

Freedom of Information Act Officer  
 Freedom of Information Act Officer  
 USDA, Food Safety and Inspection Service  
 Room 2168 South Building  
 1400 Independence Ave., SW  
 Washington, DC 20250

Received in USDA/FSIS

FEB 23 2018

FOIA Office

Delivered via email at [fsis.foia@usda.gov](mailto:fsis.foia@usda.gov) on February 23, 2018

Dear FOIA Officer:

Pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552, I hereby submit the following FOIA request and ask that the United States Department of Agriculture (USDA or agency) process these and three other pending FOIA requests in an expedited matter, as detailed below.

First, I request that the agency provide me the following:

1. All records, including all correspondence, memos, notes of telephone calls, electronic messages transcripts, minutes and notes of meetings and/or other memorializations detailing the process and criteria for selecting the 21 non-HIMP plants studied as part of Food Safety and Inspection Service (FSIS)'s "Evaluation of the HACCP Inspection Models Project for Market Hogs" report (Hog HIMP Report) (located at <https://www.fsis.usda.gov/wps/wcm/connect/f7be3e74-552f-4239-ac4c-59a024fd0ec2/Evaluation-HIMP-Market-Hogs.pdf?MOD=AJPERES>).
2. To the extent that any exist, any records that provide the estimated line speeds for the five Hog HIMP plants and 21 non-HIMP plants studied as part of FSIS's Hog HIMP Report in calendar years (CY) 2010-2012, CY 2013, and either Fiscal Year (FY) or CYs 2014-2017.
3. To the extent that any exist, any record that provides the number of inspection procedures performed per establishment in the five HIMP and 21 non-HIMP facilities under PHIS in CYs 2012 through 2017 (along with the totals and total SSOP and HACCP procedures), as the agency's Hog HIMP Report provided for PBIS in Table 3-1 for CY 2010; and to the extent that no such records already exists, any records in spreadsheet form that detail the number of inspection procedures performed at the five HIMP and 21 non-HIMP facilities under PHIS in CYs 2012-2017.
4. Any records in spreadsheet form that provide the number of regulation verifications (for all inspections regulations) performed per establishment in the five HIMP, plants, 21 non-HIMP facilities, and all market hog establishments for CYs 2006-2017.
5. Any records in spreadsheet form that provide the number of Public Health Regulations (PHR) verifications, applicable to market hogs for each year performed, per establishment, in the five HIMP and 21 non-HIMP facilities for CYs 2013-2017, as the agency's Hog HIMP Report provided for with the 2012 and 2013 PHR verifications in Tables 3-4 through 3-5 for CY 2012-2013.

6. All records that provide the analysis for this agency conclusion on page 21 of the Hog HIMP Report: "The sorting rates in HIMP market establishments by establishment sorters are statistically significantly higher than condemnation rates in non-market Hog establishments for [2012-2013]."
7. To the extent that any exist, any records that show the sorting and condemnation rates in the five HIMP and 21 non-HIMP facilities for CYs 2014-2017, as the agency's Hog HIMP Report provided for CY 2012-2013 in Table 3-7; and to the extent that no such records already exists, any records in spreadsheet form that detail the number of carcasses sorted and condemned at the five HIMP and 21 non-HIMP facilities for CYs 2014-2017.
8. To the extent that any exist, any records that show the PHR Noncompliance Rates (NRs) in the five HIMP and 21 non-HIMP facilities for CYs 2014-2017 based on the PHRs for that particular year, as the agency's Hog HIMP Report provided for CY 2012-2013 in Table 3-10.
9. To the extent that any exist, any records that show the FS-2 NRs in the five HIMP and 21 non-HIMP facilities for CY 2014-2017, as the agency's Hog HIMP Report provided for CY 2012-2013 in Table 3-13.
10. Any records that show the OCP and FS performance standards in the five HIMP facilities for CYs 2014-2017, as the agency's Hog HIMP Report provided for CY 2009 and CY 2012-2013 in Tables 3-15 through 3-16.
11. Any records that show the National Residue Sampling Directed and Inspector-Generated Sampling in the five HIMP facilities for CYs 2014-2017, as the agency's Hog HIMP Report provided for CYs 2006-2010 and 2012-2013 in Tables 3-19 through 3-20.
12. For such chemical testing listed above in item 11 and the testing for years provided in Hog HIMP report Tables 3-19 through 3-20, all data showing the number of suspected carcasses for testing, the number of actually carcasses condemned, the number of eligible carcasses for KIS tests, and the number of KIS test actually performed for each plant by district.
13. Any copies of the agency's "Assessment of the Potential Change in Human Risk of *Salmonella* Illnesses Associated with Modernizing Inspection of Market Hog Slaughter Establishments" (Risk Assessment) currently located at <https://www.fsis.usda.gov/wps/wcm/connect/0c03ed4d-68bf-4bd9-80e0-b8f3aa6ff16e/ModernizationSwineSlaughterRiskAssessment.pdf?MOD=AJPERES> with a *complete* set of data tables where the data is not cut off (see page 55, 90, e.g.)
14. Any workplace injury analysis performed by the agency in support of the New Swine Inspection System proposed rule, 83 Fed. Reg. 4,780 (Feb. 1, 2018)("NSIS proposed rules")
15. Any analysis of Humane Methods of Slaughter Act violations referenced in the NSIS proposed rules.
16. Any records detailing the analysis of the swine slaughter inspection systems of Denmark and the Netherlands, as referenced in the NSIS proposed rules.
17. Any records detailing and analyzing the operations of the Canadian establishments operating under the HACCP-based Inspection Program ("HIP") for swine slaughter, including but not limited to all import rejections since March 2006 from these plants and all records detailing the deficiencies found by FSIS audit staff of the HIP inspection system during the agency's September 12-30, 2016 Canadian Audit.

