

February 26, 2021

Dear Secretary Vilsack:

On behalf of the undersigned organizations, and our millions of supporters nationwide, congratulations on your appointment to lead the U.S. Department of Agriculture (USDA). We write to urge you to take immediate action to pave the way for our food and agriculture systems to build back better during the Biden-Harris administration. Specifically, in accordance with President Biden's Executive Order on Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis (the Climate Executive Order),¹ we urge you to review and rescind the Trump administration's regulations and other agency actions that are incompatible with a just, climate-conscious, resilient, and more humane pasture-and plant-based food system.

President Biden and Vice President Harris have laid out a sweeping agenda for their first 100 days in office that prioritizes COVID-19 relief and response, climate change, economic recovery, and racial equity. Our current food and agriculture systems reflect the urgent need to address these priority areas. Industrial animal agriculture in the U.S. harms people, animals, and the environment, confining billions of animals in concentrated animal feeding operations (CAFOs) that generate hundreds of millions of tons of manure annually, polluting our air and waterways. Globally, industrial animal agriculture produces more greenhouse gas emissions than all the world's transportation combined. The animal agriculture industry as it exists today presents serious public health risks, contributes to climate change, cultivates the decline of rural communities, and exacerbates and perpetuates racial injustice.

President Biden's bold Executive Order on Climate establishes that the policy of this administration is, among other things, to empower workers and communities, protect public health and the environment, advance environmental justice, listen to science, promote resilience, and combat the climate crisis. It further directs executive departments and agencies to reconsider and potentially suspend, revise, or rescind harmful policies advanced by the previous administration.

In accordance with this Executive Order, and consistent with the Biden-Harris administration's overarching priorities, we ask that you take the following actions to reverse the harm done by the previous administration and create opportunities for meaningful reform:

End Higher-Speed Slaughter

The harmful slaughter line speed increase policies advanced during the previous administration present serious threats to worker safety, public health, animal welfare, and the environment, in conflict with the national policy objectives identified in the Climate Executive Order. Workers in slaughterhouses already experience repetitive motion injuries at rates nearly seven times higher than the average factory worker, and increased line speeds means employees must work even faster and make more repetitious movements than before. Ending higher-speed slaughter is necessary to protect the health and safety of slaughterhouse and meatpacking workers, especially during the COVID-19 pandemic, as increased line speeds prevent social distancing and further exacerbate the already heightened risk that workers face.² Faster line speeds

¹ Exec. Order No. 13,990 (Jan. 20, 2021), <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-protecting-public-health-and-environment-and-restoring-science-to-tackle-climate-crisis/>.

² Taking action to protect essential slaughterhouse and meatpacking workers is also consistent with the policy laid out in President Biden's Executive Order on Protecting Worker Health and Safety. Exec. Order 13,999 (Jan. 21, 2021),

also increase the risk that fecal contamination and other public health threats are allowed to occur and go undetected. Moreover, the extremely rapid slaughter rates allowed under these policies subject animals to increased risk of rough handling and botched stunning, including dismemberment or drowning in scalding water while they are conscious, in violation of the Humane Methods of Slaughter Act. Increased line speeds also result in more animals being raised for food, more animals being slaughtered, and more waste being produced, further contributing to environmental degradation and accelerated climate impacts caused by industrial factory farming.

In addition, the Trump administration's drastic changes to slaughterhouse operations must be reevaluated in light of data and informational deficiencies. The USDA's own Office of Inspector General concluded in June 2020 that the agency did not determine whether the worker safety data used to develop the Modernization of Swine Slaughter Inspection Rule were reliable, and recommended that the agency communicate the limitations of the data to the public.³ There is also a lack of reliable data related to higher-speed chicken slaughter and virtually no information has been made available related to higher-speed cattle slaughter. We urge the USDA to reconsider higher-speed slaughter through the lens of the best data and science available, and to better protect workers, public health, animal welfare, and the environment by taking the following actions:

