

EXECUTIVE SUMMARY

内容概要

This Executive Summary comprises a selection of only some of the points discussed in Sections I and II of the Inquiry's report (and the Appendices). As explained in Section I, the Inquiry considered a wide range of sometimes complex matters; and any summary involves simplifications – this Executive Summary being no exception.

本概要仅选择了调查报告（及附录）中第一部分和第二部分阐述的部分观点。诚如第一部分所阐述，本调查涉及一系列广泛而复杂的问题；因此任何概要都可能流于过于简单化 – 本内容概要亦是如此。

Further, as explained in the Preface, any major inquiry will tend to accentuate a few negative considerations. This tendency requires a balancing reminder about the many positive considerations – here including the impressive quality of Fonterra's people and plants, and its pre-existing commitments to food safety and quality and continuous improvement across the organisation.

此外，在序言中提到，任何重大调查都会倾向于着眼负面与不足，因此需要提醒读者避免偏颇，应该看到更多的积极面，包括恒天然员工与工厂的卓越素质，集团上下一以贯之的对食品安全和质量的高度承诺，以及对改进工作的持续关注。

The WPC80 precautionary recall

浓缩乳清蛋白预防性召回

X1. Very early on Saturday, 3 August 2013, Fonterra issued media statements headed "Fonterra advises of quality issue". These stated that Fonterra had advised eight of its wholesale customers of potential contamination in its manufacturing of a relatively small quantity of whey protein concentrate (WPC80), an ingredient used in various food products, including some designed for babies and infants. This advice related to the potential existence in the affected WPC80, and downstream food products, of a micro-organism, *Clostridium botulinum* (*C. botulinum*), associated with the toxic but rare condition known as botulism.

X1. 2013年8月3日星期六清晨，恒天然发布题为“恒天然关于质量问题的通知”的媒体声明。该声明指出，恒天然集团提醒8家企业客户，恒天然在生产极其少量的浓缩乳清蛋白（WPC80）的过程中有潜在可能存在污染，该产品是生产许多食品、包括婴幼儿产品的原料。这一通知所涉及的乃是相关浓缩乳清蛋白及其下游食品产品中有潜在可能存在一种微生物，即肉毒杆菌，它与某种有毒性但非常罕见的病症—肉毒中毒有关。

X2. The potential connection of *C. botulinum* toxins with the WPC80 and downstream products, especially infant formula, caused immediate grave concerns for consumers, Fonterra's ingredient customers and health safety agencies in New Zealand and overseas.

X2. 涉事浓缩乳清蛋白及其下游产品（尤其是婴幼儿配方奶粉）有潜在可能含肉毒杆菌毒素，这一消息立即引发各方重大关切，包括消费者、恒天然的原料客户以及新西兰和海外健康安全机构等。

Several countries imposed more or less focussed product bans on imports and sales, and precautionary recalls were undertaken by manufacturers.

若干国家有指向性地对特定产品进口和销售设置禁令，生产商也开始进行预防性召回。

X3. These concerns and consequences were relayed and compounded by intense coverage, in New Zealand and globally, in the traditional news media and in social media. This media coverage remained intense throughout much of August. However, it tapered off markedly following advice on 28 August 2013 by the New Zealand Government that further commissioned testing of the suspect Clostridium samples had established that they were not *C. botulinum* and they were not toxigenic. In other words, the earlier testing (pre-August, which had led to the precautionary advice by Fonterra and New Zealand Government) had involved “false positives”.

X3. 新西兰和全球的传统与社交媒体的持续大幅报道加剧并扩散了人们的关注及其后果。整个八月，媒体的报道持续不断，火力强劲。但是，2013年8月28日，新西兰政府发表声明，证实对含可疑的梭菌微生物样品进行的后续检测表明这些产品不含肉毒杆菌，也不会产生毒素。此后，媒体报道显著减少。换言之，之前的检测（即8月份之前所开展的检测，该检测结果导致恒天然和新西兰政府发出预防性召回建议）其实是“假阳性”。

With hindsight, the consumers of products containing the relevant batches of WPC80 were never in fact in danger from *C. botulinum*.

