

Congress of the United States
Washington, DC 20510

December 6, 2012

Honorable Tom Vilsack
Secretary of Agriculture
U.S. Department of Agriculture
1400 Independence Avenue, SW
Washington, DC 20250

Dear Mr. Secretary,

As Members of Congress, we write to urge you to withdraw the proposal to modify the U.S. Department of Agriculture's poultry slaughter inspection program. While the poultry slaughter inspection program does need to be modernized, we are concerned the proposal could have deleterious impacts on both food safety and worker safety. Thus, we further urge you not to reissue a proposal or publish a final rule on this matter until a new proposal can be designed which better ensures the safety of the poultry American consumers eat and also mitigates the potential occupational safety impacts to American workers.

First, we are highly concerned the new proposal will reduce food safety standards during post-mortem inspection. It would allow plants to increase their line speeds up to 175 chicken carcasses per minute with a single FSIS inspector on the slaughter line. The new line speed would represent a five-fold increase and would mean that a sole FSIS inspector would have only one-third of a second to examine each chicken carcass for food safety conditions. Turkey line speeds would also increase significantly. We have serious concerns this will impede the ability of inspectors to substantively perform the required carcass-by-carcass inspection. The proposed rule also no longer requires carcasses to be inspected with their associated major organs. Certain diseases that could sicken American consumers can only be identified through a complete post-mortem inspection. In addition, it is critical all edible parts of a diseased bird are able to be disposed of at the final carcass inspection point. It is unclear that the proposed system will be able to ensure this. Furthermore, the proposal gives the critical carcass inspection duty to industry, who have an inherent conflict of interest. The proposal does not adequately mitigate the risks of privatized inspection with any mandated FSIS oversight of training or performance standards. Any modernized system must ensure the same stringency of carcass inspection, FSIS control of carcass inspection procedures, and control of adulterated poultry carcasses and part so as to ensure no product that could threaten public health enters commerce.

In addition, the proposal could compromise the entire food safety system of establishments with respect to the sanitary dressing of poultry. We are concerned it reduces sanitary dressing practices and gives vague flexibility to establishments that could impede FSIS enforcement. Sanitary dressing is perhaps the most important method of preventing contamination of product with deadly pathogens. While we applaud the proposed system requiring establishments to implement microbiological testing, we are wary of the lack of specificity in these requirements. We would prefer a proposal that more clearly strengthens FSIS's policy and enforcement of sanitary processing standards and microbiologic testing targeted at the specific bacteria most implicated in foodborne illness resulting from poultry products.

Beyond food safety, it is widely recognized that poultry production workers face substantial work-related risks from repetitive motion, lacerations and other hazards. The proposed increased line speeds could pose risks of increasing such hazards. Minorities, women, and immigrants would bear a disproportionate share of any occupational health risks of this proposed rule. USDA should solicit substantial input from the Department of Labor's Occupational Safety and Health Administration (OSHA) on ways to mitigate these impacts before publishing the final proposal. In addition, the National Institute of Occupational Safety and Health (NIOSH)

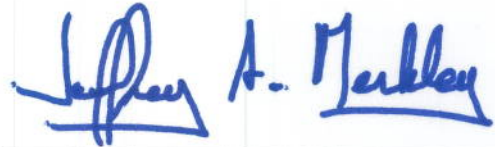
should conduct a case-controlled study to determine the impact of increased line speeds on poultry workers and FSIS should thoroughly review the results before finalizing any changes to the poultry inspection system. We would urge FSIS to consider an approach that comprehensively considers the relation of occupational safety issues to food safety assurance.

Given our combined interest in designing an effective and meaningful modernization to our poultry inspection system, we hope you will consider the fundamental issues highlighted above. It is on this basis we respectfully urge you to withdraw the proposal or delay publishing the final rule until such time as these issues can be adequately considered and addressed.

Sincerely,



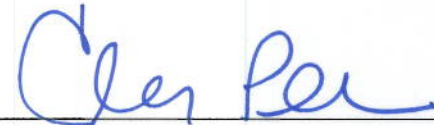
Kirsten E. Gillibrand
United States Senator



Jeff Merkley
United States Senator



Richard Blumenthal
United States Senator



Chellie Pingree
United States Representative