1. Rescind the Modernization of Swine Slaughter Inspection Rule;⁴
2. Discontinue the policy of issuing line speed waivers to slaughterhouses and rescind existing waivers.⁵

Restore the Organic Livestock and Poultry Practices Rule

The Organic Livestock and Poultry Practices (OLPP) Rule was promulgated under your leadership in 2017 in order to ensure that animal husbandry practices on farms raising animals under the USDA Organic label better aligned with consumer expectations. As you know, this rule was finalized after nearly a decade of USDA engagement with a broad array of stakeholders, including higher-welfare organic producers seeking fair treatment and consistent application of USDA organic standards. Prior to the issuance of the OLPP Rule, the USDA's vague regulations allowed companies raising animals in crowded, intensive systems that are harmful to public health, animal welfare, and the environment to qualify as organic and use the coveted USDA Organic label on their products. In 2018, the Trump administration officially withdrew the OLPP Rule, leaving millions of animals without meaningful protections against industrial conditions like crowding, barren environments, lack of fresh air and sunlight, and painful mutilations. We urge the USDA to reinstitute organic program requirements for more humane and environmentally-conscious animal housing, transportation, and slaughter by taking the following actions:

<https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/21/executive-order-protecting-worker-health-and-safety/>.

³ USDA Office of Inspector General, FSIS Rulemaking Process for the Proposed Rule: Modernization of Swine Slaughter Inspection (June 2020), <https://www.usda.gov/sites/default/files/audit-reports/24801-0001-41.pdf>.

⁴ 84 Fed. Reg. 52,300 (Oct. 1, 2019).

⁵ *See, e.g.*, Petition To Permit Waivers of Maximum Line Speeds for Young Chicken Establishments Operating Under the New Poultry Inspection System; Criteria for Consideration of Waiver Requests for Young Chicken Establishments To Operate at Line Speeds of Up to 175 Birds per Minute, 83 Fed. Reg. 49,048 (Sept. 28, 2018); USDA Food Safety and Inspection Service, Salmonella Initiative Program (SIP) Participants Table, https://www.fsis.usda.gov/wps/wcm/connect/188bf583-45c9-4837-9205-37e0eb1ba243/waiver_table.pdf?MOD=AJPERES.

1. Rescind the Organic Livestock and Poultry Practices (OLPP) Withdrawal Rule⁶ and reinstate the final OLPP Rule.⁷

Rebuild Fair Market Practices

If the USDA is to succeed in meeting the mandate of the Climate Executive Order, farmers must be able to trust the agency to regulate the market to protect them against predatory and anti-competitive practices that limit the ability to improve our farming system. The previous administration greatly weakened the USDA's ability to regulate agricultural markets and ensure fair and just treatment of farmers, increasing the power of multinational agriculture corporations and further enabling inhumane industrial animal agriculture practices that harm public health, animal welfare, and the environment.

The previous administration's decision to eliminate the Grain Inspection, Packers and Stockyards Administration (GIPSA) as a standalone agency and delegate its functions to the Agricultural Marketing Service removed GIPSA's independence and ability to effectively enforce antitrust law and protect farmers. It is critically important that GIPSA is able to work independently, without undue influence from corporate interests, to address the anti-competitive practices that stand in the way of reform.

The Undue and Unreasonable Preferences and Advantages Under the Packers and Stockyards Act Rule (the Undue Preference Rule) promulgated by the previous administration fails to protect vulnerable farmers and ranchers from exploitation by livestock and poultry corporations. The new rule fails to even protect farmers from retaliation on the basis of race, making farmers of color particularly vulnerable. Moreover, the rule does not help farmers trapped in unfair contracts, upholding the power of harmful, polluting animal agriculture corporations instead of safeguarding the livelihoods and well-being of rural farmers and communities of color.

