



October 12, 2017

Carmen Rottenberg
Acting Deputy Undersecretary for Food Safety
Food Safety and Inspection Service
Room 331E, Jamie L. Whitten Building
12th Street and Jefferson Drive, SW
U.S. Department of Agriculture
Washington DC 20250
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Dear Acting Deputy Undersecretary Rottenberg:

Oxfam America is writing to urge you to reject the petition by the National Chicken Council, submitted on September 1, 2017, to implement a waiver system to permit chicken slaughter establishments to be exempt from the line speed requirements. This petition would allow these plants to run their lines in violation of the 2014 United States Department of Agriculture (USDA) rule, with no legally required line speed limits, endangering both workers and consumers.

Oxfam is an international organization committed to ending poverty around the world and empowering those most vulnerable. Since 2012, Oxfam has led a US program that addresses the challenges that food workers—including poultry workers—face. Our research has documented widespread labor and safety violations for poultry workers that put both the employees and the broader public at risk. The issue of poultry line speed rates is central to these concerns.

Even at current speeds, poultry slaughter and processing workers face serious job hazards that result in debilitating illness, injury, or death.¹ Indeed, workers in poultry plants are injured at almost twice the rate of workers in private industry. These workers face over seven times the national average of occupational illnesses, such as repetitive motion injuries.² And, as the United States Department of Agriculture (USDA) noted, these rates are likely underreported.

Increasing the line speed would only make a bad situation worse. Workers stand in cramped quarters, amid deafening noise and slippery conditions. They make at least 20,000 forceful cuts a day at break-

¹<http://www.nelp.org/content/uploads/OSHA-Severe-Injury-Data-2015-2016.pdf>. See also <https://www.gao.gov/assets/680/676796.pdf>.

²<https://www.bls.gov/iif/oshwc/osh/os/ostb4358.pdf>.

neck speed, using sharp knives and scissors. A single wrong move could lead to an amputated finger or life-threatening cut.

This is borne out both in the scientific research and in our direct encounters with workers. For instance, the Government Accountability Office (GAO) found, “High line speeds resulting from increased automation and other factors may exacerbate hazards... [L]ine speed—in conjunction with hand activity, forceful exertions, awkward postures, cold temperatures, and other factors such as rotation participation and pattern—affects the risk of both musculoskeletal disorders and injuries among workers.”³ Two further studies from the National Institute for Occupational Safety and Health (NIOSH) confirm these findings, reporting staggeringly high rates of injuries directly related to the rapid, repetitive motions.⁴

Interviews with poultry workers from Mississippi, North Carolina, Texas, Minnesota, Kentucky, and Arkansas tell a similar story. Karina Zorita, a poultry processing worker from North Carolina, suffered incapacitating injuries after less than a year on the line pulling bones out of cooked breasts and thighs in a poultry plant. As a result of her injuries, she is no longer able to straighten her fingers or grab a spoon or glass.

Pedro, who worked the night shift at a plant in North Carolina, spent up to six hours at a stretch cutting chicken shoulders and pulling out tenders. The thousands of forceful, repetitive motions led to problems with his hands. According to him, “I got to the point that I used to get triple-X gloves, and they wouldn’t fit because my hands were so swollen... I couldn’t even move my fingers because they were so cramped up.”⁵ When he was finally allowed to see a doctor, he learned he was close to losing the ability to use his hands.

Beyond the safety of workers, it’s also clear that the line speed in poultry plants may pose dangers to consumers. The Occupational Safety and Health Administration (OSHA) citations show that workers are denied breaks, including breaks to use the restroom, in order to keep lines going at full speed. Many workers end up soiling themselves while standing on the processing line; this poses an obvious danger of contamination. In our interviews, Hanson, a worker at a Tyson plant in Arkansas, talked of his experience of seeing his own mother urinate on herself at work. Another Arkansas worker, Fern, said she had to wait so long that she had to urinate at her work station.⁶

These stories make clear: increasing line speed would only exacerbate these work and safety problems.

The USDA recognized this and decided, in 2014, upon evaluating years of data and extensive public comments, that it would be best to NOT allow line speeds to increase in poultry plants beyond the allowable 140 birds per minute. Given this decision, it is surprising that the USDA is even considering granting a waiver to allow line speed increases. The industry petition to set up this waiver meets none of the allowable criteria specified in the regulation. For instance, the USDA stipulated that any waiver be

³<https://www.gao.gov/assets/680/676796.pdf>.

⁴<https://www.cdc.gov/niosh/hhe/reports/pdfs/2014-0040-3232.pdf>. See also <https://www.cdc.gov/niosh/hhe/reports/pdfs/2012-0125-3204.pdf>.

⁵https://www.oxfamamerica.org/static/media/files/Lives_on_the_Line_Full_Report_Final.pdf.

⁶https://www.oxfamamerica.org/static/media/files/No_Relief.pdf.

"for a limited period" and be issued for "experimentation" in poultry plants for new procedures, equipment and processing techniques. Faster line speeds are not a new process, nor is there an emergency. Nor is the industry asking for a temporary or short-term change. Furthermore, the USDA's Food Safety and Inspection Service (FSIS) noted that it would only consider changes in line speed policy after a year of wide-spread implementation. Since the system has not been fully implemented on a wide scale yet, and only a few dozen plants have over a year's experience, it is premature for the USDA to consider a waiver or create a new regulation.

In short, we urge the USDA to follow its own findings and reject this petition. The overwhelming evidence to date—and our own stories-- suggest this increase would have disastrous results. Until the USDA completes its studies evaluating the safety of existing poultry plant line speeds, no changes in standards should be proposed or made. Any move by the USDA to increase line speeds in poultry plants would be in complete disregard of the safety of the 250,000 working men and women who endure already exceedingly harsh working conditions to feed their fellow Americans.