

The Honorable John Hoeven
Chairman of the Senate Appropriations
Subcommittee on Agriculture, Rural
Development, Food and Drug
Administration, and Related Agencies
Room S-146A
Washington, D.C.

The Honorable Jeff Merkley
Ranking Member of the Senate
Subcommittee on Agriculture, Rural
Development, Food and Drug
Administration, and Related Agencies
Room S-146A
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Dear Chairman Hoeven and Ranking Member Merkley,

Mercy For Animals, a global nonprofit organization dedicated to creating a more compassionate food system, appreciates the opportunity to comment on the Fiscal Year 2021 Appropriations.

The current COVID19 pandemic and resulting global crisis have again highlighted the need to create standards for slaughter facilities that prioritize worker and consumer safety, while reducing animal suffering. We urge this subcommittee to appropriate a portion of the funds made available to the Department of Agriculture to the creation of new inspection programs that slow or cap line speeds for all animals, and require a transition from live shackle slaughter to controlled atmosphere stunning (CAS) for chickens.

Current Line Speed Regulations

In 2018, the Federal Safety Inspection Service (FSIS) issued a decision allowing an unlimited number of New Poultry Inspection System (NPIS) poultry slaughterhouses to operate line speeds of up to 175 birds per minute (up from 140 birds per minute).¹ As to pigs, last year FSIS finalized a New Swine Inspection System (NSIS) that removes the previous pig slaughterhouse line speed limit of 1,106 pigs per hour. Under the NSIS, there is no limit.²

Impact of Line Speeds on Slaughterhouse Workers

Uncapped or increased line speeds (coupled with live shackle slaughter for chickens, as addressed below) require workers to stand shoulder to shoulder in close quarters. In many cases, meat-processing employees stand so close to each other that they cut one another with their knives as they work.³ Slaughterhouse workers already suffer higher than average rates of occupational injury and illness in the U.S., and many say that fast line speeds only make the

¹ There is currently a lawsuit pending before the United States District Court for the Northern District of California challenging this decision, in which Mercy For Animals is a Plaintiff.

² There is currently a lawsuit pending before the United States District Court for the Western District of New York challenging this rule, in which Mercy For Animals is a Plaintiff.

³Kahn, Ada P. 2004. *The Encyclopedia of Work-Related Illnesses, Injuries, and Health Issues*. P. 61. New York: Facts on File

work more dangerous.⁴ Employees stand for long hours, making quick, repetitive cuts on animals. Often, the line moves so quickly that they do not have time to sharpen their knives, requiring greater force behind each cut with a blunt knife.⁵ As a result, slaughterhouse workers have increased rates of repetitive motion injuries such as carpal tunnel.⁶ Additionally, from 2004 to 2013, 151 meat and poultry employees suffered fatal injuries on the job, and many believe that number is underreported.⁷

Increased Concerns Amidst the COVID-19 Crisis:

The Center for Disease Control's (CDC) Interim Guidance suggests avoiding close contact with others during the COVID-19 pandemic. Close contact is defined as maintaining six feet, or two meters of space between people.⁸ While companies are permitted to slaughter large amounts of animals per minute, workers are required to stand in close quarters, thereby violating CDC guidance. This, coupled with increased outbreaks in slaughter facilities, puts millions of workers at heightened risk of contracting the disease, which is compounded by the fact that it is currently unclear whether the virus can be transmitted through food.

As the novel virus continues to spread across the United States, an increasing number of slaughterhouse workers are testing positive for the disease. In March, a Smithfield Farms, Inc. employee tested positive in Sioux Falls, South Dakota.⁹ In Mississippi, a Sanderson Farms employee tested positive for the disease and was sent home to quarantine.¹⁰ Tysons Foods has also confirmed several cases of the disease among employees, though it is unclear how many have tested positive.¹¹ Many of these companies do not provide paid sick leave, further incentivizing sick employees to return to work at risk of losing their income.¹²

⁴Wasley, Andrew, Cook, Christopher D, and Jones, Natalie. The Guardian. "Two Amputations a Week: The Cost of Working in a US Meat Plant." Retrieved from

<https://www.theguardian.com/environment/2018/jul/05/amputations-serious-injuries-us-meat-industry-plant>

⁵Walton, Don. Lincoln Journal Star. "Increased Line Speed, Deregulation Confront Meatpacking Workers." Retrieved from

https://journalstar.com/business/local/increased-line-speed-deregulation-confront-meatpacking-workers/article_3dd4a1ce-b476-55c7-bbce-bc95610c39bd.html

