

VIA FEDERAL REGISTER

April 20, 2026

Ms. Mindy Brashears
Under Secretary
U.S. Department of Agriculture
Food Safety and Inspection Service
1400 Independence Avenue SW
Mailstop 3758
Washington DC 20250-3700

Dear Under Secretary Brashears:

The United Food and Commercial Workers International Union (UFCW) submits these comments in response to the U.S. Department of Agriculture (USDA) Food Safety Inspection Service's (FSIS) proposal to change the line speed requirements in poultry plants, which will endanger public health, worker safety, and animal welfare. The UFCW strongly opposes the proposed Maximum Line Speed Rates for Young Chicken and Turkey Establishments Operating Under New Poultry Inspection System (NPIS) rule: FSIS-2025-0012 issued by the USDA. This proposed rule calls for an increase in poultry line speeds from 140 birds per minute to 175 birds per minute which is dangerous to both workers and consumers.

As the organization most familiar with effects of line speeds on worker health and safety, the UFCW can unequivocally state that we are strongly opposed to any increase in maximum allowable line speeds in poultry facilities above the current allowed 140 birds per minute (bpm). We urge the USDA to withdraw this proposed rule because the American people deserve safe food, and America's poultry workers deserve safe and healthful workplaces, and this proposed rule will undermine both.

The UFCW International Union represents nearly 71,000 workers in the poultry slaughter and processing industry, which is 30% of the industry's workers. Our members are hardworking, highly trained professionals who value food safety and serve as an extra layer of protection for consumers. However, the poultry processing industry introduces many hazards, and workplace safety remains a key concern. Even at current line speeds of 140 bpm, poultry slaughter and processing workers face many job risks that can and have led to severe injury, illness, and death.

Jobs inside poultry plants can be extremely dangerous and difficult. Inside these plants, workers perform many different jobs, and each role can present unique ergonomic challenges. For example, workers on the cutting and deboning lines repeatedly use knives to trim meat from carcasses, which can lead to wrist, hand, and shoulder strain due to constant repetitive motions. Employees responsible for hanging live birds on shackles often work quickly while lifting birds overhead, creating risks of shoulder fatigue and awkward postures. Packaging workers may perform repetitive reaching, grasping, and twisting movements while placing products into trays or boxes, increasing the risk of musculoskeletal disorders. In addition, sanitation crews clean equipment using hoses, brushes, and chemicals, which can involve forceful exertion, bending, prolonged standing, and hazardous chemical exposure. Because many tasks are repetitive, fast-paced, and performed for long shifts, ergonomic issues such as muscle strain, tendon injuries, and fatigue are common concerns among poultry workers, and we worry that increased line speeds will exacerbate these injuries.

The USDA-funded Poultry Processing Line Speed Evaluation Study (PULSE) provides some of the most comprehensive and current data on worker health in poultry plants. Conducted by researchers from the University of California, San Francisco, the study examined 1,047 workers across eleven poultry processing facilities operating at speeds between 140 and 175 birds per minute. The findings revealed that the poultry workforce already faces widespread health risks. The study reported that 81% of workers were at increased risk of developing musculoskeletal disorders based on ergonomic measurements of their tasks reflecting high Peak Force Index Threshold Limit Value (PFI-TLV) scores of >1.0 . This extremely high percentage indicates that most workers perform tasks that exceed recommended limits for repetitive hand activity and force. The line speed study also documented significant levels of pain among workers, concluding that 40% of workers across all establishments reported experiencing moderate to severe work-related upper extremity pain in the last 12 months.

The study identified a strong connection between injury risk and “piece rate,” or the number of birds or parts handled by each worker per minute. When workers must handle more birds individually, their risk of musculoskeletal disorders increases. This distinction is important when considering policies that raise line speeds. In many processing plants, increasing the overall speed of the line leads to a higher workload for individual workers unless additional employees or automation are introduced. If staffing levels remain constant while production speeds increase, each worker must perform tasks more quickly and repetitively, increasing the risk of injury.

