



# Animal Welfare Institute

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USDA, Food Safety and Inspection Service  
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(Submitted electronically via [www.regulations.gov](http://www.regulations.gov))

**RE: Docket No. FSIS-2013-0003; Compliance Guide for a Systematic Approach to the Humane Handling of Livestock**

The Animal Welfare Institute (“AWI”) appreciates the opportunity to submit comments on the *FSIS Compliance Guide for a Systematic Approach to the Humane Handling of Livestock* (“Guide”). AWI’s mission is to reduce the total suffering inflicted on animals by people, and one major goal of the organization is to achieve humane slaughter for all animals raised for food. AWI lobbied for passage of the original Humane Methods of Slaughter Act (“HMSA”) in the 1950s and for its 1978 amendment. We support increased humane slaughter enforcement at the state and federal levels, as well as adoption of strong international standards for the welfare of animals at slaughter.

**1. Smaller plants require assistance with humane handling compliance.**

AWI supports the development and issuance of the Guide. Although the Food Safety and Inspection Service (“FSIS”) encouraged all slaughter plants to take a systematic approach to animal welfare eight years ago,<sup>1</sup> as of fall 2012, only 35 percent of federally inspected plants had a robust written approach to humane handling.<sup>2</sup> While nearly all federal plants classified as “large” had a robust written plan, 89 percent of “very small” federal plants—arguably the plants most in need of humane improvements—lacked such a plan.<sup>3</sup>

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<sup>1</sup> Humane Handling and Slaughter Requirements and the Merits of a Systematic Approach to Meet Such Requirements, *Federal Register*, Vol. 69, No. 174, Sept. 9, 2004.

<sup>2</sup> USDA, FSIS (Larry Davis), *Systematic Approach to Humane Handling One Year Later* (PowerPoint presentation), Oct. 17, 2012, at slide 5.

<sup>3</sup> *Id.* As a result of having fewer available resources, small and very small plants are less likely than larger plants to have well maintained equipment, a structural design that facilitates humane animal handling, an animal welfare quality assurance program that includes internal and/or external audits, and the ability to respond quickly to emergency situations.

In reviewing plant suspensions for humane handling and slaughter violations occurring between October 1, 2012 and September 30, 2013,<sup>4</sup> AWI found that 56 percent of all suspensions were issued to plants classified as “very small,” while 29 percent were issued to small plants, and only 15 percent of suspensions were issued to large plants. This statistic is somewhat misleading, however, given that very small plants outnumber large ones nearly 10 to 1 (530 very small plants vs. 60 large plants, approximately). Of more relevance, AWI found that 7 percent of very small plants were suspended during the time period studied, versus 11 percent of small plants, and 14 percent of plants classified as large. From this perspective, an individual large plant was twice as likely to have been suspended during the time period as a very small plant. However, large plants typically slaughter hundreds or even thousands of times more animals than very small plants, and consequently an individual animal is far more likely to be subjected to inhumane handling at a very small plant than at a large one. Because of the risks to animal welfare at smaller plants, it is crucial that these establishments develop, implement and maintain a written, comprehensive humane handling plan. The Guide represents one way for FSIS to assist establishments in doing this.

## **2. The Compliance Guide should be more detailed.**

The Guide could be improved by the use of a more detailed sample humane handling plan and sample monitoring record. While the Sample Assessment Tool (Attachment 2) is quite comprehensive, the Sample Humane Handling Monitoring Record (Attachment 4) is inadequate. Ramps, pens, alleys, and gates should be inspected far more frequently than once per month; monitoring of these areas should be conducted at least once per week if not daily (pens and alleys in particular should be inspected daily). The condition of the flooring should be assessed every day, especially during periods of cold and inclement weather. Stocking densities in the pens should be monitored daily to prevent overcrowding. Trough watering devices, as well as any misting devices, should not just be “turned on” but should be functioning properly. The availability of feed for any animals held overnight should be monitored. Stunning equipment should be checked and cleaned daily when in use and weekly when not in use. In addition, all back-up stunning devices should be checked and cleaned weekly.

The Sample Humane Handling and Slaughter Plan (Attachment 3) does not cover certain basic issues such as how non-ambulatory animals are handled. The following topics should be addressed in humane handling plans:

- (1) Routine training of personnel in humane handling procedures;
- (2) Maintenance of pens, ramps, and driveways to prevent animal injuries, slips and falls;
- (3) Methods of unloading, moving, and driving animals to avoid excitement and discomfort;
- (4) Measures for inclement weather;
- (5) Means of supplying water to all animals in holding pens, and feed if held longer than 24 hours;

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<sup>4</sup> Review included suspensions for humane slaughter violations listed in the *FSIS Quarterly Enforcement Reports*, which identify plant size. <http://www.fsis.usda.gov/wps/portal/fsis/topics/regulatory-compliance/regulatory-enforcement/quarterly-enforcement-reports/qer-index>.

