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Alfred V. Almanza
Deputy Under Secretary for Food Safety and Acting FSIS Administrator
U.S. Department of Agriculture
1400 Independence Ave., S.W.
Washington, DC 20250-3700

April 4, 2016

Dear Mr. Almanza,

Mercy For Animals (MFA) is an international non-profit animal protection organization dedicated to preventing cruelty to farmed animals and promoting compassionate food choices and policies. Through its animal cruelty investigations, legal advocacy, corporate outreach, and consumer education initiatives, MFA serves as a voice for the billions of farmed animals who are raised and killed for food each year in this country. MFA has a long history of undercover investigations and legal advocacy efforts that have led to increased legal protections for farmed animals and enforcement of existing animal cruelty laws.

We write to express our support for Rulemaking Petition 13-08, submitted on December 17, 2013 by Farm Sanctuary and the Animal Welfare Institute to the Food Safety and Inspection Service (FSIS) at the U.S. Department of Agriculture (USDA). This petition requests that FSIS issue regulations for the humane handling of poultry under the Poultry Products Inspection Act (PPIA), which requires FSIS to prevent the adulteration of poultry products. The USDA already recognizes the connection between inhumane handling and poultry product adulteration. Therefore, in order to meet its statutory obligations, FSIS should issue regulations to require the humane handling of all poultry species under the Act.

Investigations by MFA have repeatedly exposed the inhumane treatment of poultry in slaughterhouses around the country, treatment that leads to adulteration. In a recent investigation at a Tyson chicken slaughterhouse in Carthage, Mississippi, workers were found roughly mishandling chickens, including beating, punching and throwing birds, violently slamming them into shackles, and breaking their wings and legs. Due to improper shackling, many birds missed the "kill blade" and had their heads ripped off while still alive. Although the investigator reported this abuse to Tyson, no corrective actions were taken. MFA also reported the cruelty to law enforcement, and thus far, one Tyson worker is being prosecuted for animal cruelty.

In the last 18 months alone, MFA has released investigations of four different poultry plants, each revealing egregious abuse. In October 2014, an investigation into a Koch Foods slaughter plant in Tennessee exposed chickens being forcefully slammed into shackles, with many later scalded alive. In March 2015, an investigation of a slaughterhouse in North Carolina documented

members of the management instructing workers to hang sick and injured birds. And in June 2015, an investigation of a Foster Farms slaughter plant in California showed workers punching and throwing chickens before violently slamming them into shackles in the presence of management; some of these birds were also scalded alive. One Foster Farms worker has also been charged with animal cruelty following MFA's investigation.

These investigations unequivocally demonstrate that egregious animal abuse and mishandling is pervasive in poultry plants across the country, and that the owners and operators of these plants are incapable of self-regulation. The responsibility thus falls to FSIS to prevent this type of misconduct by promulgating humane handling regulations, both to ensure humane handling and to guard against adulteration.

Please consider this letter formal notice that MFA supports Petition 13-08. We request that FSIS consider MFA's investigative footage and these comments in its review of Petition 13-08. We urge you to grant this petition and codify in regulation best handling practices for the slaughter of poultry, fulfilling both your food safety and humane handling mandates.

Sincerely,



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Attachment: Mercy For Animals Poultry Slaughter Investigations

Mercy For Animals Poultry Slaughter Investigations

Tyson Foods, Carthage, MS (October 2015)

Tyson Foods Inc. and six of its slaughterhouse workers were charged with multiple counts of criminal animal cruelty after they were documented violently punching, throwing, and torturing chickens. Mercy For Animals documented workers beating, shoving, and otherwise tormenting frightened animals for fun. Not only were chickens handled maliciously while being shackled, they were often shackled improperly by one leg. MFA documented improperly shackled birds getting their heads ripped off while they were still alive and conscious. Many of the shackles were broken and the line would often stop for up to half hour at a time, causing the birds further distress because they have difficulty breathing upside down. Chickens were dumped on top of each other on a conveyor belt, but during frequent line stops, many would suffocate and die under the weight of other birds. Moreover, whenever the line stopped, birds that were shackled in position over the stun bath drowned in an electrified vat of water.

Links: <http://mercyforanimalsmedia.com/video/cc/tysonfoodscarthagems/>
<http://mercyforanimalsmedia.com/video/tysonfoodscarthagems/broll/>

Foster Farms, Fresno, CA (June 2015)

During the course of a Mercy For Animals investigation of a Foster Farms chicken slaughterhouse, we documented workers punching live birds before slamming them into shackles and pulling out their feathers for fun. Workers were also documented violently throwing, punching, and cruelly mishandling birds while shackling them. Several employees flung live birds behind their backs and around their bodies as though they were doing basketball drills. Moreover, the slaughter line was overcrowded, and birds were often forcefully shoved across the conveyor belt by their wings, necks, or single legs to make room for other birds. Birds were improperly hung by a single leg or with both legs caught on one side of the shackle. The slaughter lines regularly malfunctioned, leaving birds to hang upside down in their shackles, sometimes up to 45 minutes at a time. Chickens were also routinely scalded alive in hot feather-removal tanks.

Links: <http://mercyforanimalsmedia.com/video/cc/fosterfarms/>
<http://mercyforanimalsmedia.com/video/fosterfarms/broll/>

Wayne Farms, Dobson, NC (March 2015)

Birds at this facility had their fragile wings and legs broken as they were violently and hastily pulled out of their cages and later shackled upside down. Severely sick, injured, and dying chickens were sent through the slaughter line along with other birds intended for human consumption. After painfully being removed from cages by their wings or legs, workers tossed, threw, and roughly shackled the chickens. Line stoppages caused birds great stress as they hung upside down for several minutes at a time. Improper handling causes some birds to miss the throat-cutting machine, and some were boiled alive. Workers failed to ensure every bird was properly hung and that the throat was properly cut.

Links: <http://mercyforanimalsmedia.com/video/cc/waynefarms/>
<http://mercyforanimalsmedia.com/video/WayneFarmsBroll/>

Koch Foods, Chattanooga, TN (October 2014)

Workers at this facility were documented carelessly grabbing birds by the legs, wings, and necks. Chickens were uncrated by being dumped en masse from transport cages onto a steep metal slide. After being dumped, they crashed at the bottom onto the conveyor belt and each other, causing distress, broken bones, joint dislocations, and pain. Workers violently grabbed live birds and threw them on the floor or sloppily shoved them onto the conveyor belt. Chickens were hastily shackled upside down before their throats, wings, and chests were sliced open. The lines moved so quickly that animals could not be handled properly. Moreover, we documented thousands of animals scalded alive in hot water tanks.

Link: <http://mercyforanimalsmedia.com/video/KochFoodsBroll/>