

The Honorable Nancy Pelosi
Speaker
U.S. House of Representatives
The Capitol
Washington, DC 20515

The Honorable Mitch McConnell
Majority Leader
U.S. Senate
The Capitol
Washington, DC 20510

The Honorable Kevin McCarthy
Minority Leader
U.S. House of Representatives
The Capitol
Washington, DC 20515

The Honorable Charles Schumer
Minority Leader
U.S. Senate
The Capitol
Washington, DC 20510

May 4, 2020

Re: Please Direct the USDA to Halt Higher-Speed Slaughter to Protect Workers & Animals

Dear Speaker Pelosi, Majority Leader McConnell, Minority Leader McCarthy and Minority Leader Schumer:

On behalf of the undersigned organizations and our millions of members and supporters, including slaughterhouse and processing workers and U.S. Department of Agriculture Food Safety and Inspection Service (USDA FSIS) inspectors, we write to urge you to direct USDA to immediately implement a moratorium on the higher-speed slaughter and processing of poultry, swine, and cattle. Considering President Trump's April 28 Executive Order purportedly requiring slaughter and processing plants to remain open during the pandemic, we are seeking immediate action to slow down line speeds to protect workers, animals, and food safety. USDA's FSIS has issued no fewer than 17 new approvals for plants to increase the speed of their production lines during the COVID-19 crisis. We urge you to include language in the fourth coronavirus relief package directing FSIS to retract approvals for all plants currently operating at higher line speeds, cease issuing new approvals, and take additional steps to ensure social distancing. According to the Centers for Disease Control and Prevention (CDC), nearly 5,000 meat and poultry workers had been infected with COVID-19 from work, and over 20 had died as of April 27th.¹ The suspension of these dangerous systems will help protect workers from further injury, as well as protect animal welfare and food safety.

Essential workers on the front lines of our food system deserve to be protected from exposure to coronavirus as much as possible. Food processing workers and FSIS inspectors are currently under extreme stress, due to the fear of exposure to COVID-19 and pressure to continue to perform their jobs well. Many are also coping with the loss of friends, colleagues, and family. Thousands of workers and over 100 FSIS inspectors have become infected with COVID-19. At least two

¹ https://www.cdc.gov/mmwr/volumes/69/wr/mm6918e3.htm?s_cid=mm6918e3_e&deliveryName=USCDC_921-DM27224

inspectors and more than 20 workers have died from the disease.² The only way to ensure worker safety in plants during this period of elevated risk of exposure is to implement social distancing measures with at least six feet between employees on processing lines, in break rooms, and in locker rooms; provide protective equipment; and step up sanitation measures. In order to achieve this, food processing plants must slow down their production lines.

Between March 26th and April 20th, 2020, FSIS approved 17 requests from plants to exceed regulatory slaughter speed maximums, all during the pandemic. The higher-speed slaughter systems adopted for chickens allow operators to increase line speeds from 140 birds killed per minute to 175 per minute if they receive a waiver from the agency. During the pandemic, FSIS has significantly increased the rate at which it is issuing such waivers, granting 16 waivers in less than a month.³ In addition, FSIS recently granted a waiver to a cattle plant, allowing the company to shift inspection duties from FSIS inspectors to untrained plant employees and increase slaughter line speeds. And, despite the pandemic, the agency continues to roll out its new inspection system for pig slaughter, which—among other things—entirely removes line speed caps, resulting in a rough average of 1,300 pigs killed per hour. Under a similar inspection system created in 2014, turkeys can be killed at a rate of up to 55 birds per minute. These systems already present severe dangers for workers, animals, and food safety.⁴ Increasing slaughter line speeds while reducing the number of federal inspectors threatens not only the safety of workers and inspectors, but also the enforcement of federal humane handling laws and regulations for both poultry and mammals. Most immediately, these faster line speeds undermine the CDC and the Occupational Safety and Health Administration (OSHA) guidance to prevent the spread of the disease in meat plants: slow production and structure lines so that workers are six feet apart, allow time for workers to wash their hands with soap, and sanitize equipment.

Instead of ignoring the health and safety risks to meat packing workers exposed to the deadly coronavirus in meat and poultry plants, meat companies must be required to implement strong social distancing and other protective measures at plants. FSIS should help facilitate those measures by immediately suspending higher-speed slaughter—something that is consistent with the April 26 the guidelines for meat and poultry processing workers and employers issued by the CDC and OSHA. FSIS is also obligated under OSHA rules to protect its own inspectors from COVID-19 risks and should take additional steps under that authority to ensure that social distancing is enforced. This includes requiring establishments to slow the slaughter lines below the regulatory maximum in cases where social distancing cannot be maintained at higher speeds.

² <https://investigatamidwest.org/2020/04/16/tracking-covid-19s-impact-on-meatpacking-workers-and-industry/>; <https://www.inquirer.com/news/meat-plants-closed-coronavirus-tyson-jbs-cargill-inspectors-shortage-safety-20200424.html>

³ On Friday, April 24th, FSIS announced it was not accepting new poultry waiver requests (although the agency is not bound by this position), but the agency did not indicate that it would revoke any of the poultry line speed waivers it has already issued. The agency also raised the possibility of initiating a rulemaking process. That rulemaking could potentially increase the line speed cap to 175 birds per minute in all chicken slaughter facilities without the need to file individual plant waivers.

⁴ As a result of deficiencies in the worker data used to finalize the Modernization of Swine Slaughter Inspection Rule, which established the New Swine Inspection System for pigs, the U.S. House of Representatives approved a provision in the Fiscal Year 2020 Appropriations Bill preventing implementation of the rule until a USDA Office of Inspector General audit was completed. However, that bill was not signed into law. In 2019, USDA's OIG began an audit looking into the rule's deficiencies. The audit has not been completed.

Please include language in the fourth coronavirus relief package directing FSIS to retract approvals for all plants currently operating at higher line speeds, and cease issuing new approvals. Doing so will help protect workers, animals, and our food supply during this crisis.

Thank you for your consideration.

Sincerely,

A Better Balance

American Federation of Government Employees

American Society for the Prevention of Cruelty to Animals

Animal Equality

Animal Outlook

Center for Biological Diversity

Center for Science in the Public Interest

Consumer Federation of America

Farm Sanctuary

Food and Water Action

Food Chain Workers Alliance

Health, Environment, Agriculture, Labor Food Alliance (HEAL)

Humane Society Legislative Fund

Humane Society of the United States

Lady Freethinker

Mercy for Animals

National Council for Occupational Safety & Health

National Employment Law Project

National Employment Lawyers Association

Retail, Wholesale and Department Store Union

United Food and Commercial Workers International Union (UFCW)