从回顾的眼光来看，事实上，食用了含相关批次浓缩乳清蛋白食品的消费者从来不曾面临任何肉毒杆菌风险。

The Inquiry 调查

X4. The Fonterra board promptly established an independent inquiry (Inquiry) into the WPC80 events. The Inquiry’s terms of reference included verification of the relevant sequence of events (narrative) and identification of the stages within that narrative where choices were made within Fonterra which contributed to the occurrence and scale of the events and the effectiveness of the responses (decision points). More importantly, the Inquiry was required to report on lessons to be drawn from the narrative and decision points, including in respect of governance, management, culture, accountabilities, procedures and training, and from a range of perspectives (e.g. food quality and safety, crisis management, communications and government relations).

X4.恒天然董事会立即发起了浓缩乳清蛋白事件独立调查（以下简称“调查”）。调查的内容包括核实相关事件发生顺序（以下简称“事件经过”）和确定在事件经过的哪些阶段恒天然公司做出决策，从而造成该事件发生、扩大，并影响对事件处理的有效性（以下简称“决策点”）。更为重要的是，本调查需要从事件经过和决策点两方面总结教训，包括治理、管理、文化、职责、流程和培训等多层面以及食品质量和安全、危机管理、传播和政府关系等多角度。

X5.To ensure its independence, the Inquiry was given its own mandate to review the entire narrative of the WPC80 events and responses, including the acts or omissions of the Board, management and of other Fonterra personnel. The personnel involved in the Inquiry team, and a majority of the oversight Committee are neither employees nor elected directors of Fonterra. And the Inquiry proceeded without direction, monitoring or constraint by Fonterra’s senior management.

X5.为保证独立性，本调查得到充分授权，得以审查浓缩乳清蛋白事件及其处理的全部事件经过，包括恒天然董事会、管理层乃至其他相关员工的行为或疏漏。本调查团队的成员，以及监督委员会的大部分成员，均非恒天然雇员，亦非恒天然选举董事。本调查全过程均未受到恒天然高级管理层的指导、监督或约束。

Inquiry focus on organisation, not individuals

本调查仅针对组织机构，而非个人

X6. As with most critical incidents, neither a single event, nor the actions of a single person can be held entirely responsible for the WPC80 precautionary recall. Crises are usually the product of a chain of actions, decisions and coincidences, whose compounding effect triggers a significant threat to safety or security. Consistently with the preceding discussion, the Inquiry has made a conscious decision not to name individuals in this report. The Inquiry has necessarily focussed on issues broader than the performance of particular individuals.

X6.如同大多数重大事件，任何独立因素或任何个人行为都不能为本次浓缩乳清蛋白预防性召回事件负全责。危机事件通常是由一系列的行为、决策和偶然因素共同交织的产物，它们的复合效应触发重大安全和安保威胁。如前所述，本调查有意回避提及个人姓名。本调查主要集中在更广范围内的行为，而不是个体的具体表现。

Individuals within Fonterra operated in the context of the organisation’s contemporary processes and guidelines – or lack of such. Further, naming individuals who may have made errors of judgement could only (and gratuitously) create other difficulties for those who have already faced considerable stress in the context of the WPC80 narrative.

