



January 3, 2018

Roberta F. Wagner
Assistant Administrator
Office of Policy and Program Development
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Washington DC 20250-3700
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CC: Docket Clerk
Food Safety and Inspection Service
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Washington D.C., 20250-3700
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Re: Mercy For Animals Petition to Include Poultry Under the Humane Methods of Slaughter Act (Petition No. 17-06)

Dear Assistant Administrator Wagner,

On behalf of its more than 200,000 members and supporters, the Animal Legal Defense Fund (ALDF) writes to express its support for Rulemaking Petition 17-06, submitted on November 15, 2017 by Mercy For Animals to the Food Safety and Inspection Service (FSIS). This petition requests that FSIS initiate rulemaking to include poultry as “livestock” under the Humane Methods of Slaughter Act (HMSA)¹ and as “amenable species” under the Federal Meat Inspection Act (FMIA).² The petition also asks FSIS to determine methods of slaughter for bird species that comply with requirements under the HMSA and issue directives, notices, and/or other policy and guidance documents for enforcement of the humane slaughter provisions at official poultry slaughter establishments.

On behalf of ALDF’s members and supporters who believe that all animals deserve legal protection from cruelty and suffering, we urge you to grant this petition. Through undercover investigations conducted by ALDF and other concerned organizations,³ it is clear that current

¹ 7 U.S.C. §§ 1901–1907.

² 21 U.S.C. §§ 601 *et seq.*

³ See, e.g., ALDF, *Undercover Investigation Documents Tysons’ Cruel, Illegal Treatment of Chickens*, <http://aldf.org/press-room/press-releases/undercover-investigation-documents-tysons-cruel-illegal-treatment-of->

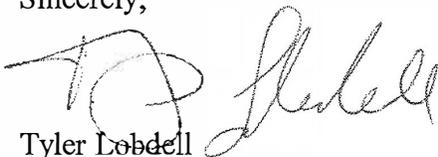
slaughter systems for poultry involve nothing short of abject torture to fully conscious animals who are able to feel pain and distress.

Since the passage of the HMSA nearly 60 years ago, it has been the law of the United States that the slaughter of livestock shall be conducted only by humane methods.⁴ But the USDA's current interpretation of the HMSA excludes from its scope 98 percent of the livestock who are slaughtered for food in this country every year—flouting the spirit and letter of this law. Stated differently, the only federal law governing the humane slaughter of animals covers 146 million animals but excludes 9 billion. This is unacceptable and contrary to the public policy expressed in the HMSA.

Current inhumane poultry slaughtering systems create a greater risk of fecal contamination of poultry, which is a widespread problem. They also needlessly endanger poultry workers (representing 50 percent of the slaughterhouse workforce), who suffer debilitating musculoskeletal injuries, have an increased risk of dangerous skin and respiratory infections, and are exposed to antibiotic-resistant bacteria.

The HMSA has three stated goals: preventing the needless suffering of animals, making working conditions safer for slaughterhouse workers, and benefitting consumers and producers.⁵ Congress has clearly delegated to you the authority under this statute to achieve these goals for poultry through meaningful regulations and policies. Continuing to exclude poultry from the HMSA's scope severely undermines Congressional intent, the stated public policy behind the law, and the interests of American consumers.

Sincerely,



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chickens/ (last visited Jan. 2, 2018); Compassion Over Killing, *Ag-Gag Warning*, <http://cok.net/inv/mountaire/> (last visited Jan. 2, 2018); Humane Society of the United States, *Breaking News: HSUS Undercover Video Reveals Pilgrim's Pride Has Much to Hide*, <https://blog.humanesociety.org/wayne/2017/06/breaking-news-hsus-undercover-video-reveals-pilgrims-pride-much-hide.html> (last visited Jan. 3, 2018).

⁴ 7 U.S.C. § 1902.

⁵ 7 U.S.C. § 1901.