



Economic Affairs Interim Committee
65th Montana Legislature

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February 7, 2018

Phyllis K. Fong, Inspector General
U.S. Department of Agriculture
Office of the Inspector General
1400 Independence Avenue, S.W.
Washington DC 20250

sent via email

Dear Inspector General Fong:

The Economic Affairs Interim Committee of the Montana Legislature has been hearing from Montana meat processors about concerns related to both state and federal inspections, inspections that are based on Food Safety and Inspection Service (FSIS) rules. The bipartisan Committee has voted to send a letter to you as a way of providing additional support for the state Congressional delegation's request for an external investigation to address allegations that date back to 2005 about meat inspections in Montana. Among other concerns is an indication that small processors may be treated differently than larger processors.

Although the Committee understands that personnel matters may not be aired to the public, the public has a right to know how FSIS regulations are being implemented by both federal and state inspectors and whether these inspections are being done uniformly. The Committee anticipates that a followup investigation as requested by the Congressional delegation would help to assure Montana citizens, and specifically Montana meat processors, that FSIS is meeting its goal of assuring safe, processed meat.

Further, if a wrongdoing is documented, the committee thinks an apology, at a minimum, is in order. At the Committee's Feb. 7, 2018, meeting, legislators heard testimony regarding FSIS. A representative from that agency told the committee, on the record, that if his division admitted that it engaged in acts that intimidated, coerced, or tormented a business under its supervision, he would apologize to that business. The Economic Affairs Interim Committee asks that the Office of Field Operations be directed by the Inspector General's Office, if the Inspector General documents wrongdoing, that the FSIS inspector and his supervisor involved in the Riley's Meat inspections in Butte, and anywhere else in Montana where wrongdoings occurred, issue an apology directly to the businesses for their actions. In Montana, we make mistakes, but when we do, we try to take responsibility for these mistakes. The Economic Affairs Interim Committee asks that the Inspector General respond accordingly and provide appropriate follow-through. The

committee bases its information on wrongdoing on a statement quoted in the Montana Standard of Sept. 17, 2017, by Judith Riggins, then FSIS's deputy assistant administrator for the Office of Field Operations, that FSIS had concluded that five of 11 allegations regarding "willful harassment... were substantiated..." with three allegations not substantiated and three inconclusive. In relation to another eight allegations regarding "willful or intentional acts to intimidate or otherwise coerce or torment," Ms. Riggins was quoted as saying that three allegations were not substantiated, one was substantiated, two were partly substantiated, and two were inconclusive.

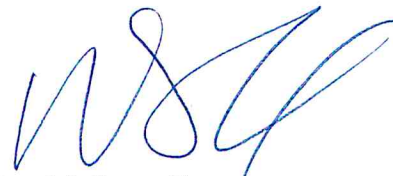
The committee's concern is that "no further action" was to be taken on the complaint. Thus, the Congressional Delegation has asked the Inspector General to investigate, and the Economic Affairs Interim Committee reiterates that request, along with a request for an apology, at a minimum, if allegations are substantiated.

Thank you for your attention to the Congressional delegation and to our request.

Sincerely,



Sen. Gordon Vance
EAIC Presiding Officer



Rep. Nate McConnell
EAIC Vice Presiding Officer

cc: Sen. Jon Tester
Sen. Steve Daines
Congressman Greg Gianforte
Bill Smith, FSIS Office of Field Operations

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