恒天然员工的行为发生于当时的机构流程和准则框架之下，有些情况下甚至不存在相关框架。这是不去点名的另一原因。此外，点出个人姓名只能（且毫无必要地）给那些可能在浓缩乳清蛋白事件中作出错误判断且已经在事件经过中面临巨大压力的人员造成其他方面的困扰。

X7.The Inquiry has not recommended that “heads should roll” at Fonterra over the WPC80 events and responses for several reasons. First, “heads should roll” is essentially a colloquial reference to termination of employment, and employment law issues are properly a management responsibility and involve questions of confidence, privacy and fair procedures beyond the scope of this Inquiry. (As it happens, the Inquiry has not identified any action where the relevant Fonterra personnel were not seeking to act in what they assumed were Fonterra’s best interests.) Second, the Inquiry has seen no basis to suggest to the Board any review of the employment of the Chief Executive. Third, because the errors of judgement which might be attributed to individual employees are essentially the result of gaps in Fonterra’s procedures and training. Fourth, because the most valuable and long term consequence of errors of judgement by employees is to be able to identify and fix gaps in Fonterra’s procedures, training, structures and incentives.

x7.本调查不建议恒天然在浓缩乳清蛋白事件及其应对上采取“拉人下台”的做法，原因如下：首先，“拉人下台”本质上是指终止雇佣关系，而雇佣关系的解除涉及就业法，涵盖信任、隐私和程序公平等诸多问题，它应当是管理层的职责范围，而非本调查所能涵盖的。（通过本次调查，调查团队发现，所有相关员工都是按照他们心目中最符合公司利益的方式行事，无一例外。）其次，本调查认为，没有理由建议董事会审核首席执行官聘用合同。第三，个别员工的误判从本质上说其实源于恒天然在流程和培训方面的缺失。第四，在员工误判之后，最有价值的且最具长期效果的做法应当是，认识并弥补恒天然在流程、培训、架构和激励机制方面的缺失。

Primary findings: “things that went wrong”

初步发现：“哪些地方出错了”

X8.While bearing in mind the reminders above about simplification of complexity, and Fonterra’s qualities and achievements, the Inquiry has necessarily addressed two central questions, most simply stated as:

x8. 前文提及概要有可能过分简化事件的复杂性，并重申恒天然的品质和成就。在此基础上，本调查重点考察两大核心问题，即：

. What went wrong (the contamination concern events, and Fonterra’s responses)?

. 哪些地方出错了（污染事件以及恒天然的处理方式）？

. What needs to be done to avoid a repetition?

. 怎样改进以避免重蹈覆辙？

X9. This report addresses those questions in some detail by reference to the “narrative” of events and the “decision points” (i.e. where choices were made within Fonterra which contributed to the occurrence and scale of the events, and the effectiveness of the responses).

x9.本报告通过“事件经过”和“决策点”（即，恒天然在事件经过的哪些阶段做出决策，从而造成该事件发生、扩大，并影响对事件处理的有效性）详细阐述了上述两大问题。

X10.The Inquiry found that the primary “things that went wrong” were as follows:

X10.本调查发现主要“错误”如下：

(1)Fonterra did not include any SRC tests in relation to any of its production of WPC, notwithstanding its acceptance of SRC tests under at least one contract with a major customer to manufacture products utilising WPC80.

(1)恒天然没有在浓缩乳清蛋白产品的生产中做任何梭菌属微生物检测，尽管按照与至少一位重要客户的合同，恒天然接受对使用浓缩乳清蛋白制作下游产品提供梭菌属微生物检测。

(2)Some errors of judgment were made in preparation for the reworking process applied to the relevant WPC80 batches at Hautapu.

(2)在豪塔普对相关浓缩乳清产品进行再加工的准备工作时出现一些判断错误。

(3)The standard pre-start up automatic cleaning regimes used by Fonterra plants required improvement.

(3)恒天然加工厂标准的预设制自动清洗程序需要改进。

(4)There was insufficient senior oversight of the crucial decision to engage AgResearch to test for C. botulinum.

(4)对委托农业研究院检测肉毒杆菌的关键决策缺少足够的高层监管。

(5)The commissioning, design and limits of the C. botulinum testing were inadequate.

(5)对肉毒杆菌检测的委托、设计和限定不充分。

(6)Fonterra was unable to promptly and definitively track the destinations of the affected WPC80 batches.

