of the Ontario Court of Justice.**
- 104. I recommend that the Food Safety Investigations and Enforcement Branch publicize the results of prosecutions and regulatory hearings, and deliver an annual public report of investigation and enforcement activities.**
- 105. I recommend that the Ministry of Agriculture and Food develop and implement introductory and continuing education courses for investigators pertaining to meat safety and its regulatory scheme.**
- 106. I recommend that the Ministry of Health and Long-Term Care, with assistance from Boards of Health, develop, implement and require adherence to a comprehensive province-wide investigation, compliance and enforcement policy extending to all food premises.**
- 107. I recommend that the provincial government ensure that the enforcement tools and offence and penalty provisions of the *Health Protection and Promotion Act* are consistent with those in the *Food Safety and Quality Act, 2001*.**
- 108. I recommend that the provincial government amend the *Health Protection and Promotion Act* and its *Food Premises* regulation to ensure that they apply to food businesses which are attached to or form part of a private residence.**
- 109. I recommend that the Ministry of Agriculture and Food, the Ministry of Natural Resources and the Ontario Society for the Prevention of Cruelty to Animals reconcile their roles and responsibilities with respect to the enforcement of food safety and animal welfare issues.**

- 110. I recommend that the provincial government develop an integrated province-wide information system to support food safety compliance, investigation and enforcement services.**
- 111. I recommend that the provincial government consider the establishment of an Ontario food inspection agency that would assume responsibility for all activities associated with ensuring food safety.**
- 112. I recommend that the provincial government ensure an independent audit is undertaken after one year to assess and report publicly on the progress of the implementation of the recommendations in this Report.**
- 113. I recommend that the provincial government consider enacting legislation to provide “whistle blower” protection for public servants akin to that provided for in the unproclaimed Part IV of the *Public Service Act*.**