

LINE SPEEDS UNDER NPIS

Animal Legal Defense Fund



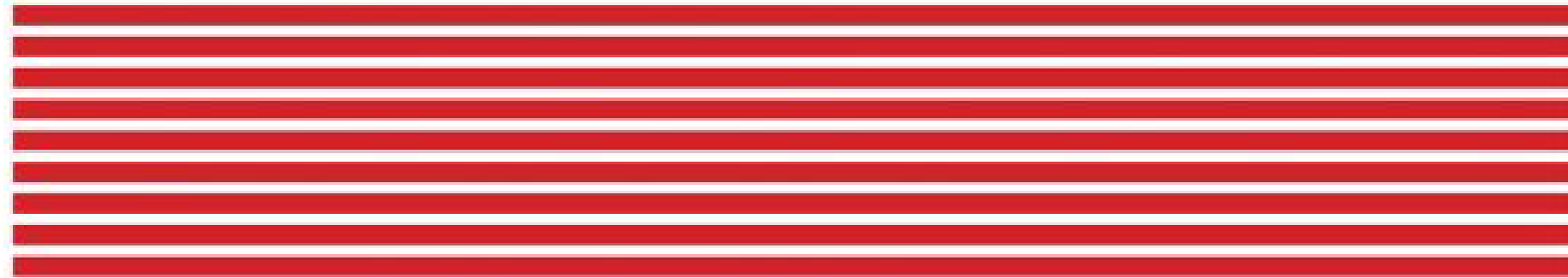
The Animal Legal Defense Fund: THE LEGAL VOICE FOR ALL ANIMALS

The Animal Legal Defense Fund files high-impact lawsuits to protect animals from harm, offers free legal assistance and training to prosecutors in their fight against animal cruelty, supports animal protection legislation and regulation and works to advance the field of animal law.

ANIMALS KILLED OR EXPLOITED ANNUALLY

BY INDUSTRY IN THE UNITED STATES:

FACTORY FARMING



**9
BILLION**
LAND ANIMALS
KILLED



ANIMALS IN RESEARCH



25 MILLION VERTEBRATE ANIMALS USED



FUR MANUFACTURING



3.1 MILLION MINKS KILLED



PUPPY MILLS



2 MILLION PUPPIES BRED

WELFARE OF BIRDS AT SLAUGHTER

Regulated by the **Poultry Products Inspection Act (21 U.S.C. 453)**

2005 FSIS Notice, *Treatment of Live Poultry Before Slaughter*, 70 FR 56624: “The Food Safety and Inspection Service (FSIS) is reminding all poultry slaughter establishments that, under the Poultry Products Inspection Act (PPIA) and Agency regulations, **live poultry must be handled in a manner that is consistent with good commercial practices**, which means they should be **treated humanely** . . . under the PPIA, poultry products are **more likely to be adulterated if**, among other circumstances, **they are produced from birds that have not been treated humanely**, because such birds are more likely to be bruised or to die other than by slaughter.

HANDLING VIOLATIONS UNDER GCP

- **Improper shackling:** results in bruising, broken bones, lacerations
- **Improper stunning:** results in birds being improperly cut
- **Improper cutting:** results in birds being scalded while still conscious
- **Live birds discarded into trash:** results in injury and eventual suffocation
- **Excessive use of force by workers:** results in bruising, broken bones, lacerations, non-slaughter death
- **Improper dumping of birds in live hang area:** results in injuries and suffocation

[VIDEO: Animal Legal Defense Fund exposé of humane handling violations at slaughter facility](#)

EFFECT OF INCREASED LINE SPEEDS

Humane handling violations will likely increase, directly contradicting the FSIS GCP humane handling directive

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IMPACT ON WORKER SAFETY



Increased line speeds will likely have a **negative impact** on worker health and safety.

IMPACT ON WORKER SAFETY CONT'D

United States COVID-19 Cases and Deaths by State

Reported to the CDC since January 21, 2020



"According to a map of Covid-19 cases in the food system . . . **more than 49,000** meatpacking workers have tested positive since March. Of these, **254 have lost their lives** to the virus."