(6)恒天然不能快速准确地追溯涉事浓缩乳清蛋白产品的流向。

(7)There was only belated recognition (and delayed escalation to senior management and the Board) of the explosive reputational risk involved – a failure to “join the dots” between

(7) 未能及早察觉（且延误上报到高级管理层和董事会）对企业声誉会产生爆炸性影响的风险-未能看清以下四件事情的联系：

(a) C.botulinum, (b) infant food products, (c) consumer sensitivities, and (d) Fonterra’s global reputation.

(a) 肉毒杆菌，(b)婴幼儿产品，(c) 消费者的敏感度，以及(d) 恒天然的全球声誉。

(8)Fonterra’s crisis management planning, including the external communications aspects, was inadequate for a crisis of this kind and scale.

(8)恒天然的危机管理方案（包括对外传播）对此类型、此规模的危机显得捉襟见肘。

(9)Fonterra management of the crisis in the critical early period, including the external communications aspects, was not well executed.

(9)在危机初发的关键时期，恒天然危机管理（包括对外传播）执行不力。

(10)There was some lack of alignment and confidence between Fonterra and the New Zealand Government in the critical fortnight after the contamination concerns were advised to the Government and made public.

(10)在对潜在污染的担心上报新西兰政府并公之于众之后两星期的关键时期内，恒天然与新西兰政府在某种程度上缺乏协同和互信。

Operational recommendations

运营建议

X11.Inevitably, a list of things to be done to avoid events and responses of a comparable nature will track those matters identified as having “gone wrong” in the context of the WPC80 events and responses.

X11.为避免类似事件重演，有必要采取一系列相应措施跟进浓缩乳清蛋白事件及其处理中的“出错”环节。

These can be considered at both a practical level and a governance/culture level. Again, the risk of oversimplification should be kept in mind, as should the acknowledgements and reminders mentioned earlier.

这些改进措施包括实操层面和企业治理/文化层面。再一次地，本调查希望提醒读者注意不要过度简单化。

X12.The principal operational recommendations by the Inquiry include:

X12.本调查针对运营的主要建议包括：

First, that Fonterra’s food quality and safety specifications and testing be reviewed to ensure they are of “best in class” standard: consistent with the most rigorous requirements of customers, and with international best practice.

首先，需要审查恒天然的食品质量和食品安全规格要求及其检测制度，确保它们是业界“最高标准”：符合客户最严苛的要求，符合全球最佳实践。

Second, that risk management and crisis management processes be strengthened, including by establishment of a specially trained and multi-disciplinary (but not full-time) Incident Management Team and regular relevant training, global best practice product tracing systems, and a new Risk Committee of the Board.

第二，需要加强风险管理和危机处理流程，包括组建经过专门培训的跨部门事件管理团队（兼职），开展定期培训，建设世界领先的产品追溯系统，并在董事会设立新的风险管理委员会。

Third, that reputational risk assessment form part of the criteria for escalation and assessment of non-standard external scientific tests.

第三，需要对非标准外部科学检测组织评估并视情上报，其中，声誉风险评估应成为评估和上报的重要标准之一。

Fourth, that plant cleaning programmes be amended.

第四，需要改进加工厂清洗程序。

Fifth, that there be continued building of a directly-employed strong, specialist and experienced communications team, including in key global markets, supplemented with contracted high calibre local expertise where appropriate.

第五，需要在集团和关键海外市场继续组建一支直接由恒天然员工组成的、经验丰富而强大的专业传播团队，同时酌情聘请高水平的本土专业公司作为补充。

Sixth, that there be enhanced and sustained efforts to address a “Fortress Fonterra” perception held by a material proportion of key stakeholders, by Fonterra redefining the style and substance of its engagement with them.

第六，需要继续加强努力，通过树新风、勤接触，打破在相当一部分关键利益相关群体中的“恒天然堡垒”印象。

Seventh, that the Inquiry be reconvened after nine months and again after 18 months to review Fonterra’s progress on those recommendations.

