



Deborah Dubow Press
Regulatory Affairs Manager

600 Pennsylvania Avenue, SE
Suite 450
Washington, DC 20003

May 29, 2012

www.aspca.org

The Honorable Tom Vilsack
Secretary, United States Department of Agriculture
1400 Independence Ave., S.W.
Washington, DC 20250

(Submitted via www.regulations.gov)

Re: Docket FSIS-2011-0012; Modernization of Poultry Slaughter Inspection, Proposed Rule

Dear Secretary Vilsack:

Thank you for the opportunity to provide comments on behalf of the American Society for the Prevention of Cruelty to Animals (ASPCA) and its 2.5 million supporters. Since 1866, the ASPCA has worked to prevent cruelty to animals in our society, including animals raised for food. Early ASPCA agents inspected New York City's stockyards and slaughterhouses, while ASPCA founder Henry Bergh exhaustively pursued legislation to ensure that animals raised for human consumption were handled humanely. Today, cruelty persists as a great concern in this arena, and the ASPCA continues its efforts to prevent the suffering of animals raised for food.

The ASPCA joins the Animal Welfare Institute, Farm Sanctuary, and other humane groups in expressing our strong concern over USDA's failure to consider any issues of animal welfare ensuing from this rule. FSIS has given no regard to the rule's potential impact on the billions of birds going to slaughter in this country each year.

The faster line speeds proposed by the rule virtually ensure that birds will suffer at the hands of workers with less time to properly handle them during the slaughter process. Speeding up slaughter lines also results in more birds bypassing the backup killer, causing them to enter the scalding tank alive and die by a cause other than slaughter.

In light of the connection between humane treatment and food safety, FSIS considers any bird that dies from a cause other than slaughter to be adulterated and unfit for human consumption. Regulation states that "carcasses of poultry showing evidence of having died from causes other than slaughter shall be condemned."¹ FSIS policy has long held that birds should be

¹ 9 C.F.R. § 381.90.

slaughtered in accordance with “good commercial practices,”² which consist of humane methods of handling and slaughtering.³

The proposed rule will actually undermine the agency’s own food safety and humane slaughter policies.⁴ The rule would shift the initial carcass inspection duties from FSIS inspectors to slaughter plant employees. By requiring plant employees to sort out damaged carcasses before FSIS conducts online inspection, employees remove the evidence (the carcasses themselves) that birds may have died from causes other than slaughter—thus directly eliminating one means by which FSIS can verify that good commercial practices are being employed. This jeopardizes USDA’s integrity, consumer food safety, and the welfare of animals under your care.

FSIS does not appear to have considered the consequences of this rule for animal welfare and, by extension, food safety. This rule must not go forward before FSIS has documented the impact on good commercial practices—both in terms of the effect of increased line speed on humane slaughter and FSIS’s ability to monitor that slaughter plants are employing good commercial practices. FSIS must also examine the impact of slaughter line speeds currently used in non-HIMP poultry inspection plants, which in some cases may exceed the 175 birds per minute proposed for chickens and 55 birds per minute proposed for turkeys. We urge FSIS to withdraw the proposed rule until the agency has thoroughly considered its impact on animals and the use of good commercial practices.

The ASPCA thanks the USDA for seeking public input on matters of such critical importance to our community of supporters.

Sincerely,

Deborah Dubow Press
Regulatory Affairs Manager
Deborah.press@aspca.org
(202) 621-6927

² 9 C.F.R. § 381.65(b).

³ FSIS Directive 6100.3, “Ante-mortem and post-mortem poultry inspection,” April 30, 2009.

⁴ *See Id.*