Though the PULSE Study is an important scientific venture into the effects of poultry processing on worker health, UFCW believes that it is irresponsible of the Food Safety Inspection Service to justify this harmful new policy while ignoring critical limitations of the study. Such limitations include the likely presence of the healthy worker effect, as the study sample was likely healthier than the sample of all previously exposed workers. Workers who left due to work-related injuries and illnesses were underrepresented and leads to an underestimate of reported work-related pain and injuries, as well as an underestimate of the association between line speeds and MSD

risk. There was also the issue of selection bias via convenience sampling, as well as a lack of assessment of the high risk of cuts and amputations that workers face. Language barriers and varied citizenship statuses of plant workers could have also contributed to miscommunication and underreporting due to fear of retaliation and discipline.

The underreporting of workplace injuries is a major concern in poultry processing. Official injury statistics may not accurately reflect the true extent of health problems experienced by workers. A 2015 investigation conducted by OSHA found evidence that many injuries are never formally reported. In one case, a health hazard evaluation found that dozens of workers met the medical definition of carpal tunnel syndrome, yet only a small number of cases were recorded in official workplace injury logs. The PULSE Study results reflect this, where only 40% of workers across all establishments reported experiencing moderate to severe work-related upper extremity pain in the past year. Among those workers who experienced moderate to severe work-related pain in the past year, 43% did not report their pain to their employer. For those who did report moderate to severe work-related pain, 30% received only first aid care for over 2 weeks, with 9% receiving only first aid care for over 10 weeks.

Several factors contribute to this underreporting. Workers may fear retaliation from supervisors if they report injuries or request medical attention. The poultry processing workforce is also very diverse, and undocumented workers may fear losing their jobs and/or being detained. In addition, many poultry plants operate on-site medical clinics that treat injuries internally without reporting them as recordable incidents. Official injury statistics likely underestimate the true scale of health problems in the industry. If injuries are already underreported at current production speeds, increasing line speeds could worsen the situation while leaving many injuries undocumented.

In addition to musculoskeletal injuries, poultry workers face other health and safety risks. Workers are exposed to hazardous chemicals used to sanitize equipment and control bacterial contamination. For example, chemicals such as ammonia and peracetic acid are commonly used in poultry plants and can irritate the respiratory system or cause chemical burns if handled improperly. Workers also stand for long hours on wet or slippery floors while handling sharp tools and heavy equipment. Cold temperatures used to preserve meat can cause numbness in workers' hands, making it more difficult to maintain control of tools and increasing the likelihood of accidents. Faster line speeds may exacerbate these risks because workers have less time to perform tasks carefully. As production speeds increase, the margin for error decreases, making accidents more likely.

The proposed rule increases the top limit on line speeds in poultry plants which will endanger the health and safety of tens of thousands of workers in the poultry industry. Despite the evidence from the PULSE study that line speeds are not associated with increased MSD risk, it is important to consider how line speeds do affect piece rate and proper staffing levels, which the study concludes is associated with MSD risk.

FSIS Must Consider the Impact of Its Actions on Worker Health and Safety

In the proposed rule, FSIS asserts that it “does not have statutory authority to regulate establishment worker safety,” and thus is refusing to consider the impact of the proposed rule on worker safety, or to require establishments to take steps that could ameliorate the impacts of higher line speeds on worker safety—including those recommended in the PULSE Study. 91 Fed. Reg. at 7906. This is a non sequitur. Whether or not FSIS has statutory authority to “regulate establishment worker safety,” it unquestionably has the authority to regulate establishment line speed. And in exercising that authority, like all agencies engaged in rulemaking, it is required to consider “all relevant factors.” *Fla. Power & Light Co. v. Lorion*, 470 U.S. 729, 744 (1985). Here, those factors include the health and safety of those who work in FSIS-regulated establishments.

Whether a regulation would directly harm human life is *always* a relevant factor when an agency exercises its rulemaking authority. But, here especially, Congress has removed any doubt by specifically making clear that workplace safety is relevant to implementation of the FMIA. For instance, in 1958, Congress directed that USDA authorize only those methods of slaughter that are “humane” because doing so “results in safe and better working conditions for persons engaged in the slaughtering industry.” 7 U.S.C. §§ 1901, 1904. And in 1978, Congress amended the FMIA to prohibit slaughter inconsistent with the 1958 provision. See 21 U.S.C. § 610. Congress has deemed worker health and safety relevant to the implementation of the FMIA, and thus FSIS must consider it.