第七，需要在 9 个月和 18 个月后再次进行调查，评估恒天然对以上建议的执行进展状况。

(A list of all Inquiry recommendations is set out in the separate “Recommendations” section, and – with context – in Section I of the report. A number of these operational recommendations relate to work already in progress within Fonterra, including as a result of its August 2013 Operational Review: see Appendix J.)

（本报告的“建议”部分含调查团队提出的所有建议列表，本报告第一部分也在指明“出错”情境的同时列出相关建议。相当一部分运营建议涉及目前正在恒天然内部执行的行动，这是因为 2013 年 8 月恒天然运营调查也提出了部分类似改进方案，见附录 J。）

Recommendations relating to the Board

对董事会的建议

X13.The principal Inquiry recommendations relating to the Fonterra Board include:

X13.对恒天然董事会的建议主要包括：

First, the Board should endorse explicitly as a core principle that Fonterra, as

“one company”, always strives to perform at the best practice level for leading global food product organisations.

第一，董事会应明确支持恒天然遵循“同一公司”的核心原则，始终执行最高标准，继续保持自身全球领先的食品企业形象。

Second, the Board should similarly explicitly endorse the paramount importance of food quality and safety to Fonterra's global and local reputation.

第二，董事会应同样明确支持恒天然将食品质量和安全视为影响其本地和全球声誉的重中之重。

Third, the "risk" component of the Board's Audit, Finance and Risk Committee should be transferred to, and developed by, a separate Risk Committee.

第三，董事会审计、财务和风险管理委员会的“风险管理”职能应移交至一个独立的风险管理委员会，由后者负责管理并继续丰富完善。

Fourth, the Board should accept greater responsibility for developing and maintaining relationships at the most senior levels of Fonterra's external stakeholders, including in government and media within and outside New Zealand.

第四，董事会应承担更大的责任，在最高层面与恒天然的外部利益相关者发展并维持密切关系，包括新西兰境内外的政府和媒体。

Fifth, the Board should actively review ongoing progress towards shedding the adverse "Fortress Fonterra" perception held by a material proportion of external stakeholders.

第五，董事会应积极审查旨在消除相当一部分外部利益相关者持有的“恒天然堡垒”的不良印象的工作进展。

Specific matters

具体事项

- Fonterra's plant operating standards

—恒天然工厂运营标准

X14. Insofar as the WPC80 events commenced with contamination during processing at one of Fonterra's operating plants, it is appropriate to record the relevant conclusion of the Inquiry team's international dairy industry expert. After his inspection of 8 Fonterra operating plants, in the North and South Islands and in Victoria, he concluded that Fonterra is operating in a way expected of a good producer of nutritional products.

X14. 鉴于本次浓缩乳清蛋白事件缘起于恒天然某加工厂生产加工过程中的污染，在此有必要引用本调查团队一名国际乳业专家的相关结论。在他完成对恒天然位于北岛、南岛和维多利亚省的8家加工厂进行检查后，该专家得出结论：恒天然是一家符合预期的良好的营养品制造商。

That is a very high standard, even if there is always some room for further improvement.

这种预期的标准是相当严格的，当然任何企业都仍有进一步改善的空间。

- Absence of “routine” tests for C.botulinum?

—没有对肉毒杆菌进行“常规”检测？

X15. There is no available “routine” test to identify C. botulinum in dairy processing. There can be (and is already) expanded routine testing for SRC levels, but identifying C. botulinum is very difficult – the most definitive tests still involve injection of test mice for mouse bio-assays. An August 2013 report by the International Union of Microbiological Societies (IUMS) explains that detection of C. botulinum is difficult, partly because of the numerous different strains which require multiple different methods to detect. Furthermore, confirmation of toxin production requires mouse bioassays which not only raise ethical issues, but also are not suited to routine food microbiology laboratories as special security and biosecurity precautions are required. There are only a limited number of specialised laboratories in the world that are able to do this work. And even then, mouse bioassays have drawbacks, including mice deaths related to causes other than C. botulinum.

