

SAFE FOOD COALITION

1620 I Street, NW, Suite 200, Washington, DC 20006 202-939-1010

April 20, 2026

Dr. Mindy Brashears
Under Secretary for Food Safety
U.S. Department of Agriculture
1400 Independence Avenue, S.W.
Washington, D.C. 20250

Re: Comments on Proposed Rule: Maximum Line Speed Under the New Swine Slaughter Inspection System (Docket No. FSIS-2025-0009)

Dear Under Secretary Brashears:

The undersigned members of the Safe Food Coalition write to oppose the above-referenced proposed rule, which would completely eliminate maximum line speeds for some of the nation's largest hog slaughter establishments, with no corresponding safeguards for worker or food safety. The proposed rule would apply a vague and ill-defined "process control" standard to qualifying establishments and leave undisturbed a status quo under which hog slaughter is not subject to *Salmonella* or other pathogen performance standards, despite pork's outsized contribution to foodborne illness. The rule also strips away modest but important protections for workers, which in turn undermines food safety. FSIS should abandon this rulemaking and turn its attention to protecting consumers from unreasonable foodborne illness risk in pork and the other products it regulates, rather than seeking to boost the profit margins of a handful of the world's largest meatpackers.

Pork processors subject consumers to unreasonable foodborne illness risk.

Contaminated pork sickens hundreds of thousands of people each year in the United States.¹ More effective pathogen controls in swine slaughter would improve public health and literally save lives.² According to CDC, the percentage of *Salmonella* outbreaks attributed to contaminated pork has risen steadily in recent years, more than doubling between 1998 and 2008.³ Pork caused an estimated

¹ Centers for Disease Control and Prevention, "Estimates of annual domestically acquired foodborne illnesses attributed to specific food commodities and commodity groups, by pathogen type, United States, 1998–2008," (March 2013), <https://wwwnc.cdc.gov/eid/article/19/3/11-1866-t1>

² Centers for Disease Control and Prevention, "Estimates of annual deaths resulting from domestically acquired foodborne illnesses attributed to specific food commodities and commodity groups, by pathogen type, United States, 1998–2008," (March 2013), <https://wwwnc.cdc.gov/eid/article/19/3/11-1866-t3>

³ Centers for Disease Control and Prevention, Surveillance for Foodborne Disease Outbreaks — United States, 1998–2008, FIGURE 14. Estimated mean percentage and 95% confidence intervals of foodborne disease outbreaks caused by *Salmonella* attributed to selected food commodities, by year interval — Foodborne Disease Outbreak Surveillance

11.7% of *Salmonella* illnesses according to the most recent IFSAC data, up from 9.3% a decade earlier, an increase of over 25%.⁴

The foodborne illness threat of pork goes beyond just *Salmonella*. Pork consumption has been linked to major outbreaks of *Staphylococcus aureus*,⁵ trichinellosis,⁶ and *E. coli* O157:H7,⁷ infections from which recent literature suggests FSIS has significantly undercounted.⁸ Other significant sources of foodborne illness—including *Listeria monocytogenes*, *Campylobacter*, and *Toxoplasma gondii*—are commonly found in pigs or pork products.⁹ One pathogen, *Yersinia enterocolitica*, is almost exclusively associated with pork, and causes almost 117,000 illnesses, 640 hospitalizations, and 35 deaths each year, according to CDC.¹⁰

FSIS fails to adequately protect consumers from foodborne illness risk in pork.

As explained in the agency’s Federal Register notice, the proposed rule seeks to revive an October 2019 rulemaking later vacated by a federal court as arbitrary and capricious. That 2019 rulemaking eliminated *Salmonella* pathogen reduction performance standards for whole hog carcasses and replaced them with a requirement that plants conduct microbiological testing of their choice. It also eliminated line speed caps for establishments participating in the New Swine Slaughter Inspection System (NSIS).

