



United States Department of Agriculture

---

Food Safety and  
Inspection Service

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

July 1, 2020

Mr. Mark Kennedy  
Vice President of Legal Affairs  
Physicians Committee for Responsible Medicine  
5100 Wisconsin Ave., NW, Suite 400  
Washington, DC 20016  
[mkennedy@pcrm.org](mailto:mkennedy@pcrm.org)

Dear Mr. Kennedy:

This is in response to the petition you submitted on behalf of the Physicians Committee for Responsible Medicine (PCRM) dated May 18, 2020 and assigned petition number 20-02. The petition requests that the Food Safety and Inspection Service (FSIS) take certain actions related to COVID-19. Specifically, the petition requests that FSIS:

- 1) Require that all meat and poultry processing establishments test their products for the presence of SARS-CoV-2 and make their findings available to the public.
- 2) Require all meat and poultry processing establishments report to local public health authorities, on a weekly basis, the number of workers and the number of their family members with presumptive or confirmed SARS-CoV-2 infections and those dying of COVID-19.
- 3) Post the number of FSIS inspectors with presumptive or confirmed SARS-CoV-2 infections and those dying of COVID-19 to the USDA website on a weekly basis.
- 4) Amend its labeling regulations to require that the safe handling statement on the labeling of all meat and poultry products bear the following statement: "Warning: Workers in the U.S. meat and poultry processing facilities have been sickened or killed by the SARS-CoV-2 virus, and this product has not been certified virus-free."
- 5) Publish, and distribute to all major retail facilities, notices bearing the warning statement requested above to be placed at check-out counters.

On May 28, 2020, you submitted an addendum to supplement the petition and request an expedited review under 9 CFR 392.8. We have conducted an expedited review and have decided to deny your petition. We have determined that neither the petition nor the addendum include scientific studies or other information to demonstrate that COVID-19 can be transmitted to humans by meat or poultry products. In addition, some of the actions you are requesting are outside the scope of FSIS's authority. The actions requested in your petition would not contribute to FSIS's public health mission to ensure that meat, poultry, and processed egg products are safe, wholesome,

unadulterated, and properly marked, labeled and packaged. We address the petition's supporting information and each of your requested actions in more detail below.

## Supporting information

To support the requested actions, the petition states that many slaughterhouse workers who are infected with COVID-19 or who may be asymptomatic viral carriers directly handle meat and poultry products. According to the petition, because the SARS-CoV-2 virus may remain detectable up to 30 minutes or more in air samples, transmission of the virus to meat and poultry products handled by slaughterhouse workers is likely. To support this assertion, the petition and addendum reference published studies on the detection of SARS-CoV-2 on inanimate surfaces,<sup>1,2</sup> the transmission of viral pathogens by slaughterhouse workers,<sup>3</sup> and the survival of viruses at cool temperatures.<sup>4</sup> The petition does not, however, reference studies or include any supporting information to demonstrate that COVID-19, which is believed to spread from person-to-person, can be transmitted by meat and poultry products, or any other food. The transmission study referenced in the petition focuses on common foodborne viruses, such as Norovirus and Hepatitis A, that can be transmitted by infected food handlers if they practice poor personal hygiene. The study does not suggest that airborne viruses, such as SARS-CoV-2 and other coronaviruses, can be transmitted by meat or poultry products.

According to the Centers for Disease Control and Prevention (CDC), SARS-CoV-2 and other coronaviruses are generally thought to be spread from person-to-person through respiratory droplets.<sup>5</sup> Public health and food safety experts have found no evidence to support transmission of COVID-19 associated with meat or poultry products or any other food. Although it may be possible that a person can contract COVID-19 by touching a surface or object that has the virus on it and then touching their own mouth, nose, or possibly their eyes, this is not thought to be the main way the virus is spread. Therefore, based on information about the SARS-CoV-2 thus far, it seems unlikely that COVID-19 can be transmitted through food.<sup>6</sup>

---

<sup>1</sup> Ren SY, Wang WB, Hao YG, et al. Stability and infectivity of coronaviruses in inanimate environments. *World J Clin Cases.* 2020;8:1391–1399.

<sup>2</sup> van Doremalen N, Bushmaker T, Morris DH, et al. Aerosol and surface stability of SARS-CoV-2 as compared with SARS-CoV-1. *N Engl J Med.* 2020;382:1564–1567.

<sup>3</sup> Velebit B, Radin D, Teodorovic V. Transmission of common foodborne viruses by meat products. *Procedia Food Science.* 2015;5:304–307.

<sup>4</sup> Casanova LM, Jeon S, Rutala WA, Weber DJ, Sobsey MD. Effects of air temperature and relative humidity on coronavirus survival on surfaces. *Appl Environ Microbiol.* 2010;76:2712–2717.