X15.在乳制品加工过程中，尚没有能够确定肉毒杆菌的“常规”检测。针对更大范围的梭菌属微生物水平的常规检测是可以进行的（现在也已经得到执行），但确定肉毒杆菌是非常困难的——最可靠的检测仍然需要通过对实验鼠实施注射来完成生物检测。国际微生物学会联盟（IUMS）于2013年8月发表的报告指出，肉毒杆菌难以检测的部分原因在于，大量不同种类的菌株需要采取多种不同的方法来检测和排除。此外，对是否产生毒性的确认需要进行小鼠生物实验，这不仅会引发伦理问题，而且也不适合在常规的食品微生物实验室开展，因为这种实验要求特殊的安全和生物安全措施保障。全世界只有少量的专业实验室能够开展此类实验。即使能够开展，小鼠生物实验仍有缺陷，由肉毒杆菌以外的原因引起小鼠死亡的情况亦有发生。

- Failure to escalate

-延误上报

X16. The Inquiry received substantial comments about organisational culture and escalation, in the context of decision-making. In particular, those comments reflected the well justified frustration that knowledge of the WPC80 issues arrived far too late at senior management and board levels. Insofar as the cultural objective here is the asking of pertinent questions about food safety or non-standard testing issues, including asking more senior personnel, the Inquiry agrees that this is essential, and that all Fonterra personnel should be encouraged (from induction) to consider their work in its wider context – to be able to “join the dots”.

X16. 调查团队收到了大量关于在决策过程中有关企业文化和情况上报的意见。特别值得注意的是，这些意见反映了一种合理的失望情绪，即浓缩乳清蛋白事件反馈到高级管理层和董事会的时间实在太晚。就企业文化目标而言，调查认为，提出关于食品安全和非标准检测的相关问

题，尤其是向更多的高管人员提出这一问题至关重要。恒天然应鼓励所有员工（从入职开始）从更加广泛的层面去看待他们的工作，要做到“统筹兼顾，连点成线”。

X17. On the other hand, a simple emphasis on escalation may be a recipe for the avoidance of decisions and the responsibility of managers to make decisions. It is not practicable to be prescriptive about any particular balance between these factors, and others (including efficiencies). The objective will always be considered and intelligent decision-making, and discussion (including escalation) where there is doubt.

X17. 另一方面，过于强调上报可能会导致经理人在需要做决策时逃避决策和担责。需要在这些考量之间做出平衡，但一一详究、开出具体的规定显然并不现实，而且也有其他的弊端（包括效率问题）。在具体事情面前，需要始终考虑目标为何，并在存有疑虑的环节进行理性决策并开展讨论（包括上报）。

- Attention to stakeholders, relationships

—重视与利益相关者的关系

X18. The sheer size of Fonterra's economic footprint is enough to attract exceptional scrutiny. But this is compounded by its statutory foundations (the 2001 merger which created Fonterra required enabling legislation), and its being so large in the New Zealand economic context that it has come to be perceived as the national economic flag bearer. Those factors attract heightened political and news media scrutiny, and a sense of the public as a stakeholder, not applicable to other private New Zealand businesses.

X18. 恒天然的巨大经济规模足以引起人们特殊的关注与审视。此外，恒天然是在依法成立的产物（2001年恒天然通过合并产生，而合并的批准是通过立法实现的），这一点令其更加引人注目。最后，恒天然在新西兰经济版图中占比如此之大，以至于它已被视为新西兰国家经济的旗手。这些因素强化了政治层面和新闻媒体的监督，以及公众作为利益相关者的自我认知，这都是其他新西兰私有企业所无需面对的。

X19. A perception of Fonterra that was conveyed to the Inquiry, mostly by those outside the organisation, was of self-centredness – that Fonterra is focussed on its own immediate interests and insufficiently concerned with the interests of, or relationships with, others. For any business, a perceived neglect of some stakeholders is problematic. For Fonterra, with its involuntary “national champion” status, such perceived neglect requires serious remedial attention.

