

# Pennsylvania Farm Bureau

510 S. 31st Street, P.O. Box 8736 | Camp Hill, PA 17001-8736 | 717.761.2740 | [www.pfb.com](http://www.pfb.com)

May 17, 2021

## Sent via email

The Honorable Tom Vilsack  
Secretary of Agriculture  
U.S. Department of Agriculture  
1400 Independence Ave., S.W.  
Washington, DC 20250

Dear Secretary Vilsack:

A Minnesota U.S. district court order vacating provisions of the USDA's final rule implementing the New Swine Inspection System ("NSIS") that allowed for higher line speeds at packing plants is raising great concern among Pennsylvania's pork producers and processors. Pennsylvania Farm Bureau strongly urges USDA to take action well before the court order takes effect, to preserve the ability of hog farmers to market their hogs according to pre-existing contractual agreements. Otherwise, reductions in plant harvest capacity will have a huge negative impact on prices paid to farmers.

NSIS pilot pork harvest facilities have been running at faster line speeds for more than 20 years. The NSIS pilot began under the Clinton administration to modernize meat inspection. Pork processing facilities have run at faster line speeds without worker safety problems since that time. The court claimed USDA failed to consider "worker safety concerns," with no evidence that eliminating line speed limits poses a risk to worker safety. A comparison of worker safety data from 2002 to 2010 from the Federal Safety Inspection Service shows that the five plants in the NSIS pilot program had lower mean injury rates compared to 24 traditionally inspected, high-volume plants for which the agency had data. Data provided by National Pork Producers Council and the North American Meat Institute indicated three of the five pilot plants showing no correlation between increasing line speeds and injury rates. The court's concerns regarding worker safety appear to be hypothetical.

However, this court ruling will have very real impacts on our state's hog farmers, causing them significant economic harm as spot market prices are estimated to fall over ten dollars per cwt due to harvest capacity, which is already stretched to the maximum, being reduced. The lost revenue resulting from the court ruling will predominantly hurt small hog farmers like we have in Pennsylvania. When capacity is short, packers are far more likely to terminate contracts with small farmers than larger ones, forcing small producers to sell hogs at reduced spot prices.

Mr. Secretary, we need timely action to avoid irretrievable harm to Pennsylvania hog farmers. Pennsylvania Farm Bureau is pleading for USDA to appeal the ruling, and seek a stay while the appeal is considered, to prevent losses to our farm families. We also respectfully urge USDA to pursue new, fast-tracked rulemaking, or waivers, which reflect advances in plant technology and practices that allows for increased line speeds, while at the same time protecting plant workers.

Thank you for your consideration of this vital concern to our state and nation's pork producers.

Sincerely,



Rick Ebert, President