18. Any records identifying the 40 swine slaughter plants the agency expected to opt into the New Swine Slaughter Inspection System, along with all inspection data, microbiological and residue testing, and food safety assessments for these plants dating from CY 2006 to present.
19. Any records of *Salmonella* test results collected for the FSIS Nationwide Market Hogs Microbiological Baseline Data Collection Program.
20. Any records of *Salmonella* test results underlying Table 2 in the Risk Assessment (at p. 22), and records sufficient to identify which data were used to calculate each figure presented in the table.
21. All records, including all correspondence, memos, notes of telephone calls, electronic messages transcripts, minutes and notes of meetings and/or other memorializations detailing the process and criteria for selecting establishments from which routine microbiological data was analyzed for the following figures in Table 2 identified in item 20 above: the non-HIMP plants (16 plants), the HIMP plants (4 plants), and the 35 Large and Small non-HIMP establishments (undisclosed number of plants).
22. Any records identifying any market-hog establishment that was using antimicrobial chemicals at the end of the slaughter process and prior to the "post-chill" testing, during any of the data collection underlying the Table 2 Summary in item 20 above; the type of chemical intervention the establishment used; and the dates on which the establishment used the intervention.
23. Any records identifying which establishments, from which data was collected for Table 2 identified in item 20 above, were using a hot-boning process at the end of the slaughter process and/or any establishment at which the "post-chill" data was taken before the carcass entered the cooler.
24. Any records identifying the non-market hog slaughter plants the agency believes will convert to NSIS and the criteria the agency plans to use for conversions.
25. Any records containing data that the agency has on *Salmonella* rates in market hogs compared to non-market hogs.
26. All *Salmonella* Initiative Program (SIP) waivers granted to swine slaughter plants and the microbiological testing data provided to the agency as a result of the waivers
27. Any records providing any analysis of the plants that the agency believes will have two off-line FSIS inspectors under NSIS and the criteria to be used to make that determination.

I am requesting these records as a representative of Food & Water Watch, a non-profit consumer advocacy organization. I request a waiver of fees because my interest in the records is not primarily commercial, and disclosure of the information will contribute significantly to public understanding of USDA inspections and plant performance with these inspections under Hog HIMP and such inspections and plant performance under the recently proposed New Swine Inspection System rules.

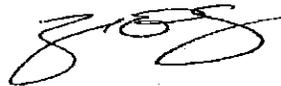
If my request is denied in whole or in part, I expect a detailed justification for withholding the records. As part of this, FWW asks that the agency detail which records it provides are responsive to each numbered item above and, to the extent that the agency does not have responsive records for each request, that it indicates that it does not have such records. FWW also requests any segregable portions that are not exempt to be disclosed. FWW consents to a rolling release of records if necessary.

Second, I ask that this request and three of FWW's pending FOIA requests, 18-46, 18-64, and 18-149, receive expedited processing, as indicated in the attached certification.

I will expect as expedited response within 10 days, as provided by law.

Thank you for your prompt attention to this matter. Please contact me at (202) 683-2451 or [zcorrigan@fwwatch.org](mailto:zcorrigan@fwwatch.org) if you have any questions.

Sincerely,



Zachary B. Corrigan  
Senior Staff Attorney  
Food & Water Justice Program  
Food & Water Watch  
[zcorrigan@fwwatch.org](mailto:zcorrigan@fwwatch.org)