X19. 一些外部受访者向调查团队传递了外界对恒天然的某些印象，即以自我为中心——过分关注自己的眼前利益，而对他人的利益以及维系与他人的关系关注不够。任何一个让某些利益相关者产生被忽视感的企业都是有问题的。对于恒天然而言，顶着外界冠与的“国家第一大企业”头衔，这种忽视利益相关者的印象亟需关注和补救。

X20. The larger the organisation, the harder it needs to work to ensure its stakeholder relationships are trusting and sustained, that it acts with transparency and credibility and it does not suffer from

lack of responsiveness and accusations of being a “fortress”. Based on the views put to the Inquiry by a large number of different stakeholders, Fonterra is not immune from this imperative.

X20. 一家组织规模越大，就越需要努力维护与利益相关者的关系，确保互信和关系的成长，也需要确保其一举一动的透明度和公信力，使其免于遭受“漠然”的指责或“如堡垒般难以接触”的批评。调查组在对大量不同利益相关者的问询中发现，恒天然确有改进的必要。

X21. These views evidently persist in some areas notwithstanding Fonterra’s serious efforts to build up the relationships with its stakeholders. Thus, for example, Fonterra’s recent and current roll-out of the “Milk in Schools” programme is (at some NZ\$20m per year) the largest community and social responsibility (CSR) programme in New Zealand’s history. Nevertheless, the Inquiry considers that one of the most important steps Fonterra should now take is to use this opportunity to review and enhance both the substance and the style of its engagement with the people, organisations and communities that are important to it, to re-establish trust (where necessary) and to ensure lasting, mutually-beneficial relationships.

X21. 尽管恒天然努力加强与利益相关者的关系，但是，上文提及的一些印象或指责确实在某些领域存在。因此，恒天然最近扩大了在新西兰的“学生奶”项目（每年投入约为 2000 万新西兰元），这是新西兰历史上规模最大的企业社会责任和社区回报项目。尽管如此，调查认为，恒天然目前的重点应该是，通过这次事件提供的机会，重新审视和加强与公众、社会组织和社会组织开展活动的内容与风格，（在必要的领域）重建信任，以确保维持持久的互利关系。

- Crisis management planning, performance

—危机管理规划与表现

X22. The need for preparations for crises, including credible and relatively frequent simulations, is well understood in international business. Close to home, Air New Zealand was cited to the Inquiry on several occasions as exemplary in this regard. And it is an important aspect of a food products business. As noted earlier, while the WPC80 events were complicated because the immediately affected product was an ingredient, and the Inquiry has all the benefits of hindsight, the Inquiry is satisfied that better crisis management processes and planning within Fonterra, including rehearsals and a designated crisis (or incident) management team, would have made a substantial difference.

X22. 对危机做好充分的应对准备，包括经常开展有效的实战模拟是大有必要的，这已是国际商界的共识。在新西兰国内就不乏能够有效做好危机防范和准备的良好典范，如若干受访者向调查团队提出的新西兰航空。对于食品企业来说，这一点尤为重要。如前所述，因为直接涉险的浓缩乳清蛋白产品仅是原料，这就大大增加了相关事件的复杂程度。通过对事件的回顾，调查团队认为，如果恒天然内部拥有更好的危机管理流程和规划（包括开展危机预演与建设危机/事件管理团队），事态的发展将大为不同。

X23. In the first few days after the WPC80 issue became public, Fonterra did not seem to make it clear the recall was precautionary, it did not say sorry, and it was inconsistent in its tone – sometimes quite alarming, at other times seeking to minimise. The persistent adjustments to the

estimates of affected product were corrosive of Fonterra's credibility with Ministers and officials. There is a significant body of research and "best practice" knowledge on how to promote strong relationships and communicate during usual times, and in times of risk and crisis, so as to maximise trust and credibility. Fonterra's communications style and substance did not consistently demonstrate the characteristics of that knowledge.