<sup>5</sup> CDC: Food Safety and Coronavirus Disease 2019 (COVID-19) (<https://www.cdc.gov/foodsafety/newsletter/food-safety-and-Coronavirus.html>)

<sup>6</sup> CDC Coronavirus-19 (COVID-19) Frequently Asked Questions (<https://www.cdc.gov/coronavirus/2019-ncov/faq.html>)

In addition, the CDC and the Occupational Safety and Health Administration (OSHA) have developed interim guidance for meat and poultry workers and employers.<sup>7</sup> Although these guidelines are designed to help prevent worker exposure to SARS-CoV-2 in areas of the work environment where they have close contact with coworkers and supervisors, many of the measures, such as increasing frequency of cleaning and disinfection and providing facemasks and/or face shields to employees, would also prevent any potential spread of SARS-CoV-2 to equipment and products.

## **Requested Actions**

Testing meat and poultry products and reporting results. One of the actions requested in the petition is for FSIS to require all U.S. meat and poultry processing establishments and all facilities that ship meat and poultry products to the United States to test their products for the presence of SARS-CoV-2 and make their findings publicly available. However, the petition does not explain how such testing would contribute to food safety or how the public would be expected to use the results. As noted above, public health and food safety experts have found no evidence to support transmission of COVID-19 associated with meat or poultry products. Thus, requiring that meat and poultry processing establishments test their products for SARS-CoV-2 would require that establishments use resources to conduct product testing that would serve no public health purpose. If the purpose is to prevent the spread of COVID-19, we believe that establishment resources would be better spent by implementing measures in the CDC/OSHA guidance to prevent the spread of COVID-19 among establishment workers. Therefore, we are denying this request.

Reporting COVID-19 cases. The petition requests that FSIS require all meat and poultry establishments to report to local public health authorities, on a weekly basis, the number of workers and number of worker family members with presumptive or confirmed SARS-CoV-2 infections and those dying of COVID-19. It also requests that, on a weekly basis, FSIS report the number of inspectors with presumptive or confirmed SARS-CoV-2 infections and those dying of COVID-19. We are denying these requests because they are outside the scope of FSIS's authority.

FSIS inspects and regulates the production of meat, poultry, and egg products prepared for distribution in commerce under the authority of the Federal Meat Inspection Act (FMIA) (21 U.S.C. 601 *et seq.*), the Poultry Products Inspection Act (PPIA) (21 U.S.C. 451 *et seq.*), and the Egg Products Inspection Act (21 U.S.C. 1031 *et seq.*). These Acts give FSIS the authority to set standards for food safety and to regulate all raw and processed meat, poultry, and egg products sold in interstate and foreign commerce, including imported products. There is nothing in the Acts that gives FSIS the authority to require regulated establishments to report information on the health status of establishment employees to public health authorities or that authorizes FSIS to make information related to the health status of Agency inspectors available to the public.

Food facilities, including establishments under FSIS inspection, like other work establishments, need to follow protocols set by local and state health departments, which may vary depending on the

---

<sup>7</sup>Meat and Poultry Processing Workers and Employers Interim Guidance from CDC and the Occupational Safety and Health Administration (OSHA) (<https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/meat-poultry-processing-workers-employers.html>)

amount of community spread of COVID-19 in a particular area. FSIS encourages coordination with local health officials for all businesses so that timely and accurate information can guide appropriate responses in each location where their operations reside. In the event of a diagnosed COVID-19 illness, FSIS follows, and encourages establishments to follow, the recommendations of local public health authorities regarding notification of potential contacts.

Warning statements on product labels and at retail. Finally, the petition requests that FSIS amend its labeling regulations to require that safe handling labels for meat and poultry products include the following statement: “Warning: Workers in U.S. meat and poultry processing facilities have been sickened or killed by the SARS-CoV-2 virus, and this product has not been certified virus-free.” The petition also requests that FSIS publish and distribute to all major retail facilities notices bearing this same statement to be placed at meat and poultry counters and at check-out counters.

As noted in your petition, under the FMIA and PPIA, a meat or poultry product is misbranded “if its labeling is false or misleading in any particular” (21 U.S.C. 601(n)(1) and 453(g)(1)). The warning statement requested in your petition is misleading because it inaccurately implies that meat and poultry products that have not been “certified as virus-free” may transmit COVID-19 or are somehow unsafe. As discussed above, public health and food safety experts have found no evidence to support transmission of COVID-19 associated with meat or poultry products. Thus, we are denying your request to amend the safe handling labeling regulations because we believe the requested warning statement would cause meat and poultry products to be misbranded.

In accordance with FSIS regulations, your petition and addendum have 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](mailto:mary.porretta@usda.gov) if you have any questions regarding the status of your petition.

Sincerely,



Rachel Edelstein  
Assistant Administrator  
Office of Policy and Program Development