Nothing in the Supreme Court’s recent decision in *Seven County Infrastructure Coalition v. Eagle County*, 605 U.S. 168 (2025), suggests otherwise, contrary to FSIS’s assertion in the proposed rule. See 91 Fed. Reg. at 7912. In *Seven County*, the Supreme Court held that the lower court had “incorrectly interpreted” the National Environmental Policy Act, in holding that, in approving a particular project, the Surface Transportation Board was required “to consider the environmental effects of upstream and downstream projects that are separate in time or place” from the project before it. 605 U.S. at 179. That holding has no application here. FSIS is not being asked to consider how worker safety is impacted by activities that are upstream (e.g., on farms) or downstream (e.g., in supermarkets) from meat processing. Rather, the harms to worker safety discussed [above] flow from the precise activity being regulated (or deregulated) by FSIS. While FSIS points to the language in *Seven County* stating that “agencies are not required to analyze the effects of projects over which they do not exercise regulatory authority,” 91 Fed. Reg. at 7912 (quoting 605 U.S. at 188), that statement has nothing to do with FSIS’s obligation to consider worker safety here. For one, the Court was speaking only to agencies’ requirements under one particular statute—NEPA. See 605 U.S. at 186–87 (focusing on “the textually mandated focus of NEPA”). Its holding was not, as FSIS suggests, a broader “clarification of agency responsibilities,” 91 Fed. Reg. at 7912, in engaging in reasoned decision making, much less a clarification as to the factors FSIS may, or must, consider in exercising its authority under the FMIA. More fundamentally, though, UFCW is not asking the agency to consider

the effects of actions over which FSIS lacks regulatory authority: FSIS undoubtedly has statutory authority to issue rules regarding the speeds at which plants operate their lines.

To the extent that FSIS relies on the existence of OSHA as a basis for disregarding the impact of FSIS's actions on worker safety, that is also a non sequitur. The fact that one agency has a primary purpose of preventing workplace illness and injury does not preclude any other agency from considering whether its actions will cause or exacerbate workplace illness and injury. Further, as FSIS has long acknowledged, OSHA lacks the authority to regulate line speed; only FSIS may do so.

Should FSIS refuse to consider the impact of its actions on workers, it would act arbitrarily and capriciously.

NPIS Establishments Shall Not Be Allowed to Operate at Line Speeds Above 175 bpm for a Variety of Reasons

The UFCW represents a considerable number of workers in poultry plants, and regularly reviews OSHA 300 logs to monitor injuries, illnesses, and fatalities to understand the nature of the injuries and illnesses workers suffer, as well as to understand how they can be prevented in the future. The UFCW communicates with and educates its members on their rights to a safe workplace, as well as the hazards they may face and how to protect themselves. Through its representation of workers in these poultry plants, the UFCW understands the gravity and impact of poultry production on the health and safety of its members.

Increased Line Speeds Places Workers at Risk of Injury

"The excessive speed takes a toll on the shoulders and the hands of team members."

"The effect it has on me is that when the line is going too fast, I can always feel it in my right shoulder."

The UFCW collected OSHA 300 logs of multiple poultry plants from the years 2020 to 2025 and in reviewing these logs have discovered numerous serious and traumatic injuries and illnesses that workers endured, some of which may be a direct result of the speed of the line. Examples of injuries experienced by our poultry workers taken directly from the OSHA 300 logs are:

- Left arm amputation while working in the chiller belt area, resulting in 180 days away from work (2024).
- Severe pain in shoulder area, resulting in 179 days of job transfer or restriction (2020).
- Cumulative trauma to their right wrist from coning bigger birds and was later diagnosed with right de Quervains tenosynovitis, resulting in 180 days of job transfer or restriction (2020).