X23. 浓缩乳清蛋白事件公布后的最初几天，恒天然似乎并没有明确指出召回仅仅是预防性的；它也未向大家道歉；而且传播的语气语调前后并不一致——时而令人担忧，时而轻描淡写。对涉险产品数量预估的不断调整也影响了恒天然在政府官员（包括部长们）心中的可信度。世上不乏关于如何在日常运作和危机时刻同利益相关方加强沟通、巩固关系的研究成果和“最佳实践”；然而，恒天然的沟通风格和内容都没能体现这种成果和知识的水平。

- Regulatory framework

监管制度

X24. The nature of the regulatory framework is a matter for the New Zealand Government. As this Inquiry could not require information and attendance by government agencies, that topic is appropriately considered in detail by the current Ministerial Inquiry (which has relevant statutory powers). However, on its analysis, and its comparison with overseas regime, this Inquiry considers the New Zealand regulatory architecture to be sound. Further, this Inquiry did not see the various cumulative factors contributing to the WPC80 narrative as having been compounded by any deficiencies in the regulatory framework. The Inquiry did see scope for significant and sustained investment in deepening relationships and confidence between Fonterra and both regulatory organisations and the New Zealand Government generally.

X24. 监管体系是新西兰政府的职能。由于本调查不可能要求政府机构提供信息或者参与调查，关于监管的议题确实应当由目前正在进行的（拥有相关法定职权的）部长级调查进行深入讨论。然而，经过分析以及同海外监管制度的比较，调查团队认为，新西兰的监管制度是健全合理的。此外，本调查认为，造成浓缩乳清蛋白事件的多重因素并未由于任何监管制度的缺失而进一步激化。本调查建议恒天然进一步加强和深化与新西兰监管机构以及其他相关政府部门的关系。

- No assessment of government agencies

- 未对政府机构开展评估

X25. The Inquiry has not assessed the performance of various government agencies and personnel during the WPC80 events for several reasons: First, basic principles of natural justice count against any assessment where the party to be assessed cannot engage fully with the assessors. That is the position with government agencies and personnel who generally have no direct obligations to Fonterra, but do have their own accountability and obligations under statute, or to Ministers.

Second, there is a need for both Fonterra and government agencies to invest more (and more consistently) in improved relationships. This objective could only be damaged by this Inquiry seeking to judge those government agencies on incomplete information, and then reporting such judgements to the Board and more widely. Third, this is a topic eminently suitable for the Ministerial Inquiry.

X25.本调查未对各个政府机构及其工作人员在浓缩乳清蛋白事件中的表现进行评估。原因如下：

首先，未经被评估者完全参与的评估行为违反了自然公正原则。政府机构和工作人员的职能决定了其对恒天然没有直接责任，但其对上级部长或根据法律负有自身的责任和义务。其次，恒天然和政府机构双方均需多做努力，（持续地）改善关系。本调查如果依据并不完整的信息对政府机构评头论足，甚至将这种判断上报至董事会或更广范围，势必不利于前述目标的实现。第三，该议题更适合在部长级调查中进行深入讨论。

Will anything really change?

—变革真的会发生吗？

X26.Yes. The Inquiry is confident that both the Board and the senior management of Fonterra have a strong and genuine belief that Fonterra must change (by making major operational improvements and re-evaluating its stakeholder relationships) in the light of lessons from the WPC80 narrative.

X26.是的。本调查认为，恒天然董事会和高级管理层坚信，在浓缩乳清蛋白事件经过的教训面前，恒天然必须做出改变（主要包括运营业务方面的改进和对利益相关者关系的重新评估）。

