

in the processing line. First, we were surprised that it would survive. We never had it reported in this product before. So it's not quite as simple as I stated. It's a very complicated kind of problem to deal with.

I personally go out and periodically look at different kinds of food plants to try to stay familiar with the problems our inspectors are encountering and the problems involved in processing the myriad kinds of products that enter our marketplace. I am impressed in general by the attention that management today is devoting to keeping their facilities in good condition from the standpoint of general sanitation.

Second, the improvements they have made in their quality control program with respect to bacteriological analysis and sampling, very extensive sampling programs. All this is due to their fear that the product's actual existence may be jeopardized in the marketplace if they have to recall it to the consumer level. This did happen in one nonfat instant dried milk, as you recall. It cost them in excess of \$15 million, and the product was wiped out.

We are seeing greater attention being paid in the food processing field than ever before and this is to the benefit of the consumer as well.

I don't wish to leave the impression at all that management is not being responsive to the present situation. We are learning a lot more about it. We are dealing with far more sophisticated processes today in production than ever before. So we have these problems. They exist. I am satisfied that we are working on them. We would all like answers more quickly than we have them available today. We have published the "Good Manufacturing Practices Regulations" in proposed form, which would affect the food processing industry in general. We are receiving comments on these at the present time. It is hoped that these, as an additional step, will help improve the general situation and upgrade the protection to the consumer as well.

Mr. WYDLER. What is the penalty that is imposed on industry for putting out a product which is unfit for human consumption?

Dr. GODDARD. I will ask Mr. Goodrich to give you the specific penalty, but let me again make the point I alluded to earlier. The greatest penalty of all is the threat to their product.

Mr. WYDLER. I realize that.

Dr. GODDARD. The specific penalties, Mr. Goodrich—

Mr. GOODRICH. Up to \$1,000 fine per shipment, and if it is an individual, of course, up to a year in jail.

Mr. WYDLER. This is before you take any action?

Mr. GOODRICH. We have to bring a criminal case in the courts.

Mr. WYDLER. I understand that, Mr. Goodrich. You're saying if they violate the court's instructions—

Mr. GOODRICH. If they ship in interstate commerce an adulterated product, each shipment is a Federal offense, punishable by a thousand dollars and up to a year in jail. Second offenses are penalized higher.

Mr. WYDLER. Doctor, let me ask you this. This distinction made between the product with 2 percent meat and with more than 2 percent meat, is that a sensible distinction any longer for jurisdiction between Agriculture and the Food and Drug Administration?

Dr. GODDARD. Well, most arbitrary distinctions lose sense when you examine them carefully, and I think this suffers from that same