Holding industrial agriculture accountable for its contributions to climate change, environmental racism and racial inequities must include protecting farmers from discrimination and predatory practices that serve to increase corporate control of our food system. The USDA should recognize the role farmers could play in mitigating climate change by transitioning to more humane and less climate damaging farming systems, as well as in building back rural communities to better serve their residents, including underserved and disenfranchised Black, Indigenous and people of color.⁸ To that end, we urge the USDA to better safeguard farmers by taking the following actions:

1. Revise the Revision of Delegations of Authority Rule⁹ as necessary to reinstate the Grain Inspection, Packers, and Stockyards Administration as a stand-alone agency;
2. Rescind the Undue and Unreasonable Preferences and Advantages Under the Packers and Stockyards Act Rule.¹⁰

⁶ 83 Fed. Reg. 10,775 (Mar. 13, 2018).

⁷ 82 Fed. Reg. 7,042 (Jan. 19, 2017).

⁸ Building back rural communities equitably and advancing racial justice in our food and agricultural systems is also consistent with the policy laid out in President Biden's Executive Order On Advancing Racial Equity and Support for Underserved Communities Through the Federal Government. Exec. Order 13,985 (Jan. 20, 2021), <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government/>.

⁹ 83 Fed. Reg. 61,309 (Nov. 29, 2018).

¹⁰ 85 Fed. Reg. 79,779 (Dec. 11, 2020).

During your confirmation hearing, you indicated that if confirmed as USDA Secretary, you would ensure that the USDA and farmers lead the way in efforts to mitigate the effects of climate change. We hope that these efforts will include a reapportioning of USDA resources and funding to support farmers' transition to more humane, less harmful pasture-and plant-based systems. As you review regulations and other agency actions advanced by the previous administration in accordance with the Climate Executive Order, we urge you to reconsider the harmful policies identified in this letter, which bolster inhumane industrial animal agriculture, erode public health and the environment, undermine science and facts, and represent a step backward in the journey to achieve environmental justice for all.

Sincerely,

A Greener World
American Society for the Prevention of
Cruelty to Animals (ASPCA)
Animal Equality
Animal Legal Defense Fund
Animal Outlook
Blue Heron Farm and Nursery LLC
Buffalo River Watershed Alliance
Center for Biological Diversity
Center for Food Safety
Clark County Food System Council
Cloudview Farms
Coyote Ridge Ranch
Edible Acres Farm
Family Farm Action
Farm Aid
Farm Forward
Farm Sanctuary
Farm Transformation Institute
Field & Fire Cafe
Food & Water Watch
Food Animal Concerns Trust
Food Chain Workers Alliance
FOUR PAWS USA
Friends of Clark County
Friends of Family Farmers
Friends of the Earth
Gifts of the Planet Farm
Green America
Hazon, the Jewish Lab for Sustainability
Health Care Without Harm
Institute for Agriculture and Trade Policy
(IATP)
Iowa Organic Association
Johns Hopkins Center for a Livable Future
Kanalani Ohana Farm
Lady Freethinker

Maine Organic Farmers and Gardeners
Association
Mercy For Animals
Michigan Organic Food and Farm Alliance
Miskell's Conservation Land Consulting LLC
Montana Organic Association
National Employment Law Project
National Organic Coalition
National Sustainable Agriculture Coalition
(NSAC)
Northeast Organic Dairy Producers Alliance
Northeast Organic Farming Association of
New York (NOFA-NY)
Northeast Organic Farming Association of
Vermont (NOFA-VT)
Northeast Organic Farming Association-
Interstate Council (NOFA-IC)
Ohio Ecological Food and Farm Association
Pennsylvania Certified Organic (PCO)
Potomac Vegetable Farms
Public Justice
Real Food Media
Rural Advancement Foundation
International - USA (RAFI-USA)
Salmon Creek Farmers Market
Second Mile Food Hub
Slow Food NYC
Slow Food USA
Socially Responsible Agriculture Project
Strategies for Ethical and Environmental
Development (SEED)
True Health Initiative
Twin Oaks Dairy LLC
Venceremos
Vermont Compost Company
World Animal Protection
Zero Hour