"**High population-density** workplace settings such as meat and poultry processing facilities present **ongoing challenges** to preventing and reducing the risk for SARS-COV-2 transmission."

ENVIRONMENTAL IMPACT OF SLAUGHTER LINE SPEED INCREASES

Increased line speeds → *increased slaughter capacity* → *increased poultry production* → *increased pollution*

Slaughterhouse pollution

- Poultry slaughterhouses use large volumes of water to wash carcasses, rinse meat, and sanitize equipment and animal holding areas, generating wastewater with high levels of bacteria such as *E. coli*, nitrogen, and phosphorus, which come from cleaning solutions, urine and feces, and animal parts including blood, fat, and viscera.
- Dispose of polluted wastewater by discharging directly into surface waters, sending their wastewater to public owned treatment works for discharge into surface waters, or spraying wastewater onto land.
- Discharge between 12.5 and 16.5 million pounds of nitrogen and 2.84 million pounds of phosphorus, collectively known as nutrient pollution, annually into surface waters in the United States.
- According to EPA, “[n]utrient pollution is one of the most widespread, costly, and challenging environmental problems impacting water quality in the United States...Excessive nitrogen and phosphorus in surface water can lead to a variety of problems, including . . . harmful algal blooms, with impacts on drinking water, recreation, and aquatic life.”

ENVIRONMENTAL IMPACT, CONT'D

Excerpts from declarations supporting coalition lawsuit filed under the Clean Water Act against the EPA for failing to revise federal water pollution standards for slaughterhouses.

- Slaughterhouse pollution feeds algal blooms that “give off a terrible smell, making it very unpleasant to spend time on or near the [water]. [I]n the Shenandoah River, algal blooms can be so thick that it is impossible to paddle a kayak, let alone fish.”
- Inadequately controlled slaughterhouse pollution has “fundamentally changed” the manner in which members of the public interact with the water. For instance, member of the Assateague Coastkeeper “would not dare wade in some . . . Waterbodies near [her] home [on the Eastern Shore of Maryland] – let alone swim in them – because pollution from slaughterhouses . . . Has severely degraded water quality throughout [the] region.”
- In rural North Carolina, Co-Founder and Executive Director of Rural Empowerment Association for Community Help “stopped fishing after [he] began to catch fish with open sores,” which he believes “are caused by bacteria and other pollution from slaughterhouses and industrial animal facilities.”

ENVIRONMENTAL IMPACT, CONT'D

Industrial farm pollution

- Concentrated Animal Feeding Operations (CAFOs) generate huge amounts of waste that contaminates air and water.
- Air inside poultry CAFOs is thick with hazardous ammonia and hydrogen sulfide gases, which are pumped into neighboring community using large ventilation.
- Birds' waste is stored on-site and spread in excessive quantities onto nearby fields, polluting drinking water and harming aquatic wildlife.
- Fence-line communities must endure intense stench of animal waste, decomposing birds, and air pollutants like ammonia. Odors can be so intense neighbors can't spend time outdoors without their eyes burning.

