



United States Department of Agriculture

Food Safety and
Inspection Service

July 16, 2020

1400 Independence
Avenue, SW,
Washington, D.C.
20250

Ashley Peterson
Senior Vice President
Scientific and Regulatory Affairs
National Chicken Council
1152 Fifteenth Street, NW, Suite 430
Washington, DC, 20005

Dear Dr. Peterson:

The Food Safety and Inspection Service (FSIS) has completed its review of the petition you submitted on behalf of the National Chicken Council (NCC) dated March 1, 2019 and assigned petition number 19-01. The petition requests that FSIS amend 9 CFR 381.82 to treat lesions suspected of being caused by avian leukosis as a trimmable condition rather than a condition that requires condemnation of the entire carcass. The petition also requests that FSIS eliminate regulations that require FSIS offline inspectors to check the viscera of the first 300 birds of each new flock in young chicken establishments operating under the New Poultry Inspection System (NPIS) to determine if the flock is affected with Avian Leukosis (9 CFR 381.36(f)(3) and 381.76(b)(6)(iv)). As noted in your petition, avian leukosis does not present a food safety concern.

After careful consideration, FSIS has decided to grant your petition. We have determined that current scientific evidence supports treating avian leukosis as a trimmable condition and that the actions requested in your petition would reduce regulatory burdens on the industry. A description of the proposed rulemaking initiated in response to your petition is included in the Spring 2020 Unified Agenda of Regulatory and Deregulatory Actions.¹

¹ Available at: www.reginfo.gov.

Dr. Peterson
Page 2

In accordance with FSIS regulations, your petition has been posted to the FSIS website (9 CFR 392.6). We intend to post this response as well. You may contact Mary Porretta, Petitions Manager, Issuances Staff, at mary.porretta@usda.gov if you have any questions regarding the status of your petition.

Sincerely,

A handwritten signature in black ink that reads "Rachel A. Edelstein". The signature is written in a cursive style with a large initial "R" and "E".

Rachel Edelstein
Assistant Administrator
Office of Policy and Program Development