- An approximately 4-inch long, 2-inch-deep laceration to their right forearm after being caught in evisceration cropper machine, resulting in 46 days away from work and 126 days of job transfer or restriction (2021).
- Sprain/strain to right upper arm and shoulder before being diagnosed with a right rotator cuff tear that required surgical intervention. This led to 9 days away from work and 171 days of job transfer/restriction (2022).
- A closed displaced spiral fracture of the right humerus from lifting birds, resulting in 180 days of job transfer/restriction (2022).
- Evisceration worker was diagnosed with bilateral CTS and personal vascular insufficiency due to repetitive motion. This resulted in 51 days of job restriction/transfer (2023).
- Worker was grading nuggets when her right wrist and forearm started to hurt. She was diagnosed with acute onset carpal tunnel syndrome, given injections, and on job restriction/transfer for 112 days (2023).

These are only a few of the serious and traumatic injuries that UFCW workers have endured. While we submit these comments on behalf of unionized workers, the same injuries occur in non-union plants. The difference is non-unionized workers do not have the protection of a union contract with safety language, adequate training, and representation and may not feel as empowered to report injuries. Increasing line speeds puts non-unionized and unionized workers alike at risk of serious injury, illness, and death.

Not Enough Staffing and Limited Workspace

Any increase in line speeds must be accompanied by a required increase in staffing so as not to increase the burden on individual workers to produce more in the same amount of time. Facilities are typically designed with fixed floor plans, narrow processing lines, and tightly controlled workflows, which leaves little room to add more workers without disrupting operations. As line speeds increase, companies may attempt to increase staffing along the line to maintain productivity and safety, but overcrowding can lead to reduced efficiency and greater risk of accidents. Limited space also makes it harder to maintain proper worker distancing, ergonomic positioning, and clear movement pathways, all of which are essential in a high-speed, hazardous environment. As a result, simply adding more workers is often not a viable solution, highlighting the physical constraints that complicate efforts to scale up production.

Increased Worker Exposure to Other Hazards in the Plants

In reviewing OSHA 300 logs for our poultry plants, chemical exposures have led to many days away from work, job restrictions/transfers. Increasing poultry processing line speeds can significantly increase worker exposure to hazardous chemicals because faster production often requires more frequent and intensive use of disinfectants and antimicrobial treatments. Chemicals such as peracetic acid, chlorine-based sanitizers, and other antimicrobial agents are commonly applied to carcasses and equipment to control bacterial contamination. When line speeds increase, these substances may be

sprayed or applied at higher volumes and with greater frequency to keep up with production demands. Consequently, this can lead to higher concentrations of chemical mist or vapor in the air, especially in enclosed processing environments with limited ventilation. Workers stationed along the line may therefore experience more frequent inhalation exposure as well as increased skin and eye contact with these chemicals. Over time, this heightened exposure can elevate the risk of respiratory irritation and sensitization; chemical burns; and other occupational health effects, particularly when workers have limited opportunities to step away from the line or when protective measures are insufficient to keep pace with faster processing speeds.

The OSHA 300 logs from our poultry plants also show many cases of recordable hearing loss from industrial noise. High noise exposure is a serious health and safety concern for poultry workers. Higher production rates require machinery to operate more rapidly and often with greater intensity. Equipment such as conveyors, cutters, and evisceration systems must run at higher speeds to keep up with demand, which amplifies overall sound levels and creates a more constant and elevated noise environment. As line speeds increase, multiple machines may also operate simultaneously at peak capacity, compounding the noise burden for workers stationed along the line. Continuous exposure to loud machinery such as mechanical deboners, defeathering machines, evisceration lines, and chillers can lead to permanent hearing loss, which often develops gradually and may go unnoticed until it becomes severe. Noise levels in these plants often reach over 90 dB, with short-term noise spikes exceeding 100 dB during peak operation. Prolonged noise levels above these OSHA and NIOSH-recommended limits can contribute to stress, fatigue, and increased blood pressure. Excessive noise can make it difficult for workers to hear warnings, alarms, or communicate, significantly increasing the risk of accidents and injuries. The combination of high noise levels and physically demanding work further amplifies these dangers, underscoring the importance of employers putting in place effective noise control measures, adequate hearing protection, and hearing conservation programs.

