

Compassion in World Farming USA's Opposition to
"Maximum Line Speed under the New Poultry Inspection System"

- 1. Increasing slaughter line speeds for young chickens from 140 to 175 birds per minute (a 25% increase) will unnecessarily increase risks to food and worker safety, and create conditions that jeopardize the ability of USDA-inspected facilities to ensure humane, effective slaughter of the animals.**
 - a. Under this rule, inspectors would be forced to review 3 birds per second making it significantly harder to identify contaminated carcasses ultimately increasing risk of food-borne illness to consumers.
 - b. Increasing slaughter lines would inevitably increase the speed of later processing resulting in heightened risk of repetitive motion and acute injury to workers.
 - c. According to a recent Washington Post analysis (submitted), poultry slaughterhouses with waivers to operate at 175 bpm are ten times more likely to have diagnosed cases of COVID-19 within their worker population.
 - d. This rule would result in fewer poultry appropriately rendered insensible to pain at the time of slaughter and therefore fewer facilities operating in a manner consistent with the good commercial practices requirements that obligate poultry are "treated humanely."
- 2. Given the scale and potential consequences of this proposed rule it should be designated a major rule and be treated as such under the Congressional Review Act.**
 - a. The expected economic impact of this rule change would be above the \$100 million annual threshold for it to be considered a major rule.
 - i. In 2012, the FSIS of the USDA proposed changes to modernize poultry slaughter processes (submitted), including allowing increases of line speed up to 175 bpm. Using a "conservative increase of an average of 6 percent for the line speed," FSIS estimates the "economic benefits to be at least \$258.9 million (3 cents per bird for 99.9 percent of 8.64 billion birds) annually."
 - ii. This estimate is conservative for three key reasons:
 1. Broiler production is increasing in the United States and in 2019 reached 9.18 billion birds; replicating FSIS' analysis above using 2019 data yields an annual economic benefit of \$275.1 million.
 2. The estimate "does not take into account either the increased long-term production or expanded exports," both of which could significantly increase economic impact.
 3. The 6 percent increase is significantly less than the 25 percent increase proposed.
 - iii. Expanded analysis of the proposed rule change would certainly yield an outcome well above \$100 million annually.
 - b. The poultry industry is in the midst of a seismic shift of slaughter practices and this proposed change could stifle innovation and have significant economic implications and therefore should be considered a major rule.
 - i. Nearly 200 food companies in the United States have committed to exclusively purchasing broilers stunned/killed using Controlled Atmosphere Stunning (CAS)

by 2024, including McDonalds, Campbells, Unilever, Compass Group, Popeyes, Subway, & Nestle.

1. CAS avoids dumping, handling, inversion, and shacking of live birds, which is inherently stressful, painful, and greatly increases the risk of injury to the birds.
 2. Electrical waterbath stunning can result in more blood spots and poorer meat quality than CAS, as well as increase risk of bacterial contamination of carcasses from injuries sustained during live dumping and handling of birds, along with the inhalation of contaminated water.
 3. Effective CAS systems operate to irreversibly stun chickens, meaning the birds do not regain consciousness and are killed in the system prior to being bled—unlike in electrified waterbath systems.
 4. Worker retention, satisfaction, and safety are improved in CAS slaughter facilities. CAS eliminates the need for handling of live birds, resulting in an easier, cleaner process exposing workers to less opportunities for injury and illness.
- ii. Producers, including Tyson Foods, Perdue Farms, and Wayne Farms have begun to install CAS systems. Due to the importance of the technical management of CAS systems, changes to line speed limits may not be easily integrated into existing and planned CAS systems.
 - iii. If producers are forced to slow the construction of CAS systems to stay competitive, there could be a significant impact on purchaser companies by undermining their ability to meet their public commitments to consumers.
 - iv. Additionally, producers and purchasers that utilize third-party certifications that set standards around slaughter line speeds, like Animal Welfare Approved (submitted), may experience significant changes to competition and market share.
 - v. These potential implications on innovation and competition in both production and purchasing must be thoroughly assessed and are grounds for designating the proposed rule change as major. CAS should also be thoroughly reviewed as a potential alternative.

3. Given the scale and potential consequences of this proposed rule an EIS under NEPA is necessary to assess the breadth of its impact on the environment.

- a. A 25% increase in line speed will undoubtedly result in an increase in the total number of young chickens slaughtered for food each year and a relative increase in the production and discharge of slaughterhouse wastewater.
- b. A 2018 report by the Environmental Integrity Project (submitted) found that the median slaughterhouse among the 98 reviewed discharged an average of 331 pounds of total nitrogen/day—citing three-quarters of facilities violated their water pollution permits at least once.
- c. According to USDA data, five of the top six states for young chicken slaughter are within the region surrounding the Gulf of Mexico (GA, AR, AL, MS & TX) – home to the second largest dead zone in the world.

- d. As a member of the interagency Hypoxia Work Force, the USDA ought to not pursue without rigorous environmental analysis a rule change counter to the task force's stated objectives to "reduce the areal extent of the gulf hypoxic zone to less than 5,000 km² [or 2,000 square miles] by the year 2035, with an interim target of a 20% reduction in N and P delivered to the Gulf by 2025."