- (6) Maximum pen stocking density to allow sufficient room for animals held overnight to lie down;
- (7) Methods of handling disabled and suspect animals;
- (8) Choice of proper stunning device with regard to kind, breed, size, age, and sex of the animal, and the training of personnel in proper use of the device(s);
- (9) Methods of proper restraint for effective stunning;
- (10) Means of determining sensibility in animals and the training of personnel in determining sensibility;
- (11) Routine maintenance and testing of stunning equipment to prevent equipment malfunction;
- (12) Maintenance of back-up stunning devices for use in the stunning area and in holding areas of the plant; and
- (13) Appropriate response to equipment malfunction and stunning failure.

### **3. Written plans should be required, not voluntary.**

FSIS regulations require that all plants develop and maintain a food safety hazard analysis and plan. At present, slaughter plants are often required or strongly recommended to prepare an animal handling plan *only after* the occurrence of one or more egregious humane violations. FSIS's current tactic is to gradually increase the number of plants with an animal handling plan;<sup>5</sup> however, this will allow future inhumane slaughter violations to occur that otherwise could be prevented. USDA Agricultural Marketing Service requires that a systematic approach to humane handling be used by all contractors and subcontractors participating in federal nutrition assistance programs.<sup>6</sup> The impact of this initiative is limited, however, by the fact that only approximately 70 U.S. beef, pork, and lamb suppliers,<sup>7</sup> among a total of 2,800 government inspected slaughter establishments,<sup>8</sup> participate in these programs. Moreover, it is likely that most of the 70 plants are among the 35 percent of establishments that have already implemented a systematic approach to animal handling and welfare.

The World Organization for Animal Health ("OIE") recommends that every slaughter plant implement a humane handling plan:

Each slaughterhouse should have a dedicated plan for animal welfare. The purpose of such plan should be to maintain a good level of animal welfare at all stages of the handling of animals until they are killed. The plan should contain standard operating procedures for each step of animal handling as to ensure that animal welfare is properly implemented based on relevant indicators. It also should include specific corrective

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<sup>5</sup> FSIS has set a goal of 50 percent of plants with a robust humane handling plan by FY 2016. FSIS, *Strategic Plan FY 2011-2016*, no date, at 16. [http://www.fsis.usda.gov/PDF/Strategic\\_Plan\\_2011-2016.pdf](http://www.fsis.usda.gov/PDF/Strategic_Plan_2011-2016.pdf).

<sup>6</sup> AMS, *Technical Requirements Schedule—Animal Handling and Welfare 2010* (TRS-AHW-2010), effective date May 2010.

<sup>7</sup> See "AMS Approved Boneless Beef/Pork/Lamb Supplier/Contractor Listing," as of Apr. 25, 2013. <http://www.ams.usda.gov/AMSV1.0/getfile?dDocName=STELPRDC5097797>.

<sup>8</sup> See USDA, National Agricultural Statistics Service, *Livestock Slaughter: 2012 Summary*, Apr. 2013, at 62.

actions in case of specific risks, like power failures or other circumstances that could negatively affect the welfare of animals.<sup>9</sup>

We encourage FSIS to grant the petition submitted by AWI to amend the HMSA by requiring that all plants develop and implement a written, comprehensive animal handling plan.<sup>10</sup>

#### **4. Plans should be required for poultry plants as well.**

FSIS has acknowledged the causal connection between inhumane handling and slaughter of poultry and adulterated poultry product through its notices and directives.<sup>11</sup> Although birds are not currently covered by the Humane Methods of Slaughter Act regulations, FSIS encourages plants to take a systematic approach to the treatment of poultry at slaughter that is consistent with “good commercial practices.”<sup>12</sup> The Poultry Products Inspection Act (“PPIA”) grants FSIS the authority to promulgate regulations concerning handling practices that have the potential to result in product adulteration.<sup>13</sup> Given that FSIS is charged with ensuring that poultry slaughter plants operate in a manner that prevents adulteration, the agency must meet its statutory obligations under the PPIA by promulgating regulations to limit the improper handling of birds at slaughter.

We encourage FSIS to grant the petition recently submitted by Farm Sanctuary and AWI to amend the PPIA regulations by defining good commercial practices and requiring that all poultry slaughter plants develop and implement a written, comprehensive animal handling plan.

Thank you for considering our comments. Please don’t hesitate to contact me at 202-446-2146 or via electronic mail at dena@awionline.org if I can answer any questions or be of further assistance.



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<sup>9</sup> World Organization for Animal Health, *Slaughter of Animals*, Terrestrial Animal Health Code, Chapter 7.5, 2012, at 7.5.2.1.

<sup>10</sup> FSIS Petition Number 13-06.

<sup>11</sup> Treatment of Live Poultry before Slaughter, *Federal Register*, Vol. 70, No. 187, Sept. 28, 2005; FSIS, *Ante-Mortem and Post-Mortem Poultry Inspection*, Directive 6100.3, rev. 1, Apr. 30, 2009; FSIS, *District Veterinary Medical Specialist: Work Methods*, Directive 6910.1, rev. 1, Dec. 7, 2009.

<sup>12</sup> Treatment of Live Poultry before Slaughter, *Federal Register*, Vol. 70, No. 187, Sept. 28, 2005.

<sup>13</sup> 21 U.S.C. § 451.