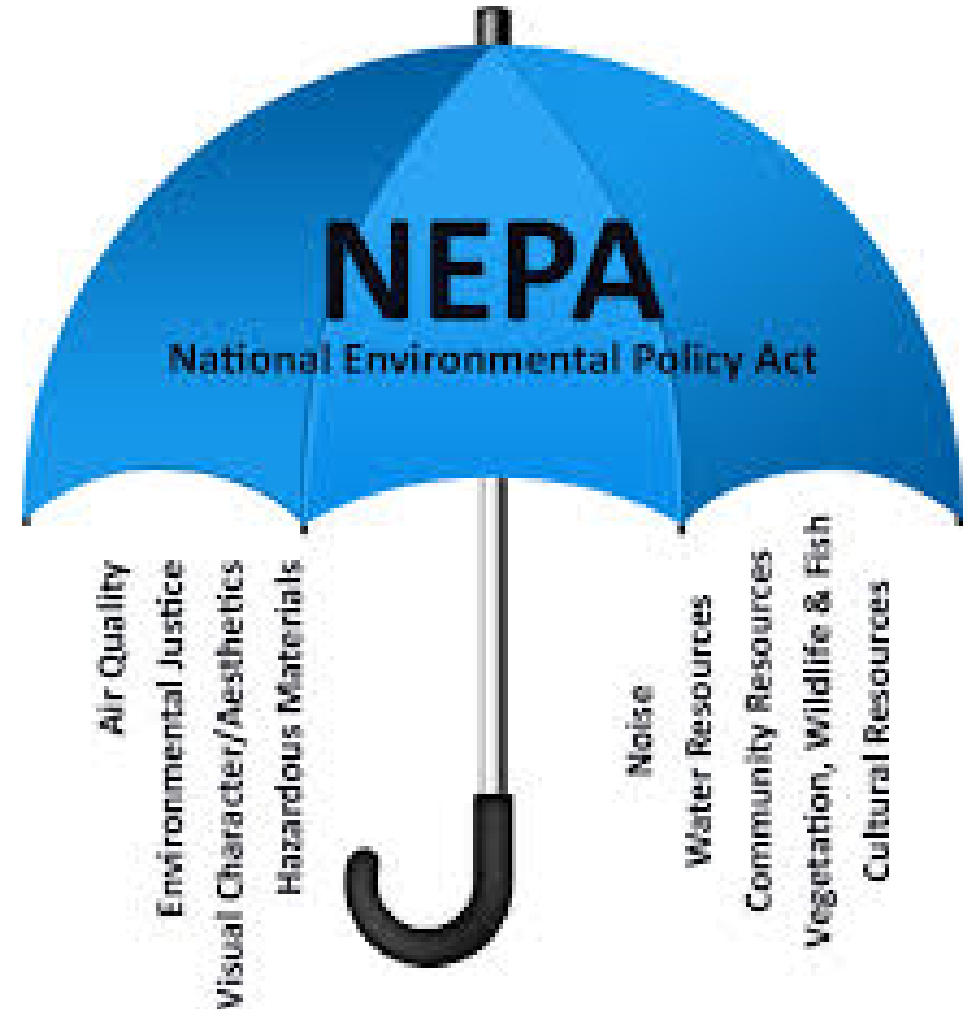


- Industrial farms often located in low income and historically disenfranchised communities, raising social and environmental justice concerns.

NEPA COMPLIANCE

Environmental Assessment needed

- The National Environmental Policy Act (NEPA) requires the agency prepare an environmental assessment.
- FSIS is categorically excluded from the preparation of an environmental assessment (EA) under NEPA *unless* the agency action “may have a significant environmental effect” (7 C.F.R. § 1b.4).
- The proposed lifting of line speeds in poultry slaughterhouses will have grave environmental and public health effects due to increased poultry production and slaughter to meet the increased slaughter capacity.



“MAJOR” RULE UNDER CRA

Proposed rule is likely to result in:
(A) an annual effect on the economy of \$100,000,000 or more.



- **Increased poultry consumption and exports:** increased revenues for industry
- **Increased healthcare costs:** for poultry industry workers; communities near industrial production; foodborne illness



(C) significant adverse effects on **competition, employment**, investment, **productivity**, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets.

5 U.S.C. §804(2).



- **Competition:** Exacerbate monopolization/monopsony power in poultry industry
- **Employment and productivity:** Harmful impacts on workers and greater worker turnover.

SUMMARY

- **Animal Welfare**: Increased slaughter line speeds under NPIS will result in increased instances of humane handling violations.
- **Worker Safety**: Increased slaughter line speeds under NPIS will result in increased instances of worker illnesses and injuries.
- **Environment**: Increased slaughter line speeds under NPIS will result in increased air and water pollution and negatively impact communities surrounding slaughterhouses and industrial farms. An environmental assessment is required under NEPA.
- **Major rule**: The annual economic impact of increased slaughter line speeds under NPIS is significant and will easily exceed \$100 million. There are also significant threatened adverse effects on competition and employment in the poultry industry.

QUESTIONS?

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