FSIS Inspectors May Struggle to Keep Up with the Demands of Increased Line Speeds, Which May Result in Compromised Food Safety Levels

FSIS should not sacrifice consumer safety and worker health and safety for increased profit. Increased poultry processing line speeds can place additional pressure on FSIS inspectors and may affect the effectiveness of food safety oversight. Under the New Poultry Inspection System (NPIS), inspectors must visually examine carcasses for signs of disease, contamination, and processing defects as birds move rapidly along the slaughter line.

The PULSE Study observed poultry establishments operating between roughly 140 and 175 birds per minute, meaning inspectors must evaluate a large volume of carcasses in a very short time. Because inspection time per bird is limited, faster line speeds increase the pace at which inspectors must make decisions and can contribute to fatigue and reduced attention during long shifts. Research on inspection systems also notes that as line speeds increase, inspectors must visually assess carcasses over

greater distances along the conveyor, which can further strain attention and physical workload during extended inspection periods. These conditions may make it more challenging to consistently detect abnormalities or contamination, potentially increasing the risk that diseased or contaminated poultry products move further along the processing chain.

As a result, while establishments may attempt to maintain process control at higher speeds, accelerated line speeds can create operational pressures that complicate FSIS inspectors' ability to conduct thorough oversight and maintain the same level of food safety vigilance. This can be mitigated by ensuring that FSIS is adequately staffed and visiting plants regularly to ensure compliance with line speed regulations and verify process control.

The UFCW is opposed to the removal of line speed limits in poultry processing plants and would like to make recommendations to uphold worker health and safety:

1. Knife Program

Knife work is a well-known risk factor of a range of musculoskeletal disorders combined with excessive force and repetition. The OSHA 300 logs prove that at current line speeds, many workers reported hand pain due to knife use and were later diagnosed with either carpal tunnel syndrome and/or trigger finger, requiring steroid injections or sometimes surgery. If line speeds are increased, workers will be pressured to compensate by working faster, exerting more force through repetitive movements in a shorter amount of time, ultimately increasing their risk of injury.

All facilities must provide robust training and have an effective knife sharpening program in place. Knife sharpening and maintenance are important skills that poultry processing workers must learn and practice. Training for new hires, skill assessments, and refresher training are essential elements of an effective knife program. Workers must also be allotted sufficient time to complete basic knife maintenance such as steeling, cleaning, and/or deglazing during their shifts. Increasing line speeds drastically reduce the time available for workers to do this.

2. Training/Communication

Language barriers exist in poultry plants, where there are many workers from different countries and backgrounds who may not speak or understand English. Workers, in collaboration with FSIS inspectors, are responsible for ensuring food safety and must be able to understand how to detect abscesses, fecal contamination, and other tedious and often complex analysis tasks. The UFCW has previously conducted interviews with poultry workers, who claimed the only training they received was a binder filled with poor quality black and white photos on how to conduct food safety inspections. This is unacceptable

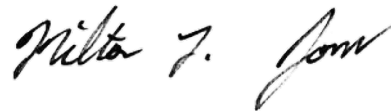
and cannot replace hands-on, rigorous training that is provided in a language all workers can understand.

3. Risk Assessment

All work tasks in plants must be evaluated for risk of injury and potential musculoskeletal disorders. This includes the application of analysis tools such as Hand Activity Level by trained evaluators, and the results must be documents and made available to workers and their representatives (i.e., UFCW).

In conclusion, the UFCW strongly opposes the proposed Maximum Line Speed Rates for Young Chicken and Turkey Establishments Operating Under New Poultry Inspection System (NPIS) rule: FSIS-2025-0012. issued by the United States Department of Agriculture (USDA). This proposed rule calls for an unlimited increase in poultry line speeds which is dangerous to both workers and consumers.

Sincerely,

A handwritten signature in black ink, appearing to read "Nilda Z. Jones". The signature is written in a cursive, flowing style.