As consumer advocates argued back in 2019, the absence of concrete, numerical pathogen reduction performance standards tied to a standardized testing regime raises serious food safety concerns. FSIS has failed to define “process control” in any meaningful way. Inevitably, this failure results in pressure on inspectors to sign off on a plant’s controls, regardless of what the microbiological testing indicates. Pathogen reduction performance standards have limitations. For example, FSIS must update them, and they are less closely tied to public health outcomes than product standards, which FSIS should develop for pork to best protect consumers. However, even an imperfect pathogen performance standard offers an objective, consistently applied check on how a plant’s food safety controls are operating, and a measure of how its performance compares to other plants. Because FSIS has not adopted pathogen performance (or product) standards for pork, it lacks comparable data

System, United States, 1998–2008,” (June 28, 2013),

https://www.cdc.gov/mmwr/preview/mmwrhtml/ss6202a1.htm?s_cid=ss6202a1_w#Fig14

⁴ Compare 2023 and 2013 IFSAC reports available here: <https://www.cdc.gov/ifsac/php/data-research/annual-reports/index.html>

⁵ See Foodborne Illness Outbreak Database, <http://www.outbreakdatabase.com/details/2016-outbreak-of-staphylococcus-aureus-wise-county-virginia/?vehicle=pork>;

⁶ Heaton et al. “Trichinellosis Outbreak Linked to Consumption of Privately Raised Raw Boar Meat — California, 2017,” Morbidity and Mortality Weekly Report (MMWR), (Mar. 2, 2018),

https://www.cdc.gov/mmwr/volumes/67/wr/mm6708a3.htm?s_cid=mm6708a3_w

⁷ Honish et al. “Escherichia coli O157:H7 Infections Associated with Contaminated Pork Products - Alberta, Canada, July-October 2014.” MMWR Morb Mortal Wkly Rep. 2017 Jan 6;65(52):1477-1481, doi: 10.15585/mmwr.mm6552a5. <https://www.ncbi.nlm.nih.gov/pubmed/28056011>

⁸ Manirul Haque et al., A Review of Shiga-Toxin Producing Escherichia Coli (STEC) Contamination in the Raw Pork Production Chain, 377 Int’l J. Food Microbiology 1, 2, 5-6 (2022).

⁹ Baer et al. *supra* note 7.

¹⁰ See Centers for Disease Control and Prevention, *Yersinia enterocolitica* (Yersiniosis), <https://www.cdc.gov/yersinia/>

across the industry to assess whether any establishment, or class of establishments, has succeeded in reducing pathogen contamination. This deficiency both casts doubt on the agency’s assurances that the six HIMP pilot plants’ records support the rule and on the agency’s capacity to measure the proposed rule’s impact on food safety should it go forward.

The proposed rule would make pork even less safe.

The proposed rule simultaneously lifts line speed caps and relieves pork processors from the requirement to report on labor conditions. FSIS itself has acknowledged, in the context of poultry inspection, that “in the absence of compensating measures, increased nominal line speed is predicted to result in higher [*Salmonella*] prevalence of poultry carcasses.”¹¹ This prediction makes sense because at higher line speeds, workers face greater pressure to cut corners, which can increase risks like gut punctures that spread fecal material—and dangerous pathogens like *Salmonella*—on the end products sold to consumers.¹² FSIS inspectors also have less time to inspect each carcass for fecal contamination.

FSIS inspectors who are less likely to identify such food safety violations also may be less likely to exercise their rights to report such violations either to their superiors, the USDA Inspector General, Office of Special Counsel, or Congress. Indeed, whistleblower inspectors have reported that faster line speeds may render them unable to identify fecal contamination and other types of fundamental food safety problems that FSIS must prevent under the FMIA. “Most of the time [lines] are running so fast it is impossible to see anything on the carcass,” one whistleblower FSIS inspector reported in 2018, lamenting they could not identify the very types of contamination federal laws and regulations do not allow to appear on ready-to-cook animal products.¹³

While the proposed rule acknowledges that “the speed at which slaughter establishments can run their lines is limited by the establishments’ equipment functionality and design,”¹⁴ it fails to specify any requirements for the type of equipment establishments must use to operate safely at higher speeds. Similarly, the proposed rule does little to clarify what an establishment losing “process control” might look like. Finally, the proposed rule eliminates a requirement for NSIS establishments to report on how they monitor and document work-related conditions of establishment workers. This lack of

¹¹ See FSIS. “Reply to Peer Review Comments for FSIS Risk Assessment for Guiding Public Health Risk-Based Poultry Slaughter Inspection,” (Dec. 27, 2012) [“2012 Peer Review”], available at: https://www.fsis.usda.gov/sites/default/files/media_file/2020-07/PSRA%20BREPPLY%20TO%20PEER%20BREVIEW%20B12-27-12.pdf (noting that the risk assessment modeling results indicate that “in the absence of compensating measures, increased nominal line speed is predicted to result in higher [*Salmonella*] prevalence of poultry carcasses.”).

