STATEMENT OF

DARLENE M. COWART, (Ph.D.)

PRESIDENT

JLA, USA

BEFORE THE

SUB-COMMITTEE ON OVERSIGHT AND INVESTIGATION

OF THE

UNITED STATES HOUSE OF REPRESENTATIVES

ENERGY AND COMMERCE COMMITTEE

FEBRUARY 11, 2009

STATEMENT FOR DARLENE COWART

Mr. Chairman my name is Darlene Cowart; you have my biographical information in the record. My education has been in biology and food science. I have worked in the agricultural commodity and food related quality control area since completing my education. I am currently President of JLA, USA. Our company is one of several under the umbrella of JLA Global which has facilities in the U.S. and overseas. JLA, USA has testing facilities in seven locations in the United States. While the majority of our work is related to the peanut industry we also provide services and testing to the almond industry and to some degree other food businesses. JLA, USA maintains microbiology laboratories in Albany, Georgia and Edenton, North Carolina.

We provide a broad range of testing services to the agricultural commodity and food business.

I understand the committee's concerns today relate to the recent salmonella outbreak and therefore involve our microbiology testing.

MICROBIOLOGY TESTING PROCEEDURES

Mr. Chairman when we test for salmonella we receive from the customer samples of the product to be tested together with a notification of the tests the customers wants us to perform. Specifically, we receive a "Request for Analysis," which details the battery of tests desired by the customer and includes the customer's description of the product to be tested. You have copies of these documents in the record.

I have also furnished the committee staff a detailed description of the method we use to test for Salmonella. I will simply summarize that method here.

First we pull a representative sample from the customer's containers to get a 375 gram composite sample. We put that composite sample with other substances

into a sterile bag and incubate the mixture. We move some of the mixture into test tubes for other procedures and we put the remaining mixture into what is called a VIDAS machine. The machine's computer automatically gives the result—either positive or negative for Salmonella.

If the result is negative then we issue a negative certificate of analysis (COA) which is sent to the customer.

If the result is positive, we call that a presumptive positive which must be confirmed because, at this point several organisms can look like Salmonella but are not. However, since the tests necessary to confirm the presumptive positive can take five (5) days, we notify the customer of the presumptive positive by email and telephone call.

The confirmation process is quite technical and is described in the paper we furnished the committee staff.

If, after the confirmation process, we find that Salmonella is ruled out we prepare a negative COA for immediate release to the customer. If we do confirm the presumptive positive to be Salmonella then we prepare and issue a positive COA and again notify the customer via telephone call and email.

Mr. Chairman all these procedures conform to appropriate FDA and accepted laboratory standards.

PEANUT CORPORATION OF AMERICA SAMPLES

From January 1, 2007 through September of 2008 we tested approximately 1,000 samples of product for PCA. Of these in 2007 six (6) samples were confirmed positive for salmonella and all the rest were negative. In 2008 we issued a total of four (4) confirmed salmonella positive COA's.

I wish to emphasize, Mr. Chairman, that we at JLA do not take the samples from the product nor do we have knowledge of the sampling procedure used by PCA for the samples we receive

With respect to PCA samples, on each occasion that JLA received samples, the product samples would have been sent by mail to a JLA laboratory together with a Request for Analysis. The information provided on the Request for Analysis is the only information about the sample that JLA receives.

Following a confirmed salmonella positive issued to PCA in late August 2008, PCA discontinued sending product samples to JLA with one exception. JLA did receive and test a few samples sent under the name "PP Sales". It is my understanding that this name is an internal designation within PCA and refers to a different product line. JLA did test and obtain a confirmed salmonella positive on

a PP Sales sample sent to JLA in late September 2008. A positive COA was issued to PCA in early October 2008.

In every instance when we found presumptive positives or confirmed positives we reported the results to PCA by email and telephone as I described earlier.

SALMONELLA GENERALLY

Salmonella can occur in raw agricultural commodities. The accepted procedure for killing salmonella in raw agricultural products is to heat the product to the necessary temperature for the appropriate period of time. That procedure is commonly referred to as a "kill step".

It is possible for Salmonella to be reintroduced into a product after the kill step. This can occur if the product comes into contact with contaminated raw ingredients, equipment or personnel. Therefore, it is extremely important that all

food manufacturing facilities maintain appropriate procedures and processes to assure that recontamination does not occur.

Salmonella in processed food is preventable. The application of an appropriate kill step combined with manufacturing processes that eliminate the possibility of recontamination should result in a salmonella free product. Microbiological testing for salmonella, and other pathogens, is an important evaluative tool that manufacturers can, and should, employ to ensure that their manufacturing processes are safe.

Mr. Chairman we are cooperating fully with the committee and your staff. JLA pledges to continue working with the committee to make certain the food supply is safe for all consumers.

Thank you Mr. Chairman.

Darlene M. Cowart

Darlene M. Cowart, Ph.D., is President of JLA USA headquartered in Albany, Georgia. She has been employed by JLA USA for 9 years. Prior to joining JLA USA, Darlene was Food Safety Coordinator and Quality Assurance Manager for Cargill Peanut Products. Her primary responsibility was the implementation and management of the food safety and quality systems for a peanut butter plant, a peanut crushing plant, and three peanut shelling facilities. Darlene was employed by Cargill for five years. Darlene received a Bachelor's degree in Biology from Presbyterian College (1989), a Master's Degree in Horticulture from the University of Georgia (1991), and a Ph.D. in Food Science from the University of Georgia (1993).