



September 26, 2018

Ms. Carmen Rottenberg
FSIS Administrator
Food Safety and Inspection Service
U.S. Department of Agriculture
Docket Clerk
Patriots Plaza 3
1400 Independence Avenue, SW
Mailstop 3782 Room 9-163 A
Washington DC 20250

Dear FSIS Administrator Rottenberg:

The United Food and Commercial Workers (UFCW) is requesting the U.S. Department of Agriculture (USDA) to reopen the docket for the proposed Modernization of Swine Slaughter Inspection rule: FSIS-2016-0017 (RIN 0583-AD62), issued by the USDA so that the UFCW, and others, can comment on newly released injury data that the Food Safety Inspection Service (FSIS) claims to have relied on to conclude that “HIMP establishments had lower mean injury rates than non-HIMP establishments.” This proposed rule calls for an unlimited increase in hog slaughter line speeds which is dangerous to both workers and consumers.

On February, 14, 2018, prior to the close date of May 2, 2018, for the comment period for the rule, a FOIA request for the injury data had been made by the National Employment Law Project (NELP), to FSIS. Only now has the data been released. The UFCW is requesting that the USDA reopen the docket for an additional sixty (60) days to permit the UFCW and the public the opportunity to carefully review and understand the data, evaluate the analysis, and comment on the methodologies employed by the USDA to come to the conclusion it did.


On February 1, 2018, the FSIS published in the Federal Register the proposed rule “Modernization of Swine Slaughter Inspection” (83 FR 4780). In the proposed rule, FSIS claims to have conducted a review of injury rates in the pilot hog slaughter plants (HIMP), that serve as a model for this proposal, using industry reported summary data from 2002-2010. The new proposed NSIS would increase line speeds in swine slaughter establishments with devastating consequences to in-establishment worker safety and health.



“FSIS recognizes that evaluation of the effects of line speed on food safety should include the effects of line speed on establishment employee safety. FSIS compared in-establishment injury rates between HIMP and traditional establishments from 2002 to 2010. The preliminary analysis shows that HIMP establishments had lower mean injury rates than non-HIMP establishments.” (83 FR 4796)

The injury data and analysis were never provided to permit careful scrutiny by the public in order to provide comments on this aspect of the proposed rule. We were unable to evaluate the validity of FSIS’s claim. The information should have been released and made available prior to the comment period being closed. Now that the data has been released, we urgently request the additional sixty (60) day comment period to comment on this aspect of the proposed rule.

Sincerely,

A handwritten signature in black ink, appearing to read "Anthony M. DiMarco". The signature is fluid and cursive, with a large initial "A" and "D".

International President