¹² Pacholewicz, E., Barus, S., Swart, A., Havelaar, A., Lipman, L. J. A., & Luning, P. (2016). Influence of food handlers’ compliance with procedures of poultry carcasses contamination: A case study concerning evisceration in broiler slaughterhouses. *Food Control*, 68. <https://doi.org/10.1016/j.foodcont.2016.04.009>

¹³ See Comments of Government Accountability Project’s Food Integrity Campaign, In RE: Docket Number: 2024-12415; RIN: 0581-AE18; 89 FR 49002, Poultry Grower Payment Systems and Capital Improvement Systems, April 30, 2018.

¹⁴ 91 Fed. Reg. 7905, 7908.

accountability raises the concern that some establishments will raise line speeds that create such abysmal labor conditions that workers have little interest in flagging potential food safety issues.

The risk posed by this food safety deregulation is accentuated by at least two other factors. First, the recent cancelling of union contracts for FSIS inspectors raises concerns of intimidation and retaliation against inspectors, particularly in large establishments where the costs of interrupting processing to address a food safety problem can be immense.¹⁵ Second, the erosion of key foodborne illness surveillance infrastructure as a result of staff and budget cuts, exemplified by CDC's recent announcement that FoodNet would stop actively tracking six of eight foodborne pathogens, raises the risk that a surge in foodborne illness resulting from this rule might go undetected for far too long.¹⁶

The proposed rule includes superfluous language seemingly intended to curtail FSIS inspectors' authority.

In addition to proposing to eliminate the existing maximum line speed of 1,106 hph for NSIS establishments, FSIS also proposes “to amend 9 CFR 310.26(c) to clarify that the inspector in charge (IIC) may require establishments to reduce the rate of their operations at any point in the slaughter process if process control is lost *or* if FSIS cannot conduct effective carcass-by-carcass inspection, as required by the Federal Meat Inspection Act[.]” However, this proposed rule does not identify any ambiguity in the existing regulatory text nor any conflicting interpretations that would necessitate clarification. Neither does this proposed rule specify what language would replace or revise the existing language in 9 CFR 310.26(c). Absent such explanation, the “clarification” label is conclusory and obscures whether FSIS is instead making a substantive change in inspection authority.

To the extent FSIS intends to centralize authority to require line speed reductions exclusively in the IIC, FSIS should explain 1) how that approach would operate where the IIC is not continuously on-site due to multi-establishment assignments, 2) identify which inspection personnel, if any, are authorized to require immediate reduction in line speed in the interim, and 3) explain how any such limitation is consistent with FSIS's obligations under the Federal Meat Inspection Act to ensure effective inspection and prevent adulterated product from entering the stream of commerce.

Conclusion

We respectfully request FSIS to rescind the proposed rule and turn its attention to enacting new pathogen performance or product standards for pork.

Thank you for your consideration.

¹⁵ See Food Safety Advocates Urge Trump Administration to Respect Union Contracts for Meat Inspectors. (2025, August 14). Consumer Federation of America. https://consumerfed.org/press_release/food-safety-advocates-urge-trump-administration-to-respect-union-contracts-for-meat-inspectors/ ; see also Declaration of Jill Mauer <https://www.documentcloud.org/documents/26017516-jill-mauer-lawsuit-declaration/>

¹⁶ See Letter to US House and Senate Appropriations Committees from food safety advocates (2026, April 14). Available at: <https://consumerfed.org/testimonial/broad-group-of-stakeholders-asks-congress-to-fund-cdc-food-safety-program/>

Sincerely,

Consumer Federation of America

Center for Science in the Public Interest

Farm Forward

Food & Water Watch

Government Accountability Project's Food Integrity Campaign

Institute for Food Safety and Nutrition Security, George Washington University

National Consumers League

United Food and Commercial Workers International Union (UFCW)