⁶McGarity, Thomas, et al. Workers at Risk: Regulatory Dysfunction at OSHA. The Center for Progressive Reform. Retrieved from

https://digitalcommons.law.umaryland.edu/cgi/viewcontent.cgi?article=1921&context=fac_pubs&sei-redir=1&referer=https%253A%252F%252Fscholar.google.com%252Fscholar%253Fhl%253Den%2526as_sdt%253D0%25252C47%2526q%253Dslaughterhouse%252Bworker%252Bosha%2526btnG%253D#search=%22slaughterhouse%20worker%20osha%22

⁷Gerlock, Grant. National Public Radio. "We Don't Know How Many Workers are Injured at Slaughterhouses. Here's Why." Retrieved from

<https://www.npr.org/sections/thesalt/2016/05/25/479509221/we-dont-know-how-many-workers-are-injured-at-slaughterhouses-heres-why>

⁸Center for Disease Control and Prevention. "Evaluating and Testing Persons for Coronavirus Disease 2019 (COVID-19)." Retrieved from <https://www.cdc.gov/coronavirus/2019-ncov/hcp/clinical-criteria.html>

⁹McCarthy, Ryan. Supermarket Perimeter. "Smithfield Associate Tests Positive for COVID-19." Retrieved from

<https://www.supermarketperimeter.com/articles/4910-smithfield-employee-tests-positive-for-coronavirus-in-south-dakota>

¹⁰The Poultry Site. "Sanderson Farms Slaughterhouse Worker Tests Positive for COVID-19. Retrieved from

<https://thepoultrysite.com/news/2020/03/sanderson-farms-slaughterhouse-worker-tests-positive-for-covid-19>

¹¹Grabell, Michael. ProPublica. "What Happens If Workers Cutting Up the Nation's Meat Get Sick?" Retrieved from

<https://www.propublica.org/article/what-happens-if-workers-cutting-up-the-nations-meat-get-sick>

¹² Ibid.

Employees recognize the risks associated with continuing to work in unsafe conditions. Workers at a Perdue plant in Kathleen, Georgia walked off the job the week of March 23rd over COVID-19 concerns.¹³ Participants noted that they did not feel safe on the job, and worried that they have already been exposed to the disease.¹⁴ Were the line speeds slowed at these plants, at least the workers could attempt to maintain the CDC's recommended six feet of distance between one another.

Controlled Atmosphere Stunning (CAS) for Chickens

In addition to slowing line speeds, funds should also be appropriated to help chicken slaughterhouses convert from live-shackle slaughter to CAS, which eliminates live handling and shackling of conscious chickens and involves irreversible stunning of birds before slaughter using gas instead of unreliable electrified water baths.¹⁵ In a CAS system, birds are loaded into crates at the farm and driven to the slaughterhouse. At the slaughterhouse, entire crates are loaded into the system, where the birds are exposed to several chambers with mixtures of gases designed to induce unconsciousness. When they leave the system, they are fully unconscious. Then they are shackled and have their throats slit.

Not only does CAS lower the possibility of chicken suffering, it also protects workers who will no longer be pecked, scratched, or defecated on by conscious chickens during the shackling process. Likewise, workers will no longer need to operate in the dim lighting environment associated with traditional slaughter systems. Thus, CAS systems will help workers maintain process control and reduce the risk of workplace accidents.

As a practical matter, over 150 brands - including Subway, Popeyes, Burger King, Chipotle, Hormel, Kraft-Heinz, Campbell's, Compass Group - have already committed to switching some of their plants to less cruel slaughter systems or to sourcing from plants that have switched, by the year 2024. The industry, driven by consumer demand, is already shifting, and soon companies that slaughter poultry will need to supply chickens from CAS systems to meet consumer demand. Indeed, major suppliers, such as Perdue, have already committed to supplying chickens killed by less cruel slaughter systems.

The current NPIS and NSIS systems put profits over the welfare of animals, the safety of workers, and human health, and are wholly unsustainable during a crisis. Based on the reasons

¹³ McCarthy, Ryan. Meat and Poultry. "Perdue Farms Workers Walk Out Over Coronavirus Concerns." Retrieved from <https://www.meatpoultry.com/articles/22828-perdue-farms-workers-walk-out-over-coronavirus-concerns>

¹⁴ Ibid.

¹⁵ Shields, S. J. & Raj, A. B. M. A critical review of electrical water-bath stun systems for poultry slaughter and recent developments in alternative technologies. J. Appl. Anim. Welf. Sci. 13, 281–299 (2010).



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cited above, we believe it is imperative for Congress to step in to mitigate risks associated with increased line speeds. We urge the subcommittee to appropriate funds to the creation of new inspection programs that slow or cap line speeds for all animals, and to require transitions from live